

IOWA STATE BOARD
OF EDUCATION
(Cite as 7 D.o.E. App. Dec. 11)

In re Raymond and Jan Schamel :
Raymond and Jan Schamel, :
Appellants, :
v. : DECISION
Fort Dodge Community :
School District, :
Appellee. : [Admin. Doc. #2002]

The above-captioned matter was heard on September 28, 1988, before a hearing panel composed of David H. Bechtel, special assistant to the director and presiding officer; Mr. Bill Bean, assistant chief, Bureau of Administration and Accreditation; and Ms. Sharon Slezak, administrative coordinator for communications services. Appellant Jan Schamel was present in person, unrepresented by counsel. Appellee Fort Dodge Community School District [hereafter the District] was present in the person of Mr. Dick Clark, high school principal, and was represented by Mr. Rick Engel of Hamilton and Engel, Fort Dodge. An evidentiary hearing was held pursuant to Iowa Code chapter 290 and departmental rules found at Iowa Administrative Code 281-6.

Appellants timely appealed a decision of the District board of directors [hereafter the Board] made initially on May 10, 1988, and reaffirmed by formal vote on May 24, 1988, to change the district-wide point value of an A- grade retroactive to two years preceding the vote (to the beginning of 1986-87 school year).

I.
Findings of Fact

The presiding officer finds that he and the State Board of Education have jurisdiction over the parties and subject matter of this appeal.

Prior to the action taken that is the subject of this appeal, the District used a modified "plus and minus" grading scale as follows:

A+ = 4.0 (no benefit)	C = 2.0
A = 4.0	C- = 1.6667
A- = 3.6667	D+ = 1.3333
B+ = 3.3333	D = 1.0
B = 3.0	D- = .6667
B- = 2.6667	F = 0.0 (no distinction)
C+ = 2.3333	

Apparently concerned that an A- student in Fort Dodge was losing grade points in comparison to students in many other Iowa school districts and thus was placed in a lower or less competitive position as a result, and that a student obtaining an A- grade (3.6667) did not have an opportunity to offset that minus with a plus (4.3333), high school principal Dick Clark first approached the Board and then surveyed the faculty as to their preference for a change in early May, 1988. The teachers were asked to state their opinion as to four alternatives: (1) the present system (a plus had extra weight for B, C, and D grades; a minus had reduced weight for A, B, C, and D grades); (2) a plus and minus system for only B, C, and D grades; (eliminating the current A- value); (3) the addition of a plus to the current system (adding a plus to the A grade for a point equivalent of 4.3333); or (4) straight valuation for computation of grade point averages (A=4.0; B=3.0, etc.) but retaining the plus and minus indicators on grade cards only.

The faculty response was seventeen in favor of the status quo, thirty in favor of dropping the A- value so that an A- was the same as an A, four in favor of the A+ option (4.3333), and thirty-three teachers in favor of dropping all pluses and minuses for purposes of computation. Mr. Clark reported the results to the Board on May 8, and he made a recommendation in the form of a memorandum to the Board and Acting Superintendent Dr. Wills. See Appellee's Exhibit D4.

In his memorandum, Mr. Clark stated that one problem with the (then) current system was that there was no opportunity to offset an A- grade by an A+ in another course. The advantages to dropping the A- weighting reduction were that the above problem would be eliminated and the "straight A" approach, without pluses and minuses, would be "a more accurate accounting of the actual grade; most likely the difference between a B+ and a B- grade is greater than between a B- and C+." Id. His recommendation was that either option number two (elimination of A- valuation) or option number four (eliminating all pluses and minuses for grade point average computation) would be acceptable, acknowledging that he leaned toward number two.

Mr. Clark also raised the issue of retroactivity and recommended that any change made be applied retroactively to the 1987-88 school year only. At that point, such an action would require recomputation of first semester grades only, as the final grades for the school year had not then been determined by the teachers.

The Board voted to accept and adopt option two, keeping all pluses and minuses except at the A and F levels, but made the change retroactive for two school years, over Mr. Clark's one-year recommendation. The Board minutes of the May 10 meeting do not reflect the reason or rationale for the two-year retroactivity decision. No one present at the hearing was certain when the students were notified of the Board's decision.

Thereafter Mr. Clark and his staff computed the effect of the change on twenty-six seniors' grade point averages, and reported the results to Dr. Wills in a memorandum dated May 18, 1988.¹ Appellee's Exhibit D5.

¹ This memorandum or the information contained therein was reported to the Board prior to its motion to reconsider on May 24. The Board affirmed its earlier decision on that date.

Following the receipt of final grades, handwritten changes were made to Exhibit D5 to show the final effect on the top five students. Appellee's Exhibit D6.

The results that would be obtained using the students' actual grades were that after seven semesters were tallied the grade point average of only one student (#2 in the class) would remain the same; all other students' averages increased. Appellee's Exhibit D5. The change did alter class rankings as of the end of the first semester, however. For example, the number one student fell to second, the number two student fell to third, and the number three student rose to first.² Id.

