

Transmission of PROPOSAL to Senate Report

Background Information for Proposal

<i>Agenda Item Name:</i>	SR 5.2.5.2.3.1 (Twenty Percent Rule)
<i>Rationale for proposal:</i>	At its April 6, 2023 meeting, the SREC voted to reaffirm the action from its November 11, 2020 meeting and again recommend the edits to Senate Council. Cut and paste this link for more rationale: https://drive.google.com/file/d/1qqv3SZ6DVhvnrFFjAPIJoB7ZdwhJQVKz/view?usp=sharing
<i>General description and type of proposal:</i>	Campuswide policies (including SR changes) Rule clarification with some recommended substantive policy
<i>Reviewing body and chair:</i>	Rules and Elections (SREC) Roger Brown,
<i>Proposer's name and affiliation:</i>	Roger Brown Senate Rules and Elections Committee (SREC)
<i>Committee Would Like:</i>	
<i>Involve Senate Rules change?</i>	Maybe

Additional Information Below (not applicable for every proposal)

<i>Voting Info:</i>	<u>In favor</u>	<u>Opposed</u>	<u>Abstained</u>
	Unanimous on 4/6/23 to send to SC again.	None	None
<i>If applicable, which SR section is being changed?</i>	["Section 5 - Attending the University "]		
<i>Requested effective date:</i>	Immediately		
<i>Written report:</i>	Yes		

SR 5.2.5.2.3.1 (Twenty Percent Rule)

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Thu 4/13/2023 7:21 PM

To: Brothers, Sheila C. <sbrothers@uky.edu>

Cc: Collett, DeShana <DCollettPAC@uky.edu>; Tagavi, Kaveh A. <kaveh.tagavi@uky.edu>; Michael, Douglas C. <michaeld@uky.edu>; Grossman, Robert B. <robert.grossman@uky.edu>; Anshel, Laura R. <laura.anschel@uky.edu>; Hoch, Johanna M. <johanna.hoch@uky.edu>; Soult, Allison S. <assoul2@uky.edu>; Jones, Davy <djones@uky.edu>; Okoli, Chizimuzo C. <ctokol1@uky.edu>

 1 attachments (476 KB)

Historical Summary of Twenty Percent Rule 4-2-23.pdf;

Hello Sheila,

At its November 11, 2020 meeting, the SREC approved (5 for, 1 against) revised language clarifying the intent of the so-called twenty percent rule (SR 5.2.5.2.3.1) and recommended some substantive policy language for SC to consider ([proposal](#), [minutes](#)).

Subsequently, Brown extracted the full legislative history of the rule ([PDF](#)), including the most recent SREC recommendation from its November 11, 2020 meeting. That history makes two things clear. First, over the past 40 years, the **Senate's intent has vacillated** whether students who qualify under the 20 percent rule have the right to receive an "I" grade or not. Second, most recently (i.e., February 8, 2016), the **Senate's latest intent is clear** that students qualifying under the rule **do have a right** to receive an "I" grade if they elect not to receive a "W" grade.

At its April 6, 2023 meeting, the SREC voted to reaffirm the action from its November 11, 2020 meeting and again recommend the edits to Senate Council.

I will be at the April 24 SC meeting if that is a convenient time to answer questions about this.

Thanks,

Roger

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HISTORICAL SUMMARY OF THE TWENTY-PERCENT RULE

SR 5.2.5.2.3.1 (Excused Absences)

Roger Brown

THE RULE: SR 5.2.5.2.3.1 (Excused Absences). If a student has excused absences for the dates and times associated with more than one-fifth of the required interactions for a course, the student shall have the right to receive a "W", or the Instructor of Record may award an "I" for the course if the student declines to receive a "W" [US: 2/9/1987; SREC: 11/20/1987; US: 2/8/2016; 2/12/2018].

Pre-1983 The instructor set all policies about excused or unexcused absences except that the instructor must yield that university trips are excused absences that cannot penalize students.

