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<b>Office of Accountability:</b>	Office of the Dean, ALES
<b>Office(s) of Administrative Responsibility</b>	Executive Assistant/Administrative Coordinator ALES Dean's Office
<b>Approver:</b>	ALES Faculty Council
<b>Scope:</b>	Undergraduate Student Academic Appeal Procedures – Appeals to the ALES Academic Appeals Committee (AAC)

## 1. General Information

### 1.1. Definitions

**Deemed receipt:** Effective delivery of appeal-related materials to the appellant is governed by [GFC Policy Section 1.5.3 \(Service and Notice\)](#). Delivery is deemed to have been effected as follows:

- The day after an e-mail has been sent
- On the date of pick-up
- Personal receipt of hand or courier delivery
- Seven calendar days following regular or registered mailing

**AAC Coordinator:** The AAC coordinator is the individual, normally the Executive Assistant to the Dean of ALES, who is responsible for organizing the appeal hearing.

**Appellant:** The appellant is the student launching the appeal.

**Respondent:** The respondent is the Associate Dean (Academic) or designate.

**Witness:** A witness is a person who can present evidence or information to support the argument presented by an appellant or a respondent at a hearing.

**Advisor:** An advisor is a person who can advise, speak for or provide support to the appellant or respondent during the hearing.

**Appeal Hearing Panel:** The academic staff members and student representative chosen from the Academic Appeals Committee (AAC) to hear the student's appeal.

**Working Day:** A working day is defined as a day on which University of Alberta offices are open.

**First Appeal:** an initial appeal submitted to the Associate Dean (Academic).

## **1.2. Decisions that can be appealed to the AAC**

AAC only hears appeals from undergraduate students who have had a First Appeal denied by the Associate Dean (Academic). The following decisions related to undergraduate programs can be appealed to the AAC:

- Academic standing
- Denial of recommendation for graduation
- Final examination mark
- Final course grade

## **1.3. Appeal Deadlines**

The student must submit a written appeal to the AAC **within 14 calendar days** of the deemed receipt of the written decision of the Associate Dean (Academic) denying the First Appeal.

## **1.4. Appeal Communications**

All written communication will normally be via email, although students have the option of communicating in person or by mail as well. All email will be sent to the student's ualberta.ca e-mail account. Email from the student must also come from their ualberta.ca account.

## **2. Appeal Submissions**

The student's appeal letter and supporting documents may be submitted in person, by mail, or via e-mail. Email submissions must be sent from the student's ualberta.ca email address.

Appeals must be submitted in writing by the student to:

AAC Coordinator  
Faculty of Agricultural, Life and Environmental Sciences  
2-06 Agriculture/Forestry Centre  
University of Alberta  
Edmonton, Alberta  
Canada T6G 2P5  
Email: aac.ales@ualberta.ca

## **2.1. Appeal Content**

The student's written appeal letter should be directed to the Chair of the AAC Hearing Panel, and should contain the following information, as relevant to the specific appeal:

- A clear statement of the decision, concern or issue in dispute
- The grounds for the appeal, which should be based on one or more of the following:
  - Procedural error
  - Failure to consider all factors presented relevant to the decision petitioned
  - Bias or discrimination against the student
- Details of the remedy sought
- An explanation of relevant details associated with the appeal
- An indication of supplementary information being provided in support of the appeal; if new information is provided which was not disclosed in the First Appeal, an explanation must be given as to why it was not provided for the First Appeal
- Name of the person who will speak on behalf of the student, should the student be unable to attend the hearing
- Names of any advisors or witnesses who will attend the hearing with the student
- University of Alberta student identification number
- Student mailing address, telephone number, and email address
- Signature of the student (when hard copy appeal submitted)

When appropriate, supplementary information may be included with the written appeal letter. This may include, but is not limited to, the following:

- Medical certificate
- Copy of a death certificate, obituary or funeral program
- Copy of course assignments, exams

**Assistance in submitting appeals is available from the Office of the Student Ombuds (2-702 SUB, 780-492-4689). Appellants are advised to consult with the Student Ombuds prior to submission of their appeal.**

## **3. Hearing Preparation Procedures**

### **3.1. Responsibilities of the Student (Appellant)**

- Provide the AAC Coordinator with a written appeal letter that includes all required components and supporting documentation (as specified in 2.1 above) by the deadline

- At least two working days prior to the hearing, confirm the following to the AAC Coordinator:
  - Whether the student will attend the hearing or send a designate
  - The names of advisors or witnesses
- Ensure witnesses and advisors are informed of the hearing date and time

### **3.2. Responsibilities of the AAC Coordinator**

- Receive the written appeal
- Check the appeal submission for completeness if the appeal request is incomplete the AAC Coordinator will refer the appeal back to the student for completion and remind the student that assistance in appeal preparation is available through the Office of the Student Ombuds
- If the appeal submission is deemed complete, set a date for the hearing
- Inform the student and respondent of the hearing date
- If the hearing date is less than 14 calendar days away, inform the student and respondent of their right for 14 calendar days notice and ask if they agree to waive the requirement for 14 calendar days notice; if the student or respondent request 14 calendar days notice, select the next available date
- Select the Appeal Hearing Panel; normally the panel will be selected based on availability of AAC members; potential bias will be taken into account when selecting panel members.
- When the hearing date and Panel membership are confirmed:
  - Inform the student and respondent of the Appeal Hearing Panel membership
  - Ensure that the written response to the appeal from the respondent is provided in a timely manner and forwarded to the student
  - Ask the student and respondent if they have further information to add; remind them there is a full exchange of information between the appellant and respondent and documentation must be received two working days prior to the hearing
- Remind the student and respondent of their right to bring advisors or witnesses to the hearing
- Ensure that all information and documentation relevant to the appeal is forwarded to the student, respondent, and Appeal Hearing Panel, at least two working days prior to the hearing date

