

7 ACADEMIC DECISIONS AND APPEALS

Various types of academic decisions may be made by a course professor, Program Director, Associate Dean, Academic Progress Committee, Academic Integrity Panel, Academic Appeals Committee and/or the University Student Appeal Board.

The appeals process at Queen's University is comprised of several levels of appeal by different appeal bodies. In accordance with the Student Academic Appeals Policy, (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>) the decision system is based on the principle that academic decisions should generally be made by those who are most familiar with the context.

Students are strongly encouraged to meet with an Academic Advisor to discuss appeal procedures. An Advisor can help to explain the process, ensure the student is prepared for the hearing, and act as a support. Students are also encouraged to consult the University Ombudsperson as a resource for information and advice (for more information see Office of the University Ombudsperson (<https://www.queensu.ca/ombuds/home/>)), as well as the Student Academic Appeals Policy (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>).

Only students registered in the Commerce Program are eligible to initiate an appeal using the program's appeal procedure (see the Student Academic Appeals Policy (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>)). Students who have graduated from the Commerce Program are not eligible to submit an appeal of any kind twenty (20) business days after their graduation. Students who voluntarily withdraw are not eligible to submit an appeal of any kind after twenty (20) business days after their withdrawal.

Admissions decisions are not subject to appeal. For more information, see the Student Academic Appeals Policy (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>).

Appeals of academic decisions fall into four possible categories:

1. Appeals of grades
2. Appeals not related to academic progression
3. Appeals of academic standing and progression decisions
4. Appeals of academic integrity decisions

7.1 Extenuating Circumstances and Academic Appeals

The Academic Regulations for Commerce are designed to ensure that academic standards are upheld and that all students are treated fairly and equitably. The appeal process is available to reconsider the suitability of sanctions or penalties imposed upon a student in light of information brought forward by the student concerning extenuating circumstances.

Extenuating circumstances means a personal circumstance beyond the student's control that has a direct and substantial impact on the student's ability to meet essential academic requirements or standards. Extenuating circumstances include but are not limited to a sudden or acute physical or mental illness, serious injury to self or significant others, bereavement, a traumatic event, or other serious personal/family crisis. This definition is not intended to be exhaustive, as there are a wide range of circumstances that may impact the well-being of students, including experiences of racism, exclusion, discrimination, sexual violence, and/or financial difficulties.

Please note extenuating circumstances do not include personal or family events (e.g. holidays, weddings), academic or exam stress, or transportation or technological difficulties. Running for election or serving on student government or other committees/associations are also not considered extenuating circumstances. Running for election or serving on student government or other committees/associations are also not considered extenuating circumstances.

As outlined in 6.3 *Academic Consideration for Students in Extenuating Circumstances*, reasonable academic consideration will be implemented as appropriate during the course of the term. During the process of deciding academic appeals, the decision-maker will look at whether the student raised the issue of extenuating circumstances with their instructors and/or the Commerce Office in a timely manner and whether reasonable academic consideration was made. Students should indicate in the appeal if the nature of the circumstances prevented such a request from being made. Experiencing a brief and/or mild illness for which academic consideration has been granted is not considered a basis for appeal.

Students are strongly advised to discuss their appeal with an Academic Advisor.

7.1.1 Unresolved Circumstances

Extenuating circumstances that affect a student's ability to fulfill their academic obligations should be raised



by the student through the academic consideration procedure during the term. If the student received academic consideration, the appeal should outline why the consideration was inadequate. If the circumstance is related to an accommodation through Queen's Student Accessibility Services (<https://www.queensu.ca/studentwellness/accessibility-services/>), the appeal should explain how the accommodation has changed, or how the existing accommodation is inadequate.

Multiple appeals citing the same extenuating circumstances will be reviewed closely. This review may include, with the permission of the student, consultation with the appropriate professionals involved to obtain more detailed information. In order for such an appeal to succeed, there should be evidence that the circumstances that affected the student's academic performance will be resolved within a reasonable timeline, or will be appropriately managed on an ongoing basis.

7.1.2 Official Documentation

Official documentation does not need to outline the specifics of the particular condition or matter affecting the student. The information should clearly indicate the ways in which the extenuating circumstances directly affected the student's performance, and it should verify that these effects were substantial enough to cause the academic problem. Information on the start, duration, and present state of the extenuating condition is critical to helping the committee to make an informed decision. Further, the documentation should include a clear statement on whether the condition or circumstances have either improved or are being managed.

All official documentation for all levels of appeal may be verified.

