Rights & Freedoms of Students

Monroe Community College
STATE UNIVERSITY OF NEW YORK

Inspiring every day.
Rights & Freedoms of Students

In June 1967, a joint committee composed of representatives from the American Association of University Professors, U.S. National Student Association, Association of American Colleges, and National Association of Women Deans and Counselors drafted The Joint Statement on Rights and Freedom of Students, excerpts of which are published below. Since its formation, this document has been endorsed by each of its five national sponsors, as well as by a number of other professional bodies.

Preamble

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students and the general well being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Institutional procedures for achieving these purposes may vary from campus to campus, but the minimal standards of academic freedoms of students outlined below are essential to any community of scholars.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.

In the Classroom

The professor in the classroom and in conference should encourage free discussion, inquiry and expression.

Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

Protection Against Improper Academic Evaluation. Students should have protection through orderly procedures against prejudiced or capricious academic evaluation.

At the same time, they are responsible for main maintaining standards of academic performance established for each course in which they are enrolled.

Introduction

Monroe Community College subscribes to The Joint Statement on Rights and Freedoms of Students, and with regard to this document, emphasize the Preamble and Section II related to the rights and freedoms of students in the classroom.

To protect the rights and freedoms of students and faculty members in keeping with this Joint Statement, we establish these procedures to provide for the orderly, fair and prompt resolution of perceived student academic grievances. These procedures are established to insure the due process, and the equitable treatment and protection of all parties involved in the perceived academic grievance.
Definition and Jurisdiction

The term **academic grievance** as used in these procedures shall mean a complaint by a student of Monroe Community College against a teacher of the College.

An academic grievance may be filed on the grounds that the rights and freedoms of the student in the classroom as described in the Joint Statement have been violated.

In keeping with the intent and spirit of this statement, it is incumbent upon all parties involved to show respect, restraint, and responsibility in their efforts to resolve perceived grievances. It is incumbent upon faculty members to arrange meetings and conferences with the student in good faith, and to communicate decisions to the student promptly.

Grievance Procedures

When the student believes there are grounds for an academic grievance, these procedures shall be followed by all parties. The failure of any College personnel at any level to communicate a decision to the aggrieved student within proper time limits shall permit the student to proceed to the next step of the process. The failure of the student to appeal the grievance to the next step within the proper time limits shall constitute a withdrawal of the grievance and shall bar further action.

Students cannot grieve a grade in a course from which they have completed a student initiated withdrawal. Once the student initiated withdrawal has been completed it cannot be revoked.

Students may file a grievance regarding a faculty-initiated withdrawal. Students have the right to remain in class during the grievance process and are responsible for attending class and completing assigned work.

For due cause, the Provost and Vice President for Academic Services (hereafter “the Provost”) may extend the withdrawal deadline for a student initiating an academic grievance.

I. Initial Informal Procedures.

The student shall initiate the informal procedure within ten working* days after the student has received information about a condition on which the grievance is based. For due cause, the Provost may extend this time requirement. The student is responsible for assuring that pertinent contact information is updated on the college system.

The student shall meet with the faculty member to discuss and to attempt to resolve the grade dispute. If the student is unable to meet with the faculty member, the perceived grievance may be discussed in a meeting with the faculty member’s department chairperson. Students should be prepared to verify that they attempted to contact the faculty member via a dated email or contact with the department office.

If still not satisfied, the student may institute a formal academic grievance procedure.

*“Working day” is defined as any day (Monday-Friday) that the College is officially open.
II. Formal Academic Grievance Procedures

Within 20 working days*—after the student has received information on which the grievance is based, the student shall meet with a College Academic Grievance Advisor assigned by the Assistant to the Vice President of Academic Services (A2VP) to discuss the disputed grade. The student can only institute the formal academic grievance procedure after the conference with the faculty member and department chairperson. For due cause, the Provost may extend this time requirement. The Academic Grievance Advisor shall counsel the student regarding the grounds for the grievance and shall explain the formal academic grievance procedures. Faculty members may also choose to meet with an Academic Grievance Advisor for guidance and advice regarding the grievance procedure.

III. Academic Grievance Submission

Should the student desire to pursue the grievance, the Advisor shall assist the student in completing the necessary forms.

The Academic Grievance Advisor shall promptly distribute copies of the completed grievance to the:
1. aggrieved student
2. faculty member being grieved
3. faculty member’s department chairperson
4. Faculty member’s Academic Grievance Advisor (if applicable)
5. faculty member’s Academic Dean or other Academic Dean hearing the grievance case
6. Provost via the A2VP

The academic status of the student, pending the outcome of the grievance, shall be determined by the Provost or designee.

IV. Formal Academic Grievance Meeting

Academic Deans will hear the grievance case unless it is determined that the grievance case is a conflict. If the grievance is deemed a conflict, the Provost will select another Dean to hear the case. Within 10 working days, the Division Dean or the other Academic Dean hearing the case shall:
1. Arrange one meeting in which the Academic Dean (acting as a mediator), Chairperson, student and faculty member(s) will discuss and attempt to resolve the grievance.
2. Prepare a written report that describes the steps taken and the rationale for the dean’s decisions rendered regarding the student’s grievance, and
3. Distribute copies of this written report to the:
   a. Aggrieved student
   b. Student’s Academic Grievance Advisor
   c. Faculty member
   d. Faculty member’s Academic Grievance Advisor (if applicable)
   e. Faculty member’s chairperson
   f. Provost (via A2VP)

V. Appeal of Dean’s Decision

If the grievance is not resolved to the satisfaction of the student, the appeal paperwork and process is provided by the student’s Academic Grievance Advisor. The Grievance Advisor will provide copies of the appeal form to the same parties listed in step III via email and interoffice mail within 72 hours.
after the Dean's decision has been communicated in writing.
For due cause, the Provost may extend these time requirements.

