

1999-00 FACULTY SENATE

OF

CALIFORNIA STATE UNIVERSITY, SACRAMENTO

Minutes  
March 23, 2000

Issue #11

**ROLL CALL** [+ indicates alternate]

Present: Amata, Anderson, Antonyappan, Baldini, Barakatt, Bauerly, Behrman, Bossert, Brentwood, B. Buckley, L. Buckley, Cakouros, Carper, Chambers, Ching, Dillon (Parliamentarian), Ewing, Gagerman, Gelus, Hall, A. Jensen, C. Jensen, Kando, +Kostyrko, Krabacher, Lan, Lascher, LeFebvre, Lewis, Llamas-Green, Lund, Lundmark, Maxwell, McCormick, McCrystle, Nowell, Raingruber, Reardon, Reihman, Russell, Scanlan, Smith, Timmer, Valadez, Wheeler, Williams, Wong, Zack, Zucker

Absent: Cameron Wedding, DeBow, de Haas, Elfenbaum, Gunston-Parks, Haffer, Hill, Jaoudi, Kim, Klyse, Lee, Leezer, Maningo, ~~McCormick~~, Mulira, Reveles, Robinson, Rosegard, Tice, Turrill, Verdone

FS 00-15/Flr. MINUTES

The Minutes of March 9 (#10), 2000, are approved as published.

Carried.

\*FS 00-13/APC, Ex., Flr. GRADE APPEAL PROCEDURES (supercedes AS 88-67 and FS 98-45)

The Faculty Senate recommends approval of the revised grade appeal procedures (see Attachment).

Carried.

FS 00-14/Ex., Flr. CSU CENTRAL ADMINISTRATION, RESOLUTION IN SUPPORT OF REFORMING GOVERNANCE OF

The Faculty Senate of CSU, Sacramento, adopts the following:

Whereas, A report, prepared for the San Jose State University Academic Senate, titled "Out of Crisis-Reforming Governance of the California State University"

argues convincingly for the need to improve Central Administration governance of the California State University; and

Whereas, The San Jose report identifies a wide range of problems in the administration of the CSU that negatively affect system-wide efficiency and morale, including

- organizational isolation that contributes to a lack of mutual understanding and respect between the system administration and faculty, as exemplified by past public statements by administrators perceived as disparaging CSU faculty;
- the increasing centralization of decision-making in the CSU which, in recent years, has often led to top-down initiatives resulting in increased workloads for faculty and individual campuses while producing few benefits;
- the huge costs to taxpayers and the diversion of funds from the system's educational mission caused by the budget needed to support Central Administration together with the excessive increase in staff workloads as it falls to them to implement ill-thought out Central Administration mandates;
- the implementation by the CSU Central Administration of corporate-style administrative initiatives (such as the current faculty merit pay system) despite evidence of their lack of success in the private sector; a

and

Whereas, This report suggests a set of "solutions" which would lead to improved governance and provide accountability information to Academic/Faculty Senates; therefore, be it

Resolved: That we, the Faculty Senate of California State University, Sacramento, endorse the San Jose State Report; and, be it further

Resolved: That we request that CSU Central Administration develop a plan for assessing its effectiveness in providing management and leadership to the CSU system; and, be it further

Resolved: We join San Jose State in requesting that CSU Central Administration establish a task force; and, be it further

Resolved: We request that the task force 1) implement this assessment plan by reviewing the efficacy of CSU Central Administration leadership and management processes, operation and budget, and 2) recommend changes in institutional approaches, policies and procedures, which would benefit the CSU system; and, be it further

- Resolved: We request that CSU Central Administration communicate both the findings and recommendations of the Task Force to CSU Academic/Faculty Senates; and, be it further
- Resolved: The CSU Central Administration communicate to CSU Academic/Faculty Senates the process to be used to respond to the Task Force recommendations; and, be it further
- Resolved: That CSU Central Administration establish a plan and schedule to institutionalize this "continual improvement" process.

Carried.

