Effective Date: 8 / 23/2018

Definition: Provides a means for students to seek redress of complaints regarding grades.

Authority: California State University San Marcos Faculty Ethics Policy, and Executive Order 1037.

Scope: The purpose of the Student Course Grade Appeals Policy and Procedures shall be to enable students to seek redress of complaints about a course grade (hereafter referred to as "grade appeal"). A grade appeal arises when circumstances prevent assignment of an earned course grade or cause an assigned course grade to be questioned by a student. This procedure shall also be available for the resolution of grade appeals alleging inappropriate application to the student of any other rules or policies of California State University San Marcos. The burden of proof shall rest on the student.

Karen S. Haynes, President — Approval Date: 8/23/18

Graham Oberem, Provost & Vice President for Academic Affairs — Approval Date: 8/1/2018

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Revision 2: 07/14/2009
Revision 1: 09/02/2004
Implemented: 03/21/2002

Effective Date: 8 / 23 /2018

I. PREAMBLE

The California State University San Marcos Student Course Grade Appeals Policy acknowledges the rights of students and faculty as expressed in the "Joint Statement of Rights and Freedoms of Students" drafted by the American Association of University Professors, the United States National Student Association, the Association of American Colleges, the National Association of Student Personnel Administrators, and National Association of Women Deans and Counselors in 1967, and the rights of all members of the campus as outlined in the California State University San Marcos Faculty Ethics policy. Executive Order 1037 states that "faculty have the sole right and responsibility to provide careful evaluation and timely assignment of appropriate grades" and that, "in the absence of compelling reasons, such as instructor or clerical error, prejudice or capriciousness, the grade assigned by the instructor of record is to be considered final" (p. 7).

II. PURPOSE

The purpose of the Student Course Grade Appeals Policy and Procedures shall be to enable students to seek redress of complaints about a course grade (hereafter referred to as "grade appeal"). A grade appeal arises when circumstances prevent assignment of an earned grade or cause an assigned grade to be questioned by a student. This procedure shall also be available for the resolution of grade appeals alleging inappropriate application to the student of any other rules or policies of California State University San Marcos.

III. TERMS AND DEFINITIONS

Throughout this document, the words, "shall," "will," and "must" refer to mandatory (required) actions. The words, "may" and "should" refer to discretionary actions (i.e., recommended or voluntary, but not required). The word "dean" refers to the dean or dean's designee (referring to the dean of the college in which the student is filing an appeal). The word "principals" refers to the student appellant and the instructor respondent.

IV. JURISDICTION

This policy applies solely to students' appeals of assigned course grade. Separate grievance policies and procedures have been established for discrimination and harassment grievances. Students wishing to initiate a grievance against an administrator, faculty or staff member because of discrimination on the basis of sex, race, color,

national origin, age, disability, veteran status, religion, or sexual orientation are advised to obtain written instructions on the filing of such grievances from the Office of Human Resources or the Office of the Dean of Students.

Separate policies and guidelines also exist for complaints involving Greek social service organizations or individual members of a Greek Organization. These policies and guidelines may be found in the Greek Handbook available in the Office of Student Life and Leadership.

V. MEMBERSHIP

A. Committee Structure

Membership of the Student Grade Appeals Committee (SGAC) shall consist of:

- Three students (two undergraduate, one graduate) to be named under procedures established by the Associated Students Incorporated (ASI). Student members serving on this committee must be regular students in good standing, have at least junior status, and have a minimum of 30 units completed at CSUSM. Student alternates will be named as needed; see section V. E.
- Four faculty members and four faculty member alternates selected by the Academic Senate. All faculty members of the committee and all faculty alternates must hold tenured appointments.

The Chair shall be elected yearly from the faculty membership of the committee.

B. Chair's Duties

The Chair is non-voting except in cases of a tied vote. The Chair shall be the administrative officer of the committee. The duties of the office shall include arranging for appropriate times and places of committee meetings and hearings; informing committee members of the committee's standing meeting time and place, and the time and place of any hearings; informing in writing all interested parties of the times and places of committee meetings or hearings which they are requested to attend and supplying them with a statement of the grade appeal; informing all other interested parties that an appeal is pending; securing and distributing to the committee written material appropriate for its consideration; arranging for the recording of committee proceedings; maintaining committee records; and, informing in writing all interested parties of the recommendations of the committee.

