
Type:	A - Educational (Board)	Last Approved: March 25, 2010
Executive Responsibility:	Vice-President Academic	
Administrative Responsibility:	Associate Vice-President, Student Affairs	Policy: 32.06

STATEMENT:

The purpose of this procedure is to provide a process for students to enact their rights as defined in *Policy 32.06 Student Conduct Appeals*.

STUDENT RESPONSIBILITIES

The student has the following responsibilities:

1. Identify and articulate the reason(s) for the appeal.
2. Complete the [Student Appeal Form](#) and submit the completed form to the Office of the Associate Vice-President, Student Affairs within 30 days of the decision appealed.
3. Provide a list of witnesses if appropriate.
4. Provide supporting documentation.

RESPONSIBILITIES OF THE ASSOCIATE VICE-PRESIDENT, STUDENT AFFAIRS

The Associate Vice-President, Student Affairs has the following responsibilities:

1. Within fifteen (15) working days, appoint the Student Conduct Appeal Committee and Chairperson.
2. Gather all documentation and distribute to the Student Conduct Appeal Committee, with copies to the student and all other relevant parties.
3. Provide administrative staff support to facilitate timely progression of the appeal process.
4. Receive the results of the appeal from the Chairperson and communicate the Committee's decision to the student.

STUDENT CONDUCT APPEAL COMMITTEE

1. Committee Composition

The Associate Vice-President, Student Affairs will appoint the chairperson of the Student Conduct Appeal Committee. This is a non-voting position, except in the case of a tie vote. The other Committee members will include the following:

- 1.1 1 student appointed by the Students' Union.
- 1.2 1 Student Affairs representative from an area of Student Affairs not involved in the decision.
- 1.3 1 voting representative from Senate.
- 1.4 1 instructional faculty representative from the same program group but outside the department from which the appeal has originated.

Any person having a direct relationship with the student, or who has made a determination regarding the student and the policy or procedure involved, shall not sit on the appeal committee.

All members of the committee must be present for the hearing to take place.

2. Responsibilities of the Chairperson

The chair shall be responsible for the following:

- 2.1 Chairs the Student Conduct Appeal Committee.
- 2.2 Instructs the committee.
- 2.3 Ensures due process.
- 2.4 Prepares a report of the proceedings for the Associate Vice-President, Student Affairs with a recommendation to uphold or overturn the action being appealed.

APPEAL HEARING

At least fifteen (15) working days prior to the appeal hearing, the student will receive a written notice of the hearing time, place, and procedures. The student will have five (5) working days from receipt of written notification of the hearing to prepare documentation, including a list of witnesses, which will be submitted to the Associate Vice-President, Student Affairs. Disciplinary hearings are conducted as informal inquiries and do not follow formalized courtroom procedures. Decisions at such hearings will be limited to evidence introduced at the hearing.

Each student appearing for a formal hearing is guaranteed the right of due process. The right of due process includes the following elements:¹

1. Provision, at least five (5) working days prior to the hearing, of a list of institutional witnesses, copies of supporting evidence and any affidavits considered as evidence for the University.
2. The opportunity to have an appeal advisor present at the hearing. The appeal advisor can give advice, but cannot represent or speak on behalf of the student.
3. The opportunity to hear all witnesses presenting evidence at the hearing.
4. The opportunity to present a defense, including the introduction of any relevant exhibits, affidavits, or witnesses.
5. The right to have a record of the hearing.

Failure To Appear

If a student has been properly notified of a hearing at least fifteen (15) days in advance and fails to appear at the hearing, the student must show cause for failing to appear. It is not incumbent upon the University to reschedule a hearing. In such cases, decisions as to exceptional circumstances fall to the Associate Vice-President, Student Affairs.

Records of Disciplinary Measures

All records of disciplinary measures taken against a student in relation to student misconduct shall be retained in a confidential and secure manner and shall be destroyed seven (7) years after the last entry has been made.

¹ Appeals will not normally be reviewed between June 15 and August 15.