

## **4.0 UNDERGRADUATE GRIEVANCE POLICY**

### **4.1 School of Nursing RN-BSN Grievance Policy**

#### **4.2 The Academic Review Process**

The School of Nursing provides for an academic review when a student challenges a faculty evaluation process in a nursing course. In an academic review process, the academic atmosphere should be retained. This means that the process should be **non-adversarial**, with the absence of legal counsel, and that there is no right of confrontation.

The Academic Review Process is not the same as the **non-academic hearing process**. A student accused of a non-academic offense or of academic dishonesty (e.g. cheating, plagiarism, etc.) in violation of the University's Student Code of Conduct and the Board of Trustees policies regarding student life is entitled to due process of law, which includes the right to legal counsel, the right of confrontation, and the right of adversarial proceedings. All claims of non-academic offenses or academic dishonesty will be referred to the Office of Judicial Affairs.

#### **Purpose**

The purpose of the academic review process is to determine whether the faculty fairly, reasonably, and equitably evaluated a student's academic efforts.

#### **Procedure**

The procedure outlined here is intended to govern student appeals related to faculty evaluation processes in a nursing course. The procedure applies to complaints which have not been previously reviewed by the Academic Review Committee (ARC).

At the beginning of each term, faculty will inform the students of the basis for the academic evaluation. This may be oral, but it is preferable that it should be written.

The Academic Review Process must be implemented by the student in the following sequence:

#### **Step I.**

If the student is dissatisfied with his or her academic evaluation by faculty in the School of Nursing RN-BSN program, he/she has the right to seek an explanation from the faculty in the course involved. The request for a meeting must occur within three (3) official business days (by close of business) of final grades post in Canvas for the first 8-week courses or within three (3) official business days (by close of business) of university posting of grades in iRattler for second 8-week courses that the grievance occurred. All meeting requests shall be made via electronic communication to the professor's email address listed on the course syllabus. If the student fails to request a meeting within three (3) business-days, he/she will forfeit the right to appeal and the academic evaluation by faculty will stand. Business days are defined as a day of business operation by the University.

#### **Step II.**

The faculty has the responsibility to explain and review with the student the methods and process of evaluation within three (3) business days of the student's request.

### **Step III.**

If a student remains dissatisfied, he/she has the right to appeal in writing to the course faculty (including dates, issues, and proposed resolution). The written appeal must occur within three (3) business days of receipt of the faculty's decision pursuant to Step II.

### **Step IV.**

The faculty has the right to uphold or alter the evaluation. The written response to the appeal shall be submitted to the student within three (3) business days of receipt of the student's written appeal as noted in Step III.

### **Step V.**

If the student is dissatisfied with the written decision of the faculty as noted in Step IV, he/she has the right to appeal in writing to the Dean of the School of Nursing. The written appeal, including documentation from Step III and IV, as well as any other desired documents must be submitted within three (3) business days of receipt of the faculty decision.

### **Step VI.**

Upon receipt of the written appeal from Step V, the Dean shall direct the Academic Review Committee (ARC) to meet within five (5) business days.

The written appeal from Step V will be forwarded to the chairperson of the ARC. The Dean will notify the course faculty involved that a request for review has been received.

### **Step VII.**

#### **1. Academic Review Committee (ARC) Process**

- a. The ARC will deliberate and determine if the student's academic efforts were fairly, reasonably, and equitably evaluated by the faculty. The review process is based on the student's written request, the course faculty's written response, and other appropriate documentation. The committee may request papers or additional documentation as needed.
- b. After a review of the documents, the ARC will make one of three decisions, namely:
  - i. The student's academic effort were fairly, reasonably and equitably evaluated by the faculty and the decision of the faculty should be upheld;
  - ii. The student's academic efforts were not fairly, reasonably and equitably evaluated and the decision of the faculty should be altered; or
  - iii. An informal hearing should be conducted by the hearing board in accordance with Step VIII before a decision can be reached on upholding or altering the decision of the faculty.
- c. The committee must decide within five (5) business days of convening the first meeting of the committee.

- d. Any decision of the committee must be by a majority of the committee.

**2. Hearing Board (if necessary)**

- a. A notice will be sent to the student and the course faculty giving date, time, and place of the hearing.
- b. The hearing is closed to the public.
- c. Each party shall be allowed to make a statement.
- d. The Board may call and examine witnesses, request other papers or additional documentation, and introduce other evidence. The Board shall have full authority to control the procedure of the hearings to admit or exclude testimony.
- e. All rulings shall be by a majority of the Board.
- f. The Hearing Board shall not be bound by the rules of evidence applicable in courts of record in the State of Florida, but all hearings shall be conducted with respect to fundamental fairness to all parties.
- g. The Chairperson of the Board may choose to have the proceedings of the hearing recorded either by tape recorder or through the use of a secretary provided through the Dean's office. No recordings of the proceedings will be permitted other than for the official record of the Hearing Board.
- h. The written decision of the Board must be made within five (5) business days of the hearing.
- i. Any decision of the Board must be by a majority of the Board.

**Step VIII.**

Within five (5) business days of the ARC or hearing board committee decision, the report to the Dean shall include (a) Memo/Letter stating the final decision, (b) minutes of meetings, and (c) all documents reviewed.

**STEP IX.**

Within three (3) business days of receipt, the Dean shall send to the student and course faculty the decision and recommendations of the Review Committee/Hearing Board and the actions that will be taken by the Dean.

**STEP X.**

If the student is dissatisfied with the decision from Step IX, the student must file a written statement with the Provost and Vice President for Academic Affairs within 3 (three) business days. The decision of the Provost and Vice President for Academic Affairs is final. The

student may seek judicial review of the Provost's Final determination pursuant to Florida Rule of Appellate Procedure 9.190, applicable to review of quasi-judicial decisions of an administrative body not subject to the Administrative Procedure Act, by filing a petition for certiorari review within thirty (30) days of the date this Final Order is filed with the Agency Clerk.

### **Formation of the Academic Review Committee and Hearing Board**

**Composition of ARC** – The Academic Review Committee (ARC) of the School of Nursing shall be composed of two (2) full-time faculty members plus one alternatives and 1 students, if available. Faculty and students involved in the student appeal shall not serve on the committee. Faculty members and students will be selected at the beginning of the academic year.

The student participants shall be selected from the post licensure programs at FAMU.

**Length of term:** The ARC faculty members should serve from September 1 to August 30.

**Chairperson and Secretary** – At the beginning of the academic year, the committee shall meet and elect a faculty member as Chairperson. The name of said persons shall be forwarded to Dean's Office along with names of the entire ARC.

**Composition of Hearing Board** – A Hearing Board shall be selected from the members of the ARC. The Hearing Board shall be composed of (a) two faculty, one of whom is teaching courses in the semester for which the student is registered, and one of who are teaching in courses in the semester in which the student is not registered; and, (b) two students. These procedures may be amended at any time by a majority vote of the faculty of the School of Nursing.

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