Academic Grade Appeal

The policy:

APPENDIX D

UNIVERSITY-WIDE ACADEMIC GRIEVANCE PROCEDURES

I. Academic Grievances

A. A student academic grievance is broadly defined as a student complaint regarding an academic action taken by instructional or administrative personnel at The University of Alabama. An academic grievance may be filed by a student against university personnel including instructional personnel, administrators, or staff members at the University. Examples of academic grievances include, but are not limited to, allegations of unfairness in grading, alleged violation of a written or oral agreement with a student (e.g. course requirements for graduation), and alleged inconsistent applications of existing policies. For a protest of a final course grade or other final comprehensive evaluations to be considered, the protest must be based upon one or more of the following grounds and upon allegation that the ground or grounds cited influenced the grade assignment to the student’s detriment:

1. Arithmetic or clerical error.
2. Arbitrariness, possibly including discrimination based upon race, sex, religion, or national origin of the student.
3. Personal malice. Grievances related to course grades normally should be filed during the semester in which the alleged action takes place, but such protest must be made not later than the last day of classes of the next succeeding regular semester. This grievance procedure is not available in cases where a decision has been appealed, and been afforded a committee hearing, and the appeal has been denied.

B. A student must file a grievance in the academic department (academic department is a phrase that also refers to academic program or area if these terms apply) of The University of Alabama in which the alleged action took place. Academic grievances shall be resolved by the department head in the division where the grievance took place. Grievances concerning matters that are not within the jurisdiction of a particular academic division and grievances against the divisional academic dean must be resolved by the Provost/Vice President for Academic Affairs. Grievances against the department chairperson must be resolved by the divisional academic dean. Appeals from the academic dean’s decisions may also be made to the Provost/Vice President for Academic Affairs.

II. Resolution by Department Chairperson

A. A student who believes that an academic action has unjustly affected him/her may file a grievance with the department chairperson. The facts and circumstances which are bases for the academic grievance should be presented to the department chairperson in written form.

B. The department chairperson will schedule a conference with the student who has brought the grievance, reissue the student a copy of the University-wide Academic Grievance Procedures, ascertain the circumstances involved, and review any materials or circumstances pertinent to the grievance to determine if there seems to be a reasonable or sound basis for the academic grievance. If the chairperson decides there may be a reasonable or sound basis for the academic grievance, or if the student insists on filing the grievance anyway, then the department chairperson will arrange conferences with the student and other person(s) involved.

Prior to these conferences, the other person(s) involved will be given a copy of the written grievance and will be reissued a copy of the University-wide Academic Grievance Procedures. Both the student and other person(s) will be informed that the purpose of conferences scheduled by the department chairperson is to attempt to resolve the issue informally. Both parties will be informed that they have the right to present any evidence, supporting witnesses, or any other relevant information during these conferences.

C. At the beginning of these conferences, the department chairperson will inform the student and other person(s) involved that the purpose of these meetings is to attempt to resolve the grievances informally. The department chairperson will act as intermediary between the student and other
individual(s) with whom the student has a dispute. If a mutually satisfactory resolution can be reached, the academic grievance is resolved.

D. If a resolution cannot be reached informally between the student and other person(s) involved, then the matter will be forwarded to the academic dean to be resolved.

III. Resolution by Academic Dean Any matter not resolved by the department chairperson will be resolved by the academic dean. The dean will act alone or in the conjunction with a standing divisional committee or an ad hoc committee appointed by the dean, but the dean will make the decision. The academic dean will arrange conferences with the faculty or staff member, student, and others, as may be appropriate, to discuss the matter in question. The student and other person(s) involved will be given an opportunity to make a statement, present evidence, witnesses, or materials pertinent to the academic grievance; during these conferences both parties can be accompanied or advised by anyone either party chooses. The academic dean, after careful deliberation, will render a decision.

Notice of the dean’s decision will be sent by certified mail to the student with copies to the faculty or staff member and other involved parties; either party may appeal the dean’s decision to the Office for Academic Affairs if the appeal is filed within 15 working days of the date of mailing of the dean’s decision.

