

Undergraduate Student Academic Appeals

(S.88-158, S.94-210, S.96-80, S.96-155, S.97-220, S.97-274, S.98-014, S.98-248, S.00-140, S.02-150)

Requests for Relief

A student may request that a grade on a particular piece of work, or a final standing in a course or program, be changed; OR a student may request an exemption from a Senate academic regulation. The subject of a request for relief can range from waiver of progression requirements, to accuracy of grades on examinations or assignments, to appropriateness of sanctions imposed for scholastic offences. Such a request can include questions of fairness or appropriateness of general grading practices, and can be launched regardless of whether a record of the student's work exists.

Examples of relief that can be considered by a Dean:

1. waiver of a Senate regulation or requirement.
2. allowing the opportunity for reexamination or reassessment.
3. directing the adjustment of a grade on a particular piece of work following the report of an independent assessor. [It is possible that a grade may be lowered as a result of reassessment.]
4. directing the adjustment of grades in the case of a request for relief against general marking or grading practices. [This form of relief does not extend to the reevaluation of the work submitted.]
5. setting aside or adjusting a rule

A request for relief against a decision of the Chair must be made to the Dean in writing not later than three weeks after the Chair's decision is issued. All relevant information and documentation must be provided to the Dean with the request for relief.

Program eligibility and progression : A request for relief against a decision concerning program eligibility must be made to the Chair of the department in writing by June 30. A request against a decision of the Chair must be made to the Dean in writing within three weeks of the Chair's decision being issued. Students requesting a Dean's Waiver of Progression Requirements must do so in writing to the Dean of their Faculty by June 30 (if required to withdraw at the end of April), or within 30 days of the posting of grades on the UWO Web site by the Office of the Registrar (if required to withdraw following any other session).

Other requests for relief : Requests for relief regarding Scholastic Offences and other matters not related to the normal completion of a course during a regular academic session (including requests for relief against grades in a Special Examination, satisfaction of "Incomplete" requirements, etc.), must be made in writing within three weeks of the date of a decision being issued.

Notes:

1. In the Medical Program , a request for relief against a mark must be initiated with the instructor within four weeks of the mark being approved by the appropriate administrative committee. All other requests for relief must be made within four weeks of the date of the decision giving rise to the request for relief. A request for relief to each successive level of appeal must be made within four weeks of the date of the decision at the prior level.
2. In the Faculty of Law , a request for relief against a final grade in a course must be submitted to the Dean by March 1 for First Term Marks; by April 1 for January Term Marks; and, by June 30 for Spring Term Marks. All other applicable deadlines are as set out above.
3. In the Richard Ivey School of Business , a request for relief against a mark must be initiated with the instructor within six weeks of the mark being issued. All other requests for relief must be made within six weeks of the date of the decision giving rise to the request for relief. A request for relief to each successive level of appeal must be made within six weeks of the date of the decision at the prior level.
4. The deadline for an appeal to SRBA remains at six weeks after a decision has been issued by a student's Dean. (Under the Policy on Academic Accommodations for Students with Disabilities, a student must apply to SRBA within two weeks of the Dean's decision.)

Procedure

It is incumbent on the student to initiate each step at the earliest opportunity, and on the University officer concerned to act upon that request as expeditiously as possible. In the case of a request for relief relating to a specific course, a resolution of the problem should first be attempted through informal consultation with the instructor. If the student is dissatisfied with the decision of the instructor, or if the instructor fails to act, or cannot or will not be physically available within a reasonable time period, a written request for relief may be submitted directly to the department Chair or to the Dean in faculties without departmental structure.

Following a request for relief by an undergraduate student to a department Chair, the student, if not satisfied with the decision of the Chair, may then submit a written request to the Dean of the Faculty in which the course or program was taken. In the case of requests for relief relating to: (a) the grade on a piece of work or final standing in a course or a regulation relating to a specific course, the relevant Dean will be the Dean of the Faculty offering that course; and, (b) enrolment in a specific program, the relevant Dean will be the Dean of the Faculty offering that program.

