

1.0 ASSOCIATED POLICY

- Student Academic Integrity Policy

2.0 DEFINITIONS

The definitions contained within the Academic Integrity Policy apply to this Procedure, in addition to the following:

Appeal Hearing

An adjudicative hearing presided over by a panel chaired by the Dean, or designate thereof, to review a decision made during a Review Hearing, a Severe Misconduct Hearing or a Repeat Misconduct Hearing.

Contract Cheating

A form of severe academic misconduct consisting of outsourcing or attempting to outsource academic work to a third party.

Dean

The Dean of the Faculty or School through which the course is listed. However, if no such Dean is available, the Dean will be the Dean of the Faculty or School in which the Student is enrolled. In the case of students registered in Open Studies, the Registrar (or designate) will serve as Dean.

Department Chair

The Department Chair of the Faculty or School through which the course the Instructing Faculty is instructing is offered.

Faculty Adjudicator

A member of the Faculty Association of Grant MacEwan University appointed to adjudicate Review Hearings pursuant to this Procedure.

Impersonation

Having someone assume one's identity in connection with any type of Academic Work.

Repeat Misconduct Hearing

A hearing presided over by a Faculty Adjudicator to review incidents relating to Students with a history of Academic Misconduct and to determine whether further action should be taken.

Restorative Resolution

Any of a number of restorative processes involving the harmed parties, including representatives of the community, in reaching a resolution that repairs harms caused and rebuilds trust between the responsible party, the harmed parties, and the community.

Review Hearing

An adjudicative hearing presided over by a Faculty Adjudicator to review the Instructing Faculty's findings of Academic Misconduct.

Severe Misconduct

An extreme act of Academic Misconduct involving deception or fraud, including Contract Cheating, Fabrication and Falsification, or Impersonation.

Severe Misconduct Hearing

An adjudicative hearing presided over by a Faculty Adjudicator to review findings of Severe Misconduct and determine appropriate disciplinary action.

Student Conduct Officer

An Officer whose role includes the investigation of non-academic and administration of academic disciplinary matters involving students.

University Appeal Tribunal

A tribunal chaired by the Provost and Vice-President, Academic, delegated by the Board of Governors to hear final appeals from Students on disciplinary matters.

Working Day

Any day that is not a Saturday, Sunday, a holiday as defined in the *Interpretation Act*, or a day where the University is closed for business.

3.0 PROCEDURE ELEMENTS

3.1 Purpose

- 3.1.1 This procedure outlines the University’s response to incidents of Academic Misconduct of Students. The University is committed to promptly, thoroughly, and impartially responding to Academic Misconduct in a manner that ensures due process and fairness.

3.2 Responding to Academic Misconduct

- 3.2.1 An Instructing Faculty, who suspects a Student of an incident of Academic Misconduct will investigate whether the suspected Academic Misconduct has, in fact, occurred. All investigations must comply with the Privacy Policy and all relevant legislation.
- 3.2.2 The Instructing Faculty will advise the Student in writing that an investigation into an incident of Academic Misconduct is proceeding. During the investigation, the Instructing Faculty must make reasonable attempts to arrange a meeting with the Student who is suspected of Academic Misconduct to discuss the specifics of the incident.
- 3.2.3 If a Student does not respond to the Instructing Faculty’s attempts to arrange a meeting or drops the course after the commencement of an Academic Misconduct investigation, the Academic Misconduct investigation will continue to its conclusion and may result in disciplinary action.
- 3.2.4 In the event a Student withdraws from a Course or the University in advance of a final decision, the decision-making body will complete the decision-making process contained in this Procedure and render a final decision as though the Student had not withdrawn.

3.3 Determination of Academic Misconduct

- 3.3.1 An Instructing Faculty will determine whether there has been Academic Misconduct on a balance of probabilities.

