

## **Procedures on Grade and Other Academic Complaints for SLA Graduate Students**

The following procedures for dealing with student complaints was proposed by the Senate Committee on Academic Freedom and Responsibility of Students and approved by the University Senate on November 3, 1980 and revised by the appropriate Senate Committees between 1982 and 1989. These procedures supersede any existing department policy for responding to academic grievances initiated by graduate students. These procedures do not apply to cases under the student Conduct Code that deal with harassment and discrimination (see: <https://tulane.edu/equity/policies/upload/EO-Policy-Final-2013-7.pdf> ). These procedures also do not apply to cases under the Unified Code of Graduate Student Academic Conduct <http://tulane.edu/provost/upload/Unified-Code-of-GS-Academic-Conduct-11-14-07.pdf>

### Scope of Grade Appeal

The instructor in each graduate course is charged with determining the criteria and methods for evaluating students and assigning final grades. These decisions of the instructor, however, must be compatible with any policies previously accepted by the faculty of a department or college with respect to particular courses. The instructor will determine the methods of conducting a course within limitations set by the classification of a course as lecture-discussion, seminar, etc. An instructor may vary the teaching pedagogies and methodology to meet particular circumstances of a course or the instructor's own desires to innovate or experiment with different approaches. Any method that the instructor selects for evaluating student performance and assigning final grades must be compatible with the predetermined goals and objectives of the course.

A grade appeal shall be confined to charges of unfair treatment or action toward an individual graduate student. The grade appeal may not involve a challenge of an instructor's grading standard, procedures, or criteria. The grade appeal considers whether a grade was determined in a fair and appropriate manner. The grade appeal does not attempt to re-grade individual assignments or completed projects. The student is required to substantiate the claim that his or her final grade represents unfair treatment, compared to the standard applied to other students in the course. Only the final grade in a course or project may be appealed. In the absence of compelling reasons, such as clerical error, prejudice, or capriciousness, the grade assigned by the instructor of record is to be considered final. In a grade appeal, arbitrariness, prejudice, error, some other unfair treatment will be considered as legitimate grounds for an appeal.

**Arbitrariness:** The grade awarded represents such a substantial departure from accepted academic norms as to demonstrate that the instructor did not follow the course procedures in determining the final grade.

**Prejudice:** The grade awarded was motivated by ill will, and is not indicative of the student's academic performance.

Clerical Error: The instructor made a mistake in fact. This grade appeal procedure applies only when a student initiates a grade appeal and not when the instructor decides to change a grade on his or her own initiative.

### Student Grade Appeal Procedure

1. Within two weeks of receiving the grade or other cause of complaint\*, the graduate student should attempt to resolve the grievance by communicating directly with the instructor or other supervisor in person, in writing or via electronic communication.
2. If graduate student and the instructor or other supervisor cannot arrive at a mutually satisfactory solution within seven days\*\*, the grievance should immediately be referred by the student to the director of graduate study in the department or program\*\*\* or the chair of the department for resolution. If the director of graduate study is also the instructor involved, the department or graduate program will appoint another faculty member to serve the mediation functions of the director of graduate study.
3. If the complaint cannot be resolved by mediation between the instructor/supervisor, the student and members of the department or program within seven days of its referral to the director of graduate study, the director should invite both the graduate student and the instructor or other supervisor to submit written statements of their opinions concerning the grievance to an ad hoc academic grievance committee composed of three full-time tenured or tenure-track faculty members of the graduate program. (Each graduate program will set up a grievance committee together with guidelines for its procedures and authority. A copy of the guidelines will be sent to the SLA's Dean's Office to be kept on file). The committee should render a decision in the matter within ten days of receiving the written statements and send a letter\*\*\*\* communicating the decision to the student with copy to department chair. The committee letter should contain not only the decision but an explanation of the grounds upon which the decision was reached.

The accused student has the right to be assisted by an advisor selected from a list of faculty in SLA. The Director for Liberal Arts Graduate Programs or the Associate Dean of Graduate Programs will provide the accused student with a list of potential advisors. The advisor may not have an attorney-client relationship with the person advised.

