

99-16

August 9, 1999

Grade Appeal Procedure

(This Policy Statement supersedes Policy Statement 79-17, 86-05, 86-05 Amended, and 94-07.)

This policy was recommended by the Academic Senate on April 22, 1999 and approved by the President on July 7, 1999.

1.000 Grade Appeal General Information

The primary authority of the instructor in the assignment of grades must be respected. An instructor's evaluation of a student's work and performance in that instructor's course must not be over-ridden merely because of a difference of opinion or evaluative judgment, provided it is formed in accordance with the generally accepted canons of the relevant discipline and of the academic institution where said course is offered. The University presumes that every instructor wants and tries to be non-prejudicial, objective, and consistent in the assignment of grades. This presumption, however, may be over-ridden by weight of evidence to the contrary.

1.100. Although the University presumes that grades assigned are correct, the University has established this grade appeal procedure to both protect students against academic and administrative evaluations and decisions that are prejudicial, capricious, or arbitrary, and to preserve the authority of instructors to evaluate student work in a non-prejudicial, objective, and consistent way. This procedure, available equally to undergraduate and graduate students, also preserves the rights of instructors to appeal grade appeals committee findings as outlined below, and in its entirety constitutes the only grade appeal procedure at California State University, Long Beach.

1.200. The burden of proof rests upon the student submitting the appeal. Therefore, the student must prepare a file which includes: (1) a written statement clearly presenting the basis for the grade appeal; (2) a completed Grade Appeal form obtained from the College in which the course was offered; (3) and any supporting documentation such as the class syllabus, exams, papers, assignments or other corroborating documents.

1.300. Only final grades may be appealed. Students who believe that individual exams and/or assignments demonstrate evidence of prejudicial, capricious, or arbitrary grading and that those grades had direct bearing on the final grade should include them in the grade appeal file as supporting documentation.

1.400. If a Grade Appeals Committee decides to change a grade, the Committee need not grant the student's suggested grade but should assign a grade that is appropriate to the work submitted. The new grade shall not be lower than the original grade.

1.410. A Grade Appeal Committee's decision to change a grade shall not be implemented until the appeal process has been concluded according to the procedure(s) outlined in this document.

1.500. Timelines for filing an appeal and subsequent decisions specified in this Policy Statement refer to instructional days during the regular Fall and Spring semesters.

1.600. All grade appeal information, whether written or oral, is confidential.

1.700. The appellant may seek the assistance of an advisor in the preparation of the appeal file. If Department and/or College Committee procedures permit oral arguments, the advisor may

accompany the appellant to the Departmental and/or College hearing and be privy to all confidential information relevant to the case.

1.800. The original file, with all documentation, recommendations, final decisions, etc., (including a copy of the grade change, if relevant) shall be kept by the Dean of the College involved. One complete duplicate set of all documentation is to be kept in the Office of the Vice-President for Academic Affairs, for a period of not less than five years. All other duplicate materials shall be destroyed within thirty [30] instructional days of the final decision.

1.810. Each College Dean and the Chair of the University Grade Appeals Committee shall provide a written report at the end of each academic year to the President and the Academic Senate on the number of cases heard and the disposition of each case.

1.900. If the student's appeal is compounded (or accompanied) by an allegation of unlawful discrimination as defined by Federal and State laws, the student has the right to access the university's internal Unlawful Discrimination process and the processes available through the U.S. Department of Education Office of Civil Rights and the State of California Fair Employment and Housing Commission. However, grades may be changed only through the grade appeal process.

2.000 Grade Appeals Committees

Departments/Programs shall form a Department/Program Grade Appeals Committee, as needed. If Department/Program faculty members are unable to serve in sufficient number to form a grade appeals committee, the Chair of the Faculty Council of the relevant College shall appoint the required number of Grade Appeals Committee members from the ranks of College faculty. A Department/Program Grade Appeals Committee shall have a provision to include at least one student member.

2.100. Each College and the University shall have a standing Grade Appeals Committee which shall have provision to include at least one student member.

