



College Policy & Procedures Manual	
Category	2 – Student Affairs
Policy #	2.5.3

## 2.5.3 Student Appeal

### POLICY

This policy is to provide an appeal process for students who have reason to believe their work/performance was not evaluated fairly. It also provides an appeal process for students who feel they were treated unjustly in relation to student conduct and responsibility issues.

### PURPOSE

The purpose of this policy is to ensure the College provides fairness and equity to all students who receive final grades or disciplinary actions.

This policy is developed as per *College and Institute Act Sections: 23 (1) (j); 24 (2) (e); and 37 (2), (3), (4).*

### SCOPE

This policy covers all students enrolled in a College course or program, on or off campus, as well as applicants, while engaged in college related activities. This policy does not apply to complaints addressing violations of policies which themselves contain or provide a complaint or appeal procedure including but not limited to residence appeals, transfer credit appeals or appeals related to harassment.

### DEFINITIONS

**College related activity:** An activity where the student is representing the College or participating in a College sponsored event or activity.

**Disciplinary action:** May include but not limited to verbal warning, written directive, confiscation of exam(s) or assignment, completion of additional work, provision of failing grade or mark of zero (0) in a course, assignment or exam, restitution through payment or work, mandatory mediation or counseling, temporary removal or permanent suspension from the activity, course program or College.

**Discipline:** Action taken to address unacceptable student conduct which may include any conduct that has the effect of disrupting the learning environment or that is a threat, or perceived to be a threat, to the safety of other students, staff, and faculty, whether conducted on or off campus (e.g. field trip, practicum).

**Decision-maker:** Any member of the College faculty, staff, President, Vice-President, Dean, Director, Department Head, or Manager who holds the authority for making a decision regarding final grades or for imposing discipline.

**Final Grade:** The letter grade, percentage grade or competency grade assigned to a student on completion/end of a course.

**Official Student Record:** The Official Student Record, in electronic or paper form, contains information relating to a student's application, admission, and performance at the College.

**Unacceptable Student Conduct:** Any conduct that has the effect of disrupting the learning environment or that is a threat, or perceived to be a threat, to the safety of other students, staff, and faculty, whether conducted on or off campus. (See *Student Conduct Policy 2.4.4*, Examples of Unacceptable Student Conduct.)

## **GUIDELINES**

### **A. STUDENT APPEAL**

- A.1 A student dissatisfied with the assessment of their final grade or believes a discipline is undeserved shall follow the procedures set out below<sup>1</sup>:

Informal Consultation: Within 5 working days of grade posting or discipline

- Step 1: If the student believes a final grade or discipline is undeserved, the student will initiate a meeting with the decision-maker to discuss his/her concerns. In the case of a final grade appeal, this discussion may include a thorough review of the evaluation for the semester/term to ensure all work was received, included and that the evaluation weighting is calculated correctly.
- Step 2: The decision-maker will review the final grade or the discipline in a timely way. The decision-maker will either agree to make change(s) or provide rationale to the student if the decision stays the same.

Formal Complaint: Within 10 working days of grade posting or discipline

- Step 3: If the student still believes the final grade or discipline is undeserved, he/she will submit a *Formal Student Complaint Form* (Appendix A) to the Dean or Director for review. The Dean/Director reviews the information provided by the student and the decision-maker and provides written rationale to the student and the decision-maker.

Appeal Process: Within 15 working days of grade posting or discipline

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<sup>1</sup> Students may consult an education advisor on the appeal process. Refer to Appendix C for Appeal Process Flowchart.

- Step 4: The student may appeal the Dean's/Director's decision by submitting the *Formal Student Complaint Form* (Appendix A) and the *Request for Student Appeal Form* (Appendix B) to the Chair of the Appeal Committee (Vice President Academic).
- Step 5: The Vice President Academic will convene a Student Appeal Committee meeting ideally within fifteen (15) working days of the grade posting or discipline and distribute all the submitted appeal documentation to the Committee members. The Student Appeal Committee will review the circumstances of the appeal and undertake any necessary consultations with the student, decision-maker, Dean/Director and/or other relevant parties.
- Step 6: The Committee will make a decision regarding the final grade or disciplinary action. The Vice President Academic will ensure that all relevant parties are verbally advised of the appeal decision when it is made and are notified in writing within ten (10) working days of the decision.
- A.2 Although maximum timelines are defined, every attempt shall be made to shorten the process. In complex cases, the appeal process may continue beyond these deadlines: however, the review must be initiated within the stated timelines. Unless there is a safety issue, students retain their registered status pending the outcome of the appeal.
- A.3 At each step of the process, timelines may be extended by mutual consent, but should be as timely as possible.
- A.4 A final grade may stay the same, be adjusted downward, or be adjusted upward.
- A.5 Any disciplinary action will be recorded on the official student record for five years (not official transcript).
- A.6 The decision of the Student Appeal Committee is final.

