

Southern Illinois University School of Law

[Excerpted from the School of Law Rules for AY 2024-2025]

ARTICLE III - ACADEMIC REGULATIONS

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3. Examinations and Other Forms of Evaluation [amended 11/2006; 5/11/10; 11/18/22]

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- (g) Student Grievances of Grades. Individual student grades, the content of examinations and other assessments, and the internal control and conduct of a particular course are considered matters within the academic judgment of the faculty member. The person best able to evaluate the student's performance is the faculty member who taught the course, because evaluation is affected by participation in the course, by the course objectives, by the materials covered in the course, by the method of presentation, and by reference to the general performance of the students in the course as a whole. A student may only file a grievance about a final course grade awarded to the student and only according to the following standards and procedures.
- (i) Standard for a Grade Grievance. In order to prevail in such a grievance, a student must prove by demonstrable evidence that the grade was awarded due to prejudice or arbitrary and capricious conduct by the faculty member. A grade grievance may not be based solely on a claim that the faculty member exercised allegedly erroneous academic judgment—e.g., a student may not file a grievance that complains that the class standards were too high, the course load was too heavy, the grades were too low, too much (or too little) weight was allocated to a particular exercise, question, or examination, etc.
- (ii) Meeting with Faculty Member. Before filing a written grievance, the student must make reasonable efforts to meet with the faculty member to discuss the grade.
- (iii) Filing of Written Grievance; Deadline to File. [amended 11/18/22] If the matter is not settled during the meeting with the faculty member or if the faculty member fails to meet with the student after the student has made reasonable efforts to schedule a meeting, the student may file a written grievance with the Associate Dean for Academic Affairs and Curricular Development. The written grievance must allege that the grade awarded was the result of prejudice or arbitrary and capricious conduct by the faculty member and must include the evidence reasonably available to the student which the student believes substantiates that allegation. Absent

compelling circumstances, the written grievance must be filed with the Associate Dean for Academic Affairs and Curricular Development no later than the first Monday in April with respect to a grade awarded in a course held in the preceding fall semester and no later than the first Monday in November with respect to a grade awarded in a course held in the preceding spring semester or summer session.

- (iv) Associate Dean for Academic Affairs and Curricular Development's Determination; Dismissal or Referral to Academic Standards Committee. [amended 11/18/22] If the Associate Dean for Academic Affairs and Curricular Development determines that the student's written grievance creates a reasonable suspicion that the faculty member awarded the grade as a result of prejudice or arbitrary and capricious conduct, the Associate Dean for Academic Affairs and Curricular Development shall refer the matter to the Academic Standards Committee ("the Committee"). If the Associate Dean for Academic Affairs and Curricular Development determines that the student's written grievance does not create reasonable suspicion that the faculty member has given a grade as a result of prejudice or arbitrary and capricious conduct, then the Associate Dean for Academic Affairs and Curricular Development shall dismiss the grievance without further right of appeal in the law school. The Associate Dean for Academic Affairs and Curricular Development shall make such determination no later than ten days after the date on which the written grievance was filed with the Associate Dean for Academic Affairs and Curricular Development.
- (v) Committee Investigation. The Committee shall make an appropriate investigation into the circumstances surrounding the award of the grade and shall provide an opportunity for the grievant and the faculty member to present relevant evidence; provided, however, that neither the grievant nor faculty member is entitled to have counsel or other representative present at any hearing or other proceeding that the Committee may conduct.
- (vi) Committee Report. [11/18/22] The Committee shall submit a written report to the Dean for Academic Affairs and Curricular Development not later than 60 calendar days after the date on which the Associate Dean for Academic Affairs and Curricular Development referred the grievance to the Committee, unless the Dean shall grant the Committee's request for additional time for good cause shown. The report shall contain: the Committee's findings of relevant facts; the Committee's conclusion whether the faculty member assigned the grade as a result of prejudice or arbitrary and capricious conduct; and, if the Committee recommends a decision in favor of the grievant, the remedy to be awarded to the grievant. The Committee may include in the report any additional materials it deems relevant.

- (vii) Dean's Decision. The Dean shall defer to the Committee's findings and may reject those findings only if they are not clearly supported by the evidence. If the Dean determines a grievance in favor of the grievant, the Dean shall award the remedy recommended by the Committee, unless the Dean concludes that the remedy is impracticable or inconsistent with University policy, in which case the Dean shall award an appropriate remedy. If the remedy awarded would cause the grades for the course to violate the mandatory mean or the mandatory grade distribution range rule or any other law school rule relating to grades, the Dean shall have the authority to allow a deviation from the mandatory mean or the mandatory grade distribution range rule or other rule. The Dean shall make such determination no later than ten days after the date on which the Dean received the Committee's report. The Dean's determination may not be further appealed in the law school. [amended 5/10/21]
  
- (viii) Substitution of Faculty Member. [amended 11/18/22] If a student files a grievance against a faculty member who at the time is serving as the Associate Dean for Academic Affairs and Curricular Development, the Dean, or a member of the Committee, then the Associate Dean for Academic Affairs and Curricular Development (or the Dean if the Associate Dean for Academic Affairs and Curricular Development is the faculty member involved) shall appoint another faculty member to act in connection with the grievance.