

**ACADEMIC APPEAL Procedures:****Procedures:****1. Stage 1: Student and Professor**

- 1.1 Within 3 working days of receiving a written notice of a final grade which meets the criteria in section 4.3 of the Academic Appeal Policy, the student provides written notice of concern to the professor regarding the final grade.
- 1.2 Within 2 working days of receiving this notice, the professor contacts the student to schedule a meeting to discuss the matter.
- 1.3 Within 2 working days of this initial Stage 1 meeting (referenced in 1.2 above), the professor notifies the student, the Dean and Registrar's Office in writing of the Stage 1 decision and the professor processes the required grade change documentation if applicable.
- 1.4 If the decision is not acceptable to the student, the student may elect to proceed to Stage 2.

**2. Stage 2: Student, Professor and Dean**

- 2.1 The student provides written notice of concern to the Dean within 2 days of receiving the Stage 1 decision. In this notice, the student requests a meeting with the Dean and the Professor to review the professor's decision. Failure to meet this timeline results in the student being unable to proceed with Stage 2, and the Stage 1 decision stands.
- 2.2 The Dean comes to a decision based on information from the Student and the Professor, and the Dean notifies the student, the professor and the Registrar's Office in writing of the decision.
- 2.3 If the decision is acceptable to the student, the professor processes the required grade change documentation if applicable.
- 2.4 If the decision is not acceptable to the student, the student may elect to proceed to Stage 3.

### **3. Stage 3: Appeal Committee**

#### **3.1 Appeal Application**

- 3.1.1 Within 2 working days of receiving the Stage 2 decision from the Dean, the student obtains and complete two forms from the Registrar's Office and submits the completed forms to the Registrar's Office along with the appeal fee:
- an Appeal Application form (see Appendix 2); and
  - an Authorization for Release of Student Information form (Appendix 3).
- Failure to meet this timeline results in the student being unable to proceed with Stage 3, and the Stage 2 decision stands.
- 3.1.2 The appeal fee is returned to the student if the final grade or academic decision is changed in favour of the student.
- 3.1.3 With the application, the student provides the grounds for the academic appeal, based on the areas for which an appeal can be made:
- a procedural error in regards to a final grade, or
  - progression within a program.
- 3.1.4 The Registrar's Office forwards the completed Appeal Application and any relevant documentation to the Vice President Academic's (VPA) Office.

#### **3.2 Appeal Hearing**

- 3.2.1 Within 5 working days of receipt of the Appeal Application, the VPA's Office establishes an appeal committee and organizes a meeting of the Appeal Committee to hear the appeal. The Appeal Committee Chair notifies the student and all other persons involved in the appeal of the date, time and place of the meeting. The meeting is to be held as soon as possible.
- 3.2.2 The Chair gives the names of the Appeal Committee members to the student and the professor(s) involved in the appeal at least 3 working days before the appeal is to be heard. Either the student or the professor(s) can object to a member of the Appeal Committee.
- 3.2.3 To object to a member of the Appeal Committee, the student or the professor(s) must submit the objections to the Chair at least 2 working days before the appeal is heard.
- 3.2.4 If the Chair determines the objection is reasonable, the Chair requests that the VPA's Office adjust the appeal committee membership, ensuring that its composition is maintained.
- 3.2.5 At least 3 working days before the hearing, the student and the professor must provide to the Chair the information listed below:

- One copy of the documents the student and the professor plan to introduce as evidence at the hearing. Unless the Appeal Committee agrees, no other documents may be introduced at the time of the hearing; and
- The name and credentials of any support person who is to accompany the student or the professor. A support person cannot attend the appeal hearing without having informed the Chair prior to the hearing unless it is agreed to by the Appeal Committee and the other party. The support person(s) may not address the appeal committee. Any costs associated with the attendance of a support person at the appeal are the sole responsibility of the student or professor.