Through its inquiries and deliberations, the ad hoc grievance committee is charged to determine whether the grade was assigned in a fair and appropriate manner, or whether clear and convincing evidence of unfair treatment such as arbitrariness, prejudice, and/or error might justify changing the grade. The ad hoc grievance committee will make its decisions based on a majority vote. If the committee concludes that the grade was assigned in a fair and appropriate manner, the ad hoc committee will report its conclusion in writing to the student and instructor and the matter will be considered closed. If the ad hoc grievance committee determines that compelling reasons exist that the final grade was assigned in an arbitrary, capricious, or unfair fashion, it would request that the instructor make the change, providing the instructor with a written

explanation of its reasons. Should the instructor decline, he or she must provide a written explanation for refusing.

The function of the ad hoc grievance committee is akin to an appellate court tasked with identifying if there was an explicit violation in the grading procedures that resulted in the alleged grievance. The committee does not evaluate whether the instructor's grading procedures are correct; only if there was a clear and explicit violation in the implementation of the grading procedures (or that they were not properly followed) that produced the outcome (e.g., the alleged grievance).

4. If the student or instructor is dissatisfied with the ad hoc grievance committee's ruling, he or she may file a written appeal to the Dean of the School of Liberal Arts within five days of receiving the decision. A student or instructor may appeal a decision of the ad hoc grievance committee only if s/he has clear and convincing evidence of procedural error defined as an explicit violation of the procedures conducted by the ad hoc grievance committee.

The Dean may uphold, reverse, or return for further consideration, the ad hoc grievance committee's findings. The Dean's decision should be made within five days and communicated in writing to all principals in the case which shall include at least: the student, the instructor or supervisor concerned, the director of graduate study of the department or program, and the chair/director of the department or program. In the event that the Dean return the case to the graduate program for reconsideration, all procedures and appellate avenues described in sections 3 and 4 of this document are again operative.

5. If either the student or the instructor/supervisor is dissatisfied with the Dean's decision, he or she may file a written appeal with the SLA Graduate Studies Committee (GSC) within five days of receiving the Dean's decision. Based on the appeal petition and the Dean's prior written decision, the GSC will decide whether or not to hear the appeal within five days of receiving the appeal petition. If the GSC decides that there are not sufficient grounds for a review of the Dean's decision, the Chair of the GSC will notify the student by printed letter, with electronic copies sent to the principals involved in the case as outlined above.

If the GSC decides that there are sufficient grounds for a review of the Dean's decision, it will interview both the student and the teacher in person within ten days of its decision to hear the appeal. A quorum of three GSC members, one of whom must be a faculty member, and one of whom must be a student, is necessary to conduct such hearings and to make a decision regarding the appeal afterwards. . The GSC may, at its discretion, interview other principals involved. The student, the instructor or supervisor and other principals involved may also submit written materials to the GSC. The student and the instructor or supervisor must be interviewed in person for the hearing process.

After the GSC interviews both the student and the teacher (or other principals involved) then the Chair of the GSC will send the results of the committee's decision in the form of a letter to the student, other principals involved and the SLA Dean within three days of the GSC final decision. The GSC must ultimately uphold or reverse the departmental decision.

The GSC's responsibility is to render a decision based on the written statements previously submitted by the student and instructor and the decisions communicated by both ad hoc grievance committee and the Dean. If new evidence becomes available, the appeals process will start over.

The decision reached by the GSC is to be communicated by the chair of the GSC in writing directly to the dean, the instructor, and the student. The explanation for the decision will also be communicated.

6. If, in accordance with faculty rights as specified in the Faculty Handbook and in the Constitution and Bylaws of the University Senate and the various divisions, the instructor or other supervisor believes that his or her academic freedom or academic responsibilities have been affected by the dean's ruling, the instructor or other supervisor may appeal to the appropriate committee of peers at the divisional level (ordinarily the faculty grievance committee of SLA). The appeal by the instructor or other supervisor must be made within ten days of the GSC committee decision provoking the appeal. If the teacher is dissatisfied with the committee of peer's decision regarding his or her academic freedom or responsibilities, the teacher may appeal to the Senate Committee on Faculty Tenure, Freedom, and Responsibility. That appeal also must be made within ten days of the action provoking it. No grade may be changed until the teacher's appeal process has been completed.

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\*If the teacher or supervisor cannot be reached due to summer vacation winter break , or other circumstances, contact should be made as soon as possible or within one week of the beginning of the following semester.

\*\*Here and throughout, days refer to working days.

\*\*\* Director of Graduate Study responsible for the graduate course if concerning a grade or course related issue or of department if concerning other issues.

\*\*\*\*Here and throughout, communication in writing or letter refer to physical paper letter or letter attached to or part of the body of an e-mail communication.

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