### **3.3. Responsibilities of the Associate Dean (Academic) or Designate (Respondent)**

- At least two working days prior to the hearing, provide the following to the ALES AAC Coordinator:
  - A written response to the student's appeal
  - Confirmation of whether the Associate Dean (Academic) will attend the hearing or send a designate
  - Names of advisors or witnesses
- Ensure witnesses and advisors are informed of the hearing date and time

## **4. The Appeal Hearing Panel**

### **4.1. Membership of the Appeal Hearing Panel**

For each appeal hearing the ALES AAC Coordinator will contact members of the AAC concerning availability and will appoint an Appeal Hearing Panel to be constituted as follows:

- Select a member of AAC to serve as Chair of the Hearing Panel
- Select two academic staff members of the AAC
- Select one ALES undergraduate student from student members of the AAC; if none of the student members of AAC are available, a student will be recruited by the AAC Coordinator with assistance (when available) from the Faculty of ALES Undergraduate Association (FAUnA)

### **4.2. Responsibilities of the Appeal Hearing Panel Chair**

- Chairs the appeal hearing
- Ensures proper procedures are maintained and due process followed throughout the appeal
- Ensures both the respondent and appellant have sufficient time to present their case
- Ensures that proper procedures are maintained and due process followed in making a decision regarding the appeal and communicating that decision

## **5. The Appeal Hearing**

### **5.1. Hearing Rules**

- The committee is not bound by rules of evidence or procedures applicable to courts of law
- The Panel Chair will ensure proper procedures are followed
- A quorum shall consist of the Panel Chair and two other Panel members
- Hearings shall be private and confidential; existing University policies and procedures on confidentiality shall be observed
- The appellant, respondent and committee may call and question witnesses

- The appellant and respondent may be accompanied by advisors
- All documents, materials, e-mail messages, etc. relative to the appeal will be made available to all parties
- All materials introduced at the hearing must be relevant to the issues before the committee
- Only the Appeal Hearing Panel members shall be present when reaching a final decision

## **5.2. Hearing Procedures**

- The Panel Chair will begin the hearing by:
  - Calling the appellant, respondent and advisors into the hearing room at the same time
  - Introducing the hearing panel to the appellant, respondent and advisors
  - Summarizing procedures for the hearing and for communication of the decision
  - Reviewing material received by the hearing panel, respondent and appellant
  - Instructing the hearing panel members that no discussion of the case is to occur outside the hearing room or when anyone concerned with the hearing is not present in the room
  - Informing that anyone may ask questions about procedure at any time
- This is followed by opening statements and questions:
  - Opening statement by appellant (and/or advisor)
  - Opening statement by respondent (and/or advisor)
  - Questions from each hearing panel member to the appellant and respondent
  - Questions from the appellant (and/or advisor) to the respondent and to the hearing panel
  - Questions from the respondent (and/or advisor) to the appellant and to the hearing panel
- The Panel Chair then calls in appellant's witnesses (if any) individually. For each witness, the following process is followed:
  - The witness gives evidence
  - Questions from the appellant (and/or advisor) to the appellant's witness
  - Questions from the respondent (and/or advisor) to the appellant's witness
  - Questions from the hearing panel to the appellant's witness
  - Panel Chair asks appellant's witness to leave the hearing room
- The Panel Chair then calls in respondent's witnesses (if any) individually. For each witness, the following process is followed:
  - The witness gives evidence
  - Questions from the respondent (and/or advisor) to the respondent's witness
  - Questions from the appellant (and/or advisor) to the respondent's witness
  - Questions from the hearing panel to the respondent's witness
  - Panel Chair asks respondent's witness to leave the hearing room

- The Panel Chair then asks for closing statements:
  - Closing statement by respondent (and/or advisor) not subject to questioning
  - Closing statement by appellant (and/or advisor) not subject to questioning
- The Chair will ascertain that all statements related to the appeal have been concluded
- Appellant, respondent and advisors leave the room

### **5.3. Decision Procedures**

Once the appellant, respondent and their advisors have left the hearing room, the Appeal Hearing Panel will review and discuss the merits of the student's petition, based on the written information provided prior to the hearing as well as the information provided during the hearing itself.

The Panel will then decide to uphold or deny the student's appeal, by majority vote. The Panel Chair votes only in the event of a tie. The Panel Chair will prepare a brief summary of evidence and arguments, decision and rationale. The Panel Chair will also identify any concerns to be brought to the Associate Dean (Academic).

The Panel Chair will sign the summary and decision and deliver it to the ALES AAC Coordinator, who will then forward the decision to both the appellant and respondent.

## **6. Student Right To Subsequent Appeal**

The student has the right to appeal the decision of the ALES ACC to the General Faculties Council (GFC) Academic Appeals Committee on matters related to academic standing and on denial or recommendation for graduation only. Faculty decisions for grade and final examination appeals are final and cannot be appealed outside the Faculty.

GFC AAC appeal information will be included with the ALES AAC decision letter.

**Any conditions imposed by the Faculty established decision must be appealed to the GFC Academic Appeals Committee at the time they are imposed and within the time limits set out by GFC policy. If conditions are not met, no appeal will be available after the initial appeal period is passed.**