

ACADEMIC POLICIES COMMITTEE
2015-2016

Friday, April 15, 2016
2-3:30pm, Sacramento Hall 161

MEMBERS

Stephen Blumberg (Music, A&L)
Anne Bradley (Library, LIB)
Sue Escobar, Chair (Criminal Justice, HHS)
Jean Gonsier-Gerdin (Teaching Credentials, EDU)
Amber Gonzalez (Undergraduate Studies, EDU)
Jacqueline Irwin (Communication Studies, A&L)

Yang Li (Marketing & Supply Chain Management, CBA)
Todd Migliaccio (Sociology, SSIS)
Matt Schmidlein, (Geography, NSM)
Kristin Van Gaasbeck (Economics, SSIS)
Rustin Vogt (Mechanical Engineering, ECS)

NON-VOTING/EX-OFFICIO MEMBERS

Sylvester Bowie (Faculty Senate)
Jasmine Murphy (Academic Advising Center)
Dennis Geyer (Office of the University Registrar)
Don Hunt (Division of Student Affairs)
Don Taylor (Office of Academic Affairs)

Kris Trigales (Office of the University Registrar)
Marcellene Watson-Derbigny (Student Academic
Success/Educational Opportunity Program)
Aryn Fields (Associated Students, Inc.)
Gabriel Hernandez (University Staff Assembly)

AGENDA

1. **Call to Order**
2. **Open Forum.** Brief period for members to raise issues related to the committee charge that are not on today's agenda.
3. **Approval of the Agenda**
4. **Approval of Minutes from April 1, 2016 (Appendix A)**
5. **Nominations for Chair of APC, 2016-17 (2nd request)**
6. **Grade Appeal Policy and Process – President's Action (Appendix B).** Memo from Jill Peterson, University Counsel, provides broad overview of changes to the Amended Grade Appeal Process (GAP), originally approved by the Senate on October 1, 2015. The revisions to the Senate approved 'Amended GAP' is also attached for our review and comment, if any.
7. **Information/Discussion:**
 8. **Timely Declaration of Major Policy, Amendment of.** Discussion of concerns and questions that arose during 1st reading of this item @ Senate on 4/7 and ideas for moving forward to 2nd reading. (see list of questions/concerns in **Appendix C**).
 9. **Smart Planner Implementation & Policy Impact (Appendix D).** List of policies potentially impacted is attached; suggestions for other policies to add are welcome ☺
8. **Meeting Schedule for Spring 2016**

February 5	March 18	May 6
February 19	April 1	
March 4	April 15	
8. **Adjournment**

**2015-16 FACULTY SENATE
ACADEMIC POLICIES COMMITTEE
MINUTES April 1, 2016**
Approved:

April 12, 2016

Members Present: Blumberg, Escobar, Geyer, Gonsier-Gerdin, Gonzalez, Irwin, Li, Migliaccio, Schmidlein, Hernandez, Cervantes (for Murphy), Trigales, Taylor

Members Absent: Bowie, Bradley, Fields, Van Gaasbeck, Vogt, Watson-Derbigny

Guests Present: Malroutu

Call to Order: Called to order at 2:05 p.m.

- 1. Open Forum:** Chair Escobar mentioned that the next APC meeting (3rd Friday) falls on April 15th, which is potentially a day of strike, and if there was a strike, the meeting would be canceled.
- 2. Approval of the Agenda:** Approved 2:07pm
- 3. Minutes for March 18, 2016 Reviewed.** Minutes approved (unanimous) 2:07pm
- 4. Nominations for Chair of APC, 2016-17.** M. Schmidlein nominated S. Escobar, who accepted the nomination. There was an informal vote taken and the consensus was to forward S. Escobar's name. Nominations will also be taken at the next meeting, April 15th, if the committee meets. Folks were informed that nominations could also be made on the floor of the Senate.
- 5. Drop Policy, Amendment of.** Chair Escobar brought back revisions to the policy, which included the language from the last time the policy was approved by the Faculty Senate (May 2010). This policy, W (Withdrawal) and (WU) Unauthorized Withdrawal Policy, contains the language regarding course drops and withdrawals that is used in current practice and can be found on the back of the Add/Drop Form as well as in the University Catalog under Registration. The Committee recommended that Chair Escobar bring the policy to the Executive Committee and request that it be placed on Consent Action, since there are no substantive changes to the policy, just some minor edits to update the Drop Policy (i.e., Casper → CMS/MySacState).

6. Discussion on Smart Planner (implementation and potential academic policy impact): T. Migliaccio updated the committee on Smart Planner, which is a program that interacts, or interfaces, with degree auditors and schedulers to assist them with planning roadmaps to students' degrees. T. Migliaccio asked APC folks to think about which policies might be affected by the implementation of Smart Planner. He indicated that he would send a list of policies that the Smart Planner group has already come up with to Chair Escobar who would then email out to the committee. The Advising Policy was one policy that was mentioned as being impacted. With respect to advising, D. Taylor mentioned that, for 1st year freshmen, advising is mandatory. But after that, there are not too many groups of students who have mandatory advising, unless a student is on academic probation, etc. Once implemented, the initial plan (on Smart Planner) generates output for students once, but then the students need to engage with it in the future, and the campus will need to find a way to get them to engage with it after that initial interaction.

