

STUDENT ACADEMIC APPEALS POLICY¹

INTRODUCTION

The purpose of these procedures is to provide for the fair, orderly and expeditious resolution of student appeals relating to academic matters within all academic programs in the Faculty of Management.

GROUND FOR APPEAL

Students may appeal academic matters on three grounds:

- (i) Procedural unfairness;
- (ii) Bias;
- (iii) Irregularity in procedure.

An appeal is different from a Request for a Reassessment of a Final Grade and from an Application for a Waiver of an Academic Regulation, for which the processes and forms are available at http://www.dal.ca/campus_life/student_services/academic-support/grades-and-student-records/appealing-a-grade.html.

Decisions on admission or readmission to academic programs are not appealable.

Matters involving a requested exemption from the application of School, Faculty or university regulations or procedures may not be appealed, except when irregularities or unfairness in the application thereof is alleged. This means that only procedural issues and not the merits of the case are subject to appeal.

¹ This document is based heavily on work originally done by Dr. Sunny Marche. It is proof that his contributions to the Rowe School of Business and the Faculty of Management are everlasting.

THE ACADEMIC APPEALS COMMITTEE

The Faculty of Management's Academic Appeals Committee ("Appeals Committee") hears student appeals and grievances on academic matters relating to procedural unfairness, bias or irregularity in procedure. Appeals can be filed on academic matters relating to a specific course, or the overall program of study.

The Appeals Committee is a standing committee of the Faculty of Management, comprised of faculty members from each of the four Schools. The Appeals Committee will have 9 members, and the Chair of the Appeals Committee will choose from among its membership to constitute a Hearing Panel for each appeal. The 9 members of the Appeals Committee will be comprised of: (i) six faculty members, with no more than three of them being from the Rowe School of Business; (ii) three students (recommended two undergraduate and one graduate). Members will be nominated by the Dean (or designate) each academic year, and submitted to Faculty Council for approval.

The Chair of the Appeals Committee will assign members from the Appeals Committee to the case based on the following guidelines. In all cases, the selection of the Hearing Panel shall be chosen in such a way as to reduce the apprehension of bias, insofar as this is possible. Each Panel will consist of at least 3 members, a student, and two faculty members. At least one of the faculty members must be from a School other than the one(s) to which the student belongs. The appellant may object in writing to the membership of the Appeals Panel to the Chair of the Appeals Committee, who will make a decision on the objection.

APPEAL PROCEDURES

1.1. Students are expected to attempt to resolve their concerns informally with the faculty member or academic administrator who made the decision in question. Notwithstanding anything in these procedures, concerns may be resolved informally between the parties at any point during the appeal process.

1.1.1. In unusual or special circumstances, a student will be permitted to initiate a formal appeal without first attempting to resolve the matter informally.

1.1.2. Students must file a written request to the Chair of the Appeals Committee stating clearly why an exemption to the informal process is indicated.

1.1.3. The Chair will determine whether or not to allow the request. The Chair may consult the faculty member or academic administrator for information before deciding whether or not to accept the exemption to the informal process.

1.2. If the matter cannot be resolved informally, a student may appeal the decision in writing following the submission instructions in Schedule “A” within **20 working days** of the decision being sent to the student. The student must deliver a Notice of Appeal, attached as Schedule “A” (which may be amended by the Committee from time to time), and include the following information:

- 1.2.1. Student identification number and name;
- 1.2.2. The grounds of the appeal;
- 1.2.3. Any supporting arguments and evidence;
- 1.2.4. Names of witnesses, if any, to be called at the hearing;
- 1.2.5. The requested outcome.

The student is responsible for preparing all the necessary documentation for their appeal. This does not preclude obtaining assistance from other parties, including the Dalhousie Student Advocacy Service.

1.3. Upon receipt of the student’s appeal materials, the Dean (or designate):

- 1.3.1. will review the application to verify completeness and compliance with procedures 1.1 and 1.2;
- 1.3.2. will appoint an Acting Chair of the Committee if the position is vacant, or if the Chair of the Committee was involved in the decision under appeal or is otherwise in a conflict of interest;
- 1.3.3. may attempt to mediate or negotiate an informal resolution;
- 1.3.4. may grant an extension to the deadline described in procedure 1.2 where there is a reasonable basis to do so and doing so is not likely to impact either party, for the purpose of allowing time for requested revisions of the appeal or negotiating an informal resolution;
- 1.3.5. will send complete and compliant appeal materials to the Chair of the Committee when an informal resolution is not possible;
- 1.3.6. notwithstanding procedures 1.3.1-1.3.5, will send all appeal materials directly to the Chair of the Committee if the Dean (or designate) was involved in the decision under appeal or is otherwise in conflict of interest.

