

POLICY-LINKED STANDARD OPERATING PROCEDURE (SOP)

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| DOCUMENT ID: SOP-066 VERSION #4 | TITLE: EDUCATION COUNCIL - APPEAL OF FINAL GRADES | SEARCH KEY: |
| PROCESS REVISIONS: | DATE OF PREVIOUS VERSION: <i>Replaces SOP-066 Version #3 2016/08/24</i> REVISION AUTHOR: EDUCATIONAL POLICIES COMMITTEE | REVISED: 2022/05/27 (yyyy/mm/dd) |
| PURPOSE: | <ul style="list-style-type: none"> To outline the process for a student's appeal of their final grade in a graded course. | POST TO: Public Website <input checked="" type="checkbox"/> DC Connect <input checked="" type="checkbox"/> |
| LINKED POLICY | Douglas College Policy <ul style="list-style-type: none"> Appeal of Final Grades Policy | |
| SCOPE (Applies To): | <ul style="list-style-type: none"> DC STUDENTS IN GRADED COURSES DEANS/ASSOCIATE DEANS/DIRECTORS EDUCATION COUNCIL FACULTY MEMBERS REGISTRAR STUDENT AFFAIRS VICE-PRESIDENT, ACADEMIC AND PROVOST | |
| STATUS: FINAL | AUTHOR: EDUCATION COUNCIL CHAIR | CREATED: 2015/02/13 (yyyy/mm/dd) |
| | RESPONSIBLE OWNER: VICE-PRESIDENT, ACADEMIC AND PROVOST | |
| RELEVANT FORMS: | Douglas College website <ul style="list-style-type: none"> Grade Appeal Form (Enrolment Services) | REVISED: (yyyy/mm/dd) |
| POLICY APPROVAL BODY: | <ol style="list-style-type: none"> EDUCATION COUNCIL EDUCATIONAL POLICIES COMMITTEE | DATE APPROVED: 2015/04/20 (yyyy/mm/dd) |
| QUALITY ASSURANCE FORMAT APPROVAL: <input checked="" type="checkbox"/> ADMINISTRATORS' COMMUNITY OF PRACTICE (ACP) SOP SUBCOMMITTEE <input checked="" type="checkbox"/> THOR BORGFORD, VICE PRESIDENT, ACADEMIC AND PROVOST | | DATE APPROVED: 2015/04/29 (yyyy/mm/dd) |
| RELEVANT POLICY: | Douglas College Policies: <ul style="list-style-type: none"> Appeal of Final Grades Policy | |
| RELEVANT ACRONYMS & DEFINITIONS: | EDCO: Education Council GA: Grade Appeal GAC: Grade Appeal Committee | |

