CONESTOGA COLLEGE RESIDENCE
APPEAL REQUEST FORM

This form is to be completed by Resident's who have already completed the decision review stage of the appeal process, and who still feels like the decision was unfair, and who wishes to appeal that decision formally.

Name: _____	Today's Date: _____
Room # _____	Date on the Decision Letter: _____
e-mail:	Phone Number:

Important Policy and Procedure Notes

1. Please read the Residence Community Living Standards for complete information about offenses, sanctions, and judicial processes. Summary information about the appeal process and related timelines is provided on the back of this form.
2. This form must be submitted to the decision-maker or the General Manager within **72 hours** of receiving the original decision letter.
3. Resident's requesting an appeal must clearly demonstrate that they have grounds for an appeal, which includes providing evidence supporting one of the following items:
   i. **Bias:** Reasonable apprehension of bias of the decision-maker who imposed the Sanction(s).
   ii. **Procedural Fairness:** Failure by the decision-maker to comply with the Principles of Natural Justice and Procedural Fairness, which may have affected the decision.
   iii. **New information:** New evidence which could not have been available to the decision-maker when making the decision.

Details of the Appeal Request

All appeals (except evictions) must go through the informal appeal process prior to submitting a formal appeal.

What Level of Offense are you appealing: **1)** ☐ **2)** ☐ **3)** ☐ **Eviction** ☐

Who was the Decision-Maker and Informal Appeal Route: _____

Which grounds are you citing in your appeal: **A-Bias** ☐ **B-Procedural** ☐ **C-New Information** ☐

Please attach to this form a typed explanation of your appeal, including why the informal appeal process did not have a satisfactory outcome, and the evidence supporting the grounds for your appeal. Your argument needs to clearly illustrate your grounds for an appeal. You should provide all information necessary for the individual/committee to evaluate your appeal. If you have witnesses that can provide evidence, please include their names, room numbers, and contact information. You will receive a written response to your appeal request within 72 hours.

By signing below, I agree to the following:

1) I have read and understand the Residence Community Living Standards, the Appeals Process, and the requirements of my appeal letter described above,
2) I understand I may speak with services at the College for assistance with my appeal letter,
3) I have attached my written explanation for my appeal.

Resident Signature: _____

If you have any questions about the Appeal Procedures please contact a member of the Residence Life Staff or the General Manager.

APPEAL PROCEDURES

(a) The Principles of Natural Justice and Procedural Fairness must prevail in Appeal Procedures to ensure compliance with the principle that justice must not only be done, but be seen to be done.

(b) Any resident found in violation of the Residence Community Living Standards is entitled to submit an appeal.

(c) A Resident has **72 hours** from the date they receive their decision letter to start the appeal process. Depending on the original decision rendered, the appeal process proceeds as follows (see Appeal Process Chart):

   i. The first stage is the informal appeal, where the resident contacts the decision-maker in writing to appeal the decision. The resident may present new information and/or alternate sanctions for the decision-maker to consider. The decision-maker may alter the decision and/or sanctions.

   ii. If the resident determines outcomes of the informal appeal are not satisfactory and they have grounds for a formal appeal they may complete the formal appeal request form and submit it to the Residence Office.

   iii. In the event of an eviction, there is no informal appeal. If the resident has grounds for an appeal, the resident may complete the formal appeal request form and submit it to the Vice President, Student Affairs.

(d) The resident requesting an appeal must demonstrate in their appeal request that they have grounds for a formal appeal, which includes providing evidence of one of the following items:

   i. **Procedural Fairness:** Alleged substantive failure by the decision-maker to comply with the Principles of Natural Justice and Procedural Fairness, which may have affected the decision.

   ii. **New information:** Substantive new evidence which could not have been available to the decision-maker when making the decision.

   iii. **Sanctions:** Sanctions assessed under the Residence Community Living Standards are considered too severe for the offense(s).

(e) Once an appeal request is received Residents will be contacted in writing within 72 hours to either set-up their informal appeal meeting or to notify them if their request for a formal appeal will be granted. If the formal appeal is granted, the Vice President, Student Affairs will set-up the Eviction Appeal Committee, which is comprised of a Student, the Director of Residence Life from Campus Living Centres (or designate), and the Vice President, Student Affairs (or designate). Residents appealing an Eviction will be provided with additional information about Appeal Meeting procedures

(f) The individual or committee considering the formal appeal may, after reviewing the case:

   i. uphold the findings and/or sanctions;

   ii. reverse the findings;

   iii. reverse or modify the sanctions;

   iv. determine that there was a procedural error and ask the original decision-maker to rehear the case.

(g) During a formal appeal, all sanctions (minus financial sanctions) remain valid until they are reversed or modified by the individual or committee hearing the appeal.

(h) All decisions made in a formal appeal are final and are not subject to further appeals.