**PROPOSAL**

To better articulate the current practice and to enhance the clarification of this process.

**JUSTIFICATION**

To better articulate the current practice and to enhance the clarification of this process.

**PROPOSED BY**

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Approved by the Student Rules and Regulations Committee on 7/17/15  
Approved by the Faculty Senate on 9/14/15  
Approved by the President on 10/14/15

Present rule 48 with all changes: additions in red font, **bold and underlined**, deletions are **struck**.

**48. Grade Disputes**

(Revised: 2005)

The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.

**Rules**

The student’s semester grade shall be based upon the grading rule statement in section 10.1 and included in the course information distributed at the first class meeting. The rule shall include the calculation of grades, including weights as applicable for tests, laboratory assignments, field study work, projects, papers, homework, class attendance and participation and other graded activities. No such rule should be in contradiction of other provisions of University Student Rules. Additional rules on grades are listed in Part I, Academic Rules.

**Grievance Procedures**

48.1 The instructor of the class is the primary authority with respect to a student’s proficiency and final grade in that course. A student who believes that his or her final grade reflects a capricious, arbitrary or prejudiced academic evaluation should first discuss the matter with the instructor of the class.
48.2 If no satisfactory resolution is reached with the instructor, or if the instructor is unavailable, and the student wishes to appeal, the student shall appeal to the department head. A grade appeal must be initiated in writing with the course instructor or, if the instructor is unavailable, with the department head within 180 days (six months) of the last day of the semester or summer session in which the disputed grade was earned. The department head will examine the student's appeal in order to determine if the student has established a *prima facie* case of capricious, arbitrary or prejudiced academic evaluation. If not, the department head will so inform the student and the instructor without delay.

48.3 If a *prima facie* case exists, the department head will then secure from all parties statements and such other information as he or she deems helpful and will issue his or her findings and remedies, if any. In doing so, the department head will be guided by the principle that it is up to the student to show that a capricious, arbitrary or prejudiced academic evaluation has occurred.

48.4 The student or the instructor may appeal the department head's decision (with respect to findings and/or remedies) to the dean or designee of the college in which the course is offered. The dean or designee will attempt to resolve the matter by informal means within a reasonable period of time.

48.5 If no resolution can be reached, the Dean or designee will notify the student, the instructor and the department head. Upon receipt of such notification, the student and/or the instructor may file a formal appeal with the appropriate appeals panel. Undergraduate grade appeals are made to the Academic Appeals Panel. If the student is a graduate student, the appropriate panel for appeals is the Graduate Appeals Panel.

48.6 This process does not apply to scholastic dishonesty cases. Scholastic dishonesty cases are appealed in the Aggie Honor System Office.

48. Grade Disputes

*(Revised 2015)*

*The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.*

48.1 Rules

*The instructor of the class is the primary authority with respect to a student's proficiency and final grade in that course. Final grade determination shall be consistent with Student Rule 10 Grading.*

48.2 Scope

*A student may appeal an adverse decision concerning a final grade on the grounds that the respondent's decision was arbitrary, capricious or prejudicial. In the appeal process, the burden of proof shall be upon*
the student.

48.3 Definitions

In this rule, the following words have the following definitions and no other:

"Adverse decision" means a decision by a faculty member or administrator that negatively impacts the student and for which the student wishes to pursue a grievance under this rule.

"Arbitrary" means no reasonable factual basis for reaching the conclusion or taking the action.

"Capricious" means unpredictable and subject to whim.

"Faculty" means an individual holding a position in which the primary title includes the word "professor," "instructor," "lecturer," or "librarian" regardless of other rank of appointment qualifiers associated with the title. Appointments with the word "dean" or "provost" with or without a specified faculty rank higher than assistant professor are normally tenured faculty appointments.

"Final Grade" means a grade assigned by the instructor at the end of an academic term as defined in Student Rule 10 (Grading). This does not include other grade designations of I, X, Q, W, and NG.

"May" means a condition that is not required to be met; it is discretionary. Contrast "shall."

"Prejudicial" means irrational attitude of hostility directed against an individual. This does not include hostility on the basis of any legally protected status that is addressed through Student Rules 45 - 47.

"Respondent" means the faculty member, instructor, or administrator who made the decision.

"Shall" means a condition that must be met. Contrast "may."

"Student" means an individual undergraduate student enrolled at the university who is the subject of an adverse academic decision.

48.4 Grievance Procedures

48.4.1 This process does not apply to scholastic dishonesty academic misconduct cases. Scholastic dishonesty Academic misconduct cases are appealed in the Aggie Honor System Office.

48.4.3 An undergraduate student who believes that his or her final grade reflects a capricious, arbitrary, or prejudiced academic evaluation must follow the resolution procedures and deadlines as described in Student Rule 57 Undergraduate Academic Appeals Panel.

48.4.4 A graduate or professional student who believes that his or her final grade reflects a capricious, arbitrary, or prejudiced academic evaluation must follow the resolution procedures
and deadlines described in Student Rule 59 Graduate Academic Appeals Panel.