7.1.3 Extenuating Circumstances as They Relate to Academic Performance

Note that the actual detailed personal circumstances are not as important as the effects of these events on a student's academic performance. Therefore, students should make a direct connection between the extenuating circumstances as outlined in the supporting documents and the effect on their academic performance. Students must outline the following:

- when the particular event(s) occurred
- how long they were affected
- what course work was affected
- whether a request for academic consideration was made to the course instructor and/or the Commerce Office, and
- if academic consideration was provided, why it was not adequate.

Students should also outline what steps they took to deal with the extenuating circumstances during or after the occurrence (for example, consultation with a health-care professional or personal counsellor), or why they were unable to take such steps. When considering extenuating circumstances, it is recognized that each situation may vary in terms of impact and severity. The designated decision maker(s) will consider these factors in each case, and will use discretion and judgement in determining whether an academic appeal should be granted. When warranted by the extenuating circumstances, the decision-maker may make some allowance for the impact of those circumstances.

7.2 Integrity of the Academic Transcript

It is essential to maintain the integrity of a student's official transcript at the University as an accurate and complete record of academic activities. According to Queen's University policy, an Official Transcript is a complete record that includes the extent and quality of all Senate-approved work (academic and continuing education) attempted at the institution.¹ A student's transcript lists the courses taken each year of their studies and any available course marks. Thus, a transcript is an official summary of a student's academic performance. Once a student has written the final exam and/or submitted deliverables for the course within the academic term, the transcript should reflect that fact. An academic appeal that would significantly alter a student's transcript (e.g. removing the grade recorded for a completed course) typically will not be granted.

¹ <http://www.queensu.ca/registrar/resources/policies/transcript> (<http://www.queensu.ca/registrar/resources/policies/transcript/>)

² It is the responsibility of the student to preserve all original exercises, papers, reports, and other graded material for the course and to submit relevant materials with the appeal. In any formal appeal for reassessment of a deliverable, the student must accept the responsibility for ensuring that the work presented for reassessment is in fact the original work submitted for evaluation. If the work has been altered, the submission will be investigated as a departure from Academic Integrity according to the Smith School of Business Policy on Academic Integrity.

7.3 Appeals of Grades

Students have the right to review all graded work in a course, including the final examination. For the purposes of this section, "final examination" means the final examination question paper and the graded answer paper written by the student.

The final examination must be retained by the instructor or the School for a period of 12 months, in accordance with the Senate Policy on Student Access to Final Examination Papers (see Senate Policy on Student Access to Final Examination Papers (<https://www.queensu.ca/secretariat/policies/senate/senate-policy-student-access-final-examination-papers/>)).

7.3.1 Reassessment of Graded Deliverables

Informal Review

A student with questions about a grade for a deliverable should follow the review policy (if any) outlined in the course syllabus in the applicable course; if the syllabus does not have a review policy, the student should request an informal review before requesting a formal reassessment.

Students with questions about a final examination grade should first request an informal review of their final examination. Instructors may arrange for a supervised informal review of the final examination paper with a student who requests it, and are encouraged to do so. However, access to the final examination may not be granted to a student before the final marks are released.

Students are encouraged to contact their instructor regarding an informal review in a timely manner, as requests for a formal reassessment must be made within twenty (20) business days of release of the grade. If a grade changes as the result of an informal review by the instructor, the student has twenty (20) business days from the release of the new grade to submit an appeal for a formal reassessment.

If a student believes that an informal review may not be appropriate under particular circumstances, the student must provide a rationale as to why an informal review was not requested when submitting the appeal for formal reassessment.

Formal Reassessment

If informal access to the final examination is not granted, or the student is not satisfied with the informal review, the student may ask for the assistance of the Commerce Office in order to initiate a formal reassessment through an appeal to the Associate Dean, Faculty (or delegate).

In a formal reassessment, the entire deliverable will be reassessed; a student may not request that only a portion of a deliverable be reassessed. A reassessment may result in the grade increasing, decreasing, or remaining the same. Note that a passing grade may be reassessed as a failure. If the grade increases or decreases, the original instructor will be asked to recalculate the final course grade. Note that a passing

final course grade may be recalculated as a failing final course grade.

An appeal, once begun, cannot be put on hold. If the appeal is withdrawn, the right to appeal the grade will expire once twenty (20) business days from release of the grade have passed.

