

<b>Policy Title:</b>	<b>ACADEMIC GRADE APPEAL POLICY</b>	<b>Area of Responsibility:</b> <b>VICE PRESIDENT, ACADEMIC</b>
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## 1.4.2. ACADEMIC GRADE APPEAL POLICY

### Purpose

1. St. Clair College and its faculty members are committed to quality academic decision-making and to ensuring that academic records genuinely and accurately reflect our learners' academic accomplishments. Academic decisions should be based on impartially assessed performance outcomes which measure the learning of students and these decisions must be free of bias, prejudice, unfairness or other inappropriate personal or systemic influences. The purpose of this policy is to provide students with access to a respectful, thorough, judicious, impartial and timely review of academic grading decisions.

### Consistent, Progressive Review Process

2. This policy establishes a consistent, progressive pathway for the resolution of concerns or disputes relating to the grades, marks or academic status conferred in academic courses delivered to St. Clair College students. It is intended that the normal route followed by an appeal of an academic grade will be:
  - Firstly, addressing the concern with the faculty member or members who conferred the grade.
  - Secondly, appealing to the Academic Chair of the academic school or department that delivers the academic course to determine a resolution of the dispute.
  - Thirdly, in the event that either party to the grade appeal is not satisfied with the decision of the Academic Chair, appealing to the St. Clair College Grade Appeal Panel for a final review of the grading dispute.
3. The review of academic grades is subject to the rules of natural justice, principles of equity and fairness as well as to the policies and processes of St. Clair College.

## **Jurisdiction and Composition of Grade Appeal Panel**

4. This policy establishes the St. Clair College Grade Appeal Panel whose function shall be to conduct reviews of final grades assigned in the various academic courses delivered by the College.
  - Once the final grade has been assigned, the College Grade Appeal Panel has jurisdiction to review the entire grading process and each assessment component that builds to the calculation and assignment of the final grade.
  - Generally a student may not appeal a grade to the College Grade Appeal Panel until being officially notified by the Registrar's Office of the final grades through the issuing of a St. Clair College Academic transcript. However, there are exceptional circumstances where a student may be terminated early from a course and the right of appeal established by this policy is available immediately that the Chair or Coordinator has informed the student that the student has been terminated, and therefore failed, in a particular course.

## **Composition of College Grade Appeal Panel**

5. The College Appeal Panel shall be composed of an academic administrator who shall be the Chair of the Appeal Panel, a faculty member, and a student representative chosen by the Student Representative Council or Thames Students Inc.
6. The faculty member who serves on any particular grade appeal panel shall not be a member of the faculty of the School or department from which the grade appeal is arising.
7. Generally, the student representative should be from a School or department different from the School or department from which the appeal is arising. If it is impossible to select a student representative who is a member of a different school or department, then the student shall be in a different program than the one from which the appeal is arising.

## **Faculty Representatives on the College Grade Appeal Panel**

8. The Executive Director, Program and Degree Accountability will circulate a call for full-time faculty members to serve on the College Grade Appeal Panel. This call will usually be made before the end of September or at such other time as may be required and appropriate.
  - The Executive Director, Program and Degree Accountability will use a process of selection designed to build a grouping of full-time permanent faculty members who will serve on the College Grade Appeal Panel on a rotating basis. This process will strive to ensure as much as possible that all schools are represented on the Panel.
  - The usual term of a faculty member on the College Appeal Panel grouping will be two years and may be renewed for additional terms as necessary.

- The final group of volunteer faculty members should have at least one faculty member from each school if possible.
- The Executive Director, Program and Degree Accountability shall ensure that all faculty members prior to serving on the College Grade Appeal Panel are trained in the operation of this policy, appropriate College policies which impact the grade appeal process, the requirement of confidentiality, the rules of natural justice and principles of equity and fairness.

### **Student Representatives on the College Grade Appeal Panel**

9. The selection of the student representatives on the College Appeal Panel shall be the responsibility of the Student Representative Council.
  - For the purpose of serving on a grade appeal panel, the executive of the SRC or the TSI may select any student who has been elected to serve in any capacity on their student council or may choose the SRC or TSI manager or anyone else whom the executive feels will represent the interests of students appropriately.
  - Prior to serving on the College Appeal Panel student members of the Panel must undergo training in the operation of this policy, the policies under which appeals are heard, the requirement of confidentiality, the rules of natural justice and principles of equity.
  - The training is essential not only for serving on the College Appeal Panel but also for advising students of their rights and obligations with respect to bringing an appeal to the College Appeal Panel and with respect to the various policies under which an appeal can be made to the Panel.

### **Administrative Members of the College Appeal Panel**

10. The ongoing Chair of the College Appeal Panel will be designated by the President of St. Clair College. The Executive Director, Program and Degree Accountability will normally be designated as the Chair of the College Appeal Panel but the President may also designate another College administrator as the ongoing Chair of a College Appeal Panel.
  - The Executive Director, Program and Degree Accountability will ensure that the individual selected to serve as either an ongoing Chair or an interim or temporary Chair is trained and knowledgeable in the operation of this policy, the conduct of appeal hearings, the policies under which appeals may be made as well as the rules of natural justice and principles of equity.

