



### Implementation and Application

This policy is issued under the authority of the Education Director and the Campus Manager(s).

The policy is reviewed and subject to revision on a regular basis.

This policy applies to all students registered with the Anishinabek Educational Institute (AEI) at all locations and delivery sites and any of its programming.

### Purpose

Anishinabek Educational Institute's students, staff and faculty is an academic community committed to quality education that serves to enhance the effectiveness and quality of life for those in the workplace and in their own communities. The Institute expects that all individuals will govern themselves accordingly and in a manner that is respectful to all members and associates of the Institute and in accordance with the policies set out by the AEI in the Student Handbook.

AEI considers all its students' adults and as such that they are able and expected to make responsible decisions. The Student Handbook exists to guide students in its expectations as a registered student and to ensure that all students are treated in a manner that is fair and equitable and to ensure the best possible learning and working environments for all.

AEI reserves the right to determine our admission to any student who is under suspension from any other institute and shall not be permitted to enter the AEI until their eligibility to re-enter the institute that imposed the suspension can be permitted.

Students have the right to appeal final academic grades or sanctions imposed upon them. To provide students with a fair and timely process to appeal decisions the following Principles and Processes have been established to guide the appellant through the expectations of making an appeal on a matter that may impact their academic standing or progression.

### Principles

- i) For correcting perceived or obvious unjust and biased decisions, the student has the right to appeal when all processes indicated in the Student Handbook section: "Program Lines of Communication" have been exhausted.
- ii) AEI is committed to ensuring that students are treated in a fair and consistent manner regarding all matters that relate to their academic performance and progress.
- iii) Students will be provided with a timely process to appeal academic decisions when

they believe the academic decision has not been fair or reasonable.

### Policy

- i) AEI will consider all appeal applications for academic matters including assignments and final grades.
- ii) AEI will consider all appeal applications for non-academic matters concerning behaviour and any misconduct.
- iii) AEI will not consider appeal applications for matters regarding suspensions that are a result of program removals that are due to prohibited behaviours and decisions made by the Appeal Panel.
- iv) AEI will not consider appeal applications from students with outstanding debts or obligations to AEI or the partner College.
- v) All matters regarding appeals and violations of the Student Handbook are confidential and are released to Institute staff on a need-to-know basis only.
- vi) AEI reserves the right to impose penalties it deems necessary in cases of unacceptable behaviours. A student has the right to be heard, if disciplinary action is being considered against a student, the student shall be fully informed, in writing, of the alleged offense, advised of the relevant documents relating to the alleged offense; and, advised of where and when to present his/her side of the matter.
- vii) Identifying information about any individuals involved in workplace violence or workplace harassment will not be disclosed unless the disclosure is necessary for the purpose of investigation or taking corrective action or is otherwise required by law.
- viii) Penalties issued will, as closely as possible, reflect the logical consequences of the student's misconduct. All efforts will be made to provide for penalties that are educative and developmental in nature.
- ix) Where corrective or disciplinary action is taken against either the complainant or the respondent, the other party will be advised that action has been taken but will not be provided with the particulars of that action.
- x) Students shall treat all matters in process under the Student Handbook or Appeal Process as confidential.
- xi) AEI will maintain documentation regarding corrective or disciplinary action taken.
- xii) AEI will bear no responsibility for any costs or reimbursement of costs incurred by an appellant associated with any submitted appeals.

### Formal Appeal Process

- i) A Formal Appeal is ONLY initiated when a dispute cannot be resolved through the Program Lines of Communication (Student Handbook).

- ii) A student may start a Formal Appeal Process within five (5) business days of receipt of a written decision or Notice of Non-Resolution from the Program Coordinator. Appeals submitted after 4:30pm on the 5<sup>th</sup> business day will not be considered.
- iii) The appeal submission must be addressed to the Campus Manager and include the following components:
  - the original copy of the decision or notice of non-resolution from the Program Coordinator,
  - MUST describe the nature of the appeal or decision made,
  - the grounds on which the appeal is based,
  - the remedy sought, and
  - any documentation to serve as proof (i.e., medical documentation, relevant correspondence and any other relevant documents be attached to the appeal).

All above components must be clearly identified for the appeal to be considered.

- iv) The Campus Manager will respond in writing within two (2) business days to acknowledge receipt of the appeal. The Campus Manager will then follow up in ten (10) business days, in writing, notifying if the appeal submission is accepted or not and the resulting decision.
- v) A student may appeal the Campus Managers decision within five (5) business days of receipt of a written decision or Notice of Non-Resolution from the Campus Manager. Appeals submitted after 4:30pm on the 5<sup>th</sup> business day will not be considered.
- vi) The appeal submission must be addressed to the Education Director and include the following components:
  - the original copy of the decision or notice of non-resolution from the Campus Manager
  - MUST describe the nature of the appeal or decision made,
  - the grounds on which the appeal is based,
  - the remedy sought, and
  - any documentation to serve as proof (i.e., medical documentation, relevant correspondence and any other relevant documents be attached to the appeal).