Process

The student must meet with an Academic Advisor in order to submit an appeal for a reassessment. If a deliverable was completed as a team, each member of the team must agree in writing to submit the appeal. In the appeal request, a student must:

1. provide a written statement that clearly articulates grounds for reconsideration and identifies specifically why the mark given was not a correct assessment, for example:
 - a. show, in an objective answer, that a correct answer has been counted as incorrect;
 - b. show, in a qualitative or essay answer, that the response has been under-evaluated substantially;
2. provide relevant documentation to support the appeal (e.g. class notes, rough work, email communication, record of attendance, etc.); and
3. submit the original, unaltered graded material (if the work has been returned to the student, such as graded paper, graded PowerPoint deck, rubric, or written feedback from the instructor)¹

Non-substantive statements that do not relate directly to the content of the deliverable (e.g. "I worked hard on this assignment", or "I don't usually get grades like this") do not constitute acceptable grounds for a reassessment.

The Associate Dean, Faculty (or delegate) will facilitate the reassessment by appointing one or more reviewers, depending on the nature of the appeal. If there are two reviewers, one is normally the original instructor; however, if the original instructor is not available, or if the student can demonstrate bias or other conflict on the part of the original instructor, the Associate Dean, Faculty (or delegate) may appoint another reviewer with good knowledge of the course material. In such cases, the original instructor may be asked to provide any documentation relevant to the reassessment.

Each reviewer will independently assess the deliverable using the guidelines set out by the course instructor. Reviewers will be provided with the class average on the deliverable, which may be considered as part of the reassessment.



The Associate Dean, Faculty (or delegate) will arbitrate the final grade and report the grade to the Commerce Office. The result of the appeal will usually be communicated to the student within forty (40) business days of receiving the request.

The result of the appeal may be further appealed by the student to the Academic Progress Committee only on the basis of an error in process or procedure.

- ¹ It is the responsibility of the student to preserve all original exercises, papers, reports, and other graded material for the course and to submit relevant materials with the appeal. In any formal appeal for reassessment of a deliverable, the student must accept the responsibility for ensuring that the work presented for reassessment is in fact the original work submitted for evaluation. If the work has been altered, the submission will be investigated as a departure from Academic Integrity according to the Smith School of Business Policy on Academic Integrity.

Late Informal Review and Formal Reassessment of Final Examination

Typically, an informal review of a final examination must take place in-person. Therefore, it cannot take place until the student returns to in-person studies on campus.

After returning to in-person studies on campus, the student has twenty (20) business days to complete the informal review with the instructor and submit the formal reassessment.

For example: Student receives grade for final examination that was written in the fall term, but will not be returning to on-campus studies until the following fall term (away on exchange in winter term and not on campus in the summer term). This student has twenty (20) business days from first day of classes in the fall term to complete the informal review and submit the formal reassessment.

It is recommended that arrangements for the informal review be made with the instructor before returning to campus so that it can take place as early as possible in the term, in order to allow sufficient time for completion and submission of the formal reassessment by the deadline.

Late Appeal for Reassessment

To submit an appeal for reassessment beyond the deadline of twenty (20) business days, the student must appeal in writing to the Executive Director of the Commerce Program.

If approved to appeal late, student has twenty (20) business days after notification of approval to submit appeal for

reassessment. The policy 7.4.1.1 *Requests to Waive the Timeline* applies in this case.

7.4 Appeals to the Executive Director

The Executive Director of the Commerce Program (or delegate) makes some decisions, not directly related to academic progression, for students in the Commerce Program.

Appeals to the Executive Director include requests:

- To drop a course after the last day of classes (see 4.4.8 Adding and Dropping Course (<https://queensu-ca-public.courseleaf.com/archive/2021-2022/business/bachelor-commerce/program-curriculum-grading/#degreerequirementsandcoursestexts>))
- For Aegrotat (AG) standing in a class (see 4.5.1.2 *Aegrotat Standing*)
- For Credit (CR) standing in a class (see 4.5.1.3 *Credit Standing*)
- For an extension of the deadline to submit incomplete work in a course that has been graded Incomplete (see 4.5.1.5 *Incomplete*)
- To waive a requirement to be eligible for international exchange (see 4.4.10 *International Exchange*)
- To extend term of study beyond six (6) years (see 4.3 *Timeframe*)
- To waive an appeal timeline
- Other comparable matters

There are four (4) levels of appeal for matters related to the above items:

1. Executive Director
2. Academic Progress Committee (APC)
3. Academic Appeals Committee (AAC) of Faculty Board
4. University Student Appeal Board (USAB)

7.4.1 Timeline of Appeals to Executive Director

Any appeal of the academic matters listed above must be made by the end of the subsequent term of that in which the course being appealed was taken.