### **Conflict of Interest**

11. Members of an appeal panel shall have no prior direct involvement in the determination of the grade for which an appeal is being made or have a personal or professional relationship with any party involved in the appeal. Members may have been involved in the giving of generic advice concerning grounds for an appeal or in explaining the processes of an appeal without being in a conflict of interest.

12. Members of an appeal committee must disclose any direct conflict of interest of any type or any prior involvement in the matters under review. The Executive Director, Program and Degree Accountability will review the situation and make a determination of whether there is an actual conflict of interest or sufficient reason to replace the panel member. The disclosure shall take place as quickly as possible and prior to the commencement of the appeal hearing. If there is an actual conflict of interest or a sufficient reason to replace the member, that member shall be replaced with an appropriate substitute by the Executive Director, Program and Degree Accountability.

### **Location of College Appeal Panel Hearings**

13. Hearings of the College Appeal Panel will generally be held at the campus at which the academic program is delivered with respect to the student who has launched the particular appeal.
14. Wherever possible, the make-up of the panel should reflect the campus from which the appeal arises by ensuring that the faculty and student representative are based on the appropriate campus though at the discretion of the Executive Director, Program and Degree Accountability this provision may be waived were operational considerations require a different composition.

### **Prohibition of Reprisals for Initiating and Pursuing a Grade Appeal**

15. The College prohibits reprisals or the threat of reprisal against any individual who initiates, makes use of or participates in proceedings under this Grade Appeal Policy and in proceedings before the St. Clair College Grade Appeal Panel. Any College employee who violates this provision will be subject to disciplinary measures.

### **Proceedings before the College Grade Appeal Panel**

16. The Chair of the College Appeal Panel shall conduct the proceedings in accordance with the principles of natural justice and the principles of equity or fairness as set out in Appendix B of this policy. Proceedings must be conducted in an atmosphere of truthfulness, honesty, fairness to and respect for all parties.
17. The hearing is generally held in camera and is not open to members of the public.
18. The order of proceedings shall be in accordance with this policy and will normally provide for the following sequence:
  1. the appellant(s) presents his or her case, including witnesses, to the Panel
  2. the respondent(s) presents their version of the matter(s) in question, including calling witnesses
  3. the appellant presents his or her rebuttal, if any, and summary.

19. Maintaining order at the hearing ensures a fair hearing. The Chair of the College Appeal Panel may make such orders or give appropriate directions as may be required to maintain order and procedural fairness.
20. Placing limits on the amount of time allowed to each party or witness may be required to prevent undue repetition or eliminate irrelevance in the conduct of the hearing. Though each party has the right to fully present his or her case, the Chair of the College Review Panel may make such order to limit any party's presentation or argument as is reasonable and appropriate to ensure an efficient and fair hearing.
21. An oath is not taken and the strict rules of evidence do not apply to the hearing conducted by the College Appeal Panel.
22. Evidence presented to the College Grade Appeal Panel must be credible, compelling and persuasive in order to be taken into account.
23. Information presented to the Panel cannot be second hand information or hearsay.
24. The parties to proceedings before the College Appeal Panel are reminded that the responsibility for making academic decisions rests primarily with the faculty and that this responsibility is never interfered with lightly.
25. The parties to the proceedings before the College Appeal Panel are also reminded that the interests of students in having fair, accurate, impartial decisions free of improper considerations and bias is paramount.
26. The College Grade Appeal Panel will correct evident errors in the mathematical calculation of grades; round-up a grade in appropriate circumstances or provide alternate or additional methods of assessment that were unfairly or inappropriately denied to the student.
27. Though the College Grade Appeal Panel will not review any part of the content of an assignment, paper, exam or test, it will, in appropriate circumstances, direct that the student's work or some part of it be re-evaluated by other appropriate internal or external evaluators.

**Resource Person or Advisor for the appellant**

28. Though it is not required during the Appeal process, a student may request another person to act as a resource person and to provide advice or support during any stage of the Appeal process. This resource person may be a member of the executive of the Student Representative Council or

the Thames Student Inc., a parent or other relative, a friend, a fellow student, a personal counselor, or a legal representative.

29. There is no absolute right to representation before the College Grade Appeal Panel. However, the Chair of the Appeal Panel has discretion to permit the presence of a resource person or advisor.
30. When a resource person or advisor attends any step in the Appeal process, that resource person is strictly a resource or advisor for the appellant. The resource person or advisor will not be permitted to speak, make submissions or to advocate on behalf of the appellant.
31. In the event that the resource person attempts to advocate, speak, or interfere with the conduct of the Appeal, that person may be excluded from the proceedings at the sole discretion of the Chair of the College Grade Appeal Panel.
32. If, due to language, hearing or other challenge, the student encounters difficulty understanding or expressing himself/herself, the Chair of the College Grade Appeal Panel has the discretion to permit the resource person or personal advisor to speak on behalf of the student.
33. The appellant may request reasonable periods during the Appeal process to consult with the resource person. The number and length of the periods of consultation are subject to the sole discretion of the Chair of the College Grade Appeal Panel.
34. Any costs associated with the student being assisted by legal counsel or any other paid advisor or resource person shall be the sole responsibility of the appellant.
35. In all cases, where a student wishes to have a resource person or advisor attend any proceeding before the College Grade Appeal Panel, the student shall advise the Chair of the College Grade Appeal Panel of the identity of the advisor or resource person as early as is reasonably possible in the circumstances. The Chair may approve the presence of the advisor or resource person at the discretion of the Chair.

