

7 ACADEMIC DECISIONS AND APPEALS

Various types of academic decisions may be made by a course professor, Program administration, 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 resource for the student. Students are also encouraged to consult the University Ombudsperson as a resource for further 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 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

Appeals of such decisions must be based on specific grounds, such as a decision-maker acting outside their jurisdiction and procedural unfairness. Being unsatisfied with a decision is not a ground of appeal. Extenuating circumstances may also provide a basis for appeal.

7.1 Extenuating Circumstances and Academic Appeals

The Academic Regulations for the Commerce Program are designed to ensure that academic standards are upheld and that all students are treated fairly and equitably. For students who experienced extenuating circumstances, 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 those 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. vacations, weddings), academic or exam stress, or transportation or technological difficulties. Running for election or serving on student government or other committees/associations, being involved in multiple clubs, or being very busy are also not considered extenuating circumstances.

As outlined in *8.3 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 adjudicating academic appeals, the decision-makers will consider whether the student raised the issue of extenuating circumstances with the Commerce Office in a timely manner and whether reasonable academic consideration was provided at that time. 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 process as soon as the need for consideration is apparent. 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

See section 8.3.2 on *Documentation Substantiating Extenuating Circumstances*. 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 academic 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 decision-maker 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 extenuating circumstances are not as important as the effects of these events on a student's academic performance. Therefore, in an appeal, 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 the student was 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 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. 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 activities and 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 <https://www.queensu.ca/registrar/academic-info/transcripts> (<https://www.queensu.ca/registrar/academic-info/transcripts/>)

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

7.3.1.1 Informal Review

A student with questions about a grade for a deliverable (e.g. Examination, Essay, Report, Participation, Professionalism, Peer Review, Presentation, etc.) 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 must request an informal review from the instructor 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 accordance with the course policy. If there is no course policy, students should initiate an informal review with their instructor within 20 business days of the release of the grade. The student has twenty (20) business days from the instructor's decision in an informal review, or an instructor's decision not to conduct an informal review, 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.

7.3.1.2 Formal Reassessment

If an informal review is not granted, or the student is not satisfied with the informal review, the student may ask for the assistance of the Commerce Office to initiate a formal reassessment through an appeal to the Associate Dean, Undergraduate (or delegate). Assessments that are not eligible for formal review include participation, oral presentation, group work, or any other practical graded assessment that cannot be objectively reviewed

after the fact by a third party. Grades assigned by peer review are also not eligible for formal review.

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 the instructor's decision have passed.

7.3.1.3 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 that a correct answer has been counted as incorrect;
 - b. show 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)²

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 grounds for a reassessment.

The Associate Dean, Undergraduate (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, Undergraduate (or delegate) may appoint another appropriate reviewer. In such cases, the original instructor may be asked to provide any documentation relevant to the reassessment such as an answer key or grading rubric.

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, Undergraduate (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.

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.

7.3.1.4 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.

7.3.1.5 Late Appeal for Reassessment

To submit an appeal for reassessment beyond the deadline of twenty (20) business days, the student must meet with an Academic Advisor prior to submitting an appeal in writing to the Associate Dean, Undergraduate.

If approved to appeal late, student has seven (7) 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 Associate Dean, Undergraduate

The Associate Dean, Undergraduate (or delegate) makes some decisions, not directly related to academic progression, for students in the Commerce Program.

Appeals to the Associate Dean, Undergraduate include requests:

- To drop a course after the last day of classes (see *4.4.8 Adding and Dropping Courses*)
- To add a course after the last day to add a course
- 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*)
- A formal review of a graded deliverable
- 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*)
- Denials of requests for academic consideration
- To waive an appeal timeline for the items listed above
- Other comparable matters

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

1. Associate Dean, Undergraduate
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 Associate Dean, Undergraduate

Unless otherwise stated, an 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 a 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 an explanation of the specific reasons for the delay and must include documents that substantiate 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 Associate Dean, Undergraduate

Appeals require evidence of extenuating circumstances beyond the student's control, and substantiating official

documentation. For more information see 8.3.1 *Extenuating Circumstances* and 7.1.2 *Official Documentation*.

As part of the written appeal, a student must:

- submit the appropriate appeal form to an Academic Advisor;
- attach a written statement outlining the reasons for the request and any other detail that may help the Associate Dean, Undergraduate (or delegate) understand the student's case;
- include all relevant documentation that the student believes substantiates 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 Associate Dean, Undergraduate (or delegate).

