

FACULTY OF ARTS

ACADEMIC APPEAL PROCEDURES

Approved by Arts Faculty Council May 18, 2023

INTRODUCTION

The application of Faculty regulations and decisions regarding students' academic standing may become the subject of dispute and occasionally a formal appeal. Appeal situations are usually avoidable and the Faculty of Arts advocates early and informal resolution of concerns. Students are therefore encouraged to seek early advice from Department/Program Advisors and the Undergraduate Student Services Office, and to resolve their problems first through the Faculty's informal procedures for petition.

This document sets out the Faculty's regulations governing informal petitions and formal appeals. The Faculty recommends that students consult with the [Office of the Student Ombuds](#) for advice in formulating appeals and to act as advisors at Appeal Hearings.

DEFINITIONS

Academic Standing refers to any matter covered in the Faculty's academic standing regulations as approved by the GFC Programs Committee, including such matters as continuation in a program, graduation, and the requirement for a student to withdraw. The Faculty of Arts' regulations appear in the *University Calendar*. Requirements pertaining to specialized programs such as Honors, BDes, BFA, BMus, or BA (Criminology) appear in the *University Calendar* under those specific programs.

Advisor: An individual selected by the student or the Associate Dean (Undergraduate) to advise the student or Associate Dean during the appeal process.

Appeal: A request to overturn an adverse decision affecting a student's academic standing.

Appellant: An undergraduate student appealing a decision of the Faculty of Arts affecting Academic Standing.

Calendar Days: From May 1 to August 31, a day begins at 8:00 AM and ends at 3:00 PM. From September 1 to April 30, a day begins at 8:30 AM and ends at 3:30 PM. Calendar Days are counted as follows: Day one is counted as the first full day after deemed receipt of the document or communication in question (see "Deemed Receipt" below). If the final day of a nominal deadline falls on a Saturday, Sunday, or statutory holiday, the next Working Day shall be the deadline.

Chair: The Chair of the Faculty of Arts Academic and Grade Appeals Committee.

Committee: The Faculty of Arts Academic and Grade Appeals Committee.

Deemed Receipt: The day by which deadlines are calculated for the next stage in the appeal process. Delivery to a student of any appeal material is governed by Section 1.5.3 in the GFC Academic Appeals Policy. In all cases, the Arts Appeals Coordinator will decide which method of delivery will be used. In accordance with the “Electronic Communication Policy for Students and Applicants” in the *University Calendar*, electronic communications sent by the University will be deemed received on the next University working day after the day the e-mail was sent.

Formal Appeal: An appeal of an adverse decision affecting a student’s academic standing to the Academic and Grade Appeals Committee after all other means of appeal have been exhausted.

GFC AAC: General Faculties Council Academic Appeals Committee.

Hearing: The opportunity for the Appellant and the Respondent to present the case in person or via video conference to the Academic and Grade Appeals Committee.

In Camera: In private.

Informal Appeal: An appeal to the Associate Dean (Undergraduate) of an adverse decision affecting a student’s academic standing.

Petition: A request to waive, in a particular case for stated reasons, a Faculty of Arts regulation that involves discretionary power and permits exceptions. The decision of the Associate Dean (Undergraduate) concerning petitions is final.

Resource Person: The Committee may request a resource person to answer questions related to the appeal, such as a Student Advisor to answer questions about an Appellant’s remaining program requirements.

Respondent: The Associate Dean (Undergraduate) or their delegate.

Working Day: Any day on which University administrative offices are open.

FACULTY OF ARTS ACADEMIC APPEALS PROCEDURES

1. Jurisdiction

Arts Faculty Council has delegated authority to hear Petitions as follows:

- 1.1 The Associate Dean (Undergraduate), or delegate, is authorized to consider and render decisions on Petitions related to any existing Faculty regulation which a student feels merits special consideration due to extenuating circumstances. The following are examples of such requests:
 - a) to be permitted exceptions, substitutions for any program requirements or waivers to published program requirements;
 - b) to be permitted to exceed specified program maximums, including taking additional junior-level courses, additional courses in the major or minor, or additional non-Arts or Science options;

- c) to be permitted to take courses at another institution as a Visiting Student in cases where the student does not meet specified requirements;
- d) to submit an Application for Degree, or Application for Admission, Readmission or Internal Transfer after the published deadline;
- e) to add/delete/or withdraw from courses after the published deadline (Footnote 1).
- f) to be permitted to exceed the usual permitted course load for the program
- g) decisions regarding special examinations (re-examinations, deferred examinations)

The decision of the Associate Dean in these matters is final.

