**FACULTY SENATE ISSUE FORM**

<table>
<thead>
<tr>
<th>Date Submitted:</th>
<th>December 2, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title of Issue (a short descriptive title by which the issue may be referenced)</td>
<td>Proposed changes to the Grade Appeal policy</td>
</tr>
</tbody>
</table>

**Description of Issue:** There is a contradiction in the Grade Appeal policy. Section II.A.8 says: The chair will ask the college Grade Appeal Review Committee to appoint the reviewers within five working days. (See Section III for the composition of the committee.)

But section III.A.1. says: Each college will create a Grade Appeal Review Committee that has one representative from each department in the college and a list of potential student members. If an appeal is heard, the Dean will select two faculty members and one student from these lists.

I suggest that section II.A.8. be changed as follows: The chair will ask the Dean to appoint the reviewers within five working days. (See Section III for the composition of the committee.)

The Dean is in the best position to know members of the Grade Appeal Review Committee and select those to review a particular appeal.

**Rational for Submission:** The policy needs to be consistent on the appointment of reviewers to serve on grade appeal committees.

| Name: Judy Bowman, submitted on behalf of Academic Affairs |
| Department: Academic Affairs |
| Date: December 2, 2019 |
| Signature: |

For Faculty Senate Use Only

Assigned to Committee:
Grade Appeals: Policy and Procedures

I. Policy and Purpose
   A. The purpose of the grade appeal procedure is to serve the needs of graduate and undergraduate students who believe that they were unjustly awarded a final course grade by a faculty member through prejudice or caprice. This policy applies to the final grade for the award of academic credit and does not apply to graduate and undergraduate examinations that are administered as part of the degree progression and certification processes (such as comprehensive examinations and candidacy examinations at the graduate level).
   B. The basis for a grade appeal is the student’s charge that the final grade was awarded through prejudice or caprice. The burden of proof rests with the student.
   C. Students must initiate the first review of the appeal within 45 days of the official end of the semester in which the grade was awarded. For grades awarded and appealed from fall and summer semesters, the entire appeal process must be completed before the official end of the next semester; the entire appeal process for grades awarded and appealed from the spring semester must be completed before the official end of the next fall semester.

II. Procedure
   Prior to initiating a formal appeal, the student must attempt to consult with the instructor to request an explanation of the method of evaluation and to determine whether an error has been made. This consultation may be face to face, via e-mail, phone, or video conference if both agree, and efforts to consult with the instructor must be documented by the student. If at any point in the appeals process the student and instructor, or the student and a subsequent appeals body, agree that a grade of P is acceptable, that grade shall be assigned for the course and the appeals process will conclude. At all stages of the grade appeal processes outlined below, the instructor and student shall be notified of any actions recommended or taken by the chair, Grade Appeal Review Committee, Dean (or designated Associate Dean) or Provost and Vice President for Academic Affairs (or designated Vice Provost).

   A. First Review of Appeal
      1. If the student is not satisfied with the results of the consultation with the instructor, or the instructor is not available as described in section IV. B, then the student may file a grade appeal. The chair of the department in which the instructor is teaching will conduct the first review of the student’s appeal, unless the instructor is the department chair. The student’s case must be presented on the Grade Appeal Form with supporting documents/explanations to the instructor’s department chair within 14 days of the consultation with the instructor.
      2. The student’s Grade Appeal Form should (1) state specific reasons and give examples of faculty prejudice or caprice, (2) show that prejudice or caprice affected the awarding of the final course grade, and (3) be presented as a complete package and include all other supporting documentation.
3. The chair shall notify the instructor of the appeal and provide the instructor with copies of the form and other documents that were submitted. The chair or Dean (or designated Associate Dean) shall also request a response from the instructor that should include at a minimum the course syllabus, grade distribution for the course, attendance policy, the grading plan for the course, and other grading rubrics.

4. The chair shall review all documents and may hold a hearing where both the instructor and student are present. (See section V. for guidelines for hearings.) No other persons will attend the hearing and the hearing must be recorded.

