

UMBC POLICY FOR REVIEW OF ALLEGED ARBITRARY AND CAPRICIOUS GRADING IN UNDERGRADUATE COURSES
UMBC Policy # III 1.20.01

I. POLICY STATEMENT

The policy for the review of alleged arbitrary and capricious grading in undergraduate courses is intended to provide students with a means to seek review of a final course grade that is alleged to be arbitrary and capricious.

II. PURPOSE FOR POLICY

In compliance with the Board of Regents Policy III-1.20, this policy is designed to provide undergraduate students with a means for review of course grades alleged to be arbitrary and capricious.

III. CONTACTS

Direct any general questions about this University Policy first to your department’s administrative office. If you have specific questions, call the following office:

| Subject | Contact | Telephone | Email |
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| Policy Clarification | Office of Undergraduate Education – Academic Standards and Policy Specialist | 410-455-3874 | undergraduatepetitions@umbc.edu |

IV. DEFINITIONS

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| Arbitrary and capricious grading | (i) the assignment of a course grade to a student on some basis other than performance in the course, or (ii) the assignment of a course grade to a student by resorting to unreasonable standards or standards different from those which were applied to other students in that course, or (iii) the assignment of a course grade by a substantial, unreasonable and unannounced departure from the instructor's previously articulated standards. |
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V. PROCEDURES

At the beginning of each academic year, each department or program shall nominate from among its tenured faculty two members and one alternate (if available) to serve on the Campus Grade Review Panel, and it shall forward these nominations to the **Office of Undergraduate Education**.

1. An undergraduate student who believes that his/her grade in a course is improper as the result of arbitrary and capricious grading should first attempt to resolve the matter informally by consulting with the instructor then with the Department Chair/Program Director, who may rely on the assistance of other instructors who teach the same course or subject, then with the Dean of the instructor's College, and finally with the **Associate Vice Provost for Undergraduate Education**. Students who file a written appeal under the alleged arbitrary and capricious grading procedures shall abide by the final disposition of the appeal, as provided in section V., 7., and are precluded from subsequently seeking review of the matter under any other procedure within the University.
2. If a satisfactory outcome is not forthcoming, the student (or a group of students with the same complaint) may file a formal appeal with the **Associate Vice Provost for Undergraduate Education**. This appeal must be made within the first four weeks of the Fall or Spring semester following assignment of the disputed grade, and it shall be accompanied by a report of the student's effort to resolve the dispute informally and the consequences thereof.
3. **The Associate Vice Provost for Undergraduate Education** may again attempt to resolve the dispute informally. Otherwise, or if the attempt fails, the **Associate Vice Provost for Undergraduate Education** shall immediately appoint a four member committee and charge it with handling the appeal. The four-member committee shall be drawn from the Campus Grade Review Panel and shall include two members (if available) from the Department or Program to which the instructor against whom the appeal is directed belongs (but not including that instructor) and two (or more, if necessary) members from outside that Department or Program. **The Associate Vice Provost for Undergraduate Education** shall designate one member, preferably outside the Department or Program, to convene the committee, but the committee may select a different permanent chair if a majority so choose.
4. The student shall file an appeal by submitting a written statement detailing the basis for the allegation that a grade is improper, justifying the claim that it is arbitrary and capricious, and presenting relevant evidence. The appeal may be dismissed if: (i) the student has submitted the same, or substantially the same, complaint to any other formal grievance procedure; (ii) the allegations, even if true, would not constitute arbitrary and capricious grading; (iii) the appeal was not timely; or (iv) the student has not attempted to resolve the matter informally.

5. If the appeal is not dismissed, the committee shall submit a copy of the student's written statement to the instructor with a request for a written reply within ten days. If it then appears that the dispute may be resolved without recourse to the procedures specified below, the committee will attempt to arrange a mutually agreeable solution.
6. If a mutually agreeable solution is not achieved, the committee shall proceed to hold an informal, non-adversarial fact-finding meeting concerning the allegations. Both the student (or several delegates from a group of students with the same complaint) and the instructor shall be entitled to be present throughout this meeting and to present any relevant evidence. Neither the student nor the faculty member shall be accompanied by an advocate or representative. The meeting shall not be open to the public.
7. The committee shall deliberate privately at the close of the fact-finding meeting. If three members of the committee find the allegation not to be supported by clear and convincing evidence, the appeal shall be denied. If three members of the committee find the allegation supported by clear and convincing evidence, the committee shall take any action which it believes will bring about substantial justice, including, but not limited to: (i) requesting that the instructor re-evaluate the student's work, listing, defining, weighing the criteria used in the evaluation, or (ii) requesting that the instructor administer a new final examination or paper in the course, or (iii) directing the cancellation of the student's registration in the course, or (iv) directing the award of "pass" in the course (other pass/fail regulations notwithstanding), except that such a remedy shall be used only if there is no dispute concerning whether the student has passed the course. **The committee is not authorized to award a letter grade or to reprimand or otherwise take disciplinary action against the instructor. If the committee divides two against two on the appeal, the Associate Vice Provost for Undergraduate Education may take any action which he or she believes would bring about substantial justice.** The decision of the committee or the Associate Vice Provost for Undergraduate Education, as the case may be, shall be final and shall be promptly reported in writing within ten days by certified mail, return receipt requested, to the parties with a copy to the Department Chair/Program Director and a copy to the Dean of the instructor's college. **The Associate Vice Provost for Undergraduate Education** together with the Provost shall in any case be responsible for implementing the decision.

Administrator Use Only

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Policy Section: Academic Affairs

Responsible Administrator: Acad. Standards and Policy Specialist

Responsible Office: Office of Undergraduate Education

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