

## V. CONFIDENTIALITY

- a. The Grade Appeal Committee shall not retain in their possession any personal files, materials received during the appeal procedure, or notes taken during the hearing. The administrative staff person will collect all materials and return them to the GSBS office to retain in a confidential file.
- b. No party, committee member, or other participant or observer in the appeal procedure shall reveal any facts, documents, or testimony gained through participating in or observing the hearing to any other person, unless required by a court of law to do so or upon the advice of the TTUHSC's legal counsel.

## Appeals (Grades)

---

### *POLICY/PROCEDURE: 5.0 Grade Appeals Policy & Procedure*

Faculty members are vested with the authority to establish course requirements and standards of performance. It is the responsibility of faculty to articulate and communicate course requirements and standards of performance to students at the beginning of each course and apply all grading criteria uniformly and in a timely manner. Final grades posted on-line by faculty are presumed to be accurate and final. A student, who has questions about a grade received in a course, should ordinarily seek to resolve the issue by first consulting with the instructor. If the issue has not been resolved after consultation with the instructor, and the student believes there are grounds for appealing the grade, the student may invoke the grade-appeal procedure outlined below.

### **PROCEDURE FOR GRADE APPEALS**

The grade appeals procedure is designed to give the student the opportunity to correct a perceived injustice. It should be utilized only when the student contends that the final course grade assigned by the instructor is arbitrary or capricious. It is not to be used to challenge grades on individual assignments. "Arbitrary or capricious" implies that:

- The student has been assigned a grade on the basis of something other than his or her performance in the course
- Standards utilized in the determination of the student's grade are more exacting or demanding than those applied to other students in the course
- The grade is based upon standards that are significant, unannounced and unreasonable departures from those articulated in the course description distributed at the beginning of the course

The grade appeals policy is not applicable when it is the instructor's judgment about the quality of the student's work that is at issue. The assessment of the quality of the student's academic performance is one of the major responsibilities of TTUHSC faculty members and is solely and properly their responsibility. A student who is uncertain about whether a grade should be appealed or who needs additional information about the grade appeals process should contact the GSBS office.

The burden of proof is always on the student appellant to prove that a change of grade is appropriate action in his or her case. Students must adhere to the timelines delineated in this policy or lose the right to appeal.

### **Informal Appeal Process**

The student must begin the grade appeals process by contacting the instructor in an attempt to resolve the disagreement in an informal and cooperative atmosphere. This discussion should take place as soon as possible but no later than the 10<sup>th</sup> class day after the beginning of the following semester. If the student and instructor cannot, after consultation, reach a satisfactory resolution within the designated time period, the student may begin the formal grade appeal process.

### **Formal Appeal Process**

1. Following the failure to reach resolution through the informal grade appeals process and not later than the 15<sup>th</sup> class day of the semester, the student must complete an "[Intent to Formally Appeal a Grade](#)" Form. The form is available on the GSBS website. On the form, the student will be asked to
  - a. verify that he or she has been unsuccessful in reaching a resolution through the informal appeals process
  - b. precisely and specifically state the reasons for the appeal
  - c. offer suggestions as to what the student would consider a fair resolution of the appeal, with supporting reason or reasons.

The form should be submitted to the GSBS Associate Dean. Copies of the form will be distributed to the student and the instructor. The instructor will be asked to respond in writing to the grade appeal.

2. The instructor will submit within five (5) class days of receipt of the appeal, a written response to the GSBS Associate Dean with a copy to the student. The GSBS Associate Dean will attempt to resolve the appeal within five class days through conferencing with the instructor and student appellant. If not resolved within five (5) class days, the GSBS Associate Dean will appoint an ad hoc Student Grade Appeal Committee that will consider the appeal. The Student Grade Appeal Committee consisting of a committee chair, two (2) committee members from the graduate faculty membership and two (2) graduate students will be appointed by the GSBS Associate Dean. The GSBS Associate Dean will also appoint an administrative staff person to take minutes of the meetings. This staff person will not be a voting member. Both parties can petition to have individuals selected to the committee.

3. Within five (5) class days after the Student Grade Appeal Committee has been appointed, the student appellant (consulting if desired with a faculty advisor) and the instructor(s) involved should submit a brief written summary of the evidence to the chair of the Grade Appeal Committee. Based upon the evidence presented and any additional evidence requested by the Committee, the Grade Appeal Committee will meet to decide if there are grounds for a hearing. The designated staff person will take minutes of the meeting and copies of any evidence presented shall become part of the record.

- a. If the Grade Appeal Committee decides by a simple majority vote (at which a quorum is present) that there are grounds for a hearing, a formal hearing will be scheduled no sooner than 10 class days and no later than 20 class days after the notice of a hearing is given to the instructor and student. The student appellant and

the instructor shall be notified in writing of the procedures that will be followed during the hearing.

b. If the Grade Appeal Committee decides by a simple majority vote (at which a quorum is present) that there are no grounds for a hearing, the appeal goes to step 5 of the process and, if certified, the grade remains unchanged.

