

**1.0 POLICY**

All registered students of the University will have access to a fair process to appeal a decision or ruling that affects them as it pertains to academic matters, matters of student discipline, and student rights and responsibilities. Policies governing these matters stipulate whether or not matters are able to be appealed. This policy is superseded by those policies that have their own appeals process.

**2.0 RATIONALE**

The Student Appeals Policy ensures that MacEwan students have fair process regarding decisions that affect them. The Student Appeals Policy is guided by the following principles:

- 2.1 All registered students of the University will have access to a fair process to appeal a decision or ruling that affects them. There is a defined process for resolving disputes in academic matters, matters of student discipline, and student rights and responsibilities, except as noted differently in other policies.
- 2.2 Informal resolution of a dispute between the student and respondent is most desirable and should be attempted before a formal appeal.
- 2.3 In the course of an appeal, the principles of natural justice shall be applied for students and employees alike.
- 2.4 Decisions on matters of appeal take into consideration if the University's policies and procedures were followed, if the decision was reasonable and if the student's rights were upheld.
- 2.5 Students and employees involved in an appeal shall have access to all information regarding the appeal.
- 2.6 Adherence to specific timelines and clarity in communication facilitate the resolution of the disputes.
- 2.7 The appeal process should be fair.
- 2.8 Individuals having any role in dealing with issues under this policy shall conduct themselves in a professional manner maintaining confidentiality regarding all related matters.
- 2.9 The individual or Appeals Committee who is hearing the appeal has the ability to further investigate prior to rendering a decision.

- 2.10 Vexatious or frivolous appeals will not be tolerated.

**3.0 DEFINITIONS**

The following definitions apply to this policy only:

- 3.1 Respondent: The person who made the decision that is the subject of the appeal.
- 3.2 Dean: “Dean” refers to the Academic Dean, Associate Dean or Director. For matters of appeal regarding non-academic discipline, the officer refers to a Senior Student Services Officer.
- 3.3 Faculty Adjudicator: As per Policy C1000 Academic Integrity, a faculty adjudicator may impose an academic or disciplinary sanction(s).
- 3.4 Grade: A grade is a final letter grade assigned to a student in a course as per Policy C2020 Grading.
- 3.5 Mark: A mark may be assigned to evaluate any learning activity and differs from a final letter grade.
- 3.6 Natural Justice: Procedures designed to ensure that decisions are made in good faith and without bias or conflict of interest.
- 3.7 Official Student File: The file kept by the Office of the Registrar for program students or a separate file kept by the Office of the Registrar for disciplinary matters for unclassified students, both which will be retained and destroyed according to E1050 Management of Student Records and Information.
- 3.8 In Writing: This refers to an electronic or paper-based document.
- 3.9 Support Person: This refers to the person who may accompany either the student or respondent to meetings as detailed in the regulations of this policy. The support person may not speak at any meetings as the role is intended to provide moral and emotional support.

**4.0 REGULATIONS**

- 4.1 The Vice President Student Services has responsibility for the overall management and implementation of this policy.
- 4.2 Policy E3103 Student Appeals shall be published in the University Calendar and other such media as deemed appropriate.
- 4.3 Students must deliver an appeal within twenty (20) working days from the date of issue of the disputed ruling. Failure to have received an appeal within these timelines shall result in the forfeiture of the right to appeal.
- 4.4 Students must present, in writing, a description of the appeal at each level as stipulated in this policy.
- 4.5 Guidance for students contemplating an appeal shall be made available through the Student Resource Centre counsellors.
- 4.6 While pursuing an appeal pursuant to this policy, a student shall be allowed to remain in all courses and programs except in the case that the Discipline Officer has reasonable grounds to believe that the presence of the student constitutes an immediate risk to the health and safety of students, staff and/or patients/clients (see Policy E3102 Student Discipline).
- 4.7 Decisions shall be clearly communicated to the student and respondent, in writing, as quickly as possible at each stage of the appeal. Recommended actions shall be communicated as appropriate.
- 4.8 The official student file will contain only the official file copy of the final decision letter resulting from the appeal process.
- 4.9 The Vice President Student Services shall be responsible for forming a standing Appeals Committee with membership as follows:
  - a) Provost and Executive Vice President Academic or Associate Vice President Academic or designate (standing member).
  - b) A full-time program student appointed by the Students' Association. (one-year term, renewable for one further term).
  - c) A full-time continuing faculty member appointed by the Faculty Association (two-year term, renewable for one further term).

