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**Student Grade Appeals**  
**[Supersedes PM 87-01]**

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**Introduction**

California State University, Dominguez Hills, to implement the Chancellor's Executive Order No. 320, has developed these procedures to deal with the assignment of grades and grade appeals. This appeal procedure is to be read along with Order 320.

Grades at the University are reported in a manner to assure that they come from the instructor of record. Each semester before the beginning of final examinations, each instructor is provided with a final grade roster and instructions for reporting grades. The instructor personally submits completed grade rosters to the Office of Registrar, where they are processed and forwarded to Computer Services.

Changes of grade are submitted by instructors under several circumstances, including removal of an incomplete grade, submission of a final grade for which an SP (Satisfactory Progress) has been previously submitted, submission of a final grade to replace an RD (Record Delayed) symbol that resulted from no grade or an incorrect grade being submitted when grades were due, change of a letter grade based upon clerical error in reporting the original grade or upon recomputation of a grade because of additional work submitted. These changes are reported on the Change of Grade form. A number of grades, usually involving a change from U or F to W, are changed by petition. This process generally involves requests based upon extenuating circumstances, such as physical inability to appear on campus to properly withdraw, or mistaken assumptions of the students regarding drop or withdrawal procedures. The petition requires the recommendation of the instructor involved and the appropriate School Dean. A final action is taken by the Registrar based upon these recommendations. Information about changed grades is sent to instructors to verify that the change requests were legitimate.

If an instructor fails to assign a grade to a student, the Department Chair will work with qualified faculty members and assign an appropriate grade. The School Dean, Chair of the Academic Senate, and University President will be informed when a Department Chair has had to take such action.

These appeal procedures are not to be used to review a University student disciplinary decision under Executive Order No. 628. For example, if a student was found in the disciplinary process to have cheated in a course and, among other things, a grade of F was ordered for that course, these appeal procedures could not be used to challenge that F grade.

A grade appeal is permitted when a student can show clear evidence that a grade was contrary to procedures as specified in the course syllabus, was based on prejudice, was capricious, or was the result of computational or clerical error. The presumption is that the grades assigned are correct until there is a clear demonstration otherwise. The burden of proof is heavy, and it rests with the student who is appealing.

Any student or faculty member involved in a grade appeals dispute who thinks that this appeals procedure has not been properly followed should state in writing his or her complaint and reasons to the University President with a copy to the Chair of the Academic Senate. The University President, or designee, will give a decision in writing within seven days about the procedural issue.

These appeal procedures may be revised from time to time by the Academic Senate with the concurrence of the President. Changes will be immediately posted in official copies of the procedures in the offices of the Academic Senate, University President, Vice President of Student Affairs, Associate Vice President of Faculty Affairs, and Associated Students.

## **1.0 Purpose**

**1.1** A Student Grade Appeals Board is hereby established by the University and is charged with responsibility of processing grade appeals of students at California State University, Dominguez Hills, against members of the faculty.

## **2.0 Membership, Elections and Organization**

**2.1** The Student Grade Appeals Board shall be composed as follows: Four academic employees, one of whom shall be a Student Services Professional, and two members of the student body.

**2.2** The academic members of the Board must be tenured faculty and shall be elected by the Academic Senate upon nomination of its Executive Committee, with nominations permitted from the Senate floor. No more than one Board member will be elected from any school or comparable unit.

Student members shall be elected by a majority vote of the Associated Students Council. Students elected must be full-time students and have and maintain at least a 2.5 cumulative GPA.

Members of the Board shall serve one-year terms but shall continue to serve until the new Board is constituted and has disposed of all pending cases. Members are eligible for reelection to the Board.

In the event of a vacancy caused by a member's resignation, inability to serve, or other cause, the replacement of an academic member shall be by appointment of the Academic Senate Executive Committee, and the replacement of a student member shall be by majority vote of the Associated Students Council.

**2.3** The Academic Senate will designate which academic member of the Board will serve as Chair of the Board.

A quorum of the Board shall consist of three members, with no less than two of the teaching faculty members in attendance.