IV. Appeal The dean’s decision may be appealed to the Office for Academic Affairs within 15 working days of the mailing of the dean’s decision. Appeals must be based on substantive grounds such as procedural errors, new information, or inconsistencies in the application of policies.

When an appeal is received by the Office for Academic Affairs, an official from that office will schedule a conference(s) with the student and other concerned parties to discuss the reasons for the appeal. If meetings with the student and other concerned parties result in an agreeable solution to the matter, the appeal process will end. If no such solution is reached, the official from the Office for Academic Affairs will recommend to the Provost/Vice President for Academic Affairs, giving reasons for the recommendation, whether the appeal should be heard or denied. If the Provost/Vice President for Academic Affairs denies the appeal, the appeal process will end. If the appeal is to be heard, the official from the Office for Academic Affairs will convene a panel to resolve the issues that remain. The panel will consist of a person designated by the Vice President for Student Affairs, a person designated by the Provost/Vice President for Academic Affairs (not the official convening the panel), one student (appointed by the President of the SGA), and one faculty member (appointed by the President of the Faculty Senate); both the student and the faculty member will come from the division holding jurisdiction for resolving the academic grievance if it is possible to find such people who have no prior connection with the case. In cases involving graduate students, the faculty and student members of the appeal panel should hold graduate faculty or graduate student status respectively. The person designated by the Provost/Vice President for Academic Affairs will serve as hearing administrator and will coordinate and preside at all meetings conducted to resolve the academic grievance appeal.

The hearing by a panel is an administrative hearing and the proceedings will be informal rather than those used in courts of law. The panel may admit any evidence which is of probative value in determining the issues, subject to the panel’s judgment as to the relevance, credibility, and weight of the evidence. The panel may ask the parties to produce evidence on specific issues, may examine witnesses, and may call and examine its own witnesses. The student may be represented at the hearing by a person of his or her choice; if the student is represented by an attorney, then the other parties may be represented by a person from the Office of the University Counsel. Each party (or the representative of the party) will have the right to confront and cross-examine all opposing witnesses. The panel will decide each of the issues raised in the appeal. The panel’s decision will be final and will conclude the process insofar as the University is concerned.
A decision contrary to the student’s position must be supported by the votes of at least three of the four panel members. The panel will give written notice of its decision to the student, the faculty or staff member, the dean, and the Provost/Vice President for Academic Affairs.

The scenario:

A doctoral student in Engineering submitted a grade grievance to the Associate Dean based on personal malice after a resolution was not met at the departmental level. After multiple meetings with the student and multiple emails to the faculty member who was out of the country, the Associate Dean determined that the student would be retroactively withdrawn from the courses in question due to the lack of concrete evidence about the quality of work submitted by the student. (The courses in question were dissertation research and special topics in engineering.) The student did not appeal this decision to the Office of Academic Affairs.
Hi there,

Attached is a PDF of my memo indicating that we have been unable to successfully resolve this issue at the departmental level. Let me know if you need anything else.

Thanks

David
Academic Grievance

To: Dr. Charles L. Karr  
Dean, College of Engineering

From: Mr. [Redacted]  
Graduate Student of Computer Science

Date: June 24, 2010

Subject: Revised Academic Grievance with Three Attachments  
(Replacing the Previous One Filed on June 8, 2010)

In accordance with the guidelines of the University-Wide Academic Grievance Procedures, I hereby file an academic grievance against Dr. Yang Xiao, Associate Professor of Computer Science, for changing previously assigned course grades from passing to failure, not based on my actual course performance, but based on his arbitrariness and personal malice.

The changes of my course grades occurred after I had told Dr. Xiao about my decision to change my dissertation area and thereby change my dissertation advisor. A few days later, he changed three of my course grades to one D and two Fs. The grade D was changed from B that was originally assigned by him and posted more than one semester earlier on the student transcript management system. I believe that the original grade B reflects his assessment of my actual course performance and the new grade D reflects his anger over my decision of changing his role as my dissertation advisor. The following events substantiate my belief.

- On May 13, I had a meeting with Dr. Xiao in his office to mention my decision to change my dissertation area and dissertation advisor, and to ask for his understanding. He was very upset and asked me to continue to work under him for a master's degree with thesis option. I declined.

