

RULES OF PROCEDURE FOR APPEAL OF GRADES

Section I

Creation of Grade Appeals Board, Purpose

1. There is hereby established a permanent Grade Appeals Board consisting of five members.
2. This Board shall have authority to hear complaints made by students regarding their letter grade, and make recommendations consistent with its finding.

Section II

Composition and Selection of Members

1. This Board shall consist of three members of the Law Center's Faculty and two members of the student body. Two of the faculty members shall be appointed by the Chancellor of the Law Center. One faculty member shall be appointed by the Law Center's Senior Class in a process approved by the Associate Vice Chancellor of Student Affairs. The faculty member appointed by the Senior Class shall be selected no later than Friday of the second full week of the fall semester.
2. The two student members shall be chosen in the manner provided for by rules of the Student Bar Association; provided that one student member shall come from the second year class and one from the third year class. The student members of the Board shall be appointed no later than Friday of the second full week of the fall semester. A student must be in the top five percent of his class in order to serve on the Board.

Section III

Tenure, Voting Power, and Meetings

1. Each Board member shall be appointed to serve one academic year. A Board member may be reappointed. A faculty member shall not serve more than three consecutive years. A faculty member who has served three consecutive years may be reappointed after there is at least a one (1) year break in his/her service. If necessary, the Chancellor shall appoint one faculty member as an ad hoc faculty member of the board. The ad hoc member will serve only when a conflict on a grade appeal occurs for a Board member.
2. The Board members shall have equal voting power.
3. The Board shall hold a meeting within five (5) business days after the notification of the appointment of the student members and the student selected faculty member to the Board. The meeting shall be called by the Board's last chairperson. Additional Board meetings may be held whenever needed to conduct Board business.
4. The Board shall choose a faculty member as chairman at its first meeting during the fall semester.

Section IV

Power of Board

The Board shall have the following authority, to wit:

- (a) Render a finding of fact upholding decision of professor.
- (b) Render a finding of fact indicating that there are reasonable grounds to believe possible error resulted in grading a student's examination; and
- (c) Make recommendations consistent with its findings.

RULES

Rule 1. Any student, other than a freshman student who has just completed his or her first semester, receiving a letter grade which is at least one letter grade lower than his over-all law school letter grade average shall have the right to have his examination or final paper reviewed as a part of the appeal process by the grading professor.

EXAMPLE: A student with an over-all letter grade average of C must be given the right to review, if he makes a letter grade of D or F. On the other hand, if that same student with the C average should earn a D+ in a particular course he will have no right to review as a part of the appeal process.

A freshman student who has completed only the first semester of studies and has received the grade of "D" or "F" has a right to review his/her examination with the professor, but he/she does not have a right to appeal a grade received in the first semester. A freshman student who has completed his/her second semester has a right to review his/her paper as a part of the appeal process only if he or she has received a letter grade of D or F in the course complained of.

Rule 2. A student desiring to exercise his rights under Rule 1 shall file a written request on the form provided by the Office of Records to review his/her paper in duplicate form with the Office of Records. The request shall be directed to the professor. This request must be filed within 10 business days after the beginning of classes in the semester immediately following the semester in which the grade was received.

Rule 3. Upon receiving the above request, the Office of Records shall forward a copy of said request, along with the student's grade point average to the concerned professor within 48 hours after receipt thereof.

Rule 4. The professor shall have 5 days from day of receipt of request from the Office of Records (mentioned in Rule 3) to review the examination or final paper with the student. Any professor who has provided a review prior to the filing of the Rule 2 request may so indicate.

The term “review” does not necessarily mean a face-to-face discussion of the examination paper with the student. Any reasonable review of the student’s examination paper conducted by the professor that explains the grading process is sufficient to meet the requirement. Examples of a review are: providing the student with his/her examination paper and the grading sheet; providing the student with is paper and answering any question that he/she may have via email; providing the student with his/her examination paper that contains detailed marks and comments which indicate how the points were determined; conferring with the student one-on-one to explain the grading process. This list is only illustrative and is not meant to exclude other methods that may result in a review of the student’s paper.

Rule 5. If the student is not satisfied with the review mentioned in Rule 4, he shall have the right to appeal to the Board in writing on a form provided by the Office of Records within 3 days after said review. The appeal request shall be filed with the Office of Records. A copy of the appeal request shall be immediately forwarded to the concerned professor and Board chairperson. The student’s appeal request shall include a specification of errors detailing the mistakes that he/she believes were made by the professor while grading his/her examination or final paper.