C. Service of Alternates

Alternates shall be called upon as necessary to fill permanent or temporary vacancies (see section V. E., "Vacancies."). Alternates shall serve on the committee as full voting members for grade appeal grievances.

D. Terms of Service And Continuation

All committee members/alternates shall serve two-year staggered terms. All student members shall serve one-year terms. Committee members may serve consecutive terms of service.

The members who begin hearing an appeal shall continue as a panel for that appeal until it reaches resolution, unless a member is unable to continue or is no longer eligible to serve. In the event that a particular grade appeal extends beyond the academic year, the members hearing that particular grade appeal shall continue with that appeal until the committee's decision is rendered in the next academic year.

E. Vacancies

1. Permanent vacancies
   When a permanent vacancy on the committee occurs mid-term, the Chair of the committee shall request a replacement by one of the faculty alternates or, in the case of students, through an appointment made by ASI. The replacement shall have full voting rights for the remaining term of office of the original committee member.

2. Temporary vacancies
   If a member of the committee is from the same immediate department or program or has a close personal relationship with the student making the appeal, that member shall not participate in the appeal process for that specific grade appeal. (That is, the member must be recused.) When, for good cause, a committee member cannot consider a particular grade appeal, or if the committee identifies a conflict of interest, an alternate, with full voting rights, shall be appointed to serve in that member's place for the specific grievance. In addition, a student appellant shall have the right to have one member of the committee replaced with an alternate member for any reason within two academic days prior to the committee's first review of the appeal. An alternate faculty member shall be selected by the Chair of the committee. An alternate student member shall be appointed by ASI.

F. Quorum and Voting

The quorum (which must include at least one student member) for holding meetings and making grade appeal recommendations shall be a majority of the seated members of the SGAC. A majority of members in attendance, including at least two faculty members, is required to make a grade appeal recommendation. Only members of the committee who have reviewed the documents submitted and heard all testimony elicited during the hearing on a grade appeal may vote on the grade appeal.

G. Confidentiality

To protect all parties involved, all participants shall maintain confidentiality to the maximum extent possible at every level of the appeal process. A breach of confidentiality is a breach of ethics, code of conduct, and FERPA.

No member of the committee shall discuss personal and/or pertinent information relating to a specific grade appeal with any persons who are not committee members except at the request of the committee as part of the hearing processes defined in this document. This shall not preclude notification of proper authorities by the Student Grade Appeals Committee in the event that the committee perceives the safety of any person or property to be in jeopardy.

No member of the committee shall discuss personal and/or pertinent information relating to a specific grievance with any of the principals throughout the course of the investigation and following the recommendation of the committee except at the request of the committee and/or at a hearing.

Communication Guidelines: All documentation and recommendations relating to individual grade appeals shall be marked and handled "confidential," and are only for the use of those directly involved in the grade appeal (interested parties). All records relevant to an individual grade appeal shall be stored in perpetuity electronically (e.g., via Moodle Container). Members of the committee shall not discuss the facts of any grade appeal through electronic mail. Such discussion must occur when the SGAC convenes. Notifications and other procedural correspondence may be conducted electronically.

VI. GRADE APPEAL PROCESS

Students who wish to avail themselves of the grade appeal process may obtain information and assistance from the Administrative Analyst/Specialist in the Academic Senate Office.

This consultant may assist with:

- Defining the basis of the appeal using the criteria specified in this procedure;
- Explaining the options available to the student for resolving the grade dispute;
- Suggesting steps toward informal resolution;
- Completing the grade appeal form process (advice and critique) and compiling supporting documentation.

Consultants are expressly prohibited from writing students' grade appeals or supporting documentation.

The grade appeal process has two parts: the required Informal Resolution Process (described in VI. B. below); and, the Formal Grade Appeal Process (described in VI. C. below). In cases where the informal process does not result in a resolution of the dispute, a series of documents need to be filed for the formal grade appeal. Before filing a formal grade appeal, students must complete all three steps of the informal resolution process.

