

## Brothers, Sheila C

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**From:** Raphael Finkel [raphael@cs.uky.edu]  
**Sent:** Thursday, January 10, 2013 5:45 PM  
**To:** Brothers, Sheila C  
**Cc:** Lowry, Regina; Prats, Armando; Graf, Gregory A; Hayes, Robert Z; Jackson, Vanessa P; Raphael Finkel; Stanley, Aaron D; Rachel McMahan; Lewis, Wayne D; Provost, University of Kentucky; Witt, Don  
**Subject:** Item 11: XE/XF grades and the retroactive withdrawal appeals (RWA) process  
**Attachments:** revision.pdf

Sheila,

With respect to XE/XF grades and the retroactive withdrawal appeals (RWA) process, the SAASC has approved the attached modifications to the SRs.

Raphael

# Revision to Senate Rules with respect to XE/XF grades Draft 3

December 13, 2012

## **1 Relevant sections in the Senate Rules**

Summary: After finding that a student has committed an academic offense, the instructor has a choice of penalties, but in any case must inform the registrar to put a hold on the student's enrollment in the course.

### **1.1 SR 5.1.1 (General grading system)**

XE Represents failure in a course due to an academic offense. It is valued at zero (0) quality points and zero (0) credit hours. The repeat option may not be exercised for any course in which the grade of XE was received. A grade of XE normally may not be changed to a W by retroactive withdrawal, except upon appeal to the University Appeals Board as prescribed by University Senate Rules.

XF Represents failure in a course taken on a pass-fail basis due to an academic offense. It is valued at zero (0) quality points and zero (0) credit hours. The repeat option may not be exercised for any course in which the grade of XF was received. A grade of XF may not be changed to a W by retroactive withdrawal, except upon appeal to the University Appeals Board as prescribed by University Senate Rules.

## **1.2 SR 6.4.3.A.2 (Finding of academic offense)**

[...] if the instructor finds the student committed an academic offense ... The chair shall also ask the Registrar to place a hold on the student's enrollment in the course. If the student has already dropped or withdrawn from the course, the Registrar shall reinstate the student.

## **1.3 SR 6.4.3.A.3 (Penalties for academic offense)**

[...] if the student has previously received a letter of warning, the instructor must assign a grade of E or F for the course. If the offense is particularly egregious, and if the chair approves, the instructor may also forward the case to the responsible dean with a recommendation for a penalty of XE or XF or a more severe penalty, pursuant to paragraph 6.4.3.B.1.a. Otherwise, if there are no prior offenses or letters of warning in the student's record, the instructor must award a grade of zero for the assignment on which the offense occurred. The instructor may also choose to impose one of the following additional penalties after consulting with the chair:

- (a) require the student to perform extra academic work (failure to complete the extra work should result in a grade of E or F for the course);
- (b) reduce the final grade in the course by a specified number of levels;
- (c) assign a grade of E or F, as appropriate, for the course;
- (d) if the offense is particularly egregious, and if the chair approves, forward the case to the responsible dean with a recommendation for a penalty of a grade of XE or XF in the course or a more severe penalty, pursuant to paragraph 6.4.3.B.1.a.

## 2 Suggested modifications to Senate Rules

The purpose of these modifications is to generalize the language referring to penalty grades so it applies to any penalty grade, including XE and XF, and to clarify when retroactive withdrawal may be granted.

### 2.1 SR 5.1.8.5.A (Retroactive Withdrawal)

2. A grade of ~~E or XE~~ XE or XF or any other penalty grade pursuant to SR 6.4.3.A.3 assigned as a result of an academic offense may be changed to a W only by a petition to the University Appeals Board and only after a retroactive withdrawal is granted for the semester in which the ~~E XE or XF or other penalty grade~~ was assigned ~~is granted~~. In ~~evaluating such petition, a petition of this sort,~~ the student must demonstrate that the hardships enumerated in item (4) below also resulted in the academic offense in a manner that the student's culpability is severely diminished as a result.

3. Requests for retroactive withdrawals shall be made ...

4. [ ... Student must provide evidence of injury, illness, personal or family problems, financial difficulties, or permanent disability ]

~~5. Retroactive withdrawal from a class in which an XE or XF has been imposed shall not be granted.~~

### 2.2 SR 6.4.0.C (Disposition of Cases of Academic Offenses, Definitions)

"XE" and "XF" are grades indicating failure due to an academic offense, as defined in Rule 5.1.1. The grades shall be so recorded on a student's transcript distinct from any other grade of E or F and shall not be changed to a W ~~by retroactive withdrawal, pursuant to Rule 5.1.8.5, or removed from a student's GPA calculation by the Repeat Option otherwise provided in Rule 5.3.1.1.~~ except as provided under Rule 5.1.8.5.A.2, or removed from the student's GPA calculation by the Repeat Option provided in Rule 5.3.1.1.