Term of Course being Appealed	One-Term Appeal Deadline
Fall Term	April 30
Winter Term	September 15
Summer Term	December 31

This timeline is in place for several reasons. First, the one-term timeline offers students time to seek academic advising, to write and submit an appeal, and to collect the supporting documents necessary to the appeal. Second, the appeal

timeline is in place to ensure that decision making takes place in a timely manner, allowing students to continue in their academic programs without ongoing concern for unresolved matters. Third, the appeal timeline is in place to ensure fair decision making. The interested parties and the contexts within which the matter originated may not be available after this time period. Therefore, the inability to accurately assess the circumstances leading to the matter under appeal can compromise the decision-making process.

Students who have graduated from the Commerce Program are not eligible to submit an appeal of any kind twenty (20) business days after their graduation.

7.4.1.1

Requests to Waive the Timeline

Exceptions to this regulation can only be granted in cases where extenuating circumstances render the student unable to appeal within the specified timeline. The student must be able to show that the extenuating circumstances were ongoing. The student must also be able to demonstrate that these circumstances prevented the student from acting between the time the original decision was received and the time at which the appeal was eventually initiated. Requests to waive the regulation governing the timeline for appeals must be submitted in writing. A request of this type should include a presentation of the specific reasons for the delay and must include documents that support the reasons for the delay. Students should speak to an Academic Advisor about making such a request.

7.4.2 Submitting an Appeal to the Executive Director

Appeals require evidence of extenuating circumstances beyond the student's control, and supporting official documentation. For more information see 6.3.1 *Extenuating Circumstances* and 7.1.2 *Official Documentation*.

As part of the written appeal, a student should:

- submit the appropriate appeal form to an Academic Advisor;
- attach a letter outlining the reasons for the request and any other detail that may help the Executive Director (or delegate) understand the student's case;
- include all relevant documentation that the student believes supports the appeal (e.g. medical notes); and

Once all of the required documentation has been received, the student's appeal will be reviewed by the Executive Director (or delegate).

After reviewing all information, the Executive Director (or delegate) shall either:

- grant the student's appeal; or
- reject the student's appeal; or
- move the decision to the Academic Progress Committee (APC)

The Executive Director (or delegate) shall give his/her decision and supporting reasons in writing within a reasonable period of time as demanded by the complexity of the case.

The decision will advise the student that, if new information becomes available, an appeal may be resubmitted to the Executive Director (or delegate) for further consideration.

The decision shall also advise that the student has the right to appeal the original decision, in writing to the APC. A student who wishes to appeal an academic decision must give written notice of his or her intent to appeal and submit his or her appeal within ten (10) business days of receipt of the decision to be appealed. The decision shall also direct the student to the University Ombudsperson as a resource for information and advice.

7.5 Appeals to the Academic Progress Committee

There are three (3) levels of appeal for matters related to academic progression and decisions that have already been assessed by the Executive Director.

1. Academic Progress Committee (APC) of the Commerce Program
2. Academic Appeals Committee (AAC) of Faculty Board
3. University Student Appeal Board (USAB)

7.5.1 Terms of Reference

The Undergraduate Academic Progress Committee is responsible for making decisions about academic progression and other academic matters relating to the Bachelor of Commerce program at the Smith School of Business.

Academic Progress Committee members are knowledgeable about the Smith School of Business Bachelor of Commerce program, and Queen's University policies and procedures.

7.5.2 Jurisdiction

Decisions on academic matters not directly related to progression in the Bachelor of Commerce program are made by the Executive Director of the Commerce Program (hereafter called the "Executive Director").

In accordance with the Student Academic Appeals Policy (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>)², the Academic Progress Committee (APC) is established by the Smith



School of Business Faculty Board to monitor and make decisions about the academic progress of Bachelor of Commerce students.

The APC considers the cases and special circumstances, if any, of students who appeal a decision regarding the application of the academic regulations, and appeals of other academic decisions made by the Executive Director.

- ² The Student Academic Appeals Policy can be found at <https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy> (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>). Please note that the policy defines reasonable as follows: A “reasonable” decision is one that is rational in that its findings are based on evidence, thought out and supported by facts and logical inferences from findings of fact. To be reasonable, the decision must contain adequate reasons for the conclusions. A decision should be upheld if it falls within a range of possible, acceptable outcomes, in which case USAB is not permitted to substitute its opinion for that of the decision-maker whose decision is under appeal.” This is the sense in which “reasonable” is used here.