With the call for adjournment, First Reading of the following item was postponed until the next Senate meeting:

FS 00-16/Flr. BACCALAUREATE LEARNING GOALS, CSUS

### INFORMATION

1. Tentative Spring 2000 Faculty Senate meeting schedule [*Note: Additional meetings may be scheduled*]:  
April 6, 13 (3:00-3:30, Nomination of 2000-2001 Officers), 27  
May 4 (3:00-3:30, Election of 2000-2001 Officers), 11, 18
2. April 7, 2000, Conference: "Biological and Chemical Terroism: A Community Response" (March 23, 2000, Faculty Senate Agenda Attachment A)
3. Campus Safety (March 23, 2000, Faculty Senate Agenda Attachment B)
4. 2/9/00 memo from President Gerth rescinding Lottery Fund Allocation Committee (March 23, 2000, Faculty Senate Agenda Attachment C)
5. Report on March 16-17, 2000, CSU Conference on Assessing General Education Learning Outcomes – Bob Buckley -- *Postponed*.
6. Senate Home Page: <http://www.csus.edu/acse/> or CSUS Home Page *then* Administration and Policy *then* Administration *then* Faculty Senate

The meeting was adjourned at 4:45 p.m.

  
Janice McPherson, Secretary

\*Presidential approval requested.

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## CSUS GRADE APPEAL PROCESS

### I. GRADES THAT MAY BE APPEALED BY THIS PROCESS

Assigned final letter or Credit/No Credit grades, otherwise known as course grades, may be appealed; but

1. incompletes may not be appealed until a final letter or Credit/No Credit grade has been assigned.
2. "U" grades may not be appealed.
3. grades assigned to particular pieces of student work or to particular student performances may not be appealed independently of their influence on the calculation of a course grade.

### II. GROUNDS FOR APPEAL AND BURDEN OF PROOF

To convince a grade appeal panel to alter a grade, a student shall allege and prove by a preponderance of the evidence one or more of the following compelling reasons for changing the grade assigned.

#### A. **That the instructor assigned the grade arbitrarily.**

Note: To make out a case of arbitrary grading, a student shall show that the instructor would not or could not give any reasons for the grade assigned rooted in the substance and form of the work submitted for grading either when that graded work was returned or subsequently in a routine conference to discuss the student's performance before the student had begun to seek any relief from the grade appeal process.

#### B. **That the instructor assigned the grade capriciously.**

Note: To make out a case of capricious grading, a student shall show that the grade assigned was the result of an abrupt change in the feeling, opinion or action of the instructor proceeding from a whim or an irrational or fanciful notion.

#### C. **That the instructor assigned the grade because of prejudice.**

Note: To make out a case of prejudice, the student shall show that the grade was assigned on the basis of a judgment or opinion conceived before the submitted work had been evaluated or entirely apart from the work or on an unreasonable predilection or objection to the student or the work, especially an opinion or leaning adverse to the student or the work without just grounds or before sufficient knowledge had been obtained to justify that opinion or predilection in reason. Cases of prejudice on the basis of race or sex shall, of course, be included in this category of compelling reasons but shall not exhaust it.

### III. PRESUMPTION

Before a grade appeal panel shall invite an instructor to respond to an allegation and proof of arbitrary, capricious, or prejudicial grading as defined in II.A, B and C above, the panel shall decide whether the student has made out, by his or her unrebutted argument and evidence, a case convincing enough to overcome the presumption that the grade has been assigned reasonably. If the panel decides that the student has made out a case convincing enough to overcome the presumption of a reasonably assigned grade in the mind of its members, it shall invite the instructor to defend the grade assigned and argue that it should be maintained. If the panel decides that the student has not made out a case convincing enough to overcome the presumption, it shall dismiss the appeal at once and conclude the matter.

