

Academic/Grade Appeal Policy

Intent:

The grade grievance procedure provides each student with the opportunity to appeal formally the final grade in a course because he or she believes that the grade has been awarded arbitrarily or capriciously. This procedure is not intended to handle disputes which may arise about the grading of individual exams or assignments during the semester. When such disputes arise, the student should contact the instructor immediately, rather than waiting until the end of the semester.

Policy:

1. Each Grade Grievance submitted according to this procedure must be an individual action by an individual student, and “class action” grievances by one student on behalf of several students or an entire class are not permitted.
2. Each academic division shall select a Division Grade Grievance Committee at the beginning of the academic year in September.
 - a. This committee will hear all grade grievances during the next 12 months, rather than selecting a different committee for each grade grievance.
 - b. Substitute members shall be selected to replace any committee member who is himself/herself involved in a grade grievance.
 - c. Substitute members shall be selected to replace any committee member (faculty or student) who is unavailable for an extended period of time (e.g., spring and/or summer).
3. The Division Grade Grievance Committee shall be composed of three (3) faculty members and two (2) students, selected by appropriate division procedures. The student grievant, however, may request in advance in writing that the two (2) students be excused and that his or her grievance be heard only by the three (3) faculty members. The committee shall conduct a hearing according to the following guidelines:
 - a. A detailed record shall be kept of the hearing, preferably a taped sound recording.
 - b. Both the student and instructor shall be permitted an adviser. Advisers must be members of the college community, i.e., students or full-time faculty or staff members.
 - c. The hearing shall be a closed hearing.
 - d. Both the student and the instructor may call witnesses. The student, instructor, advisers, and committee members all have the right to question any witnesses that are called; and the deliberations of the committee shall be in executive session.
4. Each Division shall select a maximum of two (2) faculty members plus one alternate who are available over a 12-month period for assignment to the College Grade Grievance Committee.
 - a. These selections shall be made by the appropriate faculty advisory council/committee at the beginning of the academic year in September.
 - b. Unlike the Division Grade Grievance Committee, this STEP III College Grade Grievance Committee may of necessity have a different membership for each grievance.

5. The College Grade Grievance Committee shall be chaired by the Registrar and shall have the following additional members: division head/program director or his/her designee; two (2) faculty members, one of whom is from the involved division, but not from the department in which the grievance originated wherever possible – if not possible then one appointed by the Academic Dean; and one (1) student appointed by Student Government/Graduate Student Representative.
 - a. The two faculty members shall be selected by the Registrar from an available pool of nominees representing all departments
6. The time limits/deadlines for submitting grievances/appeals, holding meetings, and making decisions are to be followed by all parties. However, extensions of the time limits not to exceed five (5) working days may be requested in writing by any of the involved parties. Such requests must originate prior to the expiration of the stated time limit. The division head/program director of the involved division/program will make the decision to approve or to deny each request for a time limit extension at STEP I or STEP II. Decisions regarding STEP III time limit extensions will be made by the Registrar.
7. Guidelines for filing a formal grievance are as follows:
 - a. A grievance must be based on evidence that the instructor has been arbitrary and/or capricious in awarding a grade.
 - b. The written grievance must describe specifically the perceived arbitrary or capricious action of the instructor. The student should also present all other evidence or documentation in support of his/her allegations. The appeal must be submitted within 5 days of the next semester in order to be considered.
 - c. Disagreement with an instructor's judgment in and of itself is not basis for a grievance, nor is disagreement with an instructor's grading standards, if such standards have been described in advance for the class, and have been applied fairly to all students in the class.
8. "Working days" are defined as Monday through Friday while classes are in session.
9. Grievances relating to grades awarded for the spring semester ending in May shall normally be pursued the next fall, measuring all stated deadlines with respect to the start of the fall semester in September.
 - a. If the instructor is teaching on campus during the summer session and the student is enrolled on campus during that same session, then with their mutual agreement, the grievance can be pursued during the summer. However, should either the instructor or the student prefer to wait, then action of the grievance will be postponed until the fall semester.
 - b. The only exception in which the grievance shall be pursued during the summer session without the consent of an instructor who is teaching on campus, is for any case in which the disputed grade affects the student's plans to graduate in August of that year. In such cases, if the instructor is unwilling to participate, the division head/program director may act on his/her behalf.
10. Throughout this procedure, the title "division head" shall be interpreted to include "program directors" or "program coordinators" for appropriate academic units, including Graduate and Professional Studies.
11. Students are discouraged from seeking counsel or "off the record" opinions from division heads, program directors or other senior administrators (particularly the

Registrar who may become involved later if there is a STEP III appeal) while action is still pending on a grade grievance at the department level.

12. When the Grade Grievance Procedure results in an instructor's grade being changed without his or her agreement, then all College records containing that grade in which the name of the instructor appears shall be identified with an asterisk(*). On these records, the asterisk will be footnoted with the following statement: "This grade is the result of an appeal procedure." On those records in which the instructor's name does not appear, the grade will not be marked with an asterisk, nor will there be any other indication that the original grade was changed.

