

Non-Academic Student Conduct Appeals Committee - Terms of Reference

1. Purpose

- 1.1. The Non-Academic Student Conduct Appeals Committee (the “Committee”) is established to review appeals from student respondents regarding decisions and outcomes issued by the Assistant Vice-President, Students (AVPS) or designate in relation to non-academic behavioural conduct matters.
- 1.2. The Committee serves to ensure that conduct processes are fair, transparent, and procedurally sound by reviewing decisions on specific grounds.

2. Scope

- 2.1. Appeals may only be submitted in cases where there is a student respondent (i.e., the student who is the subject of a conduct outcome or sanction) and only on the following grounds as allowable by the policy being appealed:
 - **New Information:** Significant new information has emerged that was not reasonably available at the time of the original decision and that could have substantially affected the outcome.
 - **Procedural Violation:** A material violation of university policy or procedure occurred during the original investigation or decision-making process, and such a violation could have meaningfully impacted the outcome.
 - **Disproportionate Outcome:** The outcome imposed is manifestly disproportionate to the nature and circumstances of the violation, such that it exceeds what a reasonable decision-maker might impose under similar conditions.
- 2.2. Appeals may only be submitted for non-academic behavioural conduct cases that have been reviewed and issued a decision by the Assistant Vice-President, Students or designate.
- 2.3. In instances where the prescribed outcome is suspension or expulsion of a student from the University this shall fall outside the authority of the Committee as it is the purview of the Provost and Vice-President Academic.

Note: Appeals involving complaints about faculty or staff are not within the scope of this Committee and are subject to the applicable collective agreements and/or University Human Resources procedures.

3. Authority

- 3.1. The Committee’s role is to review qualifying appeals and make decisions to either

- a) refer the case for further proceedings or
 - b) adjust the decision.
- 3.2. The Committee does not re-adjudicate any cases.
- 3.3. All decisions made by the Committee may not be appealed further.

4. Chair Responsibilities

- 4.1. The Provost and Vice-President Academic (or designate) serves as Chair of the Committee. Responsibilities include:
 - Determining if appeals meet the threshold for consideration (see 6.1);
 - Convening and facilitating meetings;
 - Ensuring anonymizing and redacting of all documentation;
 - Ensuring procedural fairness and confidentiality;
 - Coordinating training for Committee members;
 - Managing communication between the Committee and relevant University offices;
 - Preparing an annual summary report of appeal activity (with aggregate data).

5. Membership

The Committee shall be composed of the following eligible members:

5.1. Voting Members

- Dean of Arts & Science
- Dean of Educational and Professional Studies;
- Director Student Wellness;
- Director Athletics.
- 3 Student Members (Must be in good academic and conduct standing)

5.2. Required Non-Voting Members

- Chair: Provides leadership and ensures procedural fairness.
- Administrative Support: Appointed by the Chair for procedural support.

5.3. Optional Non-Voting Member

- NUSU Student Advocate (Ex-Officio Non-voting): Attends at the discretion of the appellant to provide support and context regarding student rights; does not participate in decision-making.

- 5.4. All membership terms are two years, renewable each year in August.
- 5.5. Membership for review of any individual appeal case will be 2 University administrators and 1 student, for a total of 3 voting members and up to 3 non-voting members.
- 5.6. It is expected that any member with a potential conflict of interest will recuse themselves from that proceeding.

5.7. Training for Membership

In order to participate in a review, members must complete training on:

- Applicable University policies;
- Procedural fairness and due process;
- Trauma-informed approaches;
- Cultural competency training.

6. Appeals Process

- 6.1. **Eligibility Check:** The Chair conducts an initial review to determine whether the appeal submission meets the required grounds. Appeals must be based on the criteria set out in Section 2 of this Terms of Reference.
- 6.2. **Temporary Staying of Sanctions:** Should the Chair find the appeal to be eligible they may, at their discretion, temporarily stay the assigned sanctions pending the outcome of the final appeal decision.
- 6.3. **Notification:** The Chair will notify the appellant of the acceptance or rejection of the request for appeal. Should the appeal be accepted, The Chair will notify the AVP Students and request all relevant documentation.
- 6.4. **Review:** Once eligibility has been confirmed, the Committee is convened to review the appeal materials. A meeting may be held at the discretion of the Committee.
- 6.5. **Outcome:** The Committee will decide whether there is sufficient basis to grant the appeal and either
 - a) make recommendations for the AVP Students to re-open the investigation, or
 - b) adjust the assigned corrective outcomes.
- 6.6. **Communication:** The Chair will deliver The Committee's final decision to the appellant and the AVP Student in writing within 30 business days of accepting the appeal for consideration.
- 6.7. **Finality:** The Committee's decision is final. No further appeal is available.

7. Confidentiality

All proceedings and documentation related to appeals are strictly confidential and are subject to relevant privacy legislation and University policies.

8. Review of the Terms of Reference

These terms of reference will be reviewed annually before Committee membership is updated annually in August.

Effective Date: October 2025

Next Review Date: August 2026