

UFS
Terms of reference for the University Readmissions Review Tribunal



1. Status

This University Readmissions Review Tribunal is a Committee of Senate.

These terms of reference were adopted by the Senate in October 2020 and approved by the Council as a set of Institutional Rules in the manner set down in the Higher Education Act on 27th November 2020. They remain in force until such time as they are amended or replaced by decision of the Senate and approved by the Council.

2. Purpose

The Readmissions Appeal Committee (RAC) considers and decides appeals by students against the decision of a faculty Examinations Board to refuse readmission. That decision is made under delegated authority from Senate and Council. There is no appeal from the decision of a RAC.

A student who is refused readmission by a RAC and who is aggrieved may seek a review of the decision of the RAC. He/she may do so on one of two grounds only: that there was material procedural failure; or that there is material [new] evidence that was not available to the RAC or was not considered by the RAC.

Where the Vice-Chancellor or the Vice-Chancellor's nominee believes that a RAC's decision to refuse readmission is perilous, either on procedural grounds or because the RAC did not have/consider material evidence, the Vice-Chancellor or nominee may seek a review of the RAC decision by this Tribunal.

3. The Tribunal's terms of reference: its powers, duties and standard operating procedures

3.1 Should the applicant believe that there are grounds for review after being informed by the Registrar of the RAC's decision, either because the applicant believes that there was a material procedural irregularity or that the RAC did not have, or failed to consider, material new evidence in support of the appeal, he/she may apply for a review of the RAC's decision by the University Readmissions Review Tribunal

3.2 Where a student seeks a review of a RAC decision:

- (a) he/she must submit this in writing (i.e. upload / email this in the manner prescribed) by the date given in the Registrar's letter, setting out the grounds for review (i.e., must detail the procedural failure he/she alleges and/or submit such material evidence that is new, as well as the reasons why evidence is viewed new or that he/she believes was not given due consideration by the RAC);

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- (b) the RAC concerned must be given an opportunity to provide a summarized report and comments on student's submission by a date set by the Registrar; and
- (c) new evidence should relate to medical psychological reports or any such that were not available or mentioned at the time of the RAC committee meeting, or additional evaluations by psychologist to report on changes in the mental health of the student; or police reports not available at the time of appeal.

The Tribunal having considered the students submission and any response from the RAC must:

- (i) set aside the decision of the RAC and refer the case back for reconsideration by the original RAC in the light of material new evidence; or
- (ii) set aside the decision and to substitute a new decision; or
- (iii) confirm the decision on the grounds that there was no procedural failure and no new material evidence

Where the Tribunal sets aside the decision of a RAC under (i) or (ii) it must report its decision and the reasons for its decision to the Executive Committee of Senate for information. Its decision is final.

4. Composition of the Tribunal

4.1 No member of the Faculty Examinations Board or RAC may serve on the Tribunal.

4.2 Any member of the Tribunal who has or believes he/she/they could face a conflict of interest must recuse themselves for the case(s) concerned.

4.3 The Tribunal consists of the following **five** members:

- (a) three members of Senate appointed by Senate, one of who shall chair the tribunal and one of the other shall be deputy chair of the Tribunal;
- (b) one member of the academic staff with legal training and experience, nominated by Senate;
- (c) Dean of Students;
- (d) The Senate shall appoint one common alternate member to the members appointed under (a) and one alternate to the member it appoints under (b)

4.4 The Registrar's nominee acts as secretary to the Tribunal.

4.5 The term of office of the members of the Tribunal is two years.

5. Quorum

The quorum is three.

6. Delegation to the Committee

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The Tribunal has delegated authority from Council and Senate to decide on review applications. Where the Tribunal allows readmission, it may attach probationary conditions for such readmission or admission decision, including readmitting/admitting him/her for a semester only in the first instance.

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