



ACADEMIC DISPUTE RESOLUTION AND APPEAL PROCEDURE

Approved by: Academic Coordinating Committee

Authorizer: Executive Dean, Academic Administration/Vice President, Enrolment Management and International Education

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PROCEDURE STATEMENT:

Conestoga recognizes that disputes regarding academic decisions may occur between members of its community. Conestoga has established procedures to deal with student disputes in an effective, timely, fair and impartial manner.

This procedure defines how students can appeal an academic decision.

SCOPE:

This procedure applies to students, faculty, registrar/designate and academic team.

Timelines have been set out in order to provide expediency and transparency. Extensions may be granted in exceptional circumstances.

Students may dispute the following:

- a decision to deny evaluations through the portfolio or challenge process;
- an academic promotion decision such as discontinuance;
- a final grade, including a failed PLAR challenge;
- an evaluation worth 25% or greater in a course;
- a penalty assessed under the Academic Integrity Policy

DEFINITIONS:

Academic Decision

- The status of a student's academic achievement within a program at a given period of time.

Academic Team

- Academic team includes heads of schools, program heads, program coordinators and faculty members who are responsible for the academic content.

Faculty

- Faculty are person/s responsible for the teaching/learning process. This includes technologists who, under the direction of faculty, perform specific functions related to the academic process.

Final Grade

- Final indicator of a student's performance in a course, as submitted by the faculty member(s).

PLAR

- Prior Learning Assessment and Recognition.

School

- Conestoga is organized into a number of schools, e.g., School of Business and Hospitality.

RESPONSIBILITIES

Faculty:

- provide students with the basis that will be used to calculate the final grade (evaluation strategy) for the course in the first week of class;
- grade promptly all assignments, quizzes, test and other forms of evaluation and return evaluated materials where appropriate;
- in accordance with Step 1 of the procedure, reply to and attempt to resolve student concerns regarding a dispute within five working days;
- participate in the inquiry conducted by the chair in accordance with Step 2 of this procedure;
- participate in the inquiry conducted by the executive dean/dean in accordance with Step 3 of this procedure;
- if required, participate in the hearing conducted by the registrar/designate in accordance with Step 4 of this procedure.

Student:

- adhere to the established timelines;
- retain and provide, in the event of an appeal, all relevant work that has been returned to him/her;
- initiate process in accordance with Step 1;
- in the event an appeal hearing is held, provide required documentation in accordance with Step 4.1.2 of this procedure.

Academic team:

- participate in the process in accordance with Steps 2 and 3 of this procedure;
- participate in the inquiry conducted by the registrar/designate in accordance with Step 4 of this procedure;
- discharge their respective responsibilities fairly and according to established time frames.

Executive Dean/Dean

- participate in the process in accordance with Step 3 of this procedure;
- discharge his/her respective responsibilities fairly and according to established time frames.

Registrar/designate:

- make Appeal Request Form available to students;
- discharge his/her respective responsibilities fairly and according to established time frames;
- facilitate orientation for members of the appeal panel;
- ensure that the policy and procedures are published;
- administer pre-hearing matters in accordance with the guidelines;
- act in an advisory role to students, faculty members, chairs, executive deans/deans and members of the appeal panel;
- direct the response of an appeal panel decision to the student and the appropriate Conestoga personnel.

PROCEDURE

1.0 Step 1

A student who is seeking a review of an academic decision is expected to discuss his/her concerns with the appropriate faculty member within five (5) working days of receipt of the grade or academic decision (i.e. the posting of the grade via the student portal or receipt of the official notice of a final grade/academic decision).

A student who has been issued an academic decision by the executive dean/dean of their program of discontinuance or assessed a penalty under the Academic Integrity/Student Code of Conduct Policies should begin the appeal process at Step 4.

- a. Unless an issue of liability, safety and/or behavior that interferes with the teaching/learning of others has been identified, the student may attend classes/labs/work experience and/or placements, pending conclusion of the process.
- b. It is the student's responsibility to provide the faculty member with a well-documented statement in writing outlining the issues and the outcome he/she desires.
- c. The faculty member will respond in writing to the student within five (5) working days of receipt of the concern.

