



**UNIVERSITY OF
CALGARY**

Faculty of Arts Student Appeals Committee Procedures for Appeals of Grade Reappraisal Decisions

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<p>Implementation Authority</p>	
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1 Principles, Scope and Definitions

- 1.1 The Faculty of Arts appeal process for Grade Reappraisal Decisions:
 - a) is confidential,
 - b) provides procedural fairness,
 - c) strives for consistency in terms of its decisions,
 - d) is administratively efficient, and
 - e) contributes to a fair and just University.
- 1.2 A Student wanting to appeal a Grade Reappraisal Decision made by the Faculty of Arts in a course offered by the Faculty of Arts must use these procedures.
- 1.3 The term “Academic Assessment” means the determination of a student’s final level of achievement in a specific Faculty of Arts course, and includes grades, credit or fail designations, and, if specified in a Faculty of Arts course outline, assessments of all aspects of professional behaviour.
- 1.4 The term “Academic Progression Matter” means a matter regarding a Student’s academic achievement in the Student’s program. Academic Progression Matters include: assessments of all aspects of professional behaviour as required in University documents other than a course outline; dismissals; or the requirement to withdraw. Academic

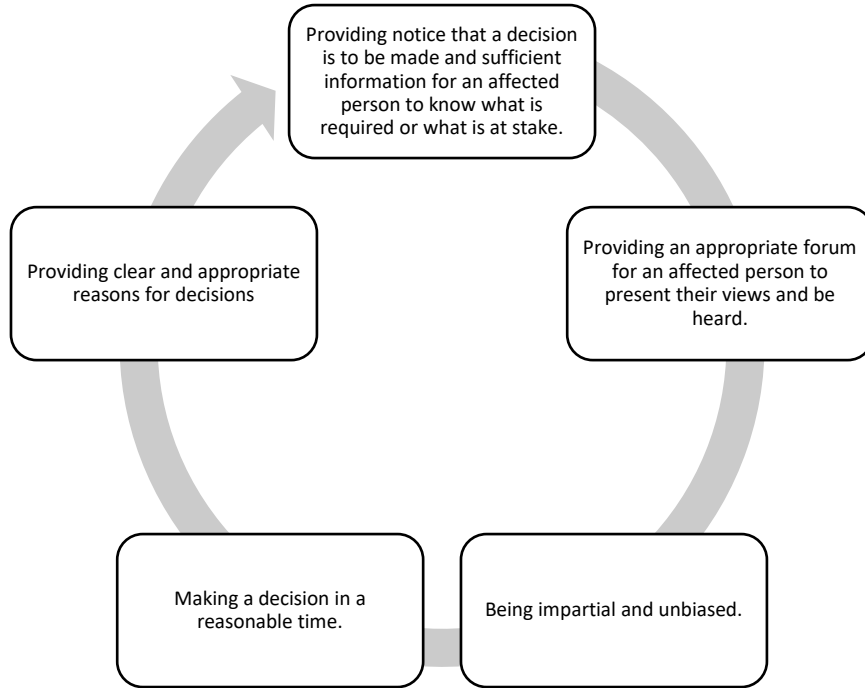


progression matters do not include: decisions regarding Academic Assessments or Student Academic Misconduct.

- 1.5 The term “Appellant” means a Student who appeals an Academic Assessment or Graded Term Work decision about themselves.
- 1.6 The term “Business Days” means days that the University is open for business, excluding weekends and holiday closures.
- 1.7 The term “Dean” refers to the Dean of the Faculty of Arts or their delegate.
- 1.8 The term “Faculty Appeals Committee” means the Faculty of Arts Student Appeals Committee.
- 1.9 The term “Graded Term Work” refers to graded term work as described in Section 1.2 *Reappraisal of Graded Term Work* of the [academic regulations](#) of the University Calendar.
- 1.10 The term “Grade Reappraisal Decision” refers to the result of a reappraisal of Graded Term Work or an Academic Assessment (final grade) completed in the manner set out in Section 1.3 *Reappraisal of Academic Assessments (final grades)* of the [academic regulations](#) of the University Calendar.
- 1.11 The term “Hearing Panel” means the hearing panel of the Faculty Appeals Committee as constituted under these procedures and with the authority granted in these procedures.
- 1.12 The term “Reasonable Apprehension of Bias” generally means that a reasonable and informed person, viewing the matter realistically and practically, would think that it is more likely than not that a decision maker was biased in respect of the decision under appeal.
- 1.13 The term “Respondent” means a person who is responsible for the Grade Reappraisal Decision.
- 1.14 The term “Student” means an individual who is registered in a course in the Faculty of Arts, at the time the decision under appeal occurred.
- 1.15 The term “Student Academic Misconduct” means plagiarism, cheating or other academic misconduct as defined in the [academic regulations](#) of the University Calendar or in any University policy that defines student academic misconduct;
- 1.16 The term “Student Non-academic Misconduct” means conduct that is prohibited as outlined in [Appendix 1: Prohibited Conduct](#) of the [Student Non-Academic Misconduct Policy](#)
- 1.17 The term “University” means the University of Calgary.



2 Procedural Fairness: Necessary for Decisions



3 Appellant Responsibilities and Grounds of Appeal

- 3.1 A student may appeal a Grade Reappraisal Decision only on the following grounds:
- a) that a procedural irregularity occurred in making the Grade Reappraisal Decision or
 - b) that the Grade Reappraisal Decision was determined on some basis other than performance, which may include allegations of a reasonable apprehension of bias.
- 3.2 The following are not recognized as grounds for appeal by the Faculty Appeals Committee, and will result in an appeal being rejected:
- a) ignorance of University or Faculty policies, regulations, procedures, or the contents of a course outline;
 - b) mere dissatisfaction or disagreement with the Grade Reappraisal Decision, the course outline, or performance expectations;
 - c) achievement in other course work or programs;
 - d) extenuating circumstances; or
 - e) the numerical calculation being close to the next highest letter grade.



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- 3.3 Appellants may ask for only one of the following outcomes in their appeal:
- a) that the Grade Reappraisal Decision be returned to the department or school for another reappraisal, as directed by the Hearing Panel; or
 - b) that the Grade Reappraisal Decision be returned to the department, school or Dean, as appropriate, for other resolution, which resolution must be in accordance with applicable University and Faculty policies, regulations and procedures
- 3.4 An Appellant is responsible to satisfy the Dean or the Hearing Panel that the appellant's evidence or position is more likely than not to have occurred or to be accurate. This is referred to as the balance of probabilities standard of proof.
- 4 Submitting an Appeal**
- 4.1 Prior to submitting an appeal under these procedures, a Student must have completed all steps required by Section I *Reappraisal of Graded Term Work and Academic Assessments (final grades)* of the [academic regulations](#) of the University Calendar.
- 4.2 Appellants must submit an appeal to the Dean on or before 11:59 PM (MT) on the tenth (10th) Business Day after completing all steps referred to in Section 4.1 above.
- 4.3 Each appeal to the Dean must be submitted in writing to artsappl@ucalgary.ca and must include:
- a) the Appellant's student ID number, current address and telephone contact number(s),
 - b) the Grade Reappraisal Decision being appealed,
 - c) the specific ground for the appeal,
 - d) the outcome sought by the Appellant (see Section 3.3. above),
 - e) copies of all documentation relevant to the appeal, including any correspondence regarding the decision being appealed, and
 - f) copies of any additional supporting evidence.
- 5 Receipt of the Appeal**
- 5.1 The Dean may resolve the appeal to the Appellant's satisfaction or refer the appeal directly to the Chair of the Faculty Appeals Committee. In either case, the Dean will acknowledge the Appellant's appeal within two (2) Business Days of receipt of the appeal. Within ten (10) Business Days of receipt of the appeal, the Dean will either notify the Appellant in writing of the resolution of the appeal or forward the appeal to the Chair of the Faculty Appeals Committee.
- 5.2 Within ten (10) Business Days of receipt of an appeal, the Chair of the Faculty Appeals Committee will issue correspondence that indicates whether:
- a) the appeal is denied, or
 - b) the appeal is proceeding to a written or oral hearing before a Hearing Panel.



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- 5.3 Where the Chair has determined that the appeal is proceeding to a hearing and the appeal alleges that the reappraisal decision was determined on some basis other than performance, an oral hearing will normally be held.
 - 5.4 If the Chair determines that the appeal is proceeding to a written or oral hearing before a Hearing Panel, the correspondence contemplated in Section 5.2 will include: i) the timeline for a written hearing or the oral hearing date, location and time, and ii) the names of the Hearing Panel members that will hear and decide the appeal. The Chair will also request a response to the appeal from the Respondent, to be submitted no later than five (5) Business Days before the hearing.
 - 5.5 The Chair of the Hearing Panel will conduct an appeal process in the manner they consider fair and reasonable. Any procedural requests will likely result in an extension of the hearing process and the rescheduling of the appeal hearing.
- 6 Prior to a Hearing**
- 6.1 An Appellant and a Respondent will be given five (5) Business Days advance notice of the time and place of the oral hearing. In order to ensure timely resolution of appeals, Appellants and Respondents are expected to make the necessary scheduling arrangements to participate in the hearing. The Chair will grant amendments to the hearing dates only if a written request is made and only if there are exceptional circumstances that necessitate an amendment.
 - 6.2 If necessary, an Appellant or a Respondent may be offered the opportunity to attend a hearing over teleconference, videoconference, or some other electronic means.
 - 6.3 Both the Appellant and the Respondent have the right to have a person of their choice appear with them at the hearing to support them. Unless otherwise decided by the Chair, persons attending in a support role are not allowed to present evidence, to ask questions, or to address either the Respondent or the Hearing Panel during the hearing.
 - 6.4 Both the Appellant and the Respondent have the right to challenge the membership of the Hearing Panel. Challenges may only be made where it is claimed that a Hearing Panel member has a conflict of interest that may prevent a fair decision being made. A challenge must be made in writing to the Chair of the Hearing Panel, and must include evidence supporting the challenge. A challenge will be decided by the Chair, unless the Chair is the subject of the challenge, in which case the remaining Panel members will decide the challenge. If the challenge is successful, the Chair will provide the names of the new Panel to the Appellant and the Respondent and adjust the hearing timeline as needed. Where a challenge regarding the Chair is successful, the Chair will be replaced by the Vice Chair.
 - 6.5 Both the Appellant and Respondent will receive copies of all submissions, documents and evidence relating to the decision being appealed no later than five (5) Business Days before the hearing.



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7 Hearing Process

- 7.1 The Chair of the Hearing Panel will conduct a written or oral hearing in the manner that they consider fair and reasonable.
- 7.2 Where the Chair decides that the Appeal Hearing will be in writing, the Chair will provide the Hearing Panel, the Appellant, and the Respondent with written notice of the Chair's decision, along with:
 - a) a copy of this procedure;
 - b) the appeal;
 - c) the Respondent's response to the appeal;
 - d) any other documentation received from either the Appellant or the Respondent, or that the Hearing Panel may consider;
 - e) if the Hearing Panel has questions for the Appellant or the Respondent, what those questions are and the date that responses must be provided; and
 - f) the date on which the Appellant must provide any final submissions to the Hearing Panel for consideration.
- 7.3 Generally, at the commencement of an oral hearing, the Chair of the Hearing Panel will:
 - a) introduce everyone participating in the hearing, provide an overview of the process, confirm that there are no conflict of interest matters, and summarize the appeal, the issues to be decided and the outcome sought;
 - b) invite the Appellant to present their appeal;
 - c) invite the Respondent to present the response to the appeal;
 - d) invite the Appellant and Respondent to ask questions of each other, and invite members of the Hearing Panel to ask questions of both, with questions being directed through the Chair;
 - e) provide the Respondent with an opportunity to make any final comments; and
 - f) provide the Appellant with an opportunity to make any final comments.
- 7.4 Following either an oral or written hearing process, the Hearing Panel will meet *in camera* to consider the evidence and make a decision. Legal Counsel to the Hearing Panel, if any, and any support personnel for the Hearing Panel may attend deliberations.
- 7.5 If the Appellant or Respondent does not attend an oral hearing or participate in a written hearing process, the Hearing Panel may proceed with the hearing in the absence of the Appellant or Respondent and, for oral hearings, may accept the written documentation submitted by the non-attending party in lieu of oral submissions made in person.

8 The Faculty Appeals Committee Decision

- 8.1 All members of the Hearing Panel hearing an appeal will vote. The final decision will be carried by a majority vote.
- 8.2 Decisions of the Hearing Panel will be based solely on information, documentation and evidence that has been submitted to the Panel from the Appellant and the Respondent or that has been provided in advance of, or at, the hearing to the Appellant and Respondent by the Hearing Panel.



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- 8.3 The Hearing Panel's decision will normally include a brief description of the history of the appeal, a summary of the evidence, the reasons for the decision and the resulting outcome.
- 8.4 Where the appeal is about a Grade Reappraisal Decision regarding an Academic Assessment (final grade), the decision letter will also inform the Appellant that they have a further right of appeal under the Student Misconduct and Academic Appeals Policy. Where the appeal is about a Grade Reappraisal decision regarding Graded Term Work, the decision letter will inform the Appellant that the Hearing Panel's decision is final and there is no further right of appeal at the University.
- 8.5 The Hearing Panel decision will not record any dissenting opinions.
- 8.6 The Chair of the Hearing Panel will distribute the decision using UCalgary email addresses to the Appellant and the Respondent within ten (10) Business Days of the close of the written hearing process or the end of the oral hearing.
- 9 Confidentiality and Recording of Information**
- 9.1 All written and oral information regarding an appeal is confidential.
- 9.2 A hearing will not be open to the public.
- 9.3 All appeal records will be retained for twelve (12) years.
- 9.4 There will be no audio or video recording of the hearing by the Hearing Panel or any party or participant.
- 10 Jurisdiction of the Dean, the Chair of the Faculty Appeals Committee, and the Faculty Appeals Committee¹**
- 10.1 The Dean of Faculty of Arts has the jurisdiction to resolve an appeal made under these procedures to an Appellant's satisfaction in any circumstance.
- 10.2 In addition to participating in the decision making process for appeals made under these procedures, the Chair of the Faculty Appeals Committee also has the jurisdiction to deny an appeal or to determine that a hearing is necessary and the process for that hearing.
- 10.3 The Chair may only deny an appeal where:
- the appeal was not submitted before the deadline;
 - the decision being appealed is not identified;
 - the appeal does not contain the information required by these procedures;
 - the decision being appealed does not fall within the jurisdiction of the Faculty Appeals Committee;
 - the appeal is made by a person who is not a Student;

¹ **NOTE:** In the case where the Academic Assessment being appealed is the initial decision of the Faculty of Graduate Studies regarding a Graduate Student's thesis exam or candidacy component, the appeal must be made to the Faculty of Graduate Studies. Please see the University and Graduate Studies Calendars for more information.



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- f) the Appellant has not yet completed all steps required in Section I *Reappraisal of Graded Term Work and Academic Assessments (final grades)* of the [academic regulations](#) of the University Calendar; or
- g) the Appellant does not raise any grounds or request a specific outcome, or raises grounds or outcomes other than those permitted by these procedures.

10.4 The Chair can make recommendations to the Dean to improve Faculty regulations or procedures.

10.5 The Faculty Appeals Committee, through a Hearing Panel, has the jurisdiction to hear and decide appeals of Grade Reappraisal Decisions.

10.6 The Faculty Appeals Committee, through a Hearing Panel, does not have jurisdiction to hear appeals regarding decisions related to:

- a) Student Academic Misconduct;
- b) Student Non-academic Misconduct;
- c) Academic Progression Matters;
- d) the Student Accommodation Policy; or
- e) extenuating circumstances.

10.7 After hearing an appeal, the Hearing Panel may:

- a) deny the appeal;
- b) uphold the appeal and determine that the Grade Reappraisal Decision should be returned to the department or school for another reappraisal, as directed by the Hearing Panel; or
- c) uphold the appeal and direct that the Grade Reappraisal Decision be returned to the department, school or Dean for other resolution, which resolution must be in accordance with applicable University and Faculty policies, regulations and procedures.

11 Composition of the Faculty Appeals Committee

11.1 The Faculty Appeals Committee will consist of the following members:

- a) One (1) continuing academic staff member as Chair, appointed by the Dean;
- b) One (1) continuing academic staff member as Vice Chair, appointed by the Dean from among the academic staff members chosen in 11.1.c);
- c) One (1) academic staff member chosen by and from each department and school in the Faculty of Arts;
- d) Two (2) undergraduate students in good academic standing from the Faculty of Arts chosen by the Students' Union; and
- e) Two (2) graduate students in good academic standing from the Faculty of Arts chosen by the Graduate Students' Association.



11.2 Faculty Appeals Committee members will serve for a two year term. Normally, the term will be staggered so that half of the members are replaced each year.

12 Meetings of the Faculty Appeals Committee

12.1 The Faculty Appeals Committee will meet at least once per academic year, usually in September or October.

12.2 The quorum for meetings of the Committee will be 50% of the membership.

13 Composition of the Hearing Panel

13.1 A Hearing Panel will be selected by the Chair and drawn from the Faculty Appeals Committee members. The quorum for a Hearing Panel for deciding an appeal is three (3) Faculty Appeals Committee members, constituted as follows:

- a) the Committee Chair or Committee Vice Chair;
- b) one (1) Committee member chosen from the committee members specified in 11.1.c); and
- c) one (1) undergraduate student or one (1) graduate student member of the Committee, as appropriate.

14 Timelines

Appeal Step	Timeline for Communication
Student submits appeal to the Dean	Within 10 Business Days of the date of the written decision being appealed
Dean will acknowledge receipt of the appeal	Within 2 Business Days of receipt of the appeal
Dean will resolve the appeal or forward to the Faculty Appeals Committee Chair	Within 10 Business Days of receipt of the appeal
Chair will determine whether the appeal is denied or whether the appeal will proceed to a written or oral hearing. If appeal is proceeding to a hearing, Chair	Within 10 Business Days of the date of receipt of the appeal



will request the Respondent provide a response to the appeal.	
Circulation of all submissions, documentation and evidence that will be used by the Faculty Appeals Committee in making its decision to the Appellant, Respondent and to the Faculty Appeals Committee	No later than 5 Business Days before the hearing.
Faculty Appeals Committee decision	Normally within 10 Business Days after the hearing.
Appeal to University Appeals Committee	Where appropriate, within 10 Business Days of the date of the written Faculty Appeals Committee decision