7. Meeting Schedule for Spring 2016

~~February 5~~

~~March 18~~

May 6

~~February 19~~

~~April 1~~

~~March 4~~

April 15

8. Adjournment: Meeting adjourned at 3:30pm.

Sue C. Escobar, Committee Chair



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April 5, 2016

To: Faculty Senate Academic Policy Committee

From: Jill Peterson, University Counsel

Re: Modifications to Grade Appeal Process and Policy Adopted by Faculty Senate on October 1, 2015

Attached please find a copy of the revised version of the Grade Appeal Policy adopted by the Faculty Senate on October 1, 2015. The policy was edited by me, University Counsel, Jill Peterson in collaboration with Gerri Smith, former Student Issues Coordinator, Cely Smart, Special Assistant to the President, and Emily Wickelgren, current Student Issues Coordinator. The edits result in a more readable and understandable (user friendly) document for those responsible for implementing the policy/process, and students and faculty who will be involved in the process. In addition, these edits are designed to clarify the meaning of some terms by providing definitions.

The edits do not change the fundamental process or the standards to be applied in the grade appeal process. They are, instead, designed to include more consistent language throughout the policy and provide definitions for terms that might otherwise be ambiguous. Please let me know if you have any questions.

Student Grade Appeal Process (2015)

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Sacramento State Grade Appeal Policy and Process

I. Introduction

The Grade Appeal Policy and Process (GAPP) allows students to appeal course grades in the semester immediately following the one in which the course was taken and the grade assigned. GAPP is administered by the Grade Appeal Manager in the Office of Academic Affairs (GAM). Students wishing to file a complaint about an Instructor, but not appeal a grade, are encouraged to direct their concerns to chair of the department or division (Chair) in which the Instructor is employed.

While evaluating academic performance and assigning course grades are generally within the responsibility of the Instructor, the University does allow students to appeal such grades when the student believes there is a basis for doing so consistent with the GAPP. The presumption under the GAPP is that assigned grades are an accurate reflection of the student's academic performance and are final. Therefore, the burden of proof under the GAPP is on the student appealing the grade. Students filing a grade appeal must follow the procedures set forth under the GAPP. Student objections to course design or management do not fall within the GAPP. The GAPP is the only process available for a student to appeal a grade and/or make a procedural appeal relating to the GAPP.

II. Definitions

- A. Preponderance of the Evidence means the greater weight of the evidence, i.e., that the evidence on one side outweighs, preponderates over, or is more than, the evidence on the other side. The Preponderance of the Evidence is the applicable standard for demonstrating facts and reaching conclusions under the GAPP.
- B. Instructor means the Instructor who assigned the grade at issue in the appeal.
- C. Chair means the chair of the department or head of the division in which the Instructor is employed.
- D. Grade Appeal File (GAF) is the official file of the grade appeal maintained by the GAM.
- E. Grade Appeal Manager (GAM) is a tenured member of the full-time faculty designated by the Provost to administer the GAPP.
- F. Grade Appeal Panel (Panel) refers to the Panel(s) that review and determine grade appeals under the GAPP.
- G. Procedural Appeal Board (Board) refers to the board that reviews and determines appeals relating to alleged procedural violations of the GAPP.

- H. Business day excludes any campus holidays, spring break and any other days the campus is closed.

III. Grade Appeal Panels

- A. Composition: The GAM establishes a minimum of three Panels, each consisting of two full-time tenured or probationary faculty members and one student in good academic standing. For at least one of the three Panels an undergraduate and a graduate student representative will be assigned, enabling the service of the appropriate student depending on the level of course in which the grade is being appealed (i.e. undergraduate student will be assigned to undergraduate course grade appeals and graduate student will be assigned to graduate course grade appeals). Faculty serve three year terms and are eligible for reappointment. Students serve one year terms and are eligible for reappointment.

Each spring semester the Faculty Senate will designate faculty to serve on Panels based on the responses to the Senate preference poll. Whenever possible, the Panels should be comprised of members who represent a variety of academic units and colleges on campus. The GAM will maintain a pool of nine or more full-time tenured or probationary faculty as alternates and ask the Faculty Senate for recommendations as necessary to fill vacancies in order to maintain the pool.

Each spring semester the GAM will direct each college to select and recommend to Associated Students, Inc. (ASI) four or more students to serve as Panel members who agree to serve throughout the following academic year. Each recommended student must be enrolled in a program of study at Sacramento State and at least one-half of the students must be classified graduate students. From the list of recommended students, ASI will select two or more students from each college to be recommended to the GAM for Panel appointments. Graduate student Panelists will be assigned to graduate student appeals, while undergraduate Panelists will deliberate over undergraduate student appeals.

If a Panel member is unwilling or unable to serve on a Panel in a particular case, the GAM will select an alternate to serve in the member's absence. Any allegation that a Panel member has a conflict of interest that should disqualify the member from hearing the appeal must be made by the individual allegedly impacted by the conflict in writing to the GAM within **five business days (5) days** of the assignment of the appeal to the Panel. The GAM will make a determination relating to any alleged conflict of interest of any member of a Panel and that decision will be final.

