

# LEARNER GRADE APPEALS PROCEDURE

## PLAIN LANGUAGE SUMMARY

### Parent Policy

#### *What is this procedure for?*

This is the procedure for the Learner **Appeals** Policy.

When you **appeal** a decision, you ask the College to look at it again. You can **appeal** if you think someone did not treat you fairly.

### Purpose

#### *What is the purpose of this procedure?*

This procedure tells us how the College handles learner grade **appeals**.

### Scope and Compliance

#### *Who does the policy affect?*

This policy is for all Bow Valley College learners and employees. Only learners can make **appeals** through this policy.

All employees, learners, and contractors at Bow Valley College are responsible for knowing and following policies and procedures.

### Procedures

#### *What procedures do you have to follow?*

#### 1. **General**

- 1.1. If you want to **appeal** a grade for an assignment or test, follow this procedure.
- 1.2. If the **appeals** process costs you money, it is your responsibility to pay.

1.3. The Vice President (Academic) can make **exceptions** to this policy. Their decisions must follow the principles of this procedure.

An **exception** is when you do not follow the policy or procedure for an individual person. There must be a good reason for an exception.

## 2. Informal ways to solve the problem

2.1. Before you request a formal **appeal**, the College wants you to talk to the instructor or Program Coordinator directly about the grade that you want to appeal. Talking to them is often the best way to solve the problem.

## 3. Learner request for an **appeal**

3.1. If you cannot solve your problem informally, then you can ask for a formal **appeal**. You must give the College a written request. Your request must include:

3.1.1. a short description of the grade you want to **appeal**

3.1.2. the reasons why you want to **appeal** the grade

3.1.3. at least one of the following **grounds** for **appeal**:

- **Medical or compassionate reasons:** This means that you are appealing the decision because you have a medical reason or because something very bad happened to you or your family.
- **Mitigating circumstances:** This means that there was a situation in your life that explains why you behaved the way you did.
- **Procedurally unfair:** This means the decision did not follow College procedures.
- **Undue hardship:** This means that the decision gave you very big and unreasonable problems.

**Grounds** for appeal are formal reasons. You can only appeal a decision based on one of these grounds.

3.1.4. a description of what you have already done to try to solve this problem

3.1.5. a copy of any documents that support your **appeal**

3.1.6. the solution you would like

3.2. Your **appeal** request must include reasons that are related to one of these **grounds**. If it does not, The College will deny your request.

3.3. You must give your grade **appeal** request to the **relevant** department or the Office of the Registrar. You must give them your grade appeal request within 5 **business days** of receiving the grade on an assignment or test. You must give them your grade appeal request within 1 month for a final grade.

The **relevant** department is the department that made the decision that you want to appeal.

3.4. If you do not have the language or reading and writing skills to make an **appeal** request, you can get help. The Office of the Registrar, Learner Success Services, and the Students' Association of Bow Valley College can help you.

#### 4. Grade **appeals** process

4.1. Academic departments are responsible for grade **appeals**.

A **business day** is any day when the College is open. It does not include weekends or holidays.

4.2. After you give the academic department your grade **appeal** request, they have 5 **business days** to tell you about the appeals procedure.

4.3. If you are appealing a final grade in a course that is a **pre-requisite** for another course, you may attend that next course during the **appeal**. You may only attend the course if you were already registered for it. If your appeal is not successful and your final grade for the pre-requisite course is not high enough, you must withdraw from that next course.

A **pre-requisite** is a course that you must take before you are allowed to take another course.

4.4. If your **appeal** is successful after you have been withdrawn from a program, you may continue in courses you were withdrawn from. You can also continue in the next courses in a program.

4.5. During your **appeal**, you must get permission from the Program Coordinator to continue in class. You may not continue in work placement courses if your appeal involves a course that is a **pre-requisite**.

4.6. You may continue to use College services during the **appeal** as long as this doesn't put other people at risk.

4.7. If you are withdrawn from a program and your **appeal** is unsuccessful, you must stop attending classes as soon as you find out the results of your appeal. You must also stop using College services that are only for learners.

#### 4.8. Informal steps in the grade **appeal** process

4.8.1. These steps are part of the grade **appeal** process:

- First you should discuss your grade with the instructor.
- If this does not solve the problem, you need to speak with the Program Coordinator. If the Coordinator changes the grade, that grade will stand, whether it is higher, the same, or lower than the original grade.
- You have to speak with the instructor and the Program Coordinator within 5 **business days** of getting the grade. If you don't, you may not be able to **appeal** the grade.
- If the grade is for an assignment or a test, speaking to the Program Coordinator is the end of the **appeal** process. If you still want to appeal the grade, you will do that as a final grade appeal.