Background....

### **Contradiction in Senate Rules: XE/XF and Retroactive Withdrawals**

November 16, 2012: The SREC examined the situation of SR 5.1.8.5.A, subsection 2 vs. subsection 5. The SREC interpreted that the inclusion of “XE” in subsection 2 creates a contradiction with subsection 5. However, the available record is not clear on why “XE” is present in subsection 2, i.e., is this a typographical error or is there a presently indiscernible substantive intent to include “XE” in subsection 2, and the error was in not also amending subsection 5 to be compatible with subsection 2. The SREC recommends that the matter be submitted to the Senate Admissions and Academic Standards Committee.

November 19, 2012: Grossman moved that the issues raised regarding Senate Rules 5.1.1, 5.1.8.5, and 6.4.C be sent to the Senate's Admissions and Academic Standards Committee (SAASC) for the SAASC to come up with a coherent policy and new language for the SR. Brion seconded. A vote was taken and the motion passed with none opposed.

#### Description of the matter by Ben Withers:

1. The text of 5.1.8.5.A.2 is inconsistent with SR 5.1.1. In the latter, both of the grades XE and XF are identified as being appealable. The addition of “XF” at the appropriate spot in the former would eliminate this issue.
2. The statement in 5.1.8.5.5 is unclear. As presently written, it states that a retroactive withdrawal cannot be given for a class for which an XE or XF has been recorded. That statement is not true, as per section A.2 and SR 5.1.1. The intention here seems to be that a course grade of an XE/XF can be converted to a W but only by the Appeals Board and only when a retroactive withdrawal for the entire semester is applied. The purpose of SR 5.1.8.5 seems to be the need to outline how the Dean of a college should handle a retroactive withdrawal (section 3). Section 5, then, was probably meant to state that deans cannot grant retroactive withdrawals for courses with the grades XE/XF and should be rewritten to make this clear.
3. It may make sense to move section A.2 of SR 5.1.8.5 to the end of this SR in order to make the connection with the inability of the Dean to change the grade, as described in section A.5.
4. SR 6.4.C is inconsistent with SR 5.1.8.5 and SR 5.1.1 because it does not recognize the ability of the Appeal Board to convert XE/XF grades under the conditions described above.

## Portions of the Senate Rules, with Relevant Text Highlighted

### 5.1 GRADING SYSTEMS

#### 5.1.1 GENERAL GRADING SYSTEM

The grading system (except as provided in SR 5.1.2) based on which the results of work will be recorded in the Registrar's Office is as follows: [US: 3/18/96 and 4/8/96; US: 3/10/97; US: 4/13/98]

- A Represents an exceptionally high achievement as a result of aptitude, effort and intellectual initiative. It is valued at four (4) quality points for each credit hour. [US: 9/10/01]
- B Represents a high achievement as a result of ability and effort. It is valued at three (3) quality points for each credit hour. [US: 9/10/01]
- C Represents satisfactory achievement for undergraduates; represents unsatisfactory achievement for graduate students and is the minimum passing grade for which credit is conferred. It is valued at two (2) quality points for each credit hour. [US: 9/10/01; US: 4/8/02]
- D Represents unsatisfactory achievement for undergraduates and is the minimum grade for which credit is conferred; the grade is not to be used for graduate students, It is valued at one (1) grade point for each credit hour. [US: 9/10/01; US: 4/8/02]
- E Represents unsatisfactory performance and failure in the course. It is valued at zero (0) quality points and zero (0) credit hours. [US: 9/10/01]
- P Represents a passing grade in a course taken on a Pass/fail basis. It may also be assigned by the University Appeals Board in cases involving a violation of student academic rights. Credit hours successfully completed under this grade will count towards graduation but will not be used in calculating grade point averages. [US: 9/20/93] (See Section V, 5.1.4 and Section VI, 6.5.1)
- F Represents failure in a course taken on a Pass/fail basis. It is valued at zero (0) quality points and zero (0) credit hours. [US: 9/20/93]
- AU Represents a completion of a course attended on an audit basis. It is valued at zero (0) quality points and zero (0) credit hours. [US: 9/20/93]
- CR CR (Credit) designator for AP or CLEP or bypass work to reflect that credit is granted for a course [US: 3/10/97]
- I Incomplete--See this Section, 5.1.3, *Explanation of Certain Grades*
- IP Represents satisfactory work in progress in courses carrying no academic credit. It is valued at zero (0) quality points and zero (0) credit hours. [US: 10/11/93]

