STUDENT GRADE APPEAL POLICY AND PROCEDURES

I. PREAMBLE

The Cal State San Marcos Student Grade Appeal Policy acknowledges the rights of students and faculty as expressed in "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, the rights of all members of the campus as outlined in the Cal State San Marcos Academic Freedom Statement, the Cal State San Marcos Interim Student Rights and Responsibilities Policy and of faculty as expressed in Executive Order 792. Executive Order 792 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. 5).

II. PURPOSE

The purpose of the Student Grade Appeal Policy and Procedures shall be to enable students to seek redress of complaints about grades (hereafter referred to as “grade appeals). 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 CSU San Marcos. The burden of proof shall rest with the student.

III. JURISDICTION

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 and Equal Opportunity 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 and Residential Life.
IV. MEMBERSHIP

A. Committee Structure

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

- Three students (two undergraduate, one graduate) and three student alternates to be named under procedures established by the Associated Students Incorporated. Students serving on this committee must be regular students in good standing, as determined under the same regulations imposed for Associated Student council members.

- Four faculty members and four faculty member alternates selected by the Academic Senate. All faculty members and alternates must hold tenured appointments.

- The Chair shall be elected yearly from the faculty membership of the committee. 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 times and places of committee meetings and 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 alleged grievances; 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.

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

B. Terms of Service and Continuation

The term of service on the Student Grade Appeals Committee shall run from June 1 to May 31. All committee members/alternates shall serve two year staggered terms, from June to May, except for students who will 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 May 31, the members hearing that particular grade appeal shall continue with that appeal until the committee's decision is rendered.

C. 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 alternates from the same
constituency (students or faculty) as the original member. 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 in has a close personal relationship with the student making the appeal, that member shall not participate in the appeal process for that specific grievance. 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 his/her place for the specific grievance. The Chair of the committee shall request a temporary replacement by one of the alternates of the same constituency (students or faculty) as the original member. In addition, a student will have the right to replace one member of the committee with an alternate member for any reason within two calendar days of the hearing.

D. Voting; Quorum

The quorum for policy matters and organization meetings of the grade appeals committee shall be two-thirds of the committee. The SGAC majority for grade appeals shall require at least two faculty members voting in the majority employing distinct ballot forms for faculty and student members. If a hearing is held, only members of the committee who have heard all testimony elicited during the hearing on a grade appeal may vote on the grade appeal. All committee members may vote on a grade appeal. Alternates do not vote on grade appeals unless taking the place of the primary member representing their decision.

E. 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 and/or 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 non-committee members except at the request of the committee or as part of the hearing processes defined in this document. This shall not preclude notification of proper authorities by the Student Grade Appeal 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 written documentation and recommendations relating to individual grade appeals shall be marked and handled "confidential," and is a matter only for those directly involved in the grade appeal (interested parties). All documents, tapes, etc., relative to an individual grade appeal shall be appropriately maintained for three years in locked file drawers located in the Academic Senate Office and shredded at that time. No members of the committee will discuss the facts of any grade appeal through electronic mail.
V. GRADE APPEAL PROCESS

A. Informal Process

The informal appeal process must be exhausted/completed by March 15 (for courses taken during the previous Fall semester) or October 15 (for Spring and Summer semesters).

A good faith effort to settle a dispute must be made before filing a formal grade appeal. Informal discussion between the student and faculty member(s) who assigned the grade is essential in the early stages of the dispute and should be encouraged at all times. Even after filing, efforts to resolve the dispute by informal means should continue. If a student chooses to seek advice from a non-involved party, the Student Grade Appeal Committee recommends the following resources: the Office of the Dean of Students, which provides clarification and advice to students regarding how to proceed with their concerns, the Associated Students Incorporated Peer Advisor Program, or a faculty member that the student knows and trusts. Such consultants may be appropriate for:

1. Assistance in defining the problem
2. Exploring options for resolution
3. Attempting to resolve the conflict

In order to seek resolution before the formal grade appeal filing deadline, students are encouraged to begin the informal 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. The informal process consists of three steps.