2.200. Committee members, at any level, shall not participate in any way in an appeal of a grade decision in which they have been involved personally. Such participation includes assignment of the grade in question, and involvement in the work of, or grading in, the class in which the grade in question was assigned.

2.210. The appellant, and the instructor involved in any particular appeal, shall each have one peremptory challenge to remove a committee member from service for that particular appeal. Department and College grade appeal procedures shall provide for replacement of such challenged members.

2.300. A Grade Appeals Committee deliberating an appeal shall at any stage of the process shall consider all information submitted and may, if necessary, obtain clarification in writing from the student, the instructor, and/or committees at other levels of the process. The Committee may request information to help it understand the basis for assignment of the grade. If either party does not supply appropriate grade appeal information within a reasonable time (see 2.500) when requested by a committee, then that committee may base its decision on the corresponding information supplied by the other party.

2.400. Committees shall consider only information available to all parties. All parties to an appeal shall be notified by the Committee Chair in writing of all responses and deadlines at all points of the appeal process and shall have full opportunity to comment in writing.

2.500. Distribution of materials submitted in an appeal shall allow reasonable time for response by the involved parties before committees render their decision. "Reasonable time" for rebuttals and rejoinders shall generally be understood to be ten [10] instructional days from receipt of a response.

2.600. After making its determination, the Committee hearing the appeal shall prepare a written statement of its decision, including an explanation of its reasoning and a response to the specific issues upon which the appeal is based. The decision statement shall be placed in the appeal file and a copy of the statement shall be sent to all parties involved.

2.700. Committee Chairs shall provide a written report to their Dean at the end of each semester detailing the number and disposition of cases heard.

3.000 Preliminary Phase of the Grade Appeals Process: Initiation of Grade Appeals

Students who believe they have received a final course grade that reflects prejudicial, capricious, or arbitrary grading of their academic performance must make this belief known to the instructor(s), either orally or in writing, before they begin the formal appeal process. If students and instructors are not able to resolve the problem to the satisfaction of both parties, the formal process may then be initiated. In the event an instructor is not available to participate, the Department/Program Chair in the discipline/program may appoint another instructor whose areas of expertise most closely approximates that of the instructor of record to represent the interests of the latter.

3.100. The formal process begins with the preparation of a grade appeal file (see paragraph 1.200 above). The file must include:

- (1) a written statement describing the reasons for the appeal and the recommendation for a new grade;
 - (2) a Grade Appeal form obtained from the appropriate College office and fully completed;
- and
- (3) supporting documents (see paragraph 1.200 above) that show evidence of the alleged improper grading.

3.110. The written statement describing the reasons for the appeal should be addressed to the Department/Program Chair of the discipline in which the course resides (although a Program is ordinarily administered by a Director or Coordinator, the title Chair also applies to this position throughout this document).

3.120. An appeal must be initiated within the regular semester immediately following the semester or special session in which the course was completed. As long as a student has filed a written notification of the appeal with the appropriate Department/Program Chair within the required semester, action on the appeal may continue during subsequent semesters.

3.200. After receiving the student's grade appeal file (see 3.100 above), the Department/Program Chair will consult with both the student and the instructor(s) involved to attempt a resolution to the grade appeal.

3.210. If the instructor of record refuses to participate, the Department Chair shall insert a written statement to that effect in the appeal file.

3.220. If a student is appealing a grade assigned by the Department Chair, the College Dean or designee shall perform all functions of the Chair in the appeals process.

3.300 First Phase of the Appeals Process: Appeal to the Department/Program Grade Appeals Committee Should consultation fail to resolve the appeal and should the student choose to

continue the process, the student must request that the Chair forward the appeal to the Department/Program Grade Appeals Committee.

3.310 The Department/Program Chair shall forward the appeal to the Department/Program Grade Appeals Committee, and may include a written recommendation based upon the first, consultative, step in the process (outlined in 3.200 above). The instructor must also be informed that the formal grade appeals process has been initiated, and shall be given copies of all materials forwarded to the Grade Appeals Committee.