Students may appeal the following matters:

1. Application of the Bachelor of Commerce progression regulations, including but not limited to Academic Probation, requirements to withdraw, and other comparable decisions (see 5.4.1 Academic Probation and 5.4.2 Requirement to Withdraw (<https://queensu-ca-public.courseleaf.com/archive/2021-2022/business/bachelor-commerce/academic-regulations/>));¹
2. Appeals to the Executive Director include requests:²
 - a. To drop a course after the last day of classes (see 4.4.8 *Adding and Dropping Courses*)
 - b. For Aegrotat (AG) standing in a class (see 4.5.1.2 Aegrotat Standing (<https://queensu-ca-public.courseleaf.com/archive/2021-2022/business/bachelor-commerce/program-curriculum-grading/#gradingtext>))
 - c. For Credit (CR) standing in a class (see 4.5.1.3 Credit Standing (<https://queensu-ca-public.courseleaf.com/archive/2021-2022/business/bachelor-commerce/program-curriculum-grading/#gradingtext>))
 - d. For an extension of the deadline to submit incomplete work in a course that has been graded Incomplete (see 4.5.1.5 *Incomplete*)
 - e. To waive a requirement to be eligible for international exchange (see 4.4.10 *International Exchange*)

- f. To extend term of study beyond six (6) years (see 4.3 *Timeframe*)
 - g. To waive an appeal timeline
 - h. Other comparable matters
3. Decisions made by the Associate Dean (Faculty) regarding reassessments of grading (see 7.3 *Appeals of Grades*)³

- ¹ An appeal can only be made based on 6.3.1 *Extenuating Circumstances* supported by 7.1.2 *Official Documentation*.
- ² An appeal can be made based on the following considerations:
1. lack of procedural fairness;
 2. inappropriate consideration of extenuating circumstances;
 3. academic policies and principles reflected in the School's regulations were not upheld; or
 4. the decision made was unreasonable
- ³ An appeal can be made based on the following considerations:
1. lack of procedural fairness.

7.5.3 No Jurisdiction

The APC does not have jurisdiction to hear appeals of:

1. matters related to the reassessment of deliverables which are not related to process and procedure (such appeals are made to the Associate Dean, Faculty);
2. findings or sanctions related to departures from Academic Integrity (such appeals are heard by the Smith School of Business Academic Integrity Panel);

7.5.2 Membership

APC hearings shall normally be heard by a minimum of four (4) members, three (3) of whom are faculty and one (1) of whom is a student. An APC hearing may not be heard by fewer than three (3) members, two (2) of whom are faculty and one (1) of whom is a student. One of the faculty members shall be appointed Chair if the Chair of APC is unable to participate.

1. Five (5) faculty members (one of whom shall be appointed the Chair) will normally serve for a period of three (3) years, preferably with staggered terms. Faculty members are appointed by the Associate Dean (Faculty). New members shall assume their duties on July 1 of each year.
2. Two (2) student members will be the Academics Officers of the Commerce Society; however, the Executive Director, in consultation with the Chair of the APC and the Commerce Society Executive, reserves the right to appoint alternate student members if the Academics Officers are unavailable or face a conflict

of interest. The primary student representatives shall assume their duties on September 1 of each year. The alternate student members will be currently registered students in any of the School's programs. The APC will be supported by the Director of Student Services of the Commerce Program (hereafter called the "Director of Student Services"), and her/his delegate(s). These persons will serve as advisors to the APC, and may attend APC hearings, and will have no voting rights.

A minimum of two members of the APC, at least one student member and one faculty member, will be designated Equity Representatives for each hearing. The role of the Equity Representatives is to ensure an equity lens is applied to the processes, procedures, and decisions of the APC. Equity Representatives will be appointed in consultation with the Smith Equity, Diversity, and Inclusion Director and will have expertise in equity through training, academic work, professional experience, community organizing, and/or lived experience.

7.5.5 Role of the Chair

The Chair of the APC will be a faculty member. Another member of the APC may be delegated the role of Chair if the appointed Chair is unable to participate in a particular case.

Normally, the Chair shall:

1. convene hearings;
2. preside over Hearings of the APC according to the Rules of Procedure and give procedural direction for the conduct of individual cases to the extent that a procedural issue is not dealt with in the Rules of Procedure¹;
3. participate in the deliberations and decision-making;
4. guide the APC in the uniform and consistent application of the regulations and relevant policies;
5. ensure Hearings are conducted fairly and with due process; and
6. draft and finalize the decision of the APC consistent with the findings and reasons of the APC members.

¹ See the APC Rules of Procedure for the rules regarding pre-hearing, hearing, and post-hearing matters.

