



# AE 9.1: Grade Appeal Policy

## POLICY STATEMENT

This policy provides a process for students to appeal a Final Course Grade and establishes the review process for such appeals. The Grade Appeal Policy provides students with a safeguard against unfair or biased evaluations of their academic performance.

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## DEFINITIONS

**Final Course Grade:** The letter grade submitted to the official grade roster and reported on official transcripts.

**Working Day:** Monday through Friday when college classes are scheduled and in session during the fall and spring semesters; does not include summer and winter terms or holidays when the instructor is off contract.

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## PROCEDURES

### I. Eligibility to Appeal

The procedures set forth in this policy are applicable only to examine a student's claim of an unfair academic evaluation made by the instructor that resulted in an inappropriate or inaccurate Final Course Grade.

Students may appeal a Final Course Grade if one or more of the following circumstances apply:

- A. A clerical or administrative error occurred in the calculation and/or assignment of the grade;
- B. The student believes the instructor assigned a Final Course Grade based on factors other than the student's performance in the course and/or completion of course requirements;
- C. The student believes the instructor assigned a Final Course Grade that held the student to more demanding standards than other students in the same course section.

Students are not eligible to appeal a Final Course Grade if any of the following circumstances apply:

- The student received the Final Course Grade as a result of academic misconduct;
- The sole rationale for appeal is that the student seeks to reverse the impact of the Final Course Grade on the student's academic progress, eligibility for financial aid, scholarships, veteran's benefits, athletics, and/or other programs or activities;
- The sole rationale for appeal is that the student observed or experienced differences in grading practices between different instructors, different courses, or different sections of the same course.

### II. Attempt at Informal Resolution with Instructor

If a student has a dispute regarding the Final Course Grade assigned in a course, it is the student's responsibility to collect and present evidence to the instructor regarding the accuracy of the Final Course Grade. The student must contact the instructor, via email or the learning management system, no later than

**five (5) Working Days** after the Final Course Grade is officially posted to the student information system by the Office of the Registrar. The student should document all communication and retain any relevant evidence for review by the instructor, and, if a formal appeal is later filed, for others involved in the appeal process.

If the instructor agrees that the Final Course Grade should be changed (e.g. a clerical error is discovered), the instructor will submit a Grade Change Form to the Office of the Registrar.

If the student and instructor are unable to resolve the situation informally, or if the instructor does not respond, within **ten (10) Working Days** of the student's first communication to the instructor about the Final Course Grade, the student may proceed to a Departmental Grade Appeal.

### **III. Departmental Grade Appeal**

To initiate a Departmental Grade Appeal, the student shall submit the *Departmental Grade Appeal Form*, available from the Office of the Registrar.

- A. *Deadline to Appeal:* A Departmental Grade Appeal must be filed no later than **five (5) Working Days** after the informal resolution period concludes; this will usually fall within the first week of the following fall or spring semester. A student who fails to file within this time period forfeits the right to appeal, and the assigned Final Course Grade is upheld.
- B. *Documentation/Evidence:* It is the student's responsibility to supply evidence for consideration in the appeal. Along with the *Departmental Grade Appeal Form*, the student must include any available supporting documentation, which may include, but is not limited to, personal grade records, assignment instructions, course syllabi or course policy statements, copies of graded work, and email communication with the instructor. The type of documentation that is relevant will vary depending on the basis of the appeal. At any stage in the Departmental Grade Appeal process, the Dean (or designee) may request additional information or documentation from the student.
  - 1. If relevant documentation is part of the instructor's class records and inaccessible to the student, the student may request such documentation from the Dean (or designee). The Dean (or designee) will make a good-faith effort to provide the requested materials, provided that doing so does not violate FERPA or other College, state, or federal policies or regulations.
- C. *Determination of Eligibility for Appeal:* The Office of the Registrar will forward the Departmental Grade Appeal materials to the appropriate Dean (or designee). The Dean (or designee) will evaluate the rationale for the appeal. If the rationale for the request does not meet the eligibility criteria established in Section I above, the Dean (or designee) will inform the student in writing, via email, within **five (5) Working Days** that the request is not eligible for a grade appeal.
- D. *Request for Response from Instructor:* If the Dean (or designee) determines that the rationale for the appeal meets criteria established in Section I, the Dean (or designee) will contact the instructor via email within **five (5) Working Days** of receipt of the Departmental Grade Appeal Form to request a written response to the grade appeal. If the instructor is no longer employed by the College, every reasonable effort will be made to reach the instructor.
- E. *Response from Instructor:* Within **ten (10) Working Days** of receiving the request for a written response, the instructor will submit the response to the Dean (or designee) via email. If the instructor cannot be reached or does not respond, the Dean (or designee) will collect and review all available documentation relevant to the appeal and may request that a faculty member from the same discipline or academic area evaluate the appeal materials and recommend a course of action.

