

RYERSON UNIVERSITY

PROCEDURES FOR RYERSON SENATE POLICY 60: ACADEMIC INTEGRITY (POLICY AVAILABLE AT: <http://ryerson.ca/senate/policies/pol60.pdf>)

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**PROCEDURES
FOR RYERSON SENATE POLICY 60: ACADEMIC INTEGRITY**

GLOSSARY OF TERMS

AGPC	Academic Governance and Policy Committee	FD	Facilitated Discussion
AIC	Academic Integrity Council	GA	Graduate Assistant
AIO	Academic Integrity Office	GAAC	Graduate Admissions Appeals Committee
ARUCC	Association of Registrars of Universities and Colleges of Canada	GPD	Graduate Program Director
CE	The G. Raymond Chang School of Continuing Education	NFD	Non-Facilitated Discussion
CESAR	Continuing Education Students' Association of Ryerson	OVPRI	Office of the Vice President Research and Innovation
DDM	Designated Decision Maker	PD	Program Director
DDMC	Designated Decision Makers' Council	RAC	Registrar's Appeals Committee
HRS	Human Rights Services	RSU	Ryerson Students' Union
DN	Disciplinary Notation	SAC	Senate Appeals Committee
DS	Disciplinary Suspension	TA	Teaching Assistant
DW	Disciplinary Withdrawal	VPRI	Vice President Research and Innovation
FAI	Fundamentals of Academic Integrity	YSGS	Yeates School of Graduate Studies

PROCEDURES 1: ACADEMIC INTEGRITY RESOURCES

1.1 The mandate of the Academic Integrity Office (AIO) is to ensure that Policy 60 and the accompanying Procedures are carried out in a fair and transparent way, and to provide educational resources to the Ryerson community regarding academic integrity and misconduct. The AIO provides guidance and support to students and decision makers, and ensures that both parties are aware of their rights and responsibilities. The AIO is neutral with respect to all cases and is neither an advocate for students or faculty nor a decision maker in the process. The sole exception is found in Policy 60, Section 5.4.2, where the AIO Director (or designate) participates in the decision regarding whether a penalty hearing or a warning is warranted after two Disciplinary Notations (DNs) have been placed on an undergraduate's student record. The AIO plays no further role in deciding the outcome of a given case, or the nature of any penalty.

1.2 Members of the Ryerson community may consult with the AIO regarding any academic misconduct procedure or concern.

1.3 The Ombudsperson may also be consulted at any time.

1.4 Faculty involved with appeals may seek advice and assistance from the Faculty Appeals Advisor (appointed by the Vice Provost Academic), whose role is to provide support and guidance on issues related to academic integrity and the preparation of materials for hearings under Policy 60.

1.5 Students involved at any stage of the formal processes regarding academic misconduct may consult, as appropriate, with an advocate from either the Ryerson Students' Union (RSU) or Continuing Education Students' Association at Ryerson (CESAR).

PROCEDURES 2: INVESTIGATING A SUSPICION OF ACADEMIC MISCONDUCT

Fair Process: (see Policy 60, Section 1.5)

2.1 Investigation and Consultation

2.1.1 The person appropriate to investigate a suspicion of misconduct (see Policy 60, Section 3.1) must, as part of the preliminary inquiry (i.e. *prior to* the student being contacted for a Facilitated or Non-Facilitated Discussion), determine whether there is sufficient evidence to support a reasonable belief that misconduct may have occurred. Along with any collection or verification of evidence, the decision maker may consult in confidence with various parties, including their Chair/Director, Program Director (required in the case of supervised research activities), Departmental Academic Integrity representative or the AIO. Throughout all such consultations, confidentiality and the privacy of those involved are to be fully respected and protected.

2.1.2 Students may wish to consult with an advocate from the RSU or CESAR. If requested to do so by the student, the advocate can prepare students for, and/or accompany them to, Facilitated or Non-Facilitated Discussions (FD/NFD), as well as to appeal and penalty hearings (see Policy 60, Section 6, and Procedures 3.3.3.4 and Procedures 5).

2.1.3 Discrimination or Harassment

If students have any concerns or allegations regarding prejudice, discrimination or harassment on the basis of a human rights violation that is related to a suspicion or finding of academic misconduct, they must consult with Human Rights Services (HRS). Normally, such concerns or allegations should be dealt with before a Facilitated Discussion (FD) or Non-Facilitated Discussion (NFD) occurs, and no finding regarding misconduct will be made until the processes under HRS are completed. If, however, a finding of misconduct has already been made, and regardless of whether or not HRS has completed their investigation, students wishing to appeal a finding should ensure they do so as per the stated timelines so as not to let any opportunity for appeal lapse. In such cases, the appeal (or penalty hearing) will not be held until HRS has completed its investigation and renders a decision. Students may continue their studies until both matters have been resolved, but they may not graduate.

2.2 Proceeding with an Investigation

2.2.1 An eligible and appropriate decision maker who has formed a reasonable belief that misconduct has occurred, either in course related activities (see Policy 60, Section 3.4.1) or in supervised research activities (see Policy 60, Section 3.4.2), can choose one of two options:

2.2.1.1 Proceed themselves with registering a suspicion of misconduct via the AIO automated system, in which case they are the decision maker; or

2.2.1.2 Refer the case via the AIO automated system to a trained faculty Designated Decision Maker (DDM). Normally, once a request for a DDM is made, the DDM assumes the role of decision maker in its entirety. The referring faculty member can expect to be contacted by the DDM, normally within 3-5 business days of the request. When contacted, the referring faculty member must be prepared to provide the DDM with all available evidence/information related to the suspicion. The referring faculty member should neither contact nor discuss the issue with the student. It will then be up to the DDM subsequently to notify the AIO and the faculty member within five (5) business days as to whether or not they are proceeding with the case. If the DDM opts to proceed, they will register the suspicion via the AIO automated system, and the student will be notified in the usual way (see below). The referring faculty member will also be asked to submit a recommendation regarding an appropriate penalty should the DDM make a finding of academic misconduct.

NOTE: Cases where group misconduct (two or more students) is suspected should always be discussed with the AIO in order to determine a fair and appropriate process. In some cases, it may not be advisable to refer such cases to a DDM.

2.2.2 Once a decision maker decides to proceed, the suspicion must be registered on the AIO automated system. The decision maker must then choose whether to proceed via an NFD or an FD (see Policy 60, Section 3.4.1.7 and Procedures 2.3).

2.2.2.1 In the case of an NFD, the AIO automated system will send the student notification of the date, place and time of the NFD as requested by the decision maker. **N.B.** The student has the right to an FD rather than an NFD if so desired. Students wishing to request an FD instead should contact the AIO directly at aio@ryerson.ca once they receive notice of an NFD, and before the time/date when the NFD is scheduled to be held.

2.2.2.2 In the case of an FD, the decision maker will submit suggested dates/times through the AIO automated system. The AIO will then communicate the scheduled time and date of the FD to the student and the decision maker (and other relevant parties). No finding of misconduct may be made or enforced if this notification is not provided.

2.2.2.3 The notification will also inform the student as to whether they will be meeting with their instructor, or with a DDM, and the name of the DDM.

2.2.2.4 Any requests by students or faculty for accommodation in a discussion, or to advise of a scheduling conflict, should be communicated to the AIO upon receipt of the notification.

2.2.3 Notification of the nature of the suspicion will be sent to the student via their Ryerson email account, which is the University's official means of communication with students. The notification to the student of a suspicion must include a summary of the basis for the suspicion to enable the student to prepare for the FD/NFD. For example, if "plagiarism" is the suspected misconduct, the nature and extent of the plagiarism should be identified.

2.2.3.1 In addition to the student and the decision maker being notified, the AIO automated system will send notification to the AIO and the Registrar's Office (in cases of suspected course related misconduct) so that the student is prevented from dropping the course while under investigation.

2.2.3.2 If the misconduct is related to supervised research activities, the Vice President Research and Innovation (VPRI) will also be notified, and, in the case of graduate supervised research activities, the relevant Graduate Program Director (GPD) will also be notified.