Despite the retroactive application of the grade point change, Mr. Clark testified that he did not believe the District was going to go to the trouble of changing the records of the class of 1986, as that would be of little value to anyone. The retroactivity applied, then, to students enrolled in the high school in those two years and still enrolled. That was the period of time for which the prior system was in place.

With respect to the effect of the retroactivity on the seniors' applications to colleges and for scholarships, both parties generally agreed that for the most part, students seeking scholarships or admittance to college had applied much earlier -- either in the fall of their senior year or definitely prior to the May 10 date of the decision. Scholarship applications are usually due in November or December.

Also introduced in testimony was the fact that two of the three state universities use different grade point valuations. At the University of Iowa, an A+ is weighted 4.3333; at Iowa State University an A+ is equal to an A, or worth 4.0 grade points.

Principal Mr. Clark also testified that although he did not have statistics to show how many high schools in Iowa use a 4.0 system for all A grades (A+, A, A-), his sense was that most follow this system. Clearly a straight A- student in Fort Dodge (with a 3.6667 grade point average) could be impacted by competition with a straight A- student from a school in which the A- was not devalued; that student would show a 4.0 g.p.a.

II.

Conclusions of Law

Appellants have focused in their appeal on the issue of equity. They believe that the retroactive application of the change in grade point valuation of an A- was improper or unfair, that the timing of the change (less than two weeks before seniors graduated) was akin to "changing the

² The mother of this student testified for Appellants at the hearing. She stated that as a result of her child's grades at the end of second semester (not reflected on Appellee's Exhibit D5), the child closed her high school career in the number one position after all. This fact is also noted on Appellee's Exhibit D6.

rules at the end of the race," and that a select group of students (including any student who had received a grade of A- in that two-year period) would be benefited. Appellants see as unjustifiable and unethical the use of "two differing sets of grading scales within a grading system." If the plus and minus system is to be used fairly, the argument proceeds, it must be used on all letter grades, with the exception of the F-. (The impact of an F- in a consistent plus and minus system would be to reduce the value of other grades because an F- would be worth -.6667 grade points.) Appellants also asserted that the incentive for excellence, striving for the A instead of the A-, was removed by the Board's action.

Frankly, this is the first appeal of its kind in the history of appeals to the State Board. It only slightly resembles a case heard on the evaluation system for teachers used in Iowa City schools. See In re Janet Leff, 6 D.o.E. App. Dec. 308 (1988). Therefore we have no internal precedent to guide us in making a determination, and our research has revealed no court cases, in this jurisdiction or elsewhere, on point. The only guidance that remains is our statutory duty to make a decision that is "just and equitable," Iowa Code §290.3 (1987), and our articulated scope of review of local school board decisions.

We will overturn a decision only if we find it has been made arbitrarily, capriciously, without authority in law, an abuse of discretion, or based upon an erroneous theory of law. In re Marlene McCandless, 5 D.P.I. App. Dec. 45, 54 (1986). In this case, however, none of those grounds for reversal has been raised by Appellants. They appeal only to the hearing panel and State Board's sense of justice and equity.

We find no problems of a constitutional nature in the Board's action, including in the retroactivity facet of the decision. There was no negative impact on student grades; all students' g.p.a.'s improved except one, who remained exactly the same. There is no discrimination or unequal treatment among students; all students who received A- grades will be given a 4.0 for that grade. We reject Appellants' argument that unfairness results from the failure to employ consistently to all grades the plus and minus system. So long as all students are treated the same, there is no reversible discrimination.

While the process employed may not have been the best one in terms of involving students and the community or giving them notice that the grading point scale was considered for change, we cannot say the process was flawed or unreasonable. The only area on which we can find fault with the administration or Board was in not communicating the decision and rationale to the student body in a more precise manner and thereby reassuring them that they would only improve or maintain their g.p.a. as a result of the decision. Although no grading system is totally equitable, we think the administration had the best interests of the Fort Dodge students in mind when the issue was raised by Mr. Clark and decided by the Board.

In passing, we wish to add our compliments and gratitude to Appellant Jan Schamel who served as an excellent and highly articulate spokesperson for herself and the Fort Dodge parents who shared her concern over this

decision. So, too, do we thank the witnesses for both sides as well as Mr. Engel for their efficient, focused, and logical presentations and for their amiability in a quasi-adversarial proceeding.

Finding no basis on which to overturn the Board's decision, we affirm. Any motions or objections not previously ruled upon are hereby denied and overruled.

III.
Decision

For the foregoing reasons the decision made on May 10 (and on reconsideration, May 24) by the Fort Dodge Community School Distreict board of directors to alter the grade point equivalent for an A- from a 3.6667 to a 4.0, retroactive to school year 1986-87, is hereby affirmed. Costs of this appeal, if any, under chapter 290, are hereby assigned to Appellants. Appeal dismissed.

February 10, 1989
DATE

Feb 3, 1989
DATE

Karen K. Goodenow
KAREN K. GOODENOW, PRESIDENT
STATE BOARD OF EDUCATION

David H. Bechtel
DAVID H. BECHTEL, SPECIAL ASSISTANT
TO THE DIRECTOR
AND PRESIDING OFFICER