

Title: Grade Review

Policy
No.: ADM 1.41

Date: 6/2/08
Rev.:

Areas Affected: All BSMSO Faculty

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Policy Statement:

Requests for a grade review are limited to final course grades which include theory grades, skill/simulation lab grades, and clinical laboratory grades and may be made only where the final grade assigned is alleged to be arbitrary and capricious, which in this context shall mean one or more of the following:

1. The grade was assigned on some basis other than performance in the course;
2. The grade was assigned based upon unreasonable standards which were different than those applied to other students in that same course; or
3. The grade was assigned based upon a substantial, unreasonable, and unannounced departure from the instructor's previously published standards.

Faculty is responsible for stating, in writing at the beginning of the course, the requirements of the course and the basis on which final course grades are determined. Faculty is expected to apply grading criteria uniformly to all students in the course. The welfare and integrity of both faculty and students are equally important in a grade review.

General Provisions

1. If a Student feels her/his final grade as assigned is arbitrary and capricious, the Student requesting the grade review has the burden of proof and must demonstrate such by clear and convincing evidence.
2. The Student must outline in writing the reason for the review and why she/he believes the grade should be changed. The Student may not alter or change the basis for his or her contention that the assigned grade is incorrect as the appeal proceeds from one step to another.
3. Grades determined by action of the Honor Council may not be reviewed through the grade review process (see Honor Constitution and Bylaws).
4. A grade review will not be heard if a test, paper, or other evaluation material returned to the Student is not produced for inspection.
5. The Student may address the grade review at any mutually agreed upon time during school hours, except when the Student is engaged in classroom or clinical instruction.

Reference Policy # _____

Approved by:

Signature

Title

Date

Approval History:

Committees and Dates:
Assistant Dean of Curriculum – 5/08
Faculty Forum –
Faculty Organization -

6. The steps of the grade review process must proceed in sequence and within the stated timeframes; otherwise the appeal will be disallowed.
7. The Student's failure to follow the timeframes and procedural steps shall be considered abandonment of the grade review request and a waiver of the Student's right for any further review. Where such occurs, the review will be dismissed.
8. The grade assigned by the instructor shall remain in effect throughout the review process. The Student may, however, progress to the next sequential course provided the Student has met all other prerequisites. If the failing grade is upheld at the conclusion of the review process, the Student will be dropped from the next sequential course.
9. During the grade review process, the Student may not appear at any grade review meeting through legal counsel. While the Student may obtain assistance and advice outside a grade review meeting from any one whom the Student chooses, the Student shall personally present his or her position during any meeting. Every effort is made to avoid an adversarial relationship. Notwithstanding the Student's ability to seek advice and counsel, the grade review process is intended to be confidential and professional in nature. Within this construct, all participants are expected to be discreet and to treat the proceedings as confidential.
10. Determinations as to whether any School official's prior involvement with the Student or with the grade at issue is such as to warrant recusal shall be made by the Assistant Dean for Curriculum.
11. Nothing herein shall allow the Student to have access to the confidential records of other students at the School.
12. The meetings held pursuant to this process shall be private and are administrative in nature. The rules of evidence and the procedures used in a court of law are not applicable.
13. The Student's absence from a meeting shall not prevent the meeting from taking place and a decision being issued.
14. The titles of School personnel, as used in this Policy, shall in all events be deemed to include their designees and any successors in the event of reorganization.

Grade Review Process

Step I:

The Student must first discuss the grade with the faculty member assigning the grade within five (5) business days after the last day of the course. The faculty member will explain how the grade was determined. Every reasonable effort should be made to resolve the problem at this level. If the Student is not satisfied with the outcome of this discussion, the Student may proceed to Step II.

Step II:

The Student must submit in writing the request for a grade review to the Assistant Dean of Curriculum and to the Course Coordinator for the course in which the grade was received, within five (5) business days after the date of the conference specified in Step I. The written request shall (i) identify the basis upon which the grade is alleged to be arbitrary and capricious; (ii) explain fully the reasons for that allegation; and (iii) describe the action the Student is requesting. Supporting evidence also must be submitted to the Course Coordinator at this time.

If the Course Coordinator is the assignor of the grade being reviewed, or has otherwise taken a position regarding the grade, which in the sole judgment of the Assistant Dean of Curriculum warrants the recusal of the Course Coordinator, the Assistant Dean of Curriculum or designee shall hear the Step II appeal.

As soon as practicable, the Course Coordinator (or Assistant Dean of Curriculum or designee, as appropriate) will meet with the Student and the faculty member who assigned the grade in an effort to conduct the review. The review will include hearing the positions of the Student and of

the faculty member, reviewing the written statement and supporting evidence and the prompt issuance of a written decision with supporting explanation. If the Student is not satisfied with the outcome, the Student may proceed to Step III.

Step III:

The Student must file an appeal of the Step II decision, addressed to the Grade Appeal Committee, with the Assistant Dean of Curriculum within five (5) business days after the date of the Step II decision. The written appeal shall state the reason why the Student believes the grade should be changed and the action the Student is requesting; and must be accompanied by all supporting information upon which the Student relies, including the materials previously presented in Steps I and II.

The Grade Appeal Committee will review the written appeal and any evidence submitted, and may decline to hear an appeal that is judged to be frivolous and patently without merit. Otherwise, the Grade Appeal Committee will hear the testimony of the Student and the faculty member in closed session. Either party may present additional information or witnesses, provided in either case the Committee is notified in advance and the witness(es) comply with any specified time limitations for testimony. Other than the Student and the faculty member, a witness may be present during the meeting only while he or she is testifying. The Committee also may, on its own initiative, receive and review such additional information as it finds germane.

The Grade Appeal Committee will deliberate in private and shall determine whether the grade will be raised or will stand as assigned. The Committee will submit a written decision with rationale as soon as practicable to the Assistant Dean of Curriculum, who in turn will communicate the decision in writing to the Student and involved faculty members. The Committee's decision will be final, and no further appeal shall be allowed.

Note: The Grievance Procedure is not available for grade reviews, for which there is a separate and distinct process available. Nor may a student proceed with both a grade review and a grievance where the remedy sought, or the underlying circumstances, are the same or substantially similar with respect to each.

Grade Appeal Committee

1. The role of the Grade Appeal Committee is to review materials, to hear the testimony, and to determine if the grade is to be raised or if the grade is to stand as assigned.
2. The Committee will consist of three (3) faculty members, one of whom shall chair the meeting. All members of the Committee shall have equal voting privileges. The Dean of the School will appoint the members of the Committee.
3. A grade may be raised if two of the three Committee members vote in favor of the change, finding based on clear and convincing evidence that the original grade assigned was arbitrary and capricious. Otherwise, the grade shall remain as originally assigned.
4. Either party may challenge the Committee's membership for cause within two (2) business days of its formation or announcement. The Dean shall determine if there is due cause to remove the challenged Committee member. In such case, the timeframe for Step III will be adjusted.

Appeal Records

All materials and decisions related to the grade appeal will remain confidential, and all related documents will be retained by the Office of the Dean until the Student graduates or for one year, whichever is earlier, after which all such documents will be destroyed.