2.2.4 The FD/NFD should normally be held within five (5) business days of the date of notice. In cases where an external decision maker is required to attend the FD, as in the case of suspected misconduct in supervised research activities, this timeline may be extended. If the student cannot attend at the scheduled time, it is their obligation to contact the decision maker, or AIO, (whoever sent the notice), in a timely manner, to make arrangements for a new mutually agreed-upon time. Normally, an FD/NFD will not be rescheduled more than once. In cases where a new time/date is arranged, the AIO will re-issue the invitation to the FD/NFD via the automated system (see Policy 60, Section 3.4.1.8). If the decision maker wishes to schedule subsequent FDs/NFDs to bring forth other information related to the matter, this should normally occur as soon as possible and before a finding is made as a result of the initial FD/NFD. In such cases, the student must be notified, within the timelines for registering a decision, that there will be further FDs/NFDs and the reasons for this.

2.3 Discussions Regarding a Suspicion of Misconduct

Once a suspicion has been registered on the AIO automated system, the discussion between the decision maker and the student(s) may be held in one of two ways: an FD or an NFD. Note that in the case of suspected misconduct in supervised research activities, and in cases involving graduate students, an NFD is not an option (see Policy 60, Section 3.4.2.7), nor is it an option where the decision maker opts to have group discussion where multiple students are under a related suspicion (see Procedures 2.3.3.2).

2.3.1 What is the purpose of a discussion?

The purpose of a discussion is to allow the decision maker to present to the student(s) the basis for their suspicion, for the student(s) to offer their perspective and for there to be a fair and frank discussion. Discussions are intended to be carried out in a spirit of inquiry, and to be neither accusatory nor adversarial. No decisions are made regarding outcome during a discussion. The decision maker will first consider the information presented by all parties and then, within three (3) days, will make a decision regarding whether misconduct has occurred.

2.3.2 What should each party bring to a discussion?

Decision makers must be prepared to present the evidence in support of their suspicion at the FD/NFD (e.g. course outlines, assignment guidelines, plagiarism detection reports). If applicable, students should bring rough notes, drafts or other supporting materials to the discussion as they desire or as requested by the decision maker.

2.3.3 Who may be present at a discussion?

2.3.3.1 Normally, the decision maker, the student(s) suspected to have violated Policy 60 and the facilitator (for an FD) will be present. (When appropriate, a third party such as an exam invigilator or Teaching Assistant/Graduate Assistant (TA/GA) who brought the complaint to the decision maker may also be present.) The facilitator will ensure that the discussion is investigative, non-adversarial and educational (where possible), and that both parties are given an opportunity to voice their perspective. Note that in most cases, all parties are expected to be physically present. However, when necessary, virtual attendance (e.g. via video conference, telephone conference, etc.) can be arranged.

2.3.3.2 Students are entitled to have an advocate from the RSU or CESAR accompany them to either type of discussion if they so choose. It is requested that students notify the AIO and the decision maker, at least 24 hours in advance, if an advocate will be attending with them. The advocate may raise questions of the decision maker and speak during the FD/NFD, but students are expected to speak for themselves with respect to matters of fact. A support person may be present but may not participate in an FD/NFD. They remain silent and do not sit at the table or take notes. They may confer with the student or the respondent only outside the FD/NFD. **N.B.** Formal legal representation (e.g. a lawyer) is not permitted at an FD/NFD.

2.3.3.3 In the case of suspected group (i.e. two or more students) academic misconduct, the decision maker must first contact the AIO to assist in determining a fair process. Normally, students will be called in for a discussion of the suspicion individually, but a decision maker may request that the AIO schedule a group discussion. In cases where there are individual but related discussions, these will be scheduled back-to-back, when possible. Where a group discussion is held it must be an FD. If students have been assigned to a group discussion, they may request an individual meeting; however, they may also still be required to attend a group meeting. The decision maker will determine an appropriate means of evaluating the work of students who may have been involved in group work but are deemed not to be involved in the academic misconduct.

2.3.3.4 In the case of an externally funded student suspected of misconduct in supervised research activities, an additional decision maker, external to the university and with disciplinary expertise, will also be present (see Policy 118 and Policy 60, Section 3.4.2.9). The Office of the Vice President Research and Innovation (OVPRI) will arrange for this individual to attend the FD. In some cases, the Graduate Program Director (GPD) may also be present as a co-decision maker. While the GPD will normally be able to confirm whether the student is externally funded, the AIO may also consult with the OVPRI and/or the Dean of Graduate Studies to make this determination.

2.4 What to Expect at a Discussion

2.4.1 At the start of the FD/NFD, normally scheduled for 30 minutes (except group FDs, which are normally 45-60 minutes), either the facilitator (in the case of an FD) or the decision maker (in an NFD) will first introduce the discussion, its guiding principles and the possible outcomes. The facilitator or decision maker will make a fair and accurate summary of the discussion.

2.4.2 The decision maker will explain the basis for the suspicion. They may refer to specific documentation or evidence, as appropriate, and ask questions of the student relevant to the suspicion.

2.4.3 The student will have a chance to respond to the decision maker's concerns and questions, and ask questions.

2.4.4 At the conclusion of the discussion, the facilitator or decision maker will explain the next steps, including the timeline for a decision letter to be sent, and potential outcomes of the discussion (e.g. no finding of misconduct; a finding of misconduct, which the student may choose either to accept or appeal; a placement of a DN on the academic record; an assigned quiz and/or academic integrity workshop; etc.).

2.4.5 No findings related to the suspected misconduct shall be made or communicated prior to, or during a discussion.

2.4.6 The facilitator (in an FD) or decision maker (in an NFD) will complete a summary of discussion form, which is intended to be an official record of what was said. If all parties are physically present, the student and the decision maker will be asked to read the summary and to sign this form if they believe it accurately reflects the discussion. In some cases (e.g. at least one of the parties is participating by phone or by video conference), the summary can be read aloud and participants asked to agree or disagree verbally with its contents. Alternatively, an electronic copy of the summary of discussion may be sent to each party with a request to confirm by return email acceptance (or not) of the contents within a specified time. If either the decision maker or the student disagrees with the content of the summary, they should note the disagreement on the form before signing, or verbally, or via email. Any disagreement will be noted on the form. All parties will be provided with a copy of this form, either from the facilitator (via the AIO for an FD) or from the decision maker (for an NFD), in a timely manner once the discussion has been completed.

2.5 What Happens After a Discussion?

2.5.1 Decision maker(s) will have three (3) business days to register a finding regarding the suspected misconduct. Should decision makers require an extension of this deadline, they must contact the AIO, who will notify the student of the extended time. After an NFD, once the decision maker registers their decision through the automated system, the student and the AIO will be notified of this decision, the reason for the decision and any penalties or consequences assigned. In the case of an FD, the decision maker must first notify the AIO of their decision, the reason for it and any penalties or consequences assigned, via the automated system. The AIO will then notify the student. The decision maker is *not* to inform the student directly, nor to discuss matters with the student.

2.5.2 Should a decision maker not make a finding within this stated or agreed upon time period, then the AIO will enter a decision of "no finding of academic misconduct".

2.5.3 If the decision maker determines that there has been no academic misconduct, they will inform the AIO, which will then notify the student (see Procedures 2.5.1). The summary of discussion form will normally be retained by the AIO for one year. The decision maker may assign the Fundamentals of Academic Integrity (FAI) quiz as a course requirement for educative purposes, even if it is concluded that the student has not engaged in academic misconduct. In addition, the decision maker may assign up to three (3) additional integrity-related workshops generally offered through Student Learning Support. Unlike the online quiz, these are offered only from time to time and, therefore, attendance at them cannot be a condition of completing a course in cases where no misconduct is found. The DDM (if any) must notify the referring faculty member of this decision. Any work that is no longer under suspicion must now be assessed/graded or re-assessed/re-graded, normally by the decision maker or referring faculty member. Students may request an alternate re-grader as per Policy 134.