A. Deadlines for the Informal Resolution Process and the Formal Grade Appeal

The deadlines for completing the required Informal Resolution Process and the Formal Grade Appeal shall be as follows:

For courses taken during the previous Fall and Winter session:	**Deadline for completion:**
Last day to complete the Informal Resolution Process	March 15
Last day to complete the Formal Grade Appeal	March 29

For courses taken during the previous Spring and Summer session:	**Deadline for completion:**
Last day to complete the Informal Resolution Process	October 15
Last day to complete the Formal Grade Appeal	October 29

B. Informal Resolution Process

A good faith effort to settle a dispute must be made before filing a formal grade appeal. Even after a formal appeal is filed, efforts to resolve the dispute by informal means should continue. The SGAC Chair may facilitate the resumption of the informal appeal.

In order to seek resolution before the formal grade appeal filing deadline, students should begin the informal resolution process as soon as possible. Any grade appeal policy and procedure of a college or department is considered part of the informal process, and falls within the time restrictions as discussed in Step 1 through Step 3, below.

Step 1: The student must consult with the faculty member(s) involved to try to reach an agreement. If the faculty member does not respond or if the student is unable to reach agreement in a reasonable length of time, keeping in mind the filing deadline, then the student shall proceed to step 2.

Step 2: The student shall consult with the person at the next level of supervision if Step 1 does not result in a satisfactory agreement (e.g., department chair or program director). If the parties do not respond or reach agreement in a reasonable length of time, the student shall proceed to step 3.

Step 3: The process shall continue at the level of dean. If the dean does not respond or an agreement is not reached and the student wishes to pursue the appeal process, the student shall file a formal grade appeal.

NOTE: Grade appeals involving administrators who have served as the instructor for the course should be directed to the SGAC after Step 1.

Students should document their efforts to complete Steps 1-3 by keeping records of contact with the faculty member, the Department Chair, and the Dean (emails sent and received, notes about phone conversations, etc.) For this purpose, they may use the "Informal Resolution Process Log" appended to this policy. If the informal resolution process fails and the student decides to file a formal grade appeal, the completed "Informal Resolution Process Log" **must** be submitted as part of the formal grade appeal.

C. Formal Process

The Formal Process shall be filed on-line via the Student Grade Appeals Committee (SGAC) secured website.

Students filing grade appeals should contact the Administrative Analyst/Specialist in the Academic Senate Office at academicsenateoffice@csusm.edu for access to the SGAC secured website.

1. Basic Guidelines for Grade Appeals

   a. The SGAC presumes that the grade assigned is correct. It is the responsibility of the student appealing an assigned grade to demonstrate otherwise. (See CSU Exec Order 1037, p.9.)

   b. Students may only appeal grade assignments on the following bases:
      - An instructor refuses to (or cannot) assign a grade;
      - The instructor is not available to review possible computational error;
      - The student believes the grade assigned is inequitable or capricious, unreflective of course performance, or inconsistent with other grade assignments in the course.

   c. The SGAC shall only recommend grade changes when a preponderance of the evidence supports the student's claim that the grade was improperly assigned, based on appeal grounds listed in paragraph (b), above.

   d. The burden of proof shall lie with the student.

2. How to File

   Where the informal resolution process fails, the student may file a formal grade appeal electronically using the SGAC website, stating the specific allegations and the desired remedy, accompanied by available documentary evidence:

   The complete formal grade appeal requires submission of:

   Step 1: the "Agreement to follow the Student Grade Appeals Policy" and the "Acknowledgement and Release" statement;

   Step 2: the "Informal Resolution Process Log and Supporting Documentation";

   Step 3: the "Formal Grade Appeal Form"; and,

   Step 4: "Supporting Documentation to the Formal Grade Appeal" form.

   Items (1) to (4) must be uploaded to the designated places in the SGAC secured website: templates of the required forms are attached to this policy. For a detailed overview of the online submission process, please see Appendix A.

It is strongly recommended to submit the documentation for steps 1 and 2 as soon as the informal resolution process is completed, i.e., on or before March 15/October15.

3. Filing Deadline

   All parts of the grade appeal must be uploaded to the SGAC secured website no later than March 29 for the prior Fall session or October 29 for the prior Spring/Summer sessions. In the event of extenuating circumstances, the Provost (or designee) shall be able to waive the deadline.

