Procedure 3.2402

Grade Appeal Procedure

Students of Beaufort County Community College have the right to appeal determinations affecting their grades, eligibility to take courses, and/or participation in curricula or extracurricular programs and events. Students may appeal final course grades only and under the following circumstances: 1. Capricious or prejudicial grading on the part of the faculty member in which the student is treated differently than other students in the class; 2. A mathematical error in computing the final grade for the course. Students appealing a final course grade that would prevent them from enrolling in a subsequent course and/or continuing in a program will be allowed to enroll and participate in the subsequent course and/or program until the appeals procedure is finalized. The student will be held financially harmless if the appeal is not in the student's favor.

A. If a student is dissatisfied with the final grade in the course, he/she may appeal the grade no later than ten (10) business days after the end of the semester through the following steps.

B. The student must first appeal the final grade in a course to his/her instructor.

C. If the student is not satisfied with the outcome of the meeting with the instructor, the student will meet and discuss his/her concern with the Dean or Continuing Education Director of said department.

D. If the student is not satisfied with the outcome of the meeting with the Dean or Continuing Education Director, the student should meet and discuss his/her concern the Executive Vice President of Instruction and Workforce Development.

E. If the student is not satisfied with the outcome of the meeting with the Vice President of Instruction and Workforce Development, the student may appeal his/her grade to the Vice President of Student Services.

    1. A notice of appeal must be made in writing to the Vice President of Student Services. The written appeal must be delivered within five (5) working days of an initial meeting with the Vice President of Student Services.

    2. The Vice President of Student Services will notify the Student Appeal Committee and convene members of the committee to hear the student appeal. The Student Appeals Committee is comprised of two students from programs other than the one in which the student is enrolled, one of whom must serve on the Student Government Association, two faculty from programs other than the one in which the student is enrolled, and two staff members. The hearing shall be held within ten (10) college working days following receipt of the appeal from the student except in unusual circumstances or with the consent of the student. The Student Appeal Committee members hearing the appeal shall not have initiated or been involved in the action(s) leading to the appeal by the student. The following

process will be initiated after a written appeal is made to the Vice President of Student Services. In the case of a tie vote on the Student Appeals Committee, the Vice President of Student Services may vote to break the tie, unless the Vice President of Student Services is the instructor, then the Vice President of Administrative Services will break the tie.

3. The Vice President of Student Services shall distribute copies of the appeal or complaint to the Student Appeal Committee members. For an appeal, the Vice President of Student Services will notify the faculty member who assigned the grade that the letter of appeal has been received. A copy of the incident report and documented investigative reports relevant to the case will be made available to committee members.
4. The Vice President of Student Services will notify Student Appeal Committee members, the student making the appeal, and the instructor of the hearing date and time. No more than ten (10) college working days will elapse between the receipt of the complaint and the hearing except in unusual circumstances or with the consent of the student. The Vice President of Student Services must be notified, in advance, if any party is unable to appear at the scheduled meeting for a valid reason. If this occurs, the hearing will be re-scheduled.
5. If any party fails to appear at the scheduled hearing without a valid reason, the committee may make its decision based upon any information received from parties of witnesses appearing at the hearing and/or the written documentation submitted prior to the hearing.
6. No member of the committee who has an interest in the case shall sit in judgment. A temporary replacement shall be appointed by the Vice President of Student Services except in the event of replacing the Student Government Association representative, whose replacement shall be another officer of the SGA.
7. The Student Appeal Committee Moderator shall preside over the hearing and follow established procedures for the hearing including:
    a. Allowing the student to appear and bring counsel or an advisor, who is to serve as a silent observer. The student may introduce evidence and the testimony of witnesses, may present arguments, and may cross examine witnesses. At no time may the counsel or advisor speak to anyone other than the student
    b. Allowing the instructor of BCCC whose academic action is being appealed, to appear and bring counsel or an advisor who is to serve as a silent observer. The instructor has the right to introduce evidence and the testimony of witnesses, to present arguments and to cross examine witnesses. At no time may the counsel or advisor speak to anyone other than the instructor;
    c. Establishing the order in which the sides shall present their information and establishing time frames;

d. Reporting, or selecting a Student Appeals Committee member to report, the committee's decision to the student and the faculty member.

e. Making a record of the hearing, either tape or stenographic (other than the deliberation of the committee which shall be in private). This recording will only be accessible only to the members of the Student Appeals Committee participating in the hearing and the President of the College.

F. Copies of the committee's case summary and decision shall be kept permanently in the Vice President of Student Services' office. A copy shall be mailed by certified mail to the student or hand delivered to the student with a staff member witnessing the act. A copy shall be given to the instructor whose academic action is appealed.