2.5.4 If a finding of academic misconduct is made, the decision maker will notify the AIO (see Procedures 2.5.1). The AIO is responsible for notifying Student Records so that a DN may be placed on the student's record. The DDM (if any) must notify the referring faculty member of this decision. The decision maker or referring faculty member must ensure that any grade updates or grade change forms are submitted in a timely manner.

2.5.5 The AIO will send out the decision maker's decision letter within two (2) business days of the decision maker providing their decision to the AIO, via Ryerson email. The student, the decision maker, the designated person in the Registrar's Office, the Chair/Director of the Department/School that administers the program in which the student is registered (or the undergraduate or Graduate Program Director in the case of interdisciplinary programs), or CE Program Director of the Faculty responsible for the course (for Continuing Education students not enrolled in a program) will receive a copy of the decision.

2.5.6 Students have ten (10) business days from the date the decision letter is sent to submit an appeal if they disagree with the decision. If an appeal is not filed by the deadline, the decision will stand (see Section 4.0).

2.5.7 If a student wishes to drop a course after a finding regarding misconduct has been made, see Policy 60, Section 3.6 for eligibility. Students eligible to drop a course who are prevented from doing so on the automated system (during the 3-day period prior to drop date) must inform the Registrar's Office at sr.misconduct@ryerson.ca within the stated time periods to request to drop the course.

PROCEDURES 3: PENALTIES AND CONSEQUENCES

(Please see Policy 60, Section 5, for a complete list of penalties that can be assigned or recommended under this Policy and further consequences that may be assigned or arise due to a finding of academic misconduct.)

3.1 General

3.1.1 Once a decision maker has made a finding that academic misconduct has occurred, as a consequence, the Registrar's Office will place a DN on the student's academic record. The decision maker must assign an appropriate penalty. Further, in conjunction with any penalty, students may also be assigned the FAI quiz and one or more workshops related to academic integrity.

3.1.2 In cases where an instructor wishes to assign (or have the DDM assign) the penalty of a course grade reduction (beyond the value of the assignment, but less than an "F" in the course), they must have notified their students in advance (e.g. on their course outline or via some other posting the students have access to and are made aware of) that this penalty will be assigned to all cases of misconduct related to a specific assignment(s) or aspect of the course (see Policy 60, Section 5.2 for further details regarding this scenario).

3.1.3 When a DDM has assigned a penalty, the referring faculty member will be notified by the DDM. It is then the responsibility of the referring faculty member to apply the penalty as per the decision of the DDM. The referring faculty member must not modify or in any way alter the decision or penalty assigned by the DDM.

3.2 Progressive Discipline

3.2.1 Regarding Policy 60, Section 5.4 (Progressive Discipline and Repeated Misconduct), the procedure for dealing with undergraduate and CE cases is as follows:

3.2.1.1 In cases where an undergraduate or CE student is assigned a second DN, the relevant Program Director (PD) (or designate), the Chair of the Designated Decision Makers' Council (DDMC) (or designate), and the Director of the AIO (or designate) shall confer regarding whether a penalty hearing is warranted. Their decision will be based on a full review of the nature of the prior offences including the penalties and consequences assigned.

3.2.1.2. If the decision is that such a hearing is warranted, the PD or Chair/Director (or designate) must recommend an appropriate penalty (e.g. the length of the Disciplinary Suspension (DS), and when the DS will begin). The student will then receive notification of the penalty hearing and of the penalty recommended. Once the notification of a hearing is sent to the student, the AIO will notify the Registrar's Office to put a hold on the student's account pending the penalty hearing (see Procedures 5 and Procedures 5.4.5 for submissions and documentation).

3.2.1.3. If the decision is that such a penalty hearing is not warranted (i.e. based on a review of the severity and circumstances of the two prior DNs), the student will be notified by the AIO that their case has been reviewed, that their DNs will remain on their academic record, and that they will face a penalty hearing should there be a further finding of misconduct against them.

3.3 Academic Integrity Workshops and Quizzes

3.3.1 The AIO offers online resources, including an online quiz titled, "Fundamentals of Academic Integrity" (FAI), that may be assigned. Students who are assigned this quiz are given a specified time period during which the quiz must be satisfactorily completed. If it is not completed, they will be assigned an "INC" until it is completed. Further, the AIO also has access to a series of educational workshops on a variety of topics related to matters of academic integrity. Educational workshops (generally offered through Student Learning Support) are open to all students and are normally held in scheduled sessions on campus, although some sessions are available online. Please contact the AIO for information. Students assigned a workshop are required to attend, and must provide proof of completion to the AIO.

3.3.2 Assignment of either the FAI quiz or workshops (or both) is to accompany the notice to the AIO of finding(s)/penalties, and is forwarded to the student and others notified (see Procedures 2.5).

3.3.3 General Guidelines for workshops and quizzes

3.3.3.1 If it is found that a student engaged in academic misconduct and the FAI quiz is assigned, it is mandatory (i.e. a course requirement) and must be completed within the time frame specified by the decision maker unless an extension is granted by the AIO. If the FAI quiz is required due to misconduct, the student may not graduate until it is completed.

3.3.3.2 A decision maker may assign the FAI quiz as a course requirement for educational purposes, even if it is concluded that the student has not engaged in academic misconduct. If the quiz has not been successfully completed at the time final grades are due, the instructor will assign an "INC" until the quiz is completed. Once assigned, the quiz becomes a course completion requirement. In addition, the decision maker may assign up to three integrity-related workshops generally offered through Student Learning Support. Unlike the online quiz, these are offered only from time to time and, therefore, attendance at them cannot be a condition of completing a course in cases where no misconduct is found. Nonetheless, educational workshops should normally be completed within 6 weeks of the student receiving the decision letter, not including University closures. The majority of these workshops are not available in April or December due to final exams, and availability in the summer may be limited.

3.3.3.3 Any work that is no longer under suspicion must be assessed/graded or re-graded, normally by the decision maker or referring faculty member. Undergraduate students may request an alternate re-grader as per Policy 134; graduate students may also do so, as per Policy 152.

3.3.3.4 The AIO may confirm if a student has previously taken a specific workshop.

PROCEDURES 4: APPEALS

4.1 General Appeals Information

4.1.1 The Academic Integrity Council (AIC) and Senate Appeals Committee (SAC) are responsible for appeals and penalty hearings regarding academic misconduct (Policy 60). The Registrar's Appeals Committee (RAC) and the Graduate Admissions Appeals Committee (GAAC) are responsible for appeal hearings relating to allegations of academic misconduct during the admissions process for undergraduate and graduate students, respectively. Students must appeal first to the AIC, RAC or GAAC, as appropriate, and may only appeal further to the SAC on the grounds provided in Policy 60, Section 6.1.3 and Procedures 4.3.

4.1.2 If a student believes that there has been prejudice, discrimination or harassment on a human rights ground as it relates to the finding of academic misconduct, they must consult with HRS. Any appeal or penalty hearing will not be held until HRS has completed its investigation and rendered a decision.

4.1.3 Students may remain in class and may enroll in courses while their case is under appeal, or pending a penalty hearing. If students are found to have engaged in academic misconduct at the end of a semester and a hearing cannot be scheduled until the next semester, students may enroll in courses and continue in their program until a final decision is rendered. If the decision results in a Disciplinary Suspension (DS), a Disciplinary Withdrawal (DW) or Expulsion, the student will normally be dropped from all courses and fees refunded. However, the panel has the discretion to determine whether the penalty is effective at the end of the previous term or at the end of the term in which the student is currently enrolled.

4.1.4 Faculty may seek advice in preparing for appeals from the Faculty Appeals Advisor whose role is to assist faculty in such matters. Please contact the AIO or Secretary of Senate, or see their websites, for current contact information.

4.2 Appeals to the AIC

4.2.1 What may be appealed?

A student found to have committed academic misconduct may appeal the finding of misconduct and, in some cases, the penalty assigned, to the AIC. However, a student assigned the *minimum penalty* on an assignment, test, or exam, or assigned a course grade reduction (as allowed in Policy 60, Section 5.2.3), *may appeal the finding of misconduct but not the penalty* to the AIC. The "minimum penalty" is a grade reduction on a specific piece of work, including a grade of "zero" (see Policy 60, Section 5.2).