4. Withdrawal and Termination of Formal Grade Appeal Process

   A student has the right to withdraw the grade appeal at any stage of the proceedings, in which case the proceedings shall terminate immediately. Efforts to resolve the dispute by informal means may continue throughout the formal process.

5. Preliminary Screening

   Upon receipt of the uploaded written formal grade appeal, the Chair of the Student Grade Appeals Committee will review the grade appeal to determine if:

   - The Student Grade Appeals Committee has jurisdiction (See section "Purpose" and "Jurisdiction" page 1.); and
   - The filing deadline has been met; and
   - The informal resolution process, steps 1 through 3, has been completed.

   If any of the three above conditions have not been met, the Chair of the Student Grade Appeals Committee shall respond in writing within seven (7) calendar days to the complainant stating which condition(s) has not been met and terminating the appeal.

   If the above conditions have been met, the Chair shall send written notice of receipt of a formal grade appeal within seven (7) calendar days to all parties involved in the informal resolution process. The Chair shall also provide the instructor (the person responsible for assigning the student's grade) with a complete copy of documents submitted by the student, and request that the instructor provide a written response and relevant documentation, including the course syllabus and grade roster, to the committee within ten (10) calendar days.

If the instructor identified in the appeal cannot be contacted through reasonable efforts because they are no longer in residence or are on leave or vacation, the committee shall provide an additional notification period not exceeding one semester. If the instructor cannot be contacted by the end of one semester, it is the responsibility of other qualified faculty to review the grade (CSU Executive Order 1037, p.5). Executive Order 1037 specifies that "Qualified faculty" means one or more persons with academic training comparable to the instructor of record who are presently on the faculty at California State University San Marcos. Typically, this is the department or program chair.

6. Consideration of Grade Appeals

Upon review of documentation from the instructor and the student, the committee Chair shall establish and distribute to the principals a timeline for resolution of the appeal. If additional information is needed, the committee shall use appropriate means to collect relevant data. Any party within the University community who is contacted by the Student Grade Appeals Committee Chair for information relevant to a specific appeal shall cooperate and provide full disclosure of information. This may include, but is not limited to, requesting that the instructor(s) provide academic records such as grade roster, graded materials in their possession and other documents such as syllabi and assignments that may be pertinent to the appeal.

The SGAC may establish and consult with a panel of 2-3 faculty members knowledgeable about grading practices, teaching strategies, or classroom management. This panel of experts shall include at least one individual from the general academic discipline or area of the course in which the disputed grade(s) occurred.

a. The SGAC shall select the panel from a pool of faculty willing to serve as consultants, submitted by the chairs, program directors, or center directors of appropriate academic units.

b. The panel shall not include a faculty member objected to by either the student or faculty member involved in the dispute. Either the student or faculty member may ask for the replacement of no more than two members of the panel. Such a request must be made in writing and within no more than seven (7) calendar days of the notification by SGAC.

c. The SGAC shall make its recommendation in the grade appeal based on information received during its fact-finding, including information provided by the panel of faculty.

7. Hearing Process

The committee shall attempt to make its recommendation on the basis of the documentation provided by the student, the instructor, and any other parties from whom it has requested information. If, by a majority vote, the committee determines a need for a hearing, the hearing process will proceed as follows:

- The committee shall determine who will be involved in the hearing process.
- The committee may seek advice from a "panel of experts" from the appropriate area as noted above.
- The committee may invite persons having information related to the grade appeal to testify in the hearing.
- The committee Chair shall reserve the appropriate facility and notify all parties involved of the hearing date(s) and location.

The hearing shall be conducted according to the following standards:

- The hearing is a fact-finding/information gathering proceeding, not a judicial process.
- There shall be no confrontation or cross-examination of witnesses by the instructor and the student.
- Only the committee and those currently providing information shall be present during that portion of the hearing.
- The Chair shall preside at the hearing.
- Only the committee members, including the Chair, shall ask questions.

All hearings will be audio- or audio *and* video-recorded. Recordings will be available for review by the student, the instructor, and committee members in a specially supervised place. Recordings of hearings shall only be copied for Student Grade Appeals Committee record-keeping purposes.

Once all information has been received, including information obtained through hearings, the committee will issue a recommendation.

