

LAURENTIAN UNIVERSITY

Department/School Appeals Committees

Terms of Reference, Composition and Procedures

1. TERMS OF REFERENCE

To consider appeals from students with respect to:

- a) grades,
- b) examinations, tests and assignments,
- c) academic dishonesty, and
- d) the general conduct of the course.

2. COMPOSITION

1. The Committee shall consist of:
 - a) the Chair of the Committee who shall be a member of the Student Appeals Committee and who shall be selected by the Secretary of the Student Appeals Committee or his or her designate;
 - b) two faculty members and one alternate selected by and from the Department or School; and
 - c) two students and one alternate selected by the Student Association of the Department or School and enrolled in the concentration or specialization of the Department or School.
2. Whenever it is not possible to secure full representation from within the Department or School, Committee membership shall be selected by and from the larger unit with which the program or co-ordinator is affiliated. Where there is a question of appropriate affiliation, it shall be determined by the Dean of the Faculty in which the course is taught.

3. APPEAL PROCEDURES

1. Notices of Appeal shall be submitted in writing to the Department Chair or School Director and shall set out:
 - a) the name, number and section of the course;
 - b) the name of the faculty member;
 - c) the grade, decision, or conduct being appealed;
 - d) the relevant dates on which the grade was assigned, the decision taken or the conduct occurred;
 - e) full details of the grounds on which the appeal is made, including copies of all relevant documents;

- f) the precise relief requested; and
 - g) a statement whether the matter was discussed with the instructor prior to launching the appeal.
2. Upon receiving the Notice of Appeal, the Department Chair or School Director shall
- a) immediately forward a copy of the appeal to the secretary of the Senate Appeals Committee;
 - b) immediately forward a copy to the faculty member;
 - c) ensure that an effort has been made to resolve the matter in an informal manner;
 - d) ensure that all the relevant documentation will be submitted by the student and the faculty member in a timely fashion;
 - e) forward all relevant documentation to the Chair of the Committee in a timely fashion; and
 - f) make the necessary arrangements, as directed by the Chair of the Committee, for scheduling the appeal.

4. TIME LIMIT

1. Appeals to this Committee must be made in writing within the following time periods:
- a) for fall session courses: 31 January
 - b) for winter and fall-winter session courses and spring and summer session courses: 15 September
2. a) The Chair of the Committee shall call the Committee to hear and decide the matter within fifteen (15) calendar days of the last day for submission of appeals.
- b) The Chair of the Committee may call the Committee to hear and decide the matter before all relevant material has been submitted by the student and the faculty member if in the opinion of the Chair there is undue delay in the submission of the material.

5. NOTICE

1. Once an appeal has been lodged, the student and the faculty member are entitled to a notice of at least five (5) calendar days of the scheduled first meeting of the Committee and reasonable notice of all Committee meetings where evidence will be heard.
2. The student and the faculty member are expected to meet all reasonable deadlines with regard to the submission of further material.
3. When a party who has been notified does not attend the meeting, the Committee shall proceed in his or her absence and without further notice of any subsequent proceedings.

6. QUORUM

1. Quorum shall consist of three (3) members of the Committee:
 - a) the Chair
 - b) a faculty member and
 - c) a student memberall of whom must be eligible or not have been disqualified to vote on the appeal under consideration.
2. Once quorum has been established, no other member or alternate shall take part in the deliberations of the Committee.

7. CONFLICT OF INTEREST

1. Prior to considering the merits of the appeal, the Committee shall determine if any member has a conflict of interest in the matter being appealed.
2. The student or the faculty member may specifically identify by name any member of the Committee whom he or she believes to have a conflict of interest and shall so state the reasons for such a belief.
3. A member of the Committee shall be deemed to have a conflict of interest if the member:
 - a) has had any direct responsibility in the matter being appealed; or
 - b) has been associated with the appellant such that there would be a reasonable apprehension of bias or prejudice.
4. Where a difference of opinion arises on the question of conflict of interest with regard to any member, the matter shall be decided by a simple majority vote of the Committee, excepting the member under consideration.
5. Where a member of the Committee declares, or it is determined, that a conflict of interest exists, he or she shall be disqualified from the Committee and his or her place on the Committee shall be taken by their alternate.

8. COMMITTEE PROCEDURES

1. The student and the faculty member shall have the right:
 - (a) to be present at all meetings of the Committee where evidence is presented,
 - (b) to a full and fair opportunity to correct or contradict any statement prejudicial to their position, and
 - (c) to invite someone to assist in the appeal process in a supportive or advisory

capacity and to be present at all meetings of the Committee where evidence is presented.

