



OSGOODE

**OSGOODE HALL LAW SCHOOL
YORK UNIVERSITY**

STUDENT HANDBOOK

Twentieth Edition

2020-2021

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SECTION I: RIGHTS AND RESPONSIBILITIES OF ALL MEMBERS OF THE OSGOODE HALL LAW SCHOOL COMMUNITY

A.OSGOODE HALL LAW SCHOOL EQUALITY RESOLUTION

PART I: EQUALITY RESOLUTION

In furtherance of Osgoode Hall Law School's long-standing commitment to social justice and substantive equality¹ in legal education, the legal profession, and the law generally, Faculty Council approved the following Equality Resolution.

1. AFFIRMATION

Faculty Council of Osgoode Hall Law School acknowledges Osgoode Hall Law School's legal obligations to respect human rights entitlements and to uphold their human rights duties under the Ontario *Human Rights Code*.

The preamble to the *Human Rights Code* reads in part as follows:

"Whereas recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and is in accord with the Universal Declaration of Human Rights as proclaimed by the United Nations;

"And whereas it is public policy in Ontario to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination that is contrary to law, and having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community and the Province ..."

In furtherance of that objective, the Code establishes rights to equality in social interactions relating to provision of goods, services and facilities; accommodation; employment; contracts and vocational associations.

Faculty Council affirms that all students, faculty², members of the administration and staff

¹ Substantive equality is the legal standard for equality in Canada. Under this principle, whether discrimination occurs is assessed by the effect on the equality right claimant; it is not assessed by reference to the intent of the respondent: *Ontario Human Rights Commission v. Simpson-Sears* [1985] 2S.C.R. 536. Substantive equality recognizes that the "essence of true equality" is the accommodation of difference taking into account the full context of social, political, legal and historical disadvantage and systemic discrimination: *Andrews v. Law Society of British Columbia*, [1989] 1 S.C.R. 143; *R. v. Turpin*, [1989] 1 S.C.R. 1296; *British Columbia (Public Service Employee Relations Commission) v. BCGSEU*, [1999] 3 S.C.R. 3.

² For the purpose of this Resolution and Procedures, "Faculty" includes all full-time faculty members of Osgoode Hall Law

have a right to substantive equality in accordance with the *Human Rights Code*, including equal treatment without discrimination, and in particular, without regard to race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, political orientation, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability. At the same time, all students, faculty, members of the administration and staff have an obligation to respect this right to substantive equality.

Faculty Council recognizes Osgoode Hall Law School's duty to advance truth and reconciliation between Indigenous and non-Indigenous communities.

2. EQUALITY IN THE OSGOODE LEARNING COMMUNITY

Osgoode Faculty Council recognizes that systemic discrimination³ that operates in multiple and intersecting dynamics creates systems, structures, institutionalized practices and beliefs that continue to marginalize many communities of people and that this systemic discrimination may create multiple barriers in the Law School learning environment. Recognizing its duty to create a learning environment which enables all students to participate fully without discrimination, Osgoode Faculty Council adopts the following measures in relation to teaching and learning:

A. Pedagogy

In order to continue and to expand efforts to build and sustain a learning environment characterized by substantive equality, Osgoode faculty undertake to consider the following measures in relation to teaching and learning:

- a. inclusion in teaching materials of works or references to works that demonstrate the impact of law on groups that are or have been subjected to discrimination, or inclusion in teaching materials of explanations for the omission of such works or references;
- b. placement of teaching materials that support or exhibit discrimination within a context that identifies their discriminatory nature and that invites open and critical comment on it;

School; all persons holding full-time contractually limited term academic appointments and/or holding full-time non-tenured or non-tenure track continuing appointments as faculty members of Osgoode Hall Law School; and all persons carrying out a teaching or instructional role at Osgoode Hall Law School, including but not limited to: adjunct or sessional academic appointees, clinical instructors, moot coaching coaches, visiting faculty, fellows, lecturers and members of the administration in their teaching role. "Faculty" does not include current Osgoode students.

³ Systemic discrimination refers to the discriminatory effect of systems, practices, procedures, and institutions which have been designed by and with reference to a majority population. Systemic discrimination arises through "the simple operation of established procedures" without consideration of how they have a differential effect on and reinforce exclusion contrary to human rights law: *CN v. Canada (Canadian Human Rights Commission)*, [1987] 1 S.C.R. 1114; *British Columbia (Public Service Employee Relations Commission) v. BCGSEU*, [1999] 3 S.C.R. 3. Systemic discrimination refers to how "Exclusion from the mainstream of society results from the construction of a society based solely on 'mainstream' attributes": *Eaton v. Brant County Board of Education*, [1997] 1 S.C.R. 241; *Eldridge v. British Columbia (Attorney General)*, [1997] 3 S.C.R. 624.

- c. use of language in the classroom, in written materials, and in examinations that is free from discriminatory stereotypes and references;
- d. use of other measures which demonstrate continuing responsiveness to the problems faced by individuals and groups subject to systemic discrimination (for example: holding faculty training seminars about non-discriminatory teaching materials and methods; faculty retreats; inviting guest speakers);
- e. heightening awareness and understanding of how systemic discrimination operates and of efforts to respond to and redress systemic discrimination.

Faculty Council undertakes to work proactively to address systemic discrimination on an ongoing basis in order to build an inclusive learning environment characterized by substantive equality.

B. Learning Environment – Standards of Conduct

Interactions between faculty, staff and students must be free of discrimination, harassment and bullying in accordance with the *Human Rights Code*, the *Occupational Health and Safety Act* and other applicable Osgoode and York policies. Members of the Osgoode Community have a corresponding right to a learning and work environment that is free of discrimination, harassment and bullying.

In accordance with the *Human Rights Code* and other applicable Osgoode and York policies, students must conduct themselves in a manner that respects the rights of their peers to a learning environment that is free of discrimination, harassment and bullying in the classroom on electronic platforms and Osgoode online communities with a real and substantial link to the learning environment, on all Osgoode premises and at all Osgoode-sponsored events.

Any intellectual community thrives on the free and full expression of opposing ideas and values. It is recognized that community members may be exposed to ideas or opinions they find disagreeable or offensive.⁴ Only in an environment free of discrimination or harassment

⁴ This sentence is drawn from section 3(3) of York University's [Statement of Policy on Free Speech](#) which should be read in its entirety. Section 3(3) states as follows:

"A range of York policies reflect the right of all community members and invited guests to express their views within the law without fear of intimidation or harassment. To guarantee this right, it is recognized that community members may be exposed to ideas or opinions they find disagreeable or offensive. Freedom of speech is not absolute and does not protect expression that constitutes hate speech, harassment, threats, discrimination or otherwise violates the law. Consequently, the University will not tolerate members of our community or guests engaging in threatening speech or actions which violates York's commitments to ensure the safety of community

can the Law School fulfill its commitment to fostering an environment that promotes free and open inquiry by all members of the community. Faculty, staff and students have a responsibility to exercise their freedom of expression in a manner that does not violate the *Human Rights Code*.

PART II: EQUALITY RESOLUTION ENFORCEMENT PROCEDURES

ACADEMIC PROCEDURES: GUIDING PRINCIPLES

- a. The purpose of these procedures is to provide access to swift and effective mechanisms to protect all students from discrimination and harassment as referred to in Part I.2.B: Learning Environment – Standards of Conduct.
- b. The dispute resolution process should not impose an undue burden on complainants. In addition, the process should provide a forum for giving voice and legitimacy to the experiences and concerns of all members of the community.
- c. The administration should foster a climate of respect, consultation and assistance rather than confrontation in regard to faculty and students alike.
- d. Any student has a right to claim and enforce their rights under the Equality Resolution and Procedures. Any student who institutes or participates in proceedings under the Equality Resolution and Procedures has the right to do so without reprisal or threat of reprisal for doing so.
- e. The existence of the Equality Resolution and Procedures does not displace a student's right to pursue other formal or informal avenues of redress. Students who choose to pursue other formal or informal avenues of redress have a right to do so without reprisal or threat of reprisal.

B.PROCEDURES REGARDING EQUALITY COMPLAINTS IN TEACHING AND CURRICULUM

The complaint procedures outlined in this part apply to complaints made by any student or students that a member of the faculty, in their teaching or teaching-related administrative capacity, has breached the commitments in Part I.2.B: Learning Environment – Standards of Conduct. Complaints in respect of student behavior are governed by the *Student Code of Rights and Responsibilities* and other relevant York policies.

members, as noted in various policies such as Disruptive and/or Harassing Behaviour in Academic Situations, Racism, Sexual Violence which address the priority of community safety and the harm that can arise from some forms of expression. These policies also provide recourse for those affected by such speech."

- a. Any student who believes, or any students who believe, that the commitments in Part I.2.B: Learning Environment – Standards of Conduct are being violated, including by
 - i. the course content;
 - ii. the nature of the reading materials;
 - iii. the management of the classroom dynamic;
 - iv. the conduct of classes in a particular course, seminar or academic program conduct on electronic platforms and Osgoode online communities with a real and substantial link to the learning environment; or
 - v. conduct on Osgoode premises or at Osgoode events, are encouraged, but in no sense required as a prerequisite to pursuing the remedies set out below, to raise the matter with the faculty either individually or in a group.

- b. Any student or students may initiate a complaint to the Assistant Dean, Students, in her/his/their capacity as Safe Counsel, or, acting on their own behalf or with the assistance of the Safe Counsel, students may initiate a complaint to the Associate Dean (Academic), where they believe the commitments in Part I.2.B: Learning Environment – Standards of Conduct are being violated, including by
 - i. the course content;
 - ii. the nature of the reading materials;
 - iii. the management of the classroom dynamic;
 - iv. the conduct of classes in a particular course, seminar or academic program;
 - v. conduct on electronic platforms and Osgoode online communities with a real and substantial link to the learning environment; or
 - vi. conduct on Osgoode premises or at Osgoode events.

- c. Any student or students may request any remedy within the authority of the Associate Dean (Academic), including but not limited to any one or combination of:
 - i. mediation;
 - ii. retroactive withdrawal from the course, seminar or program;
 - iii. permission to attend lectures in another section;
 - iv. late entry into another course, seminar or program;
 - v. tutorial assistance;
 - vi. alternative examination or grading arrangements;
 - vii. guaranteed enrolment in another section of the course, seminar or program to be offered in a future term or academic term; and
 - viii. the issuance of "damage control letters" with a view to securing extensions or other forms of relief in other courses or seminars in which the complainant is enrolled.