The election of members to the Board shall be conducted by May 1 of each academic year by the Academic Senate and the Associated Students Council. The Board selected in May will not function until the beginning of the next academic year in September. Grade appeals that were received and the merits of which were being considered by an outgoing Board will be decided by that Board before it terminates its existence. Thus, there may be times at the beginning of an academic year when two Student Grade Appeals Boards exist simultaneously, a retiring Board completing work on pending cases and a new, incoming Board available to receive new cases.

Grade appeal matters that arise in the summer will, to the extent possible, be processed through the level of School Dean and, if not resolved, be referred to the new Board after the beginning of the academic year in September.

### **3.0 Grade Appeal Procedure**

#### **3.1** Initiation of a Grade Appeal

**3.1.1** A student who thinks he or she has a basis for a grade appeal will first seek to resolve the matter informally with the instructor of record or other appropriate individual. For a student to be able to proceed with a grade appeal, the student must have met with the faculty member within the regular semester session of the time the student knew or should have

known of the problem or dispute, unless there is a prior agreement for extension between the student and the Chair of the Board.

**3.1.2** If the matter is not worked out informally within 15 classroom days to the satisfaction of the parties, the student or his/her representative may send a formal grade appeal, in writing, to the Dean of the School. A copy of the grade appeal must simultaneously be filed by the student with the Office of Faculty Affairs. The student's written statement will contain the following:

A clear statement of the problem;

The specific action requested of the University; and

Arguments to support the student's request.

**3.1.3** The Dean of the School will show the student's written statement to the faculty member and Department Chair and request without delay a written statement of their positions and other comments. After receiving a joint statement, or separate statements, from the faculty member and the Department Chair, the Dean will have 15 classroom days to resolve the problem in coordination with the parties; otherwise he/she will forward the case file, including the student's statement and the faculty member's and the Chair's written responses to the Chair of the Student Grade Appeals Board, along with the recommendation of the Dean. The Dean will give information copies of that recommendation to the parties.

### **3.2 Preliminary Investigation**

**3.2.1** Upon receipt of the grade appeal file, the Chair of the Student Grade Appeals Board will without delay meet with the Associate Vice President of Faculty Affairs to select a tenured faculty member to serve as the preliminary investigator. The preliminary investigator will not be a member of the Board.

**3.2.2** The preliminary investigator shall confer with the aggrieved student, the faculty member, the Department Chair, and the School Dean in making a preliminary investigation of the facts alleged by the student. Each party will have an opportunity to clarify in writing for the preliminary investigator their earlier written statement of their positions.

**3.2.3** Within 15 classroom days of his/her appointment, the preliminary investigator shall submit to the Chair of the Board a full written report of the extent and conclusions of the investigation. The written statement of the parties will be attached to that report.

**3.2.4** In making the written report, the preliminary investigator will remember that there is a presumption that faculty members act correctly in assigning grades, and in otherwise managing students and classes, and the burden of proof must be met by the person with the complaint to show that the conduct by the faculty member was contrary to procedures, arbitrary, unreasonable, prejudiced, capricious, or the result of computational or clerical error. A faculty member's action is not to be reversed if the action resulted from the exercise of reasonable judgment.

### **3.3** Initial Determination by Board

**3.3.1** The preliminary investigator shall indicate in the report whether there appears to be cause for a grade appeal, whether there is substantial evidence to support the complaint, and if so, the nature of the evidence, and whether the grade appeal should either be dropped or proceed to a formal hearing by the entire Board.

**3.3.2** The Chair shall convene the Board without delay after receiving the report of the preliminary investigator. The Board shall determine by majority vote whether apparent cause for a grade appeal exists. Such determination by the Board shall be final.

**3.3.3** If the Board by majority vote concludes that there is no cause for a grade appeal, such determination shall conclude the proceedings, and the parties will be so advised in writing.

**3.3.4** If there is a tie vote on the initial determination by the Board, the actions of the faculty member shall be sustained.

**3.3.5** If the Board by majority vote concludes that cause for a grade appeal appears to exist, it will proceed as indicated in 3.4 below.

### **3.4** Hearing

**3.4.1** The Chair of the Board shall schedule the hearing without delay and notify the aggrieved student and the faculty member against whom the grade appeal was asserted of the times and places of the hearing or hearings.

