



UNIVERSITY COUNCIL

Procedures for Student Appeals in Academic Matters

Pursuant to the *Policy on Student Appeals of Evaluation, Grading and Academic Standing*

Approved by Council January 2012

Effective for appeals of decisions made on or after May 9, 2012

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PROCEDURES FOR STUDENT APPEALS IN ACADEMIC MATTERS

The following are approved by the University of Saskatchewan Council as regulations pursuant to Council's *Policy on Student Appeals of Evaluation, Grading and Academic Standing*. This policy can be found at

www.usask.ca/university_secretary/policies/student/policy-on-student-appeals-of-evaluation,-grading-and-academic-standing.php

I. SCOPE OF PROCEDURES AND DEFINITIONS

These procedures apply to the following decisions that affect the academic record and/or standing of a student registered or in attendance in a program under the oversight of Council:

- (a) those involving an academic judgement, including (where relevant) assessment of a student's level of professionalism, on all course work, whether written (such as an examination paper, assignment, essay or laboratory report) or unwritten (such as performance in a verbal or artistic presentation, clinical or professional service activity or practicum), including deferred examinations, supplemental examinations, special examinations and other extraordinary methods of assessment;
- (b) those pertaining to a student's academic standing in his or her program; and
- (c) those pertaining to academic assessment to the extent that it has been affected by other than substantive academic judgment.

In these procedures,

- "appellant" refers to the student making the appeal;
- "course work" includes all of the components of a student's program that are assigned a grade or outcome including thesis, project, field, practicum and laboratory work;
- "department" and "college" refer to the administrative unit of the university which offers the course or other academic activity to which a grievance relates;
- "department head" and "dean" refer to the administrative heads of such units;
- "instructor(s)" refers to the person(s) who was/were responsible for the assessment of student work or performance because she or he or they prepared and graded or arranged for the grading of written work or who otherwise provided the assessment of the work or performance to which the following procedures apply;

- “respondent” refers to the individual(s) responding to the appeal.
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II. AVAILABILITY OF WRITTEN WORK

A student shall be permitted to see her or his examinations or other work, and where possible to be provided a copy of her or his work, in accordance with the practices of the department or college. A department or college is not required to provide the student with access where a special form of examination is used. In such cases, students in the course should be informed at the beginning of a course that copies of examinations or other forms of assessment are not available.

III. SUBSTANTIVE ACADEMIC JUDGEMENT OF STUDENT WORK: UNDERGRADUATE STUDENTS¹

A student who is dissatisfied with the assessment of her or his work or performance in any aspect of course work, including a midterm or final examination, shall follow the procedures set out below.

The University recognises that instructors may use alternative forms of evaluation either to meet specific circumstances of the student (e.g., oral examinations to accommodate students physically unable to write) or because of the nature of the course (e.g. performance in a verbal or artistic presentation, clinical or service activity or practica). The following procedures shall also apply (as much as possible) to such alternative forms of evaluation.

A. Instructor Level: Informal Consultation

Prior to initiating formal procedures as set out below, a student who has a concern with the evaluation of her or his work or performance shall consult wherever possible with the individual(s) that evaluated the work or performance. This informal consultation should take place as soon as possible, but in any event, not later than 30 days after the assessment has been made available to the students in the class.

The purpose of the informal consultation is

- To assist the student in understanding how his or her grade was arrived at;
- To afford an opportunity for the instructor(s) and student to review the evaluation and ensure that all work was included, that all material was marked, that no marks were left out and that additions and grade calculations were correctly made.

¹ Includes postgraduate trainees and students in diploma programs and certificate programs under the oversight of Council.

Any errors discovered during this review should result in an appropriate change in the grade awarded the work or performance and in the instructor's records for the course. If the consultation relates to a final grade in a course, the mark or grade in the course may be changed following the normal grade change procedures, subject to approval by the department head (or dean in a non-departmentalized college).

If the student is not satisfied with the academic judgement rendered with respect to the work or performance, he or she may request reconsideration of the assessment. The instructor(s) may decide to evaluate the work or performance or request that the student apply for a formal re-assessment as set out in these procedures.

If the instructor(s) responsible for evaluation is/are not available, the student should seek advice from the individual responsible for the course (this may be the course coordinator, department head or dean in a non-departmentalized college, or the executive director for continuing and distance education) about the best means of fulfilling the requirement for informal consultation. The individual consulted may advise the student to apply for a formal re-assessment as provided for under Section B.