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- d. Where the Associate Dean (Academic) and the Safe Counsel both find the complaint to be frivolous or abusive, the equality complaint shall be dismissed and no further Law School procedures may be pursued by the complainant with respect to that matter.
- e. Where a complaint has not be dismissed under Part II.2.d, and where the Associate Dean (Academic) finds on the merits that Part I.2.B has not been violated, the complaint shall be dismissed.
- f. Where a complaint is not dismissed under Part II.2.d or Part II.2.e and the Associate Dean (Academic) finds on the merits that the commitments in Part I.2.B are being or have been violated, the Associate Dean (Academic) shall take such action as is necessary to remedy the breach of Part I.2.B: Learning Environment – Standards of Conduct. The remedy to be granted by the Associate Dean (Academic) shall be determined in consultation with the Safe Counsel and the student(s) concerned, and shall be fixed not later than 10 school days after the receipt of the complaint by the Associate Dean (Academic), or after mediation (if pursued) has proved unsuccessful.
- g. Where a complainant is not satisfied with the result under either paragraph 2(e) or 2(f) the complainant may request the Dean to convene, and the Dean may convene, an investigatory panel composed of three persons: one student, one faculty member, and an external chair, all of whom are acceptable to both the complainant(s) and the respondent(s).
- h. An investigatory panel established under paragraph 2(g) shall convene within 10 school days of notice being given to the Dean under paragraph 2(g), and shall conduct an informal inquiry that will consist of interviews with the parties, and such further investigation as it deems appropriate. The complainant and any faculty members implicated or involved in the complaint shall be given a copy of the complaint, and afforded an opportunity to respond to it orally and in writing. The panel's process is intended to be speedy and informal; the panel does not have the power to compel the attendance of witnesses or the production of documents.
- i. The investigatory panel may make any decision which the Associate Dean (Academic) could have made under paragraph 2(c).
- j. The investigatory panel shall prepare a brief report of its work, including the nature of the complaint, the nature of the respondent(s)'s response, its tentative findings of fact, and such other matters as it deems pertinent, which shall not identify the complainant(s). Both the complainant(s) and respondent(s) shall be given an opportunity to make written or

oral submissions in response to the preliminary report and to the response of each other. The investigatory panel shall then prepare its final report having considered the parties' submissions and any responses. If the parties both decline the opportunity to make submissions in response to the preliminary report, the preliminary report shall become the final report of the panel. A copy of the final report shall be delivered to the complainant(s) and the respondent(s). If the complainant(s) or respondent(s) are employed at the University and have engaged union representation in this process, the representatives of the unions to which the complainant(s) and respondent(s) belong will receive copies of the preliminary and final reports.

- k. The final report of the investigatory panel shall be filed with the Dean, Associate Dean (Academic) and Chair of the Equality Committee and will remain confidential within that committee and those offices.
- l. If a complaint is made against the Associate Dean (Academic), or if there is otherwise a conflict of interest, the Dean shall appoint an Alternate to act in place of the Associate Dean (Academic).
- m. The Equality Committee shall monitor the efficacy of the equality complaints procedure and undertake to remedy any issues of general concern.
- n. A student or students, acting on their own behalf or with the assistance of Safe Counsel, may alternatively or simultaneously explore other options to resolve their concerns beyond the Equality Resolution procedures, including but not limited to a complaint to the Office of the Ombudsperson and Centre for Human Rights, Equity and Inclusion.

INTERNAL MECHANISMS

1. Associate Dean (Academic)

The Associate Dean (Academic) has general responsibility for the administration of the academic program at the Law School. The Associate Dean (Academic) is responsible for teaching assignments (full-time and adjunct faculty) and directs the tenure and promotions process. The Associate Dean (Academic) has the power to provide relief to students with founded complaints of a breach of equality principles in teaching or curriculum. The Associate Dean (Academic) is also responsible for investigating potential breaches of academic honesty.

2. Associate Dean (Students)

The Associate Dean (Students) working closely with the Assistant Dean, Students and the

Office of Admissions & Student Services, has general responsibility for oversight of student matters at the Law School. S/he provides support and resources in order to (i) assist in easing the transition into law school for first year students and (ii) encourage the academic success of all students in the JD Program. The Associate Dean (Students) works with the Assistant Dean, Students to provide oversight and approval for student plans of study. In addition the Associate Dean (Students) is responsible for issues concerning student non-academic misconduct and provides advice and information regarding the [Code of Student Rights and Responsibilities](#).

SECTION II: ACADEMIC RULES OF OSGOODE HALL LAW SCHOOL

A. ACADEMIC CREDIT

1. Course Hour Credit

- 1.1 Every upper year course and seminar shall be assigned a value of two, three or four credit hours, and every first-year course and seminar shall be assigned a value of two to eight credit hours, reflecting the time spent in formal class meeting or supervised research over one semester lasting approximately 14 weeks. (It should be noted that some clinical programs and research courses do have more than four credit hours. Please consult the Syllabus for a listing of the courses associated with the clinical programs and for the regulations concerning credit for research courses.) All Osgoode course syllabi are expected to include an explicit statement of the learning objectives of that course.
- 1.2 The method of evaluation in a course shall be such as to test a comprehensive knowledge of the subject matter in the course.

2. First Year

- 2.1 Every first-year student shall successfully complete the following prescribed courses:

Course	Credit Hours	Term(s)
Ethical Lawyering in a Global Community	3	Taken over the first week of the Fall semester and the first two weeks of the Winter semester
Legal Process I	4	Taken over the Fall and Winter semesters.
Legal Process II	4	Taken over the Winter semester (commencing after Ethical Lawyering in a Global Community is completed)

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Course	Credit Hours	Term(s)
Public and Constitutional Law	6	Taken over the Fall semester (commencing after the first week) and the Winter semester
Contracts	4	Fall semester (commencing after the first week)
Criminal Law	4	Fall semester (commencing after the first week)
Torts	4	Fall semester (commencing after the first week)
Property Law	4	Winter semester (commencing after Ethical Lawyering in a Global Community is completed)

2.2 In addition to the courses prescribed in Rule 2.1 above, every first-year student shall successfully complete one of the following elective courses:

Elective Course	Credit Hours	Term(s)
Legal Theory Seminar	3	Taken over Fall (commencing after the first week) and Winter (commencing after Ethical Lawyering in a Global Community is completed) semesters
Perspective Option	3	Winter semester (commencing after Ethical Lawyering in a Global Community is completed)

2.3 In the Fall term, in each First-Year section, at least one of Contracts, Criminal Law, Public and Constitutional Law, or Torts shall be taught in a format that includes weekly small-group meetings with the course instructor.

2.4 First Year Electives

2.4.1 Legal Theory Seminar

- a. The Program & Records Office shall make available by the first week of the Fall term information about the Legal Theory Seminar(s) to be offered to first year students.
- b. Students may apply in writing to enroll in a Legal Theory Seminar. Applications must be submitted to the Program & Records Office by the end of the second week of the Fall term.

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- c. Enrolment in a Legal Theory Seminar shall not exceed 15. Where applications exceed the available places, the instructor will have discretion to select students for enrolment based on the suitability of their background experience and educational interests to the learning format and objectives of the Legal Theory Seminar.
- d. Legal Theory Seminars shall hold their first meeting by the fourth week of the Fall term.
- e. A student may withdraw from a Legal Theory Seminar within three weeks after it first meets by notifying the Program & Records Office. A student who has requested withdrawal within the time limit shall be permitted to enroll in a Perspective Option to fulfill the elective requirement.

2.4.2 Perspective Option

- a. Each first-year student who is not enrolled in a Legal Theory Seminar shall select a Perspective Option by no later than mid-November.
- b. The first-year Perspective Option shall be selected from courses and seminars designated by the Academic Policy and Planning Committee, with the consent of the instructor.
- c. In designating and administering Perspective Option seminars, the Academic Policy and Planning Committee and the Associate Dean (Academic) shall have regard to the learning objectives specified for this elective, as approved by Faculty Council in October 2006. In particular a seminar may be designated as a Perspective Option only if:
 - i. it goes beyond purely doctrinal analysis to focus in a sustained way on critical and contextualized perspectives on law (generally Perspective Options will achieve this objective by introducing students to central themes in one of the special disciplinary approaches to law such as legal sociology, criminology, legal history, feminist legal theory, law and economics, legal philosophy, law and social work, law and anthropology, law and international relations, or other like disciplines);
 - ii. the course materials consist primarily of secondary literature in law or related disciplines (i.e. materials that go beyond cases, statutes and "black letter" analysis);
 - iii. it is evaluated by way of a paper for at least 75% of the grade; and
 - iv. it includes instruction on how to write a scholarly paper in law, including an opportunity for students to receive feedback on their work during the term.

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- d. Enrolment in a seminar designated as a Perspective Option shall normally be limited to 23 in total, with places for upper year students normally limited to five and except in exceptional circumstances not to exceed eight.
- e. Except where criteria for admission are set by the instructor, in the event of a surplus of applicants over available places in a particular optional course or seminar, admission will be by lottery.

3. Second and Third Year

- 3.1 All courses and seminars which are open to second- and third-year students are elective.
- 3.2 Prior to the end of May, each first and second year student shall prepare and file a plan of study for the next academic year.
- 3.3 The plan of study of each student will be subject to review by the Assistant Dean, Students or designate. While this is largely a monitoring function, with utmost deference being paid to the wishes of the student, in the event of a disagreement between the student and those responsible for the review of his/her plan, there shall be a right of appeal to the Associate Dean (Students).
- 3.4 Plans of study submitted for the second and third year shall comprise a program which:
 - a. lasts two semesters;
 - b. has an aggregate value of at least 60 credit hours (over the two years);
 - c. has a minimum value of 13 credit hours in each semester;
 - d. has a maximum value of 17 credit hours in each semester; and
 - e. includes a seminar, course or other option in partial satisfaction of the Upper Year Research & Writing Requirements in Rule 3.6.
 - f. The suggested program has 15 credit hours in each semester.
- 3.5 The Assistant Dean, Students or the Associate Dean (Students) may, upon application by a student before the 10th school day of the semester affected, give permission for a student to file a plan of study that comprises a program which has a minimum value of less than 13 or a maximum value of more than 17 credits in a single semester.
- 3.6 Upper Year Research & Writing Requirements:
 - a. Students will be required, in each of second and third year, to successfully complete one of the following:

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- i. a seminar or designated course in which the student writes a research paper as the primary mode of evaluation;
 - ii. research paper under Rule 4.4;
 - iii. a Research Program under Rule 4.5; or
 - iv. a major writing requirement in a Joint Program involving Osgoode Hall Law School and another faculty or department of the University.
- b. For the purposes of this Rule:
- i. "seminar" includes a seminar taken in another faculty or department of the University under Rule 4.9 or, with the permission of the Assistant Dean, Students or the Associate Dean (Students) in another University;
 - ii. "designated course" means a course or Clinical Program designated by the Assistant Dean, Students or the Associate Dean (Students);
 - iii. a research paper constitutes the "primary mode of evaluation" when at least 60% (or the equivalent) of the final grade in the seminar or course is based on the research paper;
 - iv. a "research paper" means a paper at least 7,000 words in length, excluding notes, bibliography and appendices.
- c. Prior to filing of plans of study under Rule 3.2, the Program & Records Office shall publish a list of seminars and designated courses offered at Osgoode Hall Law School in the next academic year.