- F. *Decision:* The Dean (or designee) will review all materials submitted by the student and instructor and may request additional information or documentation from either party. Within **five (5) Working Days** of receiving the instructor's response, the Dean (or designee) will make a determination to approve or deny the appeal and will notify the student, instructor, and Office of the Registrar via email of the decision, the rationale for the decision, and, if appropriate, any actions to be taken by the instructor (e.g. re-grading an assignment, accepting a previously un-graded assignment). If the decision leads to a revised Final Course Grade, the instructor will submit a Grade Change Form to the Office of the Registrar.

#### IV. College Grade Appeal

A student who contests the Departmental Grade Appeal decision may request a College Grade Appeal by completing the *College-Level Grade Appeal Form*. Though students may submit the form during a summer or winter term, the appeal process will not begin until the first Working Day during a fall or spring semester.

- A. *Eligibility to Appeal:* In order to file a College Grade Appeal, the student must show that one of the following conditions apply:
1. New evidence is available that may alter the decision;
  2. Based on the rationale provided for the Departmental Grade Appeal decision, the student believes the case was misunderstood or misrepresented by the Dean (or designee), leading to an inappropriate decision;
  3. The student believes the Dean (or designee) exhibited prejudicial treatment by applying a different standard to the student than to other students or by failing to follow established course or College policies and procedures in making the Departmental Grade Appeal decision.
- B. *College Grade Appeal Committee:* A standing College Grade Appeal Committee will be created by the Office of the Provost each fall semester. Faculty members serve a term of two (2) academic years; students serve a term of one (1) academic year. The Committee consists of the following:
1. One (1) full-time academic faculty member from each School, appointed by the relevant Dean;
  2. One (1) additional faculty or staff member appointed by the Provost to serve as Committee Chair;
  3. One (1) student representative and one (1) student alternate, appointed by the Nevada State Student Association (NSSA).
- C. *Deadline to Appeal and Required Documentation:* The student must submit a completed *College-Level Grade Appeal Form*, available from the Office of the Registrar, within **ten (10) Working Days** of receiving the Departmental Grade Appeal decision. A student who fails to file within this time period forfeits the right to further appeal, and the Departmental Grade Appeal decision is final. The student requesting the College Grade Appeal must provide a justification for the appeal that addresses one or more of the eligibility criteria provided in section IV.A and may submit additional documentation or evidence related to the appeal.
- D. *Notification of Appeal:* Within **two (2) Working Days** of receiving a completed petition from the student, the Office of the Registrar will deposit the *College-Level Grade Appeal Form*, any new documentation or evidence, all materials from the Departmental Grade Appeal, and the Departmental Grade Appeal written decision in a folder housed on a campus server and will notify the Office of the Provost and the instructor. Incomplete applications may delay processing of the appeal. Within **two (2) Working Days** of notification of the appeal, the Office of the Provost will provide the student with the names of Committee members and will inform the Committee that the student has submitted an appeal.
- E. *Committee Disqualifications and Challenges:* Committee members must disqualify themselves from membership if they have a conflict of interest regarding the case or the student or believe they may have a personal bias that would affect their judgement in the case. The student or instructor may challenge a

Committee member on the grounds of conflict of interest or personal bias; in such cases, the burden of proof is on the challenger. All challenges, including a rationale, must be submitted to the Committee Chair within **three (3) Working Days** of receiving the notification of Committee membership. The Committee will decide whether to remove a challenged member by a simple majority vote of the other members; in the case of a tied vote, the challenged Committee member will be replaced. If a challenge to a faculty member of the Committee is upheld or a faculty member is disqualified, the Provost will appoint another faculty member to fill the vacancy; if the student representative is removed, the alternate student representative will serve as the replacement.

