

Appealing a second, third or fourth academic misconduct decision

If you are a student who has been found to have committed a second, third or fourth academic misconduct offence, you may be able to request an appeal (or a review) of that decision in certain situations. During the appeal process, the grounds (or reasons) for the appeal, the decision being appealed, and the process used to make that decision will be reviewed. If you do not follow the appeal process set out in Schedule C, procedure AC.3.4.3 Student Academic Conduct, the appeal will be denied.

1. Starting an appeal: establishing the grounds (or reasons) for your appeal

Just because you disagree with an academic misconduct decision or think the decision is wrong is not a valid reason to appeal that decision. Your appeal must be based on one (or more) specific ground. You need to provide information that shows that one or more of these grounds exists: it is not enough for you just to say that the ground exists. Student Appeals (at student.appeals@sait.ca) will decide if you have established at least one of these grounds, and may ask you for additional information when making this decision. **If you cannot establish at least one ground, your appeal will not proceed.** The decision of Student Appeals is final and binding: you cannot appeal this decision, so make sure you provide all the information needed to establish your ground(s) for the appeal.

The four grounds for an appeal are:

- **There was a substantial procedural error in the original hearing that denied you a fair hearing or that may have substantially affected the outcome of the original decision.**
 - *What was this procedural error, specifically? How do you know this was an error – for instance, how did the original proceeding not follow the academic misconduct process set out in Schedule C, AC.3.4.3 Student Academic Conduct? How did this error deny you a fair hearing or affect the outcome of the original decision?*
- **There was reasonable apprehension of bias on the part of the original decision-maker.**
 - *Would a reasonable person have considered the decision-maker to likely have been biased? What did the original decision-maker specifically do or say that shows they may have been biased against you?*
- **You have new relevant evidence to present that was not available for you to present at the original proceeding and that may have substantially affected the original decision's outcome, through no fault of yours.**
 - *Exactly what is this new evidence? How is it relevant to your academic misconduct case? Why didn't you present this evidence at the original proceeding? When did you discover this new evidence? Could this new evidence have reasonably affected the outcome of the original proceeding – and if so, how?*
- **The sanction (or penalty) is too severe/unreasonable in light of your specific circumstances.**
 - *Why is this sanction too harsh in relation to you, specifically? While the sanction may affect your ability to complete your program in a timely basis, may affect your study permit if you are an international student, etc., this impact is the same for all students who have been found to have committed a second, third or fourth academic misconduct offence. How does this sanction have a particularly severe/unreasonable impact on you?*
 - *Note that SAIT does not base the sanction for a second, third or fourth offence on the weight of the assessment in which you committed the misconduct, the date a study permit expires, how far along you*

are in your program, etc. SAIT considers a second, third or fourth act of academic misconduct to be very serious.

2. You've established at least one ground of appeal: now what?

If Student Appeals determines you have established at least one ground for your appeal, the Vice President, Academic, will make two decisions: how your appeal will be heard, and what your appeal will cover. Student Appeals will advise you of the Vice President, Academic's decisions on these two questions.

- **How will your appeal be heard?**
 - Your appeal will be heard either by a review of the documentary evidence that you and your school/department provided to student.appeals@sait.ca or by a face-to-face formal hearing (or meeting) with an appeal panel.
 - If your appeal is by way of documentary evidence, you won't be required to meet with an appeal panel. Instead, the Vice President, Academic (VPA) will review the evidence that you and your school/department have provided and will make a decision based on that evidence and without a formal hearing.
 - If your appeal is by way of a formal hearing before an appeal panel, four members of the SAIT community will come together as an appeal panel to hear both your side of the story and your school/department's side of the story. The Office of the VPA will schedule this hearing, and will keep you informed of each step in this process. The hearing is usually scheduled as a Teams meeting, although you may ask the Office of the VPA to consider scheduling it as an in-person hearing. You can bring a supporter and interpreter (if needed) to this hearing (although they cannot speak for you).
- **What will your appeal cover?**
 - This depends on the grounds that you have established for your appeal. The appeal could be a full review of the entire allegation of academic misconduct, a review of specific procedural elements of the original hearing, a review only of the sanction, etc. Please note that once you have established the ground(s) for your appeal, you may not subsequently raise new grounds.

3. Who makes the final decision on my appeal? How/when will I find out that decision?

If your appeal is by way of documentary evidence, the VPA makes the final decision. If your appeal is by way of a formal hearing, the Appeal Panel Chair makes the final decision. Either way, within five business days of the decision being made, SAIT will send you a formal letter advising you of that decision.

4. I don't agree with the appeal decision: now what?

The decision on your appeal is final and binding, and cannot be further reviewed within SAIT.

5. Where can I find more information on the appeal process?

See [Schedule C](#), procedure AC.3.4.3 Student Academic Conduct, for more information about the appeal process.. You may also contact student.appeals@sait.ca or SAIT's Ombudsperson at ombudsperson.info@sait.ca.