3.7 Osgoode Public Interest Requirement (OPIR)

3.7.1 As a condition of graduation, each student shall successfully complete a Public Interest Requirement consisting of:

- 40 hours of financially uncompensated, law-related, public interest work; and
- an additional three hours of reflection on the experience through either direct discussion or a five-page essay (essays may be written collaboratively, with the page requirement multiplied by the number of co-authors and including a brief discussion of the process of collaboration).

The 40 + 3 hours may be completed at any time during the student's years of study, and must be completed prior to graduation. The hours may be completed while school is in session and/or over the holidays.

3.7.2 For the purposes of this Rule, the concepts of "law-related" and "public interest"

SECTION II: ACADEMIC RULES OF OSGOOD HALL LAW SCHOOL

shall be interpreted broadly.

“Law-related” work shall be construed in a manner that acknowledges the multiplicity of practice visions and contexts and would include: the application and interpretation of law; the formulation of legal policy; the drafting of legislation or regulations; law reform; public legal education; outreach to communities on legal issues; and participation in community organizing and community development activities.

“Public interest” shall be interpreted with a broad approach that would include activities such as: a) facilitating access to justice for individuals or groups who have limited or no such access (this may include access to legal information, access to advice and representation, access to the multiple forums in which law is constituted); b) participation in activities that seek substantive law reform; c) participation in activities that help to expose the law’s impact on the lives of those with limited access to justice; and d) the provision of services that helps to build the capacity of organizations or communities to engage with law and legal process.

Projects or organizations that promote hate or violence shall not be considered to meet the requirement of being in the “public interest”. The concept of “public interest” entails work on real issues and not simulations.

- 3.7.3 Foundations for OPIR will be established through the Ethical Lawyering in a Global Community course.
- 3.7.4 Completion of OPIR will be noted on the transcript.
- 3.7.5 Three years after OPIR is implemented, a review shall be conducted by a committee including the Clinical Education Committee and three representatives from participating organizations. Among other things, the committee shall consider:
 - retention of the discussion group and paper option;
 - whether three hours is sufficient for the discussion groups; and
 - whether credit should be given for all or a portion of OPIR.

3.8 Practicum Requirement

- a. In either second or third year, each student shall successfully complete a practicum designated course.
- b. For the purpose of this Rule, “designated” means a seminar, course or Clinical Program designated as meeting the practicum requirement.

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- c. Prior to filing of plans of study under Rule 3.2, the Program & Records Office shall publish a list of seminars and designated courses fulfilling the practicum requirement offered at Osgoode Hall Law School in the next academic year.

3.9 Indigenous and Aboriginal Law Requirement **[For students entering Fall 2018 and beyond]**

- a. All graduates of the JD program must have completed at least one course that fulfills the Indigenous and Aboriginal Law Requirement (IALR)
- b. A course fulfills the IALR when it meets the following criteria:
 - i. It is a lecture, seminar, or other for-credit course offering that carries at least three (3) credits;
 - ii. The course content focuses primarily on Indigenous and Aboriginal legal issues and engages in a substantial way with all three of the following:
 - i. Indigenous law (that stems from Indigenous communities);
 - ii. Aboriginal law (non-Indigenous law, including Canadian law, as it pertains to Indigenous people);
 - iii. Aspects of professionalism and/or practice skills related to serving Indigenous clients, which may include intercultural competency, conflict resolution, human rights and anti-racism.
- c. The following courses fulfill the IALR:
 - i. Indigenous Peoples and the Canadian Law (2110.04, lecture course);
 - ii. Directed Reading: Indigenous Realities and Perspectives (6001.04, seminar);
 - iii. Comparative Law: Indigenous Legal Traditions (3040.03, seminar);
 - iv. Rights & Reconciliation: Indigenous Peoples and Law (3390.03, seminar);
 - v. Comparative Law: Indigenous Rights in Four Settler States (3041.03, seminar).
- d. A course not listed above can be recommended as fulfilling the IALR by approval of the Associate Dean (Academic) in consultation with the Academic Policy and Planning Committee and with ultimate approval from York Senate. Such an application would only be possible when the course instructor is considered knowledgeable in both Aboriginal and Indigenous law.

3.10 Principles of Administrative Law **[Repealed beginning for Class of 2020]**

As a condition of graduation, each student shall successfully complete Administrative Law (LAW 2010) or take the not-for-credit "Principles of Administrative Law Lecture" in person or online.

3.11 Curricular Streams

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- a. Students may be admitted to a curriculum stream as early as the beginning of the second semester of first year, and no later than the beginning of the second semester of second year. In the event of a surplus of applicants over available places, selection shall be by lottery or on the basis of stipulated prerequisites or some combination of the two. Students may transfer into the program if they have accumulated an appropriate profile of course credits, and may exit the program without prejudice if they do not wish to continue to meet its requirements.
 - b. Successful completion of the requirements of a curriculum stream shall be noted on a student's transcript.
 - c. Responsibility for each stream shall be assumed by a Convenor appointed by the Associate Dean (Academic) after consultation with participating faculty members. The Convenor will consult closely with the Associate Dean (Academic) on behalf of participating faculty members to ensure the efficiency and high quality of the program.
- 3.11.1 International, Comparative & Transnational (ICT) Law Program Curriculum Stream

Students must complete a minimum of 27 credits to satisfy the requirements for the ICT Stream, including:

- a. LW 2008 3.0 (Globalization & the Law);
- b. At least eight credits from LW 2004 4.0 (Comparative Law); LW 2040 4.0 (Conflict of Laws); and LW 2340 4.0 (Public International Law);
- c. LW 5008 3.0 (ICT Colloquium);
- d. At least 13 credits from:
 - i. LW 2004 4.0 (Comparative Law)*
 - ii. LW 2040 4.0 (Conflict of Laws)*
 - iii. LW 2210 4.0 (Civil Law)
 - iv. LW 2340 4.0 (Public International Law)*
 - v. LW 2440 3.0 (International Criminal Law)
 - vi. LW 2470 3.0 (Refugee Law)
 - vii. LW 2890 3.0 (International Business Transactions)
 - viii. LW 3007 3.0 (International Dispute Resolution)
 - ix. LW 3040B 3.0 (Comparative Law: Modern Constitutionalism in Comparative Perspective)

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- x. LW 3040F 3.0 (Comparative Law: Law, the Individual & Community)
- xi. LW 3040G 3.0 (Comparative Law: Comparative Constitutional & Foreign Relations)
- xii. LW 3350 3.0 (Canada/US/Mexico Business & Economic Relations)
- xiii. LW 3440 3.0 (International Human Rights)
- xiv. LW 3810 3.0 (Aerospace Law)
- xv. LW 4150 4.0 (International Taxation)
- xvi. LW 4880 3.0 (International Environmental Law)
- xvii. LW 5050 3.0 (International Banking)
- xviii. LW 5310 3.0 (Labour Law, Globalization & NAFTA)
- xix. LW 5800 3.0 (Transnational Governance)
- xx. LW 5930 3.0 (Advanced Public International Law)
- xxi. LW 5930A 3.0 (Advanced Public International Law: International Common Spaces)
- xxii. LW 7008 3.0 (International Research & Placements)

* If this course is used to satisfy the requirements of b., then it may not be used in d.

- e. Included in the required minimum 27 credits, students must include at least three credits that satisfy the Law School's Upper Year Research requirement.
- f. As part of the required minimum 27 credits, in consultation with the ICT convener, students must pursue at least one of the following opportunities. Students will be permitted to use up to a maximum of 10 credits from any one of these opportunities towards the ICT Curricular Stream.
 - i. Study at another law school as part of an exchange program;
 - ii. Study at another law school on a Letter of Permission;
 - iii. Enroll in a Clinical Program;
 - iv. Enroll in a global classroom course;
 - v. Enroll in a Summer Study Program;
 - vi. Participate in an Internship;
 - vii. Participate in a Work/Study Practicum;
 - viii. Engage in Supervised Research.

3.11.2 Litigation, Dispute Resolution and the Administration of Justice (LDA) Program Curriculum Stream

Students must complete a minimum of 25 credits to satisfy the requirements for the LDA Stream, including:

- a. LW 2490 4.0 (Evidence);

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- b. LW 5007 3.0 (LDA Colloquium);
- c. At least one of the following:
 - i. LW 3960 2.0 and LW 3961 2.0 (Lawyer as Negotiator)
 - ii. LW 3980 3.0 (Dispute Settlement)
 - iii. LW 5070 3.0 (Labour Arbitration)*
 - iv. LW 5960 4.0 (Theory & Practice of Mediation)

* If this course is used to satisfy the requirements of c, then it may not be used to satisfy the requirement in d.

- d. At least one of the following:
 - i. LW 6020 3.0 (Mooting)
 - ii. LW 2140 3.0 (Legal Drafting)
 - iii. LW 3630 3.0 (Constitutional Litigation)
 - iv. LW 5070 3.0 (Labour Arbitration)**
 - v. LW 5270 4.0 (Trial Advocacy)
 - vi. LW 7140 3.0 (Innocence Project, Fall Term)
 - vii. LW 7140 6.0 (Innocence Project, Winter Term)
 - viii. LW 8000 3.0 (Community & Legal Aid Services Program)
 - ix. LW 3007C 3.0 (International Dispute Resolution)

** If this course is used to satisfy the requirements of d, then it may not be used to satisfy the requirement in c.

- e. At least one of the following:
 - i. LW 2040 3.0 (Conflict of Laws)
 - ii. LW 2120 3.0 (Legal Profession)
 - iii. LW 2230 3.0 (Civil Procedure II)
 - iv. LW 2240E 3.0 (Criminal Law II)
 - v. LW 2442 4.0 (International Courts & Tribunals)
 - vi. LW 2690 4.0 (Criminal Procedure)
 - vii. LW 3007 3.0 (International Dispute Resolution)
 - viii. LW 3010 3.0 (Administration of Civil Justice: Class Action)
 - ix. LW 4090 3.0 (Litigating the Insurance Claim)
 - x. LW 5010A 3.0 (Administration of Criminal Justice)
 - xi. LW 5450 3.0 (Advanced Evidence Problems).

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- f. Students must take a sufficient number of credits from any of the courses listed above to satisfy the LDA Curriculum Stream's minimum 25-credit requirement provided that the course(s) have not been previously taken to satisfy requirement c., d. or e.

3.11.3 Tax Law Program Curriculum Stream

Students must complete a minimum of 23 credits to satisfy the requirements for the Tax Stream, including:

- a. LW 3370.03 (Tax Lawyering)
- b. LW 2080.04 (Tax Law)
- c. LW 4100.04 (Taxation of Business Enterprises);
- d. Three credits from either LW 3006.03 (Tax Law as an Instrument of Economic and Social Policy), LW 5220.03 (Taxation Policy), or LW 3006.03 (Consumption Taxes in Canada)
- e. A minimum of ten additional credits from the following courses.