Arts Faculty Council has delegated authority to hear Appeals as follows:

- 1.2 The Associate Dean (Undergraduate) is authorized to hear undergraduate student Informal Appeals arising from matters affecting continuation in a program, graduation, and the requirement for a student to withdraw. Arts Faculty Council has granted discretionary power to the Associate Dean to approve or deny such Appeals. Appeals related to continuation in a program, Academic Standing, and graduation which have been submitted to the Associate Dean may subsequently be appealed, in the event of an adverse decision, to the Faculty of Arts Academic and Grade Appeals Committee.
- 1.3 The Faculty of Arts Academic and Grade Appeals Committee is authorized to hear Formal Appeals related to continuation in a program, Academic Standing, and graduation. Decisions that can be appealed to the Academic and Grade Appeals Committee include:
 - a) denial of promotion within an undergraduate program in the Faculty of Arts;
 - b) requirement to discontinue from the BA Honors, BDes, BFA, BMus, BA Drama/BEd combined programs, BMus/BEd combined programs, BA Major in Economics, or BA (Criminology) program in the Faculty of Arts (Footnote 2);
 - c) requirement to withdraw from any program in the Faculty of Arts;
 - d) denial of recommendation for graduation (e.g., in those cases where program requirements have been fulfilled but graduation grade point average or other Academic Standing requirements have not been met, or in cases in which the eligibility to graduate With Distinction is in dispute).
- 1.4 The Faculty of Arts Academic and Grade Appeals Committee shall have no jurisdiction to hear an Appeal with respect to:
 - a) admission into programs in the Faculty of Arts (admission decisions cannot be appealed – see “Admission Decision Process” in the *University Calendar*);

1 Late deletion of courses is subject to approval by the delegate of the Vice-Provost and University Registrar.

2 Appeals to discontinue in any of these programs must be accompanied by a recommendation from the appropriate department advisor, indicating whether or not the department supports the student appeal and why.

- b) granting credit for courses taken in other Faculties or post-secondary institutions (credit will be determined by the Undergraduate Student Services Office according to standard University policies);
 - c) a decision on Academic Standing arising from a discipline matter;
 - d) Petitions concerning matters in Section 1.1 above or other matters deemed by the Committee to be outside its jurisdiction.
- 1.5 The Committee shall have no jurisdiction to hear an Appeal until the Appellant has exhausted all informal procedures available within the Faculty of Arts.
- 1.6 The Committee shall hear an Appeal from the same Appellant against the same decision only once.
- 1.7 In cases involving Academic Standing, the Appellant will be advised of the right to appeal within **15 Working Days** of receipt of the written adverse decision to the GFC Academic Appeals Committee (GFC AAC). GFC regulations stipulate that an Appeal may be made only on the basis of a miscarriage of justice.

2. Composition and Terms of Office of the Academic and Grade Appeals Committee

- 2.1 The Academic and Grade Appeals Committee consists of five Arts faculty members of AFC elected for a term of three years, three continuing Arts undergraduate students selected by the Faculty of Arts undergraduate students' association, and one graduate student selected by the Graduate Students' Association to serve during graduate student grade Appeals. The Arts Committee on the Learning Environment (ACLE) elects substitute members for ad hoc panels if additional members are required. The Chair and Vice-Chair are faculty members of the Committee elected by the Committee.
- 2.2 The undergraduate student representatives will be chosen by the Faculty of Arts students' association and confirmed in the same year by Arts Faculty Council. The Term of Office will be for one year, June 1 to May 31. In the event that the Faculty of Arts students' association is unable to select representatives, the appropriate body in the Students' Union will act in lieu.
- 2.3 The GSA representative will be chosen by the Graduate Students' Association and confirmed in the same year by Arts Faculty Council. The Term of Office will be for one year, June 1 to May 31.
- 2.4 The Chair shall have the authority to make ad hoc appointments of an Arts student and/or faculty members to the Committee in the event that members of the Committee are absent from campus and a timely Hearing cannot be arranged otherwise.
- 2.5 It is incumbent on any member of the Committee to declare any possible conflict of interest prior to the Hearing (e.g., a faculty member may have instructed the course in question, or a student member may be a friend of the Appellant) and excuse themselves from the proceedings. See Section 2.8 below for the process to temporarily replace the Chair in these circumstances.
- 2.6 Quorum of the Committee shall be the Chair and at least three other members, one of whom shall be a student. In the event that quorum is not met, the Appellant, after discussing the situation with their Advisor, may request that the appeal Hearing continue regardless. If the Chair agrees, the Hearing will continue. If the student does not ask to

continue, or if the Chair does not agree to a request to continue, the Hearing will be rescheduled.