After reviewing all information, the Associate Dean, Undergraduate (or delegate) shall either:

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

The Associate Dean, Undergraduate (or delegate) shall give their 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 that through no fault or omission of the student was not known or available to the student at the time of the decision becomes available, an appeal may be resubmitted to the Associate Dean, Undergraduate (or delegate) for further consideration.

The decision shall also advise that the student has the right to appeal the original decision, to the Academic Progress Committee. 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 letter shall also direct the student to the University Ombudsperson as a resource.

7.5 Appeals to the Academic Progress Committee

Decisions of the Associate Dean, Undergraduate that have already received two levels of consideration cannot be appealed further. These include:



- A formal reassessment of a graded deliverable

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

1. Academic Progress Committee (APC) of the Commerce Program (please note that where the APC Terms of Reference refer to the "Executive Director" the Associate Dean, Undergraduate is the relevant actor)
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/>), 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.

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/business/bachelor-commerce/academic-regulations/>));
2. Appeals to the Executive Director include requests:

- 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/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/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 I (p.) *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*)

An appeal of 1) can only be made based on 7.1 Extenuating Circumstances (p. 1) supported by 7.1.2 *Official Documentation*.

An appeal of 2) 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 unreasonable³.

An appeal of 3) can be made based on the following considerations:

1. lack of procedural fairness.

³ 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.

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

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.

A minimum of two (2) members of the APC, at least one (1) student member and one (1) 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 Procedure⁴;
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.

⁴ 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 transitory⁵ 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.⁶

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.

⁵ 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.

⁶ 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 Submissions⁷

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 substantiates 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 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.

7.5.9 Pre-Hearing

The Director of Students Services and their 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 via telephone or video conference;
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.
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 Commerce Program (see 5.5 *Effective Date of Sanctions*). However, in accordance with the Student Academic Appeals Policy (<https://www.queensu.ca/secretariat/policies/senate/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),

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,

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 in accordance with records retention policy.
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.

Unless compelled to do so by law, or authorized by the student in writing, Smith does not disclose the contents of student records to any party outside the University unless it constitutes public information.

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 Queen's Academic Integrity Procedures (<https://www.queensu.ca/secretariat/policies/senate/academic-integrity-procedures-requirements-faculties-schools/>).

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.

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

7.7.1 Terms of Reference

First appeals of academic decisions are made to the Academic Progress Committee of the program in which the student is enrolled (i.e. the Undergraduate Academic Progress Committee or the MBA/MOM Academic Progress Committee). These committees are knowledgeable about the particular program, school, and university regulations, and have experience making student academic and progress decisions.

First appeals of instructors' decisions regarding academic integrity are normally made to the Academic Integrity Panel (AIP). However, in the event that the AIP is the original decision-maker¹, the first appeal of the AIP decision is to the Academic Appeals Committee.

The decision responsibilities set out above are in accordance with the Senate's Policy on Student Appeals, Rights and Discipline, which recognizes that "decisions should generally be made by those who are most familiar with the context"².

The Academic Appeals Committee (AAC) is established by the Smith School of Business and created by Faculty Board to:

1. Review, hear, and dispose of student academic appeals from decisions of Academic Progress Committees regarding academic matters and student progress, including but not limited to academic probation, requirements to withdraw, and other related decisions;
2. Review, hear, and dispose of student appeals from decisions of the Academic Integrity Panel regarding:
 - a. The Finding of Departure from Academic Integrity;
 - b. The sanction(s) resulting from a Finding of Departure from Academic Integrity; or
 - c. Finding and sanction if both issues are raised on appeal.
3. Make recommendations to Academic Progress Committees, Program Administration, or the Academic Integrity Panel regarding matters of policy arising from AAC discussions and hearings; and
4. Serve as the final body of academic appeal in the Smith School of Business.

¹ For a description of the circumstances in which the Academic Integrity Panel might be the original decision maker, see the Smith School of Business Academic Integrity Policy (<https://www.queensu.ca/secretariat/policies/senate/academic-integrity-policy/>), Section 3.2(b)

² Senate Policy on Student Appeals, Rights, and Discipline (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>), Introduction.