Note: Courses used to satisfy one of the requirements listed in a, b, c, or d cannot be used to satisfy this requirement

- i. LW 5210.03 (Taxation of Corporate Transactions)
- ii. LW 5110.03 (Estate Planning)
- iii. LW 3006.03 (Tax Law as an Instrument of Economic & Social Policy)
- iv. LW 4080.04 (Taxation of Wealth Transfers)
- v. LW 4150.40 (International Tax)
- vi. LW 5220.03 (Taxation Policy)
- vii. LW 6022.02 and LW 6020.03 (Appellate Advocacy Workshop and a Tax Law moot)
- viii. Any Tax course or seminar offered in the JD program that is not listed above deemed suitable for credit by the Tax Stream Convenor and the Assistant Dean, Students.

3.11.4 Labour and Employment Law Program Curriculum Stream

Students must complete a minimum of 23 credits to satisfy the requirements for the Labour and Employment Law Stream, including:

- a. Two of the following courses:
 - i. LW 2315 4.0 (Labour and Employment Law)
 - ii. LW 2515 4.0 (Collective Bargaining Law)

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- iii. LW 2550 4.0 (Individual Employment Relationship)
- b. Two of the following seminars:
 - i. LW 5070 3.0 (Labour Arbitration)
 - ii. LW 3260 3.0 (Occupational Health and Safety)
 - iii. LW 3040N 3.0 (Comparative and International Labour Law)
 - iv. LW 5060 3.0 (Advanced Labour)
 - v. Other seminar approved by the Convenor
- c. The LELP capstone course: 5550 3.0 (Labour and Employment Law and Policy Colloquium)
- d. Two labour and employment related courses or seminars from the following:
 - i. LW 2010 4.0 (Administrative Law)
 - ii. LW 4270 4.0 (Immigration Law)
 - iii. LW 2490 3.0 or 4.0 (Evidence)
 - iv. LW 3840 3.0 (Entertainment and Sports Law)
 - v. LW 3960 4.0 (Lawyer as Negotiator)
 - vi. LW 2008 3.0 (Globalization and the Law)
 - vii. LW 3300 3.0 (Discrimination Law)
 - viii. LW 3630 3.0 (Constitutional Litigation)
 - ix. Other courses or seminars approved by the Convenor
- e. Students must also complete one of the following experiential opportunities:
 - i. participation in the Ministry of Labour Summer Co-op Program;
 - ii. a semester in the Parkdale Community Legal Services workers' rights division;
 - iii. 40 hours of volunteer work that is labour and employment related (e.g. work at Toronto Workers' Health and Safety Legal Clinic); or other arrangement as approved by the Convenor.

4. Alternative Ways to Obtain Academic Credit

With prior permission and upon compliance with the conditions stipulated, students may also receive academic credit in the manner provided as follows in Rule 4.

4.1 Law Journal

- a. Senior editors of academic legal journals whose Chief Editor is a member of faculty of Osgoode Hall may receive credit in second and/or third year to the value of four credit hours each academic year and not more than eight credit

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hours in total. Senior editors receiving credit must have at least two semesters of prior experience as a junior editor.

- b. The application for credit must be made before the end of the first course change period of the academic year. The faculty member in charge shall certify that the student is entitled to such credit by reason of having accepted responsibility for substantial editorial work of an academic character for at least two semesters. In particular, such work shall include:
 - i. editing at least two articles or the equivalent for publication in the journal;
 - ii. reviewing submissions to the journal;
 - iii. participating in the administration of the journal; and
 - iv. completing one written assignment.

4.2 Community Legal Aid Service Program (CLASP)

- a. Senior supervisory personnel (i.e. "Division Leaders") of the Community and Legal Aid Services Program (CLASP) may receive 15 credits, with three credits allocated to each of two seminars on the lawyering process (one in the Fall and the other in the Winter term) and nine credits allocated to the clinical component of CLASP. Of the nine clinical credits, five will be allowed to be earned in one semester and four in the other.
- b. Students enrolled in CLASP continue to receive a pass/fail grade for the clinical components of the program and a letter grade for each of the two seminars.
- c. Division Leaders must enroll in two three-credit seminars (one per term) entitled "Fundamentals of the Lawyering Process" as a co-requisite to the CLASP clinical program.
- d. The application for credit must be made before the end of the first course change period of the academic year.
- e. The CLASP Board of Management will notify the CLASP Counsel of entitlement to such credit by reason of the student having accepted responsibility for substantial supervisory work of an academic character, including regular meetings with the CLASP supervisor. The credit shall be certified by the CLASP Counsel.

4.3 Upper Year Competitive Lawyering Simulations (Mooting)

- a. Students chosen to represent the Law School at a lawyering simulation competition may earn credits as a result of that participation. Lawyering simulations can include, but are not limited to, appellate advocacy, trial advocacy, mediation, arbitration and client consultation competitions.

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- b. The number of course credits to be earned by a student for a particular lawyering simulation competition will be determined by the Associate Dean (Academic) in consultation with the Director of Mooting & Lawyering Simulations in light of the following criteria:
 - i. If participation in the competition includes the completion of a substantial amount of legal research and writing, for example the preparation of a factum, students should receive three graded credit hours;
 - ii. If participation in the competition does not require a substantial amount of research and writing, students should receive two graded credit hours;
 - iii. In the case of appellate advocacy competitions, where students are required to participate in the Appellate Advocacy Workshop, they should receive two additional ungraded credit hours for successfully completing the workshop;
 - iv. If a student is a member of a team that is successful at a preliminary qualifying competition and advances to another competition as a result, where the second competition takes place on a different date and involves a different problem than that which was the subject of the preliminary qualifying competition, they should receive two additional ungraded credit hours for participating in the further round and three additional graded credit hours if the further round also requires the completion of a substantial amount of legal research and writing, for example the preparation of another factum.
- c. Where a portion of the credits earned by a student participating in a lawyering simulation competition are graded, the grade to be awarded shall be decided by the faculty member who is serving as the Director of Lawyering Programs; in consultation with the coach(es) and/or faculty advisor(s).
- d. Students are to be selected to represent the Law School at lawyering simulation competitions through an open and fair tryout process. Tryouts will ordinarily be conducted by the Director of Lawyering Programs, with participation and advice from the President of the Mooting Society or his/her designate. However, the Director of Mooting & Lawyering Simulations may also delegate the responsibility for selecting students to represent the Law School at certain competitions to a faculty member who will also be serving as the coach of the team selected. Any such alternate selection process must also entail an open and fair tryout process.
- e. Student may participate for credit in only one lawyering simulation competition in a given academic year unless, in the judgement of the Director of Mooting and Lawyering Simulations, no other suitable candidates exist for the additional component.

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- f. Students who have earned credit in a lawyering simulation competition will only be permitted to participate for credit in another lawyering simulation competition (whether the same or a new competition) when, in the judgement of the Director of Mooting & Lawyering Simulations, when no other suitable candidates exist for the competition.

4.4 Research Papers

- a. A student may receive a total of nine hours of academic credit for three-hour credit research papers under the supervision of faculty members, during one academic year.
- b. Research papers will normally carry a credit value of three credit hours, but the Assistant Dean, Students or the Associate Dean (Students) may in the appropriate case grant permission for a student to pursue a research paper that carries a credit value of two or four credit hours.
- c. A student seeking permission to pursue a research paper shall submit to the Program & Records Office, not later than 10 days prior to the commencement thereof, a statement from the proposed supervisor stipulating:
 - i. the topic or field of research;
 - ii. the amount of academic credit to be obtained and the date for submission of the completed research paper; and
 - iii. consent to provide supervision.
- d. Any change in the conditions of supervision may only be obtained upon filing of a new statement by the supervisor.
- e. The supervisor, upon application by the student or upon his/her own motion, may permit or require the student to terminate a research paper upon such terms and conditions as he/she may decide, provided that the supervisor's decision shall be subject to approval by the Assistant Dean, Students or the Associate Dean (Students).

4.5 Research Program

- a. A student may receive academic credit for a Research Program of not less than 15 credit hours and not more than 30 credit hours, which may extend throughout his/her second and third years.
- b. A student will be permitted to pursue a Research Program if, in the opinion of the Assistant Dean, Students or the Associate Dean (Students),
 - i. the student's academic record in the Law School and elsewhere, and other relevant evidence, shows promise of the ability to conduct with distinction a

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- major program of research;
 - ii. the proposed Research Program is within the student's capacity, and his/her entire plan of study is otherwise satisfactory; and
 - iii. he/she will receive adequate supervision.
- c. A Research Program will normally extend through the student's three final semesters, but with the consent of the Assistant Dean, Students or the Associate Dean (Students) may extend through the final four or final two semesters.
- d. A student seeking permission to pursue a Research Program shall submit to the Assistant Dean, Students or the Associate Dean (Students) not later than 10 days prior to the commencement thereof, a statement from the proposed supervisor stipulating:
- i. the topic or field of research, and a tentative outline of research;
 - ii. the amount of academic credit to be obtained and the date for submission of the completed research paper; and
 - iii. consent to provide supervision.
- e. Any change in the conditions of supervision may only be obtained upon filing of a new statement by the supervisor, and with the consent of the Assistant Dean, Students or the Associate Dean (Students).
- f. The Assistant Dean, Students or the Associate Dean (Students) on application by the student or the supervisor, or upon its own motion, may permit or require the student to terminate a Research Program upon such terms and conditions as she/he may decide.

4.6 Clinical Programs

- a. A student may receive credit for a Clinical Program focusing on a particular area of or approach to law so designated by Faculty Council, for the number of academic credits allocated thereto by Faculty Council.
- b. Conditions of entry and methods of obtaining credit shall be as authorized by Faculty Council.
- c. A student desiring to enroll in one of the Clinical Programs for the next academic year shall apply to the Office of Experiential Education on or before the Friday of the fourth week of the Winter Term.
- d. Selection procedures for the applicants to each Clinical Program shall be carried out in the Winter Term of each academic year for the next academic year. The Director of Clinical Education will inform Faculty Council of the designated

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selection process dates for the next academic year at the final meeting of Faculty Council in each academic year.