### **Onus or Burden of Proof**

36. At the hearing, the Appellant has the onus of satisfying the College Appeal Panel that there is sufficient or compelling reason to question the grade assigned or to challenge the process that was used to determine the grade. The Appellant must raise a reasonable doubt about the appropriateness or fairness of the grade and how it was calculated or determined.
37. If the Appellant meets the previous onus, then the onus will shift to the respondent to substantiate the appropriateness of the of the process that was used to determine the final grade, each of the

components of that final grade and the appropriateness and fairness of any rules applied to the determination of the grade and its conformity with College policies.

38. During the Chair-level inquiry, the onus or burden of proof shall be the same as is identified in the two previous sections.

### **Informal Process of Appeal**

39. The professional and courteous route to follow in seeking the resolution of disputes is for the student to request a meeting with the faculty member to discuss the grade and to attempt to obtain a mutually acceptable resolution of the grading decision. Wherever possible, students are encouraged to follow this route with respect to their grading concerns.
40. The failure to pursue an informal process of Appeal does not preclude the student from proceeding with the formal process of review.
41. The purpose of this informal process is to ensure that the student is fully aware of the grounds and rationale for the grading decision and that the decision-maker can substantiate the grounds for the decision to the student.
42. If the student attempts an informal resolution of the decision, the faculty member who made the grading decision in question shall meet with the student to explain why the decision was made, the grounds for the decision and any policy under which the decision was made.
43. The student shall be provided with all appropriate documentation relating to the grade, the weighting and the calculation of the grade.
44. The student shall be allowed to state his or her reasons why the decision should be changed.
45. If the student and the College decision maker cannot arrive at a mutually agreeable resolution of the student's concern, the student should consider whether he or she wishes to launch a formal Appeal under this policy.
46. If the appeal goes to the College Grade Appeal Panel, the Panel may question both the appellant and the respondent concerning what attempts were made to resolve this dispute using the informal process of discussion between the parties.
47. The informal process may include discussions with the Chair concerning the resolution of the disputed grade.

### **Formal Process of Appeal**

48. Students have a right to two levels of formal Appeal; a first level of Appeal to an Academic Chair and a second and final Referral to the College Grade Appeal Panel.

### **Time Limits for Formal Appeals**

49. A formal appeal of an academic grading decision should be made immediately following the official communication to the student of a final grade assigned to that student in a course.

50. Official communication of a final grade may occur in any of the following ways:

- issuing of the official transcript by the Registrar's Office,
- specific communication by the Coordinator of the Program or Chair of the School that a student is being removed from a clinical placement setting and assigned a failing grade in the clinical placement course together with the reasons for the termination of the clinical placement,
- specific communication by the Chair of a School that a student is being assigned a failing grade because of an act of academic dishonesty or other academic misconduct.

51. An appeal from a grading decision cannot be made after the lapse of 10 College business days from the date of the communication of the final grade to the student. Any Grade Appeals filed beyond the 10 day timeline will not be heard by the College Appeal Panel except as outlined by this section.

52. If a student has not been able to launch a formal Appeal within 10 College business days from the date of the communication of the final grade owing to verifiable and documented circumstances that are beyond the control of the student, the student should contact the office of the Executive Director, Program and Degree Accountability for permission to file or to continue the grade appeal. This contact can be made in person or by email.

53. The Executive Director, Program and Degree Accountability will make an immediate determination of whether to allow the appeal to go forward based on the rationale provided by the student as to why the timeline was not met and based on the reasonableness of that rationale. The extension of the time limit is not an absolute right and the decision of the Executive Director, Program and Degree Accountability will be final.

### **Process for Initiating a Formal Appeal at the Chair Level of Inquiry**

54. In order to launch the formal appeal process, a student should complete and file with the Registrar's Office a Notice of Grade Appeal form (which can be obtained from the Registrar's Office, the Office of the Student Representative Council, or on the St. Clair College website).

55. The student shall clearly identify the grounds for launching the Appeal. The Notice of Grade Appeal requires that the reasons for disagreeing with the conferred grade must be clearly set out or specified in the Notice of Grade Appeal document. The appellant must also include complete contact information for the appellant including phone, mail and email addresses if any, where the appellant can be reliably and quickly contacted. The Notice of the Grade Appeal shall identify the appellant's program, the course being appealed and the grade obtained in both numeric and letter grade format, if possible, in the course being appealed.
56. An administrative charge is payable for filing the Notice of Grade Appeal but is refundable if the Appeal is successful. The payment shall be made at the time of filing of the Notice of Grade Appeal.
57. The Registrar's Office will review the amount set for the administrative charge on an annual basis.
58. On the filing of a Notice of Grade Appeal, the Registrar's Office will validate the filing of the Notice of Grade Appeal by date and time stamping the notice.
59. The Registrar's Office will provide the student with a copy of the Notice of Grade Appeal with the date and time stamping information and shall retain a copy for the Registrar's files.
60. The Registrar's Office will immediately scan the Notice of Grade Appeal and direct it electronically to the Academic Chair of the program in which the student is registered or to the Academic Chair of the department that delivers the course that is the subject of the Grade Appeal, as appropriate. The Notice of Appeal will be copied to the appellant and the Executive Director, Program and Degree Accountability to permit tracking of the appeal.
61. In the event that the Academic Chair to whom the Notice of Grade Appeal is directed has a conflict of interest or who has been directly involved in making the grading decision which is the subject of the Notice of Grade Appeal, the Academic Chair shall immediately notify the Vice President, Academic who will assign another Academic Chair to conduct the first level inquiry. The office of the Vice President, Academic will notify the Executive Director, Program and Degree Accountability of this situation and the identity of the Chair who will hear the Chair-level appeal hearing.
62. If the course which is the subject of Appeal falls under the jurisdiction of a Chair who is not the program Chair, the Notice of Grade Appeal shall be directed immediately to the Academic Chair of the department or school that delivers the course.