**APPENDIX A: FORMAL STUDENT COMPLAINT**

**Note to Students:**

To receive consideration, all requests for student complaints related to final grades or unacceptable conduct:

- must establish the grounds for a student complaints;
- must be filed in writing within **ten (10) working days** of receipt of the decision-maker’s written decision regarding the final grade *or* imposed discipline; and
- must be submitted to the office of the **Dean or Director**.

<b>Name &amp; Student ID:</b>	<b>Address:</b>
<b>Phone:</b>	<b>Email:</b>
<b>Type of Formal Complaint:</b> <input type="checkbox"/> Final grade <input type="checkbox"/> Imposed discipline	<b>Program:</b>
<b>Who assigned the grade or imposed the discipline?</b>	<b>Course Name: (if applicable)</b>
<p><b>Grounds for Complaint:</b> <i>Please √ appropriate box(es).</i></p> <p>1. I am requesting review of a final grade for the following reason(s):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> there is additional relevant information which was not considered;</li> <li><input type="checkbox"/> policies and procedures relating to the assignment of grades were not followed;</li> <li><input type="checkbox"/> evaluation and assessment, grade assignment and course requirements as contained in the approved course outline distributed to students was not followed; and/or</li> <li><input type="checkbox"/> student was not treated with the degree of equity and fairness extended to other students in the class.</li> </ul> <p>2. I am requesting review regarding discipline for the following reason(s):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> I deny the conduct;</li> <li><input type="checkbox"/> I disagree with the severity of the discipline; and/or</li> <li><input type="checkbox"/> new information has come to light that would have an impact on the decision regarding imposed discipline.</li> </ul>	
<p><b>Attach a written submission which must include:</b></p> <p>1. <i>the facts that establish the grounds for a student complaint;</i></p> <p>2. <i>the outcome(s) you seek; and</i></p> <p>3. <i>all supporting documentation.</i></p>	
<b>Student’s Signature:</b>	<b>Date:</b>

**APPENDIX B: REQUEST FOR STUDENT APPEAL**

**Note to Students:**

To receive consideration, all requests for appeals related to final grades or unacceptable conduct: must be filed in writing within **fifteen (15) working days** of receipt of the decision-makers written decision and submitted to the Chair of the Appeal Committee (Vice President Academic).

If the student is appealing a suspension from the College by the President, the appeal must be submitted to the **Board of Governors**.

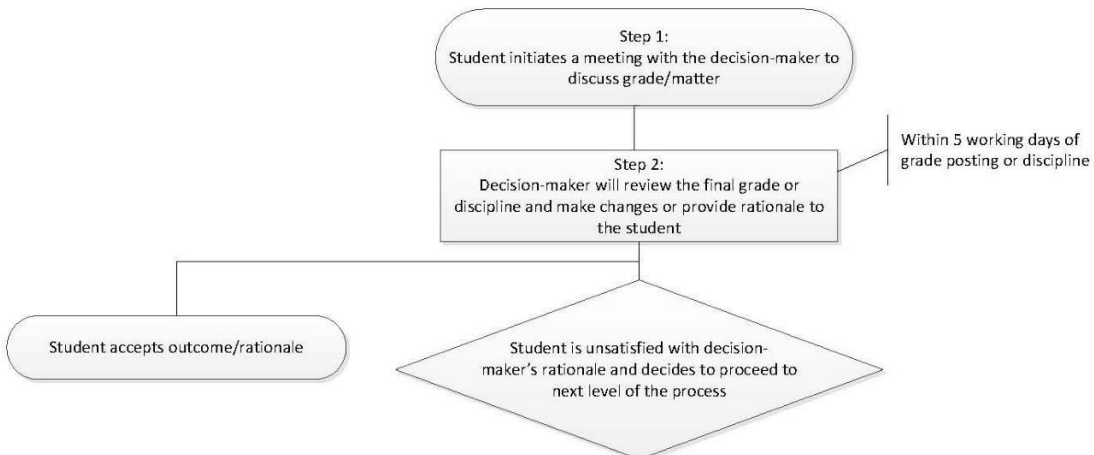
For complete information see the *2.5.3 Student Appeal Policy* and the *2.4.4 Student Conduct Policy*.

