

<b>TYPE:</b>	Academic
<b>TITLE:</b>	Grade Appeals
<b>NO.:</b>	ACAD-111
<b>RESPONSIBILITY:</b>	Executive Vice-President, Academic & Associate Vice-President, Academic (Administration)
<b>APPROVED BY:</b>	Durham College Leadership Team
<b>EFFECTIVE DATE:</b>	November 2023
<b>REVISED DATE(S):</b>	
<b>REVIEW DATE:</b>	November 2026

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## 1. Introduction

Grades represent the level of student mastery of course requirements. Should a student believe that an error or misapplication of a grade has been assigned, the existence and impartial operation of a grade appeals process affords recourse to students regarding the assessment of their academic performance.

## 2. Purpose

This policy and procedure outline the framework through which appeals related to grading are addressed.

## 3. Definitions

Refer to [Durham College's Standard Definitions](#).

## 4. Policy statements

- 4.1. Grades shall be assigned by faculty members uniformly and impartially, in keeping with stated evaluation criteria noted in the published course outline.
- 4.2. Grades are presumed accurate and appropriate. It is a student's responsibility to demonstrate otherwise.
- 4.3. The grade appeal process shall be phased, and expeditiously administered using prescribed timelines with opportunities for resolution.
- 4.4. This policy does not address student concerns in instances where a more appropriate college policy and procedure, grievance or appeal process exists, including but not limited to: [discrimination](#) and [harassment](#); [sexual violence](#); refunds; and student conduct.
- 4.5. It is a student's responsibility to initiate each step in the grade appeal process.

- 4.6. Not all grades can be appealed. Eligible Faculty-Level grade appeals shall be based on a clerical or calculation error, the misapplication of a grading scheme in a course, or the perception that the grade does not accurately reflect student performance.
- 4.7. College-Level grade appeals shall be based on the misapplication of College policies pertaining to grades or an unsuccessful Faculty-level grade appeal resulting in a student being involuntarily withdrawn from a program.
- 4.8. Students awaiting the outcome of a grade appeal may register in the next semester of their programs.
- 4.9. All grade appeals shall be considered individually; group grade appeals are prohibited.
- 4.10. A separate grade appeal must be initiated for each assessment being appealed.
- 4.11. Students remain accountable for all academic obligations during the grade appeal process, including but not limited to attending classes/shops/labs and meeting deadlines for the submission of assessments.
- 4.12. Students will engage in the grade appeals process in good faith, and can do so without fear of retaliation, sanction or reprisal.
- 4.13. Student complaints deemed to be false, frivolous, vexatious, or made in bad faith will be addressed through the Student Conduct policy and procedure.

## **5. Procedure**

### **5.1. Faculty-Level Grade Appeal Process**

#### **Step 1 – Informal Resolution of Grade Appeals**

- 5.1.1. A student who wishes to appeal a grade on a specific assessment will first discuss the matter with the faculty member who assigned the grade within five (5) business days of the release of the grade on the College [learning management system \(LMS\)](#). Failure to meet this deadline will result in the assigned grade standing.
- 5.1.2. The faculty member will respond to the grade complaint outlined by the student within five (5) business days. If there is no faculty member response within five (5) days, the student may proceed to Step 2.
- 5.1.3. The faculty member and student will explore ways to resolve the grade appeal.

- 5.1.4. If the resolution involves a grade change within the semester, the faculty member will update the LMS. If the resolution involves a grade change after the submission of final grades, the faculty member will submit a Grade Change Form to the Faculty office.

#### Step 2 - Formal Resolution of Grade Appeals

- 5.1.5. Students are eligible to pursue a formal grade appeal if the faculty member and student are unable to resolve a grade appeal from Step 1 and at least one (1) of the following conditions is met:
- Regardless of the grade assigned, the assessment is worth at least 20 per cent of the final grade; or
  - Regardless of the grade assigned, the assessment has a non-numeric grading scheme; or
  - A failing grade was assigned to an assessment worth at least 10 per cent of the final grade, and the student can provide evidence of a discrepancy of at least 10 per cent between the grade they were assigned and the grade they believe they should have been awarded.
- 5.1.6. To initiate a formal Faculty-Level Grade Appeal, a student will complete the Faculty-Level Academic Appeal form and submit it to the appropriate Faculty office no later than five (5) business days after receipt of the faculty member's response or the expiration of time for a faculty member's response.
- 5.1.7. The Executive Dean/Dean/Associate Dean will review the grade appeal documentation and seek clarification, as necessary.
- 5.1.8. The Executive Dean/Dean/Associate Dean will provide a decision in writing to the faculty member and student within ten (10) business days of receiving the Step 2 grade appeal documentation.
- 5.1.9. If the resolution involves a grade change within the semester, the faculty member will update the LMS. If the resolution involves a grade change after the submission of final grades, the changed grade will be submitted through a Grade Change Form to the Faculty office.
- 5.1.10. All documentation pertaining to a formal grade appeal will be retained by the Faculty office where the grade appeal was initiated.
- 5.1.11. If the grade being appealed is upheld and results in a student failing a prerequisite course, the student will be withdrawn from all courses for which that prerequisite course is required.

## 5.2. Step 3 - College-Level Grade Appeal

- 5.2.1. College-Level grade appeals shall be based on the misapplication of College policies and procedures pertaining to grades or an unsuccessful Faculty-Level grade appeal resulting in a student being involuntarily withdrawn from a program. No additional information may be submitted beyond what was included as part of the school-level grade appeal, unless the information was unavailable at the time of the Step 2 appeals.
- 5.2.2. A student who is eligible to appeal a Faculty-Level grade appeal decision must complete the College-Level Grade Appeal form and submit it to the Associate Vice-President, Academic (Administration) within five (5) business days of receipt of the Faculty-Level Formal Academic Appeal decision.
- 5.2.3. The Associate Vice-President, Academic (Administration) will notify the relevant Faculty's administrator of the pending appeal, who will then notify the faculty member involved.
- 5.2.4. The Associate Vice-President, Academic (Administration) will forward the student's College-Level Grade Appeal form and its attachments to the Grade Appeals Committee within three (3) business days.

