
STUDENT GRADE APPEALS SYSTEM

AS APPROVED BY COLLEGE STEERING COMMITTEE MAY 21, 2008

I. INTRODUCTION

It is in the best interest of the College to foster a spirit of justice and fairness among students, faculty, and administrators. Toward this end, the College has established the system of appeals described below. This system of appeals is intended to afford students an adequate opportunity to appeal academic decisions or academic actions of faculty, administrators, or other College employees on either procedural or substantive grounds.

The College recognizes the difficulty in bringing such matters to the attention of University administrators or faculty. Students should realize that mechanisms have been created by the College Steering Committee to facilitate the handling of these matters. Anonymity and confidentiality will be maintained if the student so desires. Any student who wants information about the Student Appeals System of the College of Education may contact the Office of the Student Ombudsperson (Room 263 in Ritter Hall, 215-204-1737, or education.ombudsperson@temple.edu) for assistance.

II. APPEALS COVERED BY THE STUDENT APPEALS SYSTEM OFFICE OF THE STUDENT OMBUDSPERSON

The Student Appeals System described in this document is intended to cover unwarranted grading decisions of part time and full time instructors employed by the College of Education. Note at the outset that the College strives to employ instructors who have the background and judgment necessary to make appropriate grading decisions. If such instructors (a) have the credentials, knowledge and experience to make informed grading decisions, (b) use a well defined and defensible grading system, and (c) apply this system in a consistent and equitable way across students, departmental chairpersons and deans in the College will generally not overturn the grades of instructors because there is no basis for doing so.

Grading decisions that reflect any or all of the following characteristics may benefit from further review in the Student Appeals system:

- (1) **Case 1:** When students can mount clear evidence that the instructor has based a grade on factors other than (a) mastery of particular content or competencies or (b) fulfillment of course requirements (completing all assignments and participation). For example, students who feel that they received lower grades because they held opinions or views on matters unrelated to course content that were contrary to those of the instructor (e.g., political views) can consult the Ombudsperson (see the policy on student and faculty rights and responsibility (http://policies.temple.edu/getdoc.asp?policy_no=03.70.02) to learn more about the grade appeals process. Note that student suspicions that a lower grade was assigned because an instructor does not

like him or her normally cannot be substantiated in ways that could lead to overturning a grade. There has to be proof that a chairperson, dean, or appeals board could confirm.

(2) **Case 2:** When there is clear evidence that a grade was assigned in a capricious or arbitrary way. This means the instructor used no basis at all for assigning the grade. Here, there may be grounds for appeal if the instructor did not indicate in advance and after the fact what content or skills were expected to be mastered or how assignments and tests were graded (what the instructors were looking for).

(3) **Case 3:** When grade weighting systems are changed in the following way: (a) the change is made well after the last day to drop a course in a semester and within two weeks of when an assignment or test is due, (b) the change results in more than a 5% difference in a final grade (e.g., an exam was originally worth 30% but is revised to be worth 40%), (c) students can verify that the instructor did not inform students in any way (e.g., did not announce it any class, did not post it on Blackboard, and did not send emails). There are no grounds for appeal if the change is made early in the semester, is announced, and there are more than two weeks intervening between the change and the assignment due date. Generally these changes are made to benefit the majority of students in the course (e.g., to give them added work to fill in identified gaps in their knowledge).

(4) **Case 4:** When students are assigned a lower grade or failing grade on an examination or assignment because of charges of plagiarism or cheating, but the students have solid evidence that they did not engage in plagiarism or cheating. In cases in which the evidence of plagiarism or cheating is ambiguous, the faculty member or Dean may decide to immediately refer the matter to the University Disciplinary Committee (UDC) rather than assign the grade themselves (see procedures described in the University Code of Conduct, http://www.temple.edu/studentaffairs/judicial_affairs/index.htm) and Temple's policy on and description of plagiarism, <http://www.temple.edu/writingctr/handouts/researchandplagiarism/plagiarismfaq.htm>).

Note that faculty members can assign lower grades or a failing grade when they have credible evidence of plagiarism; they do not have to automatically refer the matter to the UDC.

III. APPEALS NOT COVERED BY THE STUDENT APPEALS SYSTEM

There are several student-related issues that are not handled by the College of Education's Student Appeals System (or the Office of the Student Ombudsperson). They include the following:

1. The College Student Appeals System is not a mechanism for Temple faculty or administrators to bring charges against a student for violations of the University Disciplinary code (e.g., plagiarism, cheating, threats, etc.). Faculty may assign a lower or failing grade when they have strong evidence of cheating or plagiarism, but may also refer the matter to the judicial affairs department if they wish to defer the matter or ask the university to pursue stronger sanctions (see Code of Conduct at http://www.temple.edu/studentaffairs/judicial_affairs/index.htm).
2. The College of Education Student Appeals system is not a mechanism for appeals for state certification. (For concerns about state certification, see the College of Education Office of Student Services at <http://www.temple.edu/education/services/certificate.html>).