8. Recommendation

The SGAC shall recommend one of two courses of action. Either

- the original grade was properly assigned and should therefore remain on the student's record; or,
- the original grade was improperly assigned, and the student's work should therefore be reevaluated, and the assigned grade should be changed.

The SGAC recommendation shall go to the instructor of record, the student, the instructor's Department Chair or Program Director, the Dean of the college offering the course, the Provost, and the Office of Enrollment Services if a grade change is recommended. The recommendation will be transmitted within ten (10) calendar days of the completion of the committee's information gathering procedures and deliberations.

If a grade change is recommended, the instructor of record shall notify the Student Grade Appeals Committee of the course of action taken within fourteen (14) calendar days.

CSU Executive Order 1037, p. 8, specifies that: "If the instructor of record does not assign a grade, or if he/she does not change an assigned grade when the necessity to do so has been established by appropriate campus procedure (i.e., SGAC recommendation) it is the responsibility of other qualified faculty to do so."

Executive Order 1037 further specifies that, " 'Qualified faculty' means one or more persons with academic training comparable to the instructor of record who are presently on the faculty at that campus." At California State University San Marcos, the qualified faculty (typically the department or program chair) shall notify the SGAC of the course of action taken within fourteen (14) calendar days after receiving the SGAC's request.

9. Appeal of Violations of Procedure

The only possible further action after the SGAC reaches its recommendation(s) is allegation of violation of procedure. Either the student or the instructor may appeal the procedure by which a decision of the SGAC is reached.

The sole basis for such an appeal shall be that the SGAC so substantially departed from the guidelines and procedures set forth herein as to have seriously prejudiced the outcome of the case. It is recognized that a procedurally perfect process is impossible to achieve and therefore not required to satisfy due process. It must be shown that the violation has had an actual, and not merely a speculative, adverse effect on the final decision of the grade appeal.

Such an appeal should be submitted to the Provost or the Provost's designee within fourteen (14) days of the SGAC's official recommendation(s). The Provost or the Provost's designee shall reply within fourteen (14) days of the appeal.

The Provost or the Provost's designee may:

- Reject the appeal (in this case, the decision of the SGAC shall be final); or,
- Direct the SGAC to reconsider the case, correcting the prior error, and submit a report.

VII. ANNUAL REPORTS

The SGAC Chair shall report to the President of California State University San Marcos and Academic Senate by September 1 the number and disposition of cases heard the previous academic year (see CSU Exec Order 1037, p.9).

Appendix A

California State University San Marcos

Overview of the Formal Submission Process of a Student Grade Appeal Case

All items are to be submitted via the secure Moodle container of the Student Grade Appeals Committee (SGAC) (accessible via the community.csusm.edu page). Please contact the Administrative Analyst/Specialist in the Academic Senate Office at academicsenateoffice@csusm.edu to be granted access to the Moodle container.

Please take the time to carefully read the Student Grade Appeals Policy and Procedure.

To submit a case, there are four (4) steps to be followed in the Moodle Container. Detailed instructions about each step are provided in the Moodle container (click on the links provided in the Moodle container for each step). Templates of the required forms are posted in the Moodle container and attached below.

Overview:

Step 1: Complete the **Agreement to Follow the Student Grade Appeals Policy** and the **Acknowledgement and Release** statement. Note: access to step 2 is prohibited until Agreement is completed in step 1.

Step 2: Submission of **Informal Resolution Process Log and Supporting Documentation** (e.g., email communications)*. Note: access to step 3 is prohibited until step 2 is completed and verified.

Step 3: Submission of **Formal Grade Appeal Form.**

Step 4: Submission of **Supporting Documentation** to the Formal Grade Appeal Form.

According to the current Student Grade Appeals Policy, in order for the Student Grade Appeals Committee to accept an appeal case from a student, the student must demonstrate that they have **completed the informal resolution process with the instructor, department chair, and dean of the college. Failure to contact all three people (instructor, department chair, and dean) is considered "Informal Process Incomplete" and the case will not be considered. You are required to provide evidence for completion of the informal resolution process by submitting the "Informal Resolution Process Log" in step 2.*

(Step 1) AGREEMENT to Follow the Student Course Grade Appeals Policy, and ACKNOWLEDGEMENT AND RELEASE

I have received and read the Student Grade Appeals Policy and Procedures and understand what I am required to do in the Formal Grade Appeals Procedures.