1.4. Upon receipt of the student’s appeal materials, the Chair of the Committee will:

- 1.4.1. appoint three members of the Committee (two faculty and one student) to serve as the Hearing Panel for that appeal;
 - 1.4.2. appoint one of the faculty members of the Hearing Panel as the Chair of the Hearing Panel;
 - 1.4.3. provide a copy of the appeal materials to the faculty member/academic administrator whose decision is the subject of the appeal and require a written response within **10 working days** of sending those appeal materials; and
 - 1.4.4. inform both parties of the time and location of the hearing and the names of the Hearing Panel members along with their right to be accompanied by a support person or advocate. The form of the hearing can be in-person, video-conference, or audio-conference, or other form deemed appropriate.
- 1.5. The Chair of the Committee may grant an extension to any deadline in these procedures where:
- 1.5.1. there is a reasonable basis to do so; and
 - 1.5.2. doing so will not unduly prejudice the other party.
- 1.6. The Chair of the Committee will forward the student's appeal materials and the written response of the faculty member/academic administrator to the members of the Hearing Panel. The Chair of the Committee will also ensure that the student and the faculty member/academic administrator have copies of all submissions provided to the Hearing Panel.
- 1.7. Each party has the right to be present at the hearing, hear all of the evidence presented, challenge any evidence presented, and question any individuals who present information to the Hearing Panel.
- 1.8. The Hearing Panel will make best efforts to ensure the hearing is held within **20 working days** of receipt of all supporting material by the Chair of the Committee.
- 1.9. Any information gathered in any appeal, including information presented at the hearing, is confidential except to the extent that disclosure is necessary to implement these procedures or to carry out a decision made by the Hearing Panel.

2. DELIBERATION AND DECISION

- 2.1. Following the hearing, the Hearing Panel will deliberate in camera. The decision will be by simple majority and the Hearing Panel will prepare written reasons for that decision.
- 2.2. Subject to subsection 2.3, the Hearing Panel may:
 - 2.2.1. dismiss the appeal;
 - 2.2.2. allow the decision under appeal to stand, despite possible insubstantial procedural errors; or
 - 2.2.3. allow the appeal, with an appropriate remedy within the authority of Senate.
- 2.3. In no event will the Hearing Panel conduct a substantive evaluation of the work of a student, but if unfairness in the evaluation procedure is established, the Hearing Panel may recommend that a re-evaluation be conducted by a qualified person(s) designated by the Hearing Panel.
- 2.4. The Chair of the Hearing Panel will make best efforts to provide the written reasons to the Chair of the Committee within **5 working days** of the hearing. The Chair of the Committee will then provide the written reasons to the parties and to the Dean, or their designate.
- 2.5. Hearing Panel members will return all documentation and written notes regarding the appeal to the Chair of the Committee following its deliberations. The Chair of the Committee will ensure official records are stored securely in the Dean's office, or the office of their designate.

3. FOLLOWING THE APPEAL DECISION

- 3.1 The decision of the specific Appeals Panel shall be final at the Faculty of Management level. Decisions of the Panel may be appealed to Senate in the case of an undergraduate student, or to the Faculty of Graduate Studies in the case of a graduate student, subject to the terms of reference and jurisdiction of those bodies.
- 3.2 A student who has two separate appeals where either the appeal is dismissed (2.2.1) or the decision is allowed to stand (2.2.2) will require written permission from the Dean (or designate) and the Chair of the Appeals Committee in order to submit future appeals.

Approved by Faculty Council, January 21, 2020.

SCHEDULE "A"

**STUDENT APPEALS COMMITTEE
NOTICE OF ACADEMIC APPEAL**

Please complete the form below and mail, deliver or email to:

**Attention: Dean (or designate)
Faculty of Management
Kenneth C. Rowe Management Building
Dalhousie University
6100 University Avenue
Halifax, Nova Scotia B3H 4R2
Email: DeanManagement@dal.ca**

NAME: _____

STUDENT NUMBER: B00_____

DESCRIPTION OF APPEAL

Date of decision or the failure to make a decision. You must appeal must be submitted within 20 working days of the date the decision was conveyed to you:

Who made the decision (or failed to make a Decision)?

Brief description of the decision (including identifying the regulation, procedure or requirement at issue):

GROUNDS OF APPEAL

Provide a description of the grounds for your appeal and the facts that support your appeal.

Specifically, you should describe the procedural unfairness, bias, or irregularity in process you encountered. Please also provide:

- **all supporting arguments and evidence;**
- **names of witnesses, if any, to be called at the hearing;**
- **the steps you have taken to resolve this issue informally;**
- **any other relevant considerations;**
- **supporting letters and documents, if applicable; and**
- **the requested outcome.**

Attach additional pages if you need them.