3.320 The instructor may write a response to the student's appeal and a rationale to be considered by the Grade Appeals Committee. A copy of such a response must also be provided to the student.

3.330 An appeal may be terminated at any point by a letter from the appellant withdrawing the appeal.

3.400. The Department/Program Grade Appeals Committee shall consider the appeal, adhering to the principles and guidelines of paragraphs 1.000, 1.800, 2.300, 2.400, and 2.500 above. In all but extraordinary circumstances, a Department/Program Grade Appeals Committee shall reach its decision within the semester in which it receives the appeal.

3.500. If the appeal is supported by the Committee, the Committee will then determine a grade for the student based upon the evidence included in the appeal file (exams, papers, assignments, etc.).

3.510. The Committee shall communicate its decision and rationale as specified in paragraph 2.600 above, and shall also provide a copy to the Department/Program Chair. If, within ten [10] instructional days of the receipt of the Committee's decision, the instructor does not either file a grade change or file an appeal of the Committee's finding, the Department/Program Chair shall authorize a grade change by filing the appropriate grade-change forms. If the Department/Program Chair does not effect the change within ten [10] instructional days of notification, the Chair of the Department/Program Grade Appeal Committee can sign in lieu of the instructor or the Department/Program Chair and the College Dean will change the grade.

3.520. If, within ten [10] instructional days, either the instructor, or the student files in writing an appeal of the Department/Program Committee's finding, the Committee Chair shall, within (10) instructional days, forward the file (including the Committee's decision and rationale) to the College Grade Appeals Committee.

3.600. If the Department/Program Grade Appeals Committee rejects the appeal, it shall communicate its decision and its rationale as provided in paragraph 2.600 above, providing a copy also to the Department/Program Chair. If, within ten [10] instructional days, the student does not request further review of the appeal, the grade appeal process is terminated.

3.610. If, within ten [10] instructional days, the student communicates in writing her/his wish to continue the appeal process, the Committee Chair shall, within ten [10] instructional days, forward the file (including the Committee's decision and rationale) to the College Grade Appeals Committee.

4.000 Second Phase of the Appeals Process: Appeal to the College Grade Appeals Committee

An appeal of a Department/Program Grade Appeals Committee decision, by either the instructor or the student, begins with a written letter of appeal to have that decision reviewed. This letter of appeal should be directed to the appropriate College Grade Appeal Committee (also called College Committee in this document) by way of the Department/Program Chair. The Department/Program Chair must then inform the instructor, student and College Dean, in

writing, that an appeal has been filed and the Dean must immediately inform the appropriate College Grade Appeals Committee, in writing, that an appeal has been lodged. The Chair of the Department/Program Grade Appeals Committee must immediately forward the appeal file, including the Committee's decision and rationale, to the College Dean who must immediately inform the College Grade Appeals Committee that the grade appeal file has been received and is ready for review. The College Grade Appeals Committee shall normally render its review decision within 20 instructional days of receipt of the grade appeal file.

4.100. The College Grade Appeals Committee shall review the grade appeal file, the Department/Program Grade Appeals Committee's decision and rationale, and any rebuttal to that decision and rationale provided by the appellant, in the light of paragraphs 1.000 through 3.600 above. During its review it may consider Ü and act upon Ü matters of both procedure and substance.

4.200. As a result of its review, the College Grade Appeals Committee may confirm the decision of the Department Committee, or it may recommend re-consideration.

4.210. If the College Grade Appeals Committee confirms the decision of the Department/Program Grade Appeals Committee, and if neither the instructor nor the student requests further review, then the grade appeal process ends. All parties, including the Department/Program Chair and the Department/Program Grade Appeals Committee, must be informed of the College Grade Appeals Committee's decision in writing. If a grade change has been recommended by the Department/Program Committee but held in abeyance pending the appeal, the Department/Program Chair shall, within ten [10] instructional days, authorize the grade change by filing the appropriate form. In the event that the Department/Program Chair does not effect the change within ten [10] instructional days of notification, the Chair of the College Grade Appeal Committee can sign in lieu of the instructor or the Department/Program/Chair and the College Dean will change the grade.