63. When the Office of any Chair receives the email with the attached Notice of Grade Appeal from the Registrar's Office, the date for the receipt of the Notice of Appeal shall be the day following the date on the email for the purposes of calculating timelines.

#### **Time line for Chair-Level Inquiry and Decision**

64. The Academic Chair to whom the Notice of Grade Appeal has been directed shall immediately take steps to hold a full inquiry into the matters concerned in the Appeal and to make a determination with respect to the appeal within 8 College business days from the date on which the Notice of Grade Appeal was received by the Office of the Academic Chair.

#### **Extension of Time for Chair Decision**

65. The Academic Chair and the appellant may mutually agree on a longer period of time to accommodate extenuating circumstances which both parties agree need a longer time period within which to conduct the inquiry. Any agreement to extend deadlines must be documented in writing signed by the Chair and the appellant or corroborated by an email or other written confirmation from the appellant to the Chair agreeing to the extension and the date of the new deadline. (See Appendix J for template)

#### **Direct Referral to College Grade Appeal Panel**

66. Where an Academic Chair has thoroughly reviewed the grading decision at the request of the appellant immediately prior to the appellant launching the formal appeal, if there is no new information available that might affect the Chair's original decision with respect to the grading decision, there is no need for the Chair to re-conduct the investigation into the grading decision. The Chair may refer the appeal directly to the College Grade Appeal Panel by emailing both the appellant and the Executive Director, Program and Degree Accountability stating that the appeal is being immediately referred and by providing a detailed rationale which supports and explains the Chair's decision with respect to the disputed grade.

#### **Conditional Progression to the Next Semester and Binding Condition**

67. Where a formal Appeal has been made against a grade or academic standing status which would prevent progression to the next semester of an academic program or enrolment in a course, the Academic Chair will permit the appellant to continue in the program and to be conditionally admitted to the course or courses in the next semester pending the outcome of the final decision on the Appeal.
68. The Academic Chair will require that the appellant sign a written conditional progression to the next semester and acceptance of a binding condition of cancellation of admission to the course or courses in the next semester should the Appeal be denied. (See appendix D.)

69. As an exception to section 67, where the student would proceed into an active clinical placement in hospitals, long-term care homes, nursing homes or other locations where a student would have direct contact with health-care patients, or where a student could be a danger to patients, or clients in a health care setting, the Chair of the School may, at the School Chair's discretion, deny to an appellant the right to proceed into that active clinical placement until the grade appeal has been finalized.
70. Where the Chair has determined that the clinical placement should be denied, the Chair should use all possible speed to hear the appeal and, if necessary, facilitate its referral to the College Grade Appeal Panel. The College Grade Appeal Panel will be held as quickly as possible in order to minimize the impact on the academic progression of the student.
71. Where the clinical placement has been denied, if the grade appeal is ultimately successful, the Chair of the School must provide to the successful appellant a clinical placement opportunity that minimizes any inconvenience to the student and which is offered at no cost to the successful grade appeal appellant.

#### **Chair-Level Inquiry**

72. The Academic Chair shall conduct a fair and thorough inquiry into the matters that are the subject of the Appeal with the persons concerned in the decision being appealed, including the student (appellant), the faculty member(s) (respondent) or other College employee who has information relating to the conferred grade.
73. The inquiry shall be conducted in accordance with the principles of natural justice, the principles of fairness and equity and in compliance with college policies.
74. The faculty member whose grade is being appealed shall provide written documentation to the Chair and to the student, showing clearly how the final grade was determined including all components on which the student was assessed, the marks obtained for each component and the weighting of each component in the determination of the grade that was assigned before being converted to a letter grade.
75. At this first level of Appeal, the Academic Chair is not required to, but may choose to hold an informal hearing at which all stakeholders attend for the purpose of investigation of matters relating to the disputed grade. In any event the Chair shall conduct a full inquiry or investigation of the matters under Appeal.
76. In conducting the inquiry, the Academic Chair shall provide the appellant with an opportunity to present the reasons why the appellant disagrees with the decision that is being appealed. These reasons shall be documented in writing either by the appellant or by the Academic Chair with the consent of the appellant.

77. In conducting the inquiry, the Academic Chair shall provide the faculty member(s) or other participants in the inquiry process with the opportunity to present information and documentation to substantiate the original decision. This information should be documented in writing by the person presenting it or recorded by the Chair who receives it.
78. All materials and information received by the Academic Chair shall be shared with both the appellant (student) and the respondent (faculty member). The Academic Chair conducting the inquiry shall provide the appellant and respondent with the opportunity to respond to the information and documentation received by the Chair.