In short, the rule was that a student who had a lot of excused absences **would not have a right to receive an "I" grade.**

1983 An ad-hoc committee worked for six months to draft policies that instructors must further yield that absences due to serious illnesses of a student or student's family are also excused absences that cannot penalize students. The proposal was presented to Senate and returned to the committee because "...some Senate members felt that the [proposed] revision would deprive instructors the ability to establish some policy linking minimal attendance and grades" ([source](#)) The committee did no further work.

In short, the proposal was that a student who had a lot of excused absences **would have a right to receive an "I" grade.**

1985 (Oct) Student complaints persisted. The Senate Council charged another ad-hoc committee to revisit the earlier proposal and concerns about instructor freedom to set policies about course attendance ([source](#), see also the appendix at the end of the document). The new ad-hoc committee proposed that, even if a student had many excused absences (e.g., 1/10th of the class meetings), the instructor had to counsel the student about receiving an "I" grade or a "W" grade. "[I]f the instructor believes that the [significant number of excused] absences preclude the student from satisfactorily completing the course in a satisfactory manner by the semester's end," the student "shall be counseled about the incomplete and withdrawal grade options." So, as proposed, the student's options were to: (1) complete the work by the end of the semester, (2) receive a grade without completing the work, (3) exercise a "W" option, or (4) exercise an "I" option. Subject to these limits, the proposed rule said that the instructor could set policies.

Question: What if it was "impossible" for a student make up an exam by the end of the semester?

Response: "A professor could give an 'I' so that the work could be made up anytime within the next year."

Question: What if a student missed "an exam on the last day of finals"?

Response: That issue “would be taken care of in the proposal because... an instructor shall council the student about the options of an ‘I’ grade or withdrawal from the course for that semester.” The student would “have a qualified right to make up the final exam sometime during the next semester with a mandatory ‘I’ grade.”

Question: What a student has lots of excused absences (e.g., one-fourth of the class meeting)?

Question: Shouldn’t the rule specific a certain length of time for the student to notify the instructor that the absence was excused?

With these questions, the Senate referred the proposal back to the ad-hoc committee.

In short, the rule became that a student who had a lot of excused absences **would have a right to receive an “I” grade.**

1985 (Nov) The ad-hoc committee came back and proposed that “a student who accumulates excused absences in excess of one-tenth of the class contact hours shall be counseled about the incomplete and withdrawal grade options if the instructor believes that the absences preclude the student from completing the course in a satisfactory manner by the semester’s end.”

Question: Is the effect of the rule that “a student could miss a large number of classes and the only option an instructor would have would be to counsel the students about the advisability of an “I” or “W” grade.”

Response: Correct.

Question: Does the phrase “if feasible” refer to when the student completes the missed work (i.e., “...during the semester in which the absence occurred, if feasible”) or does it refer to the instructor’s ability to give the student the opportunity (e.g., “if feasible”).

Response: The Senate voted and approved an amendment that clarified that the former meeting was intended.

The proposal as amended passed. The approved language still included the language saying that the instructor “shall determine” policies regarding “excused absences in excess of one-tenth of class contact hours” except where that freedom is more particularly constrained in the rule.

The approved rule granting instructors freedom to set policies read (bold added, but underline in original):

*Each **instructor shall determine** his/her **policy regarding** completion of assigned work, attendance in class, absences at announced or unannounced examinations, and **excused absences in excess of one-tenth of class contact** (see Rule V-2.4.2 below). This policy shall be presented in writing to each class at its first or second meeting. Students’ failure to complete assignments, attend class, or be present for examinations in accordance with the announced policies may result in appropriate reductions in grade as determined by the instructor **except in the case of excused absences.***

In short, the rule was affirmed that a student who had a lot of excused absences would have a right to receive an "I" grade.