2. The Committee may require that copies of relevant assignments, tests, examinations, correspondence, course outlines and plans, etc., be submitted for its consideration. Such documents shall be made available to both parties to the appeal in order that both may have the opportunity to comment upon or contradict any information in the documents.
3. Any preliminary matters may be determined by the Committee upon submissions made by the parties.

9. DECISIONS OF THE COMMITTEE

1. To be eligible to vote a member of the Committee shall have been present at all the meetings of the Committee at which the appeal was considered. Decisions on appeals shall be reached on the basis of a simple majority vote of those members present and eligible to vote on the particular appeal.
2. The Committee has authority to grant or deny the appeal. The Committee shall provide written reasons which set out fully and clearly the grounds for its decision. The decision shall be signed by the Chair and all Committee members who participated in the decision.
3. The Chair shall send to the student, to the faculty member and the chair of the Department or Director of the School, the written decision of the Committee by registered mail within ten (10) calendar days of the decision having been taken. Or the Chair may hand deliver the written decision in the presence of one other Committee member if such method of delivery is more convenient.
4. All minutes, notes and other documents, including a copy of the Committee decision shall be kept on file in the office of the Department or School for six (6) months after publication of the grade report for the term and then destroyed by the Chair or Director.

10. FURTHER APPEALS

1. A student may appeal the decision of the Committee to the Student Appeals Committee within forty-five (45) calendar days of the date that the decision was mailed or hand delivered to the student only on the grounds that:
 - a) a mention of academic dishonesty will be entered on the student record, or
 - b) the Committee committed a substantive error of procedure or a substantive breach of fairness during the conduct of the appeal.
2. A faculty member may appeal the decision of the Committee to the Student Appeals Committee within forty-five (45) calendar days of the date that the

decision was mailed or hand delivered to him or her only on the ground that the Committee committed a substantive error of procedure during the conduct of the appeal.

LAURENTIAN UNIVERSITY

Senate Committee on Student Appeals

Terms of Reference, Composition and Procedures

(1) Senate Committee on Student Appeals

(A) Composition

- One Faculty Dean, or designate, chosen by the Deans, who shall serve as Chair.
- One Faculty Dean, or designate, chosen by the Deans, who shall serve as an Alternate Chair.
- Thirty (30) members of faculty elected by Senate from which the Appeal Panels shall be drawn.
- Eight (8) students, two from each of the Students' General Association, the Association of Laurentian Part-time Students, the Association des étudiantes et des étudiants francophones, and the Graduate Students' Association elected by Senate from which the Appeal Panels shall be drawn.
- The Registrar, or designate, who shall serve as the Secretary of the Committee.

(B) Term of Members of Faculty

Faculty members shall be elected for a three-year term, of whom ten (10) shall be elected each year.

(C) Terms of Reference of the Student Appeals Committee

The Student Appeals Committee shall make such procedural rules as may be necessary from time to time for the orderly and proper conduct of the Appeal Panels and the Department/School Appeal Committees.

(2) Appeal Panels

(A) Composition of the Appeal Panel

- (a) Upon receipt of a Notice of Appeal from the decision of a department/school Appeals Committee, the Secretary of the Student Appeals Committee, in consultation with the Chair, shall constitute a panel to hear the appeal. The Appeal Panel shall be composed of
 - i) the Chair or the Alternate Chair of the Student Appeals Committee,

- ii) four faculty who are members of the Student Appeals Committee, and
 - iii) four students who are members of the Student Appeals Committee.
- (b) When the appeal originates from a student registered in a course at one of the Affiliated Colleges or a faculty member from one of the Affiliated Colleges,
- i) one of the four faculty representatives on the Appeal Panel shall be from the Affiliated College in question and designated by the Affiliated College; and
 - ii) one of the four student representatives on the Appeal Panel shall be designated by the Affiliated College in question on the recommendation of the Student Association of the Affiliated College.
- (c) When the appeal arises from a non-academic offence, the Co-ordinator of the Counselling and Resource Centre or designate shall be appointed to the Appeal Panel in lieu of one of the four faculty representatives.

(B) Terms of Reference of the Appeal Panels

- (a) The Appeal Panels of the Committee shall hear appeals
- i) of decisions of Department or School Appeals Committees
 - A) from a student on the grounds that:
 - I) a mention of academic dishonesty will be entered on the student's record, or
 - II) the Committee committed a substantive error of procedure or a substantive breach of fairness during the conduct of the appeal;
 - or
 - B) from a faculty member when it is alleged that the Committee committed a substantive error of procedure or substantive breach of fairness during the conduct of the appeal
 - or
 - ii) of decisions or actions of University Officers as a result of non-academic offences where such actions affect a student's academic standing, that is he or she is placed on probation, suspended or expelled.
- (b) Neither an Appeal Panel or Committee shall hear appeals from decisions of the Senate Committee on Academic Regulations and Awards.
- (c) In dealing with academic offences, the Appeal Panel has authority to:
- i) set aside the decision of the lower Appeals Committee and send the matter back, with or without directions, to the lower Appeals Committee;
 - ii) confirm the decision of the lower Appeals Committee.
- (d) An Appeal Panel may substitute a lesser penalty than that assessed by the lower

Appeals Committee only if a mention of academic dishonesty will be entered on the student's record.

