

FOR APPROVAL

PUBLIC

OPEN SESSION

TO: UTM Academic Affairs Committee

SPONSOR: Cindy Ferencz-Hammond, Assistant Secretary of the Governing
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PRESENTER: As above
CONTACT INFO:

DATE: September 7, 2021 for September 14, 2021

AGENDA ITEM: 4

ITEM IDENTIFICATION:

Revisions to the UTM Academic Appeals Subcommittee (AAS) *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 AAC 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. UTM Academic Affairs Committee [For Approval] (September 14, 2021)

PREVIOUS ACTION TAKEN:

The UTM Academic Appeals Subcommittee (AAS) was established on September 11, 2013.

HIGHLIGHTS:

The proposed changes to the Terms of Reference (TOR) of the UTM Academic Appeals Subcommittee (AAS) arise from a need to update the membership to include all UTM's departments and institutes. Therefore, the total number of teaching staff from which a subcommittee hearing panel can be drawn increased from 15 to 18, to reflect these 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 housekeeping changes.

The Chair and Vice-Chair of the UTM AAS as well as the UTM 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 UTM Academic Appeals Subcommittee (AAS) terms of reference, dated May 31, 2021, be approved, effective September 15, 2021.

DOCUMENTATION PROVIDED:

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



ACADEMIC APPEALS SUBCOMMITTEE TERMS OF REFERENCE

1. MEMBERSHIP

1.1. COMPOSITION

- ~~158~~ teaching staff (including the Chair)
- ~~42~~ undergraduate students

The UTM Academic Appeals Subcommittee (AAS) is chaired by a teaching staff member appointed by the Vice-Principal Academic and Dean (VPA&D) from the members of the Academic Appeals Subcommittee. The VPA&D appoints a member of the administrative staff from the Office of the VPA&D to the AAS as Secretary.

Each hearing panel is comprised of up to 7 members, ~~(including the Chair and up to two students)~~. Panel members are drawn by the Secretary from a pool of ~~158~~ teaching staff members (one appointed by each department) and a pool of four ~~two~~ undergraduate students. The teaching staff members of the panel are drawn with due consideration to continuity, discipline relevance and quorum needs. Undergraduate student members are approved by the AAS 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 Committee On Standing (COS) 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. Undergraduate student members shall be appointed for one-year terms, renewable for a maximum of three consecutive years.

1.3 QUORUM

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

2. FUNCTION

The ~~Academic Appeals Subcommittee (AAS)~~ considers appeals against decisions of the ~~University of Toronto Mississauga Committee on Standing (COS)~~ with respect to petitions from undergraduate students relating to exemption from the application of academic regulations or standards pertaining to courses at the University of Toronto Mississauga. (Appeals pertaining to



courses offered on other University of Toronto campuses come under the jurisdiction of the Academic Appeals Subcommittee of the respective campus.) The COS must hear all cases (petitions) before it can be appealed to the AAS. An appeal to the AAS must be filed within 90 calendar days of the decision of the COS. 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 UTM, 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, 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 AAS 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 COS a copy of the appeal, supporting materials and any other related materials provided by the appellant, the COS 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 AAS members, the Secretary and representatives of the COS and/or the Office of the Registrar, the appellant, his/her counsel (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) 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 COS 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 COS 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 AAS will proceed to deliberate and determine its decision on the appeal (Representatives of the COS and/or the Office of the Registrar shall remain for the purposes of providing information on University rules and regulations). The decision of the AAS will be on a show of hands and be determined by a majority of the Board members present. Procedural matters of the Subcommittee shall be governed by Robert's Rules of Order.

3.2.4 The decision of the AAS shall be recorded and shall be communicated in writing with reasons, by the Chair.

3.2.5 The AAS 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 AAS meets in camera.

Revised, May 31, 2021



ACADEMIC APPEALS SUBCOMMITTEE TERMS OF REFERENCE

1. MEMBERSHIP

1.1. COMPOSITION

- 18 teaching staff (including the Chair)
- 4 undergraduate students

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When possible, no panel member should belong to the same department as the appellant. In addition, the Secretary and representatives from the Committee On Standing (COS) and/or the Office of the Registrar shall attend hearings in a non-voting capacity.

1.2. TERM

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

2. FUNCTION

The AAS considers appeals against decisions of the COS with respect to petitions from undergraduate students relating to exemption from the application of academic regulations or standards pertaining to courses at the University of Toronto Mississauga. (Appeals pertaining to courses offered on other University of Toronto campuses come under the jurisdiction of the



Academic Appeals Subcommittee of the respective campus.) The COS must hear all cases (petitions) before it can be appealed to the AAS. An appeal to the AAS must be filed within 90 calendar days of the decision of the COS. 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 UTM, but it may be appealed within 90 days of its decision to the Academic Appeals Committee of the Governing Council.

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