7.7.2 Jurisdiction

The AAC has jurisdiction over all academic matters related to appeals involving students registered in the Smith School of Business, except students in the MSc and PhD programs who are governed by the School of Graduate Studies General Regulations.

Normally, the AAC shall serve as a true appeal board, which reviews the decision of the previous decision-making body based on the same information available to the previous body at the time the decision was made.

In this context, the AAC shall consider appeals alleging:

1. A failure by the relevant decision-making body to follow applicable Smith School of Business rules or regulations;
2. A breach of procedural fairness;
3. A violation of University policies;
4. The decision of the previous decision-making body was not reasonable³.

In cases where the original decision was made by the Academic Integrity Panel, the AAC shall conduct a hearing *de novo*, which is a new hearing of the matter conducted as though the original hearing had not taken place⁴.

³ The Student Academic Appeals Policy (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>), in commentary to Section 16, defines 'reasonable' as follows: "[A] decision that is grounded in logic.... [A] reasonable decision is one that is supported by logical inferences from accepted premises and facts." The commentary further notes that "[i]f there is more than one conclusion that may be reasonably drawn from the same premises and facts, the choice of one conclusion over another does not make the decision unreasonable." This is the sense in which "reasonable" is used here.

⁴ Section 4.4 of the Senate Policy on Academic Integrity Procedures (<https://www.queensu.ca/secretariat/policies/senate/academic-integrity-policy/>), stipulates that "The first appeal of an academic integrity decision shall always be a hearing *de novo*." A hearing *de novo* means a new and complete consideration of all available evidence, followed by the issuance of a new decision.

7.7.3 Membership

No AAC hearing may be heard by fewer than four (4) members. No AAC member may serve contemporaneously on an Academic Progress Committee or the Academic Integrity Panel. One of the faculty members on the AAC shall be appointed Chair by the Associate Dean (Faculty).

7.7.3.1 AAC Members

Five (5) faculty members (one of whom shall be appointed the Chair) will normally serve for a period of three years, preferably with staggered terms. A sixth faculty member shall serve as an alternate AAC member, normally also for a period of three years. Faculty members are appointed by the Associate Dean (Faculty). New members normally assume their duties on July 1 of each year.

7.7.3.2 Support Staff

The AAC will be provided support through the Smith School of Business Dean's Office. Support staff will serve as administrative support to the AAC and will have no voting rights. Support persons may assist the Chair in meeting logistics, record-keeping, and other administrative matters.

7.7.4 The Role of the Chair

The Chair of the AAC will be a faculty member. Normally, the Chair shall:

1. Convene hearings;
2. Preside over hearings of the AAC according to these 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 Procedure;
3. Ensure consistency of approach to decisions;
4. Ensure hearings are conducted fairly and with due process;
5. Write the AAC's final decision for communication to the parties;
6. Convey any recommendations of the AAC to the appropriate Academic Progress Committee, Program Administration, or the Academic Integrity Panel; and
7. Direct, where appropriate, the Executive Director of the Dean's Office to initiate the process of recommending to Senate that a student be required to withdraw from the university for departures from academic integrity or misconduct in an academic setting.

7.7.5 Rules of Procedure

The following Rules of Procedure apply to the Pre-Hearing, General Proceedings, Appeal Hearings ("Hearings"), Decisions, Post-Hearing and Record-Keeping matters. These Rules of Procedure shall be interpreted liberally to facilitate the just, expeditious, and cost-effective determination of every proceeding on its merits.

General Rules

The following rules apply to any proceedings before the AAC:

1. *AAC Decisions Will be Made in Accordance with Relevant School Regulations and Policies*

The AAC will adhere to the relevant program Academic Regulations as well as policies and procedures of the School and Queen's University.

2. All Appeals are to be Heard In Camera

To protect the privacy and confidentiality of students, AAC 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 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 by all parties.

The AAC's deliberations are confidential and will not be recorded.

Participants may take their own notes during the hearing. All such notes are transitory⁵ and are not considered to be University Records.

3. No Bias or Conflict of Interest

It is presumed AAC members act fairly and impartially. A member may recuse themselves from a case if they determine they have a conflict of interest. If it is alleged that a member is biased or has a conflict of interest in relation to a specific case, the onus of establishing bias or a conflict of interest falls to the person who alleges it. A real likelihood or probability of bias must be demonstrated⁶.

4. AAC Members to be Present for the Entire Hearing

Only those AAC members present for the entire hearing may take part in making the decision.