7.5.6 Rules of Procedure

The following Rules of Procedure apply to the General Proceedings, Appeal Hearings ("Hearings"), Decisions, Post-Hearing and Record-Keeping matters of the Undergraduate Academic Progress Committee (APC).

These Rules of Procedure shall be interpreted liberally to facilitate the just, expeditious, and cost-effective determination of every proceeding on its merits.

1. *APC Decisions will be made in accordance with relevant school regulations and policies*
The APC will adhere to the Commerce program Academic Regulations, as well as policies and procedures of the School and Queen's University
2. *All appeals are to be heard by the APC in a private hearing*
To protect the privacy and confidentiality of students, APC meetings and hearings are closed to the public.

Hearings are not normally recorded, unless a special request is made by the appellant in advance of the Hearing. In such a case, the Chair of the APC ("Chair") will decide whether to record the Hearing. The Chair may also wish to record a Hearing, and will inform the parties of the intention to do so in advance of the Hearing. Any transcripts of a Hearing will be provided to either party upon request, in which case a copy will also be provided to the other party. Transcripts must be treated as confidential. There will be no recording of the APC's deliberations. Participants may take their own notes during the Hearing. All such notes are transitory¹ and are not considered to be University Records.

3. *No conflict of interest*
In cases where an APC member has, or may be reasonably perceived to have, a conflict of interest with respect to a specific case, that individual may not serve at the APC Hearing in connection with that case.²
4. *APC members are to be present for the entire hearing*
No member of the APC will participate in the deliberations or the final decision of the APC unless the member is present for the entire appeal hearing.
5. *Supplementary rules of procedure*
As needed, the Chair has the power to issue additional rules of procedure to govern the conduct of a hearing.
6. *The APC has no power to compel any person to attend a hearing*
The Chair may request the participation of parties and witnesses, but cannot compel participation.

¹ See the Queen's University Policy on Transitory Records: (<https://www.queensu.ca/accessandprivacy/guidance/transitory-records/>)

Transitory Records are created or received by the University in the course of conducting its activities, but have no ongoing operational, informational, evidential or historical value. Usually transitory records have an immediate or short-term value, pertaining to an immediate task or minor transaction. They can exist in any format or medium. An example is an e-mail confirming attendance at a meeting.

² Normally, having taught the student in a class that is neither directly the subject of the appeal nor indirectly the subject of the appeal is not considered a conflict of interest and does not require that the APC member recuse themselves. A conflict of interest may be present if: there is a relationship between the APC member and the student (such as a consulting or family relationship); the APC member has an interest in the outcome of the decision; there is evidence to suggest the APC member has pre-judged the case; the APC member was involved in an earlier stage of decision-making. In cases where a conflict is unclear, the remaining members of the APC will determine if the member should be recused.

7.5.7 Appeal Hearing

A student who wishes to appeal the application of the Commerce Program progression regulations or an academic decision made by the Executive Director has a right to a hearing before the APC.

The student must give written notice of their intent to appeal within five (5) business days of receipt of the decision to be appealed. The student must submit their written appeal, including any supporting documentation, within ten (10) business days of receipt of the decision to be appealed.

If a student would like to request an extension of the deadline to submit the written appeal and/or documentation, a written request must be submitted to the Director of Student Services (or delegate). The student must submit this request before the original deadline, along with a written rationale explaining why the extension is required and, if applicable, a description of the nature of the documentation to be submitted. The APC will evaluate the request and, if the request is approved, provide a revised deadline. The Director of Student Services (or delegate) will communicate the decision to the student.

7.5.8 Written Submissions¹

¹ Note that in complex cases, additional time may be required. The Chair has the power to make exceptions to the stated timeframes as appropriate based on the complexity of the case. Parties must make requests for additional time to the Chair as soon as they determine the need for additional time.

As part of the written appeal, a student should:

1. submit a brief letter to address the progression or academic decision;
2. include all relevant documentation that the student believes supports the appeal (e.g. medical notes)
3. indicate whether they intend to appear before the APC;
4. indicate if they will bring a representative to the hearing and advise who that representative will be, and;
5. indicate their desired remedy for the situation.

Students are strongly encouraged to discuss their appeal with an Academic Advisor. An Advisor can help ensure their written submission is complete. An Advisor can also attend hearing as a support person or delegate.

In the case of appeals of academic decision made by the Executive Director or Associate Dean (Faculty), the Chair of the APC will share the Student's Submission with the relevant decision maker, who will have five (5) business days following receipt of the Student's Submission to respond with their own written Submission if they wish.