### IV. DEFENSES TO AN APPEAL

- A. To convince a grade appeal panel to maintain the grade assigned, an instructor defending a disputed grade shall show by a preponderance of the evidence that the disputed grade was assigned reasonably.
- B. A reasonably assigned grade is one that results from a careful evaluation of the work submitted for grading reported to the Registrar in a timely manner. Work has been carefully evaluated (1) if the purpose of the evaluation has been to ascertain from the substance and form of the work itself the relative quality of the work submitted, (2) if the means of evaluation are reasonably related to achieving that purpose and (3) if the means of expressing that evaluation include some explanation of the results of it to enable the student to distinguish the better work from the worse for him- or herself. Grades so assigned are grades reasonably assigned within the meaning of this policy. Note: Means of evaluation are reasonably related to achieving the purpose of evaluation if, in the judgment of a grade appeal panel, they fall within a continuum of conceivable choices of means bounded on the one hand by means plainly or obviously adapted to the purpose and on the other by means not wholly or completely unrelated to it. A panel may not limit the extent of this discretion by substituting its own choice of reasonable means for an instructor's choice, provided the instructor's choice is within the continuum described in this note.
- C. Preponderance of the evidence shall be the standard of proof in grade appeals. The preponderance standard requires the grade appeal panel (the panel) to consider or weigh the evidence before it as to quantity, in the sense of enough to support a finding of fact, quality and source and to reach conclusions of fact supported by a preponderance of the evidence before it. Determining preponderance is a matter of judgment, not a calculation of a quantity of units. It involves considering carefully the knowledge and credibility of witnesses and the kind and quality of physical evidence before the panel. The result of that careful consideration is a determination of the facts that define the grade appeal



and either support or refute the student's allegation that a grade has been assigned arbitrarily, capriciously or with prejudice.

## V. MEANING OF TERMS DEFINING DEADLINES

Compliance with the deadlines stated throughout this document shall be determined with an eye to substantial justice and common sense. The deadlines shall not be regarded as existing for their own sake but as a means of moving an appeal along expeditiously to a just and reasonable conclusion. For the purposes of determining compliance with deadlines established by this policy, the following definitions shall apply.

- A. A week of classes shall normally be a period within a semester of five consecutive business days when classes are held. It shall begin at 8:00 a.m. Monday and end at 5:00 p.m. on the following Friday. A week of classes shall not include a Saturday or a Sunday or both. A week of classes shall not lose its character by being shortened by the presence within it of an academic holiday, such as Labor Day or Thanksgiving and the Friday following it.
- B. A business day shall be the period beginning at 8:00 a.m. on a day of a week of classes and ending at 5:00 p.m. of that day. Neither Saturdays, Sundays nor academic holidays shall be accounted as business days.
- C. Where the term "day" is distinguished from the term "business day," the term "day" shall refer to any 24-hour period beginning at 12:00 midnight and concluding subsequently at 12:00 midnight.
- D. A semester shall be that period defined by reference to a first day and a last day as published by the University in its academic calendar.
- E. Delivery of written submissions by a student or an instructor, parties to a grade appeal, to a unit chair or to a unit secretary for delivery to a chair in order to meet a deadline under this policy shall be accomplished when the chair or secretary receiving the submission has it in hand with knowledge of or the opportunity to know what it is.

## VI. GRADE APPEAL PROCEDURES:

- A. Grade Appeals shall be in order during the Fall and Spring semesters of an academic year and at no other times.

## B. Summary of Basic Steps

### 1. Informal Process

- a. Student Meets With Instructor
- b. Student Meets With Unit Chair
- c. Chair Attempts to Resolve the Grade Dispute Informally

### 2. Formal Procedures

- a. Student Submits Grade Appeal Form
- b. Grade Appeal Panel Conducts Hearing

## VII. GRADE APPEAL PROCEDURES IN DETAIL:

### A. Informal Process

#### 1. Chair delivers this document to student.

At the first meeting between a student who disputes a grade and the chair (program coordinator or director) of the academic unit (division, department or program) in which the grade was assigned, the chair shall deliver a copy of this document to the student. This meeting may take place before or after the meeting between student and instructor provided below depending upon the way the student begins to question the disputed grade.