The DN that is placed on the student's record after a finding of misconduct may not be appealed, nor may a panel order its removal. It is used to track findings of misconduct. It is not a penalty and does not appear on official transcripts. It will be removed by the Registrar's Office at the request of the AIO if an appeal of academic misconduct is successful.

4.2.2 What are the possible outcomes of an appeal?

4.2.2.1 The AIC may: grant or deny the appeal, in whole or in part; alter (increase or decrease) an earlier penalty; uphold or overturn a recommendation for a DW, Expulsion or Revocation.

4.2.2.2 If an appeal is granted (i.e. a finding of misconduct is overturned), the penalty and the DN will be removed, and the work shall be assessed/re-assessed/re-graded as appropriate (see Policy 60, Section 3.4.1.10).

4.2.2.3 If the appeal is denied, the student may appeal to the SAC on specific grounds listed (see Policy 60, Section 6.1.3). The appeal must be filed with the Senate Office within ten (10) business days of the Notice from the AIC.

4.2.2.4 If the assigned penalty is a grade of "F" in the course, or if there is a *recommendation* for a penalty of DS, DW, Expulsion or Revocation, a student may appeal the penalty alone (which is to accept the finding) or may appeal the penalty in conjunction with the finding. When both penalty and finding are appealed, they will normally be heard together.

4.3 Appeals to the SAC

4.3.1 What may be appealed?

A student may appeal a decision made by the AIC, RAC or GAAC to the SAC. The form for an appeal to SAC is found on the Senate website. The right to this second level of appeal is limited and the onus is on the student to make a case for why the appeal should be heard based on one or more of the following four (4) grounds:

4.3.1.1 New Evidence: there is new evidence submitted with the Senate package that was not presented at the AIC, RAC or GAAC hearing and which has a reasonable possibility of affecting the decision. The appeal should state what the evidence is and briefly give reasons as to how and/or why it might affect the finding;

4.3.1.2 Substantial Procedural Error: when it is believed there has been a substantial error in how Policy 60 was applied, which could have affected the decision reached by the AIC, RAC or GAAC. The appeal should state what the procedural error was and give reasons regarding how and/or why it may have affected the finding and/or reasons why its correction would reasonably be expected to do so;

4.3.1.3 Evidence Not Previously Considered: evidence submitted as part of the AIC, RAC or GAAC package or was stated verbally at the AIC, RAC or GAAC hearing that was not considered by the panel. The appeal should identify the evidence not considered, provide evidence that it was not considered, and give reasons why consideration of it would be reasonably likely to affect the finding and/or alter the penalty assigned;

4.3.1.4 Higher Penalty: if a higher penalty has been assigned by the AIC, RAC or GAAC than that recommended or assigned by the initial decision maker.

4.3.2 The Secretary of Senate will convene an SAC panel to review the submission. This SAC review panel will decide whether or not the grounds to hear the appeal have been met, and if so, whether the matter will be heard *de novo* (meaning to hear the entire hearing over from the beginning). The student and responding faculty member will be notified of these decisions by the Senate Office (see Procedures 5.3 for further information regarding *de novo* hearings and appeals to SAC). If the decision is that the appeal meets the grounds, the Secretary of Senate will convene an SAC panel (which in some cases may be the same as the review panel) for a hearing (see Procedures 5.2).

4.3.3 An appeal to SAC, if accepted as meeting one or more of the stated grounds, is then normally limited to a discussion of those grounds relevant to the decision or processes of the AIC panel. It is *not*, in general, a full re-hearing of the evidence presented at AIC, RAC or GAAC (*de novo*) plus new evidence, if any.

4.3.4 While SAC hearings are not normally *de novo*, an appellant may make a case in their submission as to why their hearing should be *de novo*. In some cases, a panel may need to hear and consider some or all of the evidence introduced and arguments made at AIC, RAC or GAAC. Whether or not to revisit some or all (a *de novo* hearing) such evidence is at the discretion of Panel Chair. The Panel Chair may seek advice on such matters before the hearing or, if need be, by recessing or adjourning the hearing as the issue arises and before proceeding.

4.3.5 If the SAC review panel accepts the appeal to be heard (see Procedures 5.2.11), and if the submitted evidence warrants it, an SAC panel may decide a case without a hearing on the basis of the written submissions alone. *This authority is to be used with great care, and is only to be used in favour of an appellant so that no student is denied the chance to make their case as fully as possible, should their appeal meet the grounds specified, in the interests of a fair process.*

4.3.6 If the assigned penalty is a grade of "F" in the course, or if there is a recommendation for a penalty of DS, DW, Expulsion or Revocation of a Degree, a student may appeal the penalty alone (which is to accept the finding) or may appeal the penalty in conjunction with the finding. When both penalty and finding are appealed, they will normally be heard together.

4.3.7 Students appealing to the SAC are strongly encouraged to consult with an advocate from the RSU or CESAR, when preparing the appeal.

4.3.8 *What are the possible outcomes of an appeal?*

4.3.8.1 The SAC may: grant or deny the appeal, in whole or in part; alter (increase or decrease) an earlier penalty; uphold or overturn a recommendation for a DW, Expulsion or Revocation.

4.3.8.2 If an appeal is granted (i.e. a finding of misconduct is overturned), the penalty and the DN will be removed, and the work shall be assessed/re-assessed/re-graded as appropriate (see Policy 60, Section 3.4.1.10).

4.3.8.3 All decisions of the SAC are final.

4.4 Submissions and Documentation

4.4.1 *Student responsibility in submitting an appeal to the AIC*

An AIC appeal form must be filed with the AIO by the student, in person, within ten (10) business days from the date of the decision letter. The student appellant must submit all documentation listed on the checklist provided on the AIC form, and ensure that all parts of the form are completed. In appealing to the AIC, students are asked to address in their submission (and subsequently at the hearing) the facts surrounding the initial suspicion and finding, as well as whether those facts support the finding and/or penalty. Incomplete submissions will not be accepted. This includes all summary of discussion forms, notices of suspicion and decision letters. If the student does not receive these in time for their appeal submission, they must contact the AIO immediately.

4.4.2 *New evidence*

If, after the student has submitted an appeal, new evidence becomes available that the student wishes to include, the student must contact the AIO as soon as possible. If the student does not have a reasonable opportunity to submit this evidence in advance of the hearing (e.g. this evidence only came to light less than 24 hours before the hearing was scheduled), they may bring it to the hearing, along with five (5) copies. The Panel Chair will first ask the respondent to review the new evidence and state whether they are willing to have it considered. If it is not acceptable to the respondent then the Panel Chair, in consultation with the panel, shall determine if the evidence is to be accepted at that time and if so, whether or not additional time is required for all parties to review it. Students should be aware that a Panel Chair provided with new evidence at the start of a hearing may request an adjournment, and the hearing rescheduled, to ensure all parties have ample time to review the evidence.

4.4.3 *AIO responsibility in receipt of an appeal to the AIC*

The AIO will forward a student's complete appeal to the decision maker (normally, now referred to as "the respondent" or "responding faculty member") for their written response. This should be provided to the AIO within five (5) business days. Once all documents are received, the AIO will schedule a hearing and send a complete appeals package to all relevant parties with sufficient time prior to the hearing to allow all parties to prepare.

4.4.4 *Decision maker responsibility in responding to an appeal to the AIC*

The decision maker (now "the respondent") must respond to the student's appeal in writing to the AIO and submit all relevant documentation and evidence which will be given to the student and the AIC panel. If, after the decision maker has submitted their response, new evidence becomes available, they must contact the AIO regarding the evidence as soon as possible. If the decision maker does not have the opportunity to submit such evidence in advance, they may bring it to the hearing, along with five (5) copies. The Panel Chair will allow the appellant to see the document(s) and will ask the appellant if they are willing to have it considered. If it is not acceptable to the appellant, then the Panel Chair, in consultation with the panel, shall determine if the evidence is to be accepted at that time and if so, whether or not additional time is required to review it. Respondents should be aware that a Panel Chair provided with new evidence at the start of a hearing may request an adjournment, and the hearing rescheduled, to ensure all parties have ample time to review the evidence.

