

UTSC SUBCOMMITTEE ON ACADEMIC APPEALS
PROPOSED TERMS OF REFERENCE

1. MEMBERSHIP

1.1. COMPOSITION

- 14 teaching staff (including the Chair)
- 2 undergraduate students

The UTSC Subcommittee on Academic Appeals is chaired by a teaching staff member appointed by the Vice-Principal Academic and Dean from the members of the Subcommittee on Academic Appeals. Each hearing panel is comprised of up to 7 members (including the Chair). Panel members are drawn by the Secretary from a pool of 14 teaching staff members (one appointed by each department and academic centre) and two undergraduate students. The teaching staff members of the panel are drawn with due consideration to continuity, discipline relevance and quorum needs. Student members are approved by the committee on the recommendation of the Chair.

When possible, no panel member should belong to the same department as the appellant.

In addition, the Secretary and representatives from the Decanal Committee On Petitions and/or the Office of the Registrar shall attend hearings in a non-voting capacity.

1.2. TERM

Terms shall commence July 1, and may be renewed.

The teaching staff members shall be appointed for three-year terms, which may be renewed to a maximum of nine consecutive years. Student members shall be appointed for one-year terms, renewable for a maximum of three consecutive years.

1.3 QUORUM

5 members, of whom at least one shall be an undergraduate student member.

2. FUNCTION

The Subcommittee on Academic Appeals considers appeals against decisions of the Decanal Committee on Petitions with respect to petitions from undergraduate students relating to exemption from the application of academic regulations. The Decanal Committee on Petitions must hear all cases (petitions) before they can be appealed to the Subcommittee on Academic Appeals. An appeal to the Subcommittee on Academic Appeals must be filed within 90 calendar days of the decision of the Decanal Committee on Petitions. Where this deadline falls on a day when the University is closed, the

deadline shall be deemed to fall on the next regular business day of the University. The Subcommittee's decision is final within UTSC, but it may be appealed within 90 days of its decision to the Academic Appeals Committee of the Governing Council.

3. PROCEDURES

3.1. Appeal Notice

- 3.1.1 Following receipt of a written request for an appeal hearing from the appellant, the Secretary shall give notice to the appellant. The notice will:
- 3.1.2 Acknowledge receipt of the appeal.
- 3.1.3 Inform the appellant of the date, time and location of the hearing.
- 3.1.4 Inform the appellant that, he/she may appear in person, with or without legal counsel or lay advisor, and call evidence and present arguments in person or by counsel if she/he so desires and shall so notify the Secretary.
- 3.1.5 Inform the appellant that she/he must submit any additional documentation in support of the appeal at least ten working days prior to the day of the hearing. Inform the appellant that he/she bears the onus of proof in the appeal. Stress that the provision of supporting documentation strengthens their case.
- 3.1.6 Inform the appellant that, should she/he fail to attend the hearing on the date and at the time and place aforesaid, the Subcommittee on Academic Appeals may proceed in her/his absence and that she/he will not be entitled to any further notice of the proceedings.
- 3.1.7 Prior to the time of the hearing the Secretary shall distribute to each member of the Subcommittee and to the representatives from the Decanal Committee on Petitions a copy of the appeal, supporting materials and any other related materials provided by the appellant, the Decanal Committee on Petitions or any other relevant office. Members of the Subcommittee shall read, but shall not discuss, the materials prior to the date of the hearing.

3.2 Appeal Hearing

- 3.2.1 When the meeting is called to order the parties present shall be the Subcommittee on Academic Appeals members, the Secretary and representatives of the Decanal Committee on Petitions and/or the Office of the Registrar, the appellant, his/her counsel or lay advisor (if desired) together with any witnesses and experts brought by the appellant or the Subcommittee.

- 3.2.2 The appellant (or his or her counsel or lay advisor) may make an opening statement concerning the appeal and call upon witnesses to present evidence regarding the appeal. The members of the Subcommittee will then have an opportunity to ask (through the Chair) questions of the appellant, witnesses and representatives of the Decanal Committee on Standing in order to clarify issues that have arisen in the appeal. In addition, both parties in the matter - the appellant as well as representatives of the Decanal Committee on Petitions may pose questions and the appellant may make a brief final statement in summation of the appeal.
- 3.2.3 The appellant and counsel will then leave the room and the Subcommittee on Academic Appeals will proceed to deliberate and determine its decision on the appeal (Representatives of the Decanal Committee on Petitions and/or the Office of the Registrar shall remain for the purposes of providing information on University rules and regulations). The decision of the Subcommittee on Academic Appeals will be on a show of hands and be determined by a majority of the Board present.
- 3.2.4 The decision of the Subcommittee on Academic Appeals shall be recorded and shall be communicated in writing by the Chair..
- 3.2.5 The Subcommittee on Academic Appeals has the right to refuse to give formal hearing to an appeal (by unanimous consent of the members and without prior discussion) on the ground that the appeal is not within the jurisdiction of the Subcommittee.
- 3.2.6 The Subcommittee on Academic Appeals meets in camera.