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## Grade Appeal Policy

[VPAA 22-01]

Office of the Vice President for Academic Affairs

**Applies to:** *Faculty, staff, students, and administration*

### Purpose of the Policy

Consistent with [CSU Executive Order 1037](#), Cal Poly Humboldt has adopted policies that provide for the redress of student concerns about certain academic decisions made by faculty. The following procedures, which implement said policies, are established pursuant to authority assigned to the Grade Appeal Committee and are administered by the Office of the Vice President for Academic Affairs. Students may elect to use these procedures when they are unable to resolve academic disputes with members of the faculty.

The purpose of this policy is to establish fair and equitable means by which students may appeal assigned course grades and other academic decisions. Complaints other than discrimination or unprofessional conduct against faculty, staff, or administrators by students should follow the procedures outlined in the Student Grievance Procedures (University Management Letter 00-01). Charges of discrimination, harassment, or retaliation filed by students or applicants for admission to the University are addressed in a separate policy accessible on the University's Discrimination, Harassment, & Retaliation webpage.

### Definitions

A “**grade appeal**” is a complaint about a final course grade, which involves one or more of the following conditions, the existence of which the student is required to prove:

1. The instructor violated a specific University rule or policy.
2. The instructor refused to correct a clerical or administrative error made in the process of transmitting a grade to the Office of Admissions and Records.
3. The instructor failed to report any grade at all for the individual student.
4. The grade is based on an allegation of cheating or other academic dishonesty, and the instructor has chosen not to request formal disciplinary action with the Office of the Vice President for Student Affairs.

5. The grade is based on an allegation of cheating or other academic dishonesty and, pursuant to the student disciplinary process, it has been determined that (a) there was insufficient evidence to proceed with formal disciplinary action or (b) the student was found innocent of the charges.
6. The grade reflects threatening, abusive, exploitative, or similar personal, improper conduct towards the individual student.
7. The instructor assigned the grade in error, with prejudice or capriciously.

## **I. Important Clarifications Pertaining to Grade Appeals**

It is important for students to know that, in accordance with the policies of the California State University, the Grade Appeal Committee must presume that an assigned grade is correct. Therefore, it is the student's responsibility to prove that the final course grade is incorrect based on one of the criteria listed above under the definition of "grade appeal." The Committee's authority in cases involving a grade appeal is very specific and limited to the conditions included in the above definition. The Committee cannot tell an instructor that they have graded an exam too harshly; or that their standards are too high; or that particular assignments are unreasonable; or that other classroom practices or expectations applied to the class as a whole are unfair. These are all matters of professional judgment, which, if consistent with applicable campus policies, are entirely within the prerogative of the instructor. Concerns about such matters should be discussed with the instructor and, if necessary, the appropriate Department Chair or College Dean (or delegate).

## **II. Responsibility of Grading**

**Instructors** at Cal Poly Humboldt have the sole right and responsibility to provide clear grading criteria, careful evaluation, and timely assignment of course grades. It is assumed that the grades assigned by instructors are free from error, prejudice, or capriciousness. In the absence of compelling reasons to believe that one of these criteria is missing, the grade assigned by the instructor of record is to be considered final and correct. It is the responsibility of anyone appealing a grade to demonstrate otherwise.

## **III. Students Right to Appeal a Final Course Grade**

Students shall have the right to appeal the final course grade issued by an instructor(s) if the student has reason to believe that the grade is based on any of the grounds set out in section **IV. Grounds for Appeal** of this policy. Grades assigned due to a finding of student academic misconduct are not eligible for appeal, consistent with the grounds and procedures set out in the Cal Poly Humboldt Academic Integrity and Honesty Policy (VPAA 21-02), the CSU Code of Student Conduct, and Title 5 of the California Code of Regulations.

Prior to filing a grade appeal, the student shall make every attempt to resolve the grade dispute with the instructor through the Departmental review process described in section **V.b. Guidelines**.

#### **IV. Grounds for Appeal**

The course grade assigned by the instructor of record is to be considered final. If a student believes that the final grade issued is based on instructor or clerical error, prejudice, capriciousness, arbitrariness or is not in alignment with established grading criteria in the course syllabus, the student may file an appeal, but only after the process described in V.b Guidelines has been exhausted.

Allegation of discrimination, harassment, and/or retaliation affecting grade assignments shall be referred to the campus Discrimination, Harassment, and Retaliation Administrator for investigation and be processed in accordance with CSU [Executive Order 1095, 1096, 1097 \(Interim CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation\)](#), which states:

... the grade appeal procedure should be paused until such time as the campus investigation and any appeal process under these procedures have concluded. The determination whether a violation occurred under the Policy will be provided to the campus grade appeal committee, and the committee will be bound by the determination when the grade appeal process resumes under Executive Order 1037.

#### **V. Appeal Process**

Students who appeal grades assigned during spring or summer sessions shall do so in the subsequentfall semester; students who appeal grades assigned during fall sessions shall do so in the subsequentspring semester.

Current and former students seeking to appeal an assigned grade shall initiate the process as described below.