4.4.5 *Student responsibility in submitting an appeal to the SAC*

Students must submit a Senate academic misconduct appeals form to the Secretary of Senate within ten (10) business days from the date of the AIC, RAC or GAAC decision. The student must provide, in writing, a detailed explanation as to why the SAC should consider the case based on one or more of the four (4) grounds enumerated (see Policy 60, Section 6.1.3 and Procedures 4.3.1). Forms and instructions for the filing of appeals can be found at the Senate website (<http://www.ryerson.ca/senate/>), and are available from the Senate Office.

4.4.6 *Senate Office responsibility in receipt of an appeal*

The Senate Office will, if the appeal is accepted to be heard as meeting the stated grounds (see Policy 60, Section 6.1.3 and Procedures 4.3.1), forward a student's appeal to the AIC, RAC or GAAC Panel Chair and decision maker (or person who brought the original charge) for their response. The Senate Office will schedule a hearing and send a complete appeals package to all relevant parties.

4.5 Consultation/Representation at Appeal Hearings

4.5.1 Students are encouraged to seek assistance in preparing appeals to AIC and SAC from an advocate from RSU or CESAR. The Ombudsperson may be consulted at any time during the process. Students may be represented at an AIC or SAC appeal hearing by an advocate from RSU or CESAR. A support person may be present but may not participate in a hearing. They remain silent and do not sit at the table or take notes. They may confer with the student or the respondent only outside the hearing. Faculty may also seek assistance from the Faculty Appeals Advisor, whose role is to provide support and guidance to faculty on issues related to academic integrity and appeal package/hearing preparation. Contact the AIO for information regarding this role.

4.5.2 It is only at the SAC level that students and faculty may have legal counsel. If legal counsel will be present at a hearing, the Senate Office must be given three (3) business days' notice.

PROCEDURES 5: APPEAL AND PENALTY HEARINGS

NOTE: Appeal hearings are generated by a student appeal. Penalty hearings are generated either by a decision maker or decision-making body, recommending a more severe penalty than they are empowered to assign, or by Progressive Discipline regarding multiple offences. Most of what happens in both types of hearing is the same, but there are some important differences mentioned below.

5.1 Pre-Hearing Procedures for Appeal Hearings for Both the AIC and SAC

5.1.1 Hearings of the AIC and SAC, normally 90 minutes in length, must be scheduled as soon as possible based upon the availability of the student, the decision maker and the panel members. All parties must make all reasonable efforts to facilitate scheduling. Students and responding faculty members must receive at least ten (10) business days' notice of the date, time and place of the hearing. An appeal may be scheduled with less than ten (10) business days' notice with the written agreement of the student and the initial decision maker/respondent (or designate). Students who have any concerns about the timing of their hearings should contact the AIO.

5.1.2 A panel will be established consisting of two (2) faculty and one (1) student who are trained members of the AIC, or trained appointees to the SAC. All panel members must have no conflict of interest with the student or decision maker/respondent. For graduate student hearings, the student panel member shall be a graduate student and for an undergraduate student, the student panel member should normally be an undergraduate student. It will be determined in advance which of the faculty members will Chair the panel (by the AIO for AIC; by the Secretary of Senate for SAC). No member of a hearing panel shall have had any prior involvements with the case under appeal.

5.1.3 The AIO or Senate Office will obtain an updated copy of the student's official academic record and quiz or workshops completed for verification and clarification in the hearing if relevant.

5.1.4 The AIO or Senate Office shall distribute a notice of hearing indicating the date, time and place of the hearing and the names of the panel members, copies of the student's appeal and the submission of the respondent, to: the members of the panel, the respondent (or designate), the student, and an advocate from the RSU or CESAR, if any. It is the responsibility of the appellant and respondent to notify the AIO or Senate Office, in advance of the hearing (normally before the notice of hearing is distributed) of any witnesses they intend to call, and also their responsibility to ensure the presence of those witnesses. The decision whether to proceed in the absence of invited witnesses or to adjourn and re-schedule will be made by the Panel Chair.

5.1.5 The AIO, Secretary of Senate, and/or Panel Chair (see below) may determine that a resource person familiar with some area of procedure or practice relevant to the case at hand should be present at the hearing to answer questions with regard to matters of policy in the Department/School, Faculty, or administrative department. A resource person may answer questions, but may not ask questions of the appellant or respondent. A resource person cannot speak to whether misconduct took place. If a resource person has knowledge relevant to the specific actions of either the appellant or respondent, they should be called only as an ordinary witness. A resource person may stay for the entire hearing or a specified part of it at the discretion of the Panel Chair and the AIO.

5.1.6 Investigation by HRS: If there has been a claim of prejudice, discrimination or harassment related to a human rights ground associated with the appeal, the AIO (or the Secretary of Senate) will forward the appeal (with the student's approval) to HRS for investigation. Once HRS has made a report and has notified the AIO or Senate Office that the matters under its jurisdiction have been settled, a panel will be constituted to hear the appeal. Any allegation of discrimination or harassment will be treated as settled and therefore out of order at the hearing.

5.2. Pre-Hearing Procedures Specific to the SAC

NOTE: At SAC appeal and penalty hearings, students may bring legal representation. They are required to give the Senate Office three (3) business days' notice that legal counsel will be present.

5.2.1 The Secretary of Senate shall:

5.2.1.1 Receive all appeals and constitute an SAC review panel to determine, on the basis of the written submission, whether the appeal meets one or more of the required grounds. If the Senate review panel recommends a case be dismissed as not meeting the grounds for appeal, the Chair of that review panel will write the dismissal letter on behalf of the Secretary of Senate. If the review panel recommends hearing the appeal, they will notify the Secretary of Senate, and a hearing will be scheduled.

5.2.1.2 If the appeal is accepted to proceed, the Secretary of Senate will name an SAC panel (in some cases this may be the same as the review panel) to hear the case. The Senate Office will forward the appeal to the AIC, RAC or GAAC Panel Chair that upheld an original finding and/or penalty, as well as the original decision maker(s) who made the finding of misconduct. The Panel Chair, in consultation with Secretary of Senate, shall also determine if further resource people should be required to attend the hearing. The respondent(s) should reply to the appeal within five (5) business days of receipt of the appeal. Student Records must also receive a copy of the notice of appeal.

5.2.1.3 Schedule a hearing as soon as possible based upon the availability of the student and the respondent(s). Reasonable effort should be made to accommodate the availability of the advocate from RSU or CESAR, or legal counsel. Students must receive at least ten (10) business days' notice of the date, time and place of the hearing. An appeal may be scheduled with less than ten (10) business days' notice with the written agreement of both the student and responding faculty member, Chair, Director, or Program Director.

5.2.1.4 Forward all of the submissions for the appeal to: all members of the SAC panel; the respondent(s); the designated person(s) in the Registrar's Office; the student appellant; the AIO; and the advocate from the RSU or CESAR, or legal counsel, if any.

5.3 Guidelines for Appeal Hearings

5.3.1 Note: a representative from the AIO or Senate Office should, wherever possible, attend hearings regarding academic misconduct to advise on matters of procedure, and respond to any queries regarding the student's academic record.

5.3.2 Appeal hearings are not open to the public due to privacy and confidentiality issues.

5.3.3 The "appellant" is the student appealing. At AIC hearings, the "respondent" is normally the original decision maker (the instructor or the DDM). At SAC hearings, the respondent is usually the AIC Panel Chair that upheld the finding and/or penalty. In some cases, especially ones heard *de novo*, there may be more than one respondent (for example, the initial decision maker may be a joint respondent with the AIC Panel Chair) as determined by the Secretary of Senate in consultation with the Director of the AIO and the AIC Panel Chair.

5.3.4 Appeal hearings are not to be audio or video recorded. No minutes are taken. The decision letter is the only official record of the hearing.