- e. Selected applicants shall be notified at the same time on the designated date each year. Selected applicants shall have until 12:00 pm on the designated date to advise the Office of Experiential Education in writing whether the offer of a place in each Clinical Program is accepted or declined. An applicant who neither accepts nor declines in writing an offer of a place by the specified time shall be deemed to have declined that offer.
- f. Those places in each Clinical Program not accepted by a selected applicant shall be offered to the applicants on the alternate list once the initial offer has been declined. Each alternate so selected shall have two business days following the day the offer was made to confirm in writing that the offer of a place in the Clinical Program is accepted or declined. An alternate candidate who does not accept the offer of a place in the Program within the specified period shall be deemed to have declined that offer.
- g. The foregoing procedure in paragraph (f) shall continue for applicants on the alternate list for each Clinical Program until all the places in that Program have been filled, or the alternate list for it has been exhausted. Any places in a Clinical Program remaining unfilled after the foregoing procedure, may be filled thereafter by Clinical Programs on an *ad hoc* basis.
- h. A selected applicant, having accepted a place in a Clinical Program, will only be permitted to withdraw with the consent of the Assistant Dean, Students or the Associate Dean (Students) on the basis of reasons which are deemed to have substantial merit, upon consultation with the Program Director or the Director of Clinical Education as appropriate. Withdrawal after the commencement of an orientation period or a Program itself will be permitted by the Associate Dean (Students) only for the most compelling of circumstances. In either case, an applicant's withdrawal from a Program after having accepted may be taken into consideration in respect of any future applications to any Clinical Program.

4.7 Exchange Programs

- a. To be eligible for participation, a student must have successfully completed the first year of the JD Program at Osgoode Hall Law School (or its equivalent), and have maintained a cumulative average of B or better up to the time of departure. Subject to rule 4.10, transfer students are eligible to participate in the Osgoode Exchange Program, though restricted to a maximum of a single

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- academic semester of study on Exchange or on a letter of permission, pursuant to rule 4.8.
- b. A student must submit a statement of why she/he wishes to study abroad, and a plan of study showing which courses she/he intends to take. Substantial departure from the plan of study will result in loss of academic credit.
 - c. Courses will be taken on a credit/no-credit basis.
 - d. Students will normally be permitted to study abroad for credit for not more than one year. Students may also receive up to four credits per academic year for summer study-abroad programs.
 - e. Students may receive credit only for study at approved institutions. "Approved institutions" include:
 - i. those which are party to an exchange agreement with the Law School or with York University;
 - ii. those which are covered by an arrangement or agreement established by the federal or provincial government;
 - iii. those which are administered by another Canadian law school;
 - iv. those which are approved by the Association of American Law Schools; and
 - v. any other high-quality program offered by a well-reputed university, if approved by the Assistant Dean, Students.
 - f. Students are responsible for any failure to register or gain academic credit in an international program due to failure to meet entry criteria, to comply with visa, insurance or financial requirements, to secure adequate knowledge of the language of instruction, to complete the program for any reason, or to secure a passing grade. They accept the risk of administrative or other problems which result in their grades not being submitted to Osgoode in a timely fashion. Failure to receive credit while studying abroad will result in the student having to take Osgoode credits in lieu.
 - g. Students will receive credit only in accordance with the terms of a letter of permission issued in advance of enrolling in an international or exchange program. The letter of permission will stipulate both the number of credit hours to be received, and whether grades received will be on a credit/no-credit basis or will be recorded as the Osgoode equivalent of the grades awarded by the host institution. A letter of permission will not be provided retroactively. However, amendments may be made to the student's plan of study on the same basis as elsewhere in the JD program, if requested in writing in a timely fashion by the student.

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- h. Students may not normally receive credit for international internships or placements undertaken during the summer. However, credit may be awarded for such international placements or internships if they involve research which is intended to be incorporated into an independent research paper or project supervised by a faculty member. At the discretion of the faculty supervisor, an international internship or placement may be awarded up to half of the total credit hours assigned to the paper or project to a maximum of four credit hours, provided the placement or internship involves research which will subsequently be used in that paper or project. The approval of the program director or faculty supervisor must be filed with the student's request for a letter of permission to study abroad, and must set out the arrangements prescribed. Retroactive requests for credit for international internships and placements will not be accepted.

4.8 Letters of Permission

- a. The Assistant Dean, Students may issue to a student who has successfully completed the first year of the JD Program at Osgoode Hall Law School (or its equivalent), a letter of permission allowing that student, upon conditions set forth in the letter, to receive credit toward the JD degree of the Osgoode Hall Law School for the work successfully undertaken at the other law school. Subject to rule 4.10, transfer students are eligible to receive Letters of Permission for study at another law school though restricted to a maximum of a single academic semester of study on a letter of permission or an Exchange, pursuant to rule 4.7.
- b. Normally such letters of permission will not be issued for more than one semester's or one academic year's work at another law school, but in exceptional circumstances and where there would be real hardship to the student involved, permission may be granted for an extra semester's work.
- c. The decision with respect to granting letters of permission will take into consideration, inter alia, the law school record of the student, the student's reasons for wishing to spend a period of time elsewhere, the law school the student proposes to attend, and the program of courses the student proposes to undertake.
- d. This privilege may only be granted once during any student's law school career.
- e. A student who is attending another law school on this basis must continue his/her registration at the Osgoode Hall Law School of York University.

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- f. An appeal lies from the decision of the Assistant Dean, Students regarding the granting of Letters of Permission to the Associate Dean (Students).

4.9 Extra-disciplinary Courses

- a. A student may, with prior written approval of the Faculty or department involved and subject to approval of her or his plan of study, enroll in up to a maximum of three courses or seminars, not exceeding a total of 9 credit hours, in other faculties or departments of the University, provided that the courses or seminars requested are integral to the development of a plan of study.
- b. Each such course or seminar will rank as a seminar for the purpose of the no-more-than-two-seminars rule.

4.10 Transfer Credits

- a. A transfer student may use up to 15 upper year credits earned at their originating law school toward the 60 credits required pursuant to rule 3.4(b) above. Any such transfer credits will be counted on a Credit/No-Credit basis in the student's Osgoode transcript and any student transferring upper year credits will not be entitled to earn credit pursuant to rule 4.7 (exchange programs) or 4.8 (letters of permission).

5. Registration Restrictions

- 5.1 Subject to Rule 4, and except with the permission of the Assistant Dean, Students or the Associate Dean (Students) to be given only in exceptional circumstances, a student shall not:
 - a. be enrolled in more than two seminars in any semester;
 - b. be enrolled in more than one 15-credit Clinical Program over their second and third years;
 - c. be enrolled in both a Research Program and a 15-credit Clinical Program over their second and third years; or
 - d. be enrolled in more than four seminars in addition to a 15-credit Clinical Program or Research Program over their second and third years.
- 5.2 For the purpose of this rule, "seminar" includes research papers and courses in other faculties and departments.

6. Submission of Final Papers and Supervised Research Papers

- 6.1 Except with the written permission of the two instructors involved, no student shall gain credit for two courses or seminars by the submission of a single final paper or

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supervised research paper. Such permission shall be given only if the proposed paper fits within the design of both courses or seminars, and involves effort equivalent to the credit requirements of both courses and seminars.

- 6.2 A final paper or supervised research paper written for credit shall be submitted in final form by the first day of the examination period of the semester for which the credit is earned, unless an earlier date is set by the instructor. If an earlier date is set by the course instructor, that date must be set out in the course syllabus.
- 6.3 Where a supervised research paper is written for credit in more than one semester, the paper shall be submitted in final form by the first day of the examination period of the last semester for which the credit is earned, unless an earlier date is set by the instructor.
- 6.4 Where a supervised research paper is written, including a paper written as part of a Research Program, and a date has been fixed for the submission of the paper, the paper shall be submitted in final form by the day so fixed.
- 6.5 The late submission of a final paper or supervised research paper shall result in an F grade unless the student has been granted an extension in accordance with Rule F below. The student will be permitted to submit, within 10 days after the examination period to which the petition relates, a Petition to the Grades Review Committee for consideration at its Spring meeting, which may include but is not limited to applying a late penalty or submitting the paper during the summer supplementary exam period.

B. EVALUATION IN THE FIRST YEAR

1. Definition

For the purpose of the Rules regarding Evaluation (Sections B and C), a final examination means a test written at the Law School by all students in a course at the same time within two weeks of the end of the semester or later.

2. Evaluation in First Year Courses

- 2.1 The course in Ethical Lawyering in a Global Community shall be evaluated exclusively through non-examination methods.
- 2.2 Evaluation in Legal Process I and Public and Constitutional Law shall conform to the following requirements:
 - a. students shall be evaluated using at least two different methods including at least one non-examination method;

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- b. any final evaluation may not count for more than 67% of the grade (except as a consequence of earlier evaluations being graded on a no-downside-risk basis); and
 - c. instructors must provide feedback to students on their work at some point during the course, whether graded or ungraded, in a form that is designed to help prepare them for later evaluations in the course.
- 2.3 In Contracts, Criminal Law and Torts instructors must provide individualized feedback (graded or ungraded) to students on their work by week 11 of the Fall semester. Feedback should be in a format designed to help prepare students for later evaluations in the course. Instructors shall include in the course outline the nature and date(s) of any test or other exercise to be completed for this purpose, as well as the means by which students obtain individualized feedback.
- 2.4 In Property Law and Legal Process II, instructors must provide individualized feedback (graded or ungraded) to students on their work by week 10 of the Winter semester. Feedback should be in a format designed to help prepare students for later evaluations in the course. Instructors shall include in the course outline the nature and date(s) of any test or other exercise to be completed for this purpose, as well as the means by which students will obtain individualized feedback.
- 2.5 The requirement in 2.3 and 2.4 that student feedback be "individualized" can be met in a variety of ways, including but not limited to written feedback for each student or the provision of a model answer combined with opportunities for students to meet with the instructor to discuss their work. Instructors have wide discretion to select the means of providing individualized feedback most appropriate to the course, however availability for office hours alone is not sufficient to meet this requirement

3. Evaluation in First Year Electives

- 3.1 Legal Theory Seminars and Perspective Option seminars shall be evaluated by way of a paper approximately 5000 words in length, and requiring some degree of scholarly research, for at least 75% of the grade.

C. EVALUATION IN THE SECOND AND THIRD YEAR

1. In those courses where credit is otherwise to be obtained solely by taking a final examination, a student may elect to take an additional evaluation procedure.
2. The nature and weight of any such additional evaluation procedure shall be determined by the instructor.
3. The instructor shall inform students, by not later than the end of the first week of the

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semester, of the following:

- a. The nature of the additional evaluation procedure.
 - b. Any time limits stipulated for participation in, or completion of, such procedure.
 - c. The relative weight to be accorded the final examination and the additional procedure.
4. A second- or third-year student has until the fourth week of a semester to notify the Program & Records Office if she/he wishes to undertake an additional evaluation procedure. The instructor of any course may, at his/her discretion, extend this deadline for such time as he/she thinks fit.
5. A student who elects to undertake such additional procedure:
- a. may revoke the election by written notice to the Office of Admissions & Student Services at any time prior to the first date fixed for participation or, if none is stipulated, the date for completion;
 - b. shall comply with the dates fixed for participation or completion, or be penalized for lateness, unless an acceptable excuse is provided; and
 - c. shall forfeit any credit for the additional procedure unless it is completed.
6. If a midterm evaluation is given, appropriate feedback or a grade should be given to students within a reasonable time.