##### **a. Departmental Review**

The student shall contact the instructor no later than 30 calendar days after the start of the beginning of the subsequent semester and attempt to bring resolution to the grade dispute. The student may seek assistance from the Department Chair in their attempt to resolve the dispute. If the student is unable to reach resolution of the grade dispute at the departmental level, the

student may submit an appeal of the grade to the University Grade Appeal Committee, as described in section **V.c. University Review**.

## **b. Guidelines**

The following steps are meant to provide guidance to students endeavoring to resolve grade disputes at the department level. Each time a student wants to make a request to make an appointment they will do so in writing to the appropriate person as supporting documentation for their appeal.

- i. The student will make an appointment with the instructor of record for the explicit purpose of appealing the grade. At that time, the student should be prepared to submit evidence in support of their claim.
- ii. If the student is unable to resolve the grade dispute with the faculty member, the student will make an appointment with the Chair of the Department to discuss the disputed grade. The Chair will assist the student in his/her/their efforts to resolve the grade dispute.
- iii. If the instructor(s) is no longer on campus, the student shall attempt to resolve the grade dispute with the Department Chair. In this instance, the Department Chair shall have the authority to approve a change of grade.
- iv. In cases where the instructor record is also the Department Chair, or in cases where the Department Chair is unsuccessful in assisting the student to reach a resolution, the student will make an appointment with the College Dean, who will assist the student in his/her/their efforts to resolve the grade dispute.

## **c. University Review**

### **i. Initiating the University Review**

A student shall initiate a University review as soon as the Departmental resolution to the dispute has failed and no later than 45 calendar days after the start of the beginning of the subsequent semester.

### **ii. Grade Appeal Form**

The University Review shall commence when the student presents a written appeal to the Associate Vice President for Academic Programs and Dean of Graduate and Undergraduate Studies (hereafter, AVP/Dean). A form on which the appeal may be written is available from the Office of Undergraduate and Graduate Studies and on the Cal Poly Humboldt policy web site.

## **d. Review of the Appeal**

### **i. Grade Appeal Committee**

The Grade Appeal Committee (hereafter, the committee), a subcommittee of the Student Grievance Committee, is convened by the AVP/Dean (or their designee), once in the fall and once in the spring semesters as needed. The AVP/Dean (or their designee) is an ex-officio, non-voting member of the committee.

The committee will be composed of annually appointed members:

- a. Associate Vice President for Academic Programs (or designee) (ex-officio, non-voting),
- b. three faculty members, identified by the University Senate,
- c. two undergraduate students, identified by Associated Students, and
- d. one graduate student, identified by Associated Students.

Pursuant to [Executive Order 1037](#), the grade appeal process will proceed in a timely way and the authority of the committee shall be limited to actions that are consistent with other campus and system policies.

### **iii. Preliminary Review of Grade Appeal**

The committee will meet each fall and spring semester to determine if the grounds for the appeal presented by the student are consistent with section **IV. Grounds for Appeal** of this policy. If the committee finds that there are insufficient grounds for appeal, the original course grade remains final.

If the committee finds that there are sufficient grounds for appeal, the committee shall conduct a hearing within three weeks of the meeting in which the determination was made. The hearing will be scheduled at a time when the student and the instructor are able to appear. Both parties may submit evidence to the AVP/Dean no later than one week in advance of the hearing. The AVP/Dean will distribute all materials to the committee in advance of the hearing.

### **iv. Hearing the Grade Appeal**

The student and the instructor will present evidence to the committee regarding the grade dispute. Evidence may include graded student work and witnesses, including relevant content experts and/or the Department Chair. If the student

does not appear for the hearing, the committee may put the appeal aside, in which case the original grade will stand as final. If the instructor does not appear for the hearing, the committee may decide to proceed with the appeal hearing.

**v. Grade Appeal Committee Vote**

The committee shall determine findings and take a vote regarding the resolution of the grade appeal. The vote may authorize the entry of a change, where appropriate, to the final course grade in the student's academic record. The vote of the committee is final. In the case of a tie vote, the AVP/Dean is allowed to act as a tie-breaker. A report of the hearing, the evidence, the findings, and the vote of the committee will be submitted to the AVP/Dean within one week.

**vi. Notification**

The AVP/Dean shall immediately notify the student, the instructor, the Department Chair, and the Academic Dean of the decision.

**vii. Compliance**

In cases where a grade change is not approved, the AVP/Dean will maintain the associated files.

In cases where a grade change is approved, the AVP/Dean shall send a formal grade change request to the Office of the Registrar, specifying the new grade. The request shall include the Grade Appeal form and any evidence used in the grade appeal process.

In compliance with the Cal Poly Humboldt policy on Family Educational Rights and Privacy Act (FERPA) (UML 05-03, Student Records Access Policy), this report shall be maintained in the Office of Registrar.

**viii. Filing of a Grade Appeal and Outcome**

The filing of, or outcome from, a University grade appeal shall have no bearing on the Faculty Personnel Action File.

**e. Annual Report**

The AVP/Dean shall report to the President of Cal Poly Humboldt, and the University Senate each fall the number of appeals heard in the previous academic year.

### **Expiration Date**

This policy shall be reviewed in five years from its effective date to determine its effectiveness. It may be revised prior to that time as needed.

### **History**

Issued: MM/DD/YYYY

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