A written request need not be lengthy, but should indicate clearly the detailed reasons for the request and the relief requested. All relevant supporting documentation must be attached.

In the case of a scholastic offence, the procedures for a request for relief are set out in the Policy on Scholastic Discipline.

whether the SRBA has jurisdiction to hear a matter, may in his/her discretion convene a panel to consider such written arguments as it deems appropriate and decide the issue of jurisdiction. The decision of any such panel shall be binding on any subsequent panel hearing the merits of the appeal.

Onus

1. The onus is on the student to satisfy SRBA that the ruling of the Dean was unreasonable or unsupported on the evidence before the Dean; or, with respect to a sanction imposed for a "scholastic offence," that the penalty was unreasonable.
2. Notwithstanding #1 above, in cases where a Dean made a finding that a student's conduct amounted to a "scholastic offence," and where the student denies either that the acts were committed or that the acts amounted to a "scholastic offence," the onus is on the Dean to satisfy SRBA that the student committed the alleged acts and that the acts amounted to a "scholastic offence."
3. The onus requirements set out in #1 and #2, for an appeal against a finding that a student's conduct amounted to a "scholastic offence" or against the sanction imposed for a scholastic offence, apply mutatis mutandis to an appeal against a finding that there has been a breach of other University policies, such as the Policy and Procedures for the Conduct of Research, or an appeal against the sanction imposed for such breach.
4. Where an appeal falls under the Policy on Academic Accommodations for Students with Disabilities, the onus is on the Faculty to persuade SRBA that the suggested accommodation or accommodations would compromise the academic integrity of the course or program in light of the essential requirements of that course or program.

Evidence

SRBA will consider only that evidence that was before the Dean whose decision is being appealed. Evidence that was not before the Dean will not be considered unless SRBA determines that it is relevant, significant and could not have been available at an earlier stage through reasonable efforts. If additional documentary evidence is submitted, it must be accompanied by a written explanation as to why the evidence is relevant and significant and why it was not previously available. Similarly, if either party intends to call a witness whose evidence was not before the Dean, the party must file with the University Secretariat prior to the hearing a written explanation as to why such evidence is relevant and significant and why it was not previously available.

Copies of all documentation that the parties intend to present at the hearing, together with a copy of the appellant's official transcript of academic record (obtained by the University Secretariat from the Office of the Registrar), will be distributed to both parties (appellant and Dean) and to the members of SRBA serving on the hearing panel, by the University Secretariat prior to the date of the hearing.

Relief

In granting an appeal, SRBA will grant such relief as it deems appropriate.

Application for Hearing

Appeals to the SRBA must be made on an Application for Hearing which must be filed with the University Secretariat within six weeks* of the date of the Dean's decision. Exceptions to the six-week time limit for filing an appeal with the SRBA are at the discretion of the Chair of SRBA upon written application by the student.

An Application for Hearing will not be accepted by the University Secretariat unless the application is complete. A complete application will include the following: details of the appeal, including a description of the matter under appeal and the reasons for challenging the Dean's decision; the requested relief; a copy of the Dean's decision; a copy of the student's letter to the Dean requesting relief, if applicable; and, all relevant supporting documentation. Applications for a hearing by the SRBA and further details on hearing procedures may be obtained from the University Secretariat, Room 4101, Stevenson Hall.

A request from a party to postpone a scheduled hearing, or to delay scheduling a hearing after an Application has been filed, will be at the discretion of the Chair of SRBA, and will be granted only in exceptional circumstances. Such postponement or delay shall not exceed six months. The parties then will be contacted to arrange a hearing date. (If the appellant cannot be contacted to arrange a hearing date, he/she will be notified of the hearing date by registered mail at the address set out in the Application.) SRBA will proceed in the absence of one or more parties if it is satisfied that the parties were notified of the hearing date.

