

College of Business and Technology Grade Appeals Policy and Process

AUTHORITY:

University of Nebraska Board of Regents Policy:

Chapter V. Responsibilities and Rights of Students. 5.3 Academic Evaluation. Students shall be informed of the requirements, standards, objectives, and evaluation procedures at the beginning of each individual course. Each student shall be given a performance evaluation during the progress of the course if requested. Each College or school shall provide for a faculty-student appeals committee for students who believe that evaluation of their academic progress has been prejudiced or capricious.

Capricious means that the instructor acted with a sudden change of mind without notifying students about criteria and/or requirements that ultimately affected the student's grade. That is, the instructor acted impulsively and unpredictably.

Prejudicial means the instructor treated the student differently, apart from the norm, thereby detrimentally affecting the student's grade.

The student **MUST** provide specific information regarding how the instructor behaved in a capricious or prejudicial manner in awarding the student's grade.

Such procedure shall provide for changing a student's evaluation upon the committee's finding that an academic evaluation by a member of a faculty has been improper. Each college or school shall provide a mechanism by which students have an opportunity to report their perceptions of courses and the methods by which they are being taught, provided, however, that such mechanism shall protect members of the faculty from capricious and uninformed judgments.

University of Nebraska at Kearney Policy:

APPEAL PROCEDURE - FINAL GRADE: The typical procedure for appealing a final grade involves the following individuals:

1. The Instructor
2. The Department Chairperson
3. The College Dean or EPC**
4. The Senior Vice-Chancellor for Academic Affairs

** Some colleges require that grade appeals be made to their Educational Policy Committee. Students wishing to appeal a final grade should inquire with the Dean's Office of the College in which the grade was issued.

If a student feels the grade he/she received in a class is incorrect, he/she must initiate contact with the instructor of record or in the absence of the instructor, with the appropriate department chair, within 30 days of the end of the term for which the grade was assigned. Failure to notify the instructor/department of record within the allotted time will render the initial grade final and no changes will be permitted.

College of Business and Technology Policy:

The Academic Affairs Committee shall “serve as members, together with members of the Student Affairs Committee, of an Appeals Committee [hereinafter referred to as Appeals Subcommittee] for undergraduate students who believe their grades were capriciously or prejudicially determined. The Appeals Subcommittee shall adopt rules, procedures, and standards for the judgment of cases.”

POLICY:

1 The Appeals Subcommittee recognizes its primary role as an academic appeal body should
2 be that of a court of last resort after the student has completed the procedures outlined in
3 Phases I, II, and III. It further recognizes that the assumption in all such cases of appeal is
4 that the faculty accused of prejudicial or capricious judgment is both professionally
5 responsible and capable of making objective evaluative decisions. The burden of proof of
6 capricious or prejudicial action is on the student making the appeal. This policy shall refer
7 to final course grades and not grades received from individual assignments.
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9 Nothing in the above policy statement should be construed as a prejudice in opposition to
10 the student’s position or a disincentive to a student appeal. Students who feel that they have
11 been unfairly treated in the award of a grade and that the source of that unfair treatment is
12 capricious or prejudicial action by a faculty member are encouraged to proceed with an
13 appeal.
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15 Grade appeals within the College of Business and Technology only apply to those courses
16 offered within the departments of the college. Disputes regarding grades within courses
17 from other colleges on the UNK campus must follow the procedures outlined for those
18 specific colleges.
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PROCEDURES:

Phase I: Faculty Contact

25 In accordance with University policy, the student should first attempt to resolve the grade
26 assignment with the instructor of record for the course in question. If this is not possible, or the
27 instructor cannot or will not resolve the problem, the student may proceed to Phase II.
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Phase II: Initiate Formal Contact

31 A student may initiate a formal appeal by speaking with the department chair for the department
32 offering the specific course. The chair will provide the student with a copy of the Grade Appeal
33 Form and note the initiation of the appeal process. As per university policy the student has 30
34 calendar days from the end of the term in which the grade was assigned to initiate contact with
35 the department chair. Contact may include any form of commonly accepted means of
36 communication.
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39 In the event the department chair is the faculty member of record for the course(s) in question the
40 student should initiate the formal grade appeal process with the Dean of the College of Business
41 and Technology. The department chair or dean will advise the student that the appeal process
42 should be utilized only when there is clear and convincing evidence of a “prejudiced” or
43 “capricious” evaluation by the faculty. The student will also be advised that the burden of proof
44 is on the student but will not be discouraged from proceeding with the appeal.