#### 2. Student meets with instructor.

Students who believe that they have not received a reasonably assigned grade shall seek to resolve, in good faith, the matter informally with the instructor who assigned the grade. This shall be done as soon as possible, but no later than the end of the third week of classes of the semester following the semester in which the grade was assigned.

#### 3. Student notifies department chair.

If the informal meeting between student and instructor does not result in a solution of the grade dispute satisfactory to the student, the student shall so notify the chair of the academic unit in which the grade was assigned. Such notification shall be given to the chair or to the academic unit's secretary to give to the chair no later than the end of the last business day of the fourth week of classes of the semester following the semester in which the grade was assigned. A student's failure to meet this deadline shall end the grade appeal.

**4. Chair schedules meeting with student to review process.**

Upon being notified of the failure of the meeting between the student and instructor to produce a satisfactory result, the chair shall schedule at once a meeting with the student to discuss the grounds of appeal and the formal process for resolving a grade dispute. This meeting shall take place before the end of the last business day of the fifth week of classes. (please see subsection 6 below)

**5. Chair seeks informal settlement.**

During the interval between being notified of the failure of the meeting between the student and the instructor and the end of the last business day of the sixth week of classes, the chair shall seek an informal resolution of the grade dispute that is agreeable to both parties. To this end, the chair may meet or otherwise communicate with each party separately or with both together. Topics of discussion may include but not be limited to: 1) what each party thinks happened, 2) what each party intended by his or her part in the transactions giving rise to the dispute, 3) feelings provoked in each party by the conduct of the other and the situation, 4) what each party actually wants from the appeal (sometimes something other than an alteration or preservation of the grade), and 5) the consequences of settling or not settling short of a formal appeal.

**6. Student meets with chair to review formal process.**

Before the end of the last business day of the fifth week of class es while the chair is seeking to resolve the grade dispute informally as provided in subsection 5 above, the chair shall meet with the student. At this meeting the chair shall provide the student with a document that 1) identifies the grounds for appealing a grade (i.e., that the instructor assigned the grade arbitrarily, capriciously, or because of prejudice, and 2) defines the terms "arbitrarily," "capriciously," and "because of prejudice," as those terms are defined in Sections II.A, B and C of the CSUS Grade Appeal Process. The chair shall ask the student if he or she understands the grounds for a grade appeal and shall provide clarification if the student requests it. At this meeting, the chair shall tell or otherwise inform the student that if one chooses to begin a formal grade appeal, he or she must do so by submitting a Student Grade Appeal Form to the chair by the end of the last business day of the seventh week of classes. The chair shall remind the student to follow the provisions of the Grade Appeal Process carefully and to comply with the deadlines set by it. (Please see subsection 4 above and the schedule of deadlines appended to this document.)

**7. Conflicts of explanation with policy.**

Any conflict between the stated provisions of this document and statements or omissions of explanation by a chair shall be resolved in favor of the stated provisions of this document.

**8. Evidence of informal process is inadmissible during formal process.**

Nothing said or done in the course of informal attempts to resolve a grade dispute shall be admissible as evidence in formal proceedings authorized by this document.

**9. Confidentiality of informal process and its product.**

Everything said or done in the course of informal attempts to resolve a grade dispute shall remain confidential. Confidentiality shall extend to the terms upon which a grade dispute may be informally resolved. Violations of confidentiality shall be subject to appropriate University action.

**B. Formal Procedures**

**1. Student Grade Appeal Form.**

Students wishing to initiate a formal grade appeal shall fill out the Student Grade Appeal Form (see attached) and submit four (4) copies of it to the chair of the academic unit in which the grade was assigned by the end of the last business day of the seventh week of classes of the semester following the semester in which the disputed grade was assigned. Failure to meet this deadline shall conclude the appeal. One copy shall be placed in the chair's file, one forwarded to the instructor, one forwarded to the Associated Students, Inc., and one held for the Grade Appeal Panel as outlined below. Upon receipt of the appeal form, the chair shall establish a Grade Appeal Panel as outlined below.

