

## **Appeals for Grade Changes Policy (approved by Faculty Senate, November 14, 2011)**

Academic grading reflects careful and deliberate judgment by a faculty member instructing a course. Academic evaluation of student performance requires expert consideration of cumulative information. Such decision-making, by its nature, is judgmental and evaluative. The evaluative process is not and should not be likened to the adversarial process involved in disciplinary matters, for academic grade determination is not adaptable to the methods of judicial or administrative decision-making. The education process, moreover, is not by nature adversarial, but rather centers upon a continuing relationship between faculty and student. Administrative interposition, except in the most extreme instances, is to be avoided. The University recognizes that in rare instances there may be errors, or "palpable injustice(s)" in determination of a final grade. A student alleging such error or palpable injustice, i.e. a clear showing of arbitrary or capricious action, may appeal as provided below:

For the appeal to be considered, the following procedure must be followed and the following deadlines must be met:

1) **First step: meeting with the instructor.** First, the student must meet with the instructor by the end of the second week of classes of the full semester following the semester in which the grade was awarded. Either the student or the faculty member may request that the initial meeting occur in the presence of the Department Chairperson. If no meeting with the instructor occurred within the two-week time limit, the student should provide a statement as to why such a meeting did not occur within that two-week time limit (along with documentation).

***Special cases: The student cannot meet with the instructor because the instructor is deceased or has left the University and cannot be contacted.*** In the event that the instructor is deceased or has left the University and cannot be contacted, the student should meet directly with the Department Chairperson by the end of the third week of classes of the full semester following the semester in which the disputed grade was given. Upon evidence of error, the Department Chairperson may make the appropriate grade change after consultation with and approval of the Dean of the School. The instructor shall be notified of the change if notice subsequently can be delivered. The Department Chairperson shall make a determination and provide written notification to the student within two weeks of receiving the appeal.

Upon evidence of palpable injustice, the Department Chairperson may make the appropriate grade change after consultation with and approval of the Dean of the School. Written notification of the decision shall be made to the student within two weeks of receiving the appeal.

2) **Second step: submit the appeal in writing to the Department Chairperson.**

a) If no resolution is achieved between the student and the instructor, the student must submit an Appeal for Grade Change Packet ("the Packet") to the Department Chairperson before the end of the fourth week of classes of the full semester following the semester in which the grade was awarded.

b) The student's Appeal for Grade Change Packet ***must be in hard copy, and must include:***

- An inventory list of materials provided or Table of Contents;
- A completed *Appeal for Grade Change form*;
- A course syllabus (preferably the one provided to the student at the beginning of the course);
- A detailed statement explaining why the student believes his/her grade should be changed;

the statement must include, at a minimum:

- a list of the student's grades in the course;
- a list of changes that should be made to those grades, with explanations;
- an explanation of why those changes would necessitate a change in the course grade;
- All documents that are necessary to support the student's position (graded homework assignments, graded examinations, medical documentation, statements from other students or faculty, etc.); if some of the student's work has not been returned to the student by the instructor, the student should include a list of documents that have not been returned to him/her.

In the event that statements are provided by other persons than the student seeking the appeal and the faculty member providing the grade, the contact information for each person should be provided so the Grade Appeals Review Board may verify, if it wishes, the statements included.

***The burden of proof is upon the student*** to make the case that a palpable injustice or error has occurred. The student must therefore make as strong a case as possible by ***including all the required documents, and by including supporting documents for the claims made***. In particular, the student should be aware that:

- If the student submits a Packet to the Department Chairperson, and the Department Chairperson deems the Packet to be incomplete, then the Department Chairperson WILL NOT make a recommendation and WILL NOT forward the Packet to the Dean. Instead, the Department Chairperson will contact the student to inform him/her that the Packet is incomplete. In that case, the student will have to pick up the incomplete Packet from the Department Chairperson and submit a complete Packet within one week of receiving the Department Chairperson's notification.
- If the student submits a Packet to the Department Chairperson, and the Department Chairperson deems the Packet to be complete, then the student WILL NOT have the opportunity to supplement the Packet, except to respond to a request from the Grade Appeals Review Board.
- ***It is the student's responsibility to submit a complete Packet.*** The Grade Appeals Review Board (not the Department Chairperson) is the final arbiter of whether or not a Packet is complete. The Grade Appeals Review Board reserves the right to ask the student for additional documents. In that case, the student will have two weeks to submit the documents; if the student fails to do so, the Grade Appeals Review Board has the right to deny the appeal as "incomplete".

