

RULE IV: GRADING

A. Anonymity in Grading

1. **Policy.** Whenever feasible and consistent with the instructor's exercise of responsibility for effective student learning, the instructor shall determine each student's final grade in an offering under such conditions that the identity of the author of any work product counting toward the final grade is not known to the instructor until after all the final grades in the offering have been assigned by the instructor.
2. **Exception.** The policy favoring anonymity in grading shall not, however, bar an instructor from using teaching and learning techniques involving such personal communication as unavoidably to reveal to the instructor the identity of the author of a work product counting toward the final grade in the offering.
3. **Implementation.** If the instructor chooses to base part or all of the final grade in an offering on a work product(s) other than one(s) which can be anonymously graded, the instructor shall submit the grade(s) for the latter to the Registrar by student examination number and the grade(s) for the former by student name. To help determine the final grade for each student enrolled in the offering, the Registrar shall correlate the grades by name and anonymous number and return to the instructor.

B. Grading System

1. **Letter Grades.** Except as provided in (3) below, work done for academic credit shall be graded on a scale of letter grades from A plus through F (A+, A, A-, B+, B, B-, C+, C, C-, D+, D, D-, F).
2. **Mean Grade of B.** In all classes with more than 15 students who are graded on an A through F scale, the mean grade in the class will be no higher than a B. For a particular class, a faculty member may request a waiver from this policy from the Teaching Effectiveness Committee. In order to receive a waiver, the instructor must show a compelling reason such as that the class is a "mastery" class, involving extensive student discussion and oral and written presentations, which would lead to a majority of the class demonstrating mastery of the subject. The policy does not apply to classes with less than sixteen students. For classes between sixteen and twenty-five students the waiver provision will be liberally applied to promote innovation in teaching and evaluation of student work as well as individual instruction/mentoring. (Revised by faculty 3/19/15)

In the course of the committee's experience it has usually acted favorably on waiver requests in the following circumstances:

- a. The proposing instructor wishes to adopt a teaching or evaluation methodology new to the instructor that would be inhibited by requiring usual grading practices.
- b. A major part of the instruction and evaluation are based on simulation, performance, writing exercises or other work not suitable for anonymous grading.
- c. If the instructor can factually demonstrate that because of the anticipated quality of work by the particular students enrolled in the class imposition of the strictures of the B mean rule would work an injustice the mean may be waived by a vote of the faculty.

A faculty member seeking a waiver of this rule for a particular course shall request a waiver no later than one week following the add/drop date fixed for each semester.

3. **S/U Option.** A student may exercise the option not to receive a letter grade in any elective offering, unless the instructor has limited the evaluation to letter grades only. For this purpose, a course which would qualify as meeting a requirement which the student has already satisfied is an elective. In the event of successful completion of such offering, the student shall receive a grade of Satisfactory(S). In the event that such offering is not successfully completed, the final grade shall be Unsatisfactory(U). No student under the jurisdiction of the Academic Standing Committee shall be allowed to opt for S/U grading without permission of the committee. Students are cautioned that exercising this option can affect their eligibility for honors designation. See Table V.D.
4. **Correlation of S/U With Letter Grades.** The grade "S" shall equate with a grade of C minus or higher. A Satisfactory (S) grade shall carry no numerical equivalent and thus shall not be counted in computing a student's grade point average for purposes of eligibility for continuing as a degree candidate or qualifying for a degree. An Unsatisfactory (U) grade shall equate with a grade of F. An Unsatisfactory (U) grade shall carry the numerical equivalent of zero and shall be counted in computing a student's grade point average for purposes of eligibility for continuing as a degree candidate or qualifying for a degree.
5. **Exercise of S/U Option.** In any offering in which a student has the option to elect between a grade on the letter-grade scale and a Satisfactory/Unsatisfactory grade, the student shall exercise the election on or before the last day upon which the student may drop the course without penalty.
6. **S/U Grading Where Letter Grades Are Not Feasible.** In any offering in which the instructor determines that distinctions on the letter-grade scale are not feasible, a student's work shall be graded as Satisfactory (S) or Unsatisfactory (U), or, at the instructor's election, as Satisfactory (S), Unsatisfactory (U), or Outstanding (O).

C. Completion of Course Work

1. **Within the Term.** Work required in an offering should be completed within the time prescribed by the instructor and within the term in which the offering is held.
2. **Extension of Time for Completing Course Work Other Than a Final Examination.** When a student concludes that course work other than a final examination will not be completed within the time prescribed by the instructor, the student may apply to the instructor for an extension for the completion of the required work. The instructor shall determine whether an extension of time may be granted and, subject to the provisions of this subdivision, the duration of any extension. Ordinarily the instructor shall grant an extension if the request is timely, and if the circumstances requiring the extension are beyond the control of the student. If the time for completion of course work is extended beyond the time which would permit the instructor to submit the student's grade within the time for submission of grades (see subdivision D of this rule), the student shall commit the terms of the extension to writing, including the date by which the course work shall be completed. The writing, signed by the instructor, shall be submitted to the Registrar.
3. **Limit of Extension of Time.** Except in extraordinary circumstances, the time for completing course work may not be extended beyond the last day of classes in the semester following the term in which the offering was held. Any proposal for an extension of time beyond the last day of classes in the semester following the term in which

the offering is held must, in addition to meeting the requirements of subdivision C(2) of this rule, be approved by the Assistant Dean of Students.

