



Procedures

Policy Name	Academic Appeals		
Policy #	1210	Category	Student Services
Policy Sponsor	Associate Vice President, Student Services	Previous Revision	September 1, 2018
Policy Approved by	President & CEO	Revision Date	January 10, 2019
Procedures Approved by	Provost & Vice President, Academic	Review Date	See Policy Review Date or As Required

See the related [POLICY](#).

1.0 PURPOSE

Saskatchewan Polytechnic is committed to providing students with access to a sound appeal process for challenging an academic decision in accordance with the specific grounds outlined in this document.

2.0 APPLICATION

- In this document, a “student” is any person registered in a program or course offered at Saskatchewan Polytechnic. **Note:** *students from regional colleges are subject to this policy.*
- Academic appeals pertain to academic decisions made through the application of the following policies: Student Code of Conduct (Academic), Academic Progress 1202, Evaluation of Student Learning 1206, Grading System and Student Promotion 1208, Student Excellence in Academic Achievement and Dean’s Honour List 1216, as well as attendance, academic withdrawal, and special consideration based on medical, psychological, or compassionate grounds.
- A Level 1 or Level 2 appeal is available only when at least one of the following grounds is alleged:
 1. A substantial procedural error has been made or a bias present in the process;
 2. New evidence is available that is likely to change the outcome; or
 3. The sanction(s) imposed is disproportionate to or inconsistent with the nature of the offence.

3.0 PROCESS

3.1 Level 1: School-level Academic Appeals

If a student is concerned with a sanction or decision related to the policies or situations in 2.0, they will attempt an informal resolution process by discussing the concern with the decision maker within five (5)

business days of the date on the original written decision. If a student is not satisfied with the outcome of the discussion, they may submit a Level 1 School-level Academic Appeal Form and any supporting documents to the Dean of the Academic School within ten (10) business days of the date on the original written decision. The Dean, or designate, will review the School-level appeal and provide a written decision to uphold, change or overturn the original decision within five (5) business days of receipt of the form.

Submitting a Level 1 academic appeal form does not postpone the decision which is being appealed. However, where possible the student may participate in regular or modified classes or other academic activities during the appeal process, as determined by the Dean or designate.

3.2 Level 2: Institute-Level Academic Appeals

If a student is concerned with the outcome of a Level 1 appeal, they may submit a Level 2 Institute-Level Academic Appeal Form, any supporting documents, and payment for the appeal fee to the Registration Office within five (5) business days of the date on the Level 1 appeal written decision.

Once the appeal is submitted, the Office of the Registrar will convene a hearing within ten (10) business days. The decision of the appeal panel is final with no further right of appeal within Saskatchewan Polytechnic.

All parties will be notified by a written Notice of Appeal which presents the basis of the appeal, the process of the appeal, and any other details necessary for a fair hearing.

All witnesses must be identified to the Chair of the Appeals Committee at least five (5) days before the appeal hearing, and both the appellant and original decision-maker must be notified of the participation of any witnesses in advance of the hearing. The appellant and/or decision-maker are responsible to ensure the availability of witnesses for the scheduled date, time and location of the appeal hearing. A minimum of five (5) business days prior to the appeal hearing, a written response by the decision maker indicating the rationale for the decision; a list of witnesses, if applicable; the original summary document and any other information or materials that will be presented during the appeal hearing will be submitted to the appellant.

Submitting a Level 2 academic appeal form does not postpone the decision which is being appealed. However, where possible, the student may participate in regular or modified classes or other academic activities during the appeal process, as determined by the Dean or designate.

3.2.1 Academic Conduct Appeal Committee and Appeal Panel

The Office of the Registrar maintains a roster of 12 individuals per campus on the committee, and convenes a panel of three panelists from the committee, including a Dean or Associate Dean (who will act as panel chair); a staff or faculty member; and a student identified by the Saskatchewan Polytechnic Students' Association. No appeal committee member will be from the Academic School where the appellant is enrolled nor have been involved in the original decision.

3.2.2 Appeal Hearing

A private and confidential oral hearing will take place in front of the appeal panel. The appeal panel will review the documentation related to the original decision, and may seek information from any other source, as it deems relevant.