Appeal of Final Grades Process

STEP 1

Informal Resolution

YES

NO

STEP 2

Responsible Administrator Reviews for Grounds

GROUND

NO GROUND

STEP 3

Grade Appeal Committee Hearing

GROUND

NO GROUND

Registrar

Re-evaluated

STEP 4

Education Council Appeal Tribunal Grounds Review

GROUND

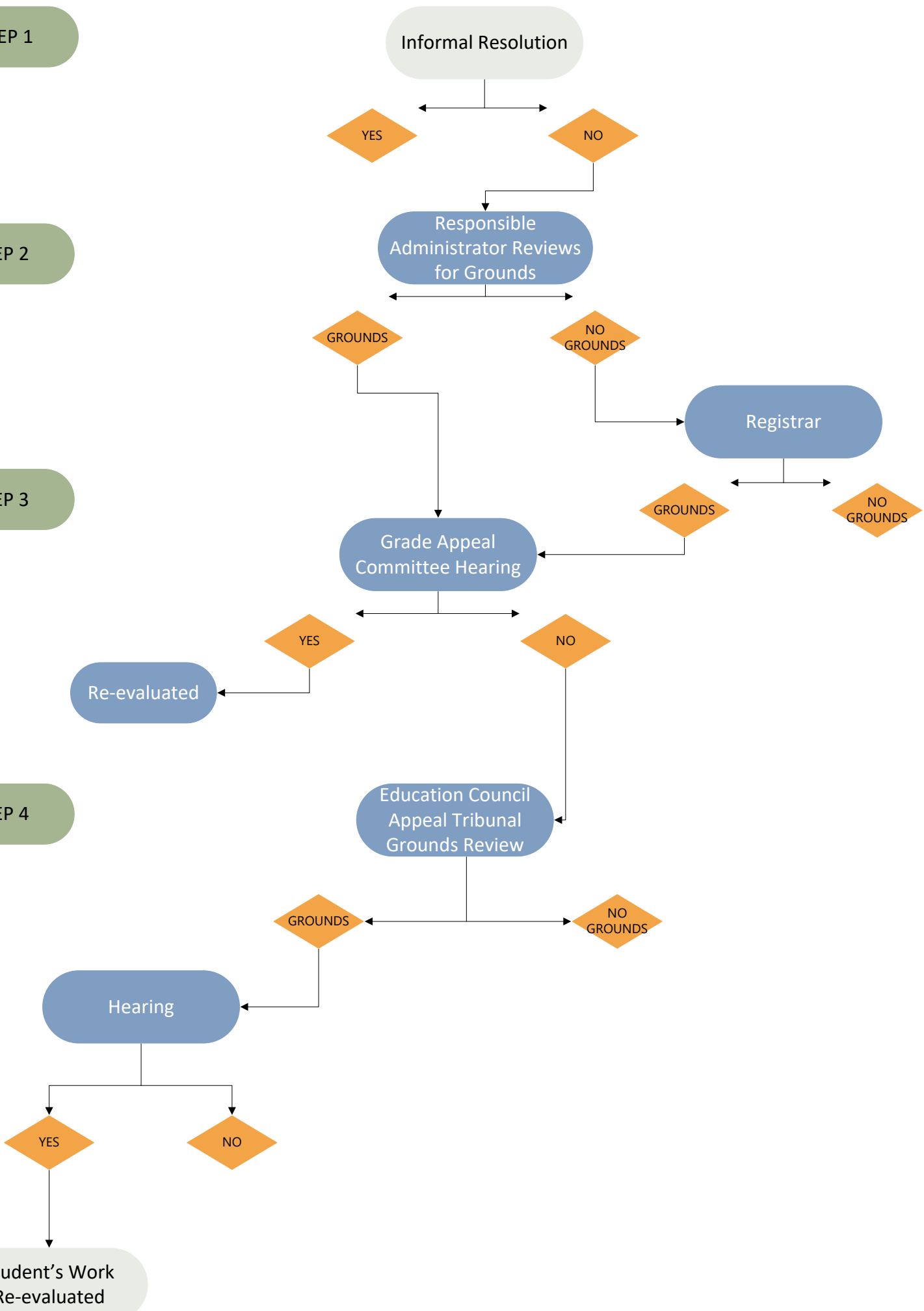
NO GROUND

Hearing

YES

NO

Student's Work Re-evaluated



STEPS: For a list of timelines, see APPENDIX B – STUDENT APPEALS TIMELINE CHART in this document.

STEP 1: INFORMAL - GROUNDS REVIEW APPLICATION

1. Wherever possible, the student should attempt to resolve a concern over a final grade informally, through a meeting with the instructor.
2. At the request of either party, the Department Chair/Coordinator may attend the meeting to facilitate communications.
3. If the student is unable to contact the instructor, or if the instructor is the Department Chair/Coordinator, they will contact the Responsible Administrator (i.e. Dean, Associate Dean, Director, etc.). Students may elect to contact a support person (i.e. DSU Ombudsperson; Counsellor) to request they also attend the informal grade appeal meeting.

If the concern is not resolved informally, the student will complete a *Grade Appeal Form* (available from Enrolment Services) outlining the nature of the concern, the grounds for the appeal, and the desired outcome. Students are encouraged to consult with a support person (see Policy Statement 5 in the Appeal of Final Grades policy) when preparing the Grade Appeal form.

All documents must be submitted to the Responsible Administrator by no later than **10 business days following the end of the term in which the grade was awarded.**

- Normally, a student undertaking a Final Grade Appeal is allowed to continue with subsequent courses on which the appealed grade is dependent. In certain circumstances where the acquisition of pre-requisites may be a safety or ethical consideration, (clinical or work placement, research or lab skills) or similar this may not be possible. This decision will be made by the Responsible Administrator.

The student may decide to withdraw a Final Grade Appeal at any step of the process.