3. The College of Education Student Appeals system is not a mechanism for candidates who wish to appeal decisions of admission to the College's graduate programs. Applicants may reapply, but cannot appeal decisions.
4. The Student Appeals System is not a mechanism for appealing nonacademic ("administrative") decisions of University faculty, administrators, or other employees (for example: an incorrect bill). Students who believe that they have an administrative grievance against the University should directly contact the Student Affairs Ombudsman at the University's Student Assistance Center (215-204-8531).
5. The student appeals system is not a mechanism for seeking help about, or filing charges in reference to, sexual and other forms of harassment by College of Education instructors. These matters fall under the jurisdiction of the university Office of Equal Opportunity Compliance. See <http://www.temple.edu/eoc/sexualharassment.html>.
6. The student appeals system is not a mechanism for appealing academic adjustments or accommodations approved by Disability Resources and Services (DRS). Students who disagree with the appropriateness of recommendations should follow DRS's conflict resolution process: http://www.temple.edu/disability/conflict_resolution.html.
7. The university will not change grades after a student graduates and is given a diploma. Thus, students wishing to challenge a grade need to do so either before the end of a semester (before grades are submitted) or defer graduation until the dispute has been resolved.

The College recognizes that there are situations that arise in the context of a university which do not necessarily involve an appeal, but which require at the very least a hearing by the College officers. For information about situations not covered above, see the University's Policies and Procedures web page at <http://policies.temple.edu>. The Ombudsman can help refer students to the proper offices. The Ombudsman will act in accordance with the International Ombudsman Association's Standards of Practice and Code of Ethics (<http://www.ombudsassociation.org/standards.html>). The Ombudsman will be encouraged to seek external training and support through organizations such as the International Ombudsman Association as well as use internal resources (e.g., consultation with faculty knowledgeable about Ombudsman's services).

IV. DEFINITIONS OF TERMS USED IN THE APPEAL PROCESS

- A. **Appeal:** a request made by any student in the College for the redress of an alleged injustice.
- B. **Appellant:** the person making an appeal.
- C. **Respondent:** the person directly responsible for the alleged injustice.
- D. **Parties in Interest:** the Appellant and the Respondent.
- E. **Student Appeals Grievance Committee (SAGC):** The Student Appeals and Grievance Committee consists of three faculty members, one from each department, a graduate student and an undergraduate student appointed by the Dean. The Associate Dean shall be a non-voting member of the SAGC.

V. PROCEDURES OF THE STUDENT APPEALS SYSTEM:

INFORMAL

The College encourages a student to first address his or her concern with the professor to seek an informal resolution without the assistance of outside parties whenever a student has a grievance. When an informal resolution cannot be achieved, the College directs the student to contact the Ombudsperson to begin the formal Appeal process.

FORMAL

LEVEL ONE

If the problem is not resolved in this informal manner, the appellant may contact the Ombudsperson to file a formal appeal. Appeals must be filed within 60 working days from the alleged occurrence for non-graduating students or before the issuance of a diploma for graduating students. Upon receiving the appeal, the Ombudsperson will attempt to meet with the parties in interest (together or separately) to facilitate the parties' willingness to reach an agreement on the issue. Given that this meeting is intended to be informal and non-adversarial, those present should ordinarily include the appellant, respondent, and Ombudsperson only. Any request for the attendance of additional individuals should be discussed with the Ombudsperson prior to the meeting.

LEVEL TWO

If, as a result of these discussions, the matter is not resolved to the satisfaction of the appellant, he/she shall within thirty (30) working days set forth his/her appeal in writing to the Chairperson of the respondent's department with a copy to the respondent specifying:

- 1) The nature of the appeal
- 2) The results of the previous discussions
- 3) The reason for dissatisfaction with the decision previously rendered by the respondent
- 4) The remedy requested of the department Chairperson

Within ten working days from receipt of the written appeal, the Chairperson shall conduct a hearing using one of the following formats: (1) the Chairperson, the appellant, and respondent are all present at the hearing; (2) The Chairperson and appellant are present but the respondent calls into the meeting; (3) The Chairperson and appellant are present and the chairperson calls the respondent the same or next day to get the respondent's side of the story. The Chairperson shall communicate a decision in writing to parties in interest within seven days from the date of the hearing.

LEVEL THREE

Should the recommendation of the Chairperson be unacceptable to either the appellant or the respondent, each has the right within fourteen days to request in writing to the Associate Dean of the College that the matter be taken up by the Student Appeals and Grievance Committee. A written request shall specify:

- 1) The nature of the appeal
- 2) The results of the previous discussions and hearing
- 3) The reason for dissatisfaction with the decision previously rendered by the Department Chairperson
- 4) The remedy requested

The Associate Dean shall, within 30 working days from receipt of the written request (or the start of the next semester if the appeal starts near the end of one term), convene the SAGC to hear the appeal. Both the appellant and respondent shall have the right to present evidence, call witnesses and cross-examine at this hearing as stipulated in the By-laws of the College of Education. Upon hearing the appeal, the SAGC will make a recommendation (with appropriate supporting materials and explanations) to the Associate Dean of the College within 14 working days from the closing of the hearing.