#### 4.9. Formal grade **appeal hearing**

4.9.1. If you want to **appeal** a final grade and you have not been able to solve the problem informally, you have the right to a formal appeal **hearing**.

When the Dean meets with you it is called a **hearing**.

4.9.2. The Dean of the **relevant** department hears the formal grade **appeal**.

4.9.3. You may also ask the Dean to review assignment and test grades as part of your formal grade **appeal**. You may do this even if a Program Coordinator has already looked at these grades.

4.9.4. The **appeal hearing** happens within 5 **business days** of your request.

4.9.5. If you have any documents you want to use to support your **appeal**, you have to give them to the Dean 3 **business days** before the **hearing**. If the department has any documents, they must give them to you 3 **business days** before the hearing.

4.9.6. In the **hearing**, you meet with the Dean and explain your **appeal**.

4.9.7. At least 1 **business day** before the **hearing**, they will tell you:

- the time and place
- enough information about what is happening so that you can prepare for the **hearing**

- the deadline for giving them written evidence or documents
- you have the right to have someone else come with you

4.9.8. You may bring one person with you to the **hearing**, for example another learner or someone from the Students' Association Executive. You have to tell the Dean in advance the name of the person you are bringing and their relationship to you. You must speak during the hearing yourself. The person you bring may not participate in the hearing. You can only be represented by someone else in exceptional cases if you get permission from the Dean before the hearing.

4.9.9. The Dean has the right to ask someone to leave the **hearing** if they are disruptive.

4.9.10. Both you and the Dean have the right to explain your case. You have the right to respond to each other.

4.9.11. Everything that is said during the **hearing** is confidential. The Dean may not tell anyone else what they learn during the hearing.

4.9.12. The decision of the Dean is final.

## 5. **When will you find out about the **appeal** decision?**

5.1. You will find out the decision of the Dean within 2 **business days** of the **hearing**. They will tell you or they will send you an email. They will also send you a letter with the formal **appeal** decision within 5 **business days** of the hearing. The letter must say the reasons for the decision.

5.2. In some cases the Dean can take longer to announce their decision, but they should always do it as quickly as possible. They may take longer if they need to do further investigation. If it is going to take longer, the Dean will tell you when they will have a decision.

## 6. **Grieving an **appeal** decision**

6.1. **Grieving the decision:** You have the right to **grieve** the decision to the Vice President, Academic. You may only grieve the decision for two reasons:

When you **grieve** a decision, you ask a Vice President of the College to look at the decision. It is like a final appeal.

- if there is new information which was not available during the **appeals** procedure
- if the **appeals** procedure was **allegedly** not followed

**Allegedly** means that you say something is true but it has not been proven in a court or hearing.

6.2. If you want to **grieve** the decision, you must give the Vice President a statement in writing. You must write to the Vice President:

- within 5 **business days** of **hearing** the committee decision if the procedure was allegedly not followed.
- within 10 **business days** if you have learned new information.

6.3. You cannot **grieve** an **appeal** decision later than a year after the decision was made.

6.4. The Vice President is the last level of **appeal**. The Vice President's decision is final.

## 7. Keeping records of learner **appeals**

7.1. The **relevant** department will keep records of all learner grade **appeals** and decisions.

7.2. If the decision of the **appeal** affects your student record (for example, a changed grade on overturned withdrawal), then the Registrar will note it on your record. Otherwise, it will not be noted.

## Definitions

**Medical or compassionate reasons:** Medical reasons are when you get very sick or injured and this affects your performance at the College. Compassionate reasons are when something very bad happens to you or your family that is out of your control, for example if a family member dies.

**Mitigating circumstances:** This is when there was a situation in your life that explains why you behaved the way you did.

**Procedurally unfair:** This is when the rules of the procedure are not followed. Examples include:

- the person who made the decision had a **conflict of interest** or was not fair
- you did not get reasons for the decision

A **conflict of interest** is when someone makes a decision about a case they are personally involved in.

- the decision did not use the rules, policies, or procedures in a fair or accurate way

**Undue hardship:** This is when a decision will give you very big and unreasonable problems.