STEP 2: GROUNDS REVIEW BY THE RESPONSIBLE ADMINISTRATOR

1. Upon receipt of the Appeal documents, the Responsible Administrator assesses if they have a bias. If a bias exists they will disqualify themselves and request another RA to assess the Appeal. If no RA can be identified, the Vice President, Academic and Provost will be asked to name another Responsible Administrator.
2. The Responsible Administrator undertaking the grounds review assesses the documentation submitted by the student and requests a response from the instructor and may request additional information from either party as required. The purpose of the review is to determine whether there are grounds for a Grade Appeal Committee hearing.

Possible outcomes of Grounds Review by Responsible Administrator:

- The Responsible Administrator refers the Appeal back to the instructor and student with a proposal for a facilitated resolution. If a resolution cannot be reached, one of the following outcomes will apply:
 - The Responsible Administrator determines that there are no grounds for a Grade Appeal Committee hearing, and informs the student of the process for appealing this decision.
 - The Responsible Administrator determines that there are grounds for a Grade Appeal Committee hearing and notifies the student of the next steps in the process.

- If the instructor is no longer available (i.e. contract has ended), the Responsible Administrator may decide about the Appeal including offering alternatives for a resolution to the student.
- If the student has complied with the timeline but has not received a response or a request for changes in the timeline within the **required timeframe (ten (10) business days)**, the student may contact the Vice President, Academic and Provost to request a hearing by a Grade Appeal Committee.

STEP 2: GROUNDS REVIEW BY THE RESPONSIBLE ADMINISTRATOR

3. The Responsible Administrator will communicate the decision to the student in writing, by letter or email, with a copy to the instructor, including the reason(s) for the decision, within ten (10) business days of receiving the student's Grade Appeal form.
4. If the Responsible Administrator determines that there are no grounds for a Grade Appeal hearing, the student may appeal this decision by contacting the Registrar within five (5) business days of receiving the Responsible Administrator's decision. The Registrar will appoint one Dean or Associate Dean and one Associate Registrar to serve as a Grounds Review Committee to review the materials and determine whether there are grounds for a Grade Appeal hearing. To reverse the Responsible Administrator's decision, the decision of the Grounds Review Committee must be unanimous.
5. The Registrar will communicate the Grounds Review Committee's decision in writing to the student and the Responsible Administrator including the reason(s) for the decision, within ten (10) business days of receiving the student's request. If this review determines that there are grounds for a Grade Appeal hearing, the **deadline for completing STEP 3 will be extended by fifteen (15) business days.**

STEP 3: GRADE APPEAL COMMITTEE HEARING

1. If there are grounds for a Grade Appeal hearing, the Responsible Administrator will notify the Vice President, Academic and Provost, who will select a Chair for the Grade Appeal Committee (*see Appendix A*). The Responsible Administrator will forward all documentation to the Chair, who will provide copies to all Grade Appeal Committee members, the student, and the instructor in advance of the hearing.
2. The Grade Appeal Committee hearing will **be scheduled within ten (10) business days** of notification by the Responsible Administrator. The hearing will be audio-recorded, except for the Grade Appeal Committee's deliberations, which are private, and the recording and all documentation related to the Grade Appeal, including any notes made by Committee members, will be returned to and kept by the Responsible Administrator for one calendar year then destroyed.

Possible outcomes of Step 3 (Grade Appeal Committee Hearing):

- The Grade Appeal Committee denies the appeal and the original grade stands; the Committee Chair will inform the student of the grounds for denial and procedures for an appeal to Education Council.
- The Grade Appeal Committee grants the appeal and, where appropriate, the Committee Chair directs as appropriate a reassessment of the student's coursework by another qualified instructor with no prior involvement in the grade appeal (selected by the Chair/Coordinator in consultation with the Responsible Administrator); the grade may be raised, lowered, or unchanged as a result of this reassessment. A deadline for reassessment must be specified by the Responsible Administrator.

STEP 3: GRADE APPEAL COMMITTEE HEARING (cont.)

3. The Grade Appeal Committee Chair will communicate the appeal decision to the student in writing, by letter or email, with copies to the instructor and Responsible Administrator, including the reason(s) for the decision, within five (5) business days of the Grade Appeal Committee hearing. Where the decision includes the reassessment of coursework, the Chair will communicate the result of that reassessment to the student, instructor, and Responsible Administrator.

If the Final Grade is to be changed, the Responsible Administrator will complete a *Change of Grade* form within **two business days after the conclusion of the hearing**.

