

AC.3.4.4 Student Non-Academic Conduct Schedule C

Non-Academic Misconduct Appeal Procedures

Stage	Actions	When
Student appeals OCC's decision of non-academic misconduct requiring a sanction	1. A student whom the Office of Community Conduct has found to have committed non-academic misconduct requiring a sanction may appeal that decision by sending a letter or e-mail to the registrar. The letter or e-mail sets out the reasons why the student does not agree with that decision.	Within five business days of receiving the OCC's decision letter.
	2. The registrar ¹ reviews and forwards the student's e-mail or letter to the Office of Community Conduct. The registrar has the discretion to decide if a hearing is required. If a hearing is not required, the registrar makes the decision based upon the information provided by the student and the Office of Community Conduct.	Within five business days of receiving the student's letter or e-mail.
	3. If a hearing is required, the registrar sends written notice to the student and the Office of Community Conduct of the date, time and location of the hearing.	Within five business days of receiving the student's letter or e-mail.
	4. If an in-person hearing is not possible or practical, the registrar will establish an alternate hearing method. Where a hearing is held online, the student is, in the absence of compelling circumstances, required to show their face and to have their computer's web camera on.	
	5. The student and the Office of Community Conduct provide the registrar with supporting information and with a list of witnesses (if any) who will attend the hearing.	Within five business days of receiving the registrar's notice.
	6. The student and the Office of Community Conduct may present supporting written and oral information, call witnesses and make submissions.	
	7. At the hearing, the student is entitled to: <ul style="list-style-type: none"> • Be accompanied by an individual for advice and support. In the case of a student who is a minor or who is an adult student with an appointed guardian, the student may also 	Appeal is heard within five business days of the registrar sending the

¹ The registrar may designate an associate registrar to manage and/or hear the appeal. References to the registrar apply to whoever has been designated to manage and/or hear the appeal.

Stage	Actions	When
	<p>bring the student's parent or guardian. In general, only the student speaks on the student's behalf.</p> <ul style="list-style-type: none"> • Be accompanied by an interpreter, where the student feels that their fluency in English requires the assistance of an interpreter. The student is responsible for arranging the interpreter. • Be provided with a full explanation of the allegations against the student. • Respond to the allegations and present their version of events. <p>8. Any party to the hearing or the registrar may request SAIT's Ombudsperson to attend the appeal hearing as an impartial observer. The Ombudsperson does not take part in making the decision and does not provide support or assistance to any party or the registrar.</p> <p>9. If the student fails to attend the hearing and provides no reasonable explanation for their absence, the registrar makes a decision based on the evidence available in the student's absence.</p> <p>10. If the student fails to attend the hearing and provides a reasonable explanation for their absence, the registrar has the discretion to reschedule the hearing.</p> <p>11. The registrar determines on the balance of probabilities whether the Office of Community Conduct's finding of non-academic misconduct should be upheld or overturned and, if upheld, whether the sanction that was ordered should remain the same or should be decreased or increased in severity.</p> <p>12. If the registrar increases the sanction to suspension for thirty or more calendar days or to expulsion, the student may appeal that decision as per steps 16-32 of this schedule. All other decisions of the registrar are final and binding.</p> <p>13. The registrar sends a decision letter to the student, with a copy to the Office of Community Conduct and to other members of the SAIT community as required. This letter sets out the evidence presented by both parties, the decision and reasons for the decision, and the sanction(s) to be imposed (if any).</p>	<p>hearing notice to the student and OCC.²</p> <p>Within five business days after the appeal has concluded.</p>

² In some situations, an appeal may need to be held over several days, and may not conclude until after five business days have passed.

