

### AC.3.4.4 Student Non-Academic Conduct Schedule C

#### Non-Academic Misconduct Appeal Processes

#### Part 1: Appeal of OCC decision of non-academic misconduct requiring a sanction

Stage	Actions	When
Student wishes to appeal the OCC decision	<ol style="list-style-type: none"> <li>1. A student who wishes to appeal the Office of Community Conduct's (OCC) decision shall send an email to <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a>. This email sets out the student's grounds for the appeal, which must include at least one of the four grounds listed below. The onus is on the student to provide sufficient evidence to establish that one or more of these grounds exists.</li> <li>2. Appeals are restricted to four grounds: <ul style="list-style-type: none"> <li>• The student alleges that there was a substantial procedural error which denied the student a fair hearing or which may have substantially affected the original decision's outcome.</li> <li>• The student alleges there is a reasonable apprehension of bias on the part of the original decision-maker.</li> <li>• The student has new relevant evidence to present that was not available at the original proceeding, through no fault of the student and which may have substantially affected the original decision's outcome.</li> <li>• The student alleges that the sanction is too severe/unreasonable in light of the student's specific circumstances.</li> </ul> </li> </ol>	Within five business days of receiving the OCC's decision letter.
Initial review of student's request to appeal	<ol style="list-style-type: none"> <li>3. <a href="mailto:Student.appeals@sait.ca">Student.appeals@sait.ca</a>: <ul style="list-style-type: none"> <li>• Reviews the student's request for an appeal to determine if the student's request meets at least one of the grounds listed above. The onus is on the student to provide sufficient evidence to establish this.</li> <li>• If <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> determines that the requested appeal does not meet at least one of the four grounds listed above or that there are more appropriate avenues for the student to pursue, <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> advises the student in writing of the decision not to proceed with the appeal and the reasons for this decision. The decision is final and binding.</li> <li>• If <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> determines that the request for an appeal meets at least one of the four grounds set out above, <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> advises the student in writing that the appeal may proceed.</li> </ul> </li> </ol> <p><a href="mailto:Student.appeals@sait.ca">Student.appeals@sait.ca</a> forwards the student's email to the Office of Community Conduct and works with the student, Office of Community Conduct, and the registrar to manage the appeal process.</p>	Within five business days of receiving the student's email.

Stage	Actions	When
Appeal is arranged and heard	<p>4. The registrar<sup>1</sup> decides the scope of the appeal (i.e., whether the appeal is a full appeal de novo or a more limited appeal) and whether the appeal will be through a documentary evidence review or a formal hearing. This decision is final and binding.</p> <p>5. If the registrar determines that the appeal will be by way of documentary evidence and that a formal hearing is not required, <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> advises the student and the OCC of the process and deadlines. The registrar decides this appeal based on their review of the documentary evidence, and advises the student and the Office of Community Conduct of the decision. The registrar's decision is final and binding.</p> <p>6. If the registrar determines that the appeal will be by way of a formal hearing, the registrar sends written notice to the student and the Office of Community Conduct of the date, time and location of the hearing. The registrar has the discretion to require or not require the Office of Community Conduct to attend the hearing.</p> <p>7. The hearing may be either online via Teams or in person, at the discretion of the registrar. 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>8. The student and the Office of Community Conduct provide the registrar with supporting information and a list of witnesses (if any) who will attend the hearing.</p> <p>9. The student and the Office of Community Conduct may present supporting written and oral information, call witnesses and make submissions.</p> <p>10. The student is entitled to:</p> <ul style="list-style-type: none"> <li>• 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. In the case of a dual credit student, the student is also entitled to bring the student's supervising high school teacher/school board representative. In general, only the student speaks on the student's behalf.</li> <li>• Be accompanied by an interpreter, where the student feels that their fluency in English requires the assistance of an interpreter.</li> </ul>	<p>Within five business days of the decision by <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> to allow the appeal to proceed.</p> <p>Within five business days of the decision by <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> to allow the appeal to proceed.</p> <p>Within five business days of the decision by <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> to allow the appeal to proceed</p> <p>Within the deadline specified by the registrar.</p> <p>Appeal is heard no sooner than two business days and no later than ten business days after the registrar sends the notice to the student and OCC.<sup>2</sup></p>

<sup>1</sup> 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.

