

**SUNY FREDONIA PROFESSIONAL EDUCATION UNIT  
HEARING PROCEDURE PROTOCOLS**  
of the  
**ACADEMIC AND DISPOSITIONS CONCERNS REVIEW BOARD**

**Academic and Dispositions Concerns Review Board**

The Academic and Dispositions Concerns Review Board (ADCRB) is a standing committee of the Professional Education Council consisting of representative constituents from the Professional Education Unit who are appointed by the Dean of the College of Education as PEU Head to oversee the procedures and recommendations related to academic and dispositional concerns that may arise during a candidate's progress through his/her teacher education program. The board deals with issues at both the undergraduate and graduate level.

**ADCRB Hearings**

In the case of an Academic and Dispositions Concerns Report (ADCR), there are four levels of concern, with Level 0 being an "initial warning" and Level 3 being the most serious.

The candidate, program coordinator, Chair of the ADCRB, and the Dean of the College of Education will receive notification of an Academic and Dispositions Concerns Report (ADCR) at Level 0. In this case, this notification is intended to serve as an "initial warning" with the hope that the candidate will improve his or her level of performance before the perceived deficiencies escalate to a more serious level of concern.

The candidate, program coordinator, department chair, Chair of the ADCRB, and the Dean of the College of Education will receive notification of an ADCR at Level 1. In the case of an ADCR at this level, the candidate will be encouraged to discuss the concern with the instructor and program coordinator. Beyond this, no further remediation will be imposed, and there is no appeal process at this level. Rather, if no further academic or dispositional issues arise, a Level 1 concern will not negatively impact the candidate's record.

More serious violations of professional expectations will be cause for an ADCR at Level 2 to be filed. For example, unprofessional conduct by a candidate in the schools or other practicum settings may result in an ADCR at Level 2. Also, repeat offenses at Level 1 could result in a Level 2 ADCR being filed.

A Level 2 ADCR will be reported to the candidate, the program coordinator, the department chair, the Dean of the College of Education, and the Chair of the ADCRB. The Chair of the ADCRB will hold a meeting, typically to include the dean and the program coordinator and/or department chair, to review the facts of the case and determine any penalty and/or remediation to be imposed.

The Chair of the ADCRB will communicate the decisions resulting from the meeting to the candidate in writing. The candidate will then have the option of accepting these decisions or appealing to the full ADCRB. Repeat offenses at Level 2 could result in a

Level 3 ADCR being filed.

*Note: Any violation of university policy (e.g., violations of the university's Alcohol and Drug Policy – see page 232 in the 2007 – 2009 Undergraduate Catalog) by a candidate for which a sanction is imposed will be reported to the Dean of the College of Education, who will then determine whether a ADCR should be filed and at what level.*

At Level 3, a candidate's problems are so severe that expulsion from the Professional Education Unit is being considered. At this level, a hearing will be held before the full ADCRB. The ADCRB will make a recommendation to the Dean of the College of Education, who will have the final decision regarding the candidate.

### **Appointment of the Hearing Chair**

The Dean of the College of Education, as Unit Head, will appoint a member of the unit to chair the hearing. Generally, this person will be the chair (or a co-chair) of the ADCRB, but may be another member of the unit if the Chair of the ADCRB is unavailable, or if a different chair is necessary to insure impartiality.

### **Role of the Hearing Chair**

The Chair's duties are generally as follows: To open the session at the appointed time by calling the hearing to order; to announce the business before the review board in the order in which it is to be acted upon; to recognize individuals entitled to the floor; to assist in the expediting of business in every way compatible with the rights of the parties; to restrain the parties when engaged in debate, within the rules of order; to enforce on all occasions the observance of order and decorum among the parties, deciding all questions of order; to inform the board when necessary, or when referred to for the purpose, on a point of order or practice pertinent to pending business. (Adapted from Roberts Rules of Order, Article X, Section 58)

### **Recording the Hearing**

Generally, Level III hearings will be recorded, whereas hearings resulting from Level II appeals will not be recorded. However, the decision whether to record a hearing will be made by the hearing chair, in consultation with the ADCRB and the unit head.

### **Location of the Hearing**

The location of the hearing should be large enough to comfortably accommodate up to ten adults around a conference table large enough to support a reasonable number of documents.