<b>Name &amp; Student ID:</b>	<b>Address:</b>
<b>Phone:</b>	<b>Email:</b>
<b>Who assigned the grade or imposed the discipline?</b>	<b>Program or Course (if applicable):</b>
<b>Grounds for Student Appeal:</b>	
<b>Attach the following:</b> <input type="checkbox"/> <i>Appendix A Formal Student Complaint</i> <input type="checkbox"/> <i>all supporting documentation.</i>	
<b>Student's Signature:</b>	<b>Date:</b>

**THE DECISION OF THE APPEAL COMMITTEE IS FINAL AND NOT SUBJECT TO FURTHER APPEAL WITHIN THE COLLEGE**

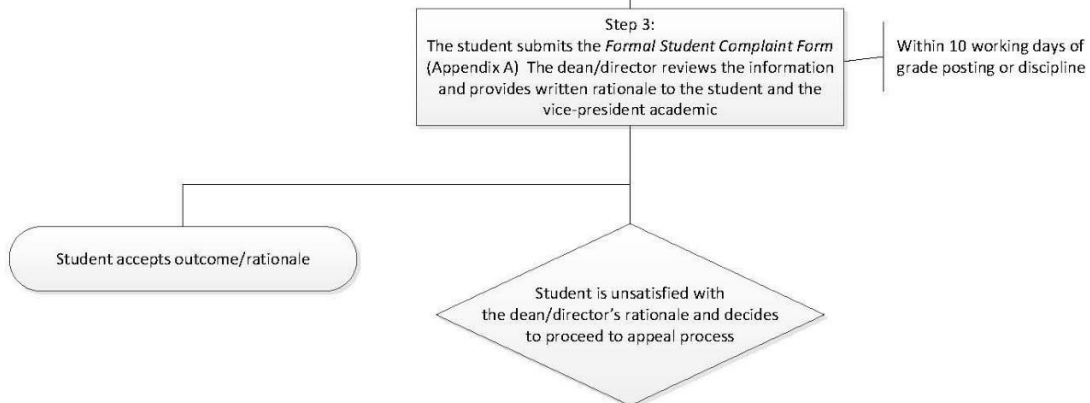
## Appendix C: Student Appeal Process Flow Chart

### Informal Consultation



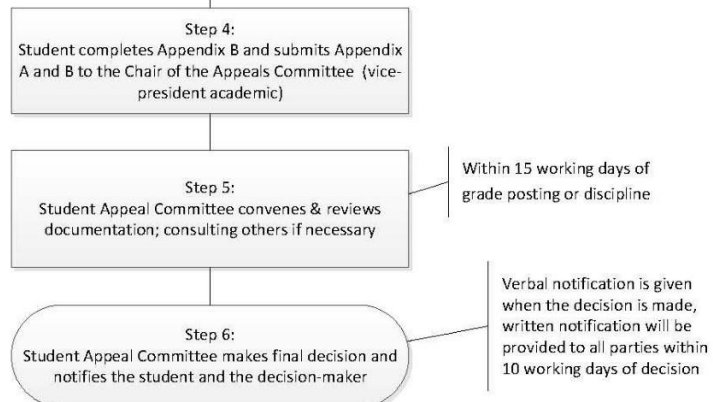
### Formal Complaint

Student completes *Formal Student Complaint Form* (Appendix A)



### Appeal Process

Student completes *Request for Student Appeal Form* (Appendix B)



## ***STUDENT APPEAL COMMITTEE***

### **Terms of Reference**

#### **PURPOSE**

A Student Appeal Committee shall be established to hear and decide upon final appeals submitted by students in relation to final grades and student conduct.

#### **SCOPE**

This committee hears appeals brought forward from *2.5.3 Student Appeal Policy*.

#### **DEFINITIONS**

**Bias:** A financial interest in the outcome of the hearing, a personal relationship with one of the parties in the hearing, involvement in prior decisions in the case at hand, or actual conduct that demonstrates lack of impartiality towards the student who is appealing the decision.

**Decision-maker:** Any member of the College faculty, staff, President, Vice-President, Dean, Director, Department Head, or Manager who holds the authority for making a decision regarding final grades or for imposing discipline.