All above components must be clearly identified for the appeal to be considered.

- vii) The Education Director will respond in writing within two (2) business days to acknowledge receipt of the appeal. The Education Director will then follow up in ten (10) business days, in writing, notifying if the appeal submission is accepted or not and the resulting decision.
- viii) For matters relating to violation(s) of AEI's conduct and behaviour policies, as stated in the Student Handbook, during the course of the Formal Appeal Process will result in non-acceptance of assignments, grading, or evaluating; in addition, attendance at any Field Practicum/Placement setting representing AEI is not permitted. For academic/grade appeals that involve pre-requisites, the student will not be permitted to proceed or register into any further courses that are dependent on the successful

completion of the pre-requisite course(s).

- ix) Upon completion of, and pending the outcome of a Formal Appeal, arrangements and accommodations will be made to reintegrate the student back into their program of study, as applicable.

#### Panel Review Appeals

- i) Students who believe they have not received a fair decision in the formal appeal may request a Panel Review Appeal by a Panel Review Committee (the Committee).
- ii) A student may start a Panel Review Appeal process within five (5) business days of receipt of a decision from the Education Director (Formal Appeal). Panel Review Appeals submitted after 4:30pm on the 5<sup>th</sup> business day will not be considered.
- iii) The Panel Review Committee will consist of:
  - Registrar Services Coordinator (non-academic matters) or Student Wellness Coordinator (academic matters) to sit as Chair and voting member of the Panel Review Committee
  - 2 AEI Faculty members – randomly selected
  - 2 AEI Program Advisory members
- iv) The appeal must be submitted to the Education Director with the subject line “For the Panel Review Committee” and include the following components:
  - the original copy of the decision from the Education Director,
  - MUST describe the nature of the grievance or decision made,
  - the grounds on which the appeal is based,
  - the remedy sought,

All above components must be clearly identified for the appeal to be considered.
- v) The Education Director will provide, in writing, within two (2) business days acknowledgement of receipt of the appeal submission.
- vi) The Committee will review the submission and the Chair will provide a response to the appellant, within 10 business day of the appeal stating whether it will be accepted or denied. If the appeal proceeds the Committee will schedule a Circle/meeting with the appellant for a date no later than twenty (20) business days from the receipt of the appeal submission.
- vii) As part of the review process the Committee may interview the appellant, respondent and any other individuals relevant to the matter.
- viii) To protect the confidentiality of student records, Panel Review Committee meetings shall not be open. The presence of observers shall be at the Chair’s discretion following receipt of specified requests, in advance of the meeting, relating to a particular appeal case.
- ix) A student may not bring a parent or guardian as an advisor to a Circle/meeting. Additionally, as the process for handling appeals is an administrative process and is

not a legal process, advisors may not include legal counsel. Students may request a member of the Cultural Support Team (Grandmother), without a conflict of interest, to attend the Circle/meeting.

- x) Proceedings at meetings shall not be audio or video recorded unless the Committee considers this essential to assist it in its task.
- xi) In the case of a group appeal, the Committee at its discretion, will normally provide the opportunity for a single spokesperson for the group to appear before it but may interview others at the Circle/meeting at its discretion.
- xii) Both parties to the appeal shall have the opportunity to ask questions, through the Chair, about the evidence presented at the Circle/meeting. Those persons with the best knowledge of the circumstances may be invited to appear at the Circle/meeting to assist the Committee with gathering relevant information. All such invitations shall be made through the Chair in writing.
- xiii) In the event of a conflict of interest or prior involvement with the matter, the Committee member will notify the Chair as soon as possible prior to the Circle/meeting and the member will be replaced.
- xiv) During the Panel Review Appeal process, all sanctions remain valid until they are reversed or modified. Assignments will not be accepted, logged, graded, or evaluated; in addition, attendance at any Field Practicum/Placement setting representing AEI is not permitted.
- xv) Upon dissolution of the Committee, and pending the outcome of a Panel Review Appeal, arrangements and accommodations will be made to reintegrate the student back into their program of study, if applicable.
- xvi) The Committee (through a letter written by the Chair) shall report its decision to the Education Director, without undue delay. The Committee's report should include a brief description of the procedures followed, a concise statement of the factors, and its rational leading to the decision and recommendation(s).
- xvii) If the Committee wishes to suggest useful actions that might be taken to improve regulations or procedures or to avoid recurrence of certain problem situations, appropriate recommendations or comments should be included in the report.
- xviii) All decisions made by the Panel Review Committee are final and are not subject to further appeals made by the student to the partner institution or any affiliated organizations.

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