

CUSA Policy and Awards Sub-Committee

October 16, 2019 - Follow-up on Dean's Charge from 2018-2019

Charge 2: Review current grade appeal policy - University, College, Department levels. Consider ways in which a change to policy or procedure could improve clarity for students, faculty and staff. Identify ambiguity in language and consider ways in which all levels of the policy can function consistently.

Background/Update:

Each semester the College (and sometimes CASS specifically) receives questions/requests from students and/or faculty to assist in resolving grade appeals.

Some departmental grade appeal procedures were located via internet search, but the location and existence of unit-level policies were inconsistent. Some can be found on the departmental website; some can be found within the department bylaws and/or grievance procedures, and some did not show up via the search.

At the very least, a separate, consistent location for College-level and academic unit-level grade appeal procedures would be helpful to faculty, staff, and students.

While there is current policy surrounding grade appeals, when attempting to apply the policies there has been confusion about a lack of policy location in addition to lack of clarity and specifics. The goal is to determine ways in which CUSA can recommend policy changes and/or clarification of procedures to assist with the grade appeal process.

Summary of Materials Reviewed:

1. University Senate Rules and Regulations (USRR)
 - a. Article II. Academic Work and Its Evaluation. Section 3. Change of Grade
 - b. Article V. Organization for Conflict Resolution
 - c. Article VI. Procedures for Conflict Resolution. Section 4. Jurisdiction
2. Grievance Procedure for the College of Liberal Arts and Sciences
3. Data Collected from Subordinate Units of the College
 - a. Unit Specific Grade Appeals Policies
 - b. Units Stating Grievance Policy as the Grade Appeal Policy
 - c. Units Referring to University Policy but No Unit Specific Policy
 - d. Units Stating No Formal Policy

*USRR Article II. Section 3 included at the end of this document with most relevant sections highlighted. This is the higher level policy that any CLAS policy will have to be in compliance with.

Policy Clarifications for Discussion at CUSA – October 22, 2019.

These questions need to be resolved before moving forward on a CLAS grade appeal policy that can be adopted or adapted by departments in the College.

1. What precisely can be appealed using the grade appeal policy?

Per USRR 2.5.3, a student may appeal a final course grade solely on the grounds...

“...that there has been an improper application of the grading procedure announced for the course by the instructor.”

Some units have interpreted the above to mean that ONLY the final course grade can be appealed. In particular, that a student can not appeal individual assignments, quizzes and examination grades.

However, course grades are often determined by a combination of assignments, quizzes and exams and hence an argument could be made that an improper application of a grading procedure in **any element of the course** could affect the final course grade.

- *Does this mean grades on individual assignments, quizzes and exams cannot be appealed?*
- *Must a student wait until a final grade in the course has been determined and prove there is evidence that this affected the final course grades?*
- *Or, can a student never appeal an individual assignment, quiz or exam grade?*

2. What constitutes the grading procedures announced by the instructor for the course? The break down of final grade into component parts listed in the syllabus? Grading rubrics applied to individual assignments?

Potential interpretation: The grading procedures should be provided in the syllabus for the course.

At minimum, instructors should include the following:

- The grading system to be used should be indicated on syllabi: S/U; CR/NC; A,B,C...; or A, A-, B+, B, B-, C+, C, C-...
- The overall course percentage or number of points obtained, used to determine the final letter grade, must be clearly defined. Instructors should indicate on syllabi what percentage or number of points correspond to specific letter grades.
- The instructors should indicate on syllabi how percentages or points used to determine grades will be rounded to obtain the final number.

For example: Grades will be rounded to the nearest 0.1 percentage point so that a grade of 90.0% corresponds to an “A”, 80.0% corresponds to a “B”, 70.0% corresponds to a “C”, 60.0% corresponds to a “D”, and below 60.0% corresponds to an “F”

- Instructors should indicate on syllabi the components and total number of points making up each final numerical grade.

For example: Grades will be determined by performance on three exams and a final exam:

Exam 1	100 pts
Exam 2	100 pts
Exam 3	100 pts
Final Exam	200 pts
Total points	500 pts

- Instructors should include a grading rubric for each graded work to provide clarity on how grades are assigned.

3. Are instructors allowed to change the grading procedures announced for the course after classes have started?

Is procedure the correct word or is it protocol?

Procedure – an established or official way of doing something

Protocol – the official system of rules governing affairs

Procedures or Protocols would include number of assignments, type of assignments, how the final grade is calculated (what is included and at what percent), grading system for each assignment.

Reasons why an instructor might make changes after the class begins:

- Changes in class structure due to unforeseen circumstances – cancelled physical classes, technology outages, availability of guests or instructional supplements
- Assignments where a substantial number of students misinterpret directions or expectations

Notification to the students

- Should be made as soon as the change is warranted
- Reasons for the change explained
- Notification in writing with a new version of the syllabus posted
- Offer to review any unique students circumstances due to the change

Recommend no time restrictions given circumstances can arise at any time

4. USSR 2.3.5.1 says there should be “an exclusive procedure for appeal of a final course grade” *What if grievances and grade appeals are not mutually exclusive?*

For example, if a student is claiming that the grading procedures announced for a course were discriminatory and resulted in a biased grade for the course what should they do? USSR 2.3.5.1 says there should be “an exclusive procedure for appeal of a final course grade,” however USSR 2.3.5 says that a grade appeal can only be based on the improper application of the grading procedure announced for the course.