**3.4.2** The hearing shall be closed, informal in nature, and conducted in a spirit of mediation and conciliation. Both the student and faculty member concerned shall be afforded an opportunity to testify, present witnesses, and introduce evidence relevant to the grade appeal.

**3.4.2.1** If both the student and faculty member agree, the hearing may be open to the public.

**3.4.2.2** The student and faculty member may have one or two advisors or assistants at the hearing, but neither the student nor the faculty member will be assisted by an attorney who is a member of the Bar of the State of California.

**3.4.2.3** At a closed hearing, attendance shall be limited to:  
Members of the Board  
The student and the student's advisor, if any, and  
Witnesses while giving evidence.

**3.4.2.4** The contents of a closed hearing will be kept confidential and will be disclosed only to the extent necessary for the Board to make its final report.

**3.4.2.5** The Board may on its own initiative call as a witness one or more qualified faculty and receive from them as a witness testimony of fact or opinion. Any qualified faculty member who gives opinion testimony must be unbiased and have had no prior involvement with the grade dispute.

**3.4.2.6** It shall be the duty of any on-duty employees of the campus, except the University President, to appear at the hearing as requested by the Chair.

**3.4.2.7** The student will present his or her entire case first in the hearing. Thereafter, the faculty member may request the Board to rule against the student on the basis that the student has not proved his or her case and met the burden of proof by a preponderance of the evidence. If the Board rules for the faculty member's request, the hearing terminates and the Board will write its final report. If the Board rules against the faculty member's request, the hearing continues and the faculty member will present his/her case.

**3.4.2.8** The hearing will not be recorded by machine, court reporter, or other means. Cameras are not permitted at a closed hearing.

### **3.5 Board Decision and Report**

**3.5.1** At the conclusion of the hearing, the Board members who attended the hearings will meet privately with all other people excluded to consider the evidence, reach a decision, and begin to prepare a report. The Board should issue the report within 15 classroom days, noting specifically the findings of fact, conclusions, and decision as to disposition of the grade appeal. The Board will rule in favor of the student only if the

student has demonstrated by a preponderance of the evidence that he or she was directly wronged by the improper action of the faculty member.

**3.5.1.1.1** If the issue or one of the issues at the hearing was a grade appeal, the student members of the Board would vote on the issue of whether or not the student showed by a preponderance of evidence that the grade assigned was inappropriate. If a majority of the Board concluded that it was, only the faculty members of the Board would proceed to determine the appropriate grade. A determination by these members of the appropriate grade to be assigned may include consultation with members of the appropriate department who have expertise in the subject matter, but who are not affected by the grade appeal. A grade may be lowered as well as raised.

**3.5.2** The Board's decision must have the support of a majority vote of the Board. In the event of a tie vote, the grade appeal is denied. A minority position may be expressed either as a section in the Board's report, or as a separate report.

**3.5.3** The Board will send copies of its decision and report to the student, faculty member, preliminary investigator, Department Chair, School Dean, and the Associate Vice President of Faculty Affairs. The decision will be binding on the parties unless it is contrary to law or clear rules or policies that control the University.

**3.5.3.1** If the Board decision was that a grade should be changed, the faculty member has 10 calendar days to give a Change of Grade card to the Chair of the Board or show that the Board's decision is contrary to law, rule, or policy. If the chair does not receive the Change of Grade card within 10 calendar days, the Chair will ask the University President to direct the Office of the Registrar to make the grade change based upon a Change of Grade card signed by the Chair of the Student Grade Appeals Board. The University President will direct the Office of the Registrar to accept the card signed by the Chair of the Board.

**3.5.3.2** If the Board's decision involved issues other than a grade appeal, the Associate Vice President of Faculty Affairs will work with the parties to implement the Board's decision.

**3.5.4** Neither the student nor the faculty member may appeal the merits or facts of the case beyond the Board. Neither may appeal to the University President or the Academic Senate to review the merits and facts of the case. Neither the University President nor the Senate may review the Board's decision of the facts and merits of the case

on its own initiative. When the Board has decided the facts and merits of the case, all on-campus remedies have been exhausted. The decision of the Board on the facts and merits of the case will be final and binding. However, the University President or Academic Senate may consider whether the Board acted contrary to law, rule, or policy.