5.3.5 Order within an appeal hearing

5.3.5.1 The Panel Chair opens the proceedings and all of the persons at the table introduce themselves. These will normally be: the panel members; the person who assigned the original penalty (respondent); the student (appellant); the advocate from the RSU or CESAR, or legal counsel at SAC (if any); the student's or respondent's support persons (who remain silent during the hearing and who do not sit at the table or take notes); the Secretary of Senate or representative from the AIO; resource people, (if any); and any witnesses who are declared in advance. Witnesses must then remain outside the hearing room until they are called upon to make their statements.

5.3.5.2 The Chair outlines the hearing procedures, explaining to the appellant and the respondent that the documents have been read and that the presentation should be brief, outlining the highlights of the case. The Chair will explain that this is a non-adversarial process, and all parties will have a chance to speak.

5.3.5.3 The respondent is asked to present briefly the evidence that was the basis for the finding of misconduct.

5.3.5.4 Any witnesses for the respondent are called in turn and are asked to make a statement as to what they know of the matters in question. Witnesses are to be called one by one and are not to be in a position of hearing each other's remarks.

5.3.5.5 The appellant is given the opportunity to ask relevant or clarifying questions of the respondent and their witnesses in turn (witnesses questioned first). The Chair may limit such questioning on the basis of relevance, if need be (see Procedures 5.3.6.1).

5.3.5.6 Once any witnesses for the respondent are questioned by the panel, they are asked to leave the room but may be asked to remain outside the room if further questions are anticipated.

5.3.5.7 The appellant is asked to briefly present a summary of their case.

5.3.5.8 Any witnesses for the student (appellant) are called in turn and are asked to make a statement as to what they know of the matters in question. Witnesses are to be called one by one and are not to be in a position of hearing each other's remarks.

5.3.5.9 The respondent is given the opportunity to ask relevant or clarifying questions of the student (appellant) and the witnesses (witnesses questioned first). The Chair may limit such questioning on the basis of relevance (see Procedures 5.3.6.1).

5.3.5.10 Once any witnesses for the student are questioned by the panel, they are asked to leave the room but may be asked to remain outside the room if further questions are anticipated.

5.3.5.11 Members of the hearing panel may ask questions of all parties.

5.3.5.12 The appellant is asked to present a final summary of their case.

5.3.5.13 The respondent is asked to present a final summary of their case.

5.3.5.14 Anyone who is not a member of the hearing panel is asked to leave before the panel begins to deliberate. The deliberations are done in private (see Procedures 5.3.6.3.8).

5.3.5.15 The decision(s)/finding(s) of a panel will be communicated to the AIO or Senate Office within five (5) business days of the hearing.

5.3.6 Further guidelines for hearings

5.3.6.1 Panel Chair's responsibilities

5.3.6.1.1 The Chair has the right to impose reasonable limits on the length of statements/representations, especially if material is repetitive.

5.3.6.1.2 The Chair may declare a question to be out-of-order, if it is felt that it is not relevant to the matter at hand or violates the decorum of the hearing.

5.3.6.1.3 The Chair may adjourn the hearing, or may order a brief recess, for the discussion of any matter which the panel should consider in private.

5.3.6.1.4 The Chair must address any claim of prejudice made in the hearing as outlined herein.

5.3.6.1.5 The Chair may request policy or procedural information or advice, or confirmation of information on the academic record from the Secretary of Senate, the AIO or the Registrar's Office before, during or after the hearing.

5.3.6.1.6 The Chair should collect all copies of appeal materials from all members of the panel and shred them. If they are not collected, each member is responsible for the confidential shredding of all documentation.

5.3.6.1.7 The Chair must prepare the decision letter using the template available from the AIO/Senate Office, get approval regarding its wording from all of the panel members, and forward the letter to the AIO (for AIC) or Secretary of Senate (for SAC) who will forward the letter to the appellant with copies to the respondent(s), the Registrar's Office, the advocate from the RSU or CESAR (if any) and any other required parties.

5.3.6.2 Presentation of new evidence: When an appellant or respondent asks for a document or other physical evidence (e.g. a non-textual assignment) to be submitted for consideration by the panel at the hearing the following procedure should be followed:

5.3.6.2.1 The most important criteria for the admission of new evidence are: its relevance to whether misconduct occurred; its relevance to the appropriateness of the penalty assigned/recommended; its authenticity, which may need to be verified.

5.3.6.2.2 If new evidence is to be presented at the hearing by either the appellant or respondent, the matter must be raised at the beginning of the hearing after introductions. The individual submitting the new evidence should provide an explanation of why this information was not provided in advance of the hearing.

5.3.6.2.3 New evidence must be in hard copy form (e.g. not a PowerPoint presentation) if it is textual, and sufficient copies provided by whomever is introducing the evidence.

5.3.6.2.4 The party not asking to introduce the evidence will be given an opportunity to review the evidence and speak to the issue of whether it should be allowed.

5.3.6.2.5 The Chair, in consultation with the panel, shall determine if the evidence is to be accepted and, if so, if the hearing should be adjourned or rescheduled to allow time for a response (see Policy 60, Section 6.8.7).

5.3.6.3 Hearing decorum

5.3.6.3.1 Panel members should always be prepared for the hearing, having carefully read the materials in advance and having considered relevant questions to ask. The panel's role is investigative.

5.3.6.3.2 Panel members should, at all times, exhibit impartiality and fairness. Questions should be in the appropriate tone and demeanor, and body language should not show bias. Panel members should be attentive at all times.

5.3.6.3.3 Questions should not be leading so that the answer is implied (e.g. "Can I assume you were afraid to go to the instructor?")

5.3.6.3.4 Panel members may ask questions to clarify evidence or to bring out information not introduced. Questions should be relevant to the appeal and not delve into areas which are not relevant, and they should show no indication that a judgment has already been made (e.g. "What is the reason you cheated on the exam?" or "Exactly how bad was that stomach flu that prevented you from doing your own work?")

5.3.6.3.5 Panel members should not interject personal comments or relate personal experiences.

5.3.6.3.6 Personal conversations with the appellant or the respondent which go beyond the demands of civility, are generally to be avoided before, during and after the hearing, even if the appellant/respondent is known to the panel member.

5.3.6.3.7 There should be no side conversation between panel members before or during the hearing.

5.3.6.3.8 The panel will deliberate regarding its decision in private. The results of that vote are not disclosed in the decision letter or by any other means. The Chair will facilitate the discussion amongst the panel members in order to arrive at a decision. Normally, the Chair should obtain the views of the student panel member before the faculty member's views are solicited, unless the student member prefers to speak second. In the event that a unanimous decision cannot be reached and the faculty member and student member differ on the decision, the Chair will vote to determine the decision. This also applies to decisions at penalty hearings.

5.3.6.3.9 There should be no food or eating in the hearing room. Beverages such as coffee are allowed, and water will be provided.

5.3.6.3.10 All those present at a hearing should refrain from using cellphones or other communication devices unless permission to do so is granted by the Chair.

5.3.7 The AIO/Senate Office will retain a confidential record of the hearing, including the following documents: all submissions to the AIC/SAC including any email correspondence; letter(s) of notification of the appeal date and time; courier receipts, if any; the written decision letter of the hearing or Senate review panel.

5.3.7.1 The written appeal decision should relate to the matter at hand and not offer any opinions outside of the matter. The letter must state the decision and the reasons for the decision based on the facts of the case, making an attempt to assess briefly the relevance of the evidence put forward.

5.3.7.2 The decision letter to the student is forwarded to the AIO (for the AIC) or the Senate Office (for the SAC) to be sent to the student's Ryerson email address within ten (10) business days of the hearing. If the student does not receive the decision within this time, they should contact the AIO or Senate Office (as relevant).

5.3.7.3 While the decision letter may instruct the department/school/program to do something related to the case (e.g. regrade a paper), any additional issues which the panel wishes to raise with the Instructor/Department/School/Program or Faculty should be raised in a separate letter addressed to the Secretary of Senate, who oversees the general application of Policy 60 and its Procedures, and who will forward it to the appropriate parties.