- On May 19 morning, Dr. Xiao changed my grade from B to D for the CS691 (a special topic course, 3 hours) offered in Fall 2009.

- On May 19 afternoon, I met Dr. Xiao again in his office. He reiterated that he wanted me to continue to work under his supervision for a master's degree with thesis option, or even for a PhD degree. I declined it for fear of possible retaliation given what he had done to me. He got very angry and claimed that no other CS faculty would take me to offend him.

- On May 26, Dr. Xiao changed my grade of CS699 (dissertation, 3 hours) offered in Fall 2009 from I to F, which he had made me believe it would have a grade of P. In addition, he changed the grade of CS699 (dissertation, 3 hours) offered in Spring 2010 from I to F.
As to CS699 (dissertation, 3 hours) of Fall 2009, Dr. Xiao had promised me to change the grade from I to P if I finished writing a paper. And I did (see Attachment 1, I am the first author who wrote the entire paper initially). This paper was submitted to IEEE Globecom 2010 by Dr. Xiao on March 31, 2010. After the submission, he said he would change the grade from I to P. He told me to ask Jamie, CS secretary, how to change a grade. Later he changed the grade to F from I. This paper was accepted on June 23, 2010 and will be published in the Proceedings of IEEE GLOBECOM 2010 and the IEEE eXplore (see Attachment 2, the acceptance letter). This is a compelling evidence that I deserve a good passing grade for this course.

As to CS699 (dissertation, 3 hours) of Spring 2010, Dr. Xiao had told me to revise a conference paper for publication in a special topic journal named Journal of Internet Technology (see Attachment 3, I am the first author who wrote the entire paper initially). This paper has been submitted and accepted by that journal which requires minor modifications. I did complete the required modifications and submit a revision to Dr. Xiao before the end of Spring 2010. I was notified on June 24, 2010 that the paper would be published soon by the journal. I believe I deserve a grade of P instead of F for this course.

Dr. Xiao made me take CS699 in each semester of my first two years in the PhD program. Prior to this incident, Dr. Xiao instructed me to take both CS691 (3 hours) and CS699 (6 hours) in Fall 2008 and again in Spring 2009. He assigned a grade of A and P respectively for CS691 and CS699 for both semesters. Apparently he was quite satisfied with my performance. Then after knowing my intention to leave him, he penalized me by changing my grades to two Fs and one D.

The above account of events makes me believe that my three failing grades were totally based on his arbitrariness and personal malice. He changed my grades just because I wanted to switch dissertation advisor.

His unfair treatment has already caused great damages to me. My GPA has dropped from 3.60 to 2.83 after he failed my three courses. I was reminded that the new GPA placed me on academic probation. It implies that I would be deprived of the CS graduate assistantship which has been renewed and offered to me previously for the Fall 2010. It also implies that I have to raise my GPA up to 3.0 or above in the next 12 credit hours; otherwise I will be dismissed from the school, where I have already spent two years into my PhD programs. In a long run, it would ruin my career and even my life. I have no choice but to file this academic grievance to ask for your justice and plead for your assistance.
Academic Grievance (continued)

Any failure grade is unthinkable to me. My academic and professional records have been proven excellent. I completed my BS degree in Computer Science in only three years, and each year I was awarded a scholarship. My total GRE score is 1380 (800 quantitative & 580 verbal). After graduation, I have been recruited by two prominent high-tech companies in China as a software engineer for over four years. I have been offered a CS departmental graduate assistantship in the past two consecutive years. In May, I was also offered a graduate assistantship for the Fall 2010. Evidently my past performance as a graduate assistant is satisfactory.

Since my ultimate career goal is to be a computer science professor, I need to achieve a Ph.D. degree in computer science. Toward my ultimate goal, I need to build several solid CS advanced courses. Unfortunately, Dr. Xiao did not allow me to take more than one instructional course per semester outside his CS691. At this rate, it would have taken me more than three years just to finish the required course work. In addition, in the past two years, even though I have taken 18 hours of CS699 dissertation credits. I have been assigned a variety of piecemeal tasks. As a result, I was unable to sort out any potential dissertation direction in the area of wireless network.