<sup>2</sup> 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>The student is responsible for arranging the interpreter. Only the student speaks on the student's behalf.</p> <p>11. Any party to the hearing or the registrar may request SAIT's Ombudsperson to attend the 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>12. If the student fails to attend the hearing:</p> <ul style="list-style-type: none"> <li>• If the student provides no reasonable explanation for their absence, the registrar makes a decision based on the evidence available in the student's absence.</li> <li>• If the student provides a reasonable explanation for their absence, the registrar has the discretion to reschedule the hearing.</li> </ul> <p>13. 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>14. 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 Part 2 of this schedule. All other decisions of the registrar are final and binding.</p>	<p>Within five business days after the appeal has concluded.</p> <p>Within five business days of receiving the registrar's decision.</p>
Communication of appeal decision	<p>15. 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>Within five business days after the appeal has concluded.</p>
Implementation of appeal decision	<p>16. If the student's appeal of the finding of non-academic misconduct is successful, the Office of Community Conduct removes its letter from the student's record.</p> <p>17. If the student's appeal is unsuccessful:</p> <ul style="list-style-type: none"> <li>• 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. Sanctions other than expulsion are noted on the student's record for seven years. An expulsion is permanently recorded on the student's record. The sanctions of suspension and expulsion are noted on the student's transcript for two years (for suspension) or five years (for expulsion).</li> <li>• The Office of the Registrar implements the sanction(s) in collaboration with other stakeholders as required, and determines if the student is entitled to any tuition refund.</li> </ul>	<p>Within five business days after the appeal has concluded.</p>

## Part 2: Appeal of Registrar's non-academic misconduct decision requiring either suspension for 30 or more calendar days or expulsion

Stage	Actions	When
Student wishes to appeal the registrar's decision	<ol style="list-style-type: none"> <li>1. A student who wishes to appeal the registrar's decision shall send an email to <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a>. This email sets out the student's grounds for the appeal, which must include at least one of the four grounds listed below. The onus is on the student to provide sufficient evidence to establish that one or more of these grounds exists.</li> <li>2. Appeals are restricted to four grounds: <ul style="list-style-type: none"> <li>• The student alleges that there was a substantial procedural error which denied the student a fair hearing or which may have substantially affected the original decision's outcome.</li> <li>• The student alleges there is a reasonable apprehension of bias on the part of the original decision-maker.</li> <li>• The student has new relevant evidence to present that was not available at the original proceeding, through no fault of the student and which may have substantially affected the original decision's outcome.</li> <li>• The student alleges that the sanction is too severe/unreasonable in light of the student's specific circumstances.</li> </ul> </li> </ol>	Within five business days of receiving the registrar's decision letter.
Initial review of student's request to appeal	<ol style="list-style-type: none"> <li>3. <a href="mailto:student.appeals@sait.ca">Student.appeals@sait.ca</a> reviews the student's request to determine if the student's request meets at least one of the grounds listed above. The onus is on the student to provide sufficient evidence to establish this. <ul style="list-style-type: none"> <li>• If <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> determines that the requested appeal does not meet at least one of the four grounds listed above or that there are more appropriate avenues for the student to pursue, <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> advises the student in writing of the decision not to proceed with the appeal and the reasons for this decision. The decision is final and binding.</li> <li>• If <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> determines that the request for an appeal meets at least one of the four grounds set out above, <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> advises the student in writing that the appeal may proceed, and works with the student, the registrar and the Office of the Vice President Academic to manage the appeal process.</li> </ul> </li> </ol>	Within five business days of receiving the student's email.
Appeal is arranged	<ol style="list-style-type: none"> <li>4. The vice president, academic<sup>3</sup> decides the scope of the appeal (i.e., whether the appeal is a full appeal de novo or a more limited appeal) and whether the appeal will be through a documentary evidence review or a formal hearing. This decision is final and binding.</li> </ol>	Within five business days of the decision by <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> to allow the appeal to proceed.