1987

"[S]ome problems have arisen following implementation of the rule [approved in 1985 and implemented] in the Spring Semester, 1986." A new ad-hoc committee examined the "trouble spots" in the rule and summarized ([source](#), see also the appendix at the end of the document the proposed changes as:

The major effect of this proposal, if adopted, will be to allow instructors to limit the number of excused absences, which cannot be done now, to one-fifth of the class contact hours. However, the instructor is obliged to allow the student who is over the limit on excused absences to petition for a W grade.

The Senate approved the proposed rule clarifying that if a student has excused absences in excess of one-fifth of the class contact hours, then the instructor can establish any grading policies provided the instructor policies do not deprive the student of the right to petition for a "W" grade. The instructor no longer was required to "counsel the student about the options for an 'I' grade or withdraw from the course for that semester."

In short, the rule became that a student who had a lot of excused absences would not have a right to receive an "I" grade.

2014

At the 3-24-2014 Senate Council meeting ([agenda](#), [handout](#), [minutes](#)), SREC chair Jones proposed some changes to SR 5.2.4.2.

1. The SREC reaffirmed its recent interpretation that the last paragraph of Senate Rule 5.2.4.2 on excused absences means that an Instructor can either force a student to withdraw from a course or force a student to receive an I grade for the course, and that this rule takes precedence over any policy description in the University Bulletin that may appear to the contrary. The SREC does view that the language of this Senate Rule paragraph is unnecessarily confusing in relation to other Senate Rules on assignment of grades. The SREC recommends that the Senate Council approve for submission to the University Senate the following amendment to this rule

If attendance is required by the class policies elaborated in the syllabus or serves as a criterion for a grade in a course, and if a student has excused absences in excess of one-fifth of the class contact hours for that course, ~~a student shall have the right to petition for a "W", and the then the~~ Instructor of Record may ~~require direct the dean to impose a W for the course. the A~~ student ~~always may to~~ petition ~~to the dean~~ for a "W" or ~~request the Instructor take to assign an "I" in the course.~~

According to the minutes, "concerns were raised about an automatic trigger affecting [allowing an instructor to mandate a "W"] affecting a student's status with regard to financial aid and situations in which a student is about to remain in good standing despite missing 25% [sic, 20%] of class meetings." Further discussion and several motions resulted in SC approval of the above proposal with the addition that the rule would include a reference to the UAB for appeal. However, questions remained regarding how the rule related to excused versus unexcused absences, so the rule when back to SREC.

While Senate Council agreed to recommend this rule change for approval by the Senate, there is no record that the proposal ever came to Senate.

2015

The next time this rule was examined was at the Senate Council meeting on 11-30-2015 ([agenda](#), [handout](#), [minutes](#)). At that meeting, the SAASC Chair (Yost) communicated and the Senate Council agreed that “there is seemingly contradictory language that requires a student to withdraw from a class if they miss more than 20% of the scheduled semester’s classes, even if some of those absences are excused.” Yost explained that the proposed revision to the language (just below) “tried to clarify that students cannot be penalized for excused absences in any way, including handling situations in which a student has excused absences in excess of one-fifth of the class contact hours, or has any number of unexcused absences.”

Excused Absences: If a student has excused absences in excess of one-fifth of the class contact hours for that course, the student shall have the right to petition for a "W"; or the Instructor of Record, with the approval of the Dean or the Dean's designee, may award a grade of W to the student; or, if both the student and the Instructor of Record agree, the Instructor of Record may assign an "I" to the student for the course.

The minutes of the SC meeting offer a comparison of the old and proposed new rules, saying:

In the current rule for cases where excused absences comprise some portion of the one-fifth of the class contact hours, a student was able to ask for a “W”, or the instructor could require the student request a W, or the instructor could require the student to receive an “I” grade for the course. The proposed language was similar to the existing text but did not oblige a student to request a “W” if their excused absences were in excess of one-fifth of the class contact hours, although the student could request it. The proposed language also allowed an instructor to give the student a “W” if the dean also agreed, and if both the instructor and student agreed, the instructor could award an “I” grade.

