

GRADE CHANGE PROCEDURES

The board of education is legally responsible for insuring proper assignment and recording of letter grades for course work performed by students. This responsibility is initially delegated to the professional personnel assigned to conduct instructional activities.

A student and/or parents or legal guardian and the administration have the right to request a review and reconsideration of an assigned letter grade. A request for a reconsideration of an assigned grade by a student or parent must be made in writing on forms provided by the building principal.

Upon receipt of a written request for reconsideration of an assigned letter grade, the principal will notify the teacher involved and schedule a hearing to resolve the matter. The teacher shall have the opportunity to be present at all hearings and appeals involving reconsideration of an assigned letter grade.

If a request for reconsideration of an assigned grade is initiated by the school administration, the teacher shall have the opportunity to respond prior to any administrative action.

Following the hearing and/or teacher conference, the building administrator shall render a decision and communicate the decision in writing to the parties involved.

If the teacher involved is unavailable or is no longer an employee of the school district, the principal shall consult the office of the superintendent and the decision shall be made in the teacher's absence.

In the event that either party does not accept the decision of the building administrator, an appeal may be made to the superintendent of schools and then to the board of education. The decision of the board of education shall be final.

OSSBA POLICY SERVICES REVIEW NOTES:

Case law tends to suggest that a district, which “forced” a teacher to alter a grade, may be in violation of the First Amendment of the United States Constitution. As stated by the Sixth Circuit Court of Appeals:

The assignment of a letter grade is symbolic communication intended to send a specific message to the student, the individual professor’s communicative act is entitled to some measure of First Amendment protection . . . although the individual professor does not escape the reasonable review of university officials in the assignment of grades, she should remain free to decide, according to her own professional judgment, what grades to assign and what grades not to assign.

***Parate v. Isibor*, 868 F.2d 861 (6th Cir. 1989). Thus, the court held that assignment of a grade based upon judgment of academic performance would qualify as “speech” which would be protected by the United States Constitution.**