STEP 4: REFERRAL TO THE EDUCATION COUNCIL APPEAL TRIBUNAL

If the Final Grade Appeal is denied by the Grade Appeal Committee, the student may appeal to the Education Council Appeal Tribunal. The grounds for a review by the Education Council Appeal Tribunal are as follows:

- Due process was not followed in STEPS 1, 2 and 3
- The Final Grade Appeals Policy was not properly applied in STEPS 1, 2 and 3
- Evidence that might reasonably change the outcome of the appeal was not available at the Grade Appeal hearing, or the student was not allowed to present such evidence. Evidence cannot be unreasonably withheld during Steps 1 to 3 and presented at this stage.

Dissatisfaction with the Grade Appeal Committee's decision is not a ground for review.

1. The student will submit to the Education Council Secretary a written request for a hearing by the Education Council Appeal Tribunal within ten (10) business days of receipt of the Grade Appeal Committee's written decision (or of written notice of the result of a reassessment). The request should briefly explain the nature of the original appeal and outline the grounds for a hearing by the Education Council Appeal Tribunal (see Appendix A).

A. Grounds Review Meeting

2. The Education Council Chair will request copies of all Grade Appeal Committee hearing materials from the Responsible Administrator and will circulate copies of all documents to the Appeal Tribunal. Within **ten (10) business days of receiving the student's request for review**, the Appeal Tribunal will meet to review the material, including the recording of the Grade Appeal hearing if necessary, and determine whether there are grounds for a review of the Grade Appeal Committee's decision. This meeting is in camera and not recorded, and the student may not attend.
3. If the Education Council Appeal Tribunal determines that there are no grounds for review, the Chair will communicate the decision to the student in writing, by letter or email, with copies to the instructor and Responsible Administrator, including the reason(s) for the decision, within **five (5) business days of the Grounds Review meeting**.

STEP 4: APPEAL TO THE EDUCATION COUNCIL APPEAL TRIBUNAL (cont.)

B. Hearing by the Appeal Tribunal

4. If the Appeal Tribunal determines that there are grounds for review, the Appeal Tribunal will schedule a hearing within ten (10) business days of the Grounds Review meeting. The student and the instructor may attend, or be required to attend. The hearing will be recorded, except for the Tribunal's in-camera deliberations, and the recording and all documentation related to the Appeal Tribunal hearing, including any notes made by Tribunal members, will be kept by the Education Council Secretary for one calendar year and then destroyed.

Possible outcomes of Step 4 B (Hearing by the Appeal Tribunal):

- The Appeal Tribunal upholds the decision of the Grade Appeal Committee to deny the appeal.
 - The Appeal Tribunal grants the appeal and, where appropriate, the Chair directs that some or all of the student's coursework be reassessed by another qualified instructor with no involvement in the appeal (selected by the Chair/Coordinator in consultation with the Responsible Administrator); the grade may be raised, lowered, or unchanged as a result of this reassessment. **A deadline for reassessment must be specified.**
5. The Chair will communicate the decision to the student in writing (with copies to the instructor, Responsible Administrator, and Vice President, Academic and Provost), including the reason(s) for the decision, **within five (5) business days** of the Appeal Tribunal hearing. Where the decision includes the reassessment of coursework, the Chair will communicate the result of that reassessment to the student, instructor, and Responsible Administrator.

If the final grade is changed as a result of the decision, the Responsible Administrator will complete a *Change of Grade* form within **two business days**.

All decisions of the Education Council Appeal Tribunal are final.

APPENDIX A: TERMS OF

REFERENCE

GRADE APPEAL COMMITTEE

MEMBERS

All non-administrative members serve in the Grade Appeal pool for a specified term. A **Grade Appeal Committee (GAC)** is selected from the members of the pool when a hearing is necessary, ensuring that this responsibility is rotated among members and excluding any members who may have prior knowledge of the specific appeal or a conflict of interest.

- One **student** from a pool selected by the **Douglas Students' Union** (to serve for one year)
- Two **faculty members** from a pool comprising two members were elected from each Faculty, to serve for two years
- One **administrator** (a Dean, Associate Dean, or Director), will act as **Chair** and is non-voting.

PROCEDURES

- 1) The **Vice President, Academic and Provost** will appoint a **GAC Chair** when a request for a hearing is received.
- 2) The **GAC Chair** will select the additional members (in rotation and depending on availability).
- 3) The **GAC Chair** will schedule the hearing in consultation with all parties and will ensure that all documentation is circulated to the **Committee members, student, and instructor** in advance of the hearing.
- 4) The **GA Committee** may invite any additional members of the College community to provide evidence, including faculty members to provide content expertise.