**Mediated Resolution of Appeal - minutes of settlement**

79. With the concurrence of both the appellant and the faculty member(s) who conferred the disputed grade (respondent[s]), the Academic Chair shall use his or her best efforts to facilitate or mediate a resolution of the issue under Appeal.
80. In the event that the parties to the Appeal reach a voluntary settlement of the issues in the Appeal, the resolution of the matter shall be captured in writing in Minutes of Settlement (see appendix E) and a copy of the resolution shall be provided to both parties.
81. A copy of the minutes of settlement shall also be sent to the Executive Director, Program and Degree Accountability to record the outcome of the appeal and to process the refund of the appeal fee if appropriate.
82. If the resolution affects the student's academic status or the conferred grade, the Academic Chair who conducted the inquiry shall immediately ensure that the appropriate documentation is processed with the Registrar's Office to reflect the terms of the settlement.
83. Once signed, the Minutes of Settlement are final and binding on both sides to the dispute and the grade appeal is terminated.
- The Chair shall process any appropriate grade changes and request the office of the Executive Director, Program and Degree Accountability to process a refund, if appropriate.
  - The Chair will provide a copy of the minutes of settlement to the Executive Director, Program and Degree Accountability.

**Withdrawal of Appeal - refund**

84. During the Chair-level inquiry, the appellant may withdraw his appeal and request a refund of his appeal fees.

- The intention to withdraw from the appeal shall be documented in writing and a signed copy of the withdrawal of the appeal shall be sent to the office of the Executive Director, Program and Degree Accountability.
- The notice of intention to withdraw an appeal may take the form of an email from the appellant which clearly states the intention to withdraw from or terminate the appeal.
- The office of the School Chair will process a refund upon the submission of an intention to withdraw document as outlined above.

### **Decision of Chair with Rationale**

85. Where an Academic Chair is unable to mediate a resolution of the grade appeal, the Academic Chair will make a determination of the appeal based on the information disclosed in the Academic Chair's investigation of the appeal. The decision of the Academic Chair must be indicated including the details of any remedies provided, together with the reasons on which the decision is based. This written decision with rationale must be provided immediately both to the appellant, the respondent, and to the Executive Director, Program and Degree Accountability using the form provided for the purpose of recording the decision of the Academic Chair. (See Appendix F)

### **Referral to the College Grade Appeal Panel**

86. In the event that the Academic Chair has failed to either mediate a resolution or make a determination with respect to a grade appeal within 8 college business days or within a mutually agreed time limit (between the appellant and the Academic Chair) greater than 8 college business days, the appellant or respondent may refer the appeal to the College Grade Appeal Panel by emailing or otherwise contacting the Office of the Executive Director, Program and Degree Accountability indicating his or her intention to refer the appeal to the College Grade Appeal Panel.

87. The appellant or the respondent to the Grade Appeal at the Academic Chair level of inquiry may initiate a Referral to the College Grade Appeal Panel where;

- either party to the appeal is dissatisfied with the decision given by the Academic Chair and that party has grounds to establish that the decision was made in error
- the matter has not been dealt with or resolved within the time limits specified by this policy or within any agreed upon extension of the time limits.

### **Time Limits for Referral to the College Grade Appeal Panel**

88. A Referral to the College Grade Appeal Panel must be received by the Office of the Executive Director, Program and Degree Accountability within 3 College business days of the effective notification to the appellant or the respondent of the Academic Chair's decision in the appeal or of the expiry of the timeframe for the resolution at the Academic Chair level of Appeal whichever comes first.

- In the event of a dispute relating to the lapsing of the 3 day time limit to refer the appeal to the College Grade Appeal Panel, either the appellant or the respondent may present an

explanation to the Chair of the College Grade Appeal Panel who will review the explanation and make a determination as to whether the time limit for the referral has lapsed or not. This determination shall also be based on principles of natural justice and principles of fairness.

### **Initiating an Appeal to the College Grade Appeal Panel**

89. A Referral to the College Grade Appeal Panel is initiated by submitting a notice of referral to the Executive Director, Program and Degree Accountability by:

- an email addressed to the Executive Director, Program and Degree Accountability requesting that the appeal be referred to the College Grade Appeal Panel or
- a written notice requesting that the appeal be referred to the College Grade Appeal Panel

90. The submission of the notice of referral to the College Grade Appeal Panel is the sole responsibility of the appellant or respondent. No other person may make this referral.

91. There shall be no additional fee or administrative charge for the initiation of a Referral to the College Grade Appeal Panel.

### **Processing of the Referral to the College Grade Appeal Panel**

92. On the submission of a Notice of Referral to the College Grade Appeal Panel, the Office of the Executive Director, Program and Degree Accountability will verify the referral and will contact the person who referred the appeal to ensure that all information with respect to the appeal is accurate.

93. The Office of the Executive Director, Program and Degree Accountability or designate will immediately confirm in writing via phone or email with the appellant and respondent of the receipt of the Referral to the College Grade Appeal Panel.

### **Time Limits for Processing the Referral to the College Grade Appeal Panel**

94. The College Grade Appeal Panel will sit at the earliest time possible to hear the Appeal and every effort should be made to hold the Appeal proceedings within 10 College business days after the receipt of notification of the referral to the College Grade Appeal Panel.

95. Either party to the appeal to the College Grade Appeal Panel may request an extension to the period of time for the hearing of the appeal. The Chair of the College Grade Appeal Panel after consultation with both parties to the referral may agree to a reasonable extension of the time period for the hearing of the Appeal.