- 3.3.2 Where the Instructing Faculty determines there has been no Academic Misconduct, the Instructing Faculty will advise the Student and the Academic Integrity Office of the result in writing.
- 3.3.3 Upon determining an incident of Academic Misconduct has occurred, the Instructing Faculty will advise the Student, in writing, with a copy provided to the Department Chair and the Academic Integrity Office, of:
 - 3.3.3.1 the specifics of the Academic Misconduct;
 - 3.3.3.2 the action taken;
 - 3.3.3.3 a copy of the written report of the Academic Misconduct investigation;
 - 3.3.3.4 the availability of a Review Hearing; and
 - 3.3.3.5 a list of resources for the Student.
- 3.3.4 Resolution of Academic Misconduct may include, but is not limited to, one or more of the following:
 - 3.3.4.1 Restorative Resolution where agreed to by the Student, the Instructing Faculty, and the Department of Student Conduct, Community Standards and Values in Student Affairs. The following conditions must be met before Restorative Resolution can proceed:
 - 3.3.4.1.1 both the party (or parties) harmed and the Student must voluntarily agree to the approach; and
 - 3.3.4.1.2 the Associate Vice-President Students must be satisfied that proceeding will not risk further harm to members of the University Community;
 - 3.3.4.2 a written warning;
 - 3.3.4.3 requiring the Student to re-do the Academic Work that was the subject of the investigation, with a mark reduction;
 - 3.3.4.4 partial reduction of a Student's mark on the Academic Work;
 - 3.3.4.5 reduction of a Student's mark on the Academic Work to zero; or
 - 3.3.4.6 requiring the Student to complete training on Academic Integrity, whether offered online or otherwise.
- 3.3.5 Where the Instructing Faculty determines the incident of Academic Misconduct is Severe Misconduct, and the conditions for a Restorative Resolution process are not met, the Instructing Faculty shall direct the Student Conduct Officer to schedule a Severe Misconduct Hearing for determination of disciplinary action. Once such a referral to the Student Conduct Officer has been made, the Instructing Faculty shall not assign disciplinary action or take any further steps, unless the Instructing Faculty is advised by

the Student Conduct Officer that the incident is not Severe Misconduct, as defined by the University, and must be addressed as non-Severe Academic Misconduct.

- 3.3.6 Where the action includes a reduction of a Student's mark, the reduction will apply immediately upon notifying the Student of the disciplinary action.
- 3.3.7 Within ten (10) Working Days of being notified of the Instructing Faculty's determination and penalty, a Student who is the subject of action arising from Academic Misconduct can apply to the Student Conduct Officer for a Review Hearing to appeal the finding of Academic Misconduct, in accordance with Article 3.4. A Student cannot appeal only the penalty assigned for the Academic Misconduct.

3.4 Review Hearing

- 3.4.1 Prior to the Review Hearing, the Student Conduct Officer will take the following steps:
 - 3.4.1.1 provide a disclosure package to the Student, which will include, at a minimum:
 - 3.4.1.1.1 a copy of the written report of the Academic Misconduct investigation;
 - 3.4.1.1.2 disclosure received from the Instructing Faculty, including the course outline, a copy of the assignment instructions provided to the class, the Student's assignment, and any relevant source material.
 - 3.4.1.2 appoint a Faculty Adjudicator for the Review Hearing;
 - 3.4.1.3 set a day and time for the Review Hearing;
 - 3.4.1.4 arrange for exchange of further documents or written arguments from the Student or Instructing Faculty; and
 - 3.4.1.5 advise the Student and Instructing Faculty of the identity of the Faculty Adjudicator and the day and time of the Review Hearing.
- 3.4.2 A Review Hearing is presided over by a single Faculty Adjudicator. During the Review Hearing:
 - 3.4.2.1 the Student, the Instructing Faculty, and the Faculty Adjudicator will normally be in attendance;
 - 3.4.2.2 the Instructing Faculty shall present all evidence regarding the alleged Academic Misconduct;
 - 3.4.2.3 the Student shall be given an opportunity to fully answer the alleged Academic Misconduct;
 - 3.4.2.4 both the Student and the Instructing Faculty may be accompanied by a support person, who may consult, but will not normally speak on behalf of the Student or the Instructing Faculty;