Members of the Panel will regard themselves as reviewers of fact, not advocates of the parties or representatives of a college or section of the student body. They will approach the matter before them impartially. The Panel should elect a chair at its first meeting who is responsible for convening all meetings and making sure the Panel

meets all required deadlines.

- B. General Procedures: Incomplete grades may not be appealed until a final letter or Credit/No Credit grade has been assigned. Grades assigned to individual pieces of student work may not be appealed independent of their influence on the final course grade. Grades assigned to performances on comprehensive degree examinations, theses, projects or other culminating experiences may be appealed when they are offered in partial fulfillment of graduate degree requirements. The Panel is bound by any factual findings and/or findings of a policy violation made by other University officials assigned primary responsibility for making those findings (See Definitions, above). When making grade appeal decisions, Panels will rely solely on written submissions of evidence made by the student and the Instructor. The Panel is to apply the preponderance of the evidence in making its determinations (See Definitions, above).

IV. Informal Process for Grade Appeals

Before initiating an appeal under the GAPP, the student must try to resolve the issue informally with the Instructor. The student shall contact and discuss the disputed grade with the Instructor **no later than the end of the second week of the semester after the disputed grade was assigned**. If the grade remains in dispute after the attempt to informally resolve the matter, the student must notify the Chair of the inability to reach a resolution by the Monday of the 3rd week of classes in the following semester. The Chair will then attempt to resolve the dispute informally **by the end of the third week of classes of the semester following the one in which the disputed grade was assigned**. If the student is unable to reach the Instructor and/or the Instructor is unwilling to discuss the disputed grade with the student, the student must arrange a meeting with the Chair to discuss the student's efforts to informally resolve the issue with the Instructor.

V. Formal Process for Grade Appeals

- A. Grounds for Appeal: There are three grounds for a grade appeal:
1. Arbitrary grade assignment: the Instructor would not or could not provide reasons for the assignment of the grade; and/or the grade was based on random choice without reason.
 2. Capricious grade assignment: The grade was assigned in an inconsistent and unpredictable manner.
 3. Grade assigned in violation of University policy: The grade was assigned in violation of another University policy including, but not limited to, the University's policies against discrimination and/or harassment and the Student Excused Absence Policy.¹

¹ Student Excused Absences Policy, <http://www.csus.edu/acse/Senate-Info/14-15Agendas-Minutes/043015Agendas-Minutes/14-15FS-111ap.pdf>. Academic Honesty Policy and Procedures, <http://www.csus.edu/manual/student/STU-0100.html>.

- B. **Burden of Proof:** the student appealing bears the burden of proving by a preponderance of the evidence that the grade assigned was arbitrary, capricious or in violation of University policy.
- C. **Filing the Appeal:** If the disputed grade is not resolved informally, the student may file a formal grade appeal with the Office of Academic Affairs. The appeal must include the following documents: (1) the Grade Appeal Form (Appendix A); (2) the Grade Appeal Checklist, signed by the department Chair (Appendix B); (3) written narrative; and (4) supporting evidence, **The appeal must be filed by the end of the fifth week of the semester following the semester in which the disputed grade was assigned (e.g., for a grade in spring semester, the deadline is the fifth week of the following fall semester).** If a student fails to submit a copy of a complete submission (as outlined above) by this deadline, the student waives their right to appeal, no further action will be taken with regards to the appeal, and the grade as issued will stand.
1. **Grade Appeal Form and Checklist:** The Chair must sign and date the Grade Appeal Form (See Appendix A), indicating the student has discussed the disputed grade with the Chair and attempted an informal resolution. The student must also complete and submit the Grade Appeal Checklist document (See Appendix B), indicating all required steps have been taken before submitting the formal grade appeal.
 2. **Narrative:** the student must provide a written narrative that identifies one or more of the grounds identified in the GAPP for appealing the grade. The narrative must state the specific facts upon which the student bases the appeal. Such facts should include what the Instructor did or did not do that caused the student to appeal the grade. The student must also explain what the student did in order to informally resolve the dispute. If the student asserts the assignment of the grade violates a university policy (ground number 3), the student must also state whether the alleged policy violation is the subject of a separate complaint, investigation and/or proceeding and, if so, what university entity is reviewing and/or investigating the alleged violation. Students are allowed to obtain assistance with the written narrative they submit to the Panel. However, the appeal and all proceedings under the GAPP are to be completed by the student. A student may have an advisor, but that advisor may not submit information and/or speak on behalf of the student.
 3. **Evidence to be submitted with narrative:** The student must also submit any and all evidence that supports the appeal. This must include, at a minimum, the course syllabus and all graded course assignments that have been returned to the student, which directly relate to the grade in dispute. Students may (in addition to the narrative above) submit their own written statement, statements from other individuals, or other evidence that supports the facts set forth in the student's written narrative. Students appealing a grade may request and will be provided access to the coursework he or she submitted in the course in which the grade is disputed that is directly related to the grade appeal. If for some reason the

relevant course work cannot be returned to the student directly, the student will be allowed to review the course work. If the Instructor is uncooperative, the student may seek assistance from the GAM to obtain the relevant course work for review or copying and all timelines under the GAPP will be delayed until such time as the review and/or investigation is completed. The student may submit written statements from other people who have knowledge that is relevant to the appeal. These statements must be submitted by the student with any other evidence offered to support the appeal and within the deadline for submitting an appeal.