The college or department responsible for the course may specify different time limits than those prescribed above, and may, at its discretion, waive compliance with the time limits.

B. Formal Re-assessment (Re-read) at the level of Department or Non-departmentalized college

A department-level re-assessment involves a re-evaluation of assessment of written or non-written work in the context of the expectations for that work, arranged for by the department head (or dean in a non-departmentalized college, or executive director for certificate programs offered through continuing and distance education). The re-assessor should have access to a description of the instructor's expectations for the work, and, where feasible, to samples of work submitted by other students in the course. Where possible, the re-assessor should assess the work without knowledge of the mark given by the instructor(s).

Examples of non-written work include marks given for class participation, performance in oral or artistic presentations, clinical or professional service activities and practicum based activities. Since such forms of work or performance often involve assessment based on observation of the student's performance by the instructor or, in the case of a practicum, by someone else, it is not always possible to apply with precision the re-reading procedures set out in this section. However, these procedures shall apply as much as possible to such assessments.

Student should be aware that a grade may be reduced as the result of a re-assessment.

Process to be followed:

(a) To initiate a re-assessment of written work, the student shall submit a completed *Request for and Report of Re-Assessment Form* to the department head or dean in a non-departmentalized college, or the executive director for certificate programs offered through continuing and distance education. The request must be made within 30 days of the delivery to the student of the results of the assessment under review. A fee specified by the registrar shall be tendered with the request. The fee will be refunded if the student's grade on the course or course component is increased at least five (5) percentage points as a result of the re-reading or if the student's grade is increased from a Fail to a Pass in a course or course component where the assessment is Pass/Fail.

The request shall state briefly the student's concern with the assessment of the work.

(b) The department head or dean in a non-departmentalized college, or the executive director for certificate programs offered through continuing and distance education, shall determine whether it is feasible to arrange to have some or all of the student's work or performance re-assessed by someone, other than the instructor(s), whom the department head, dean or executive director decides is qualified to do so. Where the department head or dean or executive director concludes that some or all of the performance or work can be re-assessed by someone other than the instructor who is qualified to do so, he or she shall appoint such person or persons for this purpose. The re-assessment may be done by the original examiner(s) when no such person is available.

Where possible, the marking or grading structure used by the instructor(s) shall be used by the re-reader. The mark or grade given by the re-assessor may be higher or lower than the mark given by the instructor(s). The result of the re-read shall be recorded on the *Request for and Report of Re-Assessment Form*.

(c) The original mark or grade shall not be changed until after the original instructor(s) has/have been consulted by the department head or dean or executive director. This requirement may be waived by the department head or dean or executive director when consultation is not practicable. A third reader may be appointed to resolve any disagreement between the instructor(s) and the re-reader as to the mark or grade to be assigned to the work. Otherwise, the department head, dean or executive director, or a committee appointed for such purpose, shall determine the mark or grade following the report of the results of the re-reading.

(d) The student shall be notified in writing by the department head or dean or executive director of the determination of the mark or grade as soon as possible,

but not later than 30 days after the results of the re-assessment are determined as provided in (c).

(e) A ruling of a department-level decision on a matter of substantive academic judgement will be final.

(f) A student who believes that the assessment of his or her work or performance has been negatively affected by a factor not involving academic judgement of the substance of the work or performance may appeal as provided in Part V.

IV. SUBSTANTIVE ACADEMIC JUDGEMENT OF STUDENT WORK: GRADUATE STUDENTS

A. Instructor Level: Informal Consultation

A graduate student who is dissatisfied with the assessment of her or his work or performance in any aspect of course work shall first follow the informal procedures for consultation with the instructor(s) as set out in III.A, above.

B. Formal Appeals

Following informal consultation with the instructor (where feasible), a graduate student who has a concern or question about the evaluation of her or his work or performance should consult with the graduate chair of the program or the dean of graduate studies and research before invoking formal procedures. If, after these consultations, the student is unsatisfied, he or she may petition the graduate academic affairs committee of the College of Graduate Studies and Research for a formal ruling on the matter. If the concern relates to a written examination, essay or research paper, the student may request, or the committee may institute, a re-read procedure similar to that described above for undergraduate students. If the concern involves any other form of assessment, the committee shall consider and rule on it.