3.2.6 The Chair reviews all documents submitted to ensure that they are relevant to the appeal. Documents identified as not relevant are returned to the student or professor at least 2 working days before the hearing stating the reasons they will not be used during the appeal hearing. The Chair will only consider evidence directly related to the academic issue being presented.

3.2.7 Witnesses may be called at any time throughout the appeal process at the discretion of the Chair.

3.2.8 At least 2 working days prior to the appeal hearing, the Chair distributes copies of all relevant documents listed in Article 3.5 and any other material necessary for the fair determination of the appeal to Appeal Committee members, student and professor(s).

*All information is to be kept in the strictest of confidence.*

3.2.9 The Chair conducts the hearing as outlined in Appendix 4 *Order of Proceedings*. The order can be amended with the agreement of the parties or by the Chair if he or she determines that such amendment(s) will not prejudice the student or the professor and will ensure the fair determination of the appeal.

3.2.10 The Chair, within 3 working days of the completion of the appeal, sends on behalf of the Appeal Committee the written decision and the reasons for that decision to the student, the professor(s), the Dean, the Registrar, and the Vice President Academic.

3.2.11 The Chair prepares a written record of the Appeal Committee meeting and submits it to the VPA's Office for retention. Summary notes of the evidence presented are to be recorded. The record shall consist of:

- The Appeal Application form;
- Names and occupation of the Appeal Committee members and any other persons in attendance, including witnesses and advisors;
- Documents introduced by the student and the professor(s);
- Summary notes of the evidence presented;

- The written decision that was issued by the Appeal Committee to the student and the professors; and
- Any other material that the Appeal Committee considered to make its decision so that the record gives a fair and comprehensive account of the appeal, including summary notes of the evidence presented.

3.2.12 The decision of the Appeal Committee is final. A student who believes that he or she has not received a fair hearing may request an Appeal Review as described in Section 4 below.

3.2.13 The VPA's Office retains all records of appeal hearings for a period of at least 7 years.

#### **4. Stage 4: Appeal Review**

##### **4.1 Appeal Review Application**

4.1.1 Within 3 working days of receiving the decision of the Appeal Committee, the student can apply in writing to the Registrar's Office for an appeal review if at least one of the following reasons is met:

- Substantial procedural error has been committed by the Appeal Committee which has denied the student a fair hearing; or
- New evidence is available that, through no fault of the student, was not available at the time the appeal was heard by the Appeal Committee.

4.1.2 The student must include the following in the application for an appeal review:

- The decision of the Appeal Committee that is being appealed;
- The reasons for requesting an appeal review (See Article 4.1.1 above);
- The remedy that is being requested; and
- A receipt for the paid appeal review fee. This fee, together with the appeal fee referred to in Article 3.1.1, will be refunded to the student in the event the decision of the Appeal Review is changed in favour of the student.

4.1.3 Within 2 working days, the Registrar's Office is to send the request for an appeal review to the VPA's Office.

4.1.4 Within 2 working days of receiving the request for an appeal review from the Registrar's Office, the VPA's Office will call together an Appeal Review Panel, composed of two Deans (that were not involved in either the appeal hearing or the initial decision) and chaired by the VPA, to determine if there are sufficient reasons for an appeal review, based on Article 4.1.1 Only to the extent necessary to determine whether any of the reasons for an appeal review exists may the Panel hear evidence.

4.1.5 The Appeal Review Panel will read the record of the Appeal Committee. Based on the reason for the appeal review, the VPA is to

- Rehear the case if a substantial procedural error occurred at the Appeal Committee; and/or
- Consider new evidence not available to the student at the time of the appeal.

The Vice President Academic has the authority to amend or reverse the decision of the Appeal Committee.

4.1.6 If the request for an appeal review is denied, the VPA informs the student in writing of the reasons and the Appeal Committee decision stands.

