TO: The Academic Senate
FROM: The Fairness Committee
SUBJECT: Revision of Fairness Document
PURPOSE: For Action by the Academic Senate

ACTION REQUESTED: That the Academic Senate approve the proposed revision of the Fairness Document; effective Fall, 2008

BACKGROUND INFORMATION: The Fairness Document outlines the procedures to follow when a student files a petition alleging academic (grading) unfairness. In response to a student petition, the Fairness Committee may vote to deny the petition, return the petition to the student for more information, or send the petition on to a Fairness Hearing. The Fairness Committee consists of five elected faculty, two student representatives (selected by ASI, although two student representatives are not always selected), and a Presidential Appointee to the Fairness Committee (an ex-officio, non-voting member). Thus, a quorum of the voting members of the Fairness Committee is four. The Fairness Document, apparently in reference to the total number of members of the full committee (being seven), indicated that a vote of four member was required to send a petition to a hearing. However, in the event that fewer than the full voting membership of seven was present, this constituted more than a majority vote to make a decision, in contrast to normal voting procedures of other committees. The Fairness Committee has sought to clarify the voting procedures with this proposed revision so that a decision to refer or deny a student petition is possible by a majority vote of the members present. In addition, this revision clarifies outdated language concerning to whom to refer cases of discrimination. As this position is vacant and has had several titles, it was deemed best to not mention a specific position.

The Fairness Committee approved these proposed revisions at its meeting on May 12, 2008.

III.B.2 The Fairness Committee will determine whether there is enough substance to the complaint to justify a hearing. If four voting members of the Fairness Committee agree that the complaint is without substance or merit, the Presidential Appointee may return the form to the student for more evidence, or s/he may deny the grievance and terminate the proceedings. By majority vote of voting members present, the Fairness Committee shall refer the case to a hearing panel, dismiss the case, or request additional information from the parties to the dispute.
III.B.5.D After a discrimination complaint is resolved, the Fairness Committee will meet with the appropriate person who handles Equal Opportunity issues for the University\(^2\) to discuss any potential grade-related aspects of the case. If an academic complaint is determined then the Fairness Committee will then consider the complaint as described under section III.B.2 forward the complaint to a hearing panel (see III.B.7). If four voting members of the Committee agree that the complaint is without substance or merit, the Committee may return the form to the student for more evidence, or it may deny the grievance and terminate the proceedings. The Fairness Committee will let the student know its decision, in writing within 10 academic days of its meeting. [See University Discrimination/ Retaliation Grievance Procedures http://www.aba.csueastbay.edu/HR/deo/EOOtherComplaintProcs.pdf]

All references to the Director of Employment Relations and Practices (DERP) will be replaced with “appropriate person who handles Equal Opportunity issues for the University\(^1\) and the footnote will read: \(^1\) contact Human Resources for the name of this person

The entire Fairness document can be found on the Senate documents web page or at this direct link:

\(^1\) contact Human Resources for the name of this person