**2. Grade Appeal Panel.**

The Grade Appeal Panel shall consist of two full-time tenured or tenure-track faculty from the academic unit in which the grade was assigned, and one student who shall be an upper-division or graduate student in good standing currently registered in an undergraduate or graduate program in the College in which the academic unit is located. An upper division student in good standing shall serve on the panel to hear the appeal of an undergraduate. A graduate student in good standing shall serve on the panel to hear the appeal of a graduate student. One faculty member shall serve as chair.

a. Selection of Faculty.

- (1) The unit chair shall randomly select eight prospective panel members (who shall be numbered in order of selection) from the list of full-time tenured or tenure track faculty members within the academic unit (excluding those on sabbaticals or other leaves and those involved in the appeal) or related units as determined by the unit chair in those cases where there is an insufficient number of eligible faculty members. If any faculty member selected is unwilling or unable to serve, due to extenuating circumstances, random selection shall continue until the names of eight faculty members willing and able to serve have been drawn.
- (2) The unit chair shall inform the student and the instructor of the eight names on the list. During the 48 hours following, each of the parties shall then have the right to challenge up to two names on the list for any reason or no reason at all. The first two unchallenged names on the list shall be the faculty panel members and the other unchallenged faculty shall be alternates.

b. Selection of Student.

- (1) Immediately following the census date, i.e., the end of the fourth week of classes, the University Admissions and Records Office shall, as a matter of routine, produce and forward to the Associated Students, Inc., each of the following documents:
  - (a) A mailing list and labels of 100 randomly identified upper division students in good standing registered in undergraduate majors in each of the colleges, and
  - (b) A mailing list and labels of 100 randomly identified graduate students in good standing registered in graduate programs in each of the colleges.
- (2) The Admissions and Records Office as sender and the Associated Students, Inc., as recipient shall keep confidential the information contained in the lists and labels produced under this section.
- (3) If the need of students to serve on the grade appeals panels exceeds the supply of students listed, the Associated Students, Inc., shall formally request the Admissions and Records Office to provide additional lists and labels as described above.
- (4) In each instance of a grade appeal, the academic unit in which the appeal is filed shall forward to Associated Students, Inc., a copy of

the grade appeal form. When received by Associated Students, Inc., this copy shall constitute notice of a unit's need of a student to serve on a grade appeal panel. That student shall be selected as provided below.

- (5) Upon receiving the grade appeal form forwarded by the unit, the Associated Students, Inc., Government Office shall randomly select from the appropriate list provided by the Admissions and Records Office four prospective panel members (who shall be numbered in order of selection). If the student appealing is an undergraduate, each of the selected students shall be an upper division student. If the student appealing is a graduate student, each of the selected students shall be a graduate student. Associated Students, Inc., shall ascertain the willingness of each student selected to serve. Random selection shall continue until a list of four qualified students willing and able to serve has been drawn.
  - (6) The Associated Students, Inc., shall inform the student and the faculty member of the names of the four students selected. Each of the parties, the student and the instructor, shall then have 48 hours to challenge simultaneously one name on the list for any reason or no reason at all. The first unchallenged name on the list shall be the student panel member and the other unchallenged students shall be alternates.
- c. Once selected, members of the panel shall regard themselves as triers of fact, not advocates of the parties. They shall therefore approach the matter before them impartially and shall manage it judiciously.
  - d. An initial meeting of the panel shall be held within seven (7) business days after the selection of the panel. The Department chair shall designate a faculty member of the panel to convene the initial meeting.
  - e. The panel shall select its own chair from between the two faculty members at the initial meeting of the panel. The chair shall be responsible for seeing to it that the appeal is heard in an orderly fashion and a decision reached as promptly as possible.

### **3. Procedures to govern panel hearings.**

- a. Panels shall decide grade appeals on the written submissions of the student and the instructor, parties to the grade appeal. When reviewing the written submissions of the parties, panels shall rely on the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs but shall exclude evidence that is irrelevant or

unduly repetitious. Panels shall not review the submissions of the parties in light of technical rules of evidence or of examining witnesses.

