

FOR INFORMATION

PUBLIC

OPEN SESSION

TO: UTSC Academic Affairs Committee

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PRESENTER: Emma Thacker, Assistant Secretary of the Governing Council
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DATE: September 3, 2021 for September 13, 2021

AGENDA ITEM: 4

ITEM IDENTIFICATION:

Revisions to the UTSC Subcommittee on Academic Appeals *Terms of Reference*

JURISDICTIONAL INFORMATION:

Section 3.1 of the AAC Terms of Reference, *Standing Subcommittees*, provides for the AAC to establish subcommittees to deal with matters within its purview. The Academic Affairs Committee has delegated authority to determine undergraduate academic appeals to a subcommittee established for that purpose, pursuant to the *Policy on Academic Appeals Within Divisions*.

GOVERNANCE PATH:

1. **UTSC Academic Affairs Committee [For Approval] (September 13, 2021)**

PREVIOUS ACTION TAKEN:

The UTSC Subcommittee on Academic Appeals and its Terms of Reference were established on September 10, 2013.

HIGHLIGHTS:

The proposed changes to the Terms of Reference (TOR) of the UTSC Subcommittee on Academic Appeals arise from an increase in the overall number of UTSC departments and academic units. As such, the total number of teaching staff within the Subcommittee pool is proposed to increase from 14 to 17 to align with the number of academic units.

In addition, it is proposed to increase the number of undergraduate students from which a hearing panel can be drawn, from two to four, to allow for more flexibility in meeting scheduling and to ensure that student members of the Subcommittee are able to participate. The remainder of the changes are minor updates in language and to clarify process.

The UTSC Office of the Vice-Principal Academic & Dean have been consulted and are in support of these changes.

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION:

Be it Resolved,

THAT the proposed revisions to the UTSC Subcommittee on Academic Appeals Terms of Reference be approved, effective September 13, 2021.

DOCUMENTATION PROVIDED:

- UTSC Subcommittee Academic Appeals *Terms of Reference* (track changes version)
- UTSC Subcommittee Academic Appeals *Terms of Reference* (proposed final version)

UTSC Subcommittee on Academic Appeals – Terms of Reference

PREAMBLE

The UTSC Subcommittee on Academic Appeals (hereinafter referred to as ‘the Subcommittee’) is a standing subcommittee of the UTSC Academic Affairs Committee.

1. MEMBERSHIP

1.1. COMPOSITION

- ~~17~~4 teaching staff (including the Chair)
- ~~4~~2 undergraduate students

The Subcommittee is chaired by a teaching staff member who is appointed by the Vice-Principal Academic & Dean (VPA&D) from the members of the Subcommittee on Academic Appeals. Each hearing panel is comprised of up to ~~seven~~7 members (including the Chair). Panel members are drawn by the Secretary from a pool of ~~17~~4 teaching staff members (one appointed by each department and academic centre) and ~~four~~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 Subcommittee 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 UTSC Decanal Committee on Petitions and/or the Office of the Registrar shall attend hearings in a non-voting capacity.

The VPA&D appoints a member of the administrative staff from the Office of the VPA&D to the Subcommittee as Secretary.

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

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

2. FUNCTION

The Subcommittee 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. An appeal to the Subcommittee 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 written 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, theyhe/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 theyshe/he so desires and shall so notify the Secretary.

3.1.5 Inform the appellant that theyshe/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 theyhe/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 theyshe/he fail to attend the hearing on the date and at the time and place aforesaid, the Subcommittee on Academic Appeals may proceed in theirher/his absence and that theyshe/he will not be entitled to any further notice of the proceedings.

3.1.7 Approximately one week pPrior to the time of the hearing the Secretary shall distribute to each member of the hearing panel-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 hearing panel 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 hearing panel on Academic Appeals members, the Secretary and representatives of the Decanal Committee on Petitions and/or the Office of the Registrar, the appellant, their/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 hearing panel members 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 panel members Board present.

3.2.4 The decision of the Subcommittee on Academic Appeals shall be recorded and shall be communicated, with reasons, in writing by the hearing panel 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.

The Subcommittee Terms of Reference were approved by the UTSC Academic Affairs Committee at its meeting on September 10, 2013. These Terms of Reference remain in effect, until replaced or amended by the UTSC Academic Affairs Committee.

The Subcommittee Terms of Reference were amended on [insert date], by the UTSC Academic Affairs Committee.

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PREAMBLE

The UTSC Subcommittee on Academic Appeals (hereinafter referred to as ‘the Subcommittee’) is a standing subcommittee of the UTSC Academic Affairs Committee.

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