The ruling by the graduate academic affairs committee of the College of Graduate Studies and Research on a matter of substantive academic judgment will be final. This includes decisions on the acceptability of the thesis and the results of oral examinations.

A ruling on a concern that assessment of a graduate student's academic work or performance has been negatively affected by a factor not involving academic judgment of the substance of the work or performance may be appealed as hereinafter provided.

V. APPEALS DEALING WITH MATTERS OTHER THAN SUBSTANTIVE ACADEMIC JUDGMENT

A. COLLEGE LEVEL APPEAL

This section deals with matters not directly involving substantive academic judgment which, however, may affect a student's academic record, standing or status.

1. Appeals of Standing in Program

Council delegates to college and school faculty councils and in the case of certificates of successful completion offered through continuing and distance education, to the provost, the responsibility for developing and approving procedures by which a student may appeal decisions concerning his or her overall standing, including decisions around progression in the program, granting of leaves, probationary status and graduation, on compassionate, medical or other grounds. These decisions may be further delegated by the faculty council or the provost to a committee established for this purpose, or to a college dean, the executive director of a school, or an associate or assistant dean provided that there is a provision for reporting such decisions back to the faculty council. Such decisions are subject to university-level appeal on limited grounds as provided for in Section B, below.

2. Appeals of Assessment in Course Work

A student who alleges that assessment of her or his academic work or performance in course work has been negatively affected by a factor not involving academic judgment of the substance of the work or performance may appeal the assessment. Council delegates responsibility for investigating and, if the appeal is upheld, for determining an appropriate remedy, to the dean of the college responsible for the course or activity or to the provost for certificate programs offered through continuing and distance education as described below. The outcome of the appeal to the dean or provost is limited to a change in the student's grade in the course(s) under appeal, and is subject to university-level appeal as provided for in Section B below.

(a) The student shall deliver to the dean or provost, not later than 30 days from the date the student is informed of the assessment, a written statement of the allegation and a request for a review of the matter. The dean or provost may extend the period of time to submit the written statement.

(b) Subject to section (c) below, the dean or provost shall instruct the department head (if it is a departmentalized college) to arrange for an informal investigation of the allegation. In a non-departmentalized college or the Centre for Continuing and Distance Education, the dean or provost respectively shall

arrange for such an investigation. The investigation shall be carried out as expeditiously as possible and must include, wherever practical, consultation with the original instructor.

(c) In a case where a student's allegation involves the dean or department head or provost, that individual should declare a conflict of interest and assign the case to an associate or assistant dean or another member of the department who has not been involved in the assessment.

(d) The dean or provost (or delegate under section c) shall inform the student and the original instructor in writing as to the outcome of the investigation. If the student is not satisfied with the outcome, he or she may initiate an appeal as provided in Section B below, subject to the grounds specified in that section.

B. UNIVERSITY LEVEL APPEAL

1. Grounds for an Appeal

(a) A student may appeal as hereinafter provided a decision affecting her or his academic standing on the following grounds only:

(i) alleged failure to follow procedural regulations of the relevant college or the university dealing with assessment of students' academic work or performance or administrative decisions or alleged misapplication of regulations governing program or degree requirements;

(ii) alleged differential treatment of the student as compared to the treatment of other students in the course or program, where the alleged differential treatment affected assessment of the student's academic work or performance;

(iii) alleged discrimination or harassment, as set out in the University's Policy on Discrimination and Harassment Prevention and procedures for addressing issues of discrimination and harassment, where the alleged violation affected assessment of the student's academic work or performance; or

(iv) alleged failure to implement the approved policy and procedures of the University dealing with accommodation of students with disabilities, when the alleged failure affected assessment of the student's academic work or performance.

(b) A student has no right of appeal under these rules with respect to an academic judgment of the written or non-written work, performance or activities or with respect to a decision relating to the provision of deferred or special examinations or other extraordinary methods of assessment unless that judgment

or decision is alleged to involve or be affected by a factor mentioned in clause 1(a).

(c) A student has no right of appeal as hereinafter provided until all applicable steps set out in preceding rules have been taken and a final decision in relation to the matter has been made as provided in those rules. In particular, a university-level appeal hearing will not be held until a report of the college-level investigation as outlined in Section A has been rendered.