5. If the chair concludes that there is no cause for complaint, the student and the instructor will be notified in writing of the decision within seven days of receipt of the request for an appeal and the supporting documents. The student may request a second review of the appeal (see section II.B. for details).

6. If the chair concludes that there is valid cause for the complaint, the chair should consult with the instructor and student and attempt to mediate the dispute by working with both parties to agree on an appropriate course grade. Among the alternatives available for resolution of the case will be the assignment of the grade of P if the chair, the instructor, and the student express their agreement in writing. If the instructor and student agree to a grade change or to award a grade of P, the instructor will make the official grade change.

7. If mediation fails, the chair will notify the college Grade Appeal Review Committee of the need for a review and submit all documents to the committee. The instructor and the student will be notified of this action.

8. The chair will ask the Dean to appoint the reviewers within five working days. (See Section III for the composition of the committee.)
   a. The faculty and the student who form the Grade Appeal Review Committee will notify the instructor and student involved in the appeal when the review will take place and request needed documents.
   b. The Grade Appeal Review Committee will review the documents, consult with relevant parties as needed and determine if there is sufficient evidence in the documents to support the student’s appeal, or if more information is needed in which case a hearing with the student and instructor may be held. (See Section V for details about the hearing.) The review and hearing must be scheduled within 15 days of the receipt of the materials by the committee.
   c. If the Grade Appeal Review Committee finds that there is sufficient evidence that the grade was awarded with prejudice or caprice, they may consult with the instructor to suggest a grade change and provide a rationale for that decision. The decision and rationale must be provided in writing to the instructor. The final outcome of the committee’s review will be documented and
communicated to the instructor, the student, the department chair, and Dean.

d. If the committee finds on behalf of the student and recommends a change of grade and the instructor refuses to change the grade but is willing to assign a grade of P, then the committee will consult with the student about the advisability of accepting a P grade. Should the student agree to accept a grade of P, the instructor will make the official grade change.

e. If the committee finds on behalf of the student and recommends a change of grade and the student is unwilling to accept a grade of P, the Dean will review and make a recommendation to the Provost and Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs or a designated Vice Provost will submit the recommended grade change to the Registrar. Only the Provost and Vice President for Academic Affairs or designated Vice Provost is authorized to change an instructor's grade. The instructor, chair, student, and Dean will be notified. The Provost and Vice President for Academic Affairs' decision will be final.

f. If the committee finds on behalf of the instructor, the original grade will stand and the instructor and the student will be notified.

9. If the instructor is the department chair, the student will submit the Grade Appeal Form and documents to the Dean (or designated Associate Dean) and the Dean (or designated Associate Dean) will conduct the first review following the procedures described in II.A.1-8.

10. If the instructor is a Dean or Vice President, the student will submit the Grade Appeal Form and documents to the chair of the department in which the Dean or Vice President is teaching the course.

B. Second Review of Appeal

1. The student may request a second review of the appeal if the conclusion of the first review is that there is no cause for complaint. The request for a second review must be submitted within seven days of the denial of the first review. The student should request in writing that the person responsible for conducting the first review forward the grade appeal package to the person responsible for conducting the second review. The instructor is notified of this action.

2. When the instructor is a faculty member, the Dean (or designated Associate Dean) is responsible for conducting the second review. If the instructor is the chair and the Dean (or designated Associate Dean) conducted the first review, the Provost and Vice President for Academic Affairs or designated Vice Provost is responsible for conducting the second review. If the instructor is a Dean or Vice President and the chair of the department in which the Dean or Vice President is teaching conducted the first review, the Provost and Vice President for Academic Affairs or designated Vice Provost is responsible for conducting the second review.
3. The second review shall follow the same procedures as the first review, as described in section II.A.1–4.

4. If the person to whom the second review is submitted concludes that there is no cause for complaint, the student and the instructor will be notified in writing that the grade appeal process is complete. No further appeal will be allowed.

5. If the person to whom the second review is submitted concludes that there may be valid cause for the complaint, the procedures as described in section II.A.6–8 will apply.

III. Grade Appeal Review Committee

A. Committee Composition and Duties

1. Each college will create a Grade Appeal Review Committee that has one representative from each department in the college and a list of potential student members. If an appeal is heard, the Dean will select two faculty members and one student from these lists.