After lengthy discussion, the SC Chair said that “it appeared there was disagreement among SC members,” and the members voted to defeat the SAASC motion at which time the SC Chair proposed sending the issue back to SAASC for further review. Grossman opined that the primary reason the proposal was defeated was the proposed language that would allow an instructor to force a student to take a “W” for the course.

2016 (Feb 1) SAASC Chair (Yost) brought a revised proposal to SC on 2-1-2016 ([agenda](#), [handout](#), [minutes](#)). The relevant proposed language at that time was as follows:

Excused Absences: If a student has excused absences in excess of one-fifth of the class contact hours for that course (participation activities for an online courses, as defined in 5.2.4.1 A), the student shall have the right to petition for a "W", or the Instructor of Record may award an "I" for the course if the student declines to petition for a "W".

At that meeting, SC members agreed that the proposed language should read, “...the student shall have the right to receive a “W”, or the Instructor...”:

Excused Absences: If a student has excused absences in excess of one-fifth of the class contact hours for that course (participation activities for an online courses, as defined in 5.2.4.1 A), the student shall have the right to ~~petition~~

~~for~~ receive a "W", or the Instructor of Record may award an "I" for the course if the student declines to ~~petition for~~ receive a "W".

2016 (Feb 8) The Senate discussed and approved ([agenda](#), [minutes](#), [proposal](#), [transcript](#)) a change to SR 5.2.5.2.3.1 that preserved a student who had a lot (i.e., 20 percent) excused absences but then added that, if a student refuses to receive a "W" grade, "the Instructor of Record **may** award an 'I' for the course' (emphasis added). It is clear from the Senate discussion that term "may" meant "notwithstanding" the restrictions on assigning an "I" grade defined in SR 5.1.2.2.

In short, the rule became that a student who had a lot of excused absences would have a right to receive an "I" grade.

The SAASC Chair (Yost) brought a proposal to Senate on 2-8-16 where there was extensive discussion, but ultimately that proposed language—from just above—was approved without change. The discussion included some relevant clarifications. In Yost's opening summary, he said:

And if the student does not want to petition for to withdraw from the course, then the faculty of record does have the authority to give them an "I" for the course.... [p. 23 of the transcript]

It seems from Yost's language that at issues was whether instructors had the authority to award an "I" grade, and maybe additionally, but not mentioned, is whether the instructor wanted to give an "I" grade.

In the discussion, Tagavi said:

I'm just telling you that it's not appropriate to force the professor to give an "I". "I" has a very specific definition. Only those people who have done enough so that their chance of success is likely are entitled to an "I". You cannot give "I" to someone who didn't do anything.

And, in response, Yost said:

The other aspect if you look earlier in the Senate Rules here, it states that we cannot penalize a student for an excused absence. So your argument comes across as a little bit of like, okay, if they have an excused absence, we cannot penalize them for that excused absence, then they do have all the opportunity in the world to make up that work. Even if you don't think they're entitled to it, they have the luxury of making up that work if it's an excused absence. And so that way they can (inaudible) to complete the work when it comes to the incomplete aspect of this.

While Tagavi cautions that instructors are bound by certain rules when awarding an "I" grade, Yost seems to clarify that those constraints do not apply, thus explaining why SR 5.2.4.2.3.1 says that an instructor "may" award an "I". The instructor may award an "I" even though other Senate Rules put restrictions on doing so generally.

In the Senate discussion of this issue, Peffer next questions what happens when a student declines to receive a "W", and Yost answers instructors:

...can award an "I". They can award an "I" if the student does not petition for a "W".

Yost's response indicates that there are two options. One, the student has a right to receive a "W" or the instructor can award an "I" if the student does not petition for a "W".

Later in the discussion, Wasilkowski raised the question again, referencing the general requirements for awarding an "I" grade:

As far as I remember, instructor when giving "I" grade is supposed to write some (inaudible) with the student how this grade will be changed to (inaudible) in one year. How can we force instructor to do this for the student (inaudible) plan of removing "I". It's not consistent. It's something that needs something there.