2. Initiation of the Appeal

(a) A student initiates an appeal under these rules by delivering a notice of university-level appeal to the following persons:

- (i) the university secretary;
- (ii) the dean of the college offering the course to which the allegation relates or, if it is a program offered through continuing and distance education, the provost;
- (iii) the faculty member responsible for the course to which the allegation relates; and
- (iv) the dean of the college in which the student is registered, if different from the dean in (ii) above ; and
- (v) the registrar.

(b) The notice of appeal shall be delivered as soon as possible, but not later than 30 days from the date a final decision on the college-level appeal has been communicated in writing to the student. Thereafter no appeal may be brought.

(c) In general, any assessment of student work and/or standing is considered valid until and unless it has been successfully overturned by an appeal. Reasonable and appropriate efforts should be made, however, to maintain a student's standing while an appeal is pending, subject to such considerations as safety.

3. Appointment of an Appeal Board

(a) Upon receipt of a notice of appeal, the university secretary shall constitute an appeal board to be composed of three members of Council, one of whom is a student. One faculty member of the appeal board shall be named chairperson. The members of the board shall be chosen from a roster nominated by the nominations committee of Council.

4. Appeal Procedure

(a) The appeal board shall convene to hear the appeal as soon as is practicable, but not later than 30 days after it is constituted or such later date as is acceptable to the student and the dean whose decision is being appealed. Under exceptional circumstances, the board may extend this period.

(b) Written notice of the hearing, along with a copy of these Procedures and of the written statement of appeal, will be delivered by the university secretary to the appellant, to the individual whose decision is being appealed as respondent, and to members of the appeal board. Where possible and reasonable the secretary will accommodate the schedules of all parties and will provide at least seven (7) days' notice of the time and location of the hearing. Where there are special circumstances (as determined by the secretary), the matter may be heard on less than seven (7) days' notice.

(c) If any party to these proceedings does not attend the hearing, the appeal board has the right to proceed with the hearing, and may accept the written statement of appeal and/or a written response in lieu of arguments made in person. An appellant who chooses to be absent from a hearing may appoint an advocate to present his/her case at the hearing.

(d) The appeal board is not bound to observe strict legal procedures or rules of evidence but shall establish its own procedures subject to the following provisions and to the principles outlined in Section VI, *Rights and Responsibilities of the Parties to a Hearing*:

(i) The student shall be entitled to be represented by one other person, including legal counsel;

(ii) The dean or designate shall respond to the allegation and may be represented by one other person, including legal counsel;

(iii) Evidence supporting or rebutting the allegation may be given by witnesses, including, in cases where the appeal relates to a course, the instructor(s) responsible for the course(s) to which the allegation relates;

(iv) Witnesses may be questioned by a person mentioned in clauses (i) to (ii) or by the board;

(v) The appellant and the respondent(s) shall appear before the appeal board at the same time;

(vi) Both the appellant and the respondent(s) will have an opportunity to present their respective cases and to respond to questions from the other party and from members of the appeal board.

(vii) It shall be the responsibility of the appellant to demonstrate that the appeal has merit;

(viii) Hearings shall be restricted to persons who have a direct role in the hearing, except that either party may request the presence of up to three observers, not including witnesses. At the discretion of the chair, other persons may be admitted to the hearing for training purposes, or other reasonable considerations.

(ix) Appeal boards may at their discretion request further evidence or ask for additional witnesses, including asking the instructor to give evidence.

(x) The university secretary or a designate of the university secretary shall record the proceedings.

5. Disposition by the Appeal Board

The appeal board may, by majority:

- (a) conclude that the allegation was unfounded and dismiss the appeal; or
- (b) conclude that the allegation was justified and specify measures to be taken by the college, school, department division, registrar or faculty member involved to correct the injustice including, but not limited to, the following:
 - (i) re-evaluation of the student's work or performance in accordance with the applicable rules of the college or the University; or
 - (ii) assessment of the student's work or performance by an independent third party capable of doing so; or
 - (iii) a refund or re-assessment of tuition or other fees
- (c) The chairperson of the appeal board shall prepare a report of the board's deliberations and its conclusions. The report shall be delivered to the university secretary.

