

SECTION: 5.0 STUDENTS

SUBJECT: GRADE APPEAL

Title: Grade Appeal/Grievances/Complaints

Background: Policy has only been referenced in Lewis-Clark State College (LC State) catalog, this will provide a source document

Point of Contact: Vice President for Student Affairs and Provost

Other LC State offices directly involved with implementation of this policy, or significantly affected by the policy: Faculty, and ASLCSC

Date of approval by LC State authority: 12/2016

Date of State Board Approval: N/A

Date of Most Recent Review: 07/2022

Summary of Major Changes incorporated in this revision to the policy: Format changes using LC State style guide

1. Purpose

The purpose of the grade grievance policy is to provide students with an opportunity to appeal a final course grade for one or more of their classes at LC State.

2. Policy

- A. If a student believes he or she has received an incorrect or unfair grade, that student should contact the appropriate instructor. If the course was taken in the fall semester, students have no later than thirty (30) days from the start of the subsequent spring semester to appeal, in writing, to the instructor of the course. If the course was taken in the spring semester or summer term, students have no later than thirty (30) days from the start of the subsequent fall semester to appeal, in writing, to the instructor of the course. The instructor will provide a written response to the student within ten (10) days upon receiving the student appeal. If the student and faculty member resolve the disagreement to their mutual satisfaction, no further proceedings are necessary. If the student and faculty member are unable to resolve the disagreement to their mutual satisfaction, the following procedure results:
 - i. When the student and faculty member are unable to resolve the disagreement to their mutual satisfaction within the time provided, then the student may file a written request for reconsideration of the grade with the division chair. Any written request for reconsideration directed to the division chair must be delivered to the division chair within thirty (30) days from the date of the written response from the instructor of the course.
 - ii. In the event the instructor of the course cannot be contacted, or the instructor fails to provide an answer within ten (10) days of receipt of the appeal, if the course was taken in the fall semester, students have no later than sixty (60) days from the start of the subsequent spring semester to appeal, in writing, to the division chair. If the course was taken in the spring semester or summer term, students unable to contact the instructor of the course have no more than sixty (60) days from the start of the subsequent fall semester to appeal, in writing, to the division chair.
 - iii. When the division chair receives a timely request for reconsideration of the grade, they will meet with the student and the faculty member and will make such investigation as they deem appropriate. If the division chair is able to mediate a resolution of the disagreement which is satisfactory to both the student and the instructor, that resolution will be

SECTION: 5.0 STUDENTS

SUBJECT: GRADE APPEAL

- implemented and no further proceedings will be necessary. If, however, the division chair is unsuccessful in resolving the dispute to the mutual satisfaction of the student and the instructor within ten (10) days, the division chair shall give written notice, "Notice of Impasse," that he or she is unable to resolve the dispute to both the student and to the instructor.
- iv. If the division chair is unable to resolve the dispute to the mutual satisfaction of the student and instructor, and if the student remains dissatisfied with the decision of the instructor, the student may request reconsideration of the grade. The request must be submitted to the division chair within ten (10) days after written "Notice of Impasse" is given to the student. An ad hoc committee of faculty members in the challenged instructor's discipline or closely allied fields will be appointed by the division chair to review the grade. The ad hoc committee will hear the student's appeal and the faculty member's rebuttal within thirty (30) days of the student's request. The student shall be entitled to be accompanied by an advisor, who may advise the student during the hearing but shall not be entitled to actively participate in the hearing. The hearing shall be closed unless both parties agree that it should be open. At the hearing, the student shall have the burden to prove, by clear and convincing evidence, that the decision of the instructor to award the grade was arbitrary, capricious, or grossly unreasonable. The ad hoc committee will either sustain the grade given by the faculty member, or it will determine the grade that should have been awarded. The division chair will provide the instructor with a copy of the determination and will ask the instructor to implement it. If the instructor declines to implement the committee's determination, the division chair will then change the grade, pending any appeal as outlined below, notifying the instructor and student of this action. If a change in grade is not recommended and the student remains unsatisfied, he or she may request the Hearing Board of the Faculty Senate to review the proceedings regarding due process. The Hearing Board may not overturn the academic judgment of the ad hoc committee; they may only ensure that the student has received a fair hearing. If a change in grade is recommended, and the instructor is unsatisfied with the ad hoc committee determination, he or she may request the Hearing Board of the Faculty Senate to review the proceedings regarding due process.
- v. If the Hearing Board determines that a fair hearing was not provided, they will return the matter to the division chair, who will constitute a different ad hoc committee to re-evaluate the grade.
- B. This policy does not apply to grades given for alleged academic dishonesty or for unsafe clinical practice. Academic dishonesty shall be treated as a violation of the Student Code of Conduct and shall be determined under the Code of Conduct rules. Unsafe clinical practice shall be handled by the procedures established by the relevant divisions. In the case that the instructor is no longer at the institution, the responsibility for representing the original instructor's interests rests with the division chair or his/her designee.