- (e) In dealing with non academic offences, the Appeal Panel has the authority to:
 - i) set aside the action or decision of the University Officer;
 - ii) confirm the action or decision of the University Officer; or
 - iii) substitute a lesser penalty than that assessed by the University Officer.

PROCEDURES FOR THE APPEAL PANELS OF THE STUDENT APPEALS COMMITTEE

(1) Appeal Procedures

All Notices of Appeal must be submitted to the Secretary of the Student Appeals Committee on the approved form setting out:

- (a) the Appeal Committee of Department or School which considered the appeal in the first instance;
- (b) the decision of the Appeal Committee of Department or School or action of the University Officer which is being appealed;
- (c) the name of the faculty member or University Officer whose action is being appealed;
- (d) the relevant dates on which the decision or actions were taken, initial Notices of Appeal filed;
- (e) the grounds on which the appeal is based;
- (f) the relief that is sought;
- (g) the decision and reasons for the decision of the lower Appeals Committee or University officer.

(2) Time Limit

- (a) A student and/or faculty member may appeal the decision of the Committee to the Senate Committee on Student Appeals within forty-five (45) calendar days of the date that the decision was mailed or hand delivered to him or her.
- (b) A student may appeal the decision or action of a University Officer within thirty (30) days of date of the decision.

(3) Quorum

- (a) Quorum shall consist of three (3) members of the Committee:
 - i) the Chair or the Alternate Chair
 - ii) a faculty member and
 - iii) a student memberall of whom must be eligible or not have been disqualified to vote on the appeal under consideration.
- (b) Once quorum has been established, no other member or alternate shall take part in the

deliberations of the Committee.

(4) Notice

- (a) The Appeal Panel shall give notice of the meeting at which the appeal will be heard to all parties:
 - i) the student
 - ii) the faculty member
 - iii) the Chair of the Department/School Appeals Committee
 - iv) the University Officer
- (b) When a party who has been notified does not attend the meeting, the Committee shall proceed in his or her absence and without further notice of any subsequent proceedings.

(5) Conflict of Interest

- (a) Prior to considering the merits of the appeal, the Appeal Panel shall determine if any member has a conflict of interest in the matter being appealed.
- (b) A member of the Appeal Panel shall be deemed to have a conflict of interest if the member:
 - i) has had any direct responsibility in the matter being appealed; or
 - ii) has been associated with the appellant such that there would be a reasonable apprehension of bias or prejudice.
- (c) The student, the faculty member or the University Officer may specifically identify by name any member of the Appeal Panel whom he or she believes to have a conflict of interest and shall so state the reasons for such a belief.
- (d) Where a difference of opinion arises on the question of conflict of interest with regard to any member of the Appeal Panel, the matter shall be decided by a simple majority vote of the Appeal Panel, excepting the member under consideration.
- (e)
 - i) Where a member declares, or it is determined, that a conflict of interest exists, he or she shall be disqualified from the Appeal Panel and his or her place on the Appeal Panel shall be taken by another faculty or student member, as the case may be.
 - ii) When the Chair of the Appeal Panel has a conflict of interest in the consideration of the appeal, the Chair shall be replaced by the Alternate Chair.

(6) Appeal Panel Procedures

- (a) All parties to the appeal have the right,
 - i) to be represented by counsel or agent at the hearing before the Appeal Panel;
 - ii) to be present at all meetings of the Committee where evidence is presented;
 - iii) to a full and fair opportunity to correct or contradict any statement prejudicial to their position.
- (b) The Appeal Panel may request procedural advice from counsel from time to time as it considers it necessary.
- (c) A hearing shall ordinarily be open to the public. The Appeal Panel may, on its own initiative, or in response to a request from either of the parties, hold the hearing in camera.

(7) Decision

- (a) The Secretary of the Committee shall send to the student, to the faculty member and the Chair of the Department or the Director of the School, the written decision of the Appeal Panel by registered mail within ten (10) calendar days of the decision having been taken, or the Secretary may hand deliver the written decision if such method of delivery is more convenient.
- (b) Decisions of the Appeal Panel shall be final and not subject to further appeal.