OFFICE OF THE OMBUDSPERSON

FACULTY APPEALS COMMITTEES

I have been granted a hearing… what do I do, what can I expect?

1. First Steps

Be prepared. Read the Faculty Appeals Committee procedures and guidelines that are usually sent out with your letter. If they have not been included you will normally be able to obtain them from the Office of the Dean.

You will be informed of the members of the committee in advance of your hearing. You have a right to ask that someone be removed for cause if you believe or suspect that the committee member may have bias towards you. You must give the Chair notice (check faculty guidelines for the proper procedure), and indicate your reasons for thinking that a member may be biased or otherwise unfit to serve.

If you can not attend the hearing in person you must contact the Chair as soon as possible. On rare occasions, it may be possible to participate in the hearing via conference call. This would need to be arranged in advance.

You may be permitted to bring someone with you to the hearing for support, but you must ask for permission from the Chair with proper notice (again, check faculty guidelines). If you wish to bring a lawyer to your appeal, please advise the faculty of their intended role. Note some faculties will permit the lawyer to be present in a support capacity only (and not participate in presenting information).

If you are appealing the Dean’s decision/penalties for academic misconduct you have a right to review the evidence considered in making the decision. Again, review your faculties’ policies to determine whether you will receive copies of this information ahead of time or solely at the hearing.

2. Preparing for the Hearing

Expect the hearing to last at least ½ hour. It may last longer if your situation is complex.

Prepare an opening statement summarizing your appeal. “I am appealing the faculty decision to ... on the grounds of ... my evidence is ...”
Prepare notes covering the highlights of your extenuating circumstances, or the grounds for appeal outlined in your letter. In the case of academic misconduct this is the place where you tell your side of the story.

Prepare a summation to deliver at the end of your hearing. The summation should quickly reiterate what you are appealing, your grounds for appealing, your evidence and the remedy you seek from the committee.

If you are appealing a 'Required to Withdraw' decision, and have received good grades in the previous semester, you should bring copies of your grades with you. It is important to provide evidence of any past successful academic performance. This may influence the committee’s decision favorably.

Make careful note of the place, date and time of your hearing. If you have any questions clarify them with the contact person in advance.

Dress appropriately. Do not chew gum or eat candy. It is important to display respect during the hearing process.

3. At the Hearing

Arrive a few minutes early so you are not rushed. You may actually be asked to report 15 minutes prior to the actual hearing time. Be on time. Review your notes on your presentation while you wait if you find that it will help calm you.

The Chair will ask the members of the Committee to introduce themselves. She/he may also explain the process and then you will be free to speak. Begin by being polite. Thank the Committee for the opportunity to address them.

The Committee will be composed of 5-10 members, one of whom should be a student.

You will be asked to make a short presentation (an opening statement where you re-state your appeal and grounds for the appeal) and elaborate on the key information you referred to in your letter. Don’t read your letter verbatim, but try to go over and highlight the most important parts. If you have difficulty speaking in front of a group of people it may be helpful to address your statements to the Chair.

You can also say politely that you have nothing to add to your letter.

The proceedings may be taped but must be kept confidential.

The Faculty then makes their case (though not for Required to Withdraw cases) and at some point you will have an opportunity to ask questions of any witnesses the faculty presents. The procedural order or agenda will be dictated by the Chair.

The committee members will also ask questions. Answer the committee member’s questions as thoroughly as you can. Most of the information they use for decision making will centre on this part of the hearing.

You should have an opportunity to speak comparable to the faculty representative’s. You will be asked to make a closing statement or a "summation".

If a faculty representative was present at the meeting she/he will be asked to leave at the same time as you. When you are asked to leave, any taping of the proceeding stops.
4. What happens next?

The Committee, in most cases, then deliberates and makes its decision. Your appeal can be denied or upheld.

Sometimes the Committee will inform you informally, but you will be sent a letter notifying you of their decision in writing. You do not have a right to receive an oral decision.

If you believe that you can prove that: 1) bias has occurred; 2) the hearing involved unfair procedures or; 3) that **substantial** new evidence is now available, you may be able to appeal to the General Faculties Council Committee to Hear and Determine Academic Appeals. This appeal must be launched within 15 days of receiving your decision letter.

**General Faculties Council terms:**

**Bias:** You have the right to an appeal hearing free of bias. Bias covers a spectrum of disqualification for members of the committee ranging from partiality (a previous relationship where judgments or opinions have been formed of you) to the committee members obtaining information prior to the hearing that would sway the outcome of the hearing.

**Procedural unfairness:** You have the right to see the evidence against you, to be given an equal opportunity to respond by presenting your case, and to access any information prior to the hearing that the faculty may present and that will have an affect on the outcome of the hearing.

**Substantial new evidence:** This is evidence that would not have been available at the time you presented to the Faculties Appeals Committee but it can be demonstrated that it would have been an important factor in the decision making process of the committee.

See also, [http://www.ucalgary.ca/secretariat/gfcappealinfo](http://www.ucalgary.ca/secretariat/gfcappealinfo)

Note: The purpose of this handout is to help students prepare for an appeal hearing at the Faculty level. Following the steps outlined may help make an appeal more effective, but it is **NO guarantee that the appeal will be granted.** This is not meant to replace information in the Calendar or information provided by the Faculties and Departments.