5.4 Guidelines for Penalty Hearings

5.4.1 Penalty hearings are initiated either because a decision maker has recommended a penalty more severe than they are authorized to assign or due to Progressive Discipline for multiple academic misconduct offenses (see Policy 60, Section 5.4). At a penalty hearing, as opposed to an appeal, the finding that misconduct occurred is not in dispute. Rather, the issue is the appropriate penalty given the facts. Otherwise the order of the hearing is the same as in an appeal.

5.4.2 As with appeal hearings, penalty hearings are not open to the public. The general rules and procedures are the same as in appeals, with exceptions noted below.

5.4.3 Penalty hearing are not to be audio or video recorded. No minutes are taken. The decision letter is the only official record of the hearing.

5.4.4 A penalty hearing will be scheduled when there has been a recommended penalty of DS, DW, Expulsion or Revocation, or because of Progressive Discipline (multiple DNs) (see Policy 60, Section 5.4).

5.4.5 Submissions and documentation for penalty hearings

5.4.5.1 Student responsibility for penalty hearings

A student who wishes to refute the recommended penalty must file a penalty hearing form with the AIO, or Senate Office, in person, within ten (10) business days from the date of the letter notifying them of the recommended penalty. In their response, students are asked to address in their submission (and subsequently at the hearing) why they feel the recommended penalty is or is not appropriate. While students may choose to include information from the initial finding(s) that led to the penalty hearing being convened, the focus of the panel will be on the recommended penalty. Incomplete submissions will not be accepted.

5.4.5.2 AIO or Senate Office responsibility in receipt of a response to the recommended penalty

The AIO or Senate Office (as appropriate) will forward a student's letter regarding the penalty to the decision maker (normally, now referred to as "the respondent" or "responding faculty member") for their written response. This should be provided to the AIO or Senate Office within five (5) business days. Once all documents are received, a hearing will be scheduled and all parties will be sent a complete penalty hearing package, with sufficient time prior to the hearing to allow all parties to prepare.

5.4.5.3 Decision maker responsibility in responding to a student's statement regarding the recommended penalty

The decision maker (now "the respondent") must respond to the student's statement in writing to the AIO or Senate Office, and submit any documentation and evidence relevant to the recommended penalty, which will be given to the student and the AIC or SAC panel. If, after the decision maker has submitted their response, new evidence becomes available, they must contact the AIO or Senate Office regarding the evidence as soon as possible. If the decision maker does not have the opportunity to submit such evidence in advance, they may bring it to the hearing, along with five (5) copies. The Panel Chair will allow the appellant to see the document(s) and will ask the appellant if they are willing to have it considered. If it is not acceptable to the appellant, then the Panel Chair, in consultation with the panel, shall determine if the evidence is to be accepted at that time and if so, whether or not additional time is required to review it. Respondents should be aware that a Panel Chair provided with new evidence at the start of a penalty hearing may request an adjournment, and the hearing rescheduled, to ensure all parties have ample time to review the evidence.

5.4.6 At the AIC

5.4.6.1 The AIC has authority to assign DS, but may only recommend, or uphold recommendations for DW, Expulsion or Revocation of a Degree, Diploma or Certificate. Nonetheless, the first penalty hearing will normally be heard by an AIC panel and will only be followed by a second hearing at SAC if the student appeals the decision of the AIC, or the penalty upheld/recommended by the AIC can only be assigned by SAC (see Policy 60, Section 5.3). The AIC may assign a penalty of DS (and determine the length of suspension and starting date), but it may only recommend the penalties of DW, Expulsion and Revocation of a Degree, Diploma or Certificate to SAC.

5.4.6.2 A student who is subject of a penalty hearing may request a waiver for their hearing if:

5.4.6.2.1 They are not contesting the recommended penalty. In such a case, the panel will make a decision without the appellant or respondent in attendance. A decision will be issued by the panel to the AIO within five (5) business days of the panel hearing, and the student will be notified by the AIO within ten (10) business days; or

5.4.6.2.2 The penalty recommended by the decision maker can only be assigned by the SAC. The student can request to waive a hearing at AIC and proceed directly SAC to determine penalty.

Students are encouraged to seek advice before choosing either option.

5.4.6.3 If a student does not respond to the notice of penalty hearing, a hearing will still be scheduled. Normally, if the student does not appear for the hearing, and has not requested a re-scheduling (with reasons), the panel will make its decision without input from the student. Normally, a hearing will be re-scheduled only once.

5.4.6.4 The respondent at an AIC penalty hearing will normally, in cases arising via Progressive Discipline, be the Program Director or, if unavailable, a designate familiar with the case. In cases arising from a penalty recommendation by the original decision maker that decision maker shall be the respondent.

5.4.6.5 In cases of Progressive Discipline (e.g. multiple DNs), after reviewing the evidence regarding the prior findings, the relevant Program Director, Chair/ Director (or designate) must recommend an appropriate penalty (e.g. normally a DS or higher for an undergraduate). The AIO must then ensure that this recommendation is forwarded to the student so that they may address it in their letter of response to the respondent and panel. The Program Director will then be asked to submit a letter of response including a clear rationale for their recommended penalty.

5.4.6.6 Any documents relevant to the recommended penalty (e.g. decision letters from the prior findings, mitigating medical documentation, etc.) must be submitted in advance of the hearing by both the student and the respondent.

5.4.6.7 Students may be accompanied to an AIC penalty hearing by an advocate from the RSU or CESAR (but not by legal counsel) and/or by a support person.

5.4.6.8 An AIC panel may: assign a DS (normally one term to two years) and specify when it should begin, and end; uphold and forward to SAC a recommended penalty of DW, Expulsion or Revocation of a Degree, Diploma or Certificate; and recommend such a penalty even if not recommended by the initial decision maker and/or Program Director.

5.4.6.9 The AIO will send the decision letter written by the AIC Panel Chair to the same parties identified above within ten (10) business days of the hearing.

5.4.7 At the SAC

5.4.7.1 The AIC, RAC or GAAC Panel Chair and the original decision maker, if that person has recommended the penalty under consideration, shall be co-respondents. If the hearing arises out of Progressive Discipline, the relevant Program Director, Chair/Director (or designate) and the AIC Panel Chair shall recommend the penalty and shall be co-respondents. Co-respondents will normally submit a joint letter with their recommendation and rationale, although they can submit separate responses if they prefer.

5.4.7.2 The student will be notified by the Senate Office of the intent to schedule a penalty hearing. If appropriate, this notice will not be sent until after the ten (10) business days allowed for a student to submit an appeal. If the student submits an appeal, the penalty hearing may not occur and penalty will be addressed as part of the appeal.

5.4.7.3 A response to the notice of penalty hearing form should be filed by the student with the Senate Office within ten (10) business days of the notice. Even if the form is not submitted, the penalty hearing will proceed. If the student does not appear for the hearing, and has not requested a re-scheduling (with reasons), the panel will make its decision without input from the student. Normally, a hearing will be re-scheduled only once.

5.4.7.4 Penalty hearing regulations at the SAC

5.4.7.4.1 Students may be represented by an advocate from the RSU or CESAR, or by legal counsel. The student's advocate or legal counsel may speak during the hearing, and confer with the student as necessary, although students are generally expected to speak for themselves regarding matters of fact. Should the advocate or legal counsel fail to attend, the Panel Chair has the discretion to postpone, delay or proceed with the hearing.

5.4.7.4.2 Normally, at SAC penalty hearings, the joint respondents are the recommending Program Director and the AIC Panel Chair forwarding the recommendation.

5.4.7.4.3 Students and the respondents may each have a support person in the hearing but this person cannot participate in the hearing. They remain silent and do not sit at the table or take notes. They may confer with the student or the respondent only outside the hearing.

5.4.7.4.4 Students and the respondents may also bring witnesses. Normally, these must be declared in advance as part of the submission. If a witness is not declared in advance, the panel will decide if the witness is to be heard. Witnesses called by either side shall be present at the hearing only while giving testimony. Should the witness fail to attend, the hearing will normally proceed, although the Panel Chair has the discretion to postpone or delay the hearing.

5.4.7.5 If either the student or the respondents fail to attend the hearing, and there are no unforeseen circumstances or notification, the panel may proceed in either's absence.