D. ADMINISTRATION OF THE UPPER YEAR ELECTIVE SYSTEM

1. Limited Enrolment Courses and Seminars

- 1.1 Courses shall normally be limited to an enrolment of 80 and except in exceptional circumstances shall not exceed 105. Seminars shall normally be limited to an enrolment of 15 and except in exceptional circumstances shall not exceed 20.
- 1.2 Basic courses or seminars may be designated by the instructor as academic prerequisites to advanced courses or seminars.

2. Admission to Courses and Seminars

- 2.1 When a student files his/her plan of study covering two semesters, the student shall indicate in order of priority the ten courses or seminars in which he/she is most interested.
- 2.2 In assigning places in a limited enrolment course or seminar, priority shall be given to students who have marked it highest in priority of interest.

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- 2.3 Where there is a greater number of qualified students indicating equal priority of interest than there are places available or where there are no students indicating priority of interest, available places shall be allocated on the basis of a lottery.
- 2.4 Students enrolled in the Intensive Program in Criminal Law, and in the Intensive Program in Immigration and Refugee Law are guaranteed admission to any prerequisite course, but insofar as guaranteed admission occurs, the students sacrifice their A and/or B priority.
- 2.5 Second- and third-year students who have been required to repeat a year shall normally be allowed to enroll in those courses for which they received a grade below C in the year they are required to repeat.
- 2.6 The Office of Admissions & Student Services will determine the admission of each student to courses and seminars and will advise him/her of his/her plan of studies prior to the commencement of the second and third years.
- 2.7 Students are not permitted to enroll in a course or seminar where the time for the classes or exams of that course or seminar conflict with those of another course or seminar in which the student is enrolled.

3. Change in Electives

- 3.1 A student may change his/her plan of study prior to the first week of August and during the first 10 school days of the Fall and Winter semesters.
- 3.2 Notwithstanding Rule 3.1 and subject to Rule 3 of Section A, the Associate Dean (Students) may, in his/her discretion in exceptional circumstances, allow a student to withdraw from a course or seminar at any time, but a student so withdrawing shall not be permitted to select an alternative course or seminar in that semester.

E. EXAMINATIONS AND GRADING

1. Examinations and Testing Procedures

1.1 Faculty/Student Colloquium:

In view of the desirability of affording a student alternative methods of demonstrating his/her ability in a relevant way, a faculty/student colloquium should be convened for the purpose of exploring specific alternatives to the final examination system.

1.2 Secondary Examiner:

A secondary examiner shall be designated by the Associate Dean (Academic) for each course in which one or more written examinations are given. The secondary examiner shall review all examination questions in advance and offer comments and suggestions

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to the primary examiner. In the case of disagreement, the decision of the primary examiner shall prevail. Failure to comply with this requirement will not invalidate an examination.

1.3 Exam Invigilation:

During the writing of the examination, the instructor shall not remain in the examination room, but shall be available by phone at all times to answer queries from the Assistant Dean, Students or designate.

Examination questions must be handed in along with the examination answers at the conclusion of all examinations. Following the completion of the examination period and the release of grades, examinations will be available for review by students in the Library as has been the practice in the past.

1.4 Use of Computers in Examinations:

Computers may be used for writing examinations, resources permitting. The use of computers is governed by the Law School's code of academic honesty as set forth in the *Academic Rules* of the Law School, by guidelines issued by the Senate of York University, including the accommodations required for students with disabilities, and by procedures issued from time to time by the Associate Dean (Academic) and the Assistant Dean, Students.

1.5 Instructor – Student Grade Review:

- a. A student is entitled to a conference with the instructor regarding her/his grades, provided she/he makes an appointment for this purpose within three weeks after the grades have been released.
- b. Faculty members should make a serious effort to furnish each student with an explanation of why she/he obtained the result she/he did on the examination or projects used to evaluate her/his performance in each course or seminar. Wherever possible, the student should be informed as the course or seminar progresses. Where this is not possible, the professor should either:
 - i. make written comments and make available the exam paper or assignment;
 - ii. give the student an opportunity to attend a class where the exam or assignment is discussed generally; or
 - iii. make available the exam or assignment to the student and encourage him/her to meet the professor privately to discuss it within three weeks of the work being returned.
- c. The instructor shall include in the course outline information about post-examination reviews of the exam and consultation with individual students.

2. Grading and Credit

2.1 Grades:

A student shall receive one of the following letter grades for each course, seminar or program:

A+/A:	Excellent
B+/B:	Good
C+/C:	Acceptable
D+/D:	Marginal
F:	Fail

2.2 Credit / No-Credit:

With the approval of Faculty Council, a course, seminar or program may be graded on a credit/no-credit basis and a student enrolled in the course, seminar or program shall receive one of the following evaluations:

Credit: indicating that the student has successfully met the requirements of the course, seminar or program;

No Credit: indicating that the student has not met the requirements of the course, seminar or program.

2.3 Grading Profile:

- a. All courses with more than 30 students are subject to the following rules governing the distribution of grades. These rules do not apply to courses with 30 or fewer students, seminars, and clinical programs, which are governed by section 2.3.b, below.
 - i. The grading profile is

A+/A:	15%
B+/B:	60%
C+/C:	20%
D+/D/F:	5%
 - ii. An instructor is permitted a maximum variation of five percentage points from the grading profile, with any greater variation requiring the approval of the Grades Review Committee under section 2.3.vi below.
 - iii. In the A+/A and B+/B ranges, the number of "plus" grades awarded in a range may not exceed one-third of the total number of grades in that range.
 - iv. In the C+/C range, the number of "plus" grades awarded may not exceed two-thirds of the total number of grades in that range.
 - v. In the D+/D/F range, there is no restriction on the number of "plus" grades

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- awarded.
- vi. An instructor whose grades vary more than five percentage points from the grading profile in section 2.3.a.i shall submit an explanation to the Grades Review Committee. In deciding whether to permit this variation, the Committee may, *inter alia*, wish to take into account the size of the class.
 - vii. The above rules apply before any changes made under the grade appeal procedures in section 6.2 below.
- b. All courses with 30 or fewer students, seminars, and clinical programs are subject to the following rules governing the distribution of grades.
- i. Where the median grade awarded in the class is higher than B+ or lower than B, the instructor shall submit an explanation for such variation to the Grades Review Committee. In a class with an odd number of students, the median grade is the central grade awarded, with an equal number of grades above and below it. In a class with an even number of students, the median grade is the lowest grade awarded in the top half of the class.
 - ii. The purpose of the explanation is to assure the Grades Review Committee that the instructor has addressed the grading process in an informed and conscientious manner.
 - iii. Where the Committee is satisfied that the explanation meets this standard, it shall normally approve the grades awarded. Where the Committee is not satisfied that the explanation meets this standard, it may request the instructor to reconsider or change the grades awarded.
 - iv. In making this decision, the Committee shall be guided by the principle that the judgment of the instructor lies at the heart of the grading process and is normally entitled to deference.
 - v. In all cases, the Grades Review Committee has the ultimate power to determine the grades awarded.
- c. After a Grades Review Committee has released the grades pursuant to rule 4.1(e) as follows, no instructor shall alter a grade awarded to a student except in accordance with the grade appeal procedures in rule 6.2 following.

2.4 Grade Point Average:

- a. The grade point average of each student shall be calculated on the following basis:
 - A+ = 9
 - A = 8
 - B+ = 7

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B	=	6
C+	=	5
C	=	4
D+	=	3
D	=	2
F	=	0
Allowed	=	0

- b. In the calculation of student grade point averages, the grades are weighted according to the number of credit hours associated with each course, commencing with the 1996-1997 academic year:

Grade point averages thus calculated will be translated into the following letter grade averages:

Over 8.49	grade point average = A+
From 7.50 - 8.49	grade point average = A
From 6.50 - 7.49	grade point average = B+
From 5.50 - 6.49	grade point average = B
From 4.50 - 5.49	grade point average = C+
From 3.60 - 4.49	grade point average = C
Less than 3.60	grade point average = F

3. Academic Standing and Transcripts

3.1 Academic Standing

- a. Immediately upon release of the Fall semester grades, students in all years who are in danger of not obtaining credit for the year will be specifically invited to discuss their papers with the instructor concerned, interviewed by the Assistant Dean, Students or the Associate Dean (Students) and warned of the danger that they may not obtain credit for the year. If they wish to do so, they will be permitted to complete the year.
- b. All decisions as to whether a particular student passes or fails and whether any of her/his grades should be adjusted by the Grades Review Committee shall be taken at the end of the Winter semester of each year.
- c. A student will be failed and required to withdraw from the school if, in any academic year, she/he obtains:
- an F grade in any course, seminar or program; or

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- ii. a No Credit in any course, seminar or program graded on a credit/no-credit basis; or
 - iii. a grade point average of less than 3.60.
 - iv. The grade referred to in this paragraph is the grade finally awarded to the student after faculty deliberation and exhaustion of supplemental privileges and appeals, if any.
- d. A student who has failed in a subject will normally be graded as "Allowed" by faculty decision where her/his grade point average (ignoring the failure) is not less than 4.75.
 - e. A student who has obtained a grade of D, F or Allowed in any course will not be allowed to take another course in substitution therefore.
 - f. A student who is failed and required to withdraw from the school will not normally be permitted to re-enter and repeat her/his year.

3.2 Transcripts:

- a. The portion of transcripts dealing with grades shall reveal only the letter grade in each course, the course size, the course average, the letter grade average earned each year by the student, the letter grade average of the class and the percentage of the class falling within each such letter grade average, but shall not reveal the actual grade point average or class rank.
- b. In the case of students enrolled in any course, seminar or program which involves a substantial portion of a semester's work graded on a credit/no-credit basis, the instructor shall place in the student's file, on or before February 15th for the Fall semester and on or before June 15th for the Winter semester, a letter evaluating the student's performance in the course, seminar or program. The fact that such a letter of evaluation is on file shall be noted on the student's transcript, and a copy of such a letter shall be attached to the student's transcript.
- c. A student's grades shall not be made public, nor shall they be disclosed to any person or institution without her/his consent.

4. The Grades Review Committee

- 4.1 There shall be one Grades Review Committee comprised of six faculty members, including the Associate Dean (Academic) as Chair, *ex officio*,
 - a. The Grades Review Committee shall meet in January and May or June of each year in order to consider the results of courses offered, respectively, in the fall

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and winter semesters, and again in August to consider the results of supplemental examinations, if any.

