





the other members of the hearing panel will determine the issue.

- 5.5 A SCODA hearing must be closed to the public. An appeal hearing may only be open to the public with the explicit written consent of the parties.
  - 5.6 In exceptional circumstances, the Committee may permit the student to appear *in absentia* by delegate.
  - 5.7 The student or representative must be given the opportunity to make a statement to the Committee to support the appeal.
  - 5.8 The respondent may also appear at the appeal and be given an opportunity to make a statement. Where the appeal is under section 4.1.d the respondent is entitled to speak to the new evidence.
  - 5.9 Both parties may be accompanied by a representative at the appeal and may be accompanied by a support person.
  - 5.10 If the appellant fails to appear before the Committee at the appointed time, the Committee may, without further notice, proceed in such absence to determine the appeal.
  - 5.11 If there are medical or compassionate reasons for non-appearance, the Secretary must be notified immediately. The Chair will determine the acceptability of such reasons and whether the appeal should be postponed.
  - 5.12 Appeals must be based upon the record of the preceding hearing or decision and any other relevant documentation considered. The Committee may hear new evidence only when a case is being appealed under section 4.1.d
- 6.0 SCODA DECISIONS
- 6.1 The deliberations of the Committee must be closed with no record kept.
  - 6.2 The Chair must cast the deciding vote in the event of a tie. No member hearing the appeal may abstain.
  - 6.3 Having heard the appeal, the Committee may find:
    - 6.3.1 in favour of the student under section 4.1.a, 4.1.b, and substitute its own finding or order a new hearing;
    - 6.3.2 in favour of the student under section 4.1.d and vary the penalty;
    - 6.3.3 in favour of the student under section 4.1.d and substitute its own finding or order a new hearing; or
    - 6.3.4 against the student, confirming the original decision that remains unchanged.
  - 6.4 If the Committee determines that discipline of a student is unwarranted, the University must, if possible, take steps to return the student to the position they would have been in had the appealed

decision not been made. The responsibility for this will fall to the

- 9.2.2 collect the minimum information about individuals that relates directly to and is necessary to respond to a case of academic dishonesty or academic misconduct, which is considered to be supplied in confidence;
- 9.2.3 use the information about individuals only for the purposes of, or those consistent with, addressing the situation, investigating or taking action;
- 9.2.4 I