



# Student Judicial Processes at the University of Saskatchewan

UPDATE September 2010

## Letters to Students: Suggestions for Wording of Letters Respecting Disciplinary Actions and Appeals

Following is a summary of information which should be included in letters to students when they are being informed of a charge against them, or in response to an appeal.

### Checklists

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#### Letter to inform a student about an academic misconduct charge:

The letter should be sent both to the student's current postal address on file and by e-mail to the student's usask e-mail account, with approximately two weeks' notice, and should include the following:

- Indication of the section of the Council Regulations for Student Academic Misconduct under which the charge is being brought.
- Indication of the nature of the charge and who is bringing it.
- Information about the hearing (date, time, place, who will attend)
- Or
- Information about how and when they will be contacted to arrange the hearing.
- Notice that they may bring an advocate, and where they can seek help
- A request that the student inform the College of the name(s) of any witnesses and/or advocate they intend to bring to the hearing. (The complainant should also be asked to provide this.)
- Indication that the student may waive the requirement that a student be present on the hearing board
- Indication that if the student does not attend the hearing, it may proceed without the student present

AND

- Include a copy of the Council [Regulations on Student Academic Misconduct](#)
- Include a copy of the complaint

CC's should be indicated and sent to

- The Dean of the College in which the student is/was registered
- The Head of the department in which the alleged offense was committed
- The instructor of the course, when the alleged offense involves a course
- The University Secretary

*Note that the student's responses should be shared with the complainant, and any additional information or evidence from the complainant (including lists of witnesses) must be shared with both complainant and respondent, as well as with the hearing board.*

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**Letter to inform a student of a decision and/or the outcome of a hearing:**

The letter should be sent by registered mail to the address above, and to the student's e-mail account, no later than 15 days following the decision, and should indicate

Reference to the authority under which the decision is being communicated (Council Regulations on Student Academic Misconduct)

Outcome and penalty

A copy of the decision report

The decision report should be brief but should include

- The date and time of the hearing and a list of those present
- Identification of the parties to the dispute
- An outline of the charges
- A statement about what was at issue
- A summary of the findings of fact
- The positions of the parties (optional)
- Reasons for accepting or rejecting the main arguments
- Statement of decision, including any penalty to be imposed

Explanation of the appeal procedures (see the "Standard Paragraphs" section following)

CC's should be indicated and sent to

The Dean of the College in which the student is/was registered

The Head of the department in which the alleged offense was committed

The instructor of the course, when the alleged offense involves a course

The University Secretary

The Registrar

The complainant

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## Standard paragraphs to describe U of S appeal procedures

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### Policy: Student Academic Misconduct offence

**Situation:** The college hearing board has made a ruling in an academic dishonesty case. In the letter from this hearing board to the student and to the complainant, the following should be included:

As outlined in the University Council Regulations on Student Academic Misconduct (section VIII), a student who has been penalized for academic misconduct, or the person who made the allegation of student academic misconduct, may appeal the decision of the hearing board or the penalty imposed. Such an appeal is to be initiated by delivering a notice of appeal to the University Secretary within 30 days of receipt of the hearing board decision. An appeal will be considered only on one or more of the following grounds:

- a. That the original hearing board had no authority or jurisdiction to reach the decision or impose the sanction(s) it did;
- b. That there was a reasonable apprehension of bias on the part of a member or members of the original hearing board;
- c. That the original hearing board made a fundamental procedural error that seriously affected the outcome
- d. That new evidence has arisen that could not reasonably have been presented at the initial hearing and that would likely have affected the decision of the original hearing board.

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### Policy: Student Appeals in Academic Matters

**Situation:** Student asks to appeal a grade. The college or department should provide the following information to the student, either in writing or verbally:

As outlined in the University Council policy on Student Appeals In Academic Matters (Section II, subsection 1), you should complete Form A - Consultation with Instructor. The deadline for submission of Form A to the department head (or dean, in a non-departmentalized college) is not later than 30 days after the instructor makes the grades available to the students in the class.

**Situation:** Student has completed a Form A. In the letter to the student from the college or department about its decision on the Form A, the following information about appeal procedures should also be included:

As outlined in the University Council policy on Student Appeals in Academic Matters y (section II, subsection 1.f) a student who is not satisfied with the results of the consultation with the instructor may apply to have her or his written work re-read. To initiate a re-reading of written work, the student shall submit a completed FORM B to the department head or dean in a non-departmentalized college. The request must be made within 15 working days of the delivery of FORM A.

Situation: Student has been denied a deferred or special examination or other extraordinary assessment and the college is informing the student about the decision.

Or

Student has completed a Form B, and the college or department is informing the student about the decision.

In the letter sent to the student, the following information about appeal procedures should be included:

As outlined in the University Council policy on Student Appeals in Academic Matters (section IV, subsections 1 to 4), you have no right of appeal under these rules with respect to an academic judgment of the written or non-written work, performance or activities or with respect to a decision relating to the provision of deferred or special examinations or other extraordinary methods of assessment **unless** you think that decision involves or has been affected by one of the following factors:

- (i) failure to follow procedural regulations of the relevant college or the University dealing with assessment of students' academic work or performance or administrative decisions or alleged misapplication of regulations governing program or degree requirements;
- (ii) discriminatory treatment of the student as compared to the treatment of other students in the course where the alleged discrimination affected assessment of the student's academic work or performance;
- (iii) violation of the University Discrimination and Harassment Prevention Policy where the alleged violation affected assessment of the student's academic work or performance;
- (iv) violation of the Saskatchewan Human Rights Code where the alleged violation affected assessment of the student's academic work or performance; or
- (v) failure to implement rules of the University dealing with accommodation of students with disabilities when the alleged failure affected assessment of the student's academic work or performance.

The determination as to whether or not your appeal falls within these grounds shall be made by the Bylaws Committee of Council.

To initiate an appeal under these rules, a notice of appeal in FORM C must be **delivered by the student** to the University Secretary; the dean of the college or division offering the course to which the allegation relates; the faculty member responsible for the course to which the allegation relates; and the dean of the college or division in which the student is registered.

The notice of appeal shall be delivered **not later than 60 days** from the date a final decision being appealed has been communicated in writing to the student. Thereafter no appeal may be brought.