

## Leave to Appeal

An appeal must be filed within 20 working days of the date on which the petitioner was informed of the decision against which she or he is appealing. Submit the completed form to Office of the Dean, Faculty of Graduate Studies.

Student information			
Name	Student number		
Program	Degree & level of study	Current status	
Contact information - Please advise FGS if this information changes			
Mailing address	City	Province	Postal code
Phone number	E-mail		

Faculty of Graduate Studies decision being appealed
Summary of request to to Appeal Committee - attach additional information (e.g., detailed letter) as needed
Summary of grounds for the appeal - attach additional information (e.g., detailed letter) as needed
List of documents attached (e.g., appeal request letter, letter from supervisor, physician note)

Student signature	Date (mm/dd/yyyy)	If Leave to Appeal is granted, do you wish to attend the appeal hearing? <input type="checkbox"/> Yes <input type="checkbox"/> No
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For Faculty of Graduate Studies Only			
<input type="checkbox"/> Approved	Approved by	Signature	Date (mm/dd/yyyy)
<input type="checkbox"/> Denied			

**Privacy:** Personal information in connection with this form is collected under the authority of *The York University Act, 1965* and will be used for educational, administrative and statistical purposes. If you have any questions about the collection, use and disclosure of personal information by York University, please contact: Faculty of Graduate Studies, 230 York Lanes, (416) 736-2100 x 55521

## Leave to Appeal - Information

### Appeals of Petitions Decisions

1. Parties to a petition are persons who are directly affected by the petition decision and who have participated in the original petition submission.
  2. Parties to a petition reviewed by the Petitions Committee may appeal the decision to the Appeals and Academic Honesty Committee (AAHC) of the Faculty of Graduate Studies. Appeals will be heard only if leave is granted by the AAHC.
  3. The Faculty of Graduate Studies will make the petition file available for review by any party who participated in the original petition submission.
  4. Leave to appeal will be granted only where the appeal makes out a *prima facie* case based on any of the following grounds:
    - a. new evidence (i.e., evidence relevant to the decision made at the Petitions Committee level, but through no fault of the appellant was not presented at that level. Generally speaking, events or performance subsequent to the Petitions Committee decision are not to be construed as "new" evidence.);
    - b. procedural irregularity in the Petitions Committee's handling of the case; or
    - c. substantive argument that the original petition decision constitutes gross injustice or error.
  5. The appeal must be filed within 20 business days of the date on which the appellant was informed of the decision which is being appealed.
  6. Appellants have the right to have a representative assist in the preparation of written submissions and, if leave to appeal is granted, to act as their representative at the appeals hearing.
  7. All appeals must be submitted in writing beginning with a completed Appeal Form.
  8. Appellants must submit the appeal to the Faculty of Graduate Studies. FGS will provide a copy of the appeal to all parties to the original petition.
  9. Parties to the original petition have 10 business days from the circulation date of the appeal in which to provide to the AAHC a response to the appeal. Responses will be disclosed to the appellant.
  10. Once the file is complete, AAHC will consider the file and decide on one of the following outcomes:
    - based on grounds as defined above, refer the file to the Petitions committee for reconsideration;
    - based on grounds as defined above, and where there is no objection from the Petitions committee, grant immediate relief;
    - deny Leave to Appeal; or
    - grant Leave to Appeal.
- AAHC will determine whether or not a *prima facie* case has been established. Parties are not present at this meeting. If the Committee defers a decision on leave to appeal to obtain more information, the appellant shall be so informed in writing using the contact information provided on the Appeal Form. Appellants are responsible for notifying the graduate program office of the means by which they can be reached throughout the petition process and must notify the University of any change in the relevant contact information.
11. If leave to appeal is granted, the appellant shall be given at least 10 business days notice of when the appeal will be heard. If leave to appeal is denied, the appellant shall be notified of the right to appeal to the Senate Appeals Committee.
  12. The appellant has the right to be present at the hearing at which the appeal is being considered for the purpose of presenting her/his case orally and for answering questions from the Committee. Appellants must indicate if they will be accompanied by a representative. A representative of the Petitions committee may also be present. The Committee's decision and vote shall be taken *in camera*.
  13. No voting member may sit on the AAHC hearing an appeal who is also a party to the petition or who heard it.
  14. The Chair or Secretary of AAHC shall inform each appellant in writing of the decision of the Committee and, in the case of an unfavourable decision, of the right to appeal to the Senate Appeals Committee.
  15. It is the responsibility of the appellant to inform her or his representative of any decision made in the appeal.
  16. Petitions and Appeals may be withdrawn only up until a formal decision is taken by the Petitions or AAHC committee and communicated to the petitioner or appellant.