- b. The student shall be advised by the chair of the academic unit in which the appeal was filed of his or her right to make a written submission to the panel explaining the appeal and containing at least the following:
  - (1) A narrative of fact defining the appeal. The narrative shall state clearly and concisely the actions of the instructor giving rise to the appeal and the actions taken by the student at the time of grading or as soon afterward as he or she learned of the grade to make the instructor aware of his or her objection or objections to the grade.
  - (2) A clear and concise statement of his or her objection or objections to the grade. For example: "The grade was assigned arbitrarily, capriciously or with prejudice."
  - (3) His or her reasons for believing that the narrated facts show that the grade appealed has been assigned arbitrarily, capriciously or with prejudice as those terms are defined in Section II.A, B and C of this document.
  - (4) The evidence of fact that he or she wishes to put before the panel in support of the claim that the grade being appealed has been assigned arbitrarily, capriciously or with prejudice. This evidence shall include every piece of written work or record, if any, of performance or both directly bearing on the assignment of the disputed grade. This evidence may include written testimony by self or others or physical evidence or both supporting claims of relevant fact made in the student's narrative of fact.
  - (5) The student's statement of the grade that he or she is seeking and an argument supported by relevant evidence to justify it.
- c. The student shall also be advised by the chair of his or her right to seek and obtain, on his or her own, assistance to prepare the submissions described above and below, provided that the source of assistance is not an attorney-at-law.
- d. The student shall submit to the chair of the academic unit in which the appeal was filed the writing described in 3.b.1-5 above by the end of the tenth business day following the day of filing the Student Grade Appeal Form. He or she shall deliver to the chair or to the secretary of the unit for delivery to the chair five copies of his or her submission together with the physical evidence and written testimony, if any, supporting the submission. (Physical evidence and written testimony

not incorporated physically into a written submission need not be copied but must be delivered in the original to the chair of the unit together with the required copies of the submission.) Failure to deliver the student's written submission to the chair or the secretary of the unit by the end of the tenth business day following the day of filing the Student Grade Appeal Form shall conclude the appeal.

- e. The chair shall distribute to each member of the panel, the instructor whose grade is being appealed, and the chair's file a copy of the student's written submission and shall make available for examination by the instructor and the panel all of the physical evidence and written testimony submitted separately by the student.
- f. Before the instructor, party to the appeal, shall be invited to respond in writing to the appeal, the panel shall meet to determine whether the student has overcome the presumption that a grade is reasonable by stating and supporting with relevant evidence facts which, if un rebutted, would tend to support the conclusion that the grade was assigned arbitrarily, capriciously or with prejudice.
- g. If the panel finds that the facts stated in the appeal and supported by relevant evidence are insufficient to overcome the presumption, it shall dismiss the appeal at once and so advise the unit chair. Its dismissal shall conclude the appeal.
- h. If the panel finds that the facts stated and supported by relevant evidence are sufficient to overcome the presumption, it shall so advise the unit chair.
- i. The unit chair shall in turn advise the instructor whose grade is being appealed of his or her right to submit to the panel a written response to the student's appeal discussing clearly and concisely the several topics specified in 3.b.1-5 above from the instructor's point of view and offering whatever testimony from self or others or physical evidence or both he or she may have to support his or her claims of fact. The chair shall also advise the instructor of his or her right to seek and obtain, on his or her own, assistance to prepare the response described in this section and any other writings connected with the appeal, provided the source of assistance is not an attorney-at-law.
- j. Within ten business days of receiving the student's written submission and being informed by the chair of the right to respond, the instructor shall deliver five copies of his or her response, if wishing to make one, together with the physical evidence and written testimony, if any, supporting the response to the chair or the unit secretary to deliver to the chair. Failure to deliver the instructor's written response or a



written statement of intent not to respond to the chair or the secretary of the unit by the end of the tenth business day following the day of receiving the student's written submission and being informed by the chair of the right to respond shall forfeit the right to respond. The chair shall distribute to each member of the panel, the student appealing and the unit chair's file a copy of the instructor's written response. The chair shall make available for examination by the student and the panel all of the physical evidence and written testimony submitted separately by the instructor.