- 3.4.2.5 the Instructing Faculty has the onus to establish the Student has committed Academic Misconduct;
- 3.4.2.6 decisions of the Faculty Adjudicator shall be made on a balance of probabilities.
- 3.4.3 In the event the Instructing Faculty is unable to attend the Review Hearing, the Instructing Faculty may delegate their role in the Review Hearing to the Department Chair.
- 3.4.4 In the event either the Student or Instructing Faculty is not present at the Review Hearing, the Faculty Adjudicator may grant an adjournment or, upon being satisfied that the Student or Instructing Faculty was given proper notice of the Review Hearing, may make a decision on the evidence available.
- 3.4.5 Where the Faculty Adjudicator determines Academic Misconduct has not occurred, the action taken by the Instructing Faculty will be set aside.
- 3.4.6 If the Faculty Adjudicator determines that Academic Misconduct did indeed occur, within ten (10) Working Days of the Review Hearing, the Faculty Adjudicator, through the Student Conduct Officer, will advise the Student, in writing, with a copy provided to the Instructing Faculty, the Chair, and the Dean, or designate thereof, of:
 - 3.4.6.1 the decision of the Faculty Adjudicator to either uphold or overturn the Instructing Faculty's determination of Academic Misconduct;
 - 3.4.6.2 the reasons for the decision;
 - 3.4.6.3 the disciplinary action taken, if any; and
 - 3.4.6.4 the availability of an appeal.
- 3.4.7 Where the finding of the Faculty Adjudicator has an impact on a Student's grade, the impact will apply immediately upon notifying the Student of the finding of the Faculty Adjudicator.
- 3.4.8 Within ten (10) Working Days of being notified of the Faculty Adjudicator's determination, a Student who is the subject of disciplinary action arising from a Review Hearing can appeal the decision of the Faculty Adjudicator by filing an appeal pursuant to section 3.7 of this policy.

3.5 Severe Misconduct Hearing

- 3.5.1 On receiving direction from an Instructing Faculty that Severe Misconduct has occurred, the Student Conduct Officer shall determine whether the alleged Academic Misconduct, if proven, would qualify as Severe Misconduct.
- 3.5.2 If the Student Conduct Officer determines the alleged Academic Misconduct is not Severe Misconduct, the Instructing Faculty will be advised in writing of the decision, and the Instructing Faculty shall proceed with the Academic Misconduct Procedure under section 3.3.
- 3.5.3 If the Student Conduct Officer determines the Academic Misconduct is Severe Misconduct and the conditions for a Restorative Resolution process are not met, the

- Instructing Faculty will be advised in writing of the decision, and a Severe Misconduct Hearing will occur.
- 3.5.4 Prior to the Severe Misconduct Hearing, the Student Conduct Officer will take the following steps:
- 3.5.4.1 provide a disclosure package to the Student, which will include, at a minimum:
 - 3.5.4.1.1 a copy of the written report of the Academic Misconduct investigation;
 - 3.5.4.1.2 disclosure received from the Instructing Faculty, including the course outline, a copy of the assignment instructions provided to the class, the Student's assignment, and any relevant source material.
 - 3.5.4.2 appoint a Faculty Adjudicator for the Severe Misconduct Hearing;
 - 3.5.4.3 set a day and time for the Severe Misconduct Hearing;
 - 3.5.4.4 arrange for exchange of further documents or written arguments from the Student or Instructing Faculty; and
 - 3.5.4.5 advise the Student and Instructing Faculty of the identity of the Faculty Adjudicator and the day and time of the Severe Misconduct Hearing.
- 3.5.5 A Severe Misconduct Hearing is presided over by a single Faculty Adjudicator. During the Severe Misconduct Hearing:
- 3.5.5.1 the Student, the Instructing Faculty, and the Faculty Adjudicator will normally be in attendance;
 - 3.5.5.2 the Instructing Faculty shall present all evidence regarding the alleged Severe Misconduct;
 - 3.5.5.3 the Student shall be given an opportunity to fully answer the alleged Severe Misconduct, and make submissions regarding what disciplinary action, if any, is warranted;
 - 3.5.5.4 both the Student and the Instructing Faculty may be accompanied by a support person, who may consult, but will not normally speak on behalf of the Student or the Instructing Faculty;
 - 3.5.5.5 the Instructing Faculty has the onus to establish the Student has committed Severe Misconduct;
 - 3.5.5.6 decisions of the Faculty Adjudicator shall be made on a balance of probabilities.
- 3.5.6 In the event the Instructing Faculty is unable to attend the Severe Misconduct Hearing, the Instructing Faculty may delegate their role in the Severe Misconduct Hearing to the Department Chair.
- 3.5.7 In the event either the Student or Instructing Faculty is not present at the Severe Misconduct Hearing, the Faculty Adjudicator may grant an adjournment or, upon being

satisfied that the Student or Instructing Faculty was given proper notice of the Severe Misconduct Hearing, may make a decision on the evidence available.

