



University Policies

Section III: Academic Affairs |(<https://policies.umd.edu/academic-affairs>)

Policy Number: III-1.20(A)

UNIVERSITY OF MARYLAND GRADUATE POLICIES AND PROCEDURES FOR REVIEW OF ALLEGED ARBITRARY AND CAPRICIOUS GRADING

(APPROVED BY THE PRESIDENT August 01, 1991)

DEFINITIONS

1. "Arbitrary and capricious grading"

1. the assignment of a course grade to a student on some basis other than performance in the course, or
2. the assignment of a course grade to a student by unreasonable application of standards different from standards that were applied to other students in that course, or
3. the assignment of a course grade by a substantial and unreasonable departure from the instructor's initially articulated standards.

2. "Day" or "Days" refer to working days at the University of Maryland, excluding Saturdays, Sundays, and holidays.

3. "Administrator" refers to the administrative head of the academic unit offering the course.

INFORMAL PROCEDURE

1. A student who believes he or she has received an improper final grade in a course should inform the instructor promptly. The instructor shall meet with the student at a mutually convenient time and place within ten days of receipt of the information. The purpose of the meeting is to attempt to reach a resolution.
2. If the instructor has left the University, is on approved leave, or cannot be reached by the student, the student should contact the Department Chairperson. The Department Chairperson, or a designee, shall meet with the student as described above to attempt to solve the problem.

FORMAL APPEAL

A formal appeal is available only upon a showing that the informal process has been exhausted.

1. General Requirements

1. An appeal must be made in writing, addressed to the Graduate Dean and contain:

1. the course title and number;
2. the instructor's name,
3. a statement detailing why the grade is believed to be arbitrary and capricious as defined in this policy, and providing all relevant supporting evidence.

2. An appeal must be received in the Dean's Office within twenty (20) days of the first day of instruction of the next semester (excluding summer).

2. Procedures

1. Each academic unit shall have a standing committee of two tenured professors and two graduate level students to hear appeals of arbitrary and capricious grading. The appeal shall be heard within the academic unit offering the course. If the instructor of the course is a member of the committee, that instructor shall be replaced by an alternate designated by the Department Chairperson.
2. Each written appeal is to be reviewed by the entire committee for a decision by the majority. The committee shall either dismiss the appeal, or move it forward.
3. Grounds for dismissal are:
 1. The student has submitted the same complaint to any other grievance procedure;
 2. The allegations, if true, would not constitute arbitrary and capricious grading;
 3. The appeal was not timely;
 4. The informal process has not be exhausted.
4. If the appeal is dismissed, the committee shall notify the student in writing within ten days of the decision, and include the reason or reasons for the dismissal.
5. If the appeal is not dismissed, the committee shall submit a copy of the appeal to the instructor. The instructor must reply in writing to the committee within ten days.
6. If, based on the instructor's reply, the committee feels there is a viable solution, that solution should be pursued with the student and the instructor.
7. If no solution is reached, a fact-finding meeting with the student and the instructor shall be held promptly. It is to be non-adversarial and informal; with neither party represented by an advocate. Witnesses may be asked to make statements to the committee if the committee is informed prior to the meeting. The meeting shall not be open to the public.
8. The committee shall meet privately at the close of the fact-finding meeting to decide whether a majority believe the evidence supports the allegation of arbitrary and capricious grading beyond a reasonable doubt.
 1. The committee shall notify the student, the instructor, and the Dean in writing of the decision within five days of the meeting.

AUTHORITY OF THE COMMITTEE

1. The committee has the authority to take any action it believes will bring about substantial justice, including but not limited to:
 1. Directing the instructor to grade the student's work anew;
 2. Directing the instructor to administer a new final exam or paper;
 3. Directing the cancellation of the student's registration in the course;
 4. Directing the award of a grade of "pass" in the course.
2. The committee does not have the authority to:
 1. Assign a letter grade for the course;
 2. Reprimand or take disciplinary action against the instructor.
3. The decision of the committee is final, and binding on both parties. The decision may not be appealed to any other body within the University of Maryland or the University of Maryland System.

IMPLEMENTATION

The Graduate Dean shall be responsible for implementing the decision of the committee.