After careful considerations, I decide to switch my dissertation research area to software engineering for the following reasons: (1) I have four years experience working as a software engineer, (2) our department has strong faculty resources in software engineering, and (3) I recently found an interesting research direction in software engineering that may lead to a dissertation topic.

It has been a nightmare to me since the occurrence of this incident. I do hope that this incident can be resolved internally without seeking any external legal assistance. I earnestly plead for your help and request for necessary corrective actions. Your prompt actions would definitely be appreciated. Thank you for your time and efforts.
Dear Dr. Kevin W. Whitaker

I am happy to talk with after I come back from the trip. I am currently on an international travel and will come back to school July 12. After I comeback from the trip, I will schedule an appointment asap.

---

Prof. Yang Xiao, The Univ. of Alabama
http://www.cs.ua.edu/~yangxiao/

--- On Thu, 6/24/10, Whitaker, Kevin <Kwhitaker@eng.ua.edu> wrote:

From: Whitaker, Kevin <Kwhitaker@eng.ua.edu>
Subject: Academic Grievence
To: "Xiao, Yang" <yangxiao@cs.ua.edu>
Cc: "Snow, Becky" <bsnow@eng.ua.edu>, "David Cordes" <david.cordes@ua.edu>
Date: Thursday, June 24, 2010, 4:11 PM

Dr. Xiao:

A formal academic grievance has been submitted to me by [redacted]. He alleges you assigned him failing grades in three courses based on your personal malice toward him. I have reviewed the materials [redacted] has submitted to me and I believe there is sound basis for a formal investigation. I need to meet with you as soon as possible to discuss this matter. I ask that you familiarize yourself with the University-wide Academic Grievance Procedures found in Appendix D of the UA Faculty Handbook.

Please contact my assistant, Becky Snow (bsnow@eng.ua.edu), to schedule an appointment.

KW

***************************************************************************
Dear Dr. Whitaker,

Thank you for your sending me the email.

The following are my explanations as regard to the points you made.

For CS691 of Fall 2009, I admit that I missed some classes and I also didn’t hand in the assignments by exactly following the syllabus, but I have my reasons.

He has never strictly followed the syllabus to grade for us. In each semester, we, students under his supervision, were forced by him to take his CS691. It has become an unwritten convention that as long as he is satisfied with your research, you can get an A in CS691 even you seldom show up in the class. You can even use what you do for research to substitute for the project or assignments required in the class, no matter how different the topics are. That was how I used my research work to replace the final project in CS691 of Fall 2008 and got an A. As for the reports for CS691 of Fall 2009, I asked for his permission to hand in late both verbally and in written form and he acquiesced in his reply as seen in attachment I---the emails between us.

It might be my fault not attending his class each and every time, but I can explain it. Firstly, I highly doubt that he made due preparation for his class. In his class, he either asked students to make presentation or he just read PPT that he borrowed from others and that he didn't understand well himself. I can barely learn anything in his class and it's a waste of time to attend his class. Secondly, he forced me to choose his class each semester, even though I really do not like to. I want to choose various courses in computer science to build a solid foundation, but he doesn’t allow me to do so. He usually says that it is not beneficial to learn much and that he employs me not for me to learn but do the work he assigns me to do.

Dr. Xiao once explicitly said that I could only get a B because of being late in submitting the assignments. I thought it was fair and accepted it.

My words may seem subjective. However, to have a fair judgment, please refer to the evaluation result for his course of each year, or to other students who have ever taken his
class. Then you might know what a professor he really is. As to what kind of a student I am, you can also ask other professors who ever taught me for reference.

For the CS699 courses, he did not tell the truth.

The work I have done under his supervision is listed as follows:

In Fall 2008 I wrote the paper "Fault Tolerance Experiments in 4D Future Internet Architecture", which has been published in Communication and Networking: International Conference, FGCN/ACN 2009


From Fall 2009 to March of 2010, I was working on the paper "Building Global View with Log Files in a Distributed/Network System". And in Spring 2010, I also worked on modifying the paper "Fault Tolerance Experiments in 4D Future Internet Architecture" for a special journal version.

