



NOTICE OF APPEAL

To: Chair, Senate Committee on Appeals
c/o University Secretary
University of Victoria
PO Box 1700 STN CSC, Michael Williams Building A138
3800 Finnerty Road (Ring Road)
Victoria, BC V8W 2Y2 Email: usec2@uvic.ca Fax:(250) 721-6223

Name of Appellant: \_\_\_\_\_

Student Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Degree/Program: \_\_\_\_\_
And Year of Studies: \_\_\_\_\_

Decision Being
Appealed: \_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Name of Respondent \_\_\_\_\_

Date of Decision \_\_\_\_\_

Being Appealed: (A Notice of Appeal must be filed within two (2) months of the date of the final decision, action or treatment that is being appealed. In exceptional circumstances the Chair may consider an extension of the time limit. If filing beyond the 2-month deadline, please attach a separate page outlining your exceptional reasons for the delay.)

If you will be represented by an advocate or legal counsel, please provide the name and contact information of that person: \_\_\_\_\_
\_\_\_\_\_

For more information on completing this form, please refer to the Committee's Terms of Reference and Procedural Guidelines.
Please be aware, in order to submit an appeal you must have pursued and exhausted all other reviews, appeals, or remedies provided by the University of Victoria's undergraduate or graduate calendars or by the policies or regulations of the university or your faculty.

**Grounds of Appeal:**

A student may only appeal on one or more of the grounds listed in the Terms of Reference and Procedural Guidelines. The Senate Committee on Appeals has no jurisdiction to consider a decision where the sole question turns on academic judgment.

Please check off each ground of appeal you are relying on in this appeal:

- ( ) that a procedural error occurred of sufficient magnitude that it may reasonably be seen to have affected the fairness of the process or altered the outcome of the decision against you
- ( ) that the decision under appeal was made with an erroneous interpretation of applicable university policies, procedures, regulations, or other rules, and this may reasonably be seen to have altered the outcome of the decision against you
- ( ) that a factual error occurred of sufficient magnitude that it may reasonably be seen to have altered the outcome of the decision against you
- ( ) that a reasonable person, exercising their judgment on the evidence leading to the decision that is under appeal, could not have made the decision that is under appeal
- ( ) that new, material evidence is available which, despite the exercise of due diligence by you, could not have been made available at the time of the decision giving rise to the appeal, and the relevancy and cogency of the new evidence is such that if it had been tendered at the original hearing it could reasonably be expected to have altered the outcome

**Documentation:**

Please attach the following documentation to the Notice of Appeal, and check off each item that is attached:

- ( ) a copy of the final decision that you are appealing, if it was provided to you in writing;
- ( ) a summary of the background to the appeal including details of any previous reviews, appeals or remedies that have been pursued and exhausted;
- ( ) a summary of the reasons for each of your proposed grounds for the appeal;
- ( ) if you have new evidence, a fulsome description of that new evidence, and an explanation why that evidence could not have been made available at the time of the decision under appeal
- ( ) a statement of the remedy or relief sought;
- ( ) any provision, regulation or policy on which you rely;
- ( ) a list of key documents in your possession that are relevant to your appeal and a copy of the documents on which you rely in this appeal;
- ( ) a list of key documents that you believe are in the possession of the Respondent and request from the Respondent, and the reasons why the documents are necessary.

Nature of Hearing:

Unless a Hearing Panel determines otherwise at the Pre-Hearing Conference, all hearings will proceed based solely on written materials. At the pre-hearing conference the Chair and the Hearing Panel will explore with the Parties and decide whether in the circumstances of the appeal, an in-person hearing is necessary.

Please indicate at this stage whether you prefer a hearing based on written materials or you would like the Hearing Panel to consider an in-person hearing. Please check only one of the following:

( ) I am satisfied with an appeal based solely on written materials.

OR

( ) I would like the Hearing Panel to explore the possibility of an in-person hearing.

Declaration:

Please read each of the statements set out below, and sign in the space provided to indicate that you agree with them. If you have any questions, please contact the University Secretary's office for further information and clarification.

1. In submitting this Notice of Appeal, I understand that the Senate Committee on Appeals, through the University Secretary, may obtain a copy of my academic record.
2. I understand that this Notice of Appeal will be provided to the Chair of the Senate Committee on Appeals and if the Chair determines that my appeal is within the jurisdiction of the Committee it will be provided to the Respondent and members of a Hearing Panel.
3. I confirm that I have pursued and exhausted all other reviews, appeals, or remedies provided by the University of Victoria's undergraduate or graduate calendars or by the policies or regulations of the university or my faculty.
4. I certify that the information provided in this Notice of Appeal is true and complete to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*The University of Victoria collects the personal information on this form pursuant to the University Act, RSBC 1996, c.468 and section 27 (1)(c) of the Freedom of Information and Protection of Privacy Act and the Senate Committee on Appeal's Terms of Reference and Procedural Guidelines. The information is collected by the Senate Committee on Appeals for the purpose of determining whether your appeal is within the Committee's jurisdiction, to establish a hearing if necessary, and to communicate with you regarding your appeal. The information will remain confidential to the Committee, the Respondent and Senate. If you have any questions about this collection, contact the University Secretary.*