1. Step 1: The student consults with the faculty members involved to try to reach an agreement. The filing deadline for formal grade appeals is March 15 for the prior fall session grade appeals and October 15 for the prior spring and summer grade appeals. The student should proceed to step 2 if the faculty member does not respond or reach agreement in a reasonable length of time.

2. Step 2: The student should consult with the person at the next level of supervision if Step 1 does not result in a satisfactory agreement. The student should proceed to step 3 if the parties do not respond or reach agreement in a reasonable length of time.

3. Step 3: The process continues through the level of dean, or the administrative director of equivalent rank. If an agreement cannot be reached, and the student wishes to pursue the appeal process, the next step is to file a formal grade appeal.

NOTE: Grade appeals involving administrators who have served as the instructor for the course should be directed to the Student Grade Appeals Committee after Step 1. In addition, students are advised to keep a log of contacts, and appointments, both requested and granted, during the informal resolution process.
B. Formal Process

If a student decides to file a formal grade appeal, the grade appeal must be postmarked or stamped as received by the university no later than March 15 (for courses taken during the previous Fall semester) or October 15 (for Spring and Summer semesters).

1. Basic Guidelines for Grade Appeals

The formal process must be started no later than March 15 or October 15 of each year.

a. The SGAC presumes that grades assigned are correct. It is the responsibility of the student appealing an assigned grade to demonstrate otherwise. (See CSU Exec Order 792, p.5)

b. Students may appeal grade assignments in the following circumstances:
   i. When an instructor refuses to (or cannot) assign a grade
   ii. When the instructor is not available to review possible computational error.
   iii. When 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 evidence supports a claim that the grade was improperly assigned based on appeal grounds.

2. How to File

Where informal recourse fails, or in order to meet the filing deadline, the student may file a formal grade appeal in writing to the Student Grade Appeals Committee (SGAC), stating the specific allegations and the desired remedy, accompanied by available documentary evidence. This written grade appeal shall include dates of the incident and necessary details regarding the grade appeal and be submitted on the Notice of Formal Student Grade Appeal form, example shown in Appendix A of this document. Students may obtain a formal grade appeal form at the following locations:

Office of Associated Students Incorporated
Office of the Dean of Students
Office of Human Resources and Equal Opportunity

3. Filing Deadline

The written grade appeal must be postmarked or stamped as received by the Student Grade Appeals Committee no later than March 15 for the prior Fall session or October 15 for the prior Spring/Summer session.

4. Withdrawal and Termination of Formal Process

A student has the right to withdraw his/her grade appeal at any stage of the proceedings, in which case the proceedings terminate immediately. Efforts to resolve the dispute by informal means
may continue throughout the formal process. Written notification by the complainant to the Student Grade Appeals Committee is required to terminate the proceedings. The Student Grade Appeals Committee address is:

Student Grade Appeal Committee  
C/O Academic Senate Office (UNIV 451)  
Cal State San Marcos  
San Marcos, CA 92096-0001

5. Preliminary Screening

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

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

If the above conditions have not been met, the Chair of the Student Grade Appeals Committee shall respond in writing to the complainant stating what condition(s) has not been met.

If the above conditions have been met, the Chair will send written notice of receipt of a grade appeal within seven (7) calendar days to all parties involved in the informal process. The principal (the person named in the appeal as responsible for the action the student believes was harmful) will also receive a complete copy of documentation submitted by the complainant, along with a request to provide a written response to the committee within ten (10) calendar days.

If the principal identified in the appeal cannot be contacted through reasonable efforts because he/she is no longer in residence or is on leave or vacation, the committee shall provide an additional notification period not exceeding one semester. If the principal cannot be contacted by the end of one semester it is the responsibility of other qualified faculty to review the grade (CSU Executive Order 792, p.5).