In response to Wasilkowski's question about awarding an "I" grade, Yost explained that many options were considered but in the end the student shall not be penalized:

Certainly. And I'll tell you in the discussions that went on, there was a thought of we allow instructors to take and just give a grade or not give a "W" and do something different. But it was the consensus of the Senate Council and the committee that we want to take and because you cannot penalize the student, that's the underwriting principle here, you cannot penalize the student for an excused absence.

Eventually, Ombud Healy was asked by Hippisley if he "could tell us about 'I' as a punishment and the plan for an 'I'." Healy responded:

I think this is a difficulty with this rule, as we've discussed. And I agree with the point that was made down there. There doesn't -- there's no mechanism in the current rule for an instructor to insist that a student take a "W" in a course if they've exceeded this 20 percent rule. So one thing that Scott's committee looked at was to resolve that by -- and an initial proposal said that with the consent of the dean, a student would be given a "W" in the course, if that's what the instructor requested in these circumstances. There was objection to that in that it sort of went against the students' rights in terms of not receiving a penalty for an excused absence. But at the end of the day you have to do something in these circumstances. And I think what Scott's trying to do here is come up with the most acceptable statement that doesn't include this language, which is essentially misleading, which seems to be saying that the faculty member can demand a "W" from a course because there's no mechanism for accomplishing that. So and a virtue of this proposal is that it actually is not misleading in that regard. But, you know, whether an "I" or a "W" is a penalty, you know, one can debate, but these seem like the only feasible remedies in this circumstance.

Note the last sentence. Here again we see this idea that, embedded within this proposed rule, is choice with two "feasible remedies", namely either the student agreed to receive a "W" or, if the student declines to receive a "W", the other option is that the instructor—in spite of the general rules about awarding an "I"—may award an "I". If we read this rule to mean that the instructor may decide against awarding an "I", then it creates an incomplete solution set. If the

student declines to receive a “W”, what can be done that isn’t a penalty? The Senate discussion seems to show that requiring the instructor to award an “I” grade is the other non-penalty option.

Some further enlightening discussion continues. Wasilkowski says:

I think that this new amendment doesn't solve the problem because it says "may", so there's a possibility that neither "W" or "I". However, I would like to add a third possibility: "or the student is allowed to retake the course without... paying for it."

And, in response, Hippisley explained:

That is what is entailed by an "I", you don't have to pay a fee.

Again, the purpose of the proposed rule is to avoid penalizing a student for an excused absence. Even when Wasilkowski proposes a third option—i.e., receive a “W”, award an “I”, or let the student retake the course free of charge—the aim is to not penalize the student. Wasilkowski’s aim here is to avoid the penalty of the student having to pay for the course again. And Senate Council Chair Hippisley says that’s what is effectuated by allowing the instructor to (i.e., saying that the instructor “may”) award an “I” as the other option.

As the discussion continues, Truszczyncki asks why not just delete the option that the instructor “may” award an “I” grade:

I would simply stop at the student shall have the right to petition for a “W” as a permissive withdrawal.

Yost explains the problem with Truszczyncki’s suggestion:

YOST: *And so the question I would have on that is what if the student doesn't?*

TRUSZCZYNCKI: *That's fine. It's a grade.*

YOST: *You have to be careful here because you cannot penalize the student for excused absences.*

TRUSZCZYNCKI: *Well, an instructor may make a mistake in giving the grade. That's perfectly fine. The student will appeal, it seems to me, in such a case. We make mistakes.*

YOST: *I understand that. But we're also not trying to create a problem. And so if a student may appeal, it goes back to the Ombud, which goes back to the University Appeals Board.*

TRUSZCZYNCKI: *I don't know really what this tells me, that I "may" do something.*

YOST: *The alternative is the word "may" is because there are some instructors who may want to go ahead and say, look, the student has 22 percent absences, okay. I'll just go ahead and let them fulfil the course going*

through here. This is an option issue. The trouble is if you have an institute, have a problem, for instance, Law, if they have a requirement from accreditation that says you cannot let your students miss more than a certain percentage, you have to have a mechanism in place where you can take and make sure they do not receive credit for a course. And that's part of trying to accommodate those cases as well.