G. A student or instructor may appeal the decision by the Student Appeals Committee. The appeal may be made to the President of the College by writing the Vice President of Student Services (for students), and Vice President over the division indicating the grounds for the appeal within three (3) college working days after receipt of notice of the decision of the Student Appeals Committee.

1. A Notice of Appeal to the President shall identify the student appealing, the decision being appealed, and the reason the student feels the decision of the Student Appeals Committee is wrong.

2. Upon timely receipt of such appeal, the Vice President of Student Services will immediately notify the President of such appeal and provide a transcript of the former hearing to the President together with any material introduced into evidence at the hearing.

3. Within five (5) business days after the President has received the notice of appeal and transcript, he/she will consider whether to hear the appeal.

4. If the President decides to entertain the student's appeal from the Student Appeal Committee, he/she will set a time, date, and place for such hearing within ten (10) business days after receiving the Notice of Appeal from the Vice President of Student Services The President shall immediately notify the student and all other parties named in the Notice of Appeal. The hearing shall consist of the student and his/her silent observer, the instructor and his/her silent observer, any pertinent witnesses, the Vice President of Student Services, and the Executive Assistant to the President and Board of Trustees.

a. The decision of the President shall be made within three (3) business days after the hearing, and the President will immediately provide the student and faculty member with a summary of such decision.

b. A student or faculty member may appeal an adverse decision of the President to the Educational Programs Committee of the Board of Trustees by giving notice to the President within five (5) business days after the notice of the decision of the President.

5. If the President decides not to entertain the appeal, he/she shall so notify the Vice President of Student Services or the Vice President of the division who shall immediately notify the student or faculty/instructor member.

    a. The student or faculty member may, within five (5) business days after receipt of such notification, request the Educational Programs Committee of the Board of Trustees of the College, by letter to the President, to entertain such appeal.

    b. The President will immediately transmit such letter, together with the notice of appeal and transcript of the former hearing to the chairperson of the Educational Programs Committee of the Board of Trustees of the College.

    c. The Educational Programs Committee of the Board of Trustees shall decide whether to entertain such appeal within twenty (20) business days after receipt of the notice from the President regarding his/her decision not to entertain the student's appeal.

    d. If the Educational Programs Committee of the Board of Trustees declines to hear such appeal, the President will immediately notify the student or faculty member that all extrajudicial remedies shall have been exhausted and that the appeals process is closed.

H. Appeals from decisions of the President are made to the Educational Programs Committee of the Board of Trustees. This is the third and final level of appeal.

    1. An appeal entertained by the Educational Programs Committee of the Board of Trustees shall be decided by majority vote (after private deliberation) of the members of the Educational Programs Committee of the Board of Trustees present at the hearing.

    2. The decision of the Educational Programs Committee of the Board of Trustees shall be made within two (2) business days after the hearing, and the President will immediately provide the student or faculty member with a summary of such decision.

    3. Once the Educational Programs Committee of the Board of Trustees' decision is made on the appeal, the student or faculty member's extrajudicial remedies shall have been exhausted. The decision of the Educational Programs Committee is final.

I. Any hearing of an appeal before the President or the Educational Programs Committee of the Board of Trustees shall be upon the record of the former hearing(s) only. The student and BCCC or its appropriate employees or officers may be present, may address arguments to the hearing body, and may bring counsel or an advisor who may at no time speak during the course of the meeting to anyone other than the student or BCCC staff member, respectively. No party to the appeal at such hearing may then introduce evidence or testimony unless the presiding member of the hearing body determines that such evidence

or testimony was previously unavailable or could not have reasonably been produced at the hearing before Student Appeal Committee. In the event such evidence or testimony is admitted, the parties (the student and the BCCC staff only) shall have the right to examine and cross-examine witnesses only with regard to such new evidence or testimony and shall state the student's desire to so appeal.

J. Definitions:

1. "Transcript" is a written summarization of all evidence and testimony presented upon hearing. Arguments of parties or their counsel shall not be a part of the "transcript" unless they are submitted to the hearing body appealed form in writing.
2. "Business day" is any weekday, exclusive of legal holidays and days during which BCCC is not open for business, without regard to whether classes are actually in session. All notices herein provided to be given in writing and are deemed to be given if delivered to the person entitled to notice personally, or mailed to the address as reflected in the records of BCCC.

References

Legal References: *Enter legal references here*

Cross References:
Student Rights and Due Process Policy
Grievance Procedures for Students with Disabilities Procedure
Student Incident Procedure
Student Complaints About Accreditation Procedure
Student Complaints Concerning the College Procedure
Ban Procedure
Distance Education / Online Student Complaint Procedure

History

Leadership Council Review/Approval Dates: *2/14/2020*

Senior Staff Review/Approval Dates: *6/3/2014*

Board of Trustees Review/Approval Dates: *Enter date(s) here*

Implementation Dates: *Enter date(s) here*