As his requirement, I meet him once every week as a TA. And for each meeting, I have sent him a report on my latest progress in research. In Attachment 2, I packaged all the emails and reports I sent to him from Fall 2009 till the end of Spring 2010.

Thank you very much for your time and efforts. If there is anything confusing or unclear, please let me know.

I really appreciate your discernment. I have suffered from this for a long time. I plead for your just decision being made soon.

Yours Respectfully,
From: Whitaker, Kevin
Sent: Tuesday, April 26, 2010 1:02 PM
To: [Redacted]
Subject: Questions

I wanted to let you know I have met with Dr. Xiao. As a result of that meeting I do have some additional questions for you. Let me first see if I can get them answered via email; but if not, we can meet.

Dr. Xiao provided me with a CS 691 syllabus (do you have a copy?) and it indicates your course grade would be calculated based on a number of reports that were to be submitted throughout the semester; it also identifies penalties for late submissions. Dr. Xiao stated that you did not turn in any of the reports until after the course ended. Is this your recollection of what happened? Do you know specific dates? Do you have any email correspondence with Dr. Xiao the relates to these late submissions? Dr. Xiao also told me you very rarely attended class. If true, please tell me why.

For the CS 699 courses, Dr. Xiao stated the work you did for the two papers was a result of the CS 699 courses you took in Fall 2008 and Spring 2009 (in other words, your first year as a grad student). Did you do additional work on the papers this past academic year (2009-10)? Dr. Xiao told me he has some requirements for his graduate students such as meeting at least once a week, submitting weekly progress reports, submitting a final report, etc. Were you aware of these requirements? Did you do these things?

Please be as detailed as you can. And let me know if you have any questions.

KW

******************************************************************************

Kevin W. Whitaker, Ph.D.
Associate Dean for Academic Programs
College of Engineering
The University of Alabama
Box 870200
Tuscaloosa, AL 35487
205-348-1598
kwhitaker@eng.ua.edu
Hi Kevin,

CS 699 was an "I" on Dec. 16, 2009 and changed to an "F" on May 26th, 2010 by a Yang Xiao 11097383
CS 691 was a "B" on Dec. 16, 2009 and changed to a "D" on May 19th, 2010 by a Yang Xiao 11097383
CS 699 was an "I" on May 12, 2010 and changed to an "F" on May 26, 2010 by Yang Xiao 11097383

I hope this helps.

Shayne Gervais
Assistant University Registrar
University of Alabama
206 Student Services Center
205-348-0252
205-348-8187 (fax)
shayne.gervais@ua.edu

---

Hi Shayne – it was great to see you last week!

I need your detective skills; Can you track down when some grades changes were entered? The student is

And the courses in question are:

CS 699 (Fall 2009) I changed to F
CS 691 (Fall 2009) B changed to D
CS 699 (Spring 2010) I changed to F

If possible, I’d like to know when the original grade was entered and when the change of grade was entered. (This is all stemming from a formal academic grievance case filed by the student.)

KW

*******************************
Kevin W. Whitaker, Ph.D.
Associate Dean for Academic Programs
College of Engineering
Dear Dr. Whitaker

Also another comment for CS 691

In the first day of the class, when I explained the Syllabus, and I explained the meaning of: 'Lose all points if missing deadlines, presentation, or reports. No exception!', besides the explanation of the meaning, I told the students additionally that "if you miss any of your presentations and final report, especially the final report, you will fail this class" besides other comments.

Thanks

--

Prof. Yang Xiao, The Univ. of Alabama
http://www.cs.ua.edu/~yangxiao/

--- On Mon, 8/2/10, Yang Xiao <yangxiao@cs.ua.edu> wrote:

From: Yang Xiao <yangxiao@cs.ua.edu>
Subject: Re: Academic Grievance Case
To: "KevinWhitaker" <Kwhitaker@eng.ua.edu>
Cc: "Yang Xiao" <yangxiao@ieee.org>
Date: Monday, August 2, 2010, 12:51 PM

Dear Dr. Whitaker

(sorry for late response since I have multiple deadlines (such as NSF grant final report, etc.) due yesterday so that I was busy on those).