D. Initial Review of Appeal:

1. Upon receipt of the appeal the GAM will review the appeal to determine if one of the grounds identified in the appeal is that the assignment of the grade violates a university policy (ground number 3). If so, the GAM will investigate whether the alleged violation is currently under investigation or other review by another university entity (e.g., the Office for Equal Opportunity) and, if not, whether the determination of a policy violation is within the jurisdiction of another University office. If so, the appeal will be held in abeyance until the completion of the investigation and/or review of the alleged policy violation until the other University office concludes its review and/or investigation. The GAM will inform the student, Instructor, Panel and Chair of the abeyance without providing any detailed information relating to the matter. If such an abeyance occurs, all timelines under the GAPP will be delayed until such time as the review and/or investigation is completed. Once the review is completed by the other university entity, if the student still wishes to appeal the grade on that basis, the Panel will need to be informed as to whether it was determined a violation of university policy did or did not occur. Any such findings of other university entities relating to university policies within their jurisdiction must be accepted and not re-examined by the Panel (e.g. finding of violation of campus policy relating to sexual harassment made by the University and/or finding made by hearing officer in a student conduct matter).
2. If the appeal does not identify violation of university policy as a ground for the appeal, or if it does and the investigation and/or review of such violation (if any) is completed, the GAM will distribute one copy of the student's complete appeal and make available any original physical evidence that cannot be copied to each member of the Panel, the Instructor, and the Chair. The GAM will communicate this information to the Instructor in writing and confirm receipt of the communication by the Instructor to make sure that the Instructor is on campus that particular semester. The GAM will simultaneously notify the Instructor that all future communications relating to the appeal will be sent to the Instructor via email, unless the Instructor informs the GAM within **five (5) business days** that an alternate means of delivery would be more effective. Thereafter the GAM does not need to confirm receipt of any materials sent to the Instructor. The Panel will review the appeal and determine whether the student has alleged and offered

to prove one or more of the grounds for appeal set forth in the GAPP for appeal. If the student initially fails to identify one or more of the grounds for appeal, the Panel will allow the student **five (5) business days** to amend the appeal in order to comply. Once a student submits an amended appeal, the Panel will determine whether the student has alleged and offered to prove one or more of the grounds for appeal set forth in the GAPP. If the Panel determines the student has failed to do so, the appeal will be denied without further proceedings. Permission to refile the grade appeal will not be granted.

- E. Review of Evidence: Once the Panel concludes a student has alleged and offered to prove one or more of the grounds for appeal set forth in the GAPP, the Panel will determine whether the student can meet the burden of proof. This stage of the proceedings will not involve a review of any information from the Instructor. The Panel is to assume for review purposes only that all factual allegations in the appeal are true. Assuming the facts as alleged are true, the Panel will determine if the preponderance of the evidence establishes that one or more grounds for appeal have been established. If the Panel determines that the preponderance of the evidence does not support one or more grounds for the appeal, the appeal will be dismissed without further proceedings. If the Panel finds that the preponderance of the evidence is sufficient to establish one or more grounds for the appeal, the Instructor will be provided with the opportunity to respond to the student's allegations.
- F. Instructor's Written Response: The GAM will advise the Instructor of the Instructor's right to submit a written response to the Panel regarding the student's appeal.

The Instructor's written response to the student's appeal must be delivered to the GAM or Receptionist in Academic Affairs no later than **ten (10) business days** of receiving the student's appeal and being informed of his or her right to provide a response. If the Instructor fails to meet this deadline, the Instructor waives his or her right to respond. The response should include a clearly and concisely written narrative regarding the student's assigned grade and offer any statements or evidence that supports the Instructor's factual statements. The Instructor may also present an argument regarding why the grounds set forth by the student for appealing the grade are not supported by the facts. Like students, Instructors are allowed to seek assistance with the preparation of the materials they wish to submit always keeping in mind the limitations placed upon them by the provisions of the federal Family Educational Rights and Privacy Act (FERPA). The Instructor may submit written statements from other people who have knowledge that is relevant to the appeal. These statements must be submitted by the Instructor with any other evidence offered in response to the appeal and within the same deadline.

Upon receipt of a timely written response from the Instructor, the GAM will distribute a copy of the Instructor's written response to each member of the Panel, the student and Chair. If there is any evidence provided by the Instructor that cannot be reduced to writing and copied, the GAM will make it available to the student and Panel for review.

If the Instructor does not submit a response, the GAM will inform the Panel and the Panel will make a determination of the student's appeal based solely on the information provided by the student in the appeal.