In either case, the student and the instructor shall be notified within two (2) class days of the committee's decision. Copies of the meeting minutes shall accompany the notification of the decision. Should a hearing be necessary, the committee chair will notify the student and instructor at least three (3) days prior to the hearing date. The Grade Appeal Committee cannot change a grade without a full hearing as described in Step 4.

4. If a hearing is to be held, the Grade Appeal Committee will conduct the hearing at which both the student and involved instructor(s) must be present. The student may also elect to have a faculty advisor present. In the event that either the student or the faculty member is absent at the time of the appeal hearing due to illness, resignation or any other reason found valid by the Grade Appeal Committee, the committee may proceed with the hearing or delay the hearing until a more appropriate time. Evidence and testimony may be presented and the instructor whose grade is being appealed and the student appellant may present witnesses, evidence, and testimony. The faculty member and the student shall place all available pertinent grade records and student class work in the hands of the Grade Appeal Committee. The instructor whose grade is being appealed and the student appellant shall have the opportunity to question witnesses. All written correspondence related to the grade appeal shall be presented by the parties. Neither party may be represented by legal counsel at these proceedings. The student's faculty advisor may privately counsel the student but may not address the committee or question witnesses. NO one else shall be permitted to attend the deliberations. All members of the Grade Appeal Committee must be present at the hearing in order to cast their vote. Minutes of the hearing must be kept.

One of three outcomes is allowed as a result of the hearing:

a. If a minimum of three (of the five) Committee members vote in favor to change the grade and the Dean concurs with the decision and certifies the process, the grade shall be changed as indicated in Step 6.

b. If two or less members of the Grade Appeal Committee vote in favor to change the grade no grade change shall be mandated.

c. In the event the faculty member concerned refuses to participate in the appeals procedure or refuses to provide available materials essential for the appeals procedure, the Grade Appeal Committee may, by simple majority vote initiate the grade change.

The committee Chair shall so inform the instructor of its decision by written memorandum, with copies to the student appellant, the department chairperson, and the Dean. The written memorandum shall be transmitted within five class days of the hearing and shall include a description of the process followed from informal appeals through the hearing decision, copies of all materials presented, and a copy of all minutes of the hearing meetings.

5. The Dean shall review the process, all related materials, and minutes within five class days of the receipt of all materials.

- a. If the Dean certifies that the policy was followed, the grade appeal is completed. If indicated by the Grade Appeal Committee in its findings, grade changes are initiated as indicated in Step 6.
- b. If the Dean finds substantive errors in the process which could have reasonably altered the decision reached, reconsideration by a separate Grade Appeal Committee shall be initiated by the Dean. The reconsideration shall begin at Step 4 of this process.

The Dean shall advise all parties of the outcome of the process review. The Dean cannot reverse the decision of the Grade Appeal Committee but can only send it to a second committee based upon procedural errors.

6. Changes of grade shall be initiated as follows:

- a. If the Grade Appeal Committee rules in favor of a grade change the Dean shall request the faculty member to change the grade within five class days after the Dean's certification of the process.
- b. If three or more members of the committee voted for a grade change (or simple majority if the faculty member refuses to participate) and the faculty member does not initiate a grade change within five class days of the request by the Dean, the Dean shall forward the committee's determination of grade change to the registrar, who shall then change the grade.

7. Decisions reached through this process are final, and may not be appealed.

8. Confidentiality – The Grade Appeal Committee shall not retain in their possession any personal files, materials received during the appeal procedure, or notes taken during the hearing. The administrative staff person will collect all materials and return them to the GSBS office to retain in a confidential file.

No party, committee member, or other participant or observer in the appeal procedure shall reveal any facts, documents, or testimony gained through participating in or observing the hearing to any other person, unless required by a court of law to do so or upon the advice of the TTUHSC's legal counsel.

# Intent to Formally Appeal a Grade

*(MUST BE COMPLETED ON-LINE AT*

<http://www.ttuhsu.edu/gsbs/documents/forms/GRADEAPPEALS.pdf>)

Name: \_\_\_\_\_ Student ID: \_\_\_\_\_

Telephone number where you can be reached during the appeal: \_\_\_\_\_

## COURSE INFORMATION:

Course Number: \_\_\_\_\_ Course Title: \_\_\_\_\_

Semester: \_\_\_\_\_ Year: \_\_\_\_\_ Instructor Name: \_\_\_\_\_ Grade Awarded: \_\_\_\_\_

Reason(s) for the appeal (see "Grade Appeal Policy" on the GSBS website for policy on student appeals before completing this section). Attach additional sheets as necessary.

Suggested resolution: indicate what you would consider a fair resolution of the appeal, with supporting reasons.

By signing below, I verify that I have been unsuccessful in reaching a resolution by working with the instructor in the informal appeals process. I also recognize that the falsification of any information, either on this form or at any stage of the appeals process, represents a violation of the GSBS Honor Code.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

Date received by the GSBS Office: