



**BIRMINGHAM COMMUNITY CHARTER HIGH SCHOOL  
POLICY BULLETIN**

**Bulletin 001.0 – Request to Change a Pupil Grade**

<p><b>Purpose(s):</b></p> <p>The purpose of this bulletin is to establish a uniform policy and procedure for processing requests to change a pupil's academic grade.</p>	<p><b>INSTRUCTIONS AND GUIDELINES:</b></p> <p><b>I. INTRODUCTION</b></p> <p>A. Under Education Code section 49066, parents (which include legal guardians or others with educational rights for the pupil) have a right to request a change of a pupil's grade only on the following grounds:</p> <ol style="list-style-type: none"> <li>1. Mistake</li> <li>2. Fraud</li> <li>3. Bad faith</li> <li>4. Incompetency</li> </ol>
<p><b>Process:</b></p> <p>Isaac Alatorre Administrative Director</p>	<p>B. When grades are earned for any course of instruction taught in the public schools, the grade earned by each pupil shall be the grade determined by the teacher of the course. In the absence of any of the grounds listed above, the grade shall be final.</p> <p>C. Marks for work habits and cooperation shall not be deemed grades for purposes of this bulletin. Questions regarding marks for work habits and cooperation may be directed to the teacher or principal. All decisions regarding work habits and cooperation grades at the school site level shall be final.</p>
<p><b>Board Approved:</b></p> <p>January 14, 2012</p>	<p>D. No grade of a pupil participating in a physical education class may be adversely affected due to the fact that the pupil does not wear standardized physical education apparel when failure to wear such apparel arises from circumstances beyond the control of the pupil.</p> <p><b>II. PROCEDURES</b></p> <p><b>A. Teacher Level</b></p>
<p><b>Federal/ State/ Laws, regulations, bulletins and/or memorandums:</b></p> <p>20 U.S.C. section 1232g Ed Code 49066, 31560</p>	<p>1. Any request for a grade change must first be made in writing to the classroom teacher who assigned the grade. A parent must make the request to the teacher within thirty (30) school days (for purposes of this bulletin, "school days" are defined as days when the relevant pupil is or should be in school, excluding summer school, intersession, and Saturday school) of the date the grade report was mailed. This request must reference the teacher's grading criteria and shall specifically allege how the teacher's grading of the pupil reflects mistake, fraud, bad faith, or incompetency in assigning the final grade. The parent may present any relevant information, oral or written, in support of the request.</p> <p>2. If the teacher agrees to change the grade, the teacher shall notify the parents in writing of the new grade and the change shall be made in the student's official records within ten (10) school days following the date the teacher received the parent's written request.</p>
<p><b>Attachments:</b></p> <p>(A) Grade Change Appeal Form (B) Sample Findings and Recommendation Form</p>	<p><b>B. Administrative Director Level</b></p> <ol style="list-style-type: none"> <li>1. If the teacher does not agree to change the grade, the teacher shall notify the parent and the teacher's immediate director of the teacher's decision, in writing, within ten (10) school days following the date the teacher received the parent's written request. The teacher shall forward a copy of the written request and decision to the director at the same time as the decision is provided to the parent.</li> <li>2. In the event the teacher decides not to change the grade, the parent may appeal the teacher's decision to the director. A parent must make the written request to the director within ten (10) school days of the date of the teacher's written decision not to change the grade. <b>Attachment A</b> provides a sample form for this request.</li> <li>3. The parent's written appeal shall specifically allege how the teacher's grading of the pupil reflects mistake, fraud, bad faith, or incompetency in assigning the final grade. The parent, pupil, and teacher shall have the right to submit or present relevant documentation.</li> <li>4. The director shall schedule a meeting with the parent and shall give the teacher the opportunity to be present and/or to otherwise provide input. This meeting must be scheduled within (10) school days of the date the director received the parent's written appeal.</li> <li>5. Following the meeting with the director, the director will discuss the appeal with the teacher. Within twenty (20) school days of the school's receipt of the parent's written appeal to the director, the director shall inform the parent of the teacher's decision regarding the grade. If it is decided that the grade will be changed, the grade change shall be effected within (30) business days of the date the decision is made.</li> </ol>



