



MISSISSIPPI STATE UNIVERSITY

ACADEMIC OPERATING POLICY AND PROCEDURE

MEMORANDUM TO: All Holders of Mississippi State University Academic Operating Policy and Procedure Manual

DATE: June 5, 1997 (Rev. 9/9/02)
(Revised April 19, 2004)
Revised April 02, 2008

SUBJECT: AOP 13.14 - Grade Appeal and Academic Review Board

PURPOSE

The purpose of this Academic Operating Policy and Procedure (AOP) is to promote an understanding and standardization of the Academic Review Board's operating policies and procedures.

REVIEW

This AOP will be reviewed every five years or whenever circumstances require an earlier review by the Associate Provost for Academic Affairs (APAA) with recommendations for revisions presented to the Provost and Vice President for Academic Affairs.

POLICY/PROCEDURE

GRADE APPEAL PROCESS THROUGH ACADEMIC REVIEW BOARD

A. COMPOSITION OF THE BOARD

The Academic Review Board will be composed of one member of the teaching faculty from each of the schools or colleges of the University; there shall be one alternate from each of the schools

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or colleges. Members will be elected by their University division (in the same manner and at the same time as Faculty Senate representatives). The member and alternate who represent Graduate School and are elected by the Graduate faculty shall be full members of that faculty. The election of the graduate faculty representatives will be coordinated by the Graduate Council on a two-year basis. In addition to the elected member, the Board will also include a student recommended by the Student Association president and three faculty members at large appointed by the Provost and Vice President for Academic Affairs, who should ensure adequate minority representation. The student member serves one year. Faculty members serve two years and alternates two years, beginning on July 1 following their election; they may be reelected. The Dean of Students and the Dean of Graduate School shall serve as ex-officio (non-voting) members. The Provost and Vice President for Academic Affairs will select the interim chair from among the faculty membership. The interim chair will convene the Board to conduct the election of the Board Chair.

B. STATEMENT OF POLICY

Student performance should be evaluated according to academic criteria, not on the basis of opinions or conduct in matters unrelated to academic standards.

The instructor (defined as one who has the responsibility for a class, directed individual study, or thesis) has the authority in class over all matters affecting the conduct of the class, including assignment of grades. The instructor shall be presumed to have assigned the proper grade until it is proven otherwise. The burden of proof to the contrary rests with the student.

Students shall have protection through orderly appellate procedures against prejudiced or capricious academic evaluation. The method of grading by instructors should be made clear to students, and instructors should be required to justify disputed grades. All records on which grades are based should be retained on file for a minimum of six months.

Appeals associated with the fairness of grades must be filed with the instructor's department head within 30 calendar days of the beginning of the next regular semester (Fall, Spring) following the term in which the grade is assigned. Hearings for grade appeals will not be scheduled during the summer session.

All decisions will be based solely upon the material presented. Under no circumstances shall past appeals made against the instructor be considered. The student and instructor shall have an opportunity to review and respond to all material pertaining to the appeal.

The grade being appealed shall remain in effect until the appeal process is concluded. Any associated effects (loss of eligibility or privilege of any kind) shall be invoked, even though an appeal is pending or planned.

C. APPEAL PROCEDURE

1. The student is to take the complaint in writing to the instructor involved.
2. If the student does not obtain satisfaction, the student may acquire a grade appeal form from any academic dean's office or from the Registrar's Office, fill it out, and take it to the instructor's department head within 30 days after the beginning of the following regular semester (Fall, Spring). The department head shall acknowledge the receipt of the form and return the duplicate to the student. The complaint should be described fully on the grade appeal form and the nature of this complaint shall remain constant throughout the appeal process.
3. The department head will rule on the grade appeal. Either the student or the instructor may appeal this ruling to the academic dean to whom the department head reports. If appealed, the department head shall immediately forward the appeal form with a letter of recommendation to the dean. The dean will then send copies of all materials to the student's dean, if different from that of the department head's dean. Both the department head and dean's review will occur within a reasonable time and in ordinary circumstances will take no longer than two weeks for each level.
4. The dean will rule on the grade appeal. Either the student or the instructor may appeal this ruling to the Provost and Vice President for Academic Affairs. The reviewing dean shall immediately forward the appeal form, a letter of recommendation, and the complete case file to the Provost and Vice President of Academic Affairs. The Provost and Vice President for Academic Affairs may then refer the case to the Academic Review Board within two weeks. Note: If the appeal were to arrive in the Provost Office with less than two weeks left in the spring semester, the appeal would be referred to the Academic Review Board at the beginning of the following fall semester.
5. Hearing procedure. The following guidelines are established for the direction of the Academic Review Board conducting formal hearings on academic appeals:
 - a. The instructor and student shall be informed in writing by the Provost and Vice President for Academic Affairs of the place and time of the hearing.
 - b. The instructor and student will be allowed 72 hours to prepare for the hearing. The instructor and student may request additional time by showing cause in writing to the chair. The instructor and student shall be advised that they have the right to appear with an advisor if they so choose.

c. The majority of the hearing Board members (or their alternates) shall constitute a quorum. In the event a quorum is not present, both the student and instructor must agree to proceed with the hearing, otherwise the hearing will be rescheduled.

d. Academic Review Board hearings are of a private, confidential nature. They are closed to the public.

e. The instructor shall be strongly encouraged to appear in person to present his/her case to the Academic Review Board, and the instructor may call witnesses in his/her behalf. However, the instructor may elect not to appear before the Review Board. Should the instructor elect not to appear, the hearing shall be held in his/her absence. The failure of an instructor to appear must be noted without prejudice; however, the Board will act upon the evidence presented to it whether or not the faculty member is present. The student must appear in person to present his/her case and may call witnesses in his/her behalf. Both the student and the instructor must provide to the chair a list of witnesses they intend to call at least 72 hours before the hearing.

It will be left to the discretion of the Academic Review Board whether or not to permit the introduction of any particular written statement. If written evidence is to be presented against the instructor, the instructor shall be allowed to see the actual signed statements at least 72 hours before the hearing. Unsigned statements shall not be admissible as evidence.

f. The instructor or student shall have the right to challenge any member of the Academic Review Board for good cause and request that the individual be disqualified for that hearing. This dismissal of a challenged hearing Board member shall be at the discretion of the hearing Board Chair. Should the Chair be directly involved in the case, the Chair shall excuse himself/herself and a Chair Pro Tempore shall be selected by the members of the Academic Review Board for that hearing.

g. The instructor and student shall have an opportunity to be present during the presentation of all evidence and to challenge the admissibility of any evidence. They shall each have the opportunity to question all witnesses. The Chair of the Academic Review Board shall supervise any questioning of this nature, and, at the Chair's discretion, may strike any questions which are not relevant to the purpose of the hearing. The Board may question the instructor, the student, and any witnesses.

h. The recommendation in each case shall be made by a majority of Academic Review Board members present and voting.

i. Recommendations of the Board and the factual basis upon which the recommendations are made will be issued in writing to the Provost and Vice President for Academic Affairs for a final decision. The Provost and Vice President for Academic Affairs shall transmit the recommendations and the Provost's decision to the instructor and the student within 30 days of receiving the recommendations of the Board.

D. RETENTION OF RECORDS

As part of the University's grade appeal policy, faculty members are required to keep records on grades, examinations, projects, term papers, and other pertinent material not returned to the students on file for a minimum of six months.

