Committee on Academic Appeals

Vacant 2020
Carr, Steven (Biology) 2020 * (Senator)
Furey, Darren (QEII Library) 2020
Redmond, Leslie (Education) 2020 *
Coady, Peggy (Business) 2020 *
Howse, Derek (Marine Institute) 2020 *
Riggs, Bert (Retired) 2019
Hawboldt, John (Pharmacy) 2019 (Senator)
Mulligan, Martin (Biochemistry) 2019 (Senator)
Walsh, Donna (Humanities and Social Sciences) 2019 (Senator)
Farrell, Gerard (Medicine) 2018
Vacant (Undergraduate Student, GCSU) 2018 (April 30)
Solomon, Sophia (Undergraduate Student, MUNSU) 2018 (April 30)
Howard, Bailey (Undergraduate Student, MUNSU) 2018 (April 30)
Lang, Renata (Undergraduate Student, MUNSU) 2018 (April 30)
Vacant (Undergraduate Student, MUNSU) 2018 (April 30)
Vacant (Undergraduate Student, MUNSU) 2018 (April 30)
Vacant (Undergraduate Student, MUNSU) 2018 (April 30)
Alkasasbeh, Ahmad (Graduate Student, GSU) 2018 (April 30)
Registrar or delegate

* New Member

1. Membership:
   (a) an appropriate number of academic staff members; insofar as possible, the Committee shall have balanced representation from the faculties/schools/campuses of the University;
   (b) an appropriate number of students, at least one appointed by the Memorial University Students’ Union, at least one by the Marine Institute Students’ Union, at least one by the Grenfell Campus Student Union and at least one graduate student, appointed by the Graduate Students’ Union;
   (c) the Secretary of Senate or delegate, who shall serve as Secretary to the Committee.

   Committee members actively hearing an appeal upon the expiration of their term will remain a member of the Committee until the hearing concludes and a decision is reached.

2. Terms of Reference:

   To consider appeals and render decisions on behalf of the Senate.

Procedure to be followed by the Senate Committee on Academic Appeals in Hearing Appeals

1. An appeal shall be heard by an Appeal Panel consisting of five members of the Committee on Academic Appeals, including one student member, the Secretary of the Committee or delegate, and three academic staff members. They shall be invited to be members of the Appeal Panel by the Secretary of the Committee on Academic Appeals, following consultation with the Chair of the Committee on Academic Appeals. Individuals will not be selected whose
presence may create bias or reasonable apprehension of bias, who would be in a conflict of interest, or whose other commitments would not permit a timely scheduling of the hearing.

2. Each Appeal Panel shall choose its own Chair.

3. Members of Appeal Panels shall be bound by confidentiality in respect of information received in hearing an appeal. Information shall be disclosed only as is reasonably necessary to gather information relevant to the appeal, to implement the decision regarding the appeal, or as required by law.

4. Appeals shall normally be heard de novo.

5. The party appealing a decision made at a lower level is responsible for presenting the relevant information and documents for consideration in the hearing of the appeal. The Letter of Appeal must be in writing and shall contain the following:

(a) Name, student number(s), current address and preferred contact information: telephone number(s), @mun email address or other active email address(es);
(b) A copy of the decision giving rise to the appeal;
(c) Supporting documentation;
(d) A description of the matter under appeal;
(e) The grounds of appeal
(f) Names and contact information for individuals that the appellant wishes to be interviewed by the Appeal Panel;
(g) The resolution being sought.

The Letter of Appeal must be delivered to the Secretary of the Committee who shall distribute it to the members of the Appeal Panel.

6. Where the matter being appealed is not the application of an academic regulation, the Appeal Panel shall dismiss the appeal without a hearing.

7. The Secretary of the Committee shall provide a copy of the Letter of Appeal to the other party (or parties) to the appeal and may request an initial written response.

8. Oral hearings shall be the usual procedure for hearings. Any party to the appeal may waive the right to an oral hearing, in which case the Appeal Panel shall consider the written submission of that party but may hear oral presentations from other parties.

9. The Appeal Panel shall meet as often as necessary to consider the appeal and shall normally proceed in the following manner:

(a) It shall examine all documents submitted with the appeal and all documents obtained from the committee(s) which have previously investigated the case or heard the case under appeal;
(b) It may examine any other written evidence and interview other individuals as it deems necessary;
(c) it shall hear from the other party to the appeal;
(d) It shall provide copies of all documents and written summaries of all interviews conducted by the Appeal Panel, to the party bringing the appeal before hearing from that party;
(e) It shall hear from the party bringing the appeal, either orally or by a written submission.

10. If either party fails to provide information requested by the Appeal Panel for the consideration of the appeal by the date requested, the Appeal Panel shall proceed with hearing the appeal.

11. Any student appearing before the Committee has the right to be accompanied by a registered student or a member of the faculty or staff of the University. The name and contact information of such person shall be provided to the Secretary of the Committee prior to the student's meeting with the Appeal Panel.

12. Should the appellant wish to present the appeal in person before the Appeal Panel, the Secretary of the Committee shall send a notice of meeting to the appellant, providing the location, the date and the start and anticipated end times of the meeting. This meeting shall proceed as scheduled unless a postponement is granted by the Chair of the Appeal Panel in advance of that date. A request to reschedule the meeting shall be made as far in advance of the meeting date as possible. Requests for postponements made on the meeting date shall be granted only where it would be unfair to proceed.

13. If the appellant fails to respond to the notice of meeting time with the Appeal Panel within one week of notification by email of the date on which the meeting is scheduled, or fails, without acceptable cause duly authenticated in writing, to attend the meeting, the appeal shall be considered and a decision reached on the basis of the material that was made available to the appellant by the Appeal Panel.

14. The Appeal Panel, after receiving all information, shall meet in closed session to consider the information and make its decision using a balance of probabilities standard.

15. The decision of a majority of the members of the Appeal Panel present throughout the entire process shall constitute the decision of the Appeal Panel.

16. The decision of the Appeal Panel, together with written reasons for the decision, shall be delivered to both parties to the appeal by the Secretary of the Committee.

17. The Appeal Panel on behalf of the Committee reserves the right to provide direction regarding an appeal to the appellant and/or to the committee whose decision is being appealed.

18. There are no firm timelines for the hearing of appeals. However, in the interest of fairness, appeals should be heard and decisions provided as soon as is reasonably practical.

19. The decision of the Appeal Panel, together with reasons for the decision and all associated documentation, will be retained in the Senate records.