### **Processes in Advance of the Hearing of the College Grade Appeal Panel**

96. Upon receipt of Notice of Referral, the Office of the Executive Director, Program and Degree Accountability shall immediately inform the appellant and the respondent in writing of the receipt

of the referral and provide the parties with a written overview of the process before the College Grade Appeal Panel.

97. The Office of the Executive Director, Program and Degree Accountability shall immediately take steps to empanel the College Grade Appeal Panel in conformity with this policy.
98. The Office of the Executive Director, Program and Degree Accountability will determine a date for the holding of the Appeal hearing that is convenient to the Panel members and to the appellant and respondent. The Office of the Executive Director, Program and Degree Accountability will use its best efforts to meet the timelines set out in this policy.
99. Notice of the hearing date together with copies of the original Notice of Grade Appeal, any resolution determined by the Academic Chair at the first level of inquiry, the Notice of Referral and any other appropriate documents shall be delivered to all parties prior to the hearing of the appeal referral. The Office of the Executive Director, Program and Degree Accountability will use its best efforts to provide this material at least 24 hours in advance of the scheduled hearing of the College Grade Appeal Panel and the notice shall contain the date, time and location of the scheduled hearing.
100. Grade Appeal hearings will generally be held at the campus at which the academic program is delivered with respect to the student who has launched the Grade Appeal but may be held at other locations at the discretion of the Executive Director, Program and Degree Accountability where circumstances require an alternate location.
101. Once the hearing before the College Grade Appeal Panel has been completed and a decision reached, the Office of the Executive Director, Program and Degree Accountability will immediately present to the Vice President, Academic the decision of the College Grade Appeal Panel in the form of a letter from the Vice President, Academic to the appellant.
  - The Vice President, Academic will review the letter and the decision.
  - If the Vice President, Academic has any concerns or questions about the decision, those concerns or questions may be raised with the Executive Director, Program and Degree Accountability.
  - After the review of any concerns or questions, the Vice President, Academic may endorse the decision by signing the letter

**Notification of the Decision by the Office of the Executive Director, Program and Degree Accountability**

102. The Office of the Executive Director, Program and Degree Accountability shall within 2 calendar days of the receipt of the decision of the College Grade Appeal Panel (excluding holidays as defined in the Academic Calendar) inform the appellant in writing of the decision of the College

Grade Appeal Panel together with the rationale for the decision. Additionally, the Office of the Executive Director, Program and Degree Accountability shall communicate the decision to the appellant by phone and by email using the contact information supplied in the Notice of Grade Appeal and Referral.

103. The Office of the Executive Director, Program and Degree Accountability shall send copies of the decision to the appellant; the respondent; the Academic Chair of the department or school where the student is registered; the Academic Chair of the department or school that delivered the course, if appropriate; the Coordinator of the Academic Program; the Grade Appeal panel members and the Registrar's Office. With respect to the appellant, the Office of the Vice President shall also attempt to communicate the decision to the appellant by means of those methods of communication identified by the appellant on the Notice of Grade Appeal. The dates and times of these communication attempts shall be recorded as well as whether or not the attempt to communicate was successful.
104. Any immediate changes to the academic transcripts as a result of the determination by the decision of the College Grade Appeal Panel shall be prepared by the Office of the Executive Director, Program and Degree Accountability, signed by the Executive Director, Program and Degree Accountability and transmitted to the Registrar's Office for processing.
105. Changes to the academic transcript which are the result of the student's access to a fresh academic assessment or review by the School shall be processed by the appropriate School Chair as soon as the Chair has been notified that the appellant has been successful in improving his or her grade as a result of a re-assessment or re-evaluation as a result of the order of the Grade Appeal Panel.
106. St. Clair College has provided a process that provides for a full and fair hearing of grading disputes that involves three levels of inquiry and investigation and accordingly, the determination of the College Grade Appeal Panel, as documented in the letter from the Vice President, Academic, shall be final and binding on all parties to the Grade Appeal. There is no further right of appeal to any other person or office in the College.

**APPENDIX A****The rules of natural justice**

Natural justice is a term that requires institutional decision-makers to be guided by an overall commitment to fairness when they are making administrative decisions that affect other people. This requirement is particularly strong where the decision will have very specific and identified consequences for particular individuals, for example, decision that impacts a student's grade or academic status. Accordingly, our legal system establishes that where an administrative decision will affect the rights, privileges or interests of a particular individual, the institution is bound by the rules of natural justice and a duty of fairness. A decision-making or Appeal process based on natural justice and fairness is different from the normal legal system. The rules of evidence are simpler, less rigid and more flexible. The hearings are less formal than a court of law. An error of procedure will not automatically invalidate a decision. Formal procedures are not dogmatically followed.

