

Approved by Senate, May 1999

## **GUIDELINES FOR THE CONSIDERATION OF PETITIONS/APEALS BY FACULTY COMMITTEES**

These guidelines should inform the actions and decisions of Faculty committees and administrative personnel in responding to student petitions and appeals. They are not intended to direct the decisions of the Faculty in these matters; jurisdiction to waive academic regulations, extend guidelines and reappraise work clearly resides with Faculties in the first instance. These guidelines are to advise the relevant parties in their work to help foster equitable and consistent decisions across the University. It is recognized that the nature (performance, professional, graduate) and size of the various Faculties make it highly improbable to have uniform procedures and processes. There are areas in which greater consistency among the Faculties' processes can be achieved and it is to that end that these guidelines are proposed.

### **1. STRUCTURE**

Faculties may, *and are encouraged*, to have a two-tiered structure for the consideration of petitions: (a) a petitions committee/Associate Dean and (b) an administratively approved process.

- a) Petitions Committee/Associate Dean: As all Faculties have agreed to consider requests for exceptions from Faculty regulations, there shall be a committee, or a senior academic administrator charged with the responsibility of reviewing the petitions and rendering decisions on the basis of the reasons and supporting documentation provided by the student.
- b) Administratively Approved Petitions: To help offset large caseloads, petitions may be recommended for approval by the Petitions Officer (or equivalent) and confirmed by the Chair of the Petitions Committee (or designate) <sup>1</sup>. In accordance with the general considerations required for granting petitions (set out below), the Petitions Officer shall identify cases which clearly meet the considerations and present them as such to the Chair for confirmation. All cases which are not clear and require discretion are forwarded to the Petitions Committee for a decision. No petitions will be administratively refused on the basis of their merits. Students failing to provide the necessary documentation requested by the Faculty within a specific time frame will not have their petition considered, and the Petitions Officer shall inform the student in writing in such cases.

### **2. PRINCIPLES**

- a) Procedures: Each Faculty shall have written procedural rules that are accessible to students. Faculty petition/appeal procedures must be consistent with the Senate guidelines.
- b) Deadlines: The Senate approved policy on the deadline for submitting a petition for late withdrawal is that "Normally petitions for late withdrawal from a course will only be considered if they are submitted within thirty days of the last day of classes [of the relevant course]. *Such petitions may be considered for a period of up to one year if they are based on special circumstances.*" The Senate policy on the deadline for deferred standing requests is "Normally requests for deferred standing must be communicated within one week following a missed examination of the last day to submit

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<sup>1</sup> With the exception of petitions to waive debarments which should be considered by a committee.

course work.” The period during which the University is officially closed for December holidays is not counted in the determination of deadline days.

- c) Representation: Appellants have the right to have a representative assist in the preparation of written submissions and, if granted an appearance before a committee, represent them at that meeting.
- d) Jurisdiction: Students shall petition all matters to their home Faculty with the exception of grade reappraisals which are considered by the Department/Faculty offering the course. Otherwise, Faculties shall consider requests for exceptions to all Faculty regulations.
- e) Bias: Any member of a petitions/appeals committee or a person reviewing a petition who has a lack of neutrality on the issue to be decided shall excuse him/herself from the consideration of that case. An appearance of bias or a reasonable apprehension of bias is also sufficient for a party to disqualify her/himself from considering a petition.
- f) Appearances: Students and/or their representatives may appear before a committee only at the discretion or invitation of the Committee.
- g) Anonymity: Requests from students for anonymity in the petitions process should be honoured. Students provided the opportunity to appear before a committee, however, will have to decide whether they wish to forego anonymity. Confidentiality in this process shall always be maintained.
- h) Decisions: To help fulfill the requirements for natural justice and fairness in adjudicative processes, petitions and appeals committees/Administrators rendering decisions on petitions must give sufficient reasons in writing for the decision. Without reasons, a party may have to speculate why an adverse decision was made and may not be able to decide whether to appeal. Similarly, a subsequent committee or a reviewing court may have difficulty understanding the rationale for a decision without reasons and may draw inferences adverse to the initial committee from its failure to give reasons.
- i) Appeals: The route of appeal for students shall be included in the written decision.