4.220. If an appellant communicates in writing her/his wish to continue the appeal process, the College Committee Chair shall, within ten [10] instructional days, forward the file (including the College Committee's decision and rationale) to the University Grade Appeals Committee.

4.230. If the College Grade Appeals Committee recommends re-consideration, it shall put in writing its rationale (which may involve matters of procedure or substance), and any recommendations it may have (which may include recommendations of substance, or of procedure, or also of a re-constituted Department/Program Committee, or may include other recommendations toward realizing a fair evaluation of the matters at issue). The grade appeal file, including the rationale and recommendations of the College Committee, is returned to the Department/Program Grade Appeals Committee for re-consideration. Copies of its recommendations are to be supplied to all parties, including the Department/Program Chair.

4.300. When a grade appeal decision has been returned for re-consideration, the Department/Program Grade Appeals Committee shall review the rationale and recommendations of the College Grade Appeals Committee. It shall undertake to remedy procedural faults identified by the College Committee. It shall consider anew the substance of the grade appeal, with due attention to whatever recommendations have been advanced by the College Committee. The Department/Program Grade Appeals Committee shall render a new decision on the appeal, which may be a reiteration of its original decision or may be a different decision (which may, but need not be, in agreement with the College Committee's recommendations).

4.310. The Department/Program Grade Appeals Committee shall, in any but extraordinary circumstances, render its re-consideration within 20 instructional days of receipt of the grade appeal file.

4.320. Upon reaching its decision, the Department/Program Grade Appeals Committee shall report in writing its response to all procedural faults identified by the College Committee, and shall again put in writing its rationale for its decision on the substance of the grade appeal. These reports shall be forwarded with the grade appeals file to the College Grade Appeals Committee and copies shall be supplied to all parties, including the Department/Program Chair.

4.400. The College Grade Appeals Committee shall review the re-considered decision of the Department/Program Committee. It may seek clarification from the Department/Program Committee (see paragraph 2.500 above). It shall either disagree with or confirm the decision of the Department/Program Committee and all parties must be informed in writing of this decision.

4.410. If within ten (10) instructional days following notification of the College Committee's decision, an appellant communicates in writing her/his wish to continue the appeal process, the Committee Chair shall forward the file (including the Committee's decision and rationale) to the University Grade Appeals Committee.

4.420. If a grade change is recommended by the Committee and the change is not appealed by either appellant (in compliance with 4.410 above), the College Grade Appeals Committee Chair shall, within ten [10] instructional days of the College Committee's action, inform the College Dean, in writing, of its decision and the College Dean will change the grade as determined by the Committee.

5.000 Third Phase of the Appeals Process: Appeal to the University Grade Appeals Committee

The University Grade Appeals Committee shall function as the final level Grade Appeals Committee. The University Grade Appeals Committee may communicate with the appellant, and Department/Program and College Grade Appeals Committees as needed.

5.100. The University Grade Appeals Committee shall normally render its decision within 20 instructional days of receipt of the Grade appeal file.

5.200. The University Grade Appeals Committee shall review the grade appeals file, the lower level Committees' decisions and rationales, and any rebuttals to those decisions and rationales provided by the appellant, in the light of paragraphs 1.000 through 3.600 above. It may consider both matters of procedure and substance. The Committee may seek further clarification from either lower level Committee or the appellant as needed. The University Committee shall either disagree with or confirm the decision of the College Grade Appeals Committee.

5.210 In the event that a grade change is authorized by the University Grade Appeals Committee, the Chair of the University Grade Appeals Committee shall ensure that the appropriate change-of-grade form is properly signed by the University Provost and filed with the Office of Enrollment Services.

5.220 The Chair of the University Grade Appeals Committee shall inform all parties to the grade appeal, in writing, of the Committee's decision.

5.230. The rendering of the Committee's decision, notification of all parties of the decision, and effecting a grade change where authorized by the Committee, completes the appeal process.

EFFECTIVE: Fall 1999