- 2.7 The function of the Chair shall be to ensure the impartiality of the Committee, and to oversee the Appeal procedures. The Chair does not participate in the discussion or in the Committee's deliberations, except to moderate the deliberations. The Chair does not vote, except to cast a deciding vote in the case of a tie.
- 2.8 In the event that the Chair steps down for a specific Hearing, or on a specific date, due to conflict of interest, illness, or other emergency circumstances, the Vice-Chair will serve as Acting Chair during that Hearing. If the Vice-Chair is unable to serve, the remaining members of the Committee will meet in advance of the Hearing to determine which member will be selected to serve as Acting Chair. Once an Acting Chair has been selected, normal quorum requirements apply.

3. Rules Governing Petitions to the Associate Dean

"A student may submit an informal appeal/petition to the Dean or delegate (*note: Associate Dean (Undergraduate) for the Faculty of Arts*). Regardless of whether or not a student initiates an appeal, however, the Dean or delegate may issue any remedy, including a remedy that waives the Faculty's academic standing regulations as approved by GFC and published in the University Calendar. This informal process is meant to precede and to avoid formal appeal, but does not preclude formal appeal to the Faculty Council or Faculty academic appeals committee." (GFC Executive, 23 February 2004.)

- 3.1 When the Petition involves program requirements, especially the requirements in the major or minor, students should first discuss the matter with the appropriate Departmental or Program Advisor, the Chair of the Department, or Director of the Program, to seek support for the proposed program modification. Students are advised to do so without delay, once they can reasonably foresee the need for a program modification.
- 3.2 Students must include all relevant documentation with any Petition. Where required documentation is not provided, a negative decision and/or significant delay in response will result.
- 3.3 The Associate Dean will consult other personnel or committees (e.g. student advisors, Department Chairs, the Academic Affairs Committee, etc.) as necessary.
- 3.4 The Associate Dean will approve or deny the Petition. The decision of the Associate Dean concerning Petitions is final.
- 3.5 A Petition that resulted in an adverse decision will not be reconsidered by the Associate Dean, unless substantive new information pertaining to the matter becomes available.

4. Rules Governing Academic Standing Appeals

4.1 Informal Appeals to the Associate Dean (Undergraduate)

- a) To initiate an Academic Standing Appeal the student must submit a written statement to the Associate Dean (Undergraduate) which:

- i. is received by the specified deadline;
- ii. is signed by the student, or sent from the student's University of Alberta e-mail account, or uploaded through the Appeals form linked on the Undergraduate Student Services website;
- iii. sets forth the decision in dispute;
- iv. lists all grounds for the Appeal;
- v. provides supporting details;
- vi. provides applicable supporting documentation, such as correspondence with and/or recommendation of department or program advisors;
- vii. details the remedy sought.

All relevant information must be disclosed in the Appeal to the Associate Dean.

- b) The Appeal to the Associate Dean must be received by the Undergraduate Student Services Office **within 14 Calendar Days** from the date of the letter advising the student of the student's Academic Standing.
- c) The Associate Dean will approve or deny the Appeal. In most cases the Associate Dean will impose certain conditions upon successful appeals. Students who fail to fulfill the required conditions set out by the Associate Dean will not be granted a further opportunity to appeal. Except in unusual circumstances, the decision will be communicated to the student within **14 Calendar Days** after the Appeal deadline.

Students will be informed by electronic communication, sent to their University of Alberta e-mail accounts, that a decision has been made, and the decision of the Associate Dean will be uploaded to the student's Bear Tracks account. In accordance with the "Electronic Communication Policy for Students and Applicants" in the *University Calendar*, it is each student's responsibility to access, read, and act upon all electronic communications from the University in a timely fashion.

Electronic communications sent by the Faculty of Arts will be deemed received the first Working Day following the day the e-mail was sent, regardless of any error, failure notice, internet service provider problem, virus, or auto-reply, or other issue impacting the student's ability to receive e-mails, unless the error or problem originated with the University.

- d) In the event of an adverse decision, the student may appeal to the Faculty of Arts Academic and Grade Appeals Committee.

4.2 Formal Appeals to the Faculty of Arts Academic and Grade Appeals Committee

- a) The Formal Appeal must be received by the Faculty of Arts Academic and Grade Appeals Committee **within 14 Calendar Days** of the Deemed Receipt of the Associate Dean's decision. Appeals must be submitted to Arts Undergraduate Student Services. The appeal must:
 - i. be a written statement;
 - ii. be received by the specified deadline;

- iii. be signed by the Appellant, or in the case of electronic mail, sent from the student's University of Alberta e-mail account;
- iv. describe the decision being appealed;
- v. name the person or body who made the decision being appealed;
- vi. describe the grounds for the appeal;
- vii. describe the nature of the injustice;
- viii. provide applicable supporting documentation and details;
- ix. detail the remedy sought.