### **Notice of the Hearing**

The candidate should be notified of the time and location of the hearing at least two weeks prior to the date of the hearing. This communication should be dated and delivered in a reasonable manner such as e-mail, U.S. Mail, hand-delivered, FedEx, or by local police. A telephone call is not sufficient. The candidate's written statement responding to the academic or dispositional concerns and any supporting documents need to be submitted to the ADCRB Chair at least one week prior to the scheduled hearing. The ADCRB will be notified two weeks prior to the date of the hearing. All materials

related to the hearing will be distributed to the ADCRB Board at least four days prior to the hearing.

### **Hearing Protocol**

The Chair will call the hearing to order. If it has been determined that an electronic recording be made, the Chair indicate so by saying, “We will now begin the hearing, and all present are advised that the tape recorder is on. This is to facilitate record-keeping.” The Chair will remind all parties that the hearing process is confidential in nature and that all information – written, audio-taped and oral – is to remain confidential.

The Chair will ask all participants to introduce themselves and state their role (e.g., member of the board, support person, witness, and candidate). The Chair will remind support persons that they may only speak to the candidate and may not interact with any other parties, with the exception of the Chair.

The Chair will ask the candidate if there is an objection to any members of the review board, and if there is, to provide a brief rationale for the objection. The Chair will rule if there is reason to exclude these members from the hearing.

The Chair will then proceed as follows:

1. The concerns that are the subject of the hearing will be stated. The chair will explicitly reference the letter to the candidate, indicate its date, and ask the candidate to acknowledge that the letter was received.
2. The chair will ask the candidate if the academic and/or dispositional concerns stated in the letter are understood.
3. The chair will remind all parties that presenting false information is a violation of the University Integrity Policy and subject to disciplinary action, and will ask each person who will testify during the hearing to acknowledge an understanding of this statement.
4. The chair will read each concern aloud individually. After each is read, the candidate will present his/her response, identifying the supporting evidence that had been submitted by the candidate.
5. The chair will inform the parties present that they will have an opportunity to present information and ask questions, and that all parties should direct their questions to the chair, who will in turn direct the question to the appropriate person.
6. The chair and review board members may ask questions throughout the hearing.
7. The candidate and any witnesses will be permitted to provide information.
8. All parties will be provided with an ample opportunity to have questions asked of each other and/or witnesses during the hearing, as recognized by the chair.
9. The hearing shall be concluded with a closing statement from the candidate, if the candidate chooses to make one.

### **Further Elaboration of the Hearing Process**

1. For each stated concern, the chair will ask the candidate to comment on the concern from his/her perspective, and then the chair and the board may question the candidate to clarify the issues involved.

2. For each stated concern, the chair will ask the person(s) submitting the concern to describe the relevant circumstances and the chronology of previous feedback and opportunities for remediation provided the candidate. Then the chair and the board may question the person(s) submitting the concern to clarify the issues involved.
3. The chair will provide the candidate an opportunity to question the person(s) submitting the concerns, and conversely, the person(s) submitting the concerns will have the opportunity to question to the candidate.
4. This process will continue until all parties have had ample opportunity to clarify the issues and event that led to the hearing.

### **Presentations by Witnesses**

1. The chair will advise the entering witnesses if the proceedings are being recorded, and will remind them of the confidential nature of the hearing.
2. The chair will ask each witness to present his/her testimony concerning the concerns, and then the board may question the witness.
3. The chair will provide the candidate an opportunity to question the witness.
4. The chair will ask the witness if there is anything else the board should know to inform its decisions.

### **Closing Statement**

Following all testimony, the chair will recognize the candidate, who will be given the opportunity to make a closing statement. Following this statement, the chair will announce that the hearing is complete and note the time. All parties will then be excused, with the exception of the chair and the board.

### **Determination of Findings and Recommendations**

1. At the chair's direction, the board will deliberate in private to determine its findings. The chair and board will discuss the presentation of information that occurred during the hearing. Members of the board will discuss possible courses of action based on the evidence presented. Then they will decide on a set of recommendations to be submitted in a written memo to the Dean of the College of Education.
2. Upon receipt and consideration of the board's recommendation, the dean will notify the candidate, as well as all relevant parties, of the final determination or further course of action for the candidate. This will happen within a reasonable time from the time of the hearing.