- k. If the instructor chooses to defend the grade as provided above, the student shall have five business days from the day of receiving the instructor's response to file five copies of a written rebuttal to it in whole or in part with the chair or the secretary of the unit for distribution as above. A student's failure to deliver the written rebuttal by the end of the fifth business day following the day of receiving the instructor's submission shall forfeit the right of rebuttal.
- l. The student and the instructor shall each have the right to submit the written statements of others describing their observations of or their part in transactions pertinent to the appeal. These statements shall become part of the written submissions of the party arranging for them to be written. They shall be submitted by the deadlines governing the submissions of the parties and shall be made available to the panel and the other party by the unit chair. They shall be subject to response or rebuttal as provided in this policy.
- m. Within five business days of the last business day on which a rebuttal by the student might have been filed, the panel shall meet to decide the appeal on the basis of the parties' written submissions and evidence.
- n. It shall base its decision on a preponderance of the evidence in the writings before it.
- o. If, in the course of its deliberation, the panel identifies a lack of information controlled by one or the other of the parties to the appeal before it or by those, if any, writing on their behalf, the panel may invite the parties or either of them to supply in writing the information wanted or to secure it, if possible, from one writing on their behalf. If the panel decides to invite more correspondence with it by the parties or either of them or those writing on their behalf, it shall send a copy of its correspondence with the parties or with either of them to each and every other party to the grade appeal before it. Any party responding in writing to the panel's invitation under this section shall provide a copy of its writing to every member of the panel, the other party to the grade appeal, and the chair's file.

- p. Decision of the appeal shall be by simple majority of the panel in a meeting convened for the purpose of deciding the appeal and attended by every member of the panel.
- q. If decision is for the student appealing, the faculty members of the panel shall determine at once the course grade to be awarded and the reasons for it. The course grade awarded shall be a function of the professional judgment of the faculty members based upon a survey of the evidence of all of the student's work that served as the basis for the course grade appealed successfully. If the course grade appealed would have been different but for the particular grade assigned to one or another of the pieces of work or instances of performance submitted for a grade and that particular grade was appealed successfully by the student, the faculty members of the panel shall confine their revision of grades to the one or ones successfully appealed and not disturb the others. They shall then assign a course grade consistent with the grades assigned by them and by the instructor where no disturbance of grade was worked by their revision. The grade or grades assigned by the panel may be different from the grade or grades claimed by the student. The student member of the panel shall not participate in determining a grade but may be present as a member of the panel when the determination is made.
- r. Decision of the grade or grades to be awarded in the case of a successful appeal shall require the concurrence of the faculty members of the panel.
- s. Within five business days of deciding the appeal, the panel shall publish to the parties and the unit chair an announcement and explanation of its decision containing:
  - (1) A clear and concise narrative of its understanding of the facts defining the appeal based on the evidence and testimony submitted by the parties. Conflicts of fact shall be resolved by a preponderance of the physical evidence and testimony, including the parties' narratives, before the panel.
  - (2) A clear and concise statement of its understanding of the objections to the disputed grade urged by the student appealing.
  - (3) A clear and concise statement of its decision to accept or reject each objection supported in each instance by a discussion of its reasons for thinking that the facts of the appeal and the text of pertinent University policy support its decision in that instance.
  - (4) If decision is for the student, an announcement of the grade to be awarded in the case and the panel's reasons for it.

- t. The panel shall submit its written decision to the chair of the unit who shall forward it at once to the student and the instructor, with a copy of it and the Student Grade Appeal Form to the Provost and Vice President for Academic Affairs.
- u. If the decision of the panel to change the grade is not accepted by the instructor, the chair of the academic unit shall change the grade as the panel shall have directed.
- v. A summary report of the number of cases heard and the disposition of each case shall be prepared by the Provost and Vice President for Academic Affairs on an annual basis, and copies forwarded to the President and Faculty Senate.