- d) Vice President Student Services or designate as Chair of the Committee (standing member).

The Faculty and Students' Associations shall also name alternates for their representatives to ensure that meetings can progress as necessary. Further, additional representatives will be named to avoid having the student and/or faculty member participating in an appeal who are employed or enrolled in the same program as the student who is appealing.

- 4.10 The Vice President Student Services shall provide members of the Appeals Committee with an orientation which informs members of matters pertaining to principles of appeals (refer to 2.0) and the regulations contained herein. In addition, the Vice President shall provide members with information on University policies related to the appeal at hand.

## **5.0 STUDENT APPEAL PROCEDURES**

There are four steps in the appeal process. If the initial ruling was made by an instructor, begin at Step I. If the initial ruling was made by a Chair, begin at Step III. If the initial ruling was made by a Dean, Student Services Discipline Officer or Faculty Adjudicator, the process begins at Step IV. In cases involving academic dishonesty matters, students will, in lieu of Steps II and III, follow the steps outlined in C1000 Academic Integrity regarding requesting a hearing.

### Step I of the Process

- 5.1 The student should first discuss the disputed ruling with the respondent and attempt to resolve the situation informally. The Chair or supervisor of the faculty/staff member may also be consulted at this stage of the appeal.
- 5.2 If no resolution is determined as a result of 5.1 above, the student must, within the timelines stipulated in this policy, present, in writing to the respondent with a copy to the Chair, the appeal as described below:
  - 5.2.1 a description of the decision being appealed,
  - 5.2.2 the grounds on which the appeal is based,
  - 5.2.3 a clear statement as to the outcome expected, and
  - 5.2.4 the documentation the applicant wants to be considered. Students requesting a review of academic evaluation of work must submit the original work with the request and retain a copy for their own records.

- 5.3 The respondent shall reply, in writing, to the student with a decision, (date stamped, postmarked or hand-delivered) within seven (7) working days of having received the notice of appeal and shall also provide a copy of the decision to the Vice President Student Services, the Chair, and the office of the Dean.
- 5.4 In the event that the respondent making the contested ruling is not available, or does not respond within the time frame specified in 5.3, the student may access Step II of the appeal process.

Step II of the Process

Step II is initiated if the disputed ruling was made by an instructor. In the event that the initial ruling was made by the Chair, the process begins at Step III.

- 5.5 Within seven (7) working days from the date of issue of the written reply indicated in 5.3 or having received no such response 5.4, the student may deliver a written presentation of the appeal to the Chair of the program in which the decision under dispute originated.
- 5.6 Within seven (7) working days of having received the written appeal, and with a minimum of two (2) working days notice to the parties involved, the Chair shall investigate the ruling by discussing it with the student and the faculty/staff member.
  - 5.6.1 When an appeal is due to disagreement with the academic evaluation expressed in a mark, the Chair shall ensure that the assignment is reassessed by another discipline specialist as appeals of this nature should be addressed by subject matter experts. It is understood that the reassessment may result in a lower mark, a higher mark or no change to the mark.
  - 5.6.2 The student must submit a Reassessment Request Form and pay the non-refundable fee.
- 5.7 Within two (2) working days of the investigation, the Chair shall communicate in writing a decision on the appeal to the student, the respondent, and the Dean. If a reassessment of a mark is done, the decision must be rendered within fourteen (14) working days of the review meeting.

Step III of the Process

Step III is initiated if the disputed ruling was made by a Chair. In the event that the initial ruling was made by the Dean, Student Services Discipline Officer or Faculty Adjudicator, the process begins at Step IV.

- 5.8 Within seven (7) working days from the date of issue of the written reply indicated in 5.7 or having received no such response, the student may deliver a written presentation of the appeal to the Dean of the school/faculty in which the decision under dispute originated.
- 5.9 Within seven (7) working days of having received the written appeal, and with a minimum of two (2) working days notice to the parties involved, the Dean shall investigate the ruling by discussing it with the student who may have a support person of his or her choice. In addition, the Dean will contact others as appropriate including the respondent who may also have a support person of his or her choice in attendance and the Chair or supervisor.
- 5.10 Within four (4) working days of the review meeting, the Dean shall communicate in writing a decision on the appeal and the outcome requested to the student, the respondent, and the Vice President Student Services.