6. Copy of a Report

- (a) Within 15 days from the date the appeal board has completed its deliberations, the university secretary or designate shall deliver a copy of the chairperson's report to the student who initiated the appeal and to the persons mentioned in Rule V.B.2(a) (ii)-(v).
- (b) Where the appeal board has determined that a college, school, department or division is to address or act upon a particular matter, the college, school, department or division shall, within thirty (30) days of the receipt of the

chairperson's report, advise the university secretary of its compliance, or timetable for compliance, with the decision. If the college, school, department or division fails without cause to confirm its compliance, the governance committee will review the matter and, if appropriate, require the provost and vice-president academic to instruct the unit to comply.

7. No Further Appeal

The findings and ruling of the appeal board shall be final with no further appeal and shall be deemed to be findings and a ruling of Council.

8. Student Records

(a) Upon receipt of a notice of university-level appeal, the registrar shall endorse on the student's record as it relates to the academic work or performance alleged to have been affected the following statement: "This record is currently under appeal and may be affected by the decision of an appeal board." This endorsement shall be removed from the student's record upon receipt by the registrar of a copy of the decision of the appeal board.

(b) Upon receipt of notice of a re-evaluation or reassessment pursuant to the order of an appeal board, the registrar shall amend the student's record accordingly and shall expunge all indication of the record that has been replaced.

VI. RIGHTS AND RESPONSIBILITIES OF PARTIES TO A HEARING

Hearings provide an opportunity for a balanced airing of the facts before an impartial board of decision-makers. All appeal hearings will respect the rights of members of the university community to fair treatment in accordance with the principles of natural justice. In particular,

(a) The parties have a right to a fair hearing before an impartial and unbiased decision-maker. This right includes the right for either party to challenge the suitability of any member of the hearing board based on a reasonable apprehension of bias against the complainant's or respondent's case. The hearing board will determine whether a reasonable apprehension of bias is warranted.

(b) Reasonable written notice will be provided for hearings, and hearings will be held and decisions rendered within a reasonable period of time. It is the responsibility of all parties to ensure that the University has current contact information for them. Any notice not received because of a failure to meet this requirement will have no bearing on the proceedings.

- (c) All information provided to a hearing board in advance of a hearing by either party will be shared with both parties prior to the hearing.
- (d) Neither party will communicate with the hearing board without the knowledge and presence of the other party. This right is deemed to have been waived by a party who fails to appear at a scheduled hearing.
- (e) The appellant and the respondent have a right to bring or to send in his/her place an advocate (which may be a friend, advisor, or legal counsel) to a hearing, and to call witnesses, subject to the provisions below with respect to the rights of the hearing board. If possible, the names of any witnesses and/or advocates are to be provided to the secretary 7 days prior to the hearing so that the secretary may communicate the names to the appellant and respondent and to the hearing board
- (f) Parties to these proceedings have a right to a reasonable level of privacy and confidentiality, subject to federal and provincial legislation on protection of privacy and freedom of information.
- (g) The hearing board has a right to determine its own procedures subject to the provisions of these procedures, and to rule on all matters of process including the acceptability of the evidence before it and the acceptability of witnesses called by either party. The secretary shall communicate to the appellant and respondent, as appropriate, the basis for the decision of the hearing board not to admit any evidence or witnesses. Hearing boards may at their discretion request further evidence or ask for additional witnesses to be called, subject to the requirement that all of the information before the hearing board be made available to both parties.

VII. ASSISTANCE WITH APPEALS AND PROCEDURAL MATTERS

Students should be informed of the opportunity to receive assistance with appeals. Various offices within the Student Enrolment Services Division including the Aboriginal Students' Centre, Disability Services for Students, and the International Student and Study Abroad Centre, as well as representatives from the University of Saskatchewan Students' Union and the Graduate Students' Association, are available to assist with appeals.

Questions concerning procedural matters relating to appeals under these rules should be directed to the university secretary.

First approved by University Council on November 18, 1999 with revisions noted December 3, 1999.

Revisions approved by University Council on September 21, 2000.

Minor revisions approved by University Council on January 25, 2001; March 21, 2002, September 19, 2002.

Major revisions approved by University Council on January 26, 2012.