2.0 Step 2

In the event that the student receives no reply from his/her faculty member within the time frame, or if the student wishes to pursue the request for a review after receiving a response from the faculty member, he/she must present the matter in writing to the chair/designate of the program in which the course is offered within five (5) working days of the deadline for faculty response or within five (5) working days of receipt of the faculty member's response.

2.1 Upon consideration of the information provided by the student and the faculty member, the chair/designate has the authority to determine a resolution in any of the following ways:

- (a) decide that the grade or academic decision will remain unchanged;
- (b) direct that a re-evaluation of the student's work be completed;
- (c) direct that the grade be changed to an 'I' (Incomplete) and that the student be allowed to complete specific items of work.
- (d) recommend to proceed to Step 3

The decision must be communicated in writing to the student and the faculty member within five (5) working days.

3.0 Step 3

3.1 Upon receipt of the outcome in Step 2, a student who believes the decision reached in Step 2 to be unfair and unreasonable may pursue their request for review by submitting a letter setting out the reason(s) why. All documentation provided and received by the student must be submitted with the appeal request to the executive dean/dean of the student's program within five (5) working days of receipt of decision from Step 2.

3.2 The executive dean/dean reviews the information provided by the student, the faculty member and the chair/designate, and informs the student in writing of the decision within five (5) days working days of receipt of the student's request.

4.0 Step 4 (Final)

4.1 A student may request a formal appeal following Step 3 or following a discontinuance decision or a penalty assessed under the Academic Integrity/ Student Code of Conduct Policies which was made by the executive dean/dean of their program by submitting an Appeal Request Form within five (5) working days of receipt of the decision.

4.1.1 Criteria for a formal appeal:

- A substantial procedural error has been committed which has denied the student a fair review in the prior steps; or
- new and significant evidence/information is available that was not available during the informal review process; or
- the penalty/decision imposed is perceived to be unreasonable and unduly harsh given the circumstances or the offence; or
- the matter will result in a significant impact on the student's academic career.

4.1.2 The student's submission of a request for a final appeal must include a letter setting out the reason(s) according to the criteria in 4.1.1. All documentation provided and received by the student must be submitted with the appeal request. No additional documentation will be accepted from the student after submission is made.

If at any point during the appeal process the student alleges that the basis for the appeal is harassment or discrimination, given the definition of prohibitive behaviours, the student will be advised that the matter should be pursued under the College's Protection of Human Rights policy.

4.2 The registrar/designate reviews the request, and within ten (10) working days of receipt of the student's request, informs the student in writing whether or not the College intends to proceed with an appeal hearing. If denied, written reasons are to be given.

4.3 Within fifteen (15) working days of notifying the student of the intent to proceed the registrar/designate convenes an appeal hearing. The appeal is heard by a panel,

chaired by the registrar/designate, and composed of three persons outside of the student's program or school chosen by the registrar/designate as follows:

- a member of the academic team;
- a faculty member or counsellor;
- a student.

No panel members will have been involved previously with the matter in question.

4.4 Submissions for the appeal hearing are be provided by the registrar/designate to all parties at least one (1) working day prior to the meeting. If the student desires an external adviser to attend the appeal hearing, the registrar/designate must be notified at least three (3) working days prior to the meeting.

4.5 At the appeal hearing both the student and a representative of the program may present oral arguments in support of their respective positions. After the presentation of arguments the panel meets privately to consider the facts and to render a decision.

4.6 The decision includes a written explanation of the reasons for the decision and is given to the registrar/designate. The panel may make recommendations regarding changes to the academic policies and procedures of Conestoga/school/program.

The decision of the panel is final and binding.

4.7 Within five (5) working days the registrar/designate communicates the decision in writing to the student, executive dean/dean and/or chair.

4.8 All documents used by the panel are delivered to the registrar/designate.

4.9 Protection from Reprisals

Conestoga prohibits reprisals or threats of reprisal against students who have raised matters of concern under this procedure. Individuals who violate these provisions shall be subject to discipline or other corrective action.

REFERENCES:

Appeal Request Form

Academic Dispute Resolution and Appeal Policy

Academic Integrity Policy and Procedure

Student Code of Conduct Policy and Procedure

REVISION LOG:

2007-05-28 Addition of informal process as a mandatory step

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