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## UNDERGRADUATE ACADEMIC APPEALS POLICY (Revised Version)

The 2021-2024 Version of the Undergraduate Academic Appeals Policy and Procedure will apply to requests for review filed before, during and relating to the Winter 2024 semester.

The Revised Version (**this version**) of the Undergraduate Academic Appeals Policy and Procedure will take effect on May 6, 2024, and will apply to requests for review filed during the Spring 2024 semester and onward.

### PURPOSE

1. The purpose of this Policy is to provide a route for review of Decisions affecting Undergraduate Students where sufficient Grounds may exist.

### DEFINITIONS

2. For the purposes of this Policy, the following definitions apply:

**“Appeal”** means a formal process conducted by the Academic Appeals Committee to review Decisions on Grounds specified in this Policy.

**“Continuous Learning Student”** means a student registered in a Continuous Learning Offering as defined in the Policy on Micro-credentials and Continuous Learning Programs.

**“Decision”** means a decision affecting the rights of an Undergraduate Student, made by a Decision-Maker. This includes:

- a) Decisions of the Dean, Registrar, or delegate relating to:
  - Academic Standing (review of academic standing);
  - Grade Reappraisals and Reconsiderations;
  - Time Limits established by the Graduation and Conferral of Degrees Policy;
  - Late withdrawal requests;
  - Examination deferrals; or
  - The imposition of disciplinary penalties during an appeal.
- b) Decisions of an Academic Integrity Committee relating to academic conduct/misconduct or professional suitability.
- c) Any other decision for which the Academic Appeals Committee grants leave to appeal.

**“Decision-Maker”** means a University body or member of the University administration, including an Academic Integrity Committee, Registrar, Dean or delegate, with the authority to make Decisions under applicable policies.

**“Graduate-level Decisions”** means decisions related to students registered in the School of Graduate and Post-Doctoral Studies and/or made under Graduate Academic policies or regulations.

**“Grounds”** shall be defined as set out in Section 9 of this Policy.

**“Informal Resolution”** means a process facilitated by the Judicial Officer or their designate that involves a reconsideration of the Decision. The outcome of an Informal Resolution is determined by the agreement of the parties.

**“Undergraduate Student”** means anyone who is registered in an undergraduate program at Ontario Tech University on either a full-time or part-time basis, or who was so registered in an undergraduate program at the time of the events upon which a proceeding of first instance and any subsequent appeal is based.

#### **SCOPE AND AUTHORITY**

3. This Policy applies to requests for review by Undergraduate Students of Decisions of Ontario Tech University (the “University”).
4. The Graduate Academic Appeal Policy provides a route for reconsideration of Graduate-level Decisions.
5. This Policy does not apply to decisions made under the Student Code of Conduct or appeals from those decisions. Academic consequences arising from decisions about non-academic misconduct do not bring a non-academic misconduct matter within the scope of this Policy. This Policy does not apply to Continuous Learning Students. The Policy on Micro-credentials and Continuous Learning Offerings provides a route for reconsideration of Decisions relating to Continuous Learning Students.
6. The Provost, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of this Policy.

#### **POLICY**

7. There will be a committee established with the delegated authority to conduct Appeals and determine the outcome of Appeals. This committee will be established by the Board of Governors through the approval of Terms of Reference specifying the composition of the committee.
8. The Judicial Officer will coordinate requests for Decision reviews, support the Chair of the Academic Appeals Committee regarding the determination of whether there are grounds that affected the outcome of the Decision, and provide administrative and procedural support to the Academic Appeals Committee.
9. A Decision may be appealed only when a student is able to establish that there are Grounds for the Appeal, specifically where there is:

- a) Significant new information relevant to the Decision that has been discovered (evidence that, through no fault of the student, was not available at the time of the original Decision. Generally speaking, events or performance subsequent to the Decision will not to be construed as new evidence); or
- b) Evidence exists of procedural irregularity in the original consideration of the matter by the Decision-Maker; or
- c) There is clear evidence of bias in a Decision.

AND the outcome of the Decision might have been substantially affected by any of the above circumstances.

Dissatisfaction with the outcome of the Decision or University policy, or failure by the student to abide by published deadlines, are not sufficient Grounds for Appeal.

**10.** Procedures for requesting a review of a Decision and conducting an Appeal will be established under this Policy.

**11. Status during an Appeal**

- 11.1.** The Dean, or their designate, of the relevant Faculty will determine if the penalty imposed will stay in effect until the completion of the Appeal proceedings. Where the Dean, or their designate, believes there are compelling reasons for the penalty imposed to stay in effect, they must communicate their decision to the Office of the Registrar and the Judicial Officer within five (5) business days of being notified of the Appeal.
- 11.2.** Where the Dean, or their designate, determines that the penalty imposed will stay in effect until the completion of the Appeal proceedings under 11.1, the Dean or their designate must provide written reasons in support of this decision.
- 11.3.** Where the Dean, or their designate, determines that the penalty imposed will be held in abeyance until the completion of the Appeal proceedings under 11.1, the student may elect to proceed with their studies in the manner they see fit at their own risk, including but not limited to financial risk.
- 11.4.** Official transcripts will not be issued until the completion of the Appeal proceedings.

**MONITORING AND REVIEW**

**12.** This Policy will be reviewed as necessary and at least every three years. The Provost, or successor thereof, is responsible to monitor and review this Policy.

**RELEVANT LEGISLATION**

**13.** This section intentionally left blank.

**RELATED POLICIES, PROCEDURES & DOCUMENTS**

**14.** Undergraduate Academic Appeals Procedures  
Fair Processes Policy

Graduation and Conferral of Degrees Policy  
Grading System and Academic Standing Policy (Undergraduate)  
Policy on Micro-credentials and Continuous Learning Offerings