

Policy Number	4.5B
Approval Body	Senate
Policy Officer	VP Academic + Provost
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4.5B APPEALS FOR NON-COURSE-BASED ACTIVITY FOR GRADUATE STUDENT

ENABLING LEGISLATION + LINKED POLICIES

University Act

Senate of a special purpose, teaching university

Section 35.2 (5) The senate of a special purpose, teaching university has the power and duty to do all of the following:

(j) set policies and procedures for appeals by students on academic matters and establish a final appeal tribunal for these appeals.

Emily Carr University of Art + Design Policies

2.5.1 Senate Appeals Committee

OBJECTIVE

The objective of this policy is to set out the process for considering appeals to non-course-based assessment such as review panels, progress reviews, and other activities considered to be formal assessments that could impact student success or progress within a graduate program.

SCOPE

This policy applies to all non-graded activity that is subject to formal assessment within a graduate degree program and/or required for progression through a graduate degree program.

PROCESS

STEP 1: DISCUSSION WITH THE ASSESSOR

In all cases where a student has a disagreement with the outcome and evaluation of a progress review or other non-graded activity that was subject to a formal assessment within a degree program, the student shall first request more information about the evaluation through a discussion with the faculty member, instructor, researcher, thesis supervisor, or faculty administrator affiliated with ECU who is the primary signatory on the assessment (the Assessor(s)). If there has been a clerical or administrative error, or if after the discussion, the Assessor(s) wishes to change their evaluation for any other reason, the Assessor(s) will notify the program's academic leadership and the student of the change.

STEP 2: WRITTEN APPEAL TO THE DEAN

If a discussion with the Assessor(s) results in no change to the evaluation and the student wishes to further appeal the decision of the Assessor(s), the student must submit a written appeal to the Dean of the Faculty in which the review is conducted. Where the Dean is the instructor or supervisor in question, the Registrar will appoint an alternate Dean. The Dean may meet with both the Assessors and the student to see if a resolution of the disagreement can be mediated.

The Dean will strike a committee to review the assessment and evaluation and the student's written appeal with the following membership and make a finding to either accept the original evaluation or recommend a new evaluation:

- 2 faculty members supervising or teaching within the program in which the review is based within the current or previous academic year identified by the Student requesting the appeal

At this stage, no new evaluation will be assigned without the original Assessor(s)'s agreement.

STEP 3: FINAL APPEAL TO APPEALS TRIBUNAL

If no resolution has been achieved through the written appeal to the Dean to the satisfaction of the student, a student may appeal the initial decision of the Assessor(s) by following the procedure listed below:

1. A student wishing to appeal his or her evaluation must make a formal written appeal to the Registrar's Office within one (1) month of the mailing or issuing of the non-course-based assessment. All previous correspondence, supporting material, or documentation regarding the appeal must be provided by the student to the Registrar.
2. The Registrar will request a report from the Dean on the results of the written appeal to the Dean. The Registrar will convene the Appeals Tribunal and will supply the members with the materials collected from the student, the Assessor(s), and any supplementary materials provided by the Dean of the Faculty in which the progress review or non-graded activity that is subject to formal assessment took place.
3. The Tribunal may request the student and the assessors to appear before the Tribunal or interview each separately.
4. The Tribunal may override an assessor(s)'s decision on three grounds:
 - (a) the Assessor did not appropriately weigh the evidence provided
 - (b) the assessment criteria were not made clear to the student in advance
 - (c) there is evidence that the assessment is not consistent with other students subjected to the same review or assessment
5. The Tribunal will not override an Assessor(s)'s decision where the central issue of the student's appeal is a difference of opinion between the student and the Assessor(s) about the Assessor(s)'s judgment.

FINAL DECISION

Within the University, the Tribunal's decision is final and may not be further appealed.

APPEALS TRIBUNAL

1. The Appeals Tribunal operates under the Senate.
2. Membership includes:
 - Registrar
 - Vice President Academic
 - 2 students elected by and from the Senate Appeals Committee
 - 2 faculty members elected by and from the Senate Appeals Committee
3. The Chair of the Tribunal shall be the Registrar
4. The Tribunal's meetings shall be "in camera" except where an instructor or student is invited to be a particular part of the Tribunal's deliberations.
5. Actions by the Tribunal shall consist of one of two motions:
 - (a) that the appeal be denied, or
 - (b) that the appeal be sustained.

If the appeal is sustained, the Tribunal will ask the Assessor(s) to provide a new evaluation with a rationale. If the Assessor(s) does not wish to provide a new evaluation, the Tribunal will assign the new evaluation by majority vote. If the Tribunal is unable to reach a decision on the evaluation outcome to be assigned, an independent Assessor who has not yet been involved in the process may be invited to review the materials and provide a final assessment.