



Administrative Procedure

Chapter 4 – Instructional Services

AP 4231 – GRADE CHANGES

This procedure is designed to provide uniform standards to ensure due process when a grade is changed and/or a student challenges the grade received for a class taken at the San Diego Community College District. This procedure implements the requirements set forth in Education Code, Sections 76224 and 76232, and Title 5 Section 55025.

1. DEFINITION OF TERMS

- a. Bad Faith – Bad faith may be found in an instance of intent to deceive, in an act of dishonesty.
- b. Fraud – A deliberate misrepresentation of the truth or a fact intended to result in financial or personal gain.
- c. Incompetence – Incompetence may be found in a lack of ability, qualification, fitness, or performance.
- d. Instructional day – An instructional day is counted as any day the District conducts regularly scheduled classes.
- e. Mistake – A mistake may be defined as an unintentional error and may include clerical errors and errors made by an instructor in calculating a student's grade.
- f. Working day – A working day is counted as any day that the District is open for business.

2. CHANGING GRADES

The instructor of the course shall determine the grade to be awarded to each student. In the absence of mistake, fraud, bad faith, or incompetence, the grade determined by the instructor is final. (Education Code Section 76224).

Any student may file a written request to correct or remove information recorded in their student record which the student alleges to be: (1) inaccurate; (2) an unsubstantiated personal conclusion or inference; (3) a conclusion or inference outside of the observer's area of competence; or (4) not based on the personal observation of a named person with the time and place of the observation noted (Education Code Section 76232).

If a student believes they have valid grounds to challenge a grade, they must first attempt to informally resolve the problem with the instructor. Once grades are available, the student is expected to contact their instructor directly to discuss the dispute by direct contact or by filing a general petition for grade review. If the instructor is not available or is no longer employed, the student should contact the Department Chair.

All complaints of alleged discrimination or retaliation for alleging discrimination must be formally filed within one (1) year in accordance with Administrative Procedure, *AP 3435, Discrimination and Harassment Investigations*.

3. INSTRUCTOR REVIEW

If a student believes they have valid grounds to challenge a grade, they must first attempt to resolve the problem with the instructor informally. Once grades are available, the student is expected to contact their instructor directly to discuss the dispute by direct contact or by filing a general petition for grade review. If the instructor is not available or is no longer employed by the District, the student should contact the Department Chair.

When challenging a grade assigned by an instructor, the burden of proof is on the student to provide evidence of mistake, fraud, bad faith, or incompetence. The formal request for review of a grade must be filed within two (2) years after the issuance of grades for the semester during which the student was enrolled in the given course.

4. DEPARTMENT CHAIR REVIEW

- a. If the grade challenge cannot be resolved at the instructor level, or the instructor is no longer employed with the District, the student may file a Grade Challenge Petition online.
- b. The petition must include, in detail, the student's basis for initiating the review, as well as any documentation, witness identification, or other supportive evidence. The basis of the review must support allegations of mistake, bad faith, fraud or incompetence.
- c. The petition shall be routed to the appropriate Dean's Office based on the course in which the grade is being challenged; the Dean will review the petition with the Department Chair, who will attempt to resolve the issue within 10 working days after receipt of the petition.
- d. Within 10 working days after receipt of the petition, the Department Chair will consult with the faculty member and student to gather the facts. In the event the Department Chair is unavailable, the Dean will work with the instructor and student to attempt to resolve the matter.
- e. During periods in which the instructor and department chair are not on duty, the Vice President of Instruction, consistent with the parameters established herein, will adjust the timeline for resolution. The student will be advised in writing of the adjusted schedule.
- f. The final outcome of the attempted resolution shall be provided in writing by the Department Chair to the student.
- g. If resolution does not occur, the student may file a written appeal with the Vice President of Instruction who will convene the Appeal Review Panel. The appeal must be filed within 10 working days of notification of the decision of the Department Chair to the student.