***Also, the student should be aware that materials submitted will not be returned to him/her; therefore, he/she should keep copies of all materials.***

c) The Department Chairperson must provide the student and instructor with a written recommendation within two weeks of receiving an Appeal for Grade Change Packet. A grade change shall be made only with the written consent of the instructor and the Department Chairperson, except as noted above in the case of an instructor who has died or has left University employment and cannot be contacted.

d) If the Department Chairperson finds that the appeal has merit, but the instructor disagrees, then the Department Chairperson shall automatically forward the Appeal for Grade Change Packet (including all supporting documentation and a copy of the Department Chairperson's form and recommendation) to the Dean, within three business days.

e) Under no circumstances shall the Department Chairperson return the original Packet to the student after the Packet has been accepted as “complete” and a recommendation has been made.

**3) Third step: appeal to the Dean.**

a) If the Department Chairperson upholds the instructor’s grade, and the student wishes to further pursue the appeal, the student must inform the Department Chairperson of his/her intention to pursue the appeal within one week of receiving the Department Chairperson’s written recommendation. In that case, the Department Chairperson shall forward the Appeal for Grade Change Packet (including all supporting documentation and a copy of the Department Chairperson’s form and recommendation) to the Dean, within three business days.

b) The Dean should provide the student, instructor, and Department Chairperson with a written recommendation within two weeks of receiving an appeal. A grade change shall be made only with the written consent of the instructor, Department Chairperson, and Dean, except as noted above in the case of an instructor who has died or has left University employment and cannot be contacted.

c) If the Dean finds that the appeal has merit, but the instructor or Department Chairperson disagrees, then the Dean shall automatically forward five copies of the Appeal for Grade Change Packet (including all supporting documentation and a copy of the Department Chairperson’s and Dean’s forms and recommendations) to the chair of the Grade Appeals Review Board, within three business days.

**4) Fourth step: appeal to the Grade Appeals Review Board**

a) If the Dean upholds the instructor’s grade, and the student wishes to further pursue the appeal, the student must inform the Dean of his/her intention to pursue the appeal within one week of receiving the Dean’s written recommendation.

b) If the student chooses to pursue the appeal, the Dean shall forward five copies of the Appeal for Grade Change Packet, (including all supporting documentation and a copy of the Department Chairperson’s and Dean’s forms and recommendations) to the chair of the Grade Appeals Review Board, within three business days.

**5) Final step: consideration of the appeal by the Grade Appeals Review Board**

a) Any appeal after the completion of the steps above shall be made to the Grade Appeals Review Board, which functions under the aegis of the Academic Standards Committee. After receiving an appeal, the Grade Appeals Review Board will take one of the following actions after an investigation:

i) Deny the appeal, in which case the matter shall be closed.

ii) Remand the appeal to the instructor and Dean of the instructor’s school. If the Grade Appeals Review Board makes a finding that the grading involved a palpable injustice or error, the case shall be remanded to the instructor and the Dean of the instructor’s school for reconsideration. The instructor may make the appropriate change in the grade with the written agreement of the Dean. The Dean will notify the Grade Appeals Review Board of the response taken. If the instructor disagrees or if the instructor’s whereabouts are unknown, the Grade Appeals Review Board may recommend a grade change to the Provost. The Provost may make the recommended grade change, or issue a “W” (withdrawal). The instructor, the Department Chairperson, and the Dean shall be notified in writing of the Grade Appeals Review Board’s recommendation and of the Provost’s decision. The Dean shall notify the student of the final decision.

b) The Grade Appeals Review Board will endeavor to resolve all cases within the semester in which they are filed. When this is not possible, the chair of the Grade Appeals Review Board shall provide the Provost, as well as the student, with written notification.

c) In no case shall a grade be lowered as a result of the appeal to the Grade Appeals Review Board.

#### **6) Student Rights and Responsibilities:**

a) Students shall receive timely notification during all steps of the appeals process.

b) The burden of proof is upon the student to make the case that a palpable injustice or error has occurred. The student must therefore make as strong a case as possible by including all the required documents, and by including supporting documents for the claims made. It is the student's responsibility to submit a complete Packet. For more details about the consequences of this, please see item 2.

