

Grade Appeals and Student Grievances

For Graduate Programs

Student Grievance and Appeals Policy

Mary Baldwin University recognizes the need for student to voice grievances and to seek resolution to problems, disagreements with faculty and/or administrators, or interpretations of institutional policy.

General Complaints

1. The program director will hear the student's concern and determine an appropriate course of action. In most cases, this course of action will consist of one or more of the following:
 1. Mediation
 2. Counseling
 3. Referral to the school director
 4. Resolution with no further action
2. If the concern involves the program director, the complaint should be submitted directly to the school director.
3. If the concern involves the school director, the complaint should be submitted directly to the dean.
4. If the grievance cannot be resolved in the above manner, the student may submit the complaint to the Vice President.
5. If the grievance is still not resolved, the student is referred to step 5 of the Uniform Grievance Policy in the Academic Catalog for Undergraduate and Graduate Programs.
6. Records regarding general grievances will be housed in the dean's administrative office.

General Appeal

The University recognizes the right of the student to have due process regarding decisions related to their academic success at MBU. A student may only appeal an Honor Council decision, final grade, disciplinary withdrawal, suspension/removal from a clinical site, or program dismissal.

If dismissal from the program is a result of grades, the student may appeal the grade causing the dismissal. If the appeal is unsuccessful, the dismissal stands; the student cannot appeal the dismissal as well as the grade. If the appeal is successful, the dismissal will be rescinded.

The student shall be allowed to continue taking courses until the appeal is resolved (with the approval of the program director in which the classes are taken), with the exception of clinical courses, or when the students' continued participation is deemed by the program director to be harmful or disruptive to other students and/or the program. If the appeal is unsuccessful and the dismissal stands, the student will be removed from any classes in which he or she is registered and will be responsible for any tuition and fees accrued as a result of registration during the appeals process.

All information gathered during the appeal process will be kept confidential to the extent possible while providing necessary individuals with the information needed to make an informed decision, consistent with the Family Educational Rights and Privacy Act (FERPA).

Grounds for Appeal

A decision is deemed to have been assigned arbitrarily or impermissibly if, by a preponderance of the evidence, a student establishes it was:

1. Impermissible based in whole or in part upon the student's race, color, religion, national origin, age, sex, disability, sexual orientation, or other reason unrelated to the instructor's professional academic judgment in the evaluation of the academic performance of the student; or,
2. Assigned in a manner not consistent with the standards and procedures for evaluation established by the instructor, the program, or the university, in the course syllabus, or during the class/program in written or oral communications directed to the class/program as a whole;
3. The result of a clear and material mistake in calculating or recording grades or other evaluation. Individual elements (e.g., assignments, tests, activities, projects) which contribute to a final grade are generally NOT subject to appeal or subsequent review during a final grade appeals procedure. However, individual elements may be appealed under these procedures providing all of the following conditions are met:
 1. The student presents compelling evidence that one or more individual elements were graded on arbitrary or impermissible grounds;
 2. Grounds can be established for determining a professionally sound grade for the appealed element(s);
 3. The ensuing grade for each appealed element would have resulted in a different course grade than that assigned by the faculty member or dismissal from a program.

Procedures

The following procedures detail the steps for filing a student appeal. The student must exhaust all program level appeals processes before filing a formal appeal to the College.

Program Level Appeals Procedure

1. APPEAL TO INSTRUCTOR

Within twenty (20) calendar days after the student receives notification of the decision the student should submit a formal written appeal to the instructor. This appeal must include:

- A statement of the reason(s) why the student believes the grade/ decision was impermissibly or arbitrarily assigned (see Appeal Policy)
- The resolution sought.
- All correspondence should include contact information.
- The instructor must respond to the student's request in writing (no later than ten working days after receiving the student's written appeal). This response should detail whether or not the instructor is approving or denying the appeal.

2. APPEAL TO PROGRAM DIRECTOR

If the student is unable to resolve the grievance through the appeal to the instructor, the student should submit a written appeal to the program director within ten (10) working days of receiving the instructor's written response (from Step 1). Students appealing to the program director assume the burden of proof.

This appeal must include:

- A statement of the reason(s) the student believes the grade was impermissibly or arbitrarily assigned;

- The steps taken to resolve the disagreement over the assigned course grade;
- The resolution sought.
- The appeal must be accompanied by evidence the student believes supports the conclusion that the grade was impermissibly or arbitrarily assigned. Evidence might include papers, tests, syllabi, or written documentation.

Within ten (10) working days of receiving this appeal, the program director will notify the student of the decision.

3. APPEAL TO COLLEGE ACADEMIC ACTION COMMITTEE

If a student's appeal to the Program Director is decided in a manner adverse to the student, then the student may appeal the matter to the College Academic Action Committee (CAAC). The student should forward the initial appeal to the instructor and response (from Step 1.), the subsequent appeal to the program director, and written notification (from Step 2.) to the dean's office. Upon receipt of the appeal and aforementioned materials, the dean will convene the CAAC.

The purpose of the CAAC is to determine whether the facts support the student's contention the decision was impermissibly or arbitrarily assigned, or there was material procedural deviation, as defined in the policy. It is not the function of the Committee to re-evaluate the student's work / behavior to determine whether the CAAC agree with the professional judgment of the faculty member who made the decision.

The committee shall be convened no later than ten working days from the time the request was made to the dean's office by the student. All relevant documents collected by the dean will be shared with committee members. Additionally, the CAAC reserves the right to request oral presentations from both parties. Other relevant parties may be questioned. Neither the student nor the faculty member may be accompanied or represented in the hearing by legal counsel. The student and the faculty member may be accompanied in the hearing by a silent advocate. This advocate is intended as a support person and will not be permitted to speak to the committee. He or she must be a member of the Mary Baldwin community. The CAAC may consider only such evidence as is offered by the parties and at the hearing(s). The burden of proof shall be on the student to satisfy the Committee that a preponderance of the evidence supports the grade/ decision was awarded arbitrarily or impermissibly as defined. All decisions of the CAAC shall be made by a simple majority vote. Within ten working days from the conclusion of its hearing(s) on the matter, the CAAC Chair will provide a written report to the student, instructor, and program director. The Committee report must include the Committee's finding of fact and a recommended course of action.

4. REVIEW BY THE VICE PRESIDENT

Within ten (10) working days after receiving the CAAC's report, the student may request a review by the vice president. The vice president will review all information presented to the CAAC and the CAAC report to determine whether there was appropriate due process or there were inconsistencies in the process which require further consideration. At this point the vice president can affirm or change the CAAC decision.

This exhausts MBU Appeal procedures. If the student still wishes to appeal the decision, please refer to step 5 of the Uniform Grievance Policy in the Academic Catalog for Undergraduate and Graduate Programs.