Step IV of the Process

Step IV is initiated if the disputed ruling was made by a Dean, Student Services Discipline Officer or Faculty Adjudicator.

- 5.11 Within ten (10) working days from the date of issue of the Dean , Student Services Discipline Officer or Faculty Adjudicator's response, the student may deliver a written representation of the appeal to the Vice President Student Services and request initiation of Step IV of the process.
- 5.12 Within fifteen (15) working days of receipt of the appeal notice, the Vice President Student Services shall call a meeting of the Appeals Committee.
  - 5.12.1 The time and date of the meeting shall be communicated to the student, the respondent and the committee members.
  - 5.12.2 An appeal package will be provided to the student prior to the appeal for a period of time not to exceed three hours.

- 5.12.3 The appeal committee will receive the appeal package in a pre-meeting of the Appeal Committee.
- 5.12.4 The appeal package materials shall be provided for the sole use and review of appeal participants. Appeal participants shall not copy, record or otherwise reproduce the materials or any part thereof without the express written permission of the Vice President Student Services (or delegate). Appeal participants shall respect the confidentiality of the hearing process and shall not disclose or communicate in any way the contents of the materials themselves or the content of the appeal proceedings. At the close of the appeal, appeal participants shall return the materials as provided.
- 5.13 For students at off-campus locations, the appeal meeting may be arranged by other means deemed appropriate by the Vice President Student Services.
- 5.14 The Appeals Committee shall provide the opportunity for at least the student and respondent to present information to the Committee.
  - 5.14.1 The student and respondent may have a support person of their choice at the meeting.
  - 5.14.2 The Dean will also participate in the meeting by providing information based on discussions that took place at Step III.
- 5.15 If the student does not attend the appeal meeting, the Appeal Committee will consider the appeal withdrawn, and no further opportunity for appeal will be provided unless in the case of an emergency or acceptable extenuating circumstance as accepted by the Vice President Student Services.
- 5.16 The Appeals Committee shall render a decision which shall be communicated within two (2) working days of the appeal meeting, in writing, to the student and the respondent, the Chair or supervisor, the Dean, the members of the Appeals Committee, and the Registrar. The Registrar (or designate) shall place the final written communication in the official student file.
- 5.17 The decision of the Appeals Committee is final, and there is no further appeal.

**FACT SHEET**

DATES:

Approval	82.06.23
Review due	2013.06

SOURCE:

Current practice as expressed in University calendar

82.06.23	Recommended by Academic Council 82.06.08. Approved by Board Motion 13-16-81/82. Replaces Student Appeals Procedure Section in Board Policy 9.2 approved 5-5-77/78.
84.04.19	Amended as recommended by Academic Council 84.04.03. Approved by Board Motion 10-10-83/84.
84.09.30	Titles updated.
84.12.20	Renumbered from C5100 to E3103 as recommended by Academic Council 82.12.04.
91.11.21	Amended as recommended by Academic Council 91.11.05. Approved by Board Motion 13-04-91/92.
97.09.25	Amended as recommended by Academic Council 97.09.07. Received as information by the Board 97.09.25.
2001.07.05	Updated terminology (Grant MacEwan University).
2003.02.01	Updated terminology (position title). Format updated.
2008.06.12	Revisions approved by Board Motion 01-6-12-2007/08.
2009.10.08	Terminology updated to reflect name change to Grant MacEwan University. Approved by Board motion 01-10-8-2009/10.
10.12.21	Related policy numbers updated to reflect changes to E Policy Taxonomy.
21.02.11	Minor revision to clarify appeal pathway where an alternative policy or procedure provides specific appeal language and to update Related Policies list. Approved by Policy Sponsor.

IMPLEMENTATION DATE: July 1, 2008

RELATED POLICIES:

- Academic Integrity Policy
- Academic Misconduct Procedure
- Student Non-Academic Misconduct Policy
- Student Non-Academic Misconduct Procedure
- Student Code of Conduct
- Human Rights and Accessibility Policy
- Students with Disabilities Procedure
- Student Accommodation on Non-Disability Grounds Procedure
- C2020 Grading



- C2060 Workplace Learning
- C2065 Co-operative Education
- E1050 Management of Student Records and Information

**OTHER REFERENCES:**

Freedom of Information and Protection of Privacy Act