- G. Student's Rebuttal: If the Instructor submits a timely response to the appeal, the student may submit a rebuttal which shall only address information included in the Instructor's response. The student must submit a rebuttal to the GAM or receptionist in Academic Affairs no later than **five (5) business days** from the day the student was sent a copy of the Instructor's response. The GAM will provide a copy of the rebuttal to each member of the Panel, the Instructor, and the Chair. If the student does not submit a timely rebuttal, the GAM will notify the Panel.
- H. Panel Deliberations: The Panel will meet and decide the appeal within **thirty (30) calendar days** after receiving the student's rebuttal, or being informed by the GAM that no timely rebuttal was submitted. If one or more members of the Panel need additional information, the Panel may request in writing such information directly from either the student or Instructor. Copies of the Panel's written request for additional information must be provided by the Panel to the student, Instructor and GAM. A copy of any response provided to the Panel's request must be provided to each Panel member, the student, Instructor and GAM. The Panel is to only consider the information before it in deciding whether the student has established one or more grounds for the appeal by a preponderance of the evidence.
- I. Panel Decision: The decision must be in writing and agreed upon by the majority of the Panel. The written decision must be provided by the Panel to the GAM within the thirty (30) day period described above. The written decision must include the following information:
1. A narrative summary of the facts including how the Panel resolved any conflict in the factual allegations of the student and Instructor specifying why a preponderance of the evidence led it to resolve the dispute in a certain manner.
 2. A statement of the grounds upon which the student appealed the grade and the students' objections to the disputed grade.
 3. A clear analysis of how the Panel reached its decision.

The GAM will provide a copy of the Panel's decision to the student, Instructor, and Chair.

VI. Procedures Following a Decision Granting a Student's Grade Appeal

Upon notification that the Panel has found a disputed grade to have been assigned in violation of this policy, the GAM will refer the matter of assigning a new grade that reflects the decision of the Panel first to the Instructor with copies to the Chair and the student. The referral will direct the Instructor to assign a reasonable grade that is no lower than the disputed grade and to specify the reasons for it within **five (5) business days** of

the date of the referral. The Instructor will provide a copy of the proposed grade and reasons for the grade to each member of the Panel, the GAM, the Chair and the student. The Panel will promptly review the newly assigned grade. If it finds the grade reasonable and no lower than the disputed grade, it will inform the GAM who will at once report the grade to the Registrar for entry on the student's record and inform the Instructor, student, and Chair of this action.

If, in the opinion of the Panel, the Instructor has not substituted a newly assigned grade that appropriately factors in the decision of the Panel for the Panel's review within **five (5) business days**, the GAM will refer the matter to the Chair. The Chair will then select and promptly delegate the assignment of the new grade to two (2) faculty members from the unit or if the unit has less than three faculty members, one faculty member from the unit and one faculty member from the college within which the unit exists. When making the selection, the Chair will limit the choice to faculty members ". . .with academic training comparable to the Instructor of record who are presently on the faculty . . ." [Source: Executive Order 1037, effective date 1 August 2009, "Grading Symbols, Assignment of Grades, and Grade Appeals," Section D.6.] The Chair's choice of two (2) faculty members under this subsection is final and not subject any appeal under the GAPP.

The two faculty members of the unit who become responsible for assigning a new grade that reflects the decision of the Panel will act promptly to determine the course grade and the reasons for it. The course grade awarded will be a function of the professional judgment of the faculty members. In no case will the grade assigned be lower than the grade disputed by the student. The determination of the new grade to be awarded must be approved by both faculty members. Once they have determined a new grade, the faculty members will report the new grade and the decision with their reasons for assigning it in writing to the Chair for transmittal to the GAM, who will in turn provide copies to the Panel, the student, the Instructor and Chair.

The Panel will promptly review the newly assigned grade and reasons provided. If the Panel finds the grade appropriately factors in its decision and no lower than the disputed grade, it will so inform the GAM, who will promptly report the new grade to be assigned to the Instructor, the student and the Chair. The GAM will wait **five (5) days** after reporting the new grade to the Student and Instructor and, if no procedural appeal is made by either, will forward the new grade to the registrar for entry on the student's record. If a procedural appeal is made under this Policy, the GAM will not forward the new grade to the registrar until the procedural appeal is resolved.

VII. Summer Grade Appeals

Normally, students wishing to initiate a formal grade appeal will do so during the fall or spring semesters in the manner specified above. Students may, however, pursue a grade appeal (of a Spring semester grade) during the Summer recess when they can demonstrate to the satisfaction of the GAM that significant hardship would result from a delay in this process beyond the Summer recess. Significant hardship is defined as the currently

assigned grade impacting a student's ability to be admitted into an academic program or secure employment contingent upon graduation.

The GAM will determine whether to grant the student's request for the appeal to proceed during the summer provided that (1) the application is made no later than two weeks after the student knew or could have known of the disputed course grade but no later, (2) the student has made a good faith effort to settle the grade dispute informally as required under the GAPP, (3) the student has demonstrated to the satisfaction of the GAM that significant hardship would result from a delay in this process beyond the Summer recess, (4) the Instructor has received notice of the request for a summer grade appeal, (5) the Instructor, although not required to do so, has agreed to participate in the summer appeal or to allow it to proceed without his/her direct participation or by way of a designated representative during the summer recess, and (5) a Panel of qualified members can be assembled from among faculty and students willing to serve voluntarily during the Summer recess. If the appeal proceeds during the summer, the procedures set forth in the GAPP apply.