If substantive new information is provided, which was not disclosed in the Informal Appeal to the Associate Dean, an explanation must be given as to why it was not provided earlier. Where new information is provided, the Appeals Coordinator will request that the Associate Dean review the case prior to any Hearing by the Academic and Grade Appeals Committee, and the Associate Dean may reverse or adjust the original decision in response to the new information.

- b) The Faculty of Arts Academic and Grade Appeals Committee will schedule Hearings following the end of Fall and Winter terms. If an Appellant has not asked to appear in person or via video conference before the Committee, the hearing will be held on the first available scheduled date and time (see Section 4.2.c). If the Appellant has asked to appear in person or via video conference at the Hearing (with or without an advisor), the Appellant will be given at least **14 Calendar Days** notice of the date and time at which the Appeal Hearing has been scheduled. The 14 day notice can be waived if agreed to by all parties involved.
- c) Appeal Hearing dates will normally be set to occur within **60 Calendar Days** of the receipt of the Appeal. In cases related to a student's ability to continue in a program or in the Faculty of Arts, all efforts will be made to have Hearings held prior to the start of the next major academic term. Reasonable scheduling delays may occur from time to time. However, should either party feel that an unreasonable time has passed without a Hearing date being set, either party may appeal to the Academic and Grade Appeals Committee Chair, through the Appeals Coordinator, for a ruling as to whether the delay is reasonable. If the AGAC Chair decides the delay is unreasonable, then the AGAC Chair shall, within **14 Calendar Days** of such a decision, set an Appeal Hearing date, which must occur within **21 Calendar Days** of the Chair's decision. The decision of the AGAC Chair will be made without a meeting by the Committee and without a Hearing and is final and binding.
- d) Once the Appeal documentation has been circulated to the Committee, the Chair may request additional resource persons to be available at the meeting to hear the Appeal (e.g., the Department Chair, Program Director, or the Program Advisor).
- e) The Appellant has the option to appear before the Committee and may be accompanied by one representative or advisor. The Appellant may call witnesses.

- f) The Associate Dean (Undergraduate) or delegate will serve as the Respondent, and may be accompanied by one representative or advisor. The Respondent may call witnesses.

4.3 Powers of the Committee

- a) The decision of the Committee shall be either:
 - i. to uphold the Appeal and direct relevant parties as to further action; or
 - ii. to deny the Appeal.

If the Committee decides to uphold an Appeal, it may impose certain conditions, which are similar in nature to the conditions the Associate Dean may impose upon successful Appeals to the Associate Dean.

- b) The Chair (or Acting Chair), on behalf of the Committee, may also report to the Dean or designate in relation to matters applicable across the Faculty of Arts and may recommend changes to Faculty policies and/or procedures.

4.4 Procedures at the Hearing

- a) The role of the Academic and Grade Appeals Committee is to review the statements brought forward (in writing as well as orally during the Hearing) by the Appellant and the Respondent and, on the basis of such information, arrive at its decision. The Committee is not bound by rules of evidence or procedure applicable to courts of law. It shall avoid the development of adversarial situations between itself, the Appellant, and the Respondent. None of the parties to an Appeal shall bring legal counsel to the Hearing. Hearings of the Committee are closed and all materials related to the hearings are confidential (see also Section 4.6.c).
- b) A quorum of the Committee shall be the Chair (or Acting Chair) and at least four other members, one of whom will be a student.
- c) The Hearings of the Committee shall be governed by such procedures as the Committee shall from time to time decide, subject to the following:
 - i. Decisions of the Committee shall be by majority vote, with the Chair (or Acting Chair) exercising a deciding vote only in the case of a tie.
 - ii. Hearings of the Committee shall be held *in camera*.
 - iii. Both parties and the Committee may call witnesses and may question witnesses. Witnesses will make their statements one at a time and will be present at the Hearing only when they are giving their statements and being questioned.
 - iiii. The Appellant and Respondent may each be accompanied by one advisor. Advisors do not play an active role in the Appeal Hearing (e.g. they do not speak on behalf of the Respondent or Appellant); however, advisors may respond to questions posed by the Committee. An Appellant or Respondent may request a pause in the proceedings to consult with an advisor.

- v. Subject to existing University rules or regulations regarding the confidentiality of information, all documents pertaining to the Appeal shall be made available to all parties.
- iv. All materials introduced at the Hearing must be relevant to the issues before the Committee.