5.4.7.6 SAC Decisions

5.4.7.6.1 An SAC panel for a penalty hearing may, in considering a recommendation of DS: determine that no disciplinary suspension is warranted (deny the recommendation for a DS); determine that a DS is warranted; confirm the recommended penalty; increase or reduce the recommended penalty and set the penalty from 1 term to 2 years.

5.4.7.6.2 An SAC panel for a penalty hearing may, in considering a recommendation of a DW: determine that no DW is warranted (deny the DW) and assign a lesser penalty (note that a DS cannot be assigned to graduate students); determine that a DW is warranted and set a period of at least two years during which the student may not apply to any Ryerson program or certificate or take any CE courses at Ryerson.

5.4.7.6.3 An SAC panel for a penalty hearing may, in considering a recommendation of Expulsion: determine that expulsion is not warranted and assign a lesser penalty; determine that Expulsion from the University is warranted.

5.4.7.6.4 An SAC panel for a penalty hearing may, in considering a recommendation of a Revocation of a Degree, Diploma or Certificate: determine that a rescission is not warranted and assign a lesser penalty; determine that a Revocation of a Degree, Diploma or Certificate is warranted.

5.4.7.7 Decisions of the SAC are final and may not be appealed.

5.4.7.8 Once a decision has been reached, panel members are responsible for the confidential shredding of all documents and deletion of all emails in their possession related to the appeal. The complete original copy of the appeal shall be retained and held in confidence by the Senate Office; and the AIO and the Registrar's Office shall confidentially retain copies of the decision.

5.4.7.9 Notifications/Recommendations

5.4.7.9.1 Normally, the student will be notified of the decision within ten (10) business days via their Ryerson email. If the student does not receive the decision within this time, they should contact the Senate Office.

5.4.6.9.2 Based upon matters arising at the hearing, the panel may make recommendations to the Secretary of Senate on procedural or policy matters for forwarding to the appropriate office.

PROCEDURES 6: SUBMISSION OF FALSIFIED DOCUMENTS

As per Policy 60, Section 3.3, the University or persons eligible (see Policy 60, Section 3.1) may take appropriate steps to verify documents submitted at any stage of the proceedings.

6.1 Submission of Falsified Documents in the Admissions Process

6.1.1 The submission of any falsified documents (e.g. transcripts, essays, portfolios and letters of recommendation or information considered in the admissions process) or omission/withholding of pertinent information/documents which would be considered in the admissions process will result in the following:

6.1.1.1 For Undergraduate students

6.1.1.1.1 If determined before a student has matriculated/enrolled (i.e. before a Ryerson schedule has been generated), the Undergraduate Admissions Office will notify the student that they will revoke any Undergraduate Offers of Admission. Students may appeal to the Registrar's Appeals Committee (RAC) whose decision is final and may not be further appealed. Appeals to the RAC must be submitted within five (5) business days of receipt of the revocation (please contact the Registrar's Office for information regarding these appeals).

6.1.1.1.2 If determined after a student has matriculated/enrolled (i.e. a schedule has been generated), the Undergraduate Admissions Office will notify the student that they will revoke any Undergraduate Offers of Admission. Students may appeal to the RAC. Appeals to the RAC must be submitted within five (5) business days of receipt of the revocation (please contact the Registrar's Office for information regarding these appeals). If the appeal is denied, students may then appeal to the SAC (see Policy 60, Section 6.1.3).

6.1.1.2 For Graduate students

6.1.1.2.1 If determined before a student has matriculated/enrolled (i.e. before a Ryerson schedule has been generated), the Graduate Admissions Office will notify the student that they will revoke any Graduate Offers of Admission. Students may appeal to the Graduate Admissions Appeals Committee (GAAC) whose decision is final and may not be further appealed. Appeals to the GAAC must be submitted within five (5) business days of receipt of the revocation (please contact the Graduate Admissions Office for information regarding these appeals).

6.1.1.2.2 If determined after a student has matriculated/enrolled (i.e. a schedule has been generated), the Graduate Admissions Office will notify the student, that they will revoke any Graduate Offers of Admission. Students may appeal to the Graduate Admissions Appeals Committee (GAAC). Appeals to the GAAC must be submitted within five (5) business days of receipt of the revocation (please contact the Graduate Admissions Office for information regarding these appeals). If the appeal is denied, students may then appeal to the SAC (see Policy 60, Section 6.1.3).

6.1.1.3 The Director of Admissions (or designate) will normally be the respondent. The relevant PD may be named as a co-respondent.

6.1.1.4 The SAC panel may assign the recommended penalty or may in light of the evidence presented, reduce the penalty or find that no misconduct occurred.

6.1.1.5 If submission of falsified admission documents is found after the granting of an undergraduate Degree, Diploma or Certificate the undergraduate Department/School/Program or Undergraduate Admissions Office will recommend to the Secretary of Senate revocation of the Degree, Diploma or Certificate. There will be a penalty hearing conducted by the SAC. The student may give notice of appeal, and the hearing shall proceed (see Policy 60, Section 6). The decision of the SAC is final and may not be appealed.

6.1.1.6 If submission of falsified admissions documents is found after the granting of a graduate Degree, Diploma or Certificate, the Graduate Program or Graduate Admissions Office will recommend to the Secretary of Senate revocation of the Degree, Diploma or Certificate. There will be a penalty hearing conducted by the SAC. The student may give notice of appeal and the hearing shall proceed as in Procedures 5. The decision of the SAC is final and may not be appealed.

6.1.1.7 Students appealing a finding under Procedures 6.1 must ensure that all supporting documents for the appeal are received by the Secretary of Senate at least four (4) days prior to the hearing. As in any SAC hearing, students may be represented by an advocate from the RSU or CESAR or by legal counsel.

6.1.1.8 In all of the above cases, the Association of Registrars of Universities and Colleges of Canada (ARUCC) will be notified if it is found that academic misconduct has occurred.

6.1.2 Any RAC or GAAC panel shall be constituted as per Policy 60, Section 4.5 or Section 4.6. Hearings and decision making of the RAC or GAAC are to follow the same guidelines as in any appeal at the AIC level, and students are allowed to have an advocate from the RSU or CESAR present and participating.

6.2 Submission of Falsified Documents in a Facilitated or Non-Facilitated Discussion

6.2.1 If it is suspected that a falsified document has been submitted as part of an academic misconduct discussion, the decision maker should first determine (in consultation with the AIO) whether or not the document is essential to making a decision regarding misconduct. If the decision maker determines that the suspected document is not essential to the decision, they may make a decision on the original suspicion of academic misconduct. If the suspected document is essential to the matter being discussed, the decision maker should not make a decision until the authenticity of the document has been verified. If the suspected document is found to be authentic, the discussion may be rescheduled and continue, or the decision maker may proceed to make a decision. If the document is found to be falsified, the student may have committed a distinct and separate act of academic misconduct by submitting it. Normally, the decision maker should proceed to register a new suspicion of misconduct in the usual way and schedule an FD/NFD. The original suspicion must still be considered on its own merits.

6.2.2 In assessing the authenticity of any document it is important that the need for confidentiality and privacy be respected. Decision makers may need to consult with others, including the referring faculty member, to determine authenticity in some cases.

6.3 Submission of Falsified Documents or Written Statements in an Appeal or Hearing

6.3.1 If it is suspected by a Chair or panel member, in advance of an appeal or hearing, that a document or written statement is falsified, they may wish to consult with the AIO regarding a fair process to verify the document's authenticity.

6.3.2 If it is suspected during a hearing that a document or written statement is falsified, the panel should consider:

6.3.2.1 Whether the document is essential to the decision. If it is not, and if all members of the panel believe they can render their decision without consideration of the document or written statement in question, the panel can render its decision.

6.3.2.2 If it is found to be authentic and the panel has adjourned to determine authenticity, the panel should reconvene and render its decision.

6.3.2.3 If it is found to be falsified, the Chair of an appeal or penalty panel at any level may register in the usual way a new suspicion of academic misconduct for a falsified document or written statement submitted as part of any appeal or hearing.