

SENATE APPEALS COMMITTEE

Purpose: The Senate Appeals Committee is the committee established by the Senate to hear and decide upon all student appeals from the decisions of the Council Discipline Committee and the Council Committee on Student Appeals on matters of academic misconduct, non-academic misconduct and academic matters in connection with any faculty of the university.

Membership:

Chancellor or Vice-Chancellor (Chair)

2 Deans (all remaining Deans or Directors listed in Bylaw 6.3 may act as alternates)*

1 undergraduate member of the University of Regina Students Union (and 1 alternate)**

1 member of the Graduate Students Association (and 1 alternate)**

3 other members of Senate (and 3 alternates)

University Secretary (Resource)

** Deans or Directors listed in Bylaw 6.3 may only hear cases which do not involve students from their Faculty or Academic Unit.*

*** Preferably but not necessarily student members of Senate.*

Term of membership: one year, renewable for up to 2 years, for the student members, and 2 years for other committee members. Terms of members are staggered.

Quorum: Eight members, as follows: Chancellor or Vice-Chancellor, 3 members of Senate, 2 deans, 1 undergraduate member of URSU, and 1 member of the GSA.

NOTE: In the event that quorum is not met when a hearing is scheduled, the Chair may ask the Appellant and the Respondent if they agree to waive the quorum requirement and if they are prepared to proceed before the Committee members present at that hearing. The Appellant and the Respondent must both agree to waive this requirement. Otherwise, the hearing will be rescheduled.

Terms of Reference for the Senate Appeals Committee:

To act as an appeal review tribunal for decisions of the Council Discipline Committee and the Council Committee on Student Appeals, in accordance with section 33(1)(e) of the Act.

The Committee will uphold the decision of the Committees being appealed from unless the appellant can demonstrate that the decision was contrary to the evidence presented or manifestly unfair to the appellant.

The Committee will report its decisions, for information only, along with any minority dissenting opinion, to the next regular meeting of Senate.

The decision of the Committee is final.

Rules for Conduct of Hearings

A. Preparation

- a) Meetings are held as required.
- b) Requests for a hearing, in the form of a notice of appeal of a decision of the Council Discipline Committee or the Council Committee on Student Appeals, must be submitted in writing to the

Secretary's office. The notice must specify the grounds upon which the appeal is based and what remedy or remedies the appellant believes to be appropriate. An appeal must be brought within 30 days of the date of the decision being appealed.

- c) Where an appeal is brought by the student, the Dean, Director or administrator that was the representative of the University at the hearing before the Council Discipline Committee or the Council Committee on Student Appeals will be the respondent to the appeal.
- d) Written notice of the hearing, Procedures of the Committee, as well as the transcript of the preceding Committee hearing, is provided to the appellant, the respondent, and the Chair of the Council Discipline Committee or Council Committee on Student Appeals (as the case may be) at least three weeks in advance of the scheduled date.
- e) Cases will be heard *in absentia* unless a rescheduling is requested in writing. Cases must be heard within 4 months of the date of the first notice of hearing, other than in exceptional circumstances and only pursuant to the order of the Chair.
- f) Two weeks prior to the hearing, the appellant is expected to provide to the Secretary a written submission outlining the basis for the appeal (i.e. how the decision of the preceding Committee was contrary to the evidence or manifestly unfair). This submission will be provided to the respondent.
- g) No new information will be considered: the appeal is an appeal on the record from the preceding Committee hearing.
- h) If the respondent wishes to provide a written submission, such submission must be provided to the Secretary at least 10 days in advance of the hearing.
- i) At least one week in advance of the hearing, the Secretary will distribute the appellant's notice of appeal and written submission to the members of the Senate Appeals Committee and the respondent, together with a copy of all material filed by both sides at the preceding Committee.

B. Hearing

- a) The hearing is not open to the public.
- b) The appellant and the respondent may each bring one representative. No witnesses or other members of the public are permitted.
- c) Parties are asked to state their case concisely. The Chair may set a time limit if already-known facts are being reiterated.
- d) The appellant and/or the appellant's representative will present his or her case. The appellant has the onus of showing that the grounds raised by the notice of appeal are established and further that the existence of such grounds discloses that the decision of the preceding Committee was contrary to the evidence presented or manifestly unfair to the appellant.
- e) The respondent and/or the respondent's representative will reply.
- f) Committee members may ask questions of either party.
- g) The appellant or his/her representative will summarize the case.

C. Judgment

- a) The deliberations of the Committee occur after the parties and their representatives have withdrawn. These deliberations are confidential.
- b) The Committee may uphold or overturn the finding of the preceding Committee, rescind the penalty, ascribe a different penalty than that assigned by the Committee preceding, or refer the case back to the preceding Committee to be reheard.
- c) The decision of the Committee and the reasons for the decision shall be rendered in writing to the parties, the Chair of the Committee being appealed from, the student's Dean (where not one of the parties) and the University Registrar.

Approved by Senate 1 June 2016