Rule 6. The professor shall within 3 days after receipt of the notice of the appeal forward to the Board chairman a copy of the examination, the student’s test paper (the student’s answers) and any other information he deems necessary to explain the student’s grade.

Rule 7. The Board chairperson shall notify the student in writing of the date and time set for the hearing. The hearing must be held within 30 days after receipt of the information mentioned in Rule 6, absent unusual circumstances. The Board shall notify the student and professor of its decision no later than 3 days after the decision has been made.

Rule 8. A finding by the Board upholding the decision of the professor shall preclude any further review into the correctness of the grade which was the subject of the student’s complaint.

Rule 9. A finding by the Board that there is reasonable grounds to believe possible error resulted in the grading of student’s examination, shall be presumptive evidence of the probability that student’s grade should be changed in accordance with the recommendation of the Board.

Rule 10. Upon a Rule 9 finding by the Board, written notice shall be sent immediately to the concerned professor advising him of his right to appear before the Board on a date and time provided in notice. The finding made by the Board at this hearing shall be final.

Rule 11. An agreement by the professor with the Rule 9 finding of the Board shall be tantamount to said professor agreeing to immediately implement the recommendation of the Board.

Discretionary Review and Hearing

The Professor and Board may in their discretion grant the student a review in cases not otherwise provided for herein. In such case, the articles and rules above shall apply as much as practicable.

Ultimate Decision, Chancellor of Law Center

If after all proceedings are completed the Grade Appeal Board finds that there was a possible error made by the grading professor, the Board may recommend a grade change to the Chancellor. The Chancellor of the Law Center shall review any finding or decision of the Board that recommends changing a grade that was originally given in a course. Absent a change by the grading professor, the final decision to change a professor's grade rests with the Chancellor of the Law Center.

Board Authority to Adopt Rules

The Board shall have authority to adopt procedural rules, not in conflict with the Rules of Procedure for Appeal of Grades provided for herein.

Amendments to Rules

The members of the Board may recommend changes to the grade appeal procedure by a majority vote of all members. Any change recommended by the Board must be submitted to the Law Center faculty for its approval.

STUDENT REQUEST FOR EXAMINATION REVIEW
MEMORANDUM

TO: Professor _____

FROM:

RE: Request for Grade Review

DATE:

I, _____ (student's Name), hereby request the right to review my final paper or examination paper in _____ (Course Name) from the _____ (fall/spring) semester of 20____. I am in my _____ semester of study. The grade received on the examination was ____ and my overall letter grade average is _____ (A, B+, B, C+, C).

RULE 3. CERTIFICATION

The Office of Records certifies that _____ (student's name) Whose PIN is _____ filed a request for a Grade Review in this office on _____ (date). This student has an overall grad point average of _____ during the _____ (fall/spring) semester 20____.

Office Records Date

RULE 4. CERTIFICATION

I completed my review of the above referenced student's examination paper on _____ (date).

Professor

MEMORANDUM

TO: Professor _____

FROM: Chair Grade Appeal Board

RE: Grade Appeal for _____

DATE:

In accordance with Rule 6 of the grade appeal procedure, the Grade Appeal Board requests that you provide it with a copy of the final paper or examination in _____(course name) for the _____ semester of 200____. Also, please provide the Board with the above mentioned student's test paper or final paper and any other evidence you deem necessary to justify the student's grade.

Thank you for your cooperation in this matter.

NOTIFICATION OF GRADE APPEAL HEARING
RULE 7

MEMORANDUM

TO:

FROM: Chairperson, Grade Appeal Board

RE: Grade Appeal Request

DATE:

Your request for a hearing to appeal the grade you receive in _____ (professor's name) _____ class in the _____ (semester) of _____ (semester's year) will be held on _____ (date) in _____ (designated room) at _____ o'clock. Your presentation to the committee shall be limited to the errors raised in the statement of error previously submitted and any questions which may be raised by members of the Board. The presentation shall not exceed thirty (30) minutes.

If you have any questions concerning the procedure, please contact me at _____.

NOTICE TO PROFESSOR
RULE 10

After a thorough and judicious review of _____ (student's name) examination paper in _____ (course name) for the semester of 20 _____, the Grade Appeal Board finds that there is reasonable grounds to believe possible error resulted in grading the student's examination paper. Unless further evidence is presented to the Board justifying the grade received by the grieving student, a recommendation will be made to change the student's grade to the grade of _____. You have the right to appear before the Board on _____ (date) at _____ o'clock in _____ (designated room) to contest the finding of the Board and present further evidence on this matter.