



Approving University Official(s): Provost
Responsible Office: Registrar; Office of Student Rights and Responsibilities
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[Standing Committee on Academic and Student Conduct Appeals]

Purpose and Functions: The Standing Committee on Academic and Student Conduct Appeals (the “Standing Committee”) is the final appeal body for students contesting decisions made by University/School decision makers. Policies governing decisions that might be appealed include harassment and discrimination, anti-violence, substance abuse, credit transfer, leaves of absence, advanced standing, withdrawal from a course or program, grading, academic integrity and honesty, professional suitability and ethics, academic standing (including probation), and academic dismissal. Because appeals can come only from students, the Standing Committee does not hear requests for reconsideration of decisions relating to admission to academic programs.

Terms of Reference for the Standing Committee on Academic and Student Conduct Appeals are developed and maintained by the Provost’s Academic Cabinet and are available from the Office of Student Rights and Responsibilities or the Registrar’s Office and can be downloaded at <https://myyu.ca/osrr/>.

Composition:

- a) Vice President Academic (chair)
- b) All Deans, Associate Deans, Chairs, and Directors of degree programs
- c) Members of the teaching faculty
- d) Delegate from the Office of Student Rights and Responsibilities where the case is non-academic in nature (non-voting secretary and support)
- e) Delegate from the Registrar’s Office where the case is academic in nature (non-voting secretary and support)

Note: When the Vice President Academic of a campus is not able to Chair an appeal panel, another academic officer will stand in as chair.

Process:

- a) The Registrar's Office or the Office of Student Rights and Responsibilities manages the flow of cases to the Standing Committee, including:
 - i. Communicating with the student appellant concerning: the student's rights under policy; the procedures to be followed to prepare an appeal; deadlines; outcomes of the appeal.
 - ii. Preparing files for the Standing Committee, including, where appropriate, copies of student academic work and academic record and copies of correspondence and previous decisions relating to the matter being appealed.
 - iii. Maintaining records relating to each academic appeal.
 - iv. Implementing the outcomes of the appeal.

- b) Students appealing decisions:
 - i. Prepare a written request to the Standing Committee presenting arguments and evidence addressing one or more of the allowable grounds for appealing the decision and indicating the desired outcome.
 - ii. Have the right to request an oral hearing.
 - a. The oral hearing will occur after a preliminary review of the case by the Standing Committee. In the event the Standing Committee allows the appeal upon preliminary review, the student will be advised of the decision and can decide if they still want to proceed with the oral hearing.
 - b. The oral hearing will occur during the regular meeting times of the Standing Committee, but the student will be provided a minimum of 10 working days' notice prior to the scheduled hearing. In the event the student does not appear for the hearing, the Standing Committee will proceed with their consideration of the appeal.
 - c. Where an oral hearing is requested and does occur, all individuals present at the hearing including the student, non-voting members, and the Standing Committee, must respect the confidential nature of the proceedings and not disclose details of the hearing. The exception to this would be the sharing of relevant information with support persons or legal counsel.
 - iii. Are entitled to have a support person (self-provided by the student) at the oral hearing: friend, family member or another student.

- Grounds for appeal: Dissatisfaction with University policy, unhappiness with the outcome of a decision, and technicalities that do not materially affect a decision are not sufficient ground for appeal. Students appealing decisions should provide argument and evidence addressing one or more of the following grounds for appeal:
 - Procedure: Procedures were not correctly followed in making the decision. For example:
 - University policy was incorrectly interpreted and applied;
 - There was a fundamental procedural error seriously prejudicial to the

- student;
 - The decision maker erred in interpreting the facts or assessing the evidence.
 - Student rights: The decision process or the decision infringed on the rights that the University guarantees to the student, including rights identified under the Academic Freedom policy and the Discrimination and Harassment policy;
 - Natural justice: The decision-making process was not consistent with the generally understood principles of procedural fairness (natural justice). These include:
 - Right to be heard: the student did not have a fair opportunity to present their case to an appropriate body or forum, via an appeal or other means;
 - Freedom from bias: The decision maker was not impartial;
 - Evidence-based decision- making:
 - The decision was not based on evidence, but on speculation or suspicion; and/or
 - The decision was not communicated in a way that made clear what evidence was used in making the decision.
 - Medical: An unforeseen medical condition affected the student's ability to meet their academic obligations.
 - Compassion: Events and circumstances beyond control of the student seriously impaired the student's ability to meet their academic or other obligations.
- Considering appeals:
 - Panels: For each appeal, the Standing Committee will strike a panel of three members – normally the Vice President Academic (panel chair) and two other members. No member of a panel will have previously been involved with the decision being appealed; nor shall any member of the panel be a member of the Faculty, Department, or Program from which the appeal originates. If the Vice President Academic has previously been involved with the decision, another member of the Standing Committee will serve as panel chair.
 - Panels considering appeals of academic decisions must be selected from among the Deans, Associate Deans, Chairs, Directors, and faculty members of degree programs; if it is possible, every panel should include at least one academic Dean.
 - Each panel shall select one member as Chair of the panel.
 - A panel may decide to invite a non-voting student advocate to participate in its deliberations.
 - A panel may include members from any of the three Yorkville University campus Academic and Student Conduct Appeals committees, but should, if possible, have at least one member from the campus at which the appellant is registered.
 - Natural justice: Panels considering appeals will follow the principles of

natural justice to ensure due process and fairness.

Outcomes: Panels considering appeals might: deny the appeal and uphold the previous decision; accept the appeal and overturn the previous decision; or replace the previous decision with another decision. For each appeal, the Chair of the Standing Committee will prepare a written summary of the decision and the reasons for the decision. The summary will be communicated through the Registrar to the student making the appeal and the Academic Head of the program in which the student is enrolled.