- F. *Committee Request for Materials:* Once membership on the College Grade Appeal Committee is finalized, the Office of the Provost will provide the Committee with access to the appeal materials. The Committee may request additional information as needed to understand the context of the appeal in advance of the hearing; the Committee Chair will submit such requests on behalf of the Committee.
- G. *Notice of Hearing:* The Office of the Provost will schedule the hearing to occur no more than **fifteen (15) Working Days** after the Office of the Provost was notified of the appeal. The Office of the Provost will notify the student, the instructor, and all members of the College Grade Appeal Committee via email of the date of the hearing. All Committee members must attend the hearing; in exceptional circumstances that prevent a Committee member from attending in person, they may be allowed to attend via videoconference with the approval of the Committee Chair. If the student representative cannot attend the hearing, the student alternate will replace them on the committee. A representative from the Office of the Provost will attend as a non-voting procedural consultant to the Committee and will document the proceedings.
- H. *Instructor Attendance at Hearing:* The instructor is encouraged to appear in person to present a case to the College Grade Appeal Committee. Faculty may appear via videoconference or phone with the approval of the Committee Chair. The instructor may also choose not to attend the hearing; in this case, the hearing will be held in their absence. The College Grade Appeal Committee will act upon the evidence provided whether or not the instructor is present.
- I. *Student Attendance at Hearing:* The student must appear to present a case. Attendance should be in-person; in exceptional circumstances (e.g. a student in an online program does not live within reasonable distance of the College), the student may be allowed to appear via videoconference with the Committee Chair's approval. If the student fails to appear, the appeal will be dismissed.
- J. *Written Statements:* If the student or instructor wishes to submit a written statement, they must notify the Committee Chair via email. Submission of a written statement does not substitute for attendance at the hearing. The written statement must be submitted to the Committee Chair via email no fewer than **three (3) Working Days** before the hearing. Written statements submitted after this deadline will not be accepted. Written statements must be signed (physically or electronically) by the author. Unsigned written statements will not be admitted as evidence. The Committee Chair will email any written statements to the student, instructor, and all Committee members at least **two (2) Working Days** before the hearing.
- K. *Hearing Moderation:* The Committee Chair will moderate the hearing. The Committee Chair is authorized to guide the conduct of the hearing, maintain order, and ensure everyone in attendance behaves in a civil and constructive manner. The Committee Chair may establish procedural rules as needed to ensure that the hearing is conducted in a fair and orderly manner, provided such rules are not inconsistent with other procedures described in this policy. If the student, instructor, or any other attendee fails to maintain order and civility during the hearing, the Committee Chair has the discretion to end the hearing. In such a case, the Committee Chair will confer with the Office of the Provost to determine appropriate next steps and an adjusted timeline, if needed.

- L. *Presentation of Case*: The burden of proof falls on the student. Both the student and instructor will be provided an opportunity to respond to the other person's claim and to discuss evidence in support of their position. The College Grade Appeal Committee may question the instructor and the student. The Committee Chair may place reasonable time limits on presentations and responses. The presentation of evidence/testimony portion of the hearing may not last more than one (1) hour.
- M. *Consulting Representative*: The student and instructor each have the right to bring one (1) person of their choice to the hearing in the role of consulting representative. The consulting representative must be a current student or faculty or staff member at the College. The consulting representative is only present to consult with or support the student or instructor and may not participate directly in the hearing.
- N. *Deliberations and Decision*: The College Grade Appeal Committee will deliberate in a closed meeting within **five (5) Working Days** after the hearing. The Committee will make the final decision by a simple majority vote conducted anonymously. The Committee Chair is responsible for tallying votes.
- O. *Notification of Final Decision*: Within **two (2) Working Days** of the final decision vote, the Committee Chair will notify the student, the instructor, the Dean (or designee) who made the Departmental Grade Appeal decision, the Office of the Provost, and the Office of the Registrar via email of the Committee's final decision and, if appropriate, any actions to be taken by the parties involved. If the decision leads to a revised Final Course Grade, the instructor will submit a Grade Change Form to the Office of the Registrar. The College Grade Appeal decision is final and is not subject to further appeal.
- P. *Confidentiality of Appeal Hearing and Materials*: The Committee Chair will collect any physical College Grade Appeal materials in the possession of Committee members and deliver them to the Office of the Provost within **three (3) Working Days** of the final decision vote; all digital files must be permanently deleted within this time period as well. College Grade Appeal Committee members may not retain in their possession any materials received during the appeal procedure, notes taken during the hearing or deliberations of the College Grade Appeal Committee, or personal files related to the case.

#### V. Retention of Records

Documents related to Departmental and College Grade Appeals become part of the student's records maintained by the Office of the Registrar and will be retained according to the schedules outlined in the NSC Catalog.

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## FORMS/INSTRUCTIONS

- College-Level Grade Appeal Form
  - Departmental Grade Appeal Form
  - Grade Change Form
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## CONTACTS

Sita Sales, Office Manager  
Office of the Provost  
702-992-2600  
[Sita.sales@nsc.edu](mailto:Sita.sales@nsc.edu)

Adelfa Sullivan, Registrar  
702-992-2110  
[registrar@nsc.edu](mailto:registrar@nsc.edu)

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## RELATED INFORMATION

- [Family Educational Rights and Privacy Act \(FERPA\)](#)
  - [NSHE Code Chapter 2: Academic Freedom and Responsibility](#)
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## HISTORY

Replaces AE 9: Grade Appeal Policy

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## APPROVAL SIGNATURES PAGE

  
\_\_\_\_\_  
Faculty Senate (Chair's Signature)

9/1/2020  
\_\_\_\_\_  
Date

Recommendation (check one):

	Denial	Approval	Approval w/ condition*
<i>Recommendation</i>		X	



\_\_\_\_\_  
Office of the Provost (Provost's Signature)

\_\_\_\_\_  
Date

Recommendation (check one):

	Denial	Approval	Approval w/ condition*
<i>Recommendation</i>		X	



11.10.2020

\_\_\_\_\_  
Office of the President (President's Signature)

\_\_\_\_\_  
Date

Final decision (check one):

	Denial	Approval	Approval w/ condition*
<i>Recommendation</i>		X	

\*Attach rationale for denial or conditional approval