The discussion continued with questions related to the wording of the proposed rule and the fact that, from a logical standpoint, if a student declined to receive a "W", the does it not necessarily imply that the instructor may assign an "I". Sandmeyer stated:

I want to talk about the second conditional, I teach Latin, I'm sorry, because the second conditional, let me see, I just lost it, I'm sorry, where it says -- I'm looking at the revised language in number 1, the last line, if the student declines to petition for a "W" is unnecessary. I mean, if the student has an excused absences, then you have a disjunction. If they decide not to petition, then it follows necessarily that they may get an "I". So I would move that that second conditional be removed.

Sandmeyer's proposal is to remove the second conditional clause because, given the discussion immediately preceding, it is clear to Sandmeyer that if a student declines to receive a "W" it necessarily follows that the student will receive, and that the instructor "may" award, and "I" grade.

After discussion, Sandmeyer's proposal to delete the wording was defeated because, in the words of Healy, "it also is helpful in explaining the options that are available here."

The discussion continues with Rice asking Yost to clarify that, in fact, there are only two options:

RICE: *Just to be -- for my own clarification because I think I've been really confused about the 20 percent rule the past few years. So with this, if the students say this is 30 percent of courses were excused absences and we cannot penalize them, which I would understand it to be "E", so then it would have to be either a "W" or an "I"? I mean, if that student, say has not shown up 50 percent of the classes, I can -- and those classes are excused, an "E" is not an option?*

YOST: *That is correct.*

RICE: *Okay. So then --*

YOST: *Based on the 20 percent rule in effect. Once the 20 percent is in effect, these are the only two options we have. Even existing—*

RICE: *So either a "W" or an "I"?*

YOST: *Correct.*

Just subsequent to this, Bird-Pollan pointed out that technically there is a third option, namely that the student who has excused absences for 20% or more of the course could complete the missed work before the end of the term and earn a letter grade. Bird-Pollan suggests that, given that there is this third option, it is further reason to use the word “may” in the proposed rule. In other words, if a student has excused absences equal to 20% or more of the required classes, the student may receive a “W” or the instructor may assign an “I”, or the student may complete the work before the end of the term and earn a letter grade. If the proposed rule substituted “shall” for “may”, it would mean that the student is not able to complete the work and earn a letter grade.

2018 Finally, later in 2018, the more general language about “required interactions” was added to give us the language we have now:

SR 5.2.5.2.3.1 Excused Absences

If a student has excused absences for the dates and times associated with more than one-fifth of the required interactions for a course, the student shall have the right to receive a “W”, or the Instructor of Record may award an “I” for the course if the student declines to receive a “W” [US: 2/9/1987; SREC: 11/20/1987; US: 2/8/2016; 2/12/2018].

2020 At its November 11, 2020 meeting, the SREC consider a proposal to clarify the language of the rule (([proposal](#), [minutes](#))). Here is the proposal:

SREC PROPOSAL

Delete ~~the text in red strike through.~~

Add [the text in blue underline](#) as editorial change.

Recommend that SC approve the [text in highlighted blue underline](#) as substantive clarification.