**C. Summary of Grade Appeal Deadlines.**

Compliance with the deadlines stated throughout this document shall be determined with an eye to substantial justice and common sense. The deadlines shall not be regarded as existing for their own sake but as a means of moving an appeal along expeditiously to a just and reasonable conclusion.

1. By the end of the third week of classes of the semester following the one in which the disputed grade was assigned, the student shall have sought informal resolution of the grade dispute by meeting with the instructor.
2. By the end of the fourth week of classes, the student shall have notified the department chair of the failure of his or her unassisted efforts to settle the dispute informally, if failure has occurred.
3. Immediately after notification of failure, the chair shall have scheduled a meeting to review the process with the student.
4. By the end of the fifth week of classes, the scheduled meeting shall have happened.
5. By the end of the sixth week of classes, the chair shall have completed the chair's effort to produce an informal settlement.
6. By the end of the seventh week of classes, the student shall have filed the Student Grade Appeal Form with the chair.
7. By the end of the seventh business day following selection of the grade appeal panel, the panel shall have met to select its chair and begin its work.

8. By the end of the tenth business day following the day of filing the Student Grade Appeal Form, the student shall have delivered his or her written submissions and evidence to the chair.
9. The panel shall meet at once to decide whether the student has overcome the presumption of reasonable grading by the statements of fact and supporting evidence submitted. If the panel decides that the presumption has been overcome it shall at once invite the instructor via the chair of the unit to respond to the student's submission.
10. By the end of the tenth business day following the day of receiving the student's written submission and being informed by the chair of the right to respond, the instructor shall have delivered his or her written response and evidence to the chair.
11. By the end of the fifth business day following the day of receiving the instructor's response, the student shall have delivered his or her rebuttal to that response to the chair.
12. By the end of the fifth business day following the last business day on which a student's rebuttal might have been filed, the panel shall have met to begin to decide the appeal.
13. By the end of the fifth business day following the day on which the panel shall have decided the appeal, the panel shall have published its decision.
14. Having received the panel's written decision, the chair shall have sent it at once to the parties and the Provost.

Note: If every party acts at the last minute, the panel will receive the appeal by the end of the twelfth week of classes. It must begin to deliberate by the end of the thirteenth week. It has five business days following the day of making its decision to publish it.

### **C. Summary of Submissions by Parties.**

Student:

1. Student grade appeal form by the student to the chair of the unit in which the disputed grade was assigned—four (4) copies.
2. Written submission explaining the student's position in the dispute by the student to the chair of the relevant unit for delivery to each panelist, the instructor, and the chair's file—five (5) copies.

3. Written statements of witnesses gathered at the choice of the student by the student to the chair of the relevant unit to become part of the student's submission and delivered by the chair to each panelist, the instructor and the chair's file—five (5) copies.
4. Written rebuttal of the instructor's written defense of the disputed grade, if the student chooses to rebut, by the student to the chair of the relevant unit for delivery to each panelist, the instructor and the chair's file—five (5) copies.

Instructor:

1. At the panel's invitation, a written defense of the disputed grade, if the instructor chooses to make one, by the instructor to the chair of the relevant unit for delivery to each panelist, the student and the chair's file—five (5) copies.
2. Written statements of witnesses gathered at the choice of the instructor by the instructor to the chair of the relevant unit to become part of the instructor's submission for delivery to each panelist, the student and the chair's file—five (5) copies.

At the panel's request, a party may submit or cause to be submitted by witnesses further written responses to the panel's request for further information. Five (5) copies of each response to the chair of the relevant unit for delivery to each panelist, the other party and the chair's file.

Each party is required to submit the required number of copies of each document filed by it with the chair of the relevant unit. The unit is required to distribute them as indicated in the Grade Appeal Process. Furthermore, the unit is required to produce copies of the documents created by it in the course of the appeal and to distribute them to the several recipients designated by the Grade Appeal Process.