<sup>3</sup> 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
	<p>5. If the vice president, academic determines that the appeal will be by way of documentary evidence and that a formal hearing is not required, <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> advises the student and the registrar. The vice president, academic's decision is final and binding.</p> <ul style="list-style-type: none"> <li>The vice president, academic usually decides this appeal based on their review of the documentary evidence, and advises the student and the registrar of the decision. Note that the vice president, academic has the discretion to convene an appeal panel for the purpose of reviewing this documentary evidence. The vice president, academic's decision on the appeal is final and binding</li> </ul> <p>6. If the vice president, academic determines that the appeal will be by way of a formal hearing, the vice president, academic convenes and chairs an appeal panel consisting of:</p> <ul style="list-style-type: none"> <li>The vice president, academic or designate</li> <li>A dean or associate dean from an unrelated school</li> <li>An instructor from an unrelated school</li> <li>An unrelated student peer appointed by SAITSA</li> </ul> <p>If an appeal panel member is unexpectedly absent at the formal hearing or if the student establishes that an appeal panel member has a conflict of interest, the hearing may proceed with a three-person panel if the student agrees. Otherwise, the hearing will be rescheduled and/or a new panel will be convened.</p> <p>7. The Office of the Vice President, Academic schedules the formal hearing and sends written notice to the student and the registrar of the date, time and location of the hearing. There must be at least two business days between when the student receives the notice and the date of the hearing.</p> <p>8. A formal hearing will normally be held online through Teams. The student is, in the absence of compelling circumstances, required to show their face and to have their computer's web camera on.</p> <ul style="list-style-type: none"> <li>A student may request an in-person hearing instead of an online hearing if there are compelling reasons for this request. The onus is on the student to establish those circumstances. The vice president, academic will decide whether to allow the student's request. This decision will depend on the student's circumstances and on whether it is reasonable and practical for the hearing to be held in-person. The vice president, academic's decision is final and binding.</li> </ul> <p>9. 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.</p>	<p>Within five business days of the decision by <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> to allow the appeal to proceed.</p> <p>Within five business days of the decision by <a href="mailto:student.appeals@sait.ca">student.appeals@sait.ca</a> to allow the appeal to proceed.</p> <p>Within the deadline specified by the vice president, academic.</p>

Stage	Actions	When
Formal appeal hearing	<p>10. The student and the registrar may present supporting written and oral information, may call witnesses and may make submissions.</p> <p>11. 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. In the case of a dual credit student, the student is also entitled to bring the student's supervising high school teacher/school board representative. In general, only the student speaks on the student's behalf.</p> <p>12. 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. Only the student speaks on the student's behalf.</p> <p>13. Any party to the appeal or the Appeal Panel Chair may request SAIT's Ombudsperson to attend the 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 to the Appeal Panel.</p> <p>14. If the student fails to attend the hearing:</p> <ul style="list-style-type: none"> <li>• If the student provides no reasonable explanation for their absence, the Appeal Panel Chair makes a decision based on the evidence available in the student's absence.</li> <li>• If the student fails to attend the hearing and provides a reasonable explanation for their absence, the Appeal Panel Chair has the discretion to reschedule the hearing.</li> </ul> <p>15. The Appeal Panel Chair determines on the balance of probabilities, based on the written and oral information presented at the hearing by the student, dean/director and witnesses, if 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>16. The Appeal Panel Chair's decision is final and binding.</p>	<p>Appeal is heard no sooner than two business days and no later than ten business days of the Office of the Vice President, Academic sending notice to the student and the registrar.<sup>4</sup></p> <p>Within five business days after the appeal hearing has concluded.</p>
Communication of appeal decision	<p>17. The Appeal Panel Chair sends a letter to the student outlining the evidence presented at the appeal hearing, the decision and the reasons for the decision.</p> <p>18. The Appeal Panel Chair sends a copy of the letter to the registrar and the Office of Community Conduct.</p>	<p>Within five business days after the appeal hearing has concluded.</p>

<sup>4</sup> In some situations, an appeal may need to be held over more than one day, and may not conclude until after ten business days have passed.

Stage	Actions	When
Implementation of appeal decision	<p>19. If the student's appeal of the finding of non-academic misconduct is successful, the Office of Community Conduct ensures that the registrar's letter is not on the student's record.</p> <p>20. If the student's appeal is unsuccessful:</p> <ul style="list-style-type: none"> <li>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. Sanctions other than expulsion are noted on the student's record for seven years. An expulsion is permanently recorded on the student's record. The sanctions of suspension and expulsion are noted on the student's transcript for two years (for suspension) or five years (for expulsion).</li> <li>The Office of the Registrar implements the suspension/expulsion in collaboration with other stakeholders as required and determines if the student is entitled to any tuition refund.</li> </ul>	<p>Within five business days of receiving the appeal decision letter.</p> <p>Within five business days of receiving the appeal decision letter.</p>

May 13, 2025