Stage	Actions	When
	<p>14. If the student's appeal is successful, the Office of Community Conduct removes its letter from the student's record.</p> <p>15. If the student's appeal is unsuccessful, the Office of Community Conduct ensures the sanction(s) is reflected on the student's record and files the registrar's letter in the student's file. The Office of the Registrar implements the sanction(s) in collaboration with other stakeholders as required. The letter remains on the student's record for seven years. A suspension is recorded on the student's transcript and record for seven years. An expulsion is permanently recorded on the student's transcript and record.</p>	<p>Within five business days of the registrar's decision.</p> <p>Within five business days of the registrar's decision.</p>
Student appeals registrar's decision of non-academic misconduct requiring suspension for 30 or more calendar days or expulsion	16. A student may appeal the registrar's decision of non-academic conduct requiring a sanction of suspension for 30 or more calendar days or expulsion by sending an e-mail to student.appeals@sait.ca. The e-mail sets out the reasons why the student does not agree with that decision.	Within five business days of receiving the registrar's decision letter.
Appeal hearing is set	<p>17. The vice president, academic³ sends a copy of the student's e-mail to the registrar and to the Office of Community Conduct.</p> <p>18. The vice president, academic convenes and chairs an appeal panel consisting of:</p> <ul style="list-style-type: none"> • The vice president, academic or designate • A dean or associate dean from an unrelated school • An instructor from an unrelated school • An unrelated student peer appointed by SAITSA <p>19. The vice president, academic schedules the hearing and sends written notice to the student and the registrar of the date, time and location of the hearing.</p> <p>20. If an in-person hearing is not possible or practical, the vice president, academic will establish an alternate hearing method. Where a hearing is held online, the student is, in the absence of compelling circumstances, required to show their face and to have their computer's web camera on.</p>	<p>Within five business days of receiving the student's e-mail.</p> <p>Within five business days of receiving the student's e-mail.</p>

³ The vice president, academic may designate another member of senior management, including a dean, director, associate vice president, or vice president, to manage and/or hear the appeal. References to the vice president, academic apply to whoever has been designated to manage and/or hear the appeal.

Stage	Actions	When
	21. The student and the registrar provide the vice president, academic with supporting information and with a list of witnesses, if any, who will attend the hearing.	Within the deadline specified by the vice president, academic.
Appeal is heard	<p>22. The Appeal Panel hears the appeal. The student and registrar may present supporting written and oral information, may call witnesses and may make submissions.</p> <p>23. The student is entitled to be accompanied by an individual for advice and support. In the case of a student who is a minor or who is an adult student with an appointed guardian, the student may also bring the student's parent or guardian. The student has the right to be accompanied by an interpreter, where the student feels that their fluency in English requires the assistance of an interpreter. The student is responsible for arranging the interpreter. In general, only the student speaks on the student's behalf.</p> <p>24. Any party to the appeal or the Appeal Panel may request SAIT's Ombudsperson to attend the appeal as an impartial observer. The Ombudsperson does not take part in making the decision and does not provide support or assistance to any party or to the Appeal Panel.</p> <p>25. If the student fails to attend the hearing and provides no reasonable explanation for their absence, the Appeal Panel makes its decision based on the evidence available in the student's absence.</p> <p>26. If the student fails to attend the hearing and provides a reasonable explanation for their absence, the Appeal Panel has the discretion to reschedule the hearing.</p>	Appeal is heard within ten business days of the vice president, academic receiving the student's letter or e-mail. ⁴
Results of hearing	<p>27. Appeal Panel determines on the balance of probabilities, based on the written and oral information presented at the hearing by the student, registrar and witnesses, whether the initial hearing decision should be upheld or overturned and, if upheld, whether the sanction that was ordered should remain the same or should be decreased or increased in severity.</p> <p>28. The Appeal Panel's decision is final and binding.</p>	Within five business days after the appeal hearing has concluded.

⁴ In some situations, an appeal may need to be held over several days, and may not conclude until after ten business days have passed.

Stage	Actions	When
Communication of Appeal Panel's decision	<p>29. The Chair of the Appeal Panel sends a letter to the student outlining the evidence presented at the appeal hearing, the decision and the reasons for the decision.</p> <p>30. The Chair of the Appeal Panel sends a copy of the letter to the registrar, the director, Office of Community Conduct, the student's program dean/director, and the dean, Academic Services and/or director, Learner Services (if applicable).</p>	Within five business days after the appeal hearing has concluded.
Implementation of sanction(s) and student's record	<p>31. If the student's appeal is successful, the Office of Community Conduct removes the registrar's letter from the student's record.</p> <p>32. If the student's appeal is unsuccessful, the Office of Community Conduct ensures the sanction(s) is reflected on the student's record and files the registrar's letter in the student's file. The Office of the Registrar implements the sanction(s) in collaboration with other stakeholders as required. The letter remains on the student's record for seven years. A suspension is recorded on the student's transcript and record for seven years. An expulsion is permanently recorded on the student's transcript and record.</p>	<p>Within five business days of receiving the appeal decision letter.</p> <p>Within five business days of receiving the appeal decision letter.</p>

August 8, 2022