- Must they choose only one avenue (grievance or grade appeal) to pursue, or can they separately file a grievance and a grade appeal for the same underlying occurrence or events?
- If they can pursue both should they be simultaneously or require one to be resolved before the other is heard?
- If they need to resolve one before the other what does that mean for the timeline to submit the appeal?

Can a grievance ever result in a grade change? USRR Section 3 suggests it can in 2.3.2.1 where it says a committee of three faculty can change a course grade: “When a faculty member who has been charged with and found guilty of sexual harassment or academic misconduct has assigned a grade to the student who has pressed charges.” This suggests that when a grade appeal is related to sexual harassment or academic misconduct on the part of the instructor that they should pursue a grievance and not a grade appeal, and that the grade appeal can be part of the grievance.

5. *Should the decisions about grade appeals made by the unit committees be binding?*

Option 1, Yes: The committee in a unit gets to make a final, binding decision and can assign a new grade (as long as the decision is not appealed by the instructor).

Option 2, No: The committee in a unit makes a recommendation about the decision to the Chair/Director of a unit. Then the Chair/Director of a unit can assign a new grade (as long as the decision is not appealed by the instructor).

6. *What if the Chair/Director of the unit is also the instructor for the course for which there is a grade appeal?*

Option 1: There should be a designated alternate within the unit to make the final decision if the Chair/Director of the unit is also the instructor for the course for which there is a grade appeal.

Option 2: The appeal should be moved up to a higher level of review as when a grievance is filed against an administrator of a unit (i.e. The College)?

Appendix

University Senate Rules and Regulations (USRR)

Article II. Academic Work and Its Evaluation

Section 3. Change of Grade

2.3.1 Unless the provisions of 2.3.2 obtain, no change in a grade shall be made after it is filed with the University Registrar except upon the official request of the faculty member in charge of the course. The request must be made within one calendar year of the original grade due date for the semester in which the course is taken. The Registrar shall notify the chairperson of the department in which the course is given, with a copy to the originating faculty member. Such a change may be made only if (1) the original grade resulted from an error, or (2) the original letter was I or P or (3) due to sanctions imposed in the case of academic misconduct. In any of these cases, the change of letter shall not include the change to a W. For purposes of this provision, an official request includes an electronic request through online processes developed by the Registrar.

2.3.2 In the following exceptional cases a committee of at least three faculty members appointed by the chairperson of the department in which the course is given may review a student's work and assign the course grade:

2.3.2.1 When a faculty member who has been charged with and found guilty of sexual harassment or academic misconduct has assigned a grade to the student who has pressed charges.

2.3.2.2 When a clerical error is suspected in a course grade assigned by a faculty member who has become seriously ill and incapacitated or has died or whom the chairperson of the department in which the course is given cannot locate with due diligence.

2.3.2.3 When a student is found guilty of academic misconduct after the course grade has been assigned by a faculty member who has become seriously ill and incapacitated or has died or whom the chairperson of the department in which the course is given cannot locate with due diligence.

2.3.2.4 When there is procedural irregularity in the assignment of the course grade. However, in such a case, the grade shall be assigned in accordance with section 2.3.5.3 of the University Senate Rules and Regulations.

2.3.3 In the most extreme and unusual circumstances a student may petition to either:

a. withdraw from all the courses in which the student was enrolled. In this case a properly constituted committee from the school or College in which the student was enrolled may assign the letter W in all courses of that semester. The faculty members (s) in charge of the course(s) need not be consulted.

Or

b. if the student is asking for selective relief in a course in which the student was enrolled, a properly constituted committee from the school or College in which the course was taken may assign, after consultation/concurrence with the faculty member in charge of the course, the letter I, incomplete, or W, withdrawal. If the incomplete is assigned, it is to be in accordance with University Senate Rule 2.2.3. The work necessary to complete the course and remove the incomplete is to be determined by the faculty member in charge of the course. If the faculty member in charge of the course is unavailable or otherwise unable to provide a regime of work to complete the course, the department will take responsibility to determine the required work. Each course is to be considered separately but the same committee may consider more than one course at the discretion of the dean of the school responsible for the course.

2.3.4 To insure uniform implementation of these procedures a) each school and the College will develop a written policy for the guidance of the committee and b) each school or College will adopt a uniform policy as to whether concurrence or only consultation is required. The policies are to be made available to faculty and student.

2.3.5 A student may initiate a grade appeal of a final course grade if the student believes that there has been an improper application of the grading procedure announced for the course by the instructor. Students who have other grievances should see Article V.

2.3.5.1 Each academic unit within the University shall provide its members access to an exclusive procedure for appeal of a final course grade, which shall be the sole procedure available to such members at the unit level.

2.3.5.2 Such an appeal shall be made in accord with the procedures established by the unit under Article V, section 2 of the University Senate Rules and Regulations. To the extent that a grade appeal involves charges of improper application of grading procedures, the dispute shall be resolved under the applicable procedures for disputes involving improper application of grading procedure, and appeal to the Judicial Board shall be available in accordance with those procedures. To the extent that a grade appeal involves charges of academic misconduct, the dispute shall be resolved under the applicable procedures for disputes involving academic misconduct, and appeal to the Judicial Board shall be available in accordance with those procedures.

2.3.5.3 If the Judicial Board sustains the student's appeal, the grade shall be assigned in accordance with Section 2.3.2 of the University Senate Rules and Regulations.