Here:

For CS 691:

Based on the Syllabus: Lose all points if missing deadlines, presentation, or reports. No exception!

Grading Policy:

Individual-Project (50%).
Individual-Project-Presentation (20%)
Study-Presentation (20% - two times, each time 10% and 25 minutes per time)
Class attendance and participation (10%).
Total: 100
A=[85, 100]; B=[70, 85]; C=[50, 70]; F=[0-50).

Here are his grades

First report: 0
Second report: 0
Third report: 0
Four report: 0
Five report: 0
Six report: 0
Final report: 0
Individual-Project-Presentation: 14
Study-Presentation: 16
Class attendance and participation is: 2

So his total grade is 32 over 100.

Therefore, his grade should be F. I also told you why I gave him a D instead of F.

For other students, no one missed all the reports by the deadline. No one except him missed the final report.

As for your final comment, I do not agree. The three courses were not changed at the same time.

The changing grade of CS 691 from B to D: I already told you the reason;

The other two CS 699 courses were “I” grade before he told me anything. The “I” grades mean Fail before anything happened (before his telling me). The Fall 2009’s I graded were given in 2009. The Spring 2010’s I grade was gaven before his telling me. I changed the I grades due to the department chair’s email. The I grades mean Fail. Even I do not changed the I grades, they will be automatically changed to F by the systems.

Prof. Yang Xiao, The Univ. of Alabama
http://www.cs.ua.edu/~yangxiao/

--- On Thu, 7/29/10, Whitaker, Kevin <Kwhitaker@eng.ua.edu> wrote:

From: Whitaker, Kevin <Kwhitaker@eng.ua.edu>
Subject: Academic Grievance Case
To: "Xiao, Yang" <yangxiao@cs.ua.edu>
Date: Thursday, July 29, 2010, 9:34 AM

Dr. Xiao:
I have continued to meet with  and have a few more questions for you. These questions are regarding CS 691.
In looking at the syllabus, your grading policy lists four elements used to calculate the grade:

Individual project
Individual project presentation
Study presentation
Class attendance

Do you have grades assigned for Mr. [Blank] in each of those specific elements? Mr. [Blank] told me the only item he turned in late was the first element (individual project). What I am trying to understand is how, exactly, you computed his final grade.

[Blank] also told me other students in the class turned in assignments late but were not penalized or not penalized as severely as Mr. [Blank] Did other students in CS 691 turn in assignments late? If so, how were their grades calculated?

One remaining item of concern that I would like you to comment on: All of Mr. [Blank]'s grade changes occurred nearly simultaneously and right after Mr. [Blank] told you he wanted to change advisors. I hope you see that these circumstances give, at the very least, the appearance of you retaliating against the student.

KW
Dear Dr. Whitaker

(sorry for late response since I have multiple deadlines (such as NSF grant final report, etc.) due yesterday so that I was busy on those).

Here:

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Here are his grades

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Prof. Yang Xiao, The Univ. of Alabama  
http://www.cs.ua.edu/~yangxiao/

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From: Whitaker, Kevin <Kwhitaker@eng.ua.edu>  
Subject: Academic Grievance Case  
To: "Xiao, Yang" <yangxiao@cs.ua.edu>  
Date: Thursday, July 29, 2010, 9:34 AM

Dr. Xiao:

I have continued to meet with [redacted] and have a few more questions for you. These questions are regarding CS 691.

In looking at the syllabus, your grading policy lists four elements used to calculate the grade:

- Individual project
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- Study presentation
- Class attendance

Do you have grades assigned for these in each of those specific elements? [redacted] told me the only item he turned in late was the first element (individual project). What I am trying to understand is how, exactly, you computed his final grade.

[redacted] also told me other students in the class turned in assignments late but were not penalized or not penalized as severely as [redacted]. Did other students in CS 691 turn in assignments late? If so, how were their grades calculated?

One remaining item of concern that I would like you to comment on: All of [redacted]'s grade changes occurred nearly simultaneously and right after [redacted] told you he wanted to change advisors. I hope you see that these circumstances give, at the very least, the appearance of you retaliating against the student.