#### **GUIDELINES**

##### **A. STUDENT APPEAL COMMITTEE**

- A.1 During the deliberations for a final grade or discipline appeals, the Student Appeal Committee:
- 1) shall request, receive and review all material including the student appeal form, decision-maker report, the Dean's/Director's written rationale, student record (if applicable), and any other supporting documentation prior to the committee meeting;
  - 2) may request either the student or decision-maker appear before the committee. The invitation must be extended to both if the Committee requests either one of them to appear. If either the student or the decision-maker raise a concern about bias on the committee, the committee will consider and rule on the allegation before continuing;

- 3) may call witnesses to the hearing at their discretion;
- 4) will hold all deliberations and any records of the committee in the strictest confidence.

A.2 In an appeal of a final grade, the Student Appeal Committee:

- 1) shall not challenge the expertise in the discipline area or integrity of the faculty member except in extenuating circumstances;
- 2) shall not seek out nor accept other evaluations of the student or his/her work for the course in question except in extenuating circumstances;
- 3) shall not consider the appellant's grades in other courses;
- 4) may challenge and request a re-evaluation of the appealed grade assigned by an instructor for one or more of the following:
  - i. there is additional relevant information which was not considered;
  - ii. policies and procedures relating to the assignment of grades was not considered;
  - iii. evaluation and assessment, grade assignment and course requirements as contained in the approved course outline distributed to student was not followed; and/or
  - iv. student was not treated with the degree of equity and fairness extended to other students in the class.

**B. CHAIR AND RECORDING SECRETARY**

- B.1 The Vice President Academic will chair the Student Appeal Committee.
- B.2 In the absence of the Chair at any regular meeting, the Vice President Academic shall appoint an Acting Chair for that meeting.
- B.3 The recording secretary will be appointed by the Vice President Academic prior to each meeting.

**C. MEMBERSHIP**

Membership on the Student Appeal Committee shall be:

<i>No.</i>	<i>Members</i>	<i>Appointed by</i>
1	Vice President Academic or designate	Office
1	Director of Student Affairs or designate	Office



1	Dean	VP Academic
1	Faculty member	Education Council Chair
1	Student member	President, Students' Association

**Note: The chair will ensure the selection of committee members does not result in perceived or actual partiality or bias.**

**D. LENGTH OF TERM**

- D.1 On-going by virtue of Office, other than those appointed by the Vice President Academic.
- D.2 Tenure of appointed members will be for the duration of an appeal hearing.
- D.3 Committee members must be willing and able to attend all meetings so that appeals can be finalized within the designated period as stated in G.2.

**E. MEETINGS & MINUTES**

- E.1 The Committee will meet as required to facilitate the speedy resolution of an appeal.
- E.2 The Committee Chair shall be responsible for forming the Committee, the calling of meetings, the agenda and appeal package containing all supporting reports and documentation. The appeal package will be delivered to the Committee member in a sealed envelope marked confidential prior to the meeting.
- E.3 A quorum shall consist of four members not including the Chair.
- E.4 Meetings shall be 'in camera' with the exception of the outcome of the motion in F.2.
- E.5 Minutes shall be of the précis type and shall, in the main, provide support for the outcome of the motion in F.2.
- E.6 The passage or defeat of a motion will be decided on the basis of majority votes. Members will not be permitted to abstain from voting. The Chair does not vote unless there is a tie.
- E.7 In the event of a procedural difficulty, the meetings shall be conducted in a manner consistent with the rules of order per: *Robert's Rules of Order*.

**F. COMMITTEE DECISION**

- F.1 In the appeal of a final grade and if the Committee decides to alter a grade, the new grade will be based on:
  - 1) The applicable course outline evaluation profile and grade assignment including appropriate amendments.

2) A review of the instructor's appraisal of the student's course work. Only in extenuating circumstances will the Committee seek a re-evaluation of the student's work other than by the course instructor.

F.2 The Committee shall sustain or deny the appeal.

F.3 The Committee shall provide the Chair of the Committee with the consensus rationale for the outcome of the motion in F.2.

F.4 The decision of the Committee is normally final. Under exceptional circumstances, as determined by the President, the President may act as arbiter should the circumstances warrant such action.

#### **G. NOTIFICATION**

G.1 The Chair of the Committee shall notify the appellant, Dean/Director and decision-maker verbally and in writing of the outcome of the appeal along with a summary of the rationale for the outcome.

G.2 Under normal circumstances the Appeal Committee shall reach a decision on an appeal within 15 working days of the initial meeting of the grade posting or discipline.

#### **H. ACCOUNTABILITY**

Vice President Academic Office