## Background....

- N Represents a temporary grade to be submitted for students who have been entered by the Registrar into official class rolls, but have never attended class and who have not officially withdrawn. The Registrar shall remove their names from the official class roll and the student's enrollment in the class shall not be recorded in the student's official academic record. (As a temporary mark, "N" carries no credit hours or quality points.) [US: 9/20/93]
- S Represents a final grade in courses carrying no academic credit or in courses used for residency credit or dissertation/thesis credit. It is valued at zero (0) quality points. [US: 10/11/93; US: 1/14/02; US 4/10/06]
- SI Represents an interim grade in credit-bearing seminars, independent work courses, or research courses if these courses extend beyond the normal limits of a semester or summer term. This grade signifies that both the quality and the quantity of the student's academic work were satisfactory during the applicable term. All SI grades must be replaced by a regular final letter grade prior to the Qualifying Examination or Final Examination for doctoral students or prior to graduation in all other cases (see Section 5.1.3.3). As a temporary mark, SI carries no credit hours or quality points. [US: 4/10/06; 5/3/10]
- UI Represents an interim grade in credit-bearing seminars, independent work courses, or research courses if these courses extend beyond the normal limits of a semester or summer term. This grade signifies that the quality of the student's academic work was unsatisfactory during the applicable term. All UI grades must be replaced by a regular final letter grade prior to the Qualifying Examination or Final Examination for doctoral students or prior to graduation in all other cases (see Section 5.1.3.3). As a temporary mark, SI carries no credit hours or quality points. [US: 5/3/10]
- UN Represents a final grade in courses carrying no academic credit, in graduate residence courses, or as an interim grade in specific types of courses listed in Section 5.1.3.4 for which a student has done unsatisfactory work or has failed to do a reasonable amount of work. It is valued at zero (0) quality points and zero (0) credit hours. [US: 1/14/02; US: 4/10/06]
- XE Represents failure in a course due to an academic offense. It is valued at zero (0) quality points and zero (0) credit hours. . The repeat option may not be exercised for any course in which the grade of XE was received. A grade of XE normally may not be changed to a W by retroactive withdrawal, except upon appeal to the University Appeals Board as prescribed by University Senate Rules.
- XF Represents failure in a course taken on a pass-fail basis due to an academic offense. It is valued at zero (0) quality points and zero (0) credit hours. The repeat option may not be exercised for any course in which the grade of XF was received. A grade of XF may not be changed to a W by retroactive withdrawal, except upon appeal to the University Appeals Board as prescribed by University Senate Rules.
- W Denotes withdrawal from class. It may also be assigned by the University Appeals Board in cases involving a violation of student academic rights. It is valued at zero (0) quality points and zero (0) credit hours. [US: 9/10/79; US: 10/11/93]

## Background....

- Z      Reenrollment recommended (development courses only). It has no value in computing grade point average. [US 4/10/00]

### 5.1.8.5      **Retroactive Withdrawal**

Withdrawals initiated after the last day of classes for the semester are governed by this rule. [US: 12/8/97; US 4/12/99]

#### A.      **Requirements**

1.      Typically, a student may withdraw from a given semester only if the withdrawal is from all classes.

\*      If a student submits a request to the Senate's Retroactive Withdrawal Appeals Committee (SRWAC) for retroactive withdrawal from a single course, and that request is denied by the SRWAC, the student retains a standing to then submit a different request to the SRWAC for retroactive withdrawal from all classes. The act of submission of the second request does not constitute an improper 'appeal' to the SRWAC of the SRWAC's prior decision. [SREC: 6/8/06]

**2.      A grade of E or XE assigned as a result of an academic offence may be changed to a W only by a petition to the University Appeals Board and only after a retroactive withdrawal for the semester in which the E was assigned is granted. In evaluating such petition, the student must demonstrate that the hardships enumerated in item (4) below also resulted in the academic offense in a manner that the student's culpability is severely diminished as a result. [US: 4/10/2006]**

**3.      Requests for retroactive withdrawals shall be made of the Dean of the college in which the student was enrolled at the time the classes were taken. The complete request shall be made before a student has graduated and not later than two calendar years from the last day of classes for the semester for which the withdrawal is requested. The fully complete request shall be submitted using the University Senate Retroactive Withdrawal Application, which includes a form on which an instructor can offer feedback, along with the documentation required by the University Senate as described on that form (<http://www.uky.edu/Faculty/Senate/forms.htm> ). [US: 4/9/07; 5/7/07]**

\*      "Two calendar years" means two consecutive periods of 365 days (or 366 if leap year) from the last day of classes for the semester for which the withdrawal is requested. [SREC: 5/19/09]

**4.      Retroactive withdrawals may be granted only when the student has demonstrated satisfactory evidence that the student has incurred:**

- (a)     a serious injury or illness;
- (b)     serious personal or family problems;
- (c)     serious financial difficulties; or
- (d)     permanent disability verified by the Disability Resource Center and diagnosed after the semester for which the withdrawal is requested.

