



TITLE: STUDENT DISPUTE, APPEAL, AND MISCONDUCT PROCESSES

EFFECTIVE DATE: July 1, 2004
REVISED DATE: January 1, 2005

PRACTICE:

All procedures should be guided by the principles of fair practice, as outlined in the Red Deer College Principles and Guiding Questions - Integrity.

PROCEDURE:

CATEGORY A: Administrative Issue: Admissions, Advising, Fees, Prior Learning

Identification of the Issue and Informal Resolution

- (1) The student will attempt to resolve the issue directly with the appropriate manager or faculty member. The informal resolution process will include defining the nature of the dispute and specifying the desired outcome.
- (2) If resolution is not reached, the relevant chairperson or manager will be contacted as a next step in informal resolution.
- (3) At any time during the informal resolution, the student may go to the Students' Association or an appropriate third party to receive information, support, and/or accompaniment.

If all attempts at informal resolution have been unsuccessful, the Registrar (or designate) will conduct an investigation and make a decision.

- (4) The Registrar (or designate) will review the issue, assess the validity of the complaint and ensure that all opportunities were provided to address issues on an informal level prior to initiating the investigation. The matter will be discussed with the student and manager/faculty involved.
- (5) Time limits for procedural process will be clearly outlined by the Registrar (or designate) and be clearly communicated, in writing, to the student.

- (6) The Registrar (or designate) will decide on a resolution based on evidence from the discussion. The involved parties will be informed regarding the decision and the rationale behind the decision within three (3) working days of meeting with the student.
- (7) The Registrar's (or designate's) decision will be implemented immediately. If the decision resolves the issue, the process ends.

Formal Appeal Process

- (8) The student may appeal the decision of the Registrar to the Dean of Student Services within five (5) working days of receiving the decision.
- (9) The Dean of Student Services (or designate) will determine whether to uphold the decision of the Registrar or amend the decision. The Dean of Student Services will inform all involved parties of the decision and the rationale behind the decision within five (5) working days of receiving the appeal.
- (10) The decision of the Dean of Student Services (or designate) will be final and binding on all parties.

CATEGORY B: Academic Appeals/Disputes: Academic Standing, Grades, Marks, and Other Disputed Decisions

Identification of the Issue and Informal Resolution

- (1) The student will attempt to resolve the dispute directly with the other party involved (instructor, fellow student, administrator, staff).
- (2) If resolution is not reached, the student will contact the relevant chairperson in an attempt to resolve the issue.
- (3) At any time during the informal resolution, the student may go to the Students' Association or an appropriate third party to receive information, support, and/or accompaniment.
- (4) At any time, the student involved may refer the matter to the Dean of Student Services or, if applicable, move directly to the Harassment Discrimination Process.

If informal resolution has not been reached, the parties will contact the office of the Dean of Student Services to request a review of the matter. The Dean of Student Services (or designate) will conduct the review.

- (5) All parties have the right to be heard, to present submissions on their behalf, to present verifiable evidence, and have access to all available information gathered throughout the review process. The Dean will make every attempt to resolve the dispute/appeal to the mutual satisfaction of all parties.
- (6) Where this review process fails to reach a resolution, the matter may be appealed by the student through the Formal Appeal Process.

CATEGORY C: Academic Misconduct: Cheating, Plagiarism

Identification of the Issue and Informal Resolution

- (1) The student who is accused of academic dishonesty/misconduct will meet with the appropriate instructor to clarify and define the nature of the complaint and attempt to resolve the matter informally. This must occur within five (5) working days of the matter being brought forth.
- (2) If resolution is not reached, the student will contact the relevant chairperson in an attempt to resolve the issue.
- (3) At any time during the informal resolution, the student may go to the Students' Association or an appropriate third party to receive information, support, and/or accompaniment.

If all attempts at informal resolution have been unsuccessful, the Registrar (or designate) will conduct an investigation and make a decision.