#### **7) Faculty and Administration's Rights and Responsibilities:**

a) The Grade Appeals Review Board shall notify the instructor, Department Chairperson, and Dean in writing of any Grade Appeals Review Board actions and requests.

b) (i) Instructors shall retain all graded student work that has not been returned to the student, until the end of the following regular academic semester. In no case shall an instructor discard the graded work of a student who has filed an appeal.

(ii) Instructors shall provide the Department Chairperson, Dean and/or Grade Appeals Review Board with graded student work, a syllabus, or any other documents that may be needed to evaluate the merits of the appeal.

(iii) Instructors should endeavor to meet with a student who has questions about his/her grade as early as possible in the next semester; preferably, before the add/drop deadline.

c) Department Chairpersons and Deans must endeavor to meet required deadlines as outlined in the Appeals for Grade Change Policy.

d) Deans will notify the Grade Appeals Review Board when a recommended grade change has taken place or has been rejected by the instructor.

#### **8) The Grade Appeals Review Board Policies:**

a) The Grade Appeals Review Board will not accept evidence provided in person to the Grade Appeals Review Board and so does not allow students, non-Board faculty, administrators, or any other people to attend Review Board meetings.

b) At the conclusion of a grade appeals case, copies of materials provided to Grade Appeals Review Board members will be destroyed by the chair of the Grade Appeals Review Board. Original case documents will be turned over to the Provost to be stored until such time as the state code determines the documents may be destroyed under state guidelines. Students appealing cases are advised to keep copies of all documentation provided in the Packet as the originals provided will be held by the University following the decision of the Grade Appeals Review Board.

c) The Grade Appeals Review Board reserves the right to request grade and attendance information from the instructor, a copy of the course syllabus, a clear grading policy or written explanation of

how the course grade was calculated (if a clear grading policy is not in the syllabus), and any other related materials from the instructor when the Grade Appeals Review Board believes that it cannot make a fair decision without such information.

d) The Grade Appeals Review Board reserves the right to request from the student any document that it needs to make a decision on a case. The student shall have two weeks to provide the document to the Dean, who shall immediately forward five copies of the document to the Grade Appeals Review Board. If the student fails to provide (within two weeks) a document that the Grade Appeals Review Board believes is essential, the Grade Appeals Review Board reserves the right to deny the appeal as "incomplete".

e) Students should also understand that the Grade Appeals Review Board does not have any predisposition to support either the instructor or the student, but seeks as fair a resolution to the appeal as it can determine.

f) The Grade Appeals Review Board reserves the right to extend deadlines when extraordinary circumstances exist. Under no condition does extending a deadline in one case set precedent, as each case is a unique situation.

g) Should the appeal case suggest to the Grade Appeals Review Board that other students in the course likely had their grades impacted as well as the grades of the student making the appeal, the Grade Appeals Review Board shall contact in writing the Department Chairperson and Dean of the school where the original appeal originated and suggest a review of the course in question.

h) The Grade Appeals Review Board will follow the appeals process as detailed above. If the appeal is forwarded to the Grade Appeals Review Board between May graduation and June 15, the chair of the Grade Appeals Review Board will attempt to contact Grade Appeals Review Board members during the summer; however, there is no obligation for the Grade Appeals Review Board to meet, given various off-semester commitments of the Grade Appeals Review Board members.

i) Anyone other than the student making the appeal and related faculty and University administration who approaches the chair or other Grade Appeals Review Board members will be directed to the University Counsel (Special Assistant to the President) without any discussion whatsoever of a case.

j) A decision of the Grade Appeals Review Board to recommend a grade change is only a recommendation and does not guarantee that the action recommended will be followed.

k) The Grade Appeal Review Board will state in writing its reasons for its recommendations to the instructor, Department Chairperson, and Dean in the case of a grade change recommendation, and to all parties in the case of an appeal denial.

l) The Grade Appeals Review Board will expect any appeals submitted in the fall semester to arrive no later than the last week in October and in the spring semester, no later than the last week in March. Appeals received after those dates may be held until the next semester. Appeals received before those dates will be expedited.

m) Department Chairs will not accept an Appeal for Grade Change for a case that includes an ongoing investigation for academic misconduct under the Academic Misconduct Policy. An Appeal for Grade Change cannot overturn a finding of academic misconduct under the Academic Misconduct Policy.