- b. The Grades Review Committees shall exercise all powers of the faculty members in Council in relation to examinations, grading, petitions, aegrotat standing, supplemental privileges, grade appeals and permission to repeat the year.
- c. The Grades Review Committee shall issue an annual report to Faculty Council summarizing its deliberations and making any recommendations.
- d. The Grades Review Committee shall release the grades for the Fall and Winter semesters immediately following their January, May or June meetings respectively.
- e. Grade lists prepared for Grades Review Committee meetings by the Office of Admissions & Student Services which identify students' names and grades must remain in the Office of Admissions & Student Services with two exceptions:
 - i. they may be produced during a Grades Review Committee meeting but must be returned to the Office of Admissions & Student Services at the end of the meeting;
 - ii. they may be held by the Dean, Associate Dean (Academic), Associate Dean (Students) and Assistant Dean, Students for the performance of their duties.

4.2 Petitions to the Grades Review Committee:

- a. Petitions based on medical, compassionate or equitable grounds for aegrotat standing or supplemental privileges shall be submitted to the Office of Admissions & Student Services in writing, together with all relevant material in support thereof, within 10 days after the examination period to which the petition relates.
- b. Petitions will be considered in the first instance by the Grades Review Committees for the relevant years at their May or June meeting.
- c. A Grades Review Committee of its own motion may refer any petition considered by it to the Academic Standing Committee.
- d. A student who has submitted a petition which has been considered by a Grades Review Committee may refer the petition to the Academic Standing Committee by submitting a statement to the Office of Admissions & Student Services in writing, together with all relevant material in support thereof, within 30 days of the release of the grades by the Grades Review Committee at its May or June meeting.

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- e. A petitioner may attend a meeting of the Academic Standing Committee to present her/his case in person.

4.2.1 Aegrotat Standing:

- a. Aegrotat standing may, in the discretion of the Faculty, be granted to a student who, on medical, compassionate or equitable grounds, has been unable to write or to pass one or more examinations.
- b. A student will not be granted aegrotat standing unless her/his academic record taken as a whole justifies the assumption that she/he would have successfully passed the examination. In the case of first year students, the absence of any law school record will normally lead to denial of aegrotat standing, although a good pre-law record, coupled with satisfactory semester work and success in other examinations written, may lead to the granting of aegrotat standing.
- c. Notwithstanding that a student has been denied aegrotat standing she/he may be permitted to write supplemental examinations.
- d. A student granted aegrotat standing in one or more subjects shall receive a grade point average calculated without reference to such subjects.

4.2.2 Supplemental Examinations:

- a. Supplemental examinations are a privilege which may be granted by the Faculty in special cases. They are not to be considered a regular method of enabling students to complete the requirements of the year.
- b. A student may be permitted to write supplemental examinations only if:
 - i. for medical, compassionate or equitable reasons she/he was unable to write, or to demonstrate her/his ability at the regular examinations;
 - ii. she/he received a final grade of D+, D, F, or DNW; and
 - iii. she/he does not qualify for aegrotat standing.

5. Academic Standing Committee

- 5.1 There shall be an Academic Standing Committee consisting of six members of faculty, (including the Chair), the Associate Dean (Students), *ex officio*, and two JD students who shall be elected by Faculty Council not later than at its regular meeting in April of each year.
 - a. The Chair of the Academic Standing Committee shall have power to appoint to the Committee such alternate members as is required to replace any absent member.

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- b. The Academic Standing Committee shall meet subsequent to the May or June meetings of the Grades Review Committees in order to review and decide such petitions as may be referred to it pursuant to sections 4.2(c) and 4.2(d). The Academic Standing Committee shall exercise all powers of the Grades Review Committees in relation to such petitions.
- c. The Academic Standing Committee shall meet from time to time, subsequent to the May or June meetings of the Grades Review Committees, in order to hear and decide such applications as may be made to it pursuant to section 5.3(a). The Academic Standing Committee shall exercise all powers of the faculty members in Council in relation to such applications.
- d. Only the members of the Academic Standing Committee and the Assistant Dean, Students, or designated alternate, shall be present after an applicant and any representatives have completed their submissions and the Committee has entered into the stage of its proceedings where it is deciding on an appropriate disposition of the matter in issue.
- e. The Academic Standing Committee shall meet from time to time as necessary to consider any grade appeals referred to it pursuant to section 6 below. The Academic Standing Committee shall exercise all the powers of the Grades Review Committee in relation to such appeals.
- f. The Academic Standing Committee may grant to a student who has permission to repeat the year a leave of absence for a period of one year. Such leave of absence may be extended, upon further application to the Academic Standing Committee, on a year to year basis.
- g. In the Rules and Procedures of Faculty Council (available in the Dean's Office), Rule 5.21 shall not apply to the Academic Standing Committee.

5.2 Petition to the Academic Standing Committee:

- a. The Academic Standing Committee shall not entertain a petition for aegrotat standing or supplemental privileges that has not been submitted to and considered by a Grades Review Committee, unless the student establishes that there are substantial reasons for her/his failure to submit the petition to the Grades Review Committee.
- b. The Academic Standing Committee shall not review a petition referred to it under section 4.2(d) after the period specified for its referral unless the student establishes that there are substantial reasons for her/his failure to refer the petition within the specified period.

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- c. The Academic Standing Committee shall not hear an application under section 5.3(a) that is submitted after the period specified for its submission unless the student establishes that there are substantial reasons for her/his failure to submit the application within the specified period.
- d. For the purposes of this section, ignorance of a period specified in the regulations and difficulty in deciding whether to submit or refer a petition or to make an application are not substantial reasons for a failure to comply with such a period.

5.3 Application to Repeat a Year:

- a. A student who has failed and is required to withdraw from the school may apply to the Academic Standing Committee for permission to repeat the year.
- b. Such applications shall be submitted to the Office of Admissions & Student Services in writing, together with all relevant material in support thereof, within 30 days of the release of the grades by the Grades Review Committee at its May or June meeting.
- c. A petitioner may attend a meeting of the Academic Standing Committee to present her/his case in person.
- d. Where a student:
 - i. has done satisfactory work in one semester of an academic year but, due to medical, compassionate or equitable circumstances in the other semester of that year, has failed to meet the total requirements of the year, and
 - ii. has not been granted aegrotat standing or supplemental privileges, the Academic Standing Committee may permit the student to repeat one semester on the basis that if the student's results in that semester together with her/his results in the semester unaffected by medical, compassionate or equitable circumstances would have constituted successful completion of an academic year if the semesters had been taken in the normal sequence, then the student shall be deemed to have successfully completed the academic year in question.

5.4 *Mutatis Mutandis*:

- a. The foregoing procedures shall apply *mutatis mutandis* to the supplemental examinations in August, except that:
- b. A petition that has been considered by a Grades Review Committee shall be referred.

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- c. An application for permission to repeat the year shall be submitted to the Program & Records Office, in writing, together with all relevant material in support thereof, within ten days after the release of the grades by the Grades Review Committee at its August meeting.

6. Grade Reappraisal

6.1 Subject to the requirements and procedures in section 6.2 following, a student may appeal a final grade in a course on one or both of the following grounds:

- a. A significant error or unfairness in the assessment of the grade;
- b. A defect in the evaluation process.

A claim that the instructor held political opinions different from the student's, or employed theoretical or other perspectives different from the student's in teaching or evaluating the student's work, does not constitute a ground of appeal. A claim that the grade given does not demonstrate the student's knowledge of the subject matter or does not adequately reflect the student's efforts to learn the material does not constitute a ground of appeal.

6.2 Appeal of a Final Grade:

- a. A student who wishes to appeal a final grade in a course may not commence a formal appeal until the student has made all reasonable efforts to meet promptly with the course instructor to obtain an explanation of the reasons for the grade, in accordance with section 1.5(a) and 1.5(b) of these regulations.
- b. An instructor may only request the Academic Standing Committee to change a student's grade at this stage in order to correct a mechanical error. For the purpose of this section, "mechanical error" means an error that is obvious on the face of the paper, for example, a question or part of a question that was not marked or numbers that were incorrectly totaled.
- c. A student who is not satisfied with the explanation that has been given for the grade may submit an appeal form to the Academic Standing Committee requesting a change in the grade. All appeals must be accompanied by written reasons identifying the ground(s) of appeal and providing specific supporting arguments.
- d. Subject to the discretion of the Academic Standing Committee to extend the time because of exceptional circumstances, the appeal form must be submitted no later than 21 days after the student's grade was mailed to the student, or was received by the student if not mailed. If the student has not had the opportunity

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to speak with the course instructor within this time, then the appeal form must be submitted no later than 10 working days after the student has met with the instructor.

- e. Upon receiving an appeal form, the Academic Standing Committee may,
 - i. deny the appeal because it does not allege any ground(s) of appeal, does not provide specific supporting arguments, or was not submitted within the period allowed under paragraph 6.2(d) above; or
 - ii. accept the appeal, and begin the formal appeal process.
- f. The Academic Standing Committee may decide to refer decisions under paragraphs (d) and (e) to a panel or panels of the Committee. A panel shall consist of not less than two members. Any decision to deny an appeal by a panel consisting of two members must be unanimous.
- g. The Academic Standing Committee will inform the instructor when an appeal has been referred to the Committee. The Academic Standing Committee will invite the instructor to give, as soon as reasonably practicable, a written explanation for the student's grade and to supply any information thought to be helpful about the grading scheme, grade profile, etc. for the course. The instructor may recommend any change to the student's grade that the instructor thinks appropriate, provided such recommendation is made in writing with reasons. The Academic Standing Committee may either accept or reject a change recommended by the instructor and shall notify the student in writing, as soon as reasonably practicable, of both the instructor's recommendation and the Committee's decision.
- h. If a student wishes to continue an appeal after completion of the procedures in paragraph 6.2(g) above, the submissions of the student and the instructor shall then be forwarded to the members of the Academic Standing Committee (excluding any members who are parties to the appeal). The Academic Standing Committee shall, as soon as reasonably practicable, consider the submissions and information provided by the student and the instructor. The Academic Standing Committee may, if it thinks a reasonable case has been made out for doing so, consult with an Independent Reviewer with knowledge of the subject area involved (the Independent Reviewer may already be a member of the Academic Standing Committee), and shall consider the Reviewer's response equally with the submissions of the student and the instructor. The Academic Standing Committee shall be able to receive any information it requests, including information about the content of the course and the degree of

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emphasis placed on various parts, the instructor's method of evaluation and the marking scheme.

- i. The Academic Standing Committee shall, as soon as reasonably practicable, either:
 - i. dismiss the appeal; or
 - ii. allow the appeal and assign the grade it believes should have been assigned.
- j. The Academic Standing Committee shall give its reasons in writing to the student and the instructor. In making its decision, the Academic Standing Committee must consider that the Osgoode grading profile will require instructors to make close judgment calls on papers and/or exams at the margins of each grade bracket.
- k. Where the Academic Standing Committee allows an appeal, it may either raise or lower the grade appealed.
- l. Where a grade is changed in accordance with this regulation, the Chair of the Academic Standing Committee shall report the change to the Manager, Academic Programs & Records.