The Executive Director or Associate Dean (Faculty)'s Submission should include:

1. the reasons for their decision;
2. any pertinent evidence, and;
3. a list of any persons they intend to bring to the Appeal Hearing.

7.5.9 Pre-Hearing

The Director of Students Services and her/his delegates will:

1. set a hearing date for the APC;
2. coordinate the collection of materials relevant to the student's appeal including, but not limited to, the written submissions as above;
3. distribute the appeal file to the APC members and any other party to the appeal;
4. arrange for the Hearing to be conducted in an appropriate space;
5. attend the Hearing when asked.

All hearings will be held via telephone or video conference. It is the expectation students who wish to attend the hearing will make themselves available within a reasonable period of time. Typically, this will be within fifteen (15) business days from the date the student is contacted by email to schedule a hearing. Students are expected to actively monitor their Queen's email account and respond in a timely manner. Late requests to schedule a hearing because the student missed email communication from the APC or delegate(s) will not be considered.

After setting a Hearing date, the Director of Student Services or their delegate(s) will give the student notice of the Hearing. A notice of Hearing will include:

1. a statement of the time, place and purpose of the Hearing;
2. a statement of the structure of the meeting, including the names of all people expected to be in attendance;
3. a statement that explains a student has a right to representation and highlights the role of the Office of the University Ombudsperson; and
4. a statement that explains if the student notified does not attend the Hearing, the APC may proceed in the student's absence and the student will not be entitled to any further notice in the proceeding.

There may be times when a student is uncomfortable, or unable, to communicate with the APC and/or the Commerce Office due to the traumatic nature of the extenuating circumstances. In this case, students may appoint a delegate. A delegate is an individual acting on behalf of a student. A delegate may assist the student with communication with the Commerce Office and the APC, the preparation and submission of documentation, and may act as a support during the hearing. Students may ask an Academic Advisor, a counsellor, a family member, or another appropriate person to act as their delegate. Written consent must be received from the student for the delegate to act on their behalf.

Students can also choose to be accompanied by a support person at any meeting with an academic decision-maker. A "support person" is an individual whose role is to provide emotional support and assistance. A support person can be anyone of the student's choice so long as that person is not directly involved in the issue, for example as a witness. The support person may be an Ombuds Academic Appeal Advisor, if assigned by the University Ombudsperson to the case. A support person does not advocate on behalf of a student.

7.5.10 The Proceeding

1. APC members will have access to the student's appeal file, which will contain the following materials:
 - a. the original decision letter;
 - b. all written response(s) by the student to the progression or academic decision;
 - c. all documents provided by the student;
 - d. the written response of the Executive Director if one was provided;
 - e. a copy of the student's most recent transcript;
2. The student has the right to appear at the hearing, or to opt not to appear at the Hearing.
3. A Hearing may proceed and a decision made without additional input from the student in cases where the student opts not to appear at their Hearing.
4. The student has the right to representation, including an Ombuds Academic Appeal Advisor or legal counsel or other agent (all at the student's own expense) at the Appeal Hearing. The student must inform the Chair of the name and role of any representatives in advance of the Hearing. The APC may also invite legal counsel to a hearing, in which case the student will be informed in advance of the hearing.
5. If the student is appealing a decision made by the Executive Director or Associate Dean (Faculty), they (or delegate) will normally attend the hearing, and make oral submissions. If a student has a legal advisor, a decision-maker or the members of a decision-making body can nevertheless question the student directly. The student's legal advisor cannot answer questions on the student's behalf.
6. Members of the APC may ask questions of the Commerce Program representative(s) for the purpose of clarification.
7. Other witnesses may be asked to participate in the hearing as deemed necessary by the Chair. Witnesses are individuals who have first-hand knowledge of the matters at issue in the Appeal Hearing; the evidence of 'character' witnesses will not normally be received by the APC. Each party shall have an opportunity to question witnesses. The Chair can limit questioning of a witness if the Chair believes the questioning is irrelevant, abusive, or otherwise inappropriate.
8. The Chair has the right to exclude evidence that is deemed irrelevant, repetitive, or otherwise inappropriate.
9. If, during the course of the hearing, the Chair decides that more information is required in order to clarify a matter, the Chair may adjourn the hearing to permit the relevant parties to bring forward such information or facts or to permit the APC to obtain such information.



10. The Chair may decide to adjourn the hearing at the request of a party if the Chair believes that a party may be unfairly prejudiced should the Hearing proceed.
11. The APC has the right, after the hearing, to seek confirmation and/or verification of any evidence, claims, or submissions made by any participants in the Hearing. If versions of evidence are found to be conflicting or inaccurate, the Chair may request submissions from the Parties on this issue. Where it appears that false information was provided to the APC, the matter may be investigated under the Smith School of Business Academic Integrity Policy.