In the academic setting, the principles of natural justice and the requirement of fairness give students the following rights:

1. Adequate notice of the date, time and location of a hearing that will affect their status or rights.
2. Sufficient notice of any allegations or claims that are made against them.
3. Full disclosure of the nature of the evidence to be used against them.
4. A reasonable opportunity to provide their own evidence and version of events and arguments.
5. An opportunity to present their own witnesses and to examine their own and opposing witnesses.
6. To hear the evidence or negative information being provided about them so that they can prepare and present a response or answer to these allegations and information.
7. To request an adjournment or postponement for a reasonable period of time based on a reasonable ground.
8. To expect that the Appeal Panel will have the necessary expertise and familiarity with College processes and policies
9. To have the Appeal Panel members free of bias or any conflict of interest and that they will render their decision impartially and fairly
10. To receive a communication of the Appeal Panel's decision, in writing, including the rationale or explanation of the decision within a reasonable period of time after the Appeal hearing.
11. To expect that anyone who is involved in making the decision will have been present throughout the entire hearing.
12. To have necessary and appropriate supports and counsel present during the Appeal Panel hearing (there is no absolute right to have counsel or advisors present during the hearing but if it would be unfair to deny such advice or counsel, the Chair of the Appeal Panel shall ensure appropriate counsel or advice, for example, a translator if language is an issue. Similarly there is no right to legal counsel but if the consequences of the hearing could be severe or if the matters in question are complex, it might be unfair to deny legal counsel to be present. Generally, in all cases the counsel or advisor does not have the right to address the Appeal Panel or to advocate on behalf of the appellant.

APPENDIX B



**ST. CLAIR**  
COLLEGE

**Notice of Grade Appeal**

**Students are strongly advised to contact the SRC, TSI or the Executive Director, Program and Degree Accountability for advice and assistance in completing this document and on how best to proceed with the grade appeal.**

Name: \_\_\_\_\_ Student ID # \_\_\_\_\_

Program: \_\_\_\_\_ (Please indicate semester (year and term, winter or spring))

Campus: (Please check the appropriate campus) Windsor  South  SCCA  Thames

Name of course being appealed: \_\_\_\_\_

Course ID of course being appealed: (e.g. ACC100) \_\_\_\_\_

Name of Professor(s) who taught the course: \_\_\_\_\_

Were there technicians involved in the delivery of the course being appealed? Yes  No

Please provide the name(s) of any technicians involved in the delivery of this course if known.  
\_\_\_\_\_

Please indicate the grade that was assigned and which is being appealed. \_\_\_\_\_  
Numerical Grade Letter Grade

Student Contact Information

Phone Number(s): \_\_\_\_\_

Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Date of filing with Registrar's Office (stamp)

Sample Only

Do not use!

Download

Notice of Appeal

Template

From Self-Service

Clearly identify the grounds or reasons on which you base your Grade Appeal and provide appropriate details or facts that would support your Grade Appeal claim. Attach an additional sheet, if necessary.

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Sample Only

Do not use!

Download

Notice of Appeal

Template

From Self-Service

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I acknowledge that the statements that I have made above are accurate and true.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX C

Conditional Progression to Next Semester and Condition of Cancellation of Admission

Name of Student: \_\_\_\_\_

Student ID Number: \_\_\_\_\_

Semester and year: \_\_\_\_\_

List the Course Number(s) and Name(s) of the Course(s) to which a student is being conditionally admitted pending the outcome of an Appeal  
CourseNumber(s): \_\_\_\_\_ Course(s)Name(s): \_\_\_\_\_

Sample Only

Do not use!

The parties to this agreement acknowledge that the named student has lodged an Appeal relating to the grade assigned in a course which is needed in order to move to the next semester or is a prerequisite to one or more courses in the current semester.

The parties also acknowledge that there is a joint desire to ensure that the student will not be disadvantaged in the above named course(s) should the final decision of the Appeal process be in favour of the student with the result that the student is entitled to unconditionally register in the above named course(s).

The parties also acknowledge that if the Appeal is not successful, the student is not entitled to be admitted to the above named course(s) which have been identified as requiring the successful completion of the appealed course prior to admission.

Therefore the parties agree that the student may be conditionally admitted to the above named course(s) pending the outcome of the Grade Appeal.

The parties also agree that in the event that the Grade Appeal is not successful, the admission of the student to the above-name course(s) that require(s) the appealed course to be successfully completed prior to admission is immediately cancelled and the student agrees to each cancellation and has no further right to participate in that class.

Other courses that do not require the successful completion of the appealed course may be continued.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Chair

\_\_\_\_\_  
Date

**APPENDIX D**

**Minutes of Settlement with respect to the resolution of a grade dispute**

The parties to this dispute agree that the final grade to be recorded in the Registrar's Office with respect to the indicated course for the named student shall be as indicated below:

Name of Student: \_\_\_\_\_

Student ID Number: \_\_\_\_\_

Course Number: \_\_\_\_\_ Course Name: \_\_\_\_\_

Program Name: \_\_\_\_\_

Semester and Year: \_\_\_\_\_

Original Grade as reported to the Registrar's Office: \_\_\_\_\_

Grade to be recorded with the Registrar's Office: \_\_\_\_\_

The faculty member and Chair agree to ensure that the above grade is given to the Registrar's Office to be recorded as the student's final grade in the above course.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Faculty

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Chair

\_\_\_\_\_  
Date

**APPENDIX E**

**Notice of Withdrawal of Grade Appeal**

Name of Student: \_\_\_\_\_

Student ID Number: \_\_\_\_\_

Course Number: \_\_\_\_\_ Course Name: \_\_\_\_\_

Program Name: \_\_\_\_\_

Semester and Year: \_\_\_\_\_

The above named student hereby withdraws the grade appeal relating to assigned grade in the named course and accepts the grade as assigned by the Professor.