7. Relief against Literal Application

Notwithstanding the provisions of these rules, the Grades Review Committees and the Academic Standing Committee shall have the power to relieve against the literal application of these rules in order to ensure that students are dealt with fairly and in keeping with the spirit of the rules. However, this power will only be exercised in exceptional cases.

F. PROCEDURE FOR GRANTING OF FINAL EXAMINATION DEFERRALS AND FINAL PAPER EXTENSIONS

This rule governs requests for the granting final examination deferrals and final paper extensions. Extensions, deferrals, waivers or other alterations to in-term course requirements are governed by Rule G, below.

1. Purpose

The purpose of granting a deferral or extension under these guidelines is to provide a student with an opportunity to be evaluated under conditions in which the student's performance reflects her or his abilities and preparation, and not the impact of the medical, compassionate, or equitable grounds for which the student was granted the deferral or extension. The guidelines are not intended, and should not be used, to grant deferrals or

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extensions to students in order to provide them with additional time to prepare or any other advantage in relation to other students. The purpose of these guidelines is solely to provide reasonable accommodation to students who have medical, compassionate, or equitable grounds that would have a significant impact on their performance.

2. Medical, Compassionate or Equitable Grounds

- 2.1 These guidelines establish a procedure whereby students may obtain permission to write an examination or paper on a deferred/extended basis where they are unable to write the examination at the scheduled time or submit the paper by the scheduled deadline due to medical, compassionate or equitable grounds that would have a significant impact on their performance.
- 2.2 In these guidelines, "medical, compassionate, or equitable grounds" shall be interpreted so as to ensure the attainment of the objects described in paragraph 1, consistent with their meaning in the "Academic Rules of Osgoode Hall Law School" as interpreted by the Grades Review Committee and the Academic Standing Committee. Without limiting the generality of the foregoing, examples of medical, compassionate or equitable grounds would include: mental or physical illness just prior to or during the examination or paper deadline; the death, hospitalization or serious illness of a near relative or of an individual with whom the student has a close personal relationship; the breakup of a marriage or close personal relationship; spousal abuse; and the illness of a relative for whom the student is the primary caregiver.
- 2.3 In order to justify a deferral, the medical, compassionate or equitable grounds must be such that they would significantly impair the student's performance in the exam or paper. The grounds must also be distinguishable from those which every student has to combat. For example, most students suffer a certain amount of pre-exam anxiety. If a student seeks deferral on the ground of anxiety, she or he must be able to establish that it is of a different order of magnitude than that which the average student suffers.

3. Procedure

- 3.1 Where a student believes that her or his performance on one or more examinations ("the Examination") or papers will be significantly impaired due to medical, compassionate or equitable grounds, the student shall, prior to the commencement of the Examination or deadline for the paper, attempt to bring the matter to the attention of the Assistant Dean, Students or her/his designate and request permission to write the Examination on a deferred basis or submit the paper on an extended basis. As soon as is reasonably practicable, the student shall submit a written application to the Assistant Dean, Students setting out the student's name, student number, permanent and semester addresses and telephone numbers, along with a

clear statement of the nature of the medical, compassionate or equitable grounds. The student shall also provide any documentation requested by the Assistant Dean, Students, acting reasonably in respect of those grounds. Where the application is based on medical grounds, the student shall normally supply documentation from a medical practitioner setting out the nature, extent and duration of the illness or malady.

- 3.2 The Assistant Dean, Students shall review the grounds put forward, including the documentation, if any, provided by the student and, if necessary, meet with the student. The Assistant Dean, Students shall determine whether the medical, compassionate or equitable grounds would significantly impair the student's performance in the Examination or on the Paper that is the subject of the application. Where the Assistant Dean, Students is of the opinion that the student's performance would be significantly impaired, as described in paragraph 2.1, the Assistant Dean, Students shall grant the deferral. In reviewing the Deferral or Extension request, the Assistant Dean, Students may consult with the Associate Dean (Students).
- 3.3 If the Assistant Dean, Students grants permission to write the Examination on a deferred basis, the time for writing the deferred Examination shall be based on the prescribed Deferral Schedule published each term. Generally, for the Fall term examinations this Schedule shall be in the first week of classes in the Winter term, and for Winter term examinations, this Schedule shall be the week immediately following the Winter term examinations. The extended deadline for submitting a paper shall be agreed upon between the Assistant Dean, Students and the student but shall be no later than the last day of the Deferral Schedule.

4. Confidentiality

Prior to receiving permission to write an Examination on a deferred basis, a student shall be required to sign a standard-form confidentiality agreement, whereby she or he agrees not to discuss the Examination with any other student at Osgoode Hall Law School prior to the writing of the deferred Examination. Breach of the terms of the confidentiality agreement shall be regarded as a serious academic offence and subject to the sanctions for Academic Offences as set out in the Academic Rules of Osgoode Hall Law School, Section H - Academic Offences.

5. Deferred Examination and Extended Paper

- 5.1 The Assistant Dean, Students shall inform the professor in the course that a student has been granted permission to submit a Paper on an extended deadline or write an Examination on a deferred basis. In advance of the prescribed deferral date, Faculty shall submit a deferred exam different than the regular examination in the course.

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5.2 The Assistant Dean, Students shall make all reasonable efforts to preserve the student's anonymity. Save in exceptional circumstances, the deferred examination shall be written prior to the Grades Review Meeting so that the deferred exam can be graded using the regular examination numbers.

6. Further Deferral

If a deferred exam or paper submission deadline has been scheduled but the student does not submit the paper or write the deferred exam on that date (the "deferral date"), the student will receive an F grade for the paper or deferred exam. The student will be permitted to submit, within 10 days of the deferral date, a Petition to the Grades Review Committee for its Spring meeting, requesting relief which may include but not be limited to applying a late penalty (papers only) or writing a supplementary exam or submitting a paper for that course during the Summer supplementary exam period.

7. No Derogation from Existing Rights

These guidelines shall not affect the rights of students who are unable to write an examination due to medical, compassionate or equitable grounds and who:

- a. on reasonable grounds, fail to apply for a deferred examination; or
- b. are refused permission to write a deferred exam;

to petition for relief from the Grades Review Committee and the Academic Standing Committee.

8. Reporting

Without revealing the identities of any students involved, the Assistant Dean, Students shall report annually to the Grades Review Committee at its May or June meeting on the numbers of exam deferrals granted or denied and the nature of the grounds on which deferrals have been granted or denied.

G. PROCEDURE FOR GRANTING IN-TERM ACADEMIC ACCOMMODATION

This rule governs individual requests for extensions, deferrals, waivers or other alterations of course requirements other than final evaluations. Final evaluations are governed by Rule F, above.

1. Types of In-Term Academic Accommodation

Students may request different types of in-term academic accommodation, including:

- a. extending the deadline for an assignment;

- b. deferring a midterm examination/test;
- c. waiving all or part of a participation component in a class; and
- d. alteration of a course requirement.

2. Grounds for In-Term Academic Accommodation

Students may request in-term academic accommodation(s) based on medical (including mental health), compassionate or equitable grounds that would have a significant impact on their performance.

3. Requesting In-Term Academic Accommodation

- a. Requests made to the Instructor

Students may submit their request for in-term academic accommodation directly to their instructor. Requests must be:

- i. made in writing;
- ii. barring exceptional circumstances, received by the instructor before the assignment deadline, midterm test date and/or as soon as the need for accommodation arises; and
- iii. accompanied by supporting documentation.

In these instances, the instructor may, at her/his discretion, provide reasonable accommodation or may refer the request to the Assistant Dean, Students.

- b. Requests made, or referred, to the Assistant Dean, Students

Students may submit their request for in-term accommodation to the Assistant Dean, Students. Requests must be:

- i. made in writing;
- ii. barring exceptional circumstances, received by the Assistant Dean, Students, before the assignment deadline, midterm test date and/or as soon as the need for accommodation arises; and
- iii. accompanied by supporting documentation.

Where the Assistant Dean, Students is of the opinion that the student's performance would be significantly impaired if relief were not granted, the Assistant Dean, Students will act as a liaison between the student and the instructor in order to provide the student with reasonable accommodation.

- c. If a deferred midterm examination/test or an extended assignment deadline has been scheduled but the student does not submit the assignment or write the

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deferred midterm examination/test on that date, the student will receive an F grade for the assignment or deferred midterm examination/test.

4. Appeals

- a. An appeal lies from the decision of the instructor and/or the Assistant Dean, Students regarding the granting of in-term academic accommodation, as determined in Section 3 above, to the Associate Dean (Students).
- b. A student who receives an F grade for an assignment or deferred midterm examination/test in accordance with Section 3.c. above will be permitted to submit, within 10 days after the deferred date or extended deadline to which the appeal relates, an appeal to the Associate Dean (Students), requesting relief which may include, but not be limited to, applying a late penalty (assignments only) or providing a further extension (assignments only), or writing a further deferred midterm examination/test. All forms of relief must be completed before the start of the examination period for the applicable term.
- c. An appeal under clause 4.a. and 4.b. above will be considered on the merits of each particular case, based on specific and documented grounds. Both procedural anomalies as well as other compassionate grounds will be considered.

H. ACADEMIC OFFENCES

On February 17, 2011, the Senate of York University approved the revised [Senate Policy, Guidelines and Procedures on Academic Honesty](#) (the "Senate Policy"). The Senate Policy defines York University's commitment to academic honesty (Section 1) and identifies what constitutes an offence against standards of academic honesty, provides the range of penalties that may be invoked, and identifies factors to be considered when penalties are imposed (Section 2). The Senate Policy also provides procedures for the investigation and resolution of cases of alleged violations of academic honesty (Section 3) and indicates the order of Faculty or Senate hearings of a charge for breach of academic honesty (Section 4).

All Faculties of the University are deemed to be covered by the Senate Policy. Consistent with the Senate Policy, Osgoode Hall Law School has established the following complementary procedures specific to the investigation and resolution of alleged violations of the Senate Policy involving students in Osgoode-based programs.

1. Osgoode Hall Law School Implementation of the Senate Procedures Governing Breach of Academic Honesty*

The procedures below are consistent with those specified by the [Senate Policy, Guidelines and Procedures on Academic Honesty](#).

1.1 Purpose

The following procedures are provided for the investigation and resolution of cases of alleged violations of the Senate Policy on Academic Honesty involving students in Osgoode-based programs. In these procedures, the term “student” includes a York graduate or undergraduate student, a York graduate, a former York student, or a student who is applying to take, is taking or has taken a York course.

1.2 Jurisdiction

1.2.1 Allegations of a breach of academic honesty by a student in a course offered by Osgoode shall be dealt with by Osgoode. In cases of students from other Faculties, the student’s home Faculty (or Faculties) shall have observer status at a hearing and may make submission as to penalty. For students in joint programs or where allegations arise in more than one Faculty, the Faculties will agree on which Faculty will have jurisdiