

## CORPORATE POLICY

<b>Policy Number:</b>	<b>SS-3105-2009</b>
<b>Policy Title:</b>	<b>Academic Appeals</b>
<b>Owner:</b>	<b>Registrar</b>
<b>Approved by:</b>	
<b>Effective:</b>	
<b>Reference:</b>	
<b>Links to Other Policy:</b>	<b>AC700 – Program Promotion and Graduation Requirements</b> <b>AC702 - Grading and Transcripts</b> <b>AC511 – Prior Learning Assessment and Recognition</b>

### BACKGROUND

Mohawk College is committed to fairness and consistency in making decisions affecting students. The Academic Appeal process is a service function for students that provides a mechanism for reasonable review of grading decisions affecting their academic progress. The Academic Appeals policy and procedure are designed to ensure that students who believe that they have not received a fair academic decision related to a final grade in a course they have taken will have access to a comprehensive, respectful and impartial review of their concerns.

**Purpose:** This policy outlines standardized procedures across the College for students to obtain review of a final grade and to ensure reasonable and fair treatment of student concerns related to grading.

**Scope:** This policy applies to all departments and schools within the College in situations where students are challenging a final grade.

### POLICY STATEMENTS

1. It is integral to the teaching/learning process that all full-time and part-time students at the College receive feedback concerning their academic standing

during and at the end of every course they take. All students, full and part-time, are entitled to a review of a final grade in a course, in the manner specified in this policy, using a fair and consistent process that respects the dignity of all parties involved. No negative implications must arise for any student who chooses to exercise their right to grade appeal.

2. Faculty members and administrative personnel involved in any stage of an appeals process must discharge their respective responsibilities fairly, respectfully and within established time frames. Wherever possible, the goal is to reduce established response times to ensure that the student's ability to continue his/her program of studies is not adversely affected.

Under exceptional circumstances, timeframes may be adjusted at the discretion of the Associate Dean or the Registrar, provided that due consideration is given to the effects of any delay on student academic progress.

3. The College maintains a 2- Level Appeal process, as described below. However, it is anticipated that the faculty member and the student will meet and work together informally to try to resolve the issue before any decision is made to initiate the process outlined in this policy.
  - **Level 1** – an initial, less structured process involving direct dialogue between the faculty member and the student. With the agreement of both parties, voluntary mediation may be included at this Level 1 stage to facilitate an opportunity for constructive dialogue between the parties that may contribute to resolution of the issue.
  - A more structured **Level 2 Review** by a Grade Appeal Panel if the initial review process does not result in a resolution that is satisfactory to both parties.

The intent is to resolve the grading issue as informally as possible. However, any grade changes that result from the appeal process must be based on sound, demonstrable academic decisions and must not create inequities for other course registrants.

The following are possible outcomes of either the Level 1 or Level 2 Review process:

- The final grade is adjusted upward.
- The final grade remains unchanged.
- The transcript status of “I – Incomplete” is assigned to the student pending the completion of additional work.

4. All steps in the process must be documented. The student challenging a final grade is responsible for initiating one or both levels of Appeal, using the forms established by the College for this purpose. Support documentation throughout the appeals process is limited to material submitted with the Appeal Notice at Level 1. No additional supporting documentation will be accepted during the appeals process.

5. The College also provides both students and academic staff with a final avenue for review – the **Procedural Appeal** - to ensure that the appeals process is conducted according to established policy and procedure. The Procedural Appeal can be initiated only in situations where there is clear evidence that the Level 2 Review by the Grade Appeal Panel was conducted inappropriately.
6. All documentation (excluding any notes taken during Mediation) related to appeals of final grades using the structured process outlined in this policy will be kept on file by the Office of the Registrar. This documentation will include the Level 1 and Level 2 Academic Appeal forms submitted by students, support documentation submitted by the student and the professor (if applicable) as part of the Appeal, completed and signed Outcome sheets for Level 1 and 2 (if applicable), written notification of the Outcome of the Level 2 Appeal provided to the student by the Grade Appeal Panel Chair and any notes taken during a Procedural Appeal.
7. Except in unusual situations as determined by the Associate Dean responsible for delivery of the course, the student advancing the appeal must be allowed to continue in requisite courses until the appeals process is finalized.

## **MONITORING**

The Registrar is responsible for monitoring the effectiveness of this Policy and initiating policy review according to the cycle established by Corporate Services.

## **POLICY REVISION DATE**

## **ATTACHMENTS**

**Appendix A – Procedures Related to Policy AC709**  
**Attachment A – Level 1 Appeal Form**  
**Attachment B – Level 2 Appeal Form**  
**Attachment C – Appeal Policy Reference Guide**

## **SPECIFIC LINKS**

## **APPENDIX A**

### **Procedures Related to Policy AC709**

#### **Level 1 Appeal**

- P1. Within **5** business days\* of the posting of grades by the College Registrar on the College Records system, the student must provide written notice to the faculty member who issued the grade that he/she intends to appeal. The student must then provide the faculty member with a well documented statement of the issue and the outcome he/she desires, using the **Level 1 Appeal Form** (Attachment A.) The completed Level 1 Appeal Form must be submitted to the faculty member as soon as possible but no later than **5** business days following submission of the written notice of intent to appeal. The Forms are available in the Office of the Registrar (Fennell Campus) or the Student Services Office at the Fennell, STARRT, Brantford and IAHS campuses. Comments from other teachers, placement supervisors etc. that are relevant to the grade issue under review may be submitted with the Level 1 Appeal Form.

The student must also deliver a copy of the Level 1 Appeal Form to the Associate Dean with responsibility for course delivery. In addition, following submission of the Level 1 Appeal Form, the faculty member and the student need to arrange to meet at a mutually convenient time.

Note: Here and elsewhere in this policy, the term “business day” refers to regular operating hours in effect at the college Monday to Friday. Holiday and/or emergency closures are not included in any calculation of business days.

- P2. Under normal circumstances, the meeting between the faculty member and the student will take place within **5** business days of receipt of the **Level 1 Appeal Form** from the student. The time frame for a meeting may be extended by the Associate Dean if extenuating circumstances (illness, vacation, etc.) mean that the meeting cannot take place within the prescribed timelines.

The meeting between the faculty member and the student will be conducted in a courteous, respectful manner. It is intended to provide both parties the opportunity to present their understanding of the situation and ideally reach a mutually satisfactory resolution. The following are possible outcomes of this meeting:

- The final grade is adjusted upward.
- The final grade remains unchanged.
- The transcript status of “I – Incomplete” is assigned to the student pending the completion of additional work.

Any change in grade must meet the criteria outlined in this policy. The outcome of the meeting must be recorded in the appropriate section on the Level 1 Appeal Form. If the issue is resolved satisfactorily, no further action will be necessary regarding the Appeal.

If the issue is not resolved during the meeting, the student and faculty member have the option of meeting with a college-appointed mediator. The decision regarding mediation must be reached at the end of the meeting and indicated on the Level 1 Appeal Form. Mediation is voluntary and requires agreement from both parties involved in the appeal. If mediation takes place, the outcome of the session must also be recorded on the Level 1 Appeal Form.

If the decision is made not to pursue mediation, or if this additional opportunity for dialogue does not result in resolution of the issue, the student is responsible for deciding whether to advance the appeal to Level 2.

The student and the faculty member must retain a copy of the completed Level 1 Appeal Form. The faculty member is responsible for providing the Associate Dean responsible for delivery with a copy of the completed Level 1 Appeal Form. The student is responsible for forwarding the **original** to the Office of the Registrar for any follow up action that is necessary as the result of the outcome of the meeting.

- P3. **Mediation** If both the student and the faculty member have agreed that constructive dialogue facilitated by the College mediator is the next step, mediation should take place as soon as possible, but no later than **5** business days after the meeting between the faculty member and the student. The mediator will provide both parties with an opportunity to present the relevant facts and assist them in arriving at a mutually agreeable resolution of the grade issue. The mediator will not make decisions or recommendations, and will not act as an advocate for either party. It is understood that all discussions during the mediation process are privileged, and will not be used if the decision is made to proceed to the Level 2 Appeal process. Any notes taken during the mediation session will be filed by the mediator and will not be included in the documentation maintained in the Office of the Registrar.

If agreement is reached during the mediation session, resolution of the issue will be documented on the Level 1 Appeal Form, signed by both parties, and the appeal will be considered resolved.

If no agreement is reached during the mediation session, the outcome will be documented on the Level 1 Appeal Form and both parties will sign to indicate their participation in the mediation process. Both parties will leave the mediation session with a copy of this documentation.

Whatever the outcome, the mediator will provide the Associate Dean responsible for delivery of the course with a copy of the Level 1 Appeal Form and send the original back to the Office of the Registrar.

## Level 2 – Grade Appeals Panel Review

- P4. If satisfactory resolution is not achieved through the Level 1 Appeal Process, the student can request a review of the grade by the Grade Appeals Panel. This request must be made within **5** business days of the Level 1 decision. To initiate this level 2 appeal, the student must submit a completed **Level 2 Appeal Form** (Attachment B) to the Office of the Registrar. The student will also deliver a copy the completed Level 2 Appeal Form to the Associate Dean responsible for course delivery within the 5-day time period referenced above. This will serve as official notice of intent to move to Level 2 of the Appeals process. The Associate Dean is responsible for notifying the faculty member of the intent to proceed to Level 2 of the Appeals process.
- P5. The Registrar (or designate) will assume responsibility for assembling a Grade Appeal Panel for the Level 2 Appeal. The Grade Appeal Panel will have the following structure:

### Panel Chair

- Associate Dean from another School

### Panel Members (Voting)

- Faculty Member # 1 (Subject Expert)
- Faculty Member #2 (preferably from another department)
- One Student (designated by MSA, or MCACES)

The Office of the Registrar is responsible for distributing the documentation submitted with the Level 1 Grade Appeal to the Appeal Panel. No additional documentation can be added at this stage of the Appeal.

- P6. Unless otherwise agreed, a meeting of the Grade Appeal Panel will take place as soon as possible and no later than **5** business days following receipt of the request for review. The Registrar (or designate) will provide advance written notice of the date, time and location of the meeting to the student and the faculty member. Although attendance is not mandatory, both parties are encouraged to attend. Representation by legal counsel on behalf of either the student and/or the faculty is not permitted. However, the student may request the presence of a representative of MSA/MCACES as support during the meeting, or may seek guidance from the representative in advance of the meeting about the Level 2 process.

Time will be reserved at the close of the meeting to enable the Panel to reach a decision. The decision of the Grade Appeal Panel will be made by majority vote, in camera, and is considered to be final and binding.

The Chair of the Grade Appeal Panel is responsible for notifying the faculty member and his/her Associate Dean in writing of the Panel's decision and the reasons for it immediately following the meeting.

The following are possible outcomes of the Level 2 appeal:

- The final grade is adjusted upward.
- The final grade remains unchanged.
- The transcript status of “I – Incomplete” is assigned to the student pending the completion of additional work.

Any change in grade must meet the criteria outlined in this policy.

- P7. Within **3** business days of the meeting, after the faculty member and the Associate Dean have been notified of the outcome, the Chair of the Grade Appeal Panel is responsible for providing the student and the VP Academic with written notification of the Panel’s decision and reasons for that decision. The Chair of the Grade Appeal Panel is also responsible for submitting the completed original of the Level 2 Appeal to the Office of the Registrar.

Note: Under exceptional circumstances, timeframes for the Level 2 Appeal may be adjusted at the discretion of the Associate Dean responsible for course delivery, or the Chair of the Grade Appeal Panel.

### **Procedural Appeal**

- P8. If the student, the faculty member or the Associate Dean responsible for course delivery believes that the meeting of the Grade Appeal Panel was not conducted in a manner consistent with this policy, he/she can submit a letter to the college mediator documenting the concerns and requesting a procedural review of the meeting. This request must be made within **3** business days of receipt of written notification of the Panel’s decision.

The college appointed mediator will determine the merits of the potential challenge and decide if an investigation is warranted based on criteria established in this policy. If the college mediator decides that procedure has been followed, no investigation will follow, and the College will consider the academic appeal complete according to college policy.

- P9. If the decision is made to proceed with a review of the meeting, the Vice President, Academic will investigate the conduct of the meeting. This investigation will be completed within **5** business days of receipt of the letter requesting the review. If no procedural flaws are found, the original decision of the Grade Appeal Panel will be upheld.
- P10. If the investigation reveals procedural flaws with the conduct of the Grade Appeal Panel meeting, the Grade Appeal Panel will be re-established with a different membership and the final grade re-examined, according to the procedures outlined in Level 2. The decision of the Grade Appeal Panel concerning the appeal will be final and binding.

**Attachment A**

**Mohawk College of Applied Arts and Technology  
Level 1 Academic Appeal Form**

**Request for Review of Final Grade [Level 1]**

Name of Student: \_\_\_\_\_ Student No. \_\_\_\_\_

Name of Course for which you are requesting the grade review \_\_\_\_\_

Course Number" \_\_\_\_\_ Program Name: \_\_\_\_\_

What outcome are you expecting as the result of this review? :

\_\_\_\_\_

\_\_\_\_\_

Please explain why you believe your final grade in the above course should be reviewed, and why your expectations about a change in grade are reasonable. *Please note – complete this section carefully. The documentation you provide here will be used for both Level I and Level II of the Appeals process .if you decide to advance your appeal beyond this informal stage.*

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**Please state clearly the evidence you are bringing forward to support this grade appeal. Use additional pages if necessary and attach any relevant documentation. (Tests, assignments, labs, etc.) If the Professor has retained any assignments or examinations, it is his/her responsibility to provide a copy for the review process.) The supporting documentation you and your professor provide here will be used throughout the appeal process.**

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

**Date** \_\_\_\_\_

### Outcome of the Level 1 Appeal

Has the issue been resolved? Yes  No

- The final grade will be changed to:
- The designation "I – Incomplete" has been assigned. The student is responsible for completing the following additional work by \_\_\_\_\_

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- The final grade will not be changed.
- We wish to pursue mediation as an additional step in resolving this issue.
- We do not wish to pursue mediation.

Your signatures below are intended as acknowledgement of the results of this Level 1 Appeal:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

### Results of the Mediation Session (If Requested)

Has the issue been resolved? Yes  No

- The final grade will be changed to:
- The designation "I – Incomplete" has been assigned. The student is responsible for completing the following additional work by \_\_\_\_\_

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- The final grade will not be changed.

Your signatures below acknowledge the results of the mediation session:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

## Attachment B

### Mohawk College of Applied Arts and Technology Level 2 Appeal Form

Request for Appeal of Final Grade [Level 2 – Review by Grade Appeal panel]

Name of Student: \_\_\_\_\_ Student No. \_\_\_\_\_

Name of Course for which you are requesting the grade review \_\_\_\_\_

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

**Please indicate the date of the Level 1 Appeal meeting with your professor to discuss this grade:**

\_\_\_\_\_

Since we have been unable to resolve our disagreement through informal means, I am submitting this **Level 2** notice of intent to appeal according to the Procedures outlined in the Academic Appeals Policy. I have attached a copy of the original supporting documentation which accompanied the Level 1 Request for Appeal.

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

Date \_\_\_\_\_

## Attachment C

### Outcome of the Level 2 Appeal

**Date of Meeting by Grade Appeal Panel:**

**Panel Decision**

- The final grade will be changed to:
  
- The designation “I – Incomplete” has been assigned. The student is responsible for completing the following additional work by \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- The final grade will not be changed.

The signature below acknowledges the outcome of the Level 2 Appeal. This decision is final and binding.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Associate Dean