Note: Procedural Guidelines shall be provided to the Committee members, the Appellant, and the Respondent by the Appeals Coordinator prior to the Hearing.

Note: If the Appellant neglects or refuses to appear at the time of the Hearing, the Committee shall proceed with the Hearing in the Appellant's absence. Likewise, if the Respondent neglects or refuses to appear at the time of the Hearing, the Committee will proceed with the Hearing in the Respondent's absence.

- d) Prior to hearing evidence the Committee shall:
 - i. determine that the Appeal falls within its jurisdiction;
 - ii. take such steps as are necessary to familiarize itself thoroughly with the relevant Faculty of Arts regulations, which shall be provided by the Associate Dean (Undergraduate) or delegate.

4.5 Summary of Appeal and Decision

- a) Within **Seven Calendar Days**, the Chair shall communicate to the Appellant and Respondent in writing a summary of the Appeal, the Committee's decision, and the reasons for the decision. The decision of the Committee will be uploaded to the student's Bear Tracks account. In addition, an e-mail will be sent to the student the same day informing them of the decision. In the event of an unsuccessful Appeal involving Academic Standing, the Chair will inform the Student of the right of appeal to the GFC Academic Appeals Committee. In such cases, the Appellant will also be informed of the name of the GFC Appeals and Compliance Coordinator and of the role of the Office of the Student Ombuds.
- b) The decision of the Committee is final; no further recourse within the Faculty of Arts exists.
- c) Following a Hearing and decision, the Chair will collect all Appeal materials from Committee members and return them to the Appeals Coordinator for secure disposal. If Appeal materials were distributed to the Committee electronically, Committee members will permanently delete any copies of these materials they may have kept on their computers, laptops, tablets, cloud storage locations, or other devices and locations. The Chair will keep a copy of the Appeal materials until all Appeal deadlines have passed. The Chair may also keep Appeal materials for the purpose of summarizing the Committee's work in its annual report to AFC. At that time, the Chair will return all notes and Appeal materials to the Appeals Coordinator, and/or permanently delete any electronic copies of the Appeal materials. Appeal materials are kept on the student's file in the Faculty of Arts. This file will be securely destroyed two years after the student's last attendance.
- d) The written summary prepared by the Chair and sent to the Appellant and Respondent is the official record of the Appeal Hearing. The final version will be signed by the Chair, on behalf of, and with the full authority of, the Committee. The

Chair may distribute, via e-mail, draft versions of these summaries to the Committee. Committee members shall permanently delete these draft summaries from their devices once they have had the opportunity to review them.

- e) Students who have been granted successful Appeals by the Academic and Grade Appeals Committee may be required to meet specific conditions. Students who wish to appeal conditions of a successful Appeal to the GFC Academic Appeals Committee must do so within **15 Working Days** of the Deemed Receipt of the decision granting the Appeal.
- f) Students who fail to fulfill the required conditions set out by the Faculty of Arts Academic and Grade Appeals Committee will not be granted a further opportunity to appeal.

4.6 Procedures for Appeal of Decisions to the GFC Academic Appeals Committee

- a) Students have a right of appeal to the GFC Academic Appeals Committee (GFC AAC) from an adverse Faculty decision affecting their Academic Standing.
- b) The deadline for lodging such a formal appeal is **fifteen (15) Working Days** from the Student's Deemed Receipt of the Faculty decision.
- c) Students considering appeal to the GFC AAC are advised to contact the Appeals and Compliance Coordinator in University Governance and to review the complete GFC Academic Appeal Policy as soon as possible following the Faculty decision they wish to appeal.
- d) An appeal may be made only on the basis of a Miscarriage of Justice in the case of the Student's Appeal at the Faculty level.
- e) All known grounds for the Appeal must be listed and explained in the Appeal to the GFC AAC. The grounds to establish a Miscarriage of Justice for an appeal shall include, but not be restricted to, the following:
 - i. procedural errors on the part of a Faculty, provided that a defect in procedures shall not warrant the quashing of the decision being appealed, unless the defect complained of can reasonably be said to have deprived the student of a fair hearing;
 - ii. failure of a Faculty to consider all factors relevant to the decision being appealed;
 - iii. bias and/or discrimination against the Student on the part of a Faculty.

Companion Documents:

Grade Appeal Procedures

Procedural Guidelines for Hearings of the Academic and Grade Appeal Committee

Approved by Arts Faculty Council: effective May 20, 2010 immediately; March 22, 2016 - effective immediately; November 23, 2017 – effective immediately, May 18, 2023 – effective immediately