- 3.5.8 Where the Faculty Adjudicator determines Academic Misconduct, whether Severe or otherwise, has occurred, the Faculty Adjudicator shall take disciplinary action, which may include, but is not limited to, one or more of the following:
- 3.5.8.1 a written warning;
 - 3.5.8.2 requiring the Student to re-do the Academic Work, with a mark reduction;
 - 3.5.8.3 partial reduction of a Student's mark on the Academic Work;
 - 3.5.8.4 reduction of a Student's mark on the Academic Work to zero;
 - 3.5.8.5 requiring the Student to complete training on Academic Integrity;
 - 3.5.8.6 reduction of a Student's grade in a course;
 - 3.5.8.7 assigning a grade of F in a course, with or without a transcript notation of "academic discipline" which will be applied to the transcript even in the event the Student withdraws from the course;
 - 3.5.8.8 rescission of the credential, with a transcript notation of "academic discipline";
 - 3.5.8.9 requirement to withdraw from the University for a specified period, with a transcript notation of "academic discipline"; or
 - 3.5.8.10 permanent expulsion, with a transcript notation of "academic discipline", on approval by the Dean in consultation with the Dean of the Faculty or School in which the Student is enrolled, if available.
- 3.5.9 Where the Faculty Adjudicator determines Academic Misconduct, whether Severe or otherwise, has not occurred, no disciplinary action will be taken.
- 3.5.10 Within ten (10) Working Days of the Severe Misconduct Hearing, the Faculty Adjudicator, through the Student Conduct Officer, will advise the Student, in writing, with a copy provided to the Instructing Faculty and the Dean, or designate thereof, of:
- 3.5.10.1 the decision of the Faculty Adjudicator;
 - 3.5.10.2 the reasons for the decision;
 - 3.5.10.3 the disciplinary action taken, if any; and
 - 3.5.10.4 the availability of an appeal.
- 3.5.11 A Student who is the subject of disciplinary action arising from a Severe Misconduct Hearing can appeal the decision of the Faculty Adjudicator and/or the disciplinary action taken by filing an appeal pursuant to section 3.7 of this policy.

3.6 Repeat Misconduct Hearing

- 3.6.1 A Repeat Misconduct Hearing will be held after a final determination of Academic Misconduct (i.e. after the expiration of the period to request a Review Hearing, or after the decision of a Faculty Adjudicator at a Review Hearing), which is not the first incident of Academic Misconduct for a student, and if the conditions for a Restorative Resolution process are not met.
- 3.6.2 Prior to the Repeat Misconduct Hearing, the Student Conduct Officer will take the following steps:
- 3.6.2.1 provide a disclosure package to the Student, which will include, at a minimum, copies of written reports of all previous findings of Academic Misconduct;
 - 3.6.2.2 appoint a Faculty Adjudicator for the Repeat Misconduct Hearing;
 - 3.6.2.3 set a day and time for the Repeat Misconduct Hearing; and
 - 3.6.2.4 advise the Student of the identity of the Faculty Adjudicator and the day and time of the Repeat Misconduct Hearing.
- 3.6.3 A Repeat Misconduct Hearing is presided over by a single Faculty Adjudicator. During the Repeat Misconduct Hearing:
- 3.6.3.1 the Student and the Faculty Adjudicator will normally be in attendance;
 - 3.6.3.2 the Faculty Adjudicator shall be given an opportunity to ask the Student questions regarding the Student's conduct, including previous incidents of Academic Misconduct;
 - 3.6.3.3 the Student shall be given an opportunity to fully answer questions regarding the Student's conduct, including previous incidents of Academic Misconduct;
 - 3.6.3.4 the Faculty Adjudicator must determine whether the Student's conduct, with respect to all incidents of Academic Misconduct, attracts disciplinary action in addition to that taken by the Instructing Faculty; and
 - 3.6.3.5 the Student may be accompanied by a support person, who may consult, but will not normally speak on behalf of the Student.
 - 3.6.3.6 the Faculty Adjudicator may invite an observer to the hearing, who will not participate in the hearing and has agreed to keep the hearing confidential. The Faculty Adjudicator will provide the name of the observer, if any, prior to the hearing.
- 3.6.4 After the Repeat Misconduct Hearing, the Faculty Adjudicator may take additional disciplinary action to that taken by the Instructing Faculty, which may include, but is not limited to, one or more of the following:
- 3.6.4.1 a written warning;