4.1.7 If the request is granted, the VPA hears the Appeal Review.

#### **4.2 Appeal Review Hearing**

4.2.1 The VPA's Office schedules the Appeal Review within 5 working days of receiving the application and notifies the student and all other persons involved of the date, time and place of the meeting. The meeting will be held as soon as possible.

4.2.2 At least 3 working days before the appeal review hearing, the student and professor(s) must provide the VPA any additional information not presented at the appeal, such as written statements or other pertinent material, if such statements or materials are to be presented at the appeal review meeting.

*All information is to be kept in the strictest of confidence.*

4.2.3 Within 5 working days of the completion of the appeal review, the VPA sends the written decision and the reasons for that decision to the student and the professor(s), the Dean, and the Registrar.

*The decision of the Vice President Academic is final and binding on all persons involved in the Appeal Review.*

4.2.4 The office of the Vice President Academic retains all records of appeal review for a period of at least 7 years.

## APPEAL COMMITTEE TERMS OF REFERENCE

### **Purpose:**

The Appeal Committee is to provide the student with a final, neutral forum to present an appeal at a hearing. The Committee reviews the academic decision being challenged by the student, the grounds the student is using for the appeal and hears all evidence relevant to the case.

### **Membership:**

An Appeal Committee is set up for each Appeal Application received. The membership for the Appeal Committee consists of:

- A Dean who serves as Chair of the Appeal Committee;
- Two professors; and
- Two students.

### **Conflict of Interest:**

No member of an Appeal Committee is to have any prior involvement with the case. Any involvement constitutes a conflict of interest and must be declared to the Chair of the Appeal Committee as soon as possible but no less than three working days prior to a hearing. If in the opinion of the Chair of the Appeal Committee, a conflict of interest is present, the member will be replaced.

### **Secretarial Support:**

The Office of the Vice President Academic is responsible for providing secretarial support.

### **Functions:**

The Committee is to consider the application of various policies at the College, School, Department and Program levels and other factors that have an impact on the decision being appealed.

The Appeal Committee, upon completion of its review, is authorized to uphold, modify or reverse the academic decision being appealed.





**Authorization to Release Personal Information**

**Please Print**

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Student Number

\_\_\_\_\_  
Program

I authorize Canadore College to release information pertaining to my enrolment and records to:  
THE ACADEMIC APPEAL COMMITTEE

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

The collection and use of this information complies with the College's Protection of Privacy Policy. See <http://www.canadorecollege.ca/sites/default/files/images/14-PrivacyProtection-10%281%29.pdf> for details.

**ACADEMIC APPEAL ORDER OF PROCEEDINGS**

1. Introduction of attendees and opening remarks of the Chair of the Appeal Committee to explain the procedure. The Chair is to stress that all information presented at the appeal is to be kept confidential.
2. The Chair asks the student and the professor(s) to present their evidence and any statements in the following order:
  - 2.1 The student presents his/her case.
  - 2.2 Questioning of the student by the Appeal Committee members. Any question the professor may have of the student is to be directed to the Chair.
  - 2.3 The professor(s) presents his/her case.
  - 2.4 Questioning of the professor by the Appeal Committee members. Any question the student may have of the professor(s) is to be directed to the Chair.
  - 2.5 At the discretion of the Chair, the student and/or the professor may provide a rebuttal.
  - 2.6 The student makes a closing statement.
  - 2.7 The professor makes a closing statement.
3. The order can be amended with the agreement of the parties or by the Chair if he or she determines that such amendment(s) will not prejudice the student or the professor and will ensure the fair determination of the appeal review.
4. The student and the professor each have up to 30 minutes to present their evidence. If there is more than one student or professor presenting evidence, they have to share the 30 minutes. With the agreement of the Committee, the Chair can extend the presentation limit for complex situations.
5. No other documents may be introduced at the time of the hearing unless the Appeal Committee agrees.
6. The Chair then concludes the meeting and advises the student and all other persons present how and when a decision will be communicated to them.