## 5.3. Composition of the Grade Appeals Committee

- 5.3.1. The Grade Appeals Committee will consist of the following members, none of whom may be from the same Faculty as the student who initiated the grade appeal:
  - One Executive Dean/Dean (chair of the committee);
  - One faculty member; and
  - One Durham College student.
- 5.3.2. The appointment of the Grade Appeals Committee chair and faculty member are the responsibility of the Associate Vice-President, Academic (Administration) and will be made on an ad hoc basis.
- 5.3.3. The composition of the Grade Appeals Committee is not open to appeal. In selecting the committee, the Associate Vice-President, Academic (Administration) will avoid appearance of bias or conflict of interest with the appealing student.

- 5.3.4. Any concerns by the student appealing the grade regarding the composition of the Grade Appeals Committee must be addressed prior to the start of an academic appeals hearing, in writing, to the Associate Vice-President, Academic (Administration).
- 5.3.5. The Grade Appeals Committee chair will convene an academic appeal hearing within ten (10) business days from the receipt of the student's appeal application form and any attachments. Changes to this deadline will be considered only in exceptional circumstances and must be agreed to by all parties.
- 5.3.6. A student may withdraw his/her/their request for a College-Level Grade Appeal prior to the scheduled hearing date. If a student does not attend on the hearing date, the Grade Appeals Chair will consider the appeal abandoned.

#### 5.4. Student Advocates

- 5.4.1. The student who filed the grade appeal may choose to be represented by one advocate at the hearing. If the student chooses a lawyer or paralegal as his/her/their advocate, the student must notify the Grade Appeals Committee chair of such at least two (2) business days in advance of the hearing.
- 5.4.2. Advocates must be identified at the beginning of the academic appeals hearing and cannot be substituted during the appeal hearing except under exceptional circumstances. Only the advocate or the student may speak during the hearing, although advocates may call upon the student they are representing to provide testimony.
- 5.4.3. If a student engages legal representation of any kind during the appeals process, the student will be responsible for costs incurred.

#### 5.5. The Grade Appeals Hearing

- 5.5.1. The process to be followed in the hearing will be outlined by the Grade Appeals Committee chair at the commencement of the hearing. Following introductions, the Grade Appeals Committee chair, will:
- provide an opportunity for the student or the student's advocate to outline the procedural reason for the appeal;
  - provide an opportunity for the Executive Dean, Dean or Associate Dean to outline the particulars of the process and decision of the Faculty-Level grade appeal; and

- provide an opportunity for the Grade Appeals Committee members to clarify any issues raised by directing their questions to any party, through the Grade Appeals Committee chair.

5.5.2. The Grade Appeals Committee chair has the discretion to utilize other practices or procedures deemed appropriate.

## 5.6. Disposition

5.6.1. The Grade Appeals Committee may:

- identify procedural errors of the Faculty-Level process and refer the appeal back to the Faculty's Executive Dean/Dean/Associate Dean to repeat the Faculty-Level process;
- assign a revised grade for the student's assessment; or
- uphold the Faculty-Level outcome that was under appeal.

## 5.7. The Decision

5.7.1. The Grade Appeals Committee will render its decision with reasons, in writing, within three (3) business days of the completion of the hearing.

5.7.2. The written decision will be provided by the Grade Appeals Committee chair to the Grade Appeals Committee, the Associate Vice-President, Academic (Administration), the Faculty's Executive Dean/Dean/Associate Dean, the faculty member and the student.

## 6. Roles and responsibilities

6.1. It is the responsibility of the Executive Vice-President, Academic to ensure that the Grade Appeals policy and procedure is fully implemented.

6.2. It is the responsibility of the Associate Vice-President, Academic (Administration) to receive and distribute grade complaint documentation to the Grade Appeals Committee, to appoint members of the Grade Appeals Committee and to address student complaints regarding the composition of the Grade Appeals Committee, within established timelines.

6.3. It is the responsibility of the Executive Dean/Dean/Associate Dean in the Faculty of the original appeal to consider and provide a student with a written decision from Step 2 of the Faculty-Level Grade Appeal, within the established timelines.

- 6.4. It is the responsibility of the Grade Appeal Committee chair to draft and provide a written decision to the student, Associate Vice-President, Academic (Administration), Faculty Executive Dean/Dean/Associate Dean and faculty member of the outcome of the College-Level Grade Appeal, within the established timelines.
- 6.5. It is the responsibility of faculty members to review informal grade complaints and explore options for resolution with students initiating appeals, within established timelines.
- 6.6. It is the responsibility of students to initiate the Faculty-Level and College-Level grade appeal processes within established timelines.

## **7. Accessibility for Ontarians with Disabilities Act considerations**

Accessibility for Ontarians with Disabilities Act (AODA) standards have been considered in the development of this policy and procedure and it adheres to the principles outlined in the College's commitment to accessibility as demonstrated by the Multi-Year Accessibility Plan.

## **8. Non-compliance implications**

Failure to comply with this policy may affect the integrity of the grade appeal process, the fair determination of student grades and harm the reputation of the College.

## **9. Related forms, legislation or external resources**

- College-Level Grade Appeal form
- Faculty-Level Grade Appeal form
- Minister's Binding Policy Directive on Frameworks for Programs of Instruction