VIII. Procedural Appeal for Alleged Violations of the GAPP

- A. Scope of Procedural Appeal: If a student or the Instructor involved in a grade appeal believes that the GAPP was not followed may submit an appeal relating solely to the alleged procedural violation to the Procedural Appeals Board (Board) under the process set forth below. No other procedure or complaint process may be used to challenge compliance with the GAPP. The purpose of the Procedural Appeal is not for the Board to address the merits of the decision issued by the Panel. The scope of the Board's review is solely to determine whether the GAPP was followed and if not, whether the failure to follow the GAPP was or was not harmless error. Any determination relating to the merits of a grade appeal are to be made by a Panel.
- B. Composition of Procedural Appeals Board: The Board will be appointed by the President or the President's designee on the nomination of the Faculty Senate. The Board will be composed of two tenured members of the full-time instructional faculty and one student in good academic standing. Both an undergraduate and a graduate student representative will be identified and the undergraduate student will be assigned to undergraduate procedural appeals and graduate student will be assigned to graduate procedural appeals. Each faculty member will serve for a term of three years and the student representative will serve a term of one year. The terms of service will be staggered so that each year the Senate will nominate and the President will appoint a member of the Board to fill an expired three-year term. Each member is eligible for reappointment. The Board elects its own Chair, which will be the Board's first order of business on convening for the first time each year. A member of the Board may decline to consider and decide an appeal. In that case, the Board will proceed to consider and decide the appeal with a quorum of two. Any allegation that a Board member has a conflict of interest that should disqualify the member from hearing the appeal must be made by the individual allegedly impacted by the conflict in writing to the GAM within **five (5) business days** of the assignment of the appeal to the Board.

The GAM will make a determination relating to any alleged conflict of interest of any member of a Panel and that decision will be final.

- C. Grounds for Procedural Appeal: The party appealing must allege and prove by a preponderance of the evidence:
1. There was a procedural error that occurred during the grade appeal. The identified procedural error must be demonstrated to have violated the GAPP.
 2. The error was not harmless. Harmless error is an error which had no bearing on the outcome of the appeal, was corrected, or could not have impacted the outcome of the grade appeal.
- D. Format and Timing for Procedural Appeal: A student or Instructor wishing to begin a procedural appeal must submit a written letter of intent to submit a procedural appeal within **five (5) business days** of being sent the final decision of the Panel to the GAM or a receptionist in Academic Affairs. The procedural appeal must outline the specific facts that constituted the procedural error that is alleged to have occurred during the grade appeal, what portion of the GAPP was violated, how the alleged error impacted the decision of the Panel, and the reasons the error impacted the decision of the Panel. Failure to timely submit the required documentation will result in the student and/or Instructor waiving the right to file a procedural appeal.

The GAM will deliver a copy of the appeal to the other party to the grade appeal, the members of the Panel, the members of the Board, and the Chair. In addition, the GAM will also provide to the members of the Board a copy of the Grade Appeal Form, the Grade Appeal Checklist the written submissions of the student and Instructor in the grade appeal (including evidence and statements, the Panel's final decision and any other documents in the GAF) so that the Board will have available to it as complete a records as possible of the information considered by the Panel when making its decision. The GAM will also provide to the Board an email address for members of the Panel, the Chair, the Student and Instructor to which the Board may electronically send any communications and its final decision.

- E. Procedural Appeal Board Initial Review: The Board will review the procedural appeal. If the Board is unable to understand the basis for the procedural appeal, the Board may request that the party submitting the appeal clarify the bases for the appeal. The Board will allow **five (5) business days** for completion of the revisions. If after reviewing the revised appeal, the Board concludes the party has not stated a basis for a procedural appeal to proceed, the Board will dismiss the appeal and the party submitting the appeal will have no further rights to appeal.
- F. Argument by Appealing Party: If the Board is able to conclude from the original or a revised procedural appeal, that a basis for a procedural appeal has been stated, the Board will send a written request to the email addresses of the student and Instructor which will include a statement of issues in the appeal and an invitation for the party appealing to submit written argument to the Board within **ten (10) business days** of

the day the email is sent by the Board. A copy of this communication will also be emailed to the Panel, the Chair, and the GAM. The written argument of the party appealing will be delivered to the GAM or a receptionist in Academic Affairs. Failure to submit an argument will result in the dismissal of the procedural appeal. Once the GAM receives the written argument of the party appealing, the GAM will make copies and provide them to the Board, the non-appealing party, the Panel, and the Chair.

- G. Response of Non-Appealing Party: The non-appealing party (and the Panel, and/or the GAM if requested to do so by the Board) may submit a written response to the appealing party's written argument within **ten (10) business days** of the written argument being sent by the GAM. The response shall include the following (1) a narrative of the facts that in the respondent's mind define the appeal; and (2) an argument that the alleged procedural violation(s) was harmless. The written response shall be provided to the GAM or a secretary in Academic Affairs. Upon receipt of the response, the GAM will provide a copy of it to the appealing party, the Board, the Panel and the Chair.
- H. Rebuttal by Appealing Party: If a response by the other party (and/or the Panel and/or GAM) is submitted, the appealing party may submit a rebuttal to the response or responses within **ten (10) business days** of a copy of the response(s) being forwarded to the appealing party. If more than one response is submitted, the rebuttal will be due ten (10) business days from the last day upon which a response is forwarded to the appealing party.
- I. Deliberations of Procedural Appeals Board: The Board will decide appeals before it in a prompt and expeditious manner. Decision of the Board will be made by a majority of its members. The Board may disregard submitted material that is not relevant to the appeal. The Board may make one of the three following findings:
1. Find that a procedural violation did not occur;
 2. Find that although a procedural violation did occur, it was harmless error.
 3. Find that a procedural violation did occur and the error not harmless.