Request for and Report of Re-Assessment
(Appeal at the level of Department or Non-departmentalized College)

This application is to be completed **only after** informal consultation with the instructor(s) responsible for evaluation has taken place and the student remains unsatisfied with the results. The completed report of re-assessment should be returned to the department head or dean (non-departmentalized college), who will complete it and submit to the Registrar.

This application must be submitted along with the required fee (as set by the Registrar) to the department or non-departmentalized college offering the course which is the subject of the request, as soon as possible, but no later than 30 days after the results of the assessment under review have been provided to the student. If the grade in the course or course component is increased at least 5 percentage points, or from a Fail to a Pass, as a result of the re-reading, the fee will be refunded. Students should be aware that a grade may be reduced as the result of a re-assessment.

APPLICATION FOR RE-ASSESSMENT		
Name:		Student number: NSID:
Address (Street, City, Postal Code):		Telephone: Email:
Formal re-assessment requested in: Course name/number		Section:
Instructor(s):		
Formal re-assessment requested for (check where applicable):		
<input type="checkbox"/> Final examination	Date Written	
<input type="checkbox"/> Midterm examination	Date Written	
<input type="checkbox"/> Essay	Due Date	
<input type="checkbox"/> Term Work	Due Date	
<input type="checkbox"/> Laboratory	Due Date	
<input type="checkbox"/> Other (specify)		
<input type="checkbox"/> Date of informal consultation with the instructor(s) _____ OR <input type="checkbox"/> I was not able to consult with the instructor(s) (provide reason)		
Specific nature of the complaint (The student must specify precisely the nature of the complaint, failing which this form may be returned for more information. Use the reverse of sheet if additional space is required):		
Date:	Signature of student:	
REPORT OF RE-ASSESSMENT. (The re-assessor should not be aware of the original mark)		
Re-assessor's Mark ()	Comments : (attach separate sheet)	
Date:	Signature of Re-Assessor:	
To be completed by department head once the report from the re-assessor is received.		
Results: Original Mark ()	<input type="checkbox"/> Change to: ()	<input type="checkbox"/> No Change
Final Grade ()	<input type="checkbox"/> Change to: ()	<input type="checkbox"/> No Change
Signature of dean, department head or executive director: Submit to Registrar when completed.		

**University-Level Appeal of Matters
Other than Substantive Academic Judgement**

- This form must be delivered as soon as possible, but **not later than thirty (30) days** from the date the outcome of a college-level appeal has been communicated in writing to the student.
- A written statement outlining the allegation must be attached to this form; additional supplementary written information may also be attached.

Name:	Student Number:
	NSID:
Address (<i>Street, City, Postal Code</i>):	Telephone:
	Email:
Appeal related to (<i>check where applicable</i>): <input type="checkbox"/> Faculty action/Standing in Program (<i>Program, year of program</i>): <input type="checkbox"/> Course work/course grade (<i>Course name/number/section</i>): (<i>Instructor(s) responsible for the course</i>): <input type="checkbox"/> Other (<i>please specify</i>):	
Date final college-level decision communicated in writing:	
Grounds for appeal (<i>check where applicable</i>):	
<input type="checkbox"/> failure to follow procedural regulations of the relevant college or University dealing with assessment of students' academic work or performance or administrative decisions and the application of regulations governing program or degree requirements.	
<input type="checkbox"/> differential treatment compared to other students in the course or program, where the alleged differential treatment affected assessment of the student's academic work or performance.	
<input type="checkbox"/> alleged discrimination or harassment as set out in the university's Policy on Discrimination and Harassment Prevention and associated procedures, where the alleged discrimination or harassment affected assessment of the student's academic work or performance.	
<input type="checkbox"/> failure to implement the approved policy and procedures of the University concerning accommodation of students with disabilities, where the alleged failure affected assessment of the student's academic work or performance.	
Supplementary written information attached: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date:	Signature of Student:
Instructions: To initiate an appeal, a student must deliver this form (with any supplementary written information attached) to all of the following: the university secretary , the dean of the college responsible for the course (if a specific course is involved), the instructor(s) responsible for the course (if a specific course is involved) and the dean of the college in which the student is registered.	



**Office of the University Secretary
212 College Building**

University of Saskatchewan

107 Administration Place

Saskatoon, SK S7N 5A2

(306) 966-4632

email to *lea.pennock@usask.ca*

policies and forms are available at:

http://www.usask.ca/university_secretary/honesty/index.php