

Graduate Student Academic Appeals

Policy Category:	Rights and Responsibilities
Subject:	Graduate Student Academic Appeals
Subsections:	Graduate Student Appeals of Academic Decisions: Subject Matter of an Appeal; Grounds of Appeal; Appeal Procedure; Appeals at the Course/Program Level; Appeals at the SGPS Level; Appeals to SRBA: Jurisdiction; Onus; Evidence; Relief; Application for Hearing; Further Appeals; Procedure at Hearings; SRBA Jurisdiction and Procedures Under the Policy and Procedures for the Conduct of Research
Approving Authority:	Senate
Responsible Committee:	Senate Committee on Academic Policy
Related Procedures:	*
Officer(s) Responsible for Procedures:	*
Related Policies:	Scholastic Discipline for Graduate Students; Policy on Academic Accommodations for Students with Disabilities; Policy and Procedures for the Conduct of Research
Effective Date:	February 2011
Supersedes:	*

Senate Review Board Academic.

Appeals at the Course/Program Level

1. If the appeal relates to a specific course, a student must first attempt to resolve the matter informally with the course instructor. If the instructor is not available or if the matter is not resolved to the student's satisfaction, the student has a right of appeal to the individual(s) or body designated to hear appeals at the graduate-program level. Students should contact their graduate program to obtain information on the program's appeal process. An appeal must be filed within four weeks of the issuance of the mark or ruling.
2. For all other appeals, a student must initiate the appeal with the individual(s) or body designated to hear appeals at the graduate-program level. Students should contact their graduate program to obtain information on the program's appeal process. An appeal must be filed within four weeks of the issuance of the mark or ruling.
3. In no circumstances shall the original decision maker(s) whose decision or ruling is under appeal hear an appeal of that decision or ruling at the program level.
4. Deadlines for filing appeals may be extended at the discretion of the individual or body hearing student appeals.
5. In addition to any other information required by individual graduate programs, appeals submitted by students should include the following information:
 - the matter being appealed
 - the grounds of appeal
 - a clear and detailed explanation of the facts supporting the grounds of appeal
 - all supporting documentation
 - the desired outcome or remedy
6. The designated decision maker shall issue a written decision ("program decision"), normally within 3 weeks of receipt of the appeal.

Appeals at the SGPS Level

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2. For other appeals, a student may apply for an oral hearing before SRBA in the following circumstances:
 - a) the student alleges that there has been a failure to follow, or to properly apply, a Senate regulation; or
 - b) the Dean's decision requires the student to withdraw from a program, from the University or from an Affiliated College; or
 - c) the appeal is against general marking or grading practices; or
 - d) the appeal is against a Dean's decision made with respect to the Policy on Academic Accommodations for Students with Disabilities.

A panel of SRBA, upon considering only the written application of the student (see **Application for Hearing**, below), may in its discretion order that an oral hearing be scheduled, or deny the appeal. In making its decision, SRBA will consider the grounds and evidence provided in the Application for Hearing. In the case of 2.a), the student must set out in the Details of the Appeal both the Senate regulation and the alleged error, as well as explain how this error affected the student's academic performance.

3. In exceptional circumstances, SRBA may agree to an oral hearing of an appeal against a Dean's decision that does not fall within #1 or #2 above, if a student alleges in the Application for Hearing that there was a failure to observe a procedural requirement at the decanal level or bias at the decanal level. Such allegations must be supported by evidence. A detailed description of the evidence supporting the allegation (including any supporting documentation) must be presented, in writing, as part of the Application for Hearing. SRBA will request a written response from the Dean before making a decision. The student will be provided with a copy of the Dean's response and will be given the opportunity to reply to it in writing. If SRBA is satisfied on the basis of the written documentation that there was a failure to observe a procedural requirement at the decanal level it may instruct the Dean to reconsider the matter. If the SRBA panel agrees to an oral hearing of an appeal alleging a failure to observe a procedural requirement at the decanal level or bias at the decanal level, the standard onus requirements set out below will apply.

Note: A denial of transfer into a Faculty, School, Affiliated University College or program following a requirement to withdraw from another Faculty, School, Affiliated University College or program at the University may not be appealed to SRBA. The denial of transfer is an admission decision and is therefore outside SRBA's jurisdiction.

If a party wishes to challenge the jurisdiction of SRBA to hear a particular matter, the party must give written notice with reasons to the Chair of SRBA prior to the date of

the hearing. The Chair, upon receipt of such notice, or in any other circumstances where it appears to the Chair that there is a question as to whether the SRBA has jurisdiction to hear a matter, may in his/her discretion convene a panel to consider such written arguments as it deems appropriate and decide the issue of jurisdiction. The decision of any such panel shall be binding on any subsequent panel hearing the merits of the appeal.

Onus

1. The onus is on the student to satisfy SRBA that the ruling of the Dean was unreasonable or unsupportable on the evidence before the Dean; or, with respect to a sanction imposed for a "scholastic offence", that the penalty was unreasonable.
2. Notwithstanding #1 above, in cases where a Dean made a finding that a student's conduct amounted to a "scholastic offence" and where the student denies either that the acts were committed or that the acts amounted to a "scholastic offence", the onus is on the Dean to satisfy SRBA that the student committed the alleged acts and that the acts amounted to a "scholastic offence".
3. The onus requirements set out in #1 and #2 for an appeal against a finding that a student's conduct amounted to a "scholastic offence" or against the sanction imposed for a scholastic offence, apply mutatis mutandis to an appeal against a finding that there has been a breach of other University policies such as the Policy and Procedures for the Conduct of Research, or an appeal against the sanction imposed for such breach.
4. Where an appeal falls under the Policy on Academic Accommodations for Students with Disabilities, the onus is on the Faculty to persuade SRBA that the suggested accommodation or accommodations would compromise the academic integrity of the course or program in light of the esse(h as)4 (t) (ou)10 (nt4(m)-3 14 (e(h as)4 (g)

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* Under the Policy on Academic Accommodation for Students with Disabilities, an appeal to the SRBA must be filed within two weeks of the date of the Dean's decision.

Further Appeals

SRBA is the final level of academic appeal in the University; its decisions in

An effort should be made to limit the presentation of non-contentious facts and arguments to the SRBA. Time will be saved if the parties are able to agree in advance on as many as possible of the facts relevant to the case. The appellant is encouraged to contact the Dean in this regard prior to the hearing to determine what facts can be agreed upon.

In matters of academic appeal, the right to be represented by legal counsel will be accorded only at the level of SRBA. The Senate Review Board Academic also reserves the right to retain counsel.

The parties may call witnesses to support their case. Witnesses will be invited into the hearing room when called upon to give evidence. (See also the section on **Evidence** above.)

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SRBA JURISDICTION AND PROCEDURES UNDER THE POLICY AND PROCEDURES FOR THE CONDUCT OF RESEARCH

For appeals under the Policy and Procedures for the Conduct of Research, SRBA regulations are as follows:

- a) Jurisdiction: In matters pertaining to the Policy and Procedures for the Conduct of Research, SRBA has jurisdiction to hear appeals of decanal rulings regarding formal complaints of breach of this policy made against student respondents.
- b) Quorum: The SRBAMCID 9 BDC 1 a q

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may range from an absolute discharge up to and including suspension or expulsion from the University in the most serious cases.