KW
Dear Dr. Whitaker

I will look the grades of and let you know soon.

Prof. Yang Xiao, The Univ. of Alabama
http://www.cs.ua.edu/~yangxiao/

--- On Thu, 7/29/10, Whitaker, Kevin <Kwhitaker@eng.ua.edu> wrote:

From: Whitaker, Kevin <Kwhitaker@eng.ua.edu>
Subject: Academic Grievance Case
To: "Xiao, Yang" <yangxiao@cs.ua.edu>
Date: Thursday, July 29, 2010, 9:34 AM

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- Study presentation
- Class attendance

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KW
View Student Addresses and Phones

Information for:
Addresses and Phones

Local Mailing Address
Primary: None Provided

- United States
  Return: Aug 31, 2011 - (No end date)
  Primary:

  Tucson, Arizona United States

Permanent Home Address
Primary:

  Tuscaloosa, Alabama 35481
  Tuscaloosa United States

1043195 Kevin W. Whitaker
Aug 03, 2010 01:57 pm
This letter is in response to the academic grievance you submitted to me on June 24, 2010. I have met with you on multiple occasions to discuss the allegations in your grievance. I have also met with Dr. Xiao. To summarize, you are following the University-wide Academic Grievance Procedure to formally question the following: the grades of "F" received in CS 699 for Fall 2009 and CS 699 for Spring 2010; and the grade of "D" received in CS 691 for Fall 2009 (changed five months later from the original "B" assigned). In your academic grievance you present a number of examples you believe show you did the work required of you by Dr. Xiao in all three courses.

I have thoroughly reviewed the documentation you submitted to me and the information gleaned from the meetings held. In short, I find that because there was no syllabus for the CS 699 Dissertation Research courses nor other similar documentation, there are no written performance measures by which your course work was to be evaluated. Therefore I find it impossible to assess if the work you did was sufficient for a passing grade or, conversely, if the work warranted a failing grade. Because I can find no basis for clearly determining final grades, I have decided you will be retroactively withdrawn from CS 699 for the Fall 2009 and Spring 2010 semesters.

My point of concern with CS 691 is the change of grade and its timing. Dr. Xiao initially assigned you a "B" which you thought was fair because you had turned in assignments late. It was five months later, when you told Dr. Xiao you wanted to change advisors, that the course grade was changed from "B" to "D." This, combined with the fact the "F" grades in CS 699 were assigned at nearly the same time (seven days later), suggests to me some retaliation may have been involved. However, similar to my finding with the CS 699 courses, I cannot justify that you deserved the original grade of "B" in CS 691 any more than I can justify you deserve the "D." Thus I have decided you will be retroactively withdrawn from CS 691 for the Fall 2009 semester.

In closing, I want you to realize that Section IV of the University-wide Academic Grievance Procedures allows you to appeal my decision to the Office for Academic Affairs. Please note that you have 15 working days from the mailing date of this letter to appeal and any appeal must be based on substantive grounds such as procedural errors, new information, or inconsistencies in the application of policies.

Sincerely,

[Signature]

Kevin W. Whitaker, Ph.D.
Associate Dean for Academic Programs

cc: Dr. Yang Xiao
August 3, 2010

MEMORANDUM

To: Michael George, University Registrar

From: Kevin Whitaker, Associate Dean

Subject: Retroactive Withdraw – Academic Grievance Resolution

As the result of a formal academic grievance resolution, I request your assistance with the following action. Please retroactively withdraw (1) from the following courses:

CS 691 for the Fall 2009 semester
CS 699 for the Fall 2009 semester
CS 699 for the Spring 2010 semester.

Thank you.

cc: Mr. [redacted]
Kevin,

has been retroactively withdrawn from the following courses:

CS 691 Fall 2009
CS 699 Fall 2009
CS 699 Spring 2010

Michael

Michael George
University Registrar
University of Alabama
206 Student Services Center
Tuscaloosa, Al 35487-0134
Tel: [205] 348-7219
Fax: [205] 348.7717
E-mail: michael.george@ua.edu

Make It Happen - Don't Let It Happen!
Today -- Not Tomorrow!