A finding under 1 or 2 has no impact on the Panel's decision. This finding will conclude the appeal and the Panel and Board's decision will be final and not subject to review by any other University official.

A finding of a procedural violation which is substantial enough that the Board cannot conclude it was harmless, will result in the Panel's decision being vacated and of no force or effect. In such cases, the Board must determine whether in its judgment the violation may be remedied adequately by returning the matter to the original Panel for the Panel to determine the appeal in a manner consistent with the Board's decision.

If in the Board's judgment, the violation may not be remedied adequately by returning the matter to the original Panel, the Board will direct that the matter be assigned to a new Panel and the Grade Appeal Process be repeated.

J. Procedural Appeal Board's Written Decision: The Board shall issue a final written decision that will at a minimum state:

1. A narrative of the facts that gave rise to the procedural appeal.
2. a statement of each of the appellant's claims of procedural error including, with regard to each claim, the appellant's reasoning that the claimed procedural error was not harmless;
3. A statement of the Board's decision regarding each claimed procedural error including a discussion of the facts that support the Board's conclusions.

IX. Retention of the Record in Grade Appeals and Procedural Appeals

The GAM will preserve the documents relating to any grade appeal and/or procedural appeal in the GAF. The file will be retained in Academic Affairs for one year after the conclusion of the appeal and/or procedural appeal. Thereafter Academic Affairs may dispose all of the records relating to the appeal, except the Panel's decision, its report of its review of a grade, if any, for reasonableness, any Board decision, arising out of the grade appeal and the Student Grade Appeal Form. The retention of these documents will be governed by Executive Order 1031, d. February 27, 2008, "System wide Records/Information Retention and Disposition Schedules Implementation."

X. Summary Report of Formal Grade Appeals and Procedural Appeals

A summary report of the number of cases heard, the grounds of appeal in each case and the disposition of each case will be prepared by the GAM each year, and copies forwarded to the President, the Faculty Senate and the Board.

Appendix A

Student Grade Appeal Process California State University, Sacramento

STUDENT GRADE APPEAL FORM

Name:	E-mail:	
Student ID#:	Phone:	
Street Address:		
City:	State:	Zip:
Course Prefix and Number: (e.g. Chem 1a)	Course Name: (e.g. General Chemistry I)	
Instructor:	Semester Course Was Taken:	

Student's Statement

1. Following the provisions of the Student Grade Appeal Process, I appeal the grade of _____ received in the course cited above.

I allege and offer proof that the grade appealed violates the Student Grade Appeal Process in the following way(s): (Check one or more of the following that apply.)

_____ A. The grade was assigned arbitrarily.

_____ B. The grade was assigned capriciously.

_____ C. The grade assigned in violation of one or more university policies. If you check C, you must identify in your written narrative the policy or policies violated and if the violation of the policy is or has been under review by another University office. See Section V.B.2 under the Grade Appeal Policy and Process.

Student Signature

Date

2. I have followed the informal process outlined in the Student Grade Appeal Process and have been unable to reach a satisfactory resolution of my appeal.

Student Signature

Date

3. I have attempted and failed to resolve the grade dispute informally in this case.

Department Chair

Date

Submit one (1) copy of this form together with one (1) copy of the student's written submissions to the Office of Academic Affairs, Room 230 Sacramento Hall, by the end of the last business day of the fifth (5th) week of classes of the semester following the semester in which the disputed grade was assigned. Failure to meet this deadline will conclude the appeal.

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Appendix B
GRADE APPEAL CHECKLIST

**to be Submitted by Student filing a Formal Grade Appeal to Office of Academic
Affairs Sacramento Hall 230**

All of the following steps must be taken prior to submitting a formal grade appeal using the University Grade Appeal Process (see document at <http://www.csus.edu/academic%20resources/policies%20and%20procedures/Student%20Grade%20Appeal%20Process.pdf>).

Please indicate each step has been completed by providing a check mark (✓) next to each item below.