After reviewing the recommendation of the SAGC, the Associate Dean will inform the SAGC and interested parties of his or her decision, further providing them with a written explanation. In both instances, the Associate Dean shall make every effort to communicate his or her decision in writing within 14 days of receipt of the SAGC's recommendation, taking into consideration, however, the Associate Dean's need to prioritize his or her many other pressing responsibilities.

Students may appeal the decision of the Associate Dean of the College to the Provost, who is the University's Chief Academic official but note that the Provost will only consider the appeal if there is clear evidence that the procedure described above was not followed and this procedural violation impacted the decision.

- A. Because it is important that the appeals be processed as quickly as possible, the number of days indicated at each level of the appeal process shall be considered a maximum limit during the spring and fall semesters and every effort shall be made to expedite the process. The time limits may be extended during the winter, spring, and summer breaks, if one of the parties in interest is not available, or by mutual agreement of the parties in interest when necessary.
- B. Any appeal not referred to the next higher level by the appellant by the end of the subsequent term shall be considered resolved.
- C. Any appeal not replied to within the stated time by the respondent shall be moved immediately to the next step in the procedure.

VI. RIGHTS OF ALL PARTIES

- A. The appellant and the respondent must be granted the opportunity to present their own facts and witnesses and to ask questions of any witnesses, as well as of one another. They must be granted access to relevant materials and provided sufficient time to prepare their cases. Both must be notified in writing as to when and where the matter will be heard.
- B. To assure an adequate record in the event of further proceedings, all hearings will be recorded on tape.
- C. Panel members have the right to question the interested parties and any witnesses, and to see all relevant materials.

- D. Board members have the right to examine all relevant materials.

VII. RESPONSIBILITIES OF ALL PARTIES

- A. Although the appellant and the respondent may receive advice from the Ombudsperson and others during the course of an appeal, the decision whether to continue or to discontinue an appeal rests with the appellant.
- B. The parties or their representatives, the Ombudsperson, the Chairperson and the SAGC will have access to any and all records which are germane to a case. It is the responsibility of all who have access not to reveal any of the contents of these records or any of the particulars of the case outside of the proceedings of the case. Anything that occurs during the course of an appeal hearing is considered confidential and should not be discussed outside of the hearing.
- C. The Student Appeals System will be published by the Dean's Office of the College of Education and disseminated to all faculty and students of the College. It is the responsibility of each member of the College to be familiar with the system.
- D. Members of the SAGC must not discuss any matters pertaining to cases that may come before them with anyone other than members of the SAGC, the Department Chairperson, the Dean, and the Provost (the latter two, as necessary, in the appellant process).
- E. Neither the appellant nor the respondent may attempt to influence a case through contact with any member of the SAGC, except during the hearing itself.
- F. Members of the SAGC will make their decisions and recommendations on the basis of the evidence presented at the hearing only. Members of the SAGC who have an interest in a case shall disqualify themselves from hearing that case.
- G. Any member of the SAGC who is contacted by any of the interested parties or their representatives at any time in an effort to influence his or her decision is obliged to report such contact to the SAGC. Said member will be disqualified by the SAGC if the SAGC believes that the member is no longer in a position to make an unbiased judgment on the matter to be heard.

VIII. CLOSED HEARINGS

Ordinarily, all hearings will be closed and confidential. Should either of the interested parties request an open hearing, the SAGC will have the power to rule on such a request, giving consideration to the reasons for the request, the nature of the case at hand, and the interest to be served by an open hearing. The SAGC will also have the power to restrict attendance at any open hearing. In the event of an open hearing, students who will have information from their files made public must sign a waiver of confidentiality as required by the law.

IX. CHANGES IN PROCEDURE

The SAGC may alter the ordinary procedures for a hearing whenever it has good reason to believe that such a procedure is necessary or likely to insure fairness to any or all parties, without placing undue burden on any other parties to the case, or to the SAGC itself. Decisions to alter the ordinary procedures must be made by unanimous vote of all members of the SAGC at a meeting (either face-to-face or phone) attended by all members of the SAGC. Decisions to alter the ordinary procedures must be put in writing and communicated to the appellant and the respondent prior to enacting the altered procedures. Decisions to alter the ordinary procedures must not conflict with the By-laws of the College of Education.

HISTORY OF APPEAL SYSTEM:

Policy Name: College of Education Student Appeals
System Effective: May 6, 1986

Background:

1. Recommended by the College Steering Committee on October 5, 1983.
2. Approved by the Dean on Oct. 6, 1983.
3. Amendment recommended by the College Steering Committee on March 4, 1986.
4. Amended by the Acting Dean on March 10, 1986.
5. Amendment recommended by the College Steering Committee on April 21, 1988.
6. Approved by the Dean on May 6, 1988.
7. Amendment recommended by the College Steering Committee on March 24, 1993.
8. Revised and approved by the College Steering Committee on Feb. 10, 2004.
9. Approved by the Dean on Feb. 10, 2004.

This Student Appeals System document and a copy of the appeals form can be downloaded from: <http://ed.temple.edu/contact/ombud.html> and emailed directly to the Ombudsperson.

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