It is understood that the fee paid for initiating this appeal will be refunded to the appellant/student.

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

\_\_\_\_\_  
Date

**Sample Only**  
**Do not use!**

APPENDIX F

Decision of the Academic Chair

Name of Student: \_\_\_\_\_ Student ID # \_\_\_\_\_

Program: \_\_\_\_\_ Semester (year and fall, winter or spring) \_\_\_\_\_

Name of course being appealed: \_\_\_\_\_

Course ID of course being appealed: (eg. ACC100) \_\_\_\_\_

Name of Professor of course being appealed: \_\_\_\_\_

Chair: \_\_\_\_\_ School: \_\_\_\_\_  
Name of Chair Name of School

I have investigated the grade appeal of the above-named student in the course identified above and have made the following determination of the appeal:

Check one of the following two options:

The appeal is not successful

The appeal is successful

In either case, please clearly identify the rationale for your decision. If more space is needed, please attach an additional sheet.

If the appeal was successful, please identify the remedies for which your decision provides.

\_\_\_\_\_  
Signature of Chair

\_\_\_\_\_  
Date

Sample Only  
Do not use!

**APPENDIX G**

**Referral to the College Grade Appeal Panel**

**A referral to the Grade Appeal Panel may be made by:**

- 1. emailing the Executive Director, Program and Degree Accountability of your intention to refer the appeal to the Grade Appeal Panel using the following template. If the referral is by a student, the email must come from the email address listed in the appeal document. If the referral is by a faculty member, the St. Clair College email address must be used.**
  
- 2. or by delivering a written notice of intention to refer to the Executive Director, Program and Degree Accountability located in Room 272 of the main campus located in South Windsor. The document shall be in the format indicated below and be signed and dated by the person referring the appeal to the panel.**

EXAMPLE REFERRAL to College Grade Appeal Panel

**To: College Grade Appeal Panel**

**Copy to: School Chair**

Name of Appellant: \_\_\_\_\_

Student ID # of Appellant (if Appellant is the student) \_\_\_\_\_

I wish to refer this grading concern to the Office of the College Grade Appeal Panel.

\_\_\_\_\_  
Signature and Date if given in hardcopy.

**APPENDIX H**

**Grounds for Appeal**

The following are suggested examples of grounds for an Appeal of a grade. These examples are in no way exhaustive of possible grounds for a Grade Appeal. However, there must be **clear, definite and verifiable grounds** for a Grade Appeal to be successful. Just as grades must be based on verifiable assessments conducted during the course and which follow fair processes, the Appeal of a grade must also be based on verifiable and valid grounds.

The process used to determine the grade was unfair; for example, the professor changed the process without reasonable notice to the students of that change.

The process used to determine the grade was unfair; for example, the professor did not inform us adequately on how we were going to be assessed.

The professor made an error in the calculation of the grade; students were advised that a particular assessment would be worth 20 % of the final grade but the professor calculated the final grade by assigning that particular assessment a weight of 35%.

The process used to determine the final grade was unfair; for example the professor failed to advise us that a particular project was going to be counted in the calculation of the final grade but did use it as part of that calculation.

**APPENDIX I**

**Extension of Time Line for Decision**

Name of Student: \_\_\_\_\_

Student ID Number: \_\_\_\_\_

Course Number: \_\_\_\_\_ Course Name: \_\_\_\_\_

Program Name: \_\_\_\_\_

Semester and Year: \_\_\_\_\_

**Sample Only**

**Do not use!**

The above named student and the Chair of the School agree to extend the time line for obtaining a decision in a grade appeal involving the above student in the indicated course until (insert date and time).

The extension of the time line is to allow the Chair to complete the investigation of the grade appeal and to provide a resolution.

This extension is for operational reasons and, on the passing of the extended time, does not interfere with or lessen the student's right to refer the appeal to the College Grade Appeal Panel as provided by college policy.

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

\_\_\_\_\_  
Date

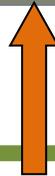
\_\_\_\_\_  
Signature of Chair

\_\_\_\_\_  
Date

Appendix J

**Referral to College Grade Appeal Panel**

1. Appellant emails Grade Appeal Panel and refers appeal to Panel
2. Appeal Panel holds hearing within 10 College business days of receipt of referral
3. Decision with rationale to VPA Office within reasonable time.
4. EDPDA Office communicates decision to student within 2 College business days



**Formal Grade Appeal – filed at Registrar’s Office – Chair Inquiry and Decision**

1. Within 10 College business days from the official communication of a final grade including (termination from clinical setting or termination owing to academic misconduct)
2. (Verifiable extenuating circumstances may extend time limit an additional 10 days)
3. Academic Chair conducts a first level inquiry and attempts to secure a mediated resolution.
4. If no mediated resolution, the Chair issues a decision based on the investigation.
5. (8 College business days for resolution by Chair)



**Informal Attempt to Resolve Grade Concern  
(WITH FACULTY)**

1. Discussions leading to voluntary resolution if possible and within time limits for launch of formal appeal
2. (within 10 days after release of grades by Registrar’s Office)

**Note: a grade appeal must be based on verifiable grounds such as error, unfair process, bias, or other rationale that can be documented and shows that the grade assigned is not the correct grade. Grade appeals that lack appropriate grounds will not be successful. Please discuss this issue with SRC or TSI.**