1. I initiated the informal process with the Instructor by the end of the second week of classes of the semester following the one in which the disputed grade was assigned.
2. I notified the unit or division Chair of the failure to settle the dispute informally by the end of the first day of business of the third week of the semester following the one in which the disputed grade was assigned.
3. The unit or division Chair reviewed the grade appeal process with me.
4. The unit or division Chair completed his or her effort to produce an informal settlement by the end of the third week of the semester following the one in which the disputed grade was assigned.
5. I completed a written submission (narrative) explaining my position in the grade dispute and submitted it to the Office of Academic Affairs by the end of the fifth week of the semester following the one in which the disputed grade was assigned (1 copy).
6. I compiled documents as evidence, including a syllabus, and any written assignments pertaining to the dispute (e.g. tests; essays; lab assignments) and submitted them to the Office of Academic Affairs by the end of the fifth week of the semester following the one in which the disputed grade was assigned (1 copy of each document).
7. I provided written statements (if necessary) from witnesses and submitted them to the Office of Academic Affairs by the end of the fifth week of classes of the semester following the one in which the disputed grade was assigned (1 copy).
8. I completed the Student Grade Appeal form with the unit or division Chair's signature and submitted it to the Office of Academic Affairs by the end of the fifth week of the semester following the one in which the disputed grade was assigned (1 copy).

Signed _____

Date _____

Submit 1 copy of this form with the Grade Appeal Form and all other documents to the Office of Academic Affairs, Room 230 Sacramento Hall, by 5:00pm of the last business day of the fifth (5th) week of classes of the semester following the semester in which the disputed grade was assigned.

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APPENDIX C

TIMELY DECLARATION OF MAJOR POLICY, AMENDMENT OF.

Concerns and Questions Raised @ Faculty Senate meeting on April 7, 2016 – 1st Reading (and emailed to S. Escobar):

QUESTION 1: Section on Implementation of the Policy(IV) (text copied from email):

IV. Implementation of the policy:

D. Students wishing to add into the non-impacted major without pre-major criteria **may** do so by meeting with an academic advisor and Department/Division/Program Chair for the major they are seeking to add and completing with them the Declaration/Change of Major form.

Since we're using the term "may," it's unclear whether non-impacted/non-pre-major departments will be required to implement this major declaration process. Are we just giving them the option of saying that they want to require this, or will all departments be obligated to use this process of meeting with students before the major declaration form can be signed?

The questioner agrees that doing some proactive advising at the time of major declaration is a must, are the resources available in most departments for the chair to meet individually with students like this? (Person asking is from an impacted department; therefore, is unaware of how others deal with major changes currently.) Faculty advisor's signature [is typically needed]; [during this meeting]... would be a great time for that "entry-level" advising session, but do chairs typically meet with students or just sign the forms? Would it be sufficient to require a student to meet with a major advisor "or" the chair, instead of "and?" (** Another Senator raised this question at the meeting **)

QUESTION/CONCERNS – ADVISING FOCUSED QUESTIONS; UNIT DEBATE:

* **90 units v. 120 units – at which point can chairs deny students entry into their major (non-impacted/no pre-major criteria) (90 and above? 120 and above, as proposed?)**

* **Shouldn't students be declaring a major before they reach 60 units? (what about 45 units?)** (** ESCOBAR thoughts... do we want to state something like that in a policy as a mandate... as we currently have? If we mandate major declaration at 45 units, the "net" gets wider and wider and the number of potential students who have holds placed on their records for registration if they do not declare by 45 units will grow)

* **What's a "pre-major," really? Is it really "undeclared" or perhaps somewhere in between?** (ESCOBAR stream of consciousness... To me, this seemed like some folks having their own, or their dept having its own, definition of what a pre-major is and then the Registrar's Office/University has its version.... I am foreseeing an amendment to the Definition of Major Status section forthcoming with revised organization and new flow chart)

* **Is it APCs recommendation that ALL departments have pre-majors? (recalled from memory)**

* **Won't these policy changes just encourage more students to have double majors? (recalled from memory)**

OTHER THOUGHTS... Would some of these issues be better addressed by, and within, the Undergraduate Academic Advising Policy? [link to the policy in the UPM: <http://www.csus.edu/umannual/acad/UMA00050.htm>]

SmartPlanner

Possible Policies and Procedures that may be impacted (need to be amended to fit SmartPlanner into the policies/procedures): Below is a beginning list of policies/procedures that may be impacted. We have also included some possible parts of the policies that we should focus on for the change. There likely will be others.

Policies

- Academic Program Review (re: to advising as it impacts retention and graduation)
- Assessment Policy (goals related to “the interaction between its academic programs, student services, and the campus environment. . .)
- Academic Advising Policy (Responsibilities sections? Procedures? Department plans)
- Department/Division Chair, Role and Responsibility of the (#5 coordinate departmental advising efforts)
- Students Not Applying for Graduation who have completed baccalaureate degree requirements (Procedures)
- Timely Declaration of Major
- Change of Major policy (Two ways, 1) section on high units students change of major, 2) potentially part of the procedure)
- Course Proposals (change the policy as well as the procedures).
- Modification in, Suspension of, or Deletion of Existing Programs (to add roadmap changes, along with catalog changes)
- New Degree Programs: Approval Process (to include initial four year roadmap)
- High unit student policy on graduation (related to those students who are required to have a plan, this would be related to SmartPlanner)

Procedures (in addition to those identified in the policies above—some of these may occur in relation to Degree Audit updates) and Programs

- Orientation
- Mandatory First Year Advising
- Mandatory Probationary Advising
- Petitions for Substitutions, waivers, etc. (GE/GR and major/minor)
- Transfer Evaluation
- Declaration/Change of Major (procedure for actually changing the major in the program)
- Course/program change/add proposals