Initials_____

I hereby release to the Student Grade Appeals Committee all documents, including my academic records, which may be pertinent to the Committee's investigation.

Initials_____

I certify that, to the best of my knowledge, the information I have provided is accurate and the circumstances surrounding the problem are as I have described them.

_____ _____

Signature Date

(Step 2) INFORMAL RESOLUTION PROCESS LOG

Note: an electronic copy of this log is posted in the SGAC secured website. Students should download this template, fill it out, and upload the completed template at the specific link in the SGAC secured website.

INFORMAL RESOLUTION PROCESS LOG

Date of Submission: _____

Student Name: _____

Student Campus E-mail Address: _____

Student Phone Number _____

Student Mailing Address _____

Semester: _____

Course Name _____

Course Number _____

Instructor Name _____

Note: *According to the current Student Grade Appeals Policy, in order for the Student Grade Appeals Committee (SGAC) to accept an appeal case from the students,* ***students have to demonstrate that they have completed the informal resolution process with the instructor, department chair, and dean of the college.***

Record of contact with (1) instructor, (2) department chair, and (3) Dean should be listed in the following log table. Failure to contact all 3 of these people (instructor, department chair, and dean) is considered as "informal process incomplete," and the case will be rejected.

Date	Name of the person you contacted	Title of the person you contacted (please indicate the department)	E-mail and phone number for the person you met	Conclusions from the meeting	Format of communication (phone or E-mail) Note: if E-mail, please attach scanned copy of the e-mail communications from all the persons you had contacted and submit all of them as ONE SINGLE file

(Step 3) FORMAL GRADE APPEAL FORM

Note: an electronic copy of this form is posted at the SGAC secured website. Students should download this template, fill it out and upload the filled template at the specific link in the SGAC secured website.

Please type or print clearly

STUDENT INFORMATION

Date: _____

Name: _____ Student ID Number: _____

Current Address: _____
Street

_____ _____ _____
City State ZIP

Home Phone: _____ Cell Phone: _____

Expected Graduation: _____ E-Mail Address: _____

COURSE INFORMATION

Course Number: _____ Semester: _____

Course Title: _____

Instructor(s): _____

BASIS FOR GRADE APPEAL

Check all that apply and provide evidence and documentation for each basis checked.

- ☐ The instructor refuses to (or cannot) assign a grade.
- ☐ The instructor is not available to review possible computational error.
- ☐ The grade assigned is:
  - ☐ A result of an instructor or clerical error
  - ☐ Inequitable or capricious
  - ☐ Unreflective of course performance
  - ☐ Inconsistent with other grade assignments in the course

NARRATIVE

Please provide a brief chronological description of the events and actions leading to the assignment of your grade. Please be sure to include the names of any individuals who may have relevant information. If the space provided here is insufficient, please append the entire narrative on separate page(s).

EXPLANATION OF THE APPEAL

For each box checked under "Basis for Appeal," please provide a brief explanation showing how the events and actions cited in your narrative compel a change in your grade. Explain each basis separately, even if this requires citing the same events more than once. If the space provided here is insufficient, please append the entire explanation on separate pages.

(Step 4) SUPPORTING DOCUMENTS/DOCUMENTARY EVIDENCE

- Please upload ONE Adobe pdf file that includes ALL of your supporting documents for your appeal case.
- **Separate** each document by **inserting a cover page between each document.**
- Examples of supporting documents may include one or more of the following items:
  - Syllabus
  - Graded assignments
  - Graded projects
  - Graded quizzes, tests and exams
  - Correspondence with your instructor or other individuals involved with your appeal

The following format must be used: In your pdf file, you must use cover pages to separate different types of documents (e.g., use a cover page for "Syllabus", "Graded Assignments", "Graded quizzes", etc.). Failure to follow this format will result in rejection of the case.

Example of submitted file with 4 supporting documents:
Note: remember to insert a cover page to separate each document.

(1) Cover page with the title "Course Syllabus" [put actual syllabus here]
(2) Cover page with the title "Graded Assignments" [put all graded assignments here]
(3) Cover page with the title "Graded Projects" [put all graded project documentation here]
(4) Cover page with the title "Graded quizzes, tests and exams" [put all graded quizzes, tests and exams here]