Procedure:

13. STEP I -- Instructor and Student (Informal)

- a. If a student wishes to appeal a final grade, the student must contact the instructor within five (5) working days after the start of the next semester; i.e., the semester following the one in which the disputed grade was given.
- b. If the instructor is teaching on campus the next semester, but is temporarily unavailable or simply cannot be reached during this five-day period, then the student should deliver written request for an appointment with him/her, stating the reason, to the division head/program director no later than the final day of the five (5) day period. If the Division head/Program Director is the faculty member being challenged, the Division grade grievance committee will establish an alternative committee member to serve in their place.
- c. With the aid of the division head/program director in scheduling an appointment, the instructor and student must then meet as soon as possible and discuss the disputed grade privately. Whenever possible, conflicts over grades should be resolved informally between the instructor and the student as a result of this STEP I discussion. Again, if the Division head/Program Director is the faculty member being challenged, the Division grade grievance committee will establish an alternative committee member to serve in their place.
- d. If the instructor has left the college permanently, or is not available for a period of sixty (60) days or more (e.g., if the instructor is away on sabbatical leave, or medical leave), then the division head shall act in his/her behalf and make a decision either in support of or against the grievance.
- e. In making this decision, the division head/program director shall review all available grade records, discuss the matter with the student, and, with the written consent of the student, request and evaluate a written statement submitted within ten (10) working days by the instructor concerning the disputed grade.
- f. The division head/program director cannot act in this manner on behalf of the instructor during the spring-summer period simply because the instructor is not teaching during either spring or summer session, unless the disputed grade affects the student's plans to graduate either in December of that year.

14. STEP II -- Division Grade Grievance Committee (Formal)

- a. If the grade dispute is not resolved in Step I to the student's satisfaction and he or she still believes that the grievance has merit based on the facts of the case, the student has the right to file a formal written grievance to the division

- head/program director who will forward it immediately to the Division Grade Grievance Committee.
- b. A grievance must be filed within fifteen (15) working days after the start of the next semester following the one in which the disputed grade was given.
 - c. Within TEN (10) WORKING DAYS after receipt of the written grievance, the division head/program director must schedule a hearing before the Division Grade Grievance Committee.
 - d. The division head/program director cannot simply make a personal judgment that the grievance is without merit, and thus refuse to give it to the Division Grade Grievance Committee. However, after scheduling the hearing, the division head/program director may request a closed three-person meeting in his/her office with just the instructor and the student, to discuss informally the disputed grade one final time.
 - e. If either the instructor or the student refuses to attend such a meeting, the division head/program director cannot require his/her attendance, and the grievance hearing is then held as previously scheduled.
 - f. If the closed meeting is held, the division head/program director shall act only as a facilitator or mediator. His/her role is restricted solely to promoting further discussion, not to imposing his/her judgment and/or making a decision in the case.
 - g. If the dispute is resolved in this meeting, the written grievance shall be withdrawn and the scheduled hearing canceled.
 - h. If the dispute is not resolved, the grievance hearing is then held as previously scheduled. In such cases, the division head/program director shall not communicate his/her opinions/judgments regarding the grievance and/or the discussions in the closed meeting to the members of the Division Grade Grievance Committee.
 - i. Within FIVE (5) WORKING DAYS of the date of the hearing, the Division Grade Grievance Committee shall present its decision/recommendations in writing to the division head/program director for immediate distribution to the student and the instructor.
 - j. Either the student or the instructor may appeal the decision/recommendations of the Division Grade Grievance Committee to the College Grade Grievance Committee, under the conditions listed below. This appeal must be filed within five (5) working days of receipt of the decision.
15. **STEP III -- College Grade Grievance Committee (Appeal)**
- a. Either the instructor or the student grievant may submit a written appeal of the prior decision at STEP II by the Division Grade Grievance Committee within FIVE (5) WORKING DAYS of written receipt of that decision, if one of the following conditions is met:
 - i. There was at least one dissenting vote at the STEP II level; or
 - ii. New evidence or new witnesses not previously considered or heard at STEP II become available.
 - b. In the absence of at least one of the above conditions, simple disagreement with the decision rendered at STEP II is not a sufficient basis for an appeal. In other words, there is no automatic right of appeal in every case requiring that the College Grade Grievance Committee reconsider the entire grievance case.

- c. If the appeal is based on new evidence or new witnesses, the written appeal statement must explain precisely how this evidence or testimony relates directly to the alleged arbitrary or capricious awarding of the disputed grade.
- d. The appeal shall be submitted to the Office of the Registrar with a copy to the division head/program director.
- e. The College Grade Grievance Committee shall review all written documents which were available to the Division Grade Grievance Committee, the tape recording of the STEP II hearing, and the final report and decision of the STEP II Committee. The College Grade Grievance Committee may reconvene the participants in the STEP II hearing to answer questions, if desired.
- f. Within twenty (20) working days of the receipt of the appeal, the College Grade Grievance Committee shall issue a written STEP III decision to both the instructor and the student. This decision shall be final; no further appeal is possible.

History:

- 1. This policy first became effective on 9-1-93.
- 2. Policy format modified on 5-31-07.
- 3. Policy approved by the APC on 10-23-09.
- 4. Policy approved by the faculty on 2-4-10.