- 3.6.4.2 requiring the Student to re-do the Academic Work, with a mark reduction;
 - 3.6.4.3 partial reduction of a Student's mark on the Academic Work;
 - 3.6.4.4 reduction of a Student's mark on the Academic Work to zero;
 - 3.6.4.5 requiring the Student to complete training on Academic Integrity;
 - 3.6.4.6 a reduction of a Student's grade in a course;
 - 3.6.4.7 assigning a grade of F in a course, with or without a transcript notation of "academic discipline" which will be applied to the transcript even in the event the Student withdraws from the course;
 - 3.6.4.8 rescission of the credential, with a transcript notation of "academic discipline";
 - 3.6.4.9 requirement to withdraw from the University for a specified period, with a transcript notation of "academic discipline"; or
 - 3.6.4.10 permanent expulsion, with a transcript notation of "academic discipline", on approval by the Dean in consultation with the Dean of the Faculty or School in which the Student is enrolled, if available.
- 3.6.5 Within ten (10) Working Days of the Repeat Misconduct Hearing, the Faculty Adjudicator, through the Student Conduct Officer, will advise the Student, in writing, with a copy provided to the Chair and the Dean, or designate thereof, of:
- 3.6.5.1 the decision of the Faculty Adjudicator;
 - 3.6.5.2 the reasons for the decision;
 - 3.6.5.3 the disciplinary action taken, if any; and
 - 3.6.5.4 the availability of an appeal.
- 3.6.6 A Student who is the subject of disciplinary action arising from a Repeat Misconduct Hearing can appeal the decision of the Faculty Adjudicator and/or the disciplinary action taken by filing an appeal pursuant to section 3.7 of this policy.

3.7 Appeal Hearing

- 3.7.1 A Student who is the subject of a decision arising from a Review Hearing, a Severe Misconduct Hearing or a Repeat Misconduct Hearing can apply, in the prescribed form, to the Student Conduct Officer within ten (10) Working Days of the receipt of the decision, for an appeal of the decision.
- 3.7.2 Prior to the Appeal Hearing, the Student Conduct Officer will take the following steps:
 - 3.7.2.1 provide a disclosure package to the Student, which will include, at a minimum, copies of written reports of all previous findings of Academic Misconduct;

- 3.7.2.2 advise the Dean and the panel members of the need for the Appeal Hearing;
 - 3.7.2.3 set a day and time for the Appeal Hearing; and
 - 3.7.2.4 advise the Student of the identity of the Dean and the panel members and the day and time of the Appeal Hearing.
- 3.7.3 An Appeal Hearing is presided over by a panel, consisting of:
- 3.7.3.1 the Dean, or designate thereof, who will act as chair;
 - 3.7.3.2 a member of the instructional faculty appointed by the General Faculties Council; and
 - 3.7.3.3 a Student appointed by the Students' Association of MacEwan University.
- 3.7.4 During the Appeal Hearing:
- 3.7.4.1 the Student, the Instructing Faculty, unless the Appeal Hearing arises out of a Repeat Misconduct Hearing, the Faculty Adjudicator, and the Dean, or designate thereof, will normally be in attendance;
 - 3.7.4.2 the Instructing Faculty, or the Faculty Adjudicator where the Appeal Hearing arises out of a Repeat Misconduct Hearing, shall present all evidence regarding the decision;
 - 3.7.4.3 the Student shall be given an opportunity to fully answer the decision arising from a Review Hearing, a Severe Misconduct Hearing or a Repeat Misconduct Hearing, and make submissions regarding what disciplinary action, if any, is warranted;
 - 3.7.4.4 both the Student and the Instructing Faculty or Faculty Adjudicator may be accompanied by a support person, who may consult, but will not normally speak on behalf of the Student or the Instructing Faculty;
 - 3.7.4.5 unless the Appeal Hearing arises out of a Repeat Misconduct Hearing, the Instructing Faculty has the onus to establish the Student has committed Academic Misconduct;
 - 3.7.4.6 the decision of the panel shall be determined solely by the Dean on being advised by the panel members and shall be made on a balance of probabilities.
- 3.7.5 The Dean, or designate thereof, assigned to an Appeal Hearing may make a determination on either the finding of Academic Misconduct or Severe Misconduct, or the appropriateness of the disciplinary action taken, or both.
- 3.7.6 Within ten (10) Working Days of the Appeal Hearing, the Dean, or designate thereof, through the Student Conduct Officer, will advise the Student, in writing, with a copy provided to the Instructing Faculty, unless the Appeal Hearing arises out of a Repeat Misconduct Hearing, of:
- 3.7.6.1 the decision of the Dean, or designate thereof;

