

MEMO

Dean of Graduate Studies

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TO Senate

ATTENTION Bobbie Grant

TEL

FROM Trude Heift, SGSC

RE SGSC Appeals Procedures (GS2007.21)

for appealing decisions under GGR 1.8.2

DATE June 21, 2007

TIME 2:18 PM

For information

At its 11th June 2007 meeting, Senate Graduate Studies Committee approved the revised graduate student appeals procedures for appealing decisions under Graduate General Regulation 1.8.2 - unsatisfactory progress. A copy of the new procedures and guidelines is attached.

The revised procedures include new guidelines concerning documentation for appeals, and are effective immediately. These are consistent with the procedures of the Senate Appeals Board for undergraduates.

Senators wishing to consult the documents concerning this item should contact Bobbie Grant, Senate Assistant at 604.291.3168 or bgrant.ca

Graduate Student Appeals

Procedures for Appealing Decisions Under GGR 1.8.2

Revised JUNE 11, 2007

Graduate students have the right to appeal the decisions of their graduate program committees regarding progress evaluations conducted under GGR 1.8.2. This document outlines the appeals process and provides guidelines for documentation by the appellant (student) and respondent (graduate program committee).

1. Appeals shall be made to the Senate Graduate Studies Committee through the Office of the Dean of Graduate Studies. Students are advised to seek help in preparing their appeal from the Ombudsperson. Students should be aware that they may access their student file through a request to their graduate program administrator, and that they may ask the Dean of Graduate Studies for information on their student record, and for clarification of any rules and policies concerning graduate students, including the appeals process.
2. Appeals shall be made in a timely manner, normally by the end of the semester in which the progress evaluation was received by the student.
3. Appeals shall comprise a concise statement of the grounds for the appeal, the remedy sought, and any supporting documents (indexed and in chronological order). The appeal should include a timeline of events, beginning with the admission of the appellant to the program, and including all formal progress reviews.
4. Upon receipt of the appeal, the Dean (or designate) provides a copy of it to the chair (or designate) of the graduate program committee whose decision is being appealed and solicits a written response. The response shall comprise a concise evaluation of the grounds for the appeal and the remedy sought, and any additional supporting documents (indexed and in chronological order). The response shall be submitted in a timely manner, normally by the end of the semester in which the graduate program committee received a copy of the appeal. The response should include copies of relevant departmental policies and a statement from the student's supervisory committee.
5. Upon receipt of the response, the Dean (or designate) shall provide a copy of it to the appellant and convene an ad hoc Appeals Subcommittee of the Senate Graduate Studies Committee. The Appeals Subcommittee shall comprise members of the Senate Graduate Studies Committee: one representative from each Faculty and one Student member. The subcommittee shall elect a chair from its members. The chair is a voting member. Quorum for each meeting is a majority of the members, and decisions are made by majority vote. The Dean of Graduate Studies (or designate) serves as a non-voting secretary and resource person to the committee.

- 6. Once the Appeals Subcommittee has been convened, the Dean (or designate) shall distribute copies of the appeal and response to the members and schedule a hearing at a time and place acceptable to all parties. The hearing shall take place in a timely manner, normally by the end of the semester in which the Appeals Subcommittee was convened.
- 7. The hearing shall take place on the University grounds. To protect the privacy of the parties involved, the hearing shall be held in camera. The appellant and respondent each may invite one person to attend the hearing as an advisor. Neither appellant nor respondent has the right to be represented by counsel at the hearing. Appellants have the right (at their own effort or expense) to make a written record of the proceedings. Advisors may participate in making presentations and answering questions posed by the subcommittee.
- 8. The Appeals Subcommittee shall meet in a closed session to review the appeal and response, and then in an *in camera* session to hear the appellant and respondent. The appellant and in turn the respondent shall have the opportunity to make a brief opening statement, to answer any questions posed by members of the Subcommittee, and to make a brief closing statement. When one party answers a question, the other party shall have an opportunity to respond. Where appropriate, the Chair may allow one party to direct a question to the other.
- 9. Once the parties have been heard, the Chair shall excuse them and the Subcommittee shall meet in a closed session to deliberate. The decision of the Subcommittee shall be to uphold the original decision of the graduate program committee or to overturn that decision. Decisions shall be overturned if the decision-making procedures used by the graduate program committee or the decision itself were so flawed as to constitute a violation of the principles of natural justice. The Subcommittee shall provide a statement in writing of its decision and the reasons therefore; and, if the decision of the graduate program committee is overturned, the Subcommittee shall specify a remedy. The decision of the Subcommittee shall be made and distributed to the appellant and respondent in a timely manner, normally by the end of the semester in which the hearing takes place.
- 10. The decision of the Subcommittee is final.
- 11. A student who is appealing a decision of the Graduate Program Committee will remain as a registered student until a decision is reached by the Subcommittee.

Guidelines concerning documentation

Experience has shown that in some cases either too little or too much documentation has been submitted. Senate Graduate Studies Committee therefore provides the following guidelines for appellants and respondents. These

guidelines are intended particularly for cases in which the appellant has been required to withdraw.

1. Documents should be relevant to the process of the progress review

The appellant should provide copies of correspondence between the appellant and the graduate program committee, and any other documents that relate to the evaluation of progress in the program, such as annual progress forms. Departments should note that students have access to all documents in their file, except where the student has waived that right (e.g. confidential letters of reference).

2. Documents that do not concern the review of progress should not be provided

The SGSC subcommittee cannot evaluate the quality of research or coursework undertaken by a student. It is therefore not possible to submit material (e.g. data, manuscripts, thesis drafts) in order to ask the Subcommittee to evaluate the content. In exceptional cases, it may be relevant to submit third party opinions about the quality of a piece of work that formed part of a progress review. The Subcommittee will determine whether such submissions are relevant to the case.

3. E-mails

Electronic correspondence should be printed. It is not unusual for e-mail correspondence to become voluminous, especially when a string of previous e-mail messages is appended to each new message. The Subcommittee does not need to see these repetitive documents - it is normally sufficient to provide the new content of each message.

4. Chronology

Please number each document, arrange the documents in chronological order, and provide a 'table of contents' if many documents are submitted.

5. Departmental response

Members of the Subcommittee are unlikely to be familiar with the policies and practices of every graduate program. The departmental response should therefore include copies of relevant policies and practices (e.g. the departmental

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policy concerning progress reviews and a blank copy of a progress report form).

Because the supervisory committee plays a key role in a graduate student's progress, there should be a statement from the committee about the situation in which the appellant finds him/herself. If neither a senior supervisor nor a supervisory committee has been appointed, the statement should be from whomever has been advising the appellant.

6. Submission of documents

One of the principles of a fair hearing is that appellant and respondent have seen all information. It is therefore necessary for appellant and respondent to consider carefully which documents are relevant. Neither the appellant nor the respondent should withhold relevant documentation and then ask to present it at the hearing.

If either party realizes before the hearing that a relevant document has been omitted from their submission, they may ask the Dean if it could be submitted. Normally this will be allowed. If the Dean allows a new document to be submitted, the other party must be given adequate time to respond to the new document.

If a new document is introduced at the hearing, the subcommittee will determine whether or not the submission can be allowed, and may approve either a recess or postponement of the hearing to allow the other party adequate time to respond.