5. FORMAL RESOLUTION – APPEAL REVIEW PANEL

- a. The Appeal Review Panel will consist of the Dean or designee, Vice President of Instruction, Vice President of Student Services or designee, and at least one (1) faculty member appointed by the Academic Senate. In the event the Vice President of Instruction is not available to meet the timeline contained herein, the President shall designate a senior-level administrator to complete the process.
- b. The Panel shall meet with the student and instructor who assigned the grade, within 30 instructional days of filing the appeal. In the event that the instructor is no longer employed by the District, the Department Chair shall represent the instructor.
- c. The Panel meeting will be closed to observers and advocates.
- d. The Panel will review all information and evidence and make a recommendation. The recommendation will be sent to the college President within five (5) working days of the Panel Review meeting with copies sent to the student, instructor, and the Department Chair.
- e. The President shall review the recommendation of the Panel and make a final decision within 10 working days from the receipt of the recommendation.
- f. If the final decision is to change the grade, the new grade shall be the final grade assigned.
- g. If the final decision is to uphold the grade, the student may appeal the decision in writing to the Chancellor.

6. APPEAL – CHANCELLOR

- a. Within 10 calendar days of the final decision of the President, the student may submit a written appeal to the Chancellor. The appeal should include all documentation to support the allegations of mistake, fraud, bad faith, or incompetence.
- b. Within 30 days of the receipt of such an appeal the Chancellor, or designee, shall meet individually with the student and the instructor to gather additional information. In the event the instructor is no longer employed, the Department Chair shall represent the instructor to determine whether to sustain or deny the allegations. If the Chancellor, or designee, sustains the allegations, they shall order the Custodian of Records to immediately change the grade. Documentation of the meetings shall be maintained in a confidential manner and shall be destroyed one (1) year after the decision, unless the student initiates legal proceedings relative to the disputed information within the prescribed period.
- c. The Chancellor or designee shall notify the student of the final decision within 10 working days following either the meeting with the student, or the instructor, whichever concluded second.
- d. The decision of the Chancellor or designee shall be in writing and shall be final.

7. SECURITY OF GRADE RECORDS

The District shall implement security measures for student records that assure no person may obtain access to student grade records without proper authorization. These measures shall be installed as part of any computerized grade data storage system.

The measures implemented by the District shall include, but not necessarily be limited to, password protection for all student grade databases, locking mechanisms for computer stations from which student grade databases can be viewed, and strict limits on the number of persons who are authorized to change student grades.

Persons authorized to change grades shall be designated by the Vice Chancellor of Educational Services (VCES), or designee. No more than five (5) District employees may be authorized to change student grades. Only regular full-time employees of the District may be authorized to change grades. Student workers shall not have access to change or enter grade records at any time.

Any person who discovers that grades have been changed by someone other than the persons authorized to do so shall notify the VCES immediately. The VCES shall immediately take steps to lock the grade database system entirely while an investigation is conducted.

If any student's grade record is found to have been changed without proper authorization, the District will notify:

- a. the student;
- b. the instructor who originally awarded the grade;
- c. any educational institution to which the student has transferred;
- d. the accreditation agency; and
- e. appropriate local law enforcement authorities.

Whenever a grade is changed for any reason, corrected transcripts will be sent to any educational institution to which a student has transferred upon request.

Any student or employee who is found to have gained access to grade recording systems without proper authorization, or who is found to have changed any grade without proper authority to do so, shall be subject to discipline in accordance with District policies and procedures.

Any person who is found to have gained access to grade recording systems without proper authorization, or who is found to have changed any grade without proper authority to do so, shall be reported to the appropriate law enforcement agency having jurisdiction over the college where the incident occurred.

References: Education Code Section 76224;
Title 5 Section 55025

Approved by
the Chancellor: June 28, 2023

Supersedes: AP 3001.2 – 08/28/08; 04/13/10; 11/09/16; (*Renumbered AP 4231*)