**VI. Formal Grievance Hearing**

The College Academic Grievance Hearing Committee (hereafter referred to as the Committee) shall be appointed by the Provost within five working days of receiving the paperwork. For due cause, the Provost may extend this time requirement. In addition to the student and the named faculty member (the principals), the committee shall consist of

1. one full-time faculty member with experience in the Grievance Hearing process to serve as the committee chairperson.
2. one full-time teaching faculty member from a School managed by the Academic Dean who heard the grievance case in step IV.
3. one full-time teaching faculty member from a School not managed by the Academic Dean who heard the grievance case in step IV.
4. one full-time faculty member from the Student Services division.
5. two student members (all attempts will be made to include students from multiple campuses).

The principals have the right to review the membership of the Committee before the hearing begins and to request the replacement of any one member of the Committee. Any additional request for the replacement of any other member of the Committee requires that either principal submit the reason in writing to the Provost via the A2VP. The Academic Dean who previously rendered a decision during step IV and the faculty member’s chairperson will also be invited to the hearing.

Both principals have the right to the presence of one advocate from within the college community during the formal hearings.*** The college community is defined as the employees and students at the institution currently or within the last twelve months. These persons shall not include anyone trained in the law. Such persons will act as a support person to the student or faculty member during the Hearing*, will be present to offer as the need arises. Such persons are not present to argue the student or faculty member’s case.

** Academic Grievance Advisors will explain how to select a support person.**

The A2VP shall arrange for the selection of a meeting date, provide grievance related materials, and set the agenda for the Committee but shall not serve on the Hearing. The Committee has the responsibility of rendering a decision about the grievance. To this end, written and oral statements may be initiated and/or solicited from the principals in the grievance, and/or from other observers who can provide pertinent information about the matter. If new evidence has been identified, it may be presented at this time.

Within 12 working days of the student’s written appeal in step V, the Committee shall complete its business. The final recommendations of the Committee are to be presented in writing to the Provost within 2 working days after the completion of the deliberations of the Committee. Copies of any meeting notes and all documents submitted shall be retained for six years after the decision is rendered.
VII. Final Decision
The Provost shall review the recommendations of the Committee. If the Provost finds the recommendation and the proceedings complete, reasonable, and just, the results shall be binding upon both principals. If there is some cause to question the recommendation or proceedings of the Committee, the Provost shall send any statements of concern in writing back to the Committee for deliberation and resolution. The Committee shall promptly submit its response in writing to the Provost who shall make the final decision. The final decision and supportive rationale shall be communicated in writing within five working days (which may be extended for due cause) by the Provost to the principals, the appropriate Academic Dean, and to the Chairperson of the Committee. This written decision constitutes the final step in the resolution of the grievance within the institution.

VIII. Statement of Record
After receiving the final decision, either principal shall have the right to file a statement with the Provost for purpose of record only.

IX. Timeline Summarizing Grievance Procedures
I. Initial Informal Procedures (must be completed within 10 working days of receiving the disputed grade)
   A. The student will attempt to reach a resolution by discussing the issue(s) with the faculty member after the disputed grade is received. This attempt should occur as soon as possible and be documented by email.
   B. If dissatisfied with the outcome or if the faculty member is unavailable, the student will discuss the issue(s) with the Department Chairperson.
   C. If the student is dissatisfied with the outcome of the meeting with the Department Chairperson, the student may institute formal academic grievance procedure.

II. Formal Academic Grievance Procedure (must be completed within 20 working days of receiving the disputed grade)
   A. The student will contact the Assistant to the Provost/Vice President of Academic Services (A2VP) to be assigned a College Academic Grievance Advisor.
   B. The student will meet with the assigned College Academic Grievance Advisor.

III. Academic Grievance Submission (must be completed within 25 working days of receiving the disputed grade)
   A. After meeting with the Academic Grievance Advisor, the student can make an informed decision to pursue the formal grievance.
   B. The student will submit necessary paperwork to the Academic Grievance Advisor within 5 working days of meeting.
   C. The student’s Academic Grievance Advisor will promptly distribute copies of completed grievance paperwork.
IV. Formal Academic Grievance Meeting (must be completed within 10 working days of submission of the grievance paperwork)
   A. The Academic Dean will hold a meeting to attempt resolution.
   B. The Academic Dean will prepare and distribute a written report.

V. Appeal of Dean’s Decision (must be completed within 72 hours of Dean’s decision)
   A. If dissatisfied with the Academic Dean’s decision, the student may make a written appeal of the decision.
   B. The written appeal must be submitted to the Academic Grievance Advisor within five working days of the Academic Dean’s decision.
   C. The student’s Academic Grievance Advisor will promptly distribute copies of completed grievance paperwork.

VI. Grievance Hearing (must be completed within 12 working days of the Dean’s decision)
   A. The Provost will appoint members of Hearing Committee.
   B. The Hearing Committee will complete its business.
   C. The Hearing Committee will submit a report to Provost (via the A2VP) within 2 working days from the date of the hearing.

VII. Final Decision (must be completed within 5 working days of the Hearing Committee’s decision)
   A. The Provost will review recommendations and communicate any concerns to the Hearing Committee.
   B. The Hearing Committee will respond to Provost’s concerns promptly.
   C. The Provost will communicate a final decision to the student, faculty member, Academic Dean, and Hearing Committee Chairperson.

VIII. Statement of Record (must be completed within 5 working days of the Provost’s Decision)
   A. After the final decision, either principal may file statement of record to the Provost via the A2VP. This statement is for informational purposes only.