4. **"I" (Incomplete) Transcript Entry.** Upon receipt of the written approval for an extension of time, the Registrar shall enter on the student's transcript an "I" (Incomplete) for the offering. If no written approval for an extension of time has been received on or before the last day for submitting final grades for the offering, the Registrar shall enter on the student's transcript the grade submitted by the instructor or, if no grade has been submitted, an "F". After 12 months, an "I" incomplete grade will convert to an "F".

D. Change of Final Grades

A faculty member shall not change a final grade after submitting it to the Registrar except to correct a clerical error or, after a substantive review of the work product on which the grade is based, an error of fact. Only a final course grade may be appealed. See [Rule XII](#) for additional information on final grade appeals.

E. Satisfying the Requirements of a Course in Which an F or U Grade is Earned

1. **Retaking the Course or Final Examination or Redoing Other Required Work.** A student may satisfy the requirements of a course in which the original grade is an F or U by:
 - a. Retaking the course when it is next held; or
 - b. Retaking the final examination in the course when it is next administered or, for a course in which a final examination did not determine the student's original grade, redoing other work required in the course.
2. **Instructor's Permission.** A student has the right to retake a course in which an F or U grade has been received only if completing it is a degree eligibility requirement. For all other retakes authorized in subdivision (1) above, the instructor's permission is required.
3. **Consequences of Retaking a Course.**
 - a. **Enrollment.** The retake shall be counted in determining the number of credits in which the student is enrolled in the semester when the course offering is retaken.
 - b. **Grade.** Unless barred by the Academic Standing Committee as a probationary condition, a student may retake a course for an S/U grade if the S/U is otherwise available for the course.
 - c. **Eligibility to Continue as a Degree Candidate and to Qualify for the Degree.** To determine eligibility to continue as a degree candidate and to qualify for the degree, both the original grade and credits and the retake grade and credits shall be taken into account as if the student had enrolled in two unrelated courses.
 - d. **Academic Record.** The student's academic record shall show the retake enrollment as well as the original enrollment in a course.
4. **Consequences of Retaking an Examination or Redoing Required Work.**
 - a. **Enrollment.** Retaking the final examination or redoing other required work in a course shall not be counted in determining the number of credits in which a student is enrolled in the semester or other term in which the student retakes the examination or does the other required work.
 - b. **Grade.** A student shall earn an S or U grade in a course in which the student retakes the final examination or redoes other required work.
 - c. **Eligibility to Continue as a Degree Candidate and to Qualify for the Degree.** The grade and credits resulting from retaking the final

examination or redoing other required work shall be substituted for the ones earned in the original enrollment, which thereafter shall not be considered for purposes of determining eligibility to continue as a degree candidate or to qualify for the degree.

- d. **Academic Record.** The Registrar shall:
 - i. Record on the student transcript that the final examination has been retaken or other required work redone and;
 - ii. Record the S or U grade resulting from retaking the final examination or redoing his/her required work.
5. **Explanation of a Grade Supersession.** Upon a student's request, the Registrar shall place in the student's academic record a written explanation, supplied by the instructor, of the circumstances of a grade supersession.

F. Retaking an Offering as Required by the Academic Standing Committee Where the Grade Earned is not an "F" or "U"

1. In no circumstance except where the Academic Standing Committee requires that a course be retaken, shall a student receive any academic credit, residency, or improvement in academic standing as a result of retaking a course in which a grade other than "F" or "U" was earned.
2. Where the Academic Standing Committee requires that a student retake a course in which a grade other than "F" or "U" was earned, the student:
 - a. May count the retaken course for residency purposes;
 - b. Must count the retaken course in determining maximum enrollment in a term;
 - c. May not count the retaken course for hours of academic credit in computing the number of credits earned to qualify for the J.D. degree;
 - d. Must average both the original grade and the retake grade in calculating the student's grade point average.

G. Confidentiality of Grades and Academic Records

1. **Protection of Confidentiality in Grade Disclosure.** Grades are confidential information. Neither final nor interim grades shall be publicly posted. A student's final and interim grade shall be disclosed only to the student, the instructor of the offering in which the grade was earned (and in conformity with the provisions of anonymity and grading), and, to the extent they need to know in order to carry out their responsibilities, to administrators and faculty members of UNH Law. Disclosure shall be in such ways and under such circumstances as to preserve the confidentiality of grade information.
2. **Student's Consent Required to Disclose Academic Record.** All enrollments for academic credit are entered on a student's permanent academic record maintained by the Registrar. A student's academic record shall not be available to anyone or any agency outside UNH Law without the student's prior consent in writing submitted to the Registrar and included in the student's permanent academic record. A student's permanent record shall include written evaluations which the student asks to have included with the transcript.