2. Representatives must be full-time tenured or tenure-track faculty in an academic department elected by the department faculty. At least two committee members shall be tenured. No administrator, such as a Chief Departmental Advisor or Graduate Program Director, shall be eligible to serve on the committee.

3. Terms of service will be for two years. Members may be re-elected for an additional two-year term.

4. At the beginning of each academic year, each department in the college will submit a list of full-time students who are eligible and willing to serve on the committee. This list will be formulated each year. When needed, one student will serve on a review committee.

5. The committee will select its own chair and develop guidelines for the review process and procedures.

6. Two faculty members and one student selected from the names submitted by each department will review the appeal including documents from the student filing the appeal and the instructor of record. Neither the faculty members nor the student member shall be from the instructor’s or student’s department.

7. Both the instructor and the student will have the right to challenge, for valid cause, any or all of the members of the committee, and in that event replacements will be appointed and no further challenge will be permitted.

IV. Instructors’ Responsibilities and Rights

A. The following are guides for the instructor’s responsibilities and rights.

1. Instructors have a responsibility to meet with students to explain the course grading procedure and the process for determining the final grade.

2. When requested, instructors must provide the documents requested for a review at all levels. These documents will include at a minimum the
course syllabus, grade distribution for the course, attendance policy, and grading procedures for course tasks with rubrics. Other documents may be included or requested.

3. The instructor must assist in making arrangements for a hearing when one is needed.

4. Instructors have the responsibility to participate in a grade appeal.

5. No instructor shall be forced or coerced into making a grade change.

B. Unavailable Instructors

1. In the event a student makes documented efforts to consult with an instructor and is unable to find the instructor, or does not receive a response, the student shall seek assistance from the chair.

2. When the chair has made reasonable efforts to contact an instructor whose final grade is being appealed and is unsuccessful, the Grade Appeal Review Committee and chair will independently review available materials and reach a consensual decision. In the event that these two reviews reach different decisions that are not reconciled, the Provost and Vice President for Academic Affairs or designated Vice Provost will make a final decision. No other appeal can be made.

   a. If the decision is in favor of the student, and the student is not willing to accept a grade of P, the Provost and Vice President for Academic Affairs or designated Vice Provost will submit the recommended grade change to the Registrar. Only the Provost and Vice President for Academic Affairs or designated Vice Provost is authorized to change an instructor's grade upon the recommendation of the college Grade Appeal Review committee.

   b. If the decision is not in favor of the student, the instructor's original grade will remain.

3. In the event of an instructor’s unavailability due to death, serious illness, or any other cause that would prevent the instructor from participating in the process in time for the process to be completed during the designated semester, the procedure in II.A.1. and IV.B.2 will be followed.

V. Procedures for Hearings

A hearing involving the faculty member and the student may be held at any level of appeal.

A. After the Grade Appeal Review Committee reviews the appeal form and supporting documents and the instructor’s documents, a hearing may be held to clarify issues and/or to receive further evidence. Both the student and the instructor may submit additional materials at the hearing.

B. Hearings may be held at any level only when both the instructor and the student can participate. No other persons may attend this hearing.

C. The conclusions, decision(s), and a rationale for these must be disseminated in writing to the instructor and to the student.
D. If either the instructor or the student believes that the established procedures for the appeal of grades have not been followed, an appeal for an additional hearing may be made to the Dean (or designated Associate Dean), or when the chair or Dean is the instructor, to the Provost and Vice President for Academic Affairs or designated Vice Provost. The only basis for an appeal will be the failure to have been provided due process as prescribed by the policy.

VI. Records

A. The original Grade Appeal Form and all decision letters for each level of review will be kept in a secure location in the Dean’s office for a minimum of one year.
B. Recordings of hearings will be kept in the Dean’s office for a minimum of one year.

VII. Assignment of P Grade

A P grade established under this policy at any stage of the grade appeal process will be given irrespective of the University policy on hours permitted for P grades or restrictions on when a P grade is permissible and will not prevent progression in the degree program or courses for which this course is a prerequisite.