6. Consideration of Grade Appeals

Upon review of documentation from the principal and the complainant, the committee will establish and distribute to those involved 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 for information relevant to a specific appeal shall cooperate and provide full disclosure of information. This may include, but is not limited to, requesting written permission from principals to use academic records and other documents that may be pertinent to the appeal.

The SGAC shall, at its option, consult with a panel of 2-3 faculty members knowledgeable about grading practices, teaching strategies, and 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 names submitted by each college or department of those willing to serve as consultants.
b. The panel shall not include a faculty member objected to by either the student or faculty member involved in the dispute.
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

If the committee determines a need for a hearing, the hearing process will proceed as follows:

- The committee will 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 participate in the hearing.

The committee Chair will reserve the appropriate facility and notify all parties involved of the hearing date(s) and location.

- The hearing is considered a fact-finding/information gathering proceeding, not a judicial process.
- There will be no confrontation or cross-examination of witnesses by principal and complainant.
- Only the committee and those currently providing information shall be present during that portion of the hearing.
- The Chair will preside at the hearing.
- Committee members, including the Chair, possess the sole right to ask questions.
- All hearings will be tape-recorded. Tape recordings will be available for review by the principal, complainant and committee members in a specially supervised place. Recordings of hearings shall only be copied for Student Grade Appeal Committee record-keeping purposes.

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

8. Recommendation

The SGAC recommendation in cases of grade appeals shall go to the instructor of record, the student, the Provost, Dean of the college offering the course, and program director and the Office of Enrollment Services if a grade change is recommended. The recommendation will be transmitted within twenty-one calendar days of the committee completing its information gathering procedures. The recommendation shall not be subject to appeal.
If a grade change is recommended the instructor of record shall promptly notify the Student Grade Appeals Committee of the course of action taken. “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” (CSU Executive Order 792, p.5). “Qualified faculty” means one or more persons with academic training comparable to the instructor of record who are presently on the faculty at Cal State San Marcos. (See CSU Exec Order 792, p. 5).

The SGAC Chair shall report to the President of Cal State San Marcos and Academic Senate by September 1 the number and disposition of cases heard the previous academic year. (See CSU Exec Order 792, p. 7).

VI. REVISIONS TO POLICY AND PROCEDURES

The Student Grade Appeals Committee, through a recommendation to the Executive Committee of the Academic Senate, may initiate revisions to the Student Grade Appeals Policy and Procedures.
Appendix A
Cal State San Marcos
Notice of
Formal Student Grade Appeal

Please take time to complete this form as thoroughly as possible. Students may request assistance to complete this form from the following locations: Office of Associated Students Incorporated; Office of the Dean of Students; Office of Human Resources and Equal Opportunity. Confidentiality will be maintained in accordance with Student Grade Appeals Policy and Procedures, "Confidentiality," page 3.

Once you have completed this form, place in a sealed envelope and send it to:

Student Grade Appeals Committee
C/O Office of the Academic Senate
Cal State San Marcos
San Marcos, CA 92096-0001

Please type or print clearly

DATE
1. Name Social Security #

2. Current Address

City State Zip
Phone No. ( ) Message No.( )

Permanent Address

City State Zip
Phone No.( ) Message No.( )

3. Anticipated or Actual Graduation Date

4. Nature of the appeal (Summary statement)

(See Reverse)
5. Attach a statement to this form containing the following information:
   A) All dates relevant to the grade appeal;
   B) Specific statement of allegation(s);
   C) Person(s), to the best of your knowledge, having direct knowledge and involvement
      concerning the circumstances-, and
   D) Relief or remedy requested.

   This may be in narrative and should be clear and complete.

6. Attach a statement to this form describing what informal actions you have taken to resolve the
   problem, persons contacted and when, and the result or status of the attempts at informal
   resolution.

7. If informal process not completed, explain why:

8. Attach, or otherwise identify, any and all material (documents, forms, names or witnesses, or
   other information) you wish to be considered in resolving this problem.

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

   Initials___________

   I hereby release to the Student Grade Appeals Committee all documents, including my
   academic records, that may be pertinent to their 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