- The appellant bears the onus of proof, and a decision will be rendered based on a balance of probabilities. The appellant is entitled to procedural fairness that contains the following components:
 - i. The appellant must know the information that led to the initial decision, and any allegations against them, if applicable.

- ii. The appellant must be given an opportunity to correct or contradict any information or assertions made in support of the initial decision.
- iii. The panel must make its decision without bias or reasonable apprehension of bias.
- The appellant will present his/her case, and call any witnesses that he/she has identified.
- The original decision maker will then present the information used to make the original decision, and call any witnesses that he/she has identified.

Note: Witnesses called by either the appellant or original decision maker shall be invited individually to present their information and will be dismissed by the Chair of the Appeal Panel once they have been questioned by the other party to the appeal, and by the appeal panel. Witnesses may be asked to return to answer any further questions of the panel.

- Once the formal presentations are complete, the appellant may direct questions to the original decision maker and any witnesses through the Chair, and the original decision maker may ask further questions to the appellant and of his/her witnesses.
- The appeal panel may ask questions of all parties and witnesses and may require the production of any additional written or documentary information.
- The chair of the appeal panel may give directions throughout the appeal hearing for the purpose of maintaining order, including asking anyone in attendance to leave the hearing if any behaviour is deemed by the chair of the appeal panel to impede the process. Information presented at the hearing must relate to or bear directly upon the outcome.
- Any procedural issue that arises in the course of a hearing, including issues respecting adjournments and the terms of such adjournments, will be considered by the panel, but the decision of the Chair is final with respect to any such procedural issues.
- The appeal panel shall deliberate in camera and shall reach a decision by majority vote. The panel may grant any remedy it sees fit, including upholding the decision and outcome; imposing a lesser outcome; or granting the resolution requested by the student. No monetary awards can be issued by the appeal panel.
- The appeal panel has the power to reserve its decision for further consideration and will render a decision within five (5) business days of the appeal hearing.
- The decision of the appeal panel, including written reasons, shall be in writing and signed by the chair of the appeal panel.
- Copies of the decision, along with its reasons shall be sent to the student and the original decision maker.

The appellant may have a support person of his/her choosing in an advisory capacity present throughout the proceedings. The appellant may choose to contact the Student Advocate from the Saskatchewan Polytechnic Students' Association.

Should a request be made and all parties agree, an appeal hearing may be recorded (this is not common practice). Upon written request, a respondent may review the audio recording and make appropriate arrangements for it to be transcribed on Saskatchewan Polytechnic property. Arrangements for a transcriber and all associated costs involved in the transcription will be the responsibility of the requesting individual.

The decision of the appeal panel will be final and binding on all parties with no further right of appeal within Saskatchewan Polytechnic.

Every attempt will be made to meet the timelines set out in this code unless circumstances cause a delay.

4.0 DEFINITIONS

- **Advocate:** assists, advises and advocates on behalf of a student who is facing concerns that have a negative impact on his/her academic standing, or to aid in non-academic dispute resolution. Employed by Saskatchewan Polytechnic Students' Association.
- **Appeal:** the process where a student challenges a decision in accordance with the specific grounds outlined in this document.
- **Appellant:** a student who is appealing an initial decision.
- **Balance of probabilities:** more likely than not to have occurred.
- **Informal resolution:** an approach to resolve issues without implementing the formal process.
- **Onus of proof:** responsibility to prove the case by balance of probabilities.
- **Procedural error:** the misapplication of the applicable academic policies, see section 2.0, which includes but is not limited to a flawed investigative process.
- **Sanction:** a decision or outcome issued to a student who is found responsible for a violation.
- **Support person:** an individual chosen by the student who may attend meetings, including those related to the investigation, hearing and appeal process for the sole purpose of supporting the student. They cannot, however, speak on behalf of the student. Legal representatives are not permitted at any stage of the misconduct process.

5.0 RELATED POLICIES/DOCUMENTS

1202 Academic Progress
1206 Evaluation of Student Learning
1208 Grading System and Student Promotion
1216 Student Excellence in Academic Achievement and Dean's Honour List
Attendance guidelines
1211a Student Code of Conduct (Academic)
1211b Student Code of Conduct (Non-academic)