5. The AAC Has No Power to Compel Any Person to Attend a Hearing

The Chair may request the participation of parties and witnesses, but the AAC has no power to compel participation.

6. Supplementary Rules of Procedure

As needed, the Chair has the power to issue such supplementary rules of procedure as may be necessary to govern the conduct of an appeal.

⁵ 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.

⁶ Normally, having taught the appellant 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 AAC member recuse themselves. A conflict of interest may be present if: there is a relationship between the AAC member and the student (such as a consulting or family relationship); the AAC member has an interest in the outcome of the decision; the AAC member has pre-judged the case; the AAC member was involved in an earlier stage of decision-making.

In cases where a conflict is unclear, the remaining members of the AAC will determine if the member should be recused.

7.7.6 Pre-Hearing Rules

7.7.6.1 Notice of Appeal

A student who wishes to appeal an academic decision by an Academic Progress Committee or the Academic Integrity Panel must submit the written appeal to the Chair of the AAC within ten (10) business days⁷ of receipt of the decision being appealed.

7.7.6.2 The Student's Submission

As part of the written appeal to the AAC, a student should:

1. Submit a brief letter addressing the written decision of the Academic Progress Committee or the Academic Integrity Panel and setting out the basis for their appeal
2. In appeals of previous decisions, no new information may be presented to the AAC, subject to section 4.2.5 below
3. In cases where the Academic Integrity Panel is the original decision-maker and the AAC is hearing a case *de novo*, new information may be presented to the AAC
4. Indicate whether they intend to appear before the AAC; and
5. Indicate if they will bring a representative to the hearing and advise who that representative will be. The student must inform the Chair of the name and



role of any representative at least five business days in advance of the hearing date.

7.7.6.3 The Previous Decision-Maker's Submission

The Chair of the previous decision-making body may file a submission responding to the student's letter of appeal to the AAC. Such a response must be filed within 10 business days of their receipt of the student's appeal submission. Any such response shall be disclosed to the student.

7.7.6.4 Additional Evidence Considered

In addition to the Submissions by the parties, the AAC will consider:

1. All evidence considered by previous decision-maker(s)
2. In academic matters, a copy of the student's most recent transcript.

7.7.6.5 Availability of New Evidence

In general, those who are closest to the students and who can fairly compare the individual student to other students in similar positions should have primary responsibility for making decisions about individual students. In the event that one of the parties to the appeal seeks to introduce new evidence, the Chair will invite submissions from the parties regarding whether the new evidence should be admitted or the matter returned to the previous decision-maker for reconsideration. The AAC shall make a decision based on the submissions, the principle of primary decision-making by those closest to the student, and the interests of a fair and timely decision.

7.7.6.6 Disclosure and Setting a Hearing

The Chair of the AAC or their delegate shall:

1. Supply the student with a copy of these Terms and Rules of Procedure;
2. Supply the student with a copy of the appeal file (i.e. all the documents described above that the AAC will consider in its decision);
3. Set a hearing date;
4. Distribute the appeal file to AAC members and any other parties to the appeal;
5. Provide the student with a Notice of Hearing, which shall include:
 - a. A statement of the date, time, place and purpose of the hearing;
 - b. A statement of the structure of the meeting, including the names of all parties expected to be in attendance; and
 - c. A statement that if the student notified does not attend the hearing, the AAC may proceed in the

student's absence and the student will not be entitled to any further notice in the proceeding.

- ⁷ "Business Day" means any day of the week except Saturday, Sunday, any statutory or civic holiday in the province of Ontario or any day on which Smith School or the University is closed for any reason.

7.7.7 The Appeal Hearing

The following principles apply to the appeal hearing:

1. The student may appear in-person, electronically, or to opt not to appear at the hearing.
2. When making an appeal to the Academic Appeals Committee, the student has the right to the assistance of a University Dispute Resolution Advisor or any other person, including a legal representative (all at the student's own expense). The student may make oral submissions or their representative may make submissions on their behalf. Whether or not a student has representation, the AAC may directly question the student. However, no student can be compelled to answer questions.
3. Normally, the previous decision-maker or their delegate will attend the hearing and make oral submissions. The previous decision-maker may also bring representation who may make submissions on their behalf.
4. Where the previous decision-making body is not the original decision-maker, the Chair of the AAC may, at their discretion, direct that the original decision-maker be advised of the hearing and be requested to be present as a party to the proceedings. The extent of the participation by the original decision-maker in the proceedings is at the discretion of the AAC Chair.
5. At a hearing at which the student has appeared, members of the AAC may ask questions of the student, the previous decision-maker, and, where the previous decision-making body is not the original decision-maker, of the original decision-maker. The parties do not examine one another.
6. If, during the course of any hearing, the AAC decides that information is required in order to clarify a matter, the Chair of the AAC may adjourn the hearing to permit the relevant parties to bring forward such information or facts or to permit the AAC to obtain such information.
7. If either party to the appeal attempts to submit new evidence at the hearing, in keeping with section 4.2.5, the Chair will request oral submissions from each party addressing whether, on the basis of new evidence, the matter should be:
 - a. Remitted to the original decision-maker for a rehearing; or

- b. Heard and decided (including the new evidence) by the AAC.
- 8. The Chair of the AAC 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.
- 9. The AAC has the right to seek confirmation and/or verification of any evidence, claims, or submissions made by any participant in the hearing; should it be determined that false information was provided to the AAC, the matter may be investigated under the Smith School of Business Academic Integrity Policy.

7.7.8 The Decision

After hearing all evidence, the AAC will deliberate *in camera*. The deliberations of the AAC are confidential.

7.7.8.1 Decision Options

Following the deliberations, the AAC may:

1. Dismiss the appeal and uphold the previous decision.
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, modify the previous decision, and/or impose an appropriate sanction. When considering the appropriateness of modifying the original decision, the AAC shall take guidance from the Student Academic Appeals Policy (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>), and specifically, the AAC's power to modify the original decision "shall be exercised judiciously and with restraint, having regard to the interests of other students" and the interests of the School. Modifications 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. Complete additional work;
 - ii. Repeat an exam, assignment, or course;
 - iii. Achieve a minimum grade(s);
 - iv. Provide evidence of fitness to continue in the Program;
 - c. Placing the student on Academic Probation until the student satisfies all conditions and/or requirements within the timeline(s) set by the AAC.

4. Impose other terms and/or conditions as may be appropriate for the specific situation.

The AAC retains jurisdiction with respect to business arising from the appeal proceedings including disposition of the appeal decision if practical and convenient.

The AAC does not have authority to direct that a student receive compensation for any costs or expenses incurred in the course of any University-based proceeding.

7.7.8.2 Decision Letter

The AAC's Decision shall be communicated to the student within seven (7) business days, or within a reasonable time as demanded by the complexity of the case, via a Decision Letter from the Chair. The Decision Letter will include the reasons for the Decision, information about the next level of appeal, and information about the availability of the support of the Office of the University Ombudsman.

The AAC's 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.

7.7.9 Post-Hearing Matters

In accordance with the Senate Policy on Student Appeals, Rights and Discipline (<https://www.queensu.ca/secretariat/policies/senate/student-academic-appeals-policy/>), section 20, the student is normally entitled to exhaust all levels of appeal before sanctions are applied, except in the rare case where it is determined that the interests of third parties may be prejudiced by the continued enrolment of the student in a course or program. In such a case, the AAC shall determine whether the student may continue in their Program until appeal processes are exhausted. If the student is permitted to continue, the AAC shall determine under what conditions the student may do so, having regard for the need to protect the interests of the third party/parties. The AAC shall address the effective date of any actions and/or sanctions in the Decision Letter.

7.7.10 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 AAC.

7.7.10.1 Responsibilities of the Chair

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

Following an appeal hearing and issuance of a Decision Letter, the Chair or delegate shall collect the files and any notes made during the hearing by AAC members. All such



notes are transitory and are not considered to be University Records. They form no part of the appeal record and shall be destroyed immediately following the issuance of the AAC's decision.

7.7.10.2 Records Retention

Once the AAC renders its decision:

1. The Decision Letter is the official record of the matter, a copy of which shall be kept by the AAC Chair, the Program Director, and in the Dean's Office.
2. Original appeal records are to be kept by the Chair for one (1) year following the date on which the student has exhausted all levels of appeal at the University, or, for one (1) year following the expiry of the deadline for the student to pursue an appeal, whichever occurs first.
3. Transitory records will be destroyed
4. Duplicated records will be destroyed.

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.