

POLICY ON THE ESTABLISHMENT OF TRIBUNAL HEARING POOLS

Effective Date: September 18, 2008

Originating Office: Board of Governors

Supersedes /Amends: BD-6/May 20, 2004

Policy Number: BD-6

GENERAL

1. This policy deals with the establishment of tribunal hearing pools for hearings, both first-level hearings as well as appeal hearings, provided for in the Code of Rights and Responsibilities, the Academic Code of Conduct (including cases heard under the previous Code of Conduct- Academic), the Academic Re-evaluation Procedures, the Graduate Academic Appeals Procedures and any other codes or policies which may be adopted that refer to the Tribunal Hearing Pools provided for under this policy.
2. In the event that a hearing or appeal panel cannot be convened from the membership of the Student Tribunal Pool, the Faculty Tribunal Pool, the Administrative and Support Staff Tribunal Pool or the Pool of Chairs, as outlined below, the Secretary-General shall designate the membership of the relevant hearing or appeal panel for a given case.

Student Tribunal Pool

3. In June of each year, the Concordia Student Union Inc. shall be asked to nominate up to a maximum of fifteen (15) undergraduate students and the Graduate Student Association shall be asked to nominate up to a maximum of ten (10) graduate students to form the Student Tribunal Pool (STP).
4. In order to be eligible, students shall be registered in an undergraduate or graduate program and be in good standing. Students who are in failed standing, in conditional standing or on academic probation or who have been sanctioned under the Code of Rights and Responsibilities or the Academic Code of Conduct (including cases heard under the previous Code of Conduct- Academic) within the three (3) years previous to their nomination are not eligible.

The status and standing of student nominees shall be confirmed by the University Registrar in September prior to the submission of the list of nominees for approval to Senate by the Secretary of Senate. In addition, the status and standing of members of the STP shall be confirmed by the University Registrar each September for as long as the member remains in office.

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5. The term of office of members of the STP shall be for two (2) years, from September 1 to August 31, and shall be renewable. Members remain in office until replaced.

Faculty Tribunal Pool

6. The Council of the Faculty of Arts and Science shall nominate thirteen (13) faculty members, the Council of the John Molson School of Business shall nominate six (6) faculty members, the Council of the Faculty of Engineering and Computer Science shall nominate five (5) faculty members, the Council of the Faculty of Fine Arts shall nominate three (3) faculty members and the Council of the School of Graduate Studies shall nominate eight (8) faculty members, for a total of thirty-five (35) faculty members, to comprise the Faculty Tribunal Pool (FTP).
7. The term of office of members of the FTP shall be for two (2) years, from September 1 to August 31, and shall be renewable. Members remain in office until replaced.
8. The Secretary of each Faculty Council and the Council of the School of Graduate Studies shall forward a list of nominees to the Secretary of Senate prior to its September meeting for approval.

Administrative and Support Staff Tribunal Pool

9. The Administrative and Support Staff Tribunal Pool (AaSSTP) shall be comprised of five (5) members nominated in accordance with the Electoral College Policy.

Administrative and support staff members from the Office of the Secretary-General, the Office of the General Counsel, the Office of Student Tribunals, the Ombuds Office and the Office of Rights and Responsibilities shall not be eligible for membership on the AaSSTP.

10. The term of office of members of the AaSSTP shall be for two (2) years, from September 1 to August 31, and shall be renewable. Members remain in office until replaced.
11. The Department of Human Resources shall forward a list of nominees to the Secretary of the Board of Governors prior to its September meeting for approval.

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Chairs

12. In addition to the members of the STP and FTP appointed by Senate, and the members of the AaSSTP appointed by the Board, Senate shall appoint as many individuals as necessary to serve as non-voting Chairs of the various tribunal panels dealt with under this policy.
13. The role of the Chairs shall be to preside over the various tribunal panels, keep order and ensure fairness. The Chairs shall, as well, preside over the deliberations of the various tribunal panels but shall not vote.
14. Because the role of the Chairs of the various tribunal panels requires impartiality and particular skills which take time to develop and cannot easily be acquired by lay persons during a brief term of office, the Chairs shall normally be selected from qualified alumni or emeriti who have training in law or tribunal procedures as well as some knowledge of the University environment.
15. The term of office for Chairs shall be for two (2) years, from September 1 to August 31, and shall be renewable.
16. The candidates for the Chairs shall be recommended to Senate by the University General Counsel in consultation with the secretaries of the tribunal panels dealt with under this policy. Curriculum vitae of the candidates shall accompany the recommendation.

Training

17. All members of the STP, FTP and AaSSTP, and all Chairs shall receive training, prepared and conducted jointly by the secretaries of the tribunal panels dealt with under this policy under the supervision of the University General Counsel.