5.2.5.2.3.1 (Excused Absences)

If a student has excused absences for the dates and times associated with more than one-fifth of the required interactions for a course, the student [has a](#) ~~shall have the~~ right to receive a “W” [grade or an “I” grade, provided;](#) ~~or the Instructor of Record may award an “I” for the course if the student declines to receive a “W”~~

(1) [the student requests the grade from the Instructor of Record in writing no later than one day after the final exam period ends or one week after the period of excused absence, whichever occurs later; and¹](#)

(2) [conferral of the grade is not specifically prohibited by the accrediting body of the student’s program.](#)

[If the student properly requests a “W” grade, the Instructor of Record shall communicate the student’s request to the Registrar who shall update the student’s academic record.](#)

If the student properly requests an “I” grade, the Instructor of Record shall in accordance with SR 5.1.2.2 advise the student and document the plan and award an “I” grade or if needed request the Registrar to do so. If the course learning outcomes or other circumstances, however, make it impossible for the student to complete the work within the time limits specified for such a grade (SR 5.1.2.2), the instructor or student may consult with the Academic Ombud for another option that similarly does not penalize the student (SR 5.2.5.2).

If the student makes no proper request and if the Instructor of Record and student have not mutually agreed, preferably in writing, to any substitute arrangement,² the Instructor of Record shall assign the student’s grade as usual.

¹ or other similar operational language

² For example, student completed all of the work before the end of the term.

SREC members were asked to consider two issues. If SR 5.2.5.2.3.1 is interpreted to mean that an instructor “may” elect not to award an “I” if a student declines to receive a “W”, it creates several problems.

(1) It creates contradictions with SR 5.2.5.2 (Excused Absences)

This rule provides unconditionally that “[a] student shall not be penalized for an excused absence.”

If a student enrolls in a course, earns credit for some portion of the coursework, and has excused absences for the remaining coursework, it would be an academic penalty if the student were forced to repeat any portion of the course for which the student had already earned credit.

It would be inappropriate, in the situation above for example, for an instructor to give a student in a subsequent course enrollment credit for work completed in an earlier course enrollment. If an instructor wants to do that, that is the purpose of an “I” grade.

If a student pays the tuition for a course, enrolls in the course, and has excused absences sufficient to qualify under SR 5.2.5.2.3.1, and if the missed work cannot be reasonably completed during the semester, the student declines to receive a “W”, and the instructor refuses to award an “I”, the student will have to take the “W” and repeat the course. Repeating the course will, in many cases, result in a financial penalty in the form of additional tuition.

(2) Creates a situation with an incomplete remedy

Under the twenty percent rule (SR 5.2.5.2.3.1), a student who has sufficient excused absences “shall have the right to receive a ‘W’, or the Instructor of Record may award an ‘I’ for the course if the student declines to receive a ‘W’.”

What if the student declines to receive a “W” and the instructor refuses to award an “I”? When the Registrar says that final grades must be submitted by midnight, what is the instructor’s

choice set in terms of grade options? Can the instructor assign an “E”? Can the instructor assign an “A”? Must the instructor assign an “I”? This is exactly the discussion detailed above at the February 1, 2016 Senate meeting where it was clear that the proposed rule—that was approved—envisioned an either/or situation. Either the student elected by right to receive a “W” or the instructor awards an “I” grade, assuming that the student doesn’t elect to complete the missed work before the end of the term.

At the conclusion of its November 11, 2020 meeting ([proposal](#), [minutes](#)), the SREC voted (5 “for”, 1 “against) to approve the following editorial clarifications. However, the SREC elected not to make the editorial clarifications, electing instead to refer the proposal to Senate Council for routing and a decision about some unresolved substantive issues.

Also, while the SREC did not propose it to Senate Council, but it should be understood from the 1985, 1987, and 2016 Senate discussions that the language in SR 5.2.5.1 (Attendance and Completion of Assignments) that says that “each instructor shall determine his/her policy regarding... excused absences in excess of one-fifth of class contact hours” is the general rule. This general rule is constrained by the more particular requirements in SR 5.2.5.2.3.1, meaning an instructor cannot deny a student’s right to receive a “W” or, if the student refuses to receive a “W” grade, the instructor must assign the student an “I” grade unless the student either completes the work before the end of the semester or the student and instructor mutually agree to an alternate plan.