QUORUM AND VOTING

All members must be present for a Grade Appeal hearing to proceed. Decisions are reached by a simple majority of votes.

GROUNDS REVIEW COMMITTEE

MEMBERS

- One **Dean** or **Associate Dean**
- One **Associate Registrar**

PROCEDURES

- 1) The **members** will be selected by the **Registrar** when a **student** requests a review of the **Responsible Administrator's** decision that there are no grounds for a Grade Appeal hearing.
- 2) The **Registrar** will ensure that neither member has prior knowledge of the appeal or a conflict of interest.
- 3) The **Registrar** will provide the members with copies of all materials related to the Grade Appeal.

QUORUM AND VOTING

Both committee members are voting. Meetings may be held electronically. To reverse the decision of the Responsible Administrator, the decision of the **Grounds Review Committee** must be unanimous.

EDUCATION COUNCIL APPEAL TRIBUNAL

MEMBERS

- The **Education Council Chair**, who will chair the Tribunal
- The **Education Council Vice-Chair**
- One **additional member** elected from the faculty representatives to Education Council by Education Council at the September meeting (to serve for one year)

If any member has a perceived conflict of interest, the **Education Council Chair** will appoint an alternate from among the faculty representatives to Education Council.

PROCEDURES

- 1) The **Appeal Tribunal** may invite any additional members of the College community to provide evidence.
- 2) The **Chair** will notify **Education Council** when the **Appeal Tribunal** receives a request for a review, and when the review is complete. This notification may take place at a regular Education Council meeting.

QUORUM AND VOTING

All members are voting members. All members must be present for a Grounds Review meeting or Appeal Tribunal hearing to proceed. Decisions are reached by a simple majority of votes.

APPENDIX B: TIMELINES

STEPS 1, 2 and 3 of the Grade Appeal procedures must be completed by the following dates, or the first following working day unless all parties have agreed to an extension.

| Term in Which Grade Was Awarded: | Deadline for Completing STEPS 1, 2 & 3: |
|---|--|
| Fall (Sept. – Dec.) | February 15 |
| Winter (Jan. – Apr.) | June 15 |
| Spring (Apr. - May) | July 15 |
| Summer (May – Aug.) | October 15 |

For courses not scheduled during these terms, the deadline will be six (6) weeks following the deadline for submission of final grades.

See attached table for all deadlines.

APPENDIX B - STUDENT APPEALS TIMELINE CHART

| Student Action | College Action | Deadline Fall Course Grade | Deadline Winter Course Grade | Deadline Summer Course Grade |
|--|---|---|---|---|
| Attempt informal resolution with instructor | Attempt informal resolution with the student | Within 10 business days after Dec. 31 | Within 10 business days after April 30 | Within 10 business days after Aug. 31 |
| Submit Grade Appeal to Responsible Administrator | | Within 10 business days after Dec. 31 | Within 10 business days after April 30 | Within 10 business days after Aug. 31 |
| | Written decision; notify Vice President, Academic if hearing needed | Within 10 business days | Within 10 business days | Within 10 business days |
| Appeal Responsible Administrator A decision to Registrar | | Within 5 business days | Within 5 business days | Within 5 business days |
| | Grounds Review Committee meeting and written decision | Within 10 business days* | Within 10 business days * | Within 10 business days* |
| Attend hearing | Hold Grade Appeal hearing | Within 10 business days | Within 10 business days | Within 10 business days |
| | Written decision | Within 5 business days | Within 5 business days | Within 5 business days |
| Appeal to Education Council Appeal Tribunal | | Within 10 business days | Within 10 business days | Within 10 business days |
| | EdCo Appeal Tribunal Grounds Review meeting | Within 10 business days | Within 10 business days | Within 10 business days |
| | Written decision | Within 5 business days | Within 5 business days | Within 5 business days |
| Attend hearing | Hold EdCo Appeal Tribunal hearing | Within 10 business days of Grounds Review meeting | Within 10 business days of Grounds Review meeting | Within 10 business days of Grounds Review meeting |
| | Written decision | Within 5 business days | Within 5 business days | Within 5 business days |

For all deadlines, if the date falls on a weekend or holiday, the deadline is the next working day.

*If the Grounds Review Committee rules that a Grade Appeal Hearing should be held, timelines for Step 3 will be extended by 15 business days.