If, following receipt of an Application for Hearing, the University Secretariat is unable to contact the appellant within a reasonable time to schedule a hearing, the appellant will be notified by registered mail at the address on the Application for Hearing of the deadline (six months from the date the Application for Hearing was filed) by which he/she must contact the University Secretariat to arrange a hearing. If the appellant has not contacted the University Secretariat by the specified deadline, the Application and documentation will be returned to the appellant and may not be resubmitted.

The Application for Hearing can be printed from:

http://www.uwo.ca/univsec/handbook/appeals/SRBA_Application.pdf

* Under the Policy on Academic Accommodation for Students with Disabilities, an appeal to the SRBA must be filed within two weeks of the date of the Dean's decision.

Further Appeals

SRBA is the final level of academic appeal in the University; its decisions in substantive matters, and decisions as to jurisdiction and whether it will hear an appeal, are final. The Chair of Senate (i.e., the President & Vice-

9. Re-examination of Faculty representative, if desired, on any new matters brought out in cross-examination. (The procedure in 7, 8 and 9 is followed for the Faculty representative and witnesses. The order of presentation is at the Faculty's discretion.)
10. Reply evidence by appellant, if desired, on any new matters raised by the Faculty.
11. Cross-examination of reply witness, followed by questions from SRBA members.
12. Summary remarks by Faculty representative.
13. Summary remarks by appellant.

B. ORDER OF PROCEEDINGS - Scholastic Offence Appeals*

Where the appeal concerns allegations of a scholastic offence which are contested by the appellant, the order of proceedings shall be:

1. Introduction of SRBA members and review of documentation.
2. Opening statement by Faculty representative.

3. Presentation of Tw 1.386 0 Td ()Tj -0.0023 -1.145 Td ()Tj (ulty re51 Tw 0.27ve. e51 R-b9es06 -1 0.9766 MC
Cross-examination of Tw 1.386 0 Td ()Tj -0.0023 -1.145 Td ()Tj (ulty re51 Tw 0.27ve. e51 R-b9es06 -1 0.9766 MC
Presentation of Tw 1.386 0 Td ()Tj -0.0023 -1.145 Td ()Tj (ulty re51 Tw 0.27ve. e51 R-b9es06 -1 0.9766 MC

D. EXPEDIENCE

An effort should be made to limit the presentation of non-contentious facts and arguments to the SRBA. Time will be saved if the parties are able to agree in advance on as many as possible of the facts relevant to the case. The appellant is encouraged to contact the Dean in this regard prior to the hearing to determine what facts can be agreed upon.

E. RETENTION OF LEGAL COUNSEL

In matters of academic appeal, the right to be represented by legal counsel will be accorded only at the level of SRBA. The Senate Review Board Academic also reserves the right to retain counsel.

F. WITNESSES

The parties may call witnesses to support their case. Witnesses will be invited into the hearing room when called upon to give evidence. (See also the section on Evidence above.)

G. COSTS

The parties must bear all their own legal expenses, if any. SRBA will not order the Faculty to pay all or part of the appellant's costs, nor will it order the appellant to pay all or part of the Faculty's costs.

H. PREVIOUS DECISIONS

Each appeal is decided on its merits. A decision of SRBA does not set a precedent.

I. NOTICE OF DECISION

At the conclusion of the hearing, SRBA will deliberate in closed session for the purpose of arriving at a decision. The Notice of Decision will be sent to the parties as soon as possible after a decision is made. A brief written statement of reasons will follow within a reasonable time.

J. OFFICIAL RECORD OF THE APPEAL

The official record of the appeal hearing will consist of all documentation submitted by the parties, the Notice of Decision, and the statement of reasons of SRBA. This record will be retained by the University Secretariat for at least one year following the hearing.

**SRBA JURISDICTION AND PROCEDURES UNDER THE POLICY AND
PROCEDURES FOR THE CONDUCT OF RESEARCH**

(S.94-169, S.03-223)

For appeals under the Policy and Procedures for the Conduct of Research, SRBA reguLea1(RE)-5(S)-5(T* (l.)Tj 0 TcdO