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46 Once formal contact has been initiated, the process may proceed to Phase III.

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49 **Phase III: Departmental Process**

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51 Following the initiation of a formal appeal process, the department chair (or dean if the chair is
52 the instructor) has 30 calendar days to attempt to resolve the dispute in question within the
53 department.

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55 The student should complete the student portion of the Grade Appeal Form and submit the form
56 to the department chair, or dean in the event the chair is the instructor of the course under
57 dispute, who will in turn send it to the faculty member. The faculty member will complete the
58 faculty response portion of the form and forward it to the department chair (or dean if the chair is
59 the instructor). If the matter is resolved during this process, the form will be sent to the dean’s
60 office for filing and action as appropriate. If the matter remains unresolved, the dean is requested
61 to initiate Phase IV of the appeals process.

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63 The chair (or dean if the chair is the instructor) may choose to speak with either the student, the
64 faculty member, or both in an attempt to resolve the dispute and will complete and sign his or her
65 portion of the form before forwarding it to the next level. The student and/or the faculty member
66 may also ask to be heard by the chair (or dean if the chair is the instructor).

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68 If the faculty member or department chair is uncooperative or unavailable to the student, the
69 student should make appropriate note on the form and proceed to the dean to implement Phase
70 IV of the process in order to complete the grade appeal on schedule.

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73 **Phase IV: Appeals Subcommittee**

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75 If the student, faculty member, and department chair (or dean if the chair is the instructor) are
76 unable to resolve the dispute, the dean will complete his or her portion of the form and refer the
77 matter to the Appeals Subcommittee. The Chair of the Student Affairs Committee will inform
78 the Chair of the Academic Affairs committee of the appeal and forward a copy of the Grade
79 Appeal form as complete to date. The two committee chairs will each appoint two members
80 from their own committee to serve as members of the Appeals Subcommittee. In addition, the
81 dean will appoint a student to serve as a member of the committee. The two chairs will alternate
82 as chair of the Appeals Subcommittee, bringing the total Appeals Subcommittee membership to
83 6.

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85 The Appeals Subcommittee will resolve all grade appeals in an expeditious manner. However,
86 the Appeals Subcommittee has until the end of the semester to resolve the grade dispute. If the
87 dispute remains unresolved at the end of the semester, the Appeals Subcommittee must inform
88 the dean of the circumstances causing the delay. The dean may choose at this time to refer the
89 dispute to the Senior Vice Chancellor for Academic Affairs.
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91 Any faculty member involved in a grades appeal will not be appointed to the Appeals
92 Subcommittee. Wherein there lies a conflict of interest on the part of any member of the
93 Appeals Subcommittee, department chair, or dean, the individual must identify the conflict and
94 remove him or herself from the grade appeal process. The student and faculty member involved
95 in the grade appeals process shall also be given the opportunity to identify possible conflicts of
96 interest with the members of the Appeals Subcommittee.
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98 The Appeals Subcommittee may seek additional information about the dispute by whatever
99 means deemed necessary. Any such information received will be available to the student.
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101 The Appeals Subcommittee may ask other faculty members in the department involved to
102 evaluate any written materials presented to the subcommittee for consideration.
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104 The student has a right to be heard and to present his or her case to the Appeals Subcommittee.
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106 If the Appeals Subcommittee's decision results in a change of grade, the Chair of the Appeals
107 Subcommittee and the department chair of the department involved in the dispute has the
108 authorization to effect the change of grade process with the registrar's office.
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110 The Appeals Subcommittee's decision is final within the College of Business and Technology
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113 LAST UPDATED
114 4/29/19