



## PURPOSE OF SCODA

When the University imposes a penalty on a student for academic dishonesty or misconduct, the student may appeal to the Senate Committee on Disciplinary Appeals (SCODA). SCODA is the standing committee of final appeal for students in matters of academic discipline as mandated in the University Act, and is also the forum of final appeal for students in matters of misconduct and such other matters as Senate or the Chair of Senate directs.

## MEMBERS OF SCODA

SCODA is comprised of three faculty members and two alternate faculty members, who are not Chairs, Deans or Vice-Presidents, elected by Senate for overlapping two-year terms and three students and two alternate students elected by Senate for one year terms. The Chair of SCODA must be a faculty member of SCODA elected annually by the voting members of SCODA. A Vice-Chair who must be a faculty member must be elected at the same time as the chair. The Secretary of the Senate or his/her designate serves as a non-voting secretary to the Committee.

## SCODA HEARINGS S10.03, 5.0

SCODA, as an internal administrative body, must follow the principles of natural justice and procedural fairness. Within that framework, it is free to develop procedures and practices to conduct appeals and is not constrained by strict rules of procedure and evidence.

The number of members of SCODA required to hear an appeal is two faculty members, two students and the Chair. The quorum for other meetings of the committee is five members of the committee, including the Chair.

To ensure the impartiality of the Committee, no member with previous involvement in the case may hear the appeal. The neutrality of any member of the Committee scheduled to hear an appeal may be challenged and will be determined by the Chair. If the neutrality of the Chair is challenged, the issue will be determined by the other members of the hearing panel.

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.

In exceptional circumstances, the Committee may permit the student to appear in absentia by delegate. The appellant (or representative) must be given the opportunity to make a statement to the Committee to support the appeal. The respondent may also appear at the appeal and be given an opportunity to make a statement. Where the appeal is under section 4.1.4,\* the respondent is entitled to speak to the new evidence. Both parties may be accompanied by a representative at the appeal and may be accompanied by a support person.

If the appellant fails to appear before the Committee on the appointed time, the Committee may, without further notice, proceed in such absence to determine the appeal. 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.

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 4.1.4.\*

\* that new, material evidence is available which, despite the exercise of due diligence by the party wishing to appeal, could not be presented at the hearing.