**5.** Retroactive withdrawal from a class in which an XE or XF has been imposed shall not be granted.

**B. Procedure**

To the extent possible, the following procedures shall be uniform throughout the University:

**1.** The presence of a hold on a student's record shall have no effect on the submission, receipt, transmission, or review of an appeal for a retroactive withdrawal. [US: 5/7/07]

**2.** The Dean shall recommend approval or disapproval of the request and shall forward the recommendation to the SRWAC, normally within 30 days of receipt of the petition and all supporting documentation. It is within the purview of the Dean to waive the requirement that a student must submit an Instructor Feedback Form(s) for reasons such as unavailability of the instructor or hardship on the student. If the Dean waives the submission of the Instructor Feedback Form(s), the justification must be included in the Dean's letter recommending approval or disapproval of the retroactive withdrawal appeal. [US: 5/7/07; US 5/8/08]

**3.** The SRWAC shall rule on the request, normally 30 days from receipt of the petition and all supporting documentation from the Dean. The student shall have the right to appear in person before the Committee to present his or her request and shall have the right to be represented by an attorney or other designated individual.

**4.** The SRWAC shall forward all approved requests to the Office of University Registrar for implementation.

**5.** The SRWAC shall forward a copy of its decision - whether the request was approved or not - to the Dean of the student's current college and to the Dean of the College in which the student was enrolled at the time of the retroactive withdrawal, if different from the current college. The Dean of the student's current college shall notify the student and Instructors of Record of the SRWAC's decision.

\* There is no provision in the retroactive withdrawal process prescribed in the Senate Rules for a dean to block, overturn, or appeal a SRWAC decision. [SREC: 4/14/06]

\* There is no 'cause of action' within the Senate Rules for appeal of the SRWAC's decision to either an administrator or to another University committee, except if the student attempts to make a case that the SRWAC's actions had constituted a violation of the academic "rights" of the student. In such a case, the cognizant entity to receive and entertain such an appeal is the University Appeals Board (see SR 6.5.1.2). [SREC: 4/14/06]

**6.4 DISPOSITION OF CASES OF ACADEMIC OFFENSES** [US: 3/10/86; US: 3/7/88; US: 12/12/05]

These rules govern the prosecution of academic offenses defined in Section 6.3. The rules in this section 6.4 are binding upon all persons and groups mentioned in these rules. Instructors who impose penalties for academic offenses without following these rules are violating the due-process rights of students. Instructors, administrators, and the Appeals Board do not have the authority to impose penalties less than the minimum prescribed by these rules. Deadlines may be extended by mutual agreement of the involved parties.

**6.4.0 Definitions**

For purposes of this Section 6.4:

- A.** The terms "chair," "dean," and "Provost" include their designees.
  - B.** "Chair" includes directors of programs and deans of colleges or schools without a departmental structure.
  - C.** "XE" and "XF" are grades indicating failure due to an academic offense, as defined in Rule 5.1.1. The grades shall be so recorded on a student's transcript distinct from any other grade of E or F and shall not be changed to a W by retroactive withdrawal, pursuant to Rule 5.1.8.5, or removed from a student's GPA calculation by the Repeat Option otherwise provided in Rule 5.3.1.1.
  - D.** "Notice" is given to a student:
    - 1.** in person, with a witness or a signed receipt by the student; or
    - 2.** in writing by regular mail to the student's address as it appears in the Registrar's records. The University is not responsible for a student's failure to maintain a current address in the Registrar's records.
- Any notice of a finding or penalty shall include the name and ID number of the student, the college in which the student is enrolled, the course and section in which the offense occurred, the date and nature of the offense, the penalty that is being imposed or recommended, and any right that the student may have to appeal the finding or penalty.
- E.** "Suspension" means forced withdrawal from the University for a specified period of time, including exclusion from classes, termination of student status, and termination of all related privileges and activities.
  - F.** "Dismissal" means termination of student status subject to the student's readmission as specified in paragraph 6.4.6(B).
  - G.** "Expulsion" means permanent termination of student status. It is to be invoked only in unusual circumstances and when the offense committed is of such serious nature as to raise the question of the student's fitness to remain a member of the academic community.
  - H.** "Days" refers to working days.
  - I.** "Instructor" refers to the classroom instructor.