- (4) The Registrar (or designate) shall review the student's academic file and discuss the matter with the student within five (5) working days of the matter being brought to his/her attention.
- (5) The Registrar (or designate) shall decide on disciplinary sanction(s) and inform both the student and instructor of the decision within five (5) working days of the meeting with the student.
- (6) The decision of the Registrar (or designate) may be appealed through the Formal Appeal Process (see Formal Appeal Process section of this Standard Practice).

CATEGORY D: Non-Academic Misconduct: Disruptive Behavior, Property Damage, Conduct or Action Endangering the Safety or Health of Students or Staff, Making False or Frivolous Allegations, Theft, and/or Actions that place the College at Potential Legal Risk

Identification of the Issue and Informal Resolution

- (1) Any individual witnessing non-academic misconduct should report the incident directly to Campus Security.
- (2) The Security Coordinator will review the incident and decide if police involvement is required and cooperate with the police in any investigation that may ensue.
- (3) The Security Coordinator will work with the student and all relevant parties to informally resolve the issue.
- (4) All parties involved may contact the Students' Association or appropriate third party to receive information and support.
- (5) Where informal resolution is not reached, the Security Coordinator will make a decision regarding the matter and notify the involved parties within five (5) working days following the completion of any investigation related to the case. The Security Coordinator is responsible for informing the student of any consequences, which may include a warning, non-academic probation, restitution and/or community service.
- (6) Where the Security Coordinator believes a more severe sanction, such as suspension or expulsion is warranted, the Security Coordinator will forward the investigative report and recommended sanctions to the Vice President Education. The Vice President Education will review the report and decide upon the recommended sanctions.
- (7) The decision of the Security Coordinator or the Vice President Education may be appealed through the Formal Appeal Process.

FORMAL APPEAL PROCESS FOR CATEGORIES B, C AND D

- (1) The student will complete and file a formal appeal form with the Registrar's office within ten (10) days of the last disputed decision. The appeal should indicate:
 - (i) what decision is being appealed,
 - (ii) the grounds on which the decision is disputed,
 - (iii) attempts to resolve the dispute to date, and
 - (iv) the outcome desired.

- (2) The student may approach the Students' Association or an appropriate third party for advice on the formal appeal process.
- (3) An Appeal Panel of five members will be chosen for each appeal hearing from an established Appeal Roster.
- (4) The Roster will consist of four students appointed by the Students' Association, four faculty members appointed by the Faculty Association, and an Appeal Panel Chair (administrator or faculty) appointed by the Vice President Education. The Vice President Education will also appoint a Vice Chair (administrator, faculty, student) from the established Roster.
- (5) Where possible, members of the Appeal Roster will be appointed from different programs.
- (6) The term of office for members of the Appeal Roster shall normally be a minimum of two years for faculty and administration members and a minimum of one year for student members. Faculty and administration shall endeavor to replace no more than half their members in any year.
- (7) The ad hoc Appeal Panel will consist of two students, two faculty members, and the Appeal Panel Chair.
- (8) Appeal Panel members will exclude themselves if there is potential for a conflict of interest at any particular hearing.
- (9) Parties will submit all relevant documentation and information to the Chair of the Appeal Panel at least two (2) working days prior to the hearing.
- (10) Only information included in the submitted package may be discussed during the hearing. Exceptions will be ruled on by the Chair.
- (11) Witnesses may be called and questioned. Both parties have the right to have a support person present and to have the opportunity for rebuttal. The intent of the hearing is to hold a fair, open and transparent hearing with all parties present unless circumstances dictate otherwise.
- (12) The Panel will use all of the evidence presented to come to a fair decision. The decision will be communicated in writing to both parties within 48 hours of the decision.
- (13) The decision of the Panel will be final and binding on all parties.

ACCOUNTABILITY:

Vice President Education

RESPONSIBILITY:

Consultation for Review:

Dean of Student Services
Registrar, VP Education,
Students, and Faculty.
College Legal Counsel

Policy Review Date:

January 2008

Associated Standard Practice:

Student Dispute, Appeal and
Misconduct Processes
Harassment Discrimination