\_\_\_\_\_  
Date

## Attachment C – Academic Appeal Policy Reference Guide

Procedure	Time Frame	Possible Outcome
<p><b>Level 1</b>  Student provides written notice of intent to appeal. Then he/she delivers a completed <b>Level 1 Appeal Form</b> to the faculty member and the Assoc. Dean responsible for course delivery and arranges a meeting to discuss the issue. Appeal Forms are available from the Office of the Registrar and the Student Services Office at Fennell, IAHS, STARRT and Brantford Campuses. .</p> <p>Student and faculty member meet to discuss the issue. Outcome of the meeting is recorded on the Level 1 Form. If the issue is resolved, no further action is required regarding the Appeal.</p> <p>Provided that both parties agree, voluntary mediation by the College-appointed mediator is an option if the meeting with the faculty member does not result in a resolution of the issue.</p> <p>The Level 1 outcome is recorded on the Level 1 Appeal Form. The student and the faculty member retain a copy of the completed Level 1 Form. The faculty member provides the course Associate Dean with a copy. The student is responsible for forwarding the original to the Office of the Registrar.</p> <p>If the issue is not resolved, the student must decide whether to pursue the Level 2 Appeal option.</p>	<p>Written notice of intent to appeal is to be provided within <b>5 business days*</b> of grades being posted on the College Records System. Completed Level 1 Appeal Form, with supporting documentation, to be submitted as soon as possible but no later than <b>5 business days</b> following notification of intent to appeal (“Business Day” refers to normal college operations Monday to Friday and excludes periods of holiday and/or emergency closure.)</p> <p>Meeting to take place within <b>5 business days</b> of notice provided by the student.</p> <p>Mediation, if requested, should take place within <b>5 business days</b> of the initial meeting between the faculty and student.</p>	<ul style="list-style-type: none"> <li>▪ Final Grade is adjusted upward</li> <li>▪ Final grade remains unchanged.</li> <li>▪ The transcript status of “I” “incomplete” is assigned to the student pending the completion of additional work.</li> </ul> <p style="text-align: center;">Any change in grade must comply with the criteria outlined in the Appeals Policy</p>
<b>Level 2 – Grade Appeal Panel Review</b>		
<p>Student requests review of the final grade by the Grade Appeal Panel (using the <b>Level 2 Appeal Form</b>) and provides the Associate Dean responsible for course delivery with a copy of the receipt for the appeal fee paid by the student. The <u>original</u> supporting documentation filed with the Appeal Notice at Level 1 is used for Level 2. No additional documentation may be filed with submission of the Level 2 Appeal Form.</p>	<p>Review to be requested by the student within <b>5 business days</b> of receipt of results of the Level 1 appeal.</p>	<ul style="list-style-type: none"> <li>▪ Final Grade is adjusted upward</li> <li>▪ Final grade remains unchanged.</li> <li>▪ The transcript status of “I” “incomplete” is assigned to the student pending the completion of additional work.</li> </ul>

<p>Meeting of the Grade Appeal Panel is held. Both the student and the faculty member are encouraged to attend. Legal representation is not permitted at this meeting. However, student may consult with an MSA/MCACES representative prior to the meeting and/or have him/her present at the meeting for support.</p> <p>Decision is reached by the Grade Appeal Panel, in camera, and by majority vote immediately following the public meeting.</p> <p>The faculty member and his/her Associate Dean are notified by the Panel Chair of the Appeal Panel decision.</p> <p>Attachment C – Outcome of the Level 2 Appeal must be signed by the faculty member and the Associate Dean to acknowledge the decision of the Grade Appeal Panel.</p> <p>Chair of the Grade Appeal Panel notifies student, the VP Academic and Registrar of the decision.</p>	<p>Review to take place within <b>5 business days</b> of receipt of the student request for review.</p> <p>Written notification to be provided by the Chair of the Grade Appeal Panel immediately following the meeting.</p> <p>Written notification to be provided within <b>3 business days</b> of the Grade Appeal Panel meeting.</p>	<p>Any grade change must comply with the criteria outlined in the Appeals Policy.</p>
<p><b>Procedural Appeal</b></p> <p>The student, faculty member or Associate Dean submits letter to the college-appointed mediator documenting the concerns with the conduct of the Grade Appeal Panel meeting.</p> <p>The Mediator decides if the review is to be held. The VP Academic investigates the conduct of the Level 2 review, if it is determined that an investigation is warranted.</p> <p>If no procedural flaws are found, the original decision of the Grade Appeal Panel will be upheld.</p> <p>If the investigation by the VP, Academic reveals procedural problems with the conduct of the Grade Appeal Panel Review, a new Grade Appeal Panel will be established by the Office of the Registrar and the final grade re-examined.</p>	<p>Request for procedural appeal to be provided within <b>3 business days</b> of the Appeal Panel meeting.</p> <p>Investigation is to be completed and decision communicated to student within <b>5 business days</b> of receipt of the student request.</p> <p>Review will take place within 5 business days of the decision by the VPA.</p> <p>Decision will be communicated to the student by the Chair of the Panel, within 3 days of the Panel's decision.</p>	<ul style="list-style-type: none"> <li>▪ Final Grade is adjusted upward</li> <li>▪ Final grade remains unchanged.</li> <li>▪ The transcript status of “I” “incomplete” is assigned to the student pending the completion of additional work.</li> </ul>