## BIRMINGHAM COMMUNITY CHARTER HIGH SCHOOL POLICY BULLETIN

### **C. CEO Level**

1. If the issue cannot be resolved at the director's level, the parent may make a written request for review by the CEO or designated administrator. This written request must be made within (10) school days of the date of the director's written response. Along with the request, the parent must forward copies of documents from previous decisions made.
2. The CEO may designate an appropriate administrator or panel of administrator's to review the request.
3. The written request for review shall specifically allege how the teacher's grading of the pupil reflects mistake, fraud, bad faith, or incompetency in assigning the final grade.
4. The parent, pupil, and teacher shall have the right to submit relevant documentation.
5. The CEO or designated administrator or panel of administrators shall review the request. The review shall be conducted and written findings and recommendations developed within ten (10) school days of the CEO's receipt of the parent's written request for review. The CEO or designated administrator or panel shall give the teacher the opportunity to be present or to otherwise provide input. A sample form for the findings and recommendations is provided in **Attachment B**.
6. Within twenty (20) school days of the CEO's receipt of the parent's written request for review, the CEO shall inform, in writing, the parent, pupil, teacher, director of the determination regarding the grade. If the teacher agrees with the CEO's determination, the grade change shall be effected through administrative channels within thirty (30) days of this decision.

### **D. BOARD Level**

1. If the issue cannot be resolved at the CEO level, the parent may make a written request for review by the Board. This written request must be made within ten (10) school days of the date of the CEO's determination. Along with the request, the parent must forward copies of documents from previous appeals and decisions from those appeals.
2. The Board may designate an appropriate administrator and/or panel of administrators to conduct the review of the previous appeals and provide recommendations to the Board. Any recommendations from the administrators or panel of administrators are not binding with the Board.
3. The written appeal shall specifically allege how the teacher's grading of the pupil reflects mistake, fraud, bad faith, or incompetency in assigning the final grade.
4. The parent, pupil, and teacher shall have the right to submit relevant documentation.
5. If an administrator or a panel of administrators performs the review, the review shall be conducted and written findings and recommendations issued to the Board within ten (10) school days of the request for review. The relevant teacher shall be given the opportunity to be present at the review or to otherwise provide input.
6. Within twenty (20) school days of the Board's receipt of the parent's written request for review, the Board shall inform, in writing, the parent, pupil, teacher, director and CEO of the determination regarding the grade. This determination shall be final. If the Board or designated administrator, as the delegee of the Board, determines the grade must be changed, the grade change shall be effected through administrative channels within thirty (30) days the date the Board received the parent's written request for review.





BIRMINGHAM COMMUNITY CHARTER HIGH SCHOOL
POLICY BULLETIN

Attachment B:

Findings and Recommendations Form

Grade Change Request of: \_\_\_\_\_ Grade: \_\_\_\_\_

For the following class: \_\_\_\_\_

Background: [Attach information regarding when the class was taken, who the teacher of the class was, which level(s) of review have already been conducted, and the results of each prior level of review.]

Reason(s) for Request: (Attach copy(s) of Attachment A)

Discussion of Reason(s) for Request:

Reason A: Mistake

Facts/evidence supporting the request: \_\_\_\_\_

\_\_\_\_\_

Facts/evidence supporting the original grade: \_\_\_\_\_

\_\_\_\_\_

Reason B: Fraud

Facts/evidence supporting the request: \_\_\_\_\_

\_\_\_\_\_

Facts/evidence supporting the original grade: \_\_\_\_\_

\_\_\_\_\_

Reason C: Bad Faith

Facts/evidence supporting the request: \_\_\_\_\_

\_\_\_\_\_

Facts/evidence supporting the original grade: \_\_\_\_\_

\_\_\_\_\_

Reason D: Incompetency

Facts/evidence supporting the request: \_\_\_\_\_

\_\_\_\_\_

Facts/evidence supporting the original grade: \_\_\_\_\_

\_\_\_\_\_

Conclusions:

Based on a thorough review of the oral and written evidence that was provided, and after careful consideration, the reviewer finds that the grade change request should be [GRANTED/DENIED].

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

[NAME OF REVIEWER] [TITLE/POSITION]