7.5.11 The Decision

After hearing all the evidence, the APC shall deliberate in camera. The deliberations of the APC are confidential.

Following deliberations, the APC may:

1. Dismiss the Appeal and uphold the original decision of the Executive Director or Associate Dean (Faculty). In the case that the student be required to withdraw, a formal letter advising the student of the requirement to withdraw will be issued; or,
2. Allow the Appeal and grant the remedy requested by the student; or,
3. Allow the Appeal in part and modify the original decision, and impose an appropriate sanction. This may include:
 - a. Imposing specific conditions under which the student will be permitted to continue in the Program and/or any requirements the student must meet, including the timelines within which such conditions and/or requirements must be met;
 - b. Requiring the student to:
 - i. repeat a course;
 - ii. achieve a minimum grade(s) or Grade Point Average;
 - c. Placing the student on Academic Probation until the student satisfies all conditions and/or requirements within the timeline(s) set by the APC.
 - d. Imposing other terms and/or conditions as may be appropriate for the specific situation.

No decision-maker in the University has the power to direct that a student receive compensation for any costs or expenses incurred in the course of any University-based proceeding.

The APC's Decision shall be communicated to the student within five (5) business days, or within a reasonable time as demanded by the complexity of

the case, by the Director of Student Services or their delegate(s).

The Decision Letter will include the reasons for the Decision, will advise that the student has a right to appeal, in writing, to the Smith School of Business Academic Appeals Committee, and will advise that notice of intent to appeal must be given within five (5) business days of receipt of the APC's decision. It will also direct the student to the University Ombudsperson as a resource for information and advice.

The Decision Letter shall be the official record of the Appeal. The Decision Letter will include the effective date of any actions to be taken by the Program (see *5.5 Effective Date of Sanctions*). However, in accordance with the Student Academic Appeals Policy, the student normally is entitled to exhaust all levels of appeal before sanctions are applied.

7.5.12 Records Management

Appeal Records consist of all documents filed by the parties, the recording, if any, of the Appeal Hearing(s), the transcript, if any, of the recording, and the Decision Letter issued by the APC.

7.5.12.1 Responsibilities of the Chair

The APC Chair or delegate is responsible for collecting and distributing Appeal Records. The Chair (or delegate) shall handle such records in a secure manner which protects the confidentiality of the documents.

7.5.12.2 Records Responsibilities of the Chair

Once the APC renders its decision:

1. The Decision Letter is the official record of the Decision, a copy of which shall be kept by the Commerce Program Office.
2. Original Appeal Records are to be kept by the Commerce Program Office in accordance with records retention policy.
3. Transitory records shall be destroyed immediately following the issuance of the APC's Decision.
4. Duplicated records shall be destroyed.

7.6 Appeals of Academic Integrity Decisions

Course professors will normally investigate and make decisions regarding possible violations of academic integrity in their courses in accordance with the Smith School of Business Academic Integrity Policy (https://smith.queensu.ca/_templates/documents/general/Policy%20-%20School%20of%20Business%20Academic%20Integrity%20-%20updated%20Aug%202015.pdf).

Appeals of professors' decisions regarding academic integrity are made to the Academic Integrity Panel.

In cases where the Academic Integrity Panel is the initial decision maker, appeals are made to the Academic Appeals Committee.

7.7 The Academic Appeals Committee

The Smith School of Business Academic Appeals Committee (AAC) has jurisdiction over all matters related to academic appeals involving students registered in the School of Business (with the exception of the PhD and Master of Science programs). The AAC hears appeals of decisions made by Academic Progress Committee and the Academic Integrity Panel.

Please see the terms of reference for the AAC for further information.

Appeals of decisions made by the AAC are made to the University Student Appeal Board.

7.8 The University Student Appeal Board

Students wishing to appeal a decision by the Academic Appeals Committee must make their intention known to the University Student Appeal Board (USAB). All students should be familiar with their rights as established in the Student Academic Appeals Policy (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>), including section E., System for Handling Appeals to University Student Appeal Board (USAB).

The USAB is the final internal appeal body at Queen's University. The decision of the USAB is final, and there is no further level of appeal.

7.9 Appeals to Partner Institutions

Appeals of academic decisions at exchange institutions, or other institutions hosting Queen's students, are subject to the policies and procedures at those universities. Students should note that Queen's has no jurisdiction, or ability to influence, partner exchange universities in these matters.