3.7.6.2 the reasons for the decision; and

3.7.6.3 the disciplinary action taken, if any.

3.8 University Appeal Tribunal

3.8.1 The decision of the Appeal Hearing may be appealed to the University Appeal Tribunal only where:

3.8.1.1 there is a procedural error at the Appeal Hearing stage; or

3.8.1.2 the decision of the Appeal Hearing was made in a manner that is biased, unfair, or unreasonable.

3.8.2 The application for an Appeal to the University Appeal Tribunal must be received by the Office of the Provost within ten (10) Working Days of the date of letter from the Dean communicating the decision of the Appeal Hearing.

3.8.3 Within ten (10) Working Days of receipt of the Appeal notice, the Provost and Vice-President, Academic, acting as Chair of the University Appeal Tribunal, will:

3.8.3.1 review the Appeal notice; and

3.8.3.2 determine whether sufficient grounds are contained within the Appeal notice to satisfy the requirements of 3.8.1 and allow the Appeal to be heard by the University Appeal Tribunal.

3.8.4 Where the Provost and Vice-President, Academic, acting as Chair of the University Appeal Tribunal has determined the University Appeal Tribunal cannot hear the Appeal, the decision of the Appeal Hearing will be upheld. The decision of the Provost and Vice-President, Academic, acting as Chair of the University Appeal Tribunal, is final.

3.8.5 Where the Provost and Vice-President, Academic, acting as Chair of the University Appeal Tribunal has determined the University Appeal Tribunal can hear the Appeal, the Office of the Provost will take the following steps:

3.8.5.1 provide a disclosure package to the Respondent, which will include, at a minimum, the letter from the Dean communicating the decision of the Appeal Hearing, as well as copies of the materials provided to the Appeal Hearing;

3.8.5.2 advise the members of the University Appeal Tribunal of the need for the Appeal Hearing;

3.8.5.3 set a day and time for the University Appeal Tribunal Hearing; and

3.8.5.4 advise the Respondent of the identity of the Tribunal members and the day and time of the University Appeal Tribunal Hearing.

3.8.6 The University Appeal Tribunal comprises the following members:

- 3.8.6.1 the Provost and Vice-President, Academic, who will act as Chair; and
- 3.8.6.2 no fewer than two (2) members of the Board, upon the recommendation of the Board Chair, and may include a Student Member or Academic Staff Member of the Board (or both).
- 3.8.7 Within twenty (20) Working Days of the receipt of the Appeal notice, the Chair of the University Appeal Tribunal shall schedule a meeting of the University Appeal Tribunal.
- 3.8.8 During the University Appeals Tribunal Hearing:
 - 3.8.8.1 the only evidence accepted by the University Appeal Tribunal will be the evidence that was presented to the Appeal Panel, and any evidence related to the Appeal Panel's procedure;
 - 3.8.8.2 the Respondent will normally be in attendance;
 - 3.8.8.3 the Chair of the University Appeal Tribunal may call the Dean and/or Faculty Adjudicator as a witness;
 - 3.8.8.4 the onus is on the Respondent to articulate the procedural error or to demonstrate that the decision of the Appeal Hearing was made in a manner that was biased, unfair, or unreasonable;
 - 3.8.8.5 the Respondent may be accompanied by a support person, who will consult, but will not normally speak on behalf of the Respondent; and
 - 3.8.8.6 decisions of the University Appeal Tribunal shall be determined by a majority vote of the Tribunal and shall be made on the balance of probabilities.
- 3.8.9 Where the University Appeal Tribunal determines there has been a procedural error at the Appeal Hearing stage, or that was made in a manner that is biased, unfair, or unreasonable, the University Appeal Tribunal may:
 - 3.8.9.1 return the matter to an Appeal Hearing presided over by a new panel; or
 - 3.8.9.2 hear the merits of the Appeal Hearing itself and uphold, revise or overturn the original decision of the Appeal Hearing.
- 3.8.10 The University Appeal Tribunal will give deference to decisions of the Appeal Panel as those decisions relate to the appropriateness of disciplinary action. Only disciplinary action that is patently unreasonable will be modified, substituted, or overturned.
- 3.8.11 Within ten (10) Working Days of the date of the University Appeal Tribunal Hearing, the decision of the Tribunal will be communicated in writing to the Respondent by the Provost, with a copy to the Associate Vice-President, Students. This decision letter will indicate the outcome of the University Tribunal Hearing and the action taken by the University Appeal Tribunal. The decision of the University Appeal Tribunal is final.

3.9 Appointments and Training

- 3.9.1 Faculty Adjudicators will be appointed by the Deans, in consultation with the Academic Integrity Coordinator, for a two- or three-year term, to a maximum of two consecutive terms.
- 3.9.2 A Faculty Adjudicator may be appointed for subsequent terms after a period of three (3) years from the end of their last appointment.
- 3.9.3 On appointment, Faculty Adjudicators will receive training on the following:
- 3.9.3.1 Academic Integrity;
 - 3.9.3.2 principles of natural justice; and
 - 3.9.3.3 conduct of Repeat Misconduct Hearings, Review Hearings, and Severe Misconduct Hearings.
- 3.9.4 Appeal Hearing panel members appointed by the Faculty Association of Grant MacEwan University and the Students' Association of MacEwan University will be appointed for one-year terms, and will receive appropriate training from the Academic Integrity Office prior to sitting on an Appeal Hearing panel.

3.10 Conflicts of Interest

- 3.10.1 Persons involved with the assessment and review of the incident of Academic Misconduct will not, to the extent possible, include any individuals who have a potential, perceived or real conflict of interest in the matter or persons involved in the matter.
- 3.10.2 In the event a Student or Instructing Faculty believes the persons involved with the assessment and review of the incident of Academic Misconduct has a potential, perceived or real conflict of interest, the Student or Instructing Faculty may request that the person recuse themselves from the matter.

3.11 Records Management

- 3.11.1 The Office of the Associate Vice-President, Students will retain a copy of all Academic Misconduct investigation reports, letters, disclosure, and decisions of the Faculty Adjudicator for a period of ten (10) years after the last action taken on the file.
- 3.11.2 Transcript notations of "academic discipline" shall be removed upon student request by the Office of the University Registrar after a period of five (5) years from the date the final decision was communicated to the Student.

4.0 RELATED POLICIES, PROCEDURES, FORMS AND OTHER DOCUMENTS

- Student Academic Integrity Policy
- Student Non-Academic Misconduct Policy and Procedure
- Student Code of Conduct
- Records Management Policy

5.0 ACCOUNTABILITY

Responsible Office

Office of the Associate Vice-President, Students

6.0 HISTORY

Relevant Dates

Approved: **22.04.25**

Effective: **22.04.25**

Next Review: **27.04**

Modification History

- 18.01.02:** New procedure. Approved by Academic Governance Council Executive Committee, EC-01-01-02-2018.
- 19.12.19:** Procedure comprehensively reviewed, including revised appeal mechanism. Revised procedure recommended by General Faculties Council (motion: GFC-07-10-28-2019) and approved by Board motion 04-12-19-2019/20.
- 20.11.10:** Minor revision to correct spelling and grammatical errors. Approved by Policy Sponsor.
- 22.04.25:** Comprehensively revised to clarify grounds for requesting an appeal to the University Appeal Tribunal, clarify the role of the Provost as Chair of the Tribunal, and bring the document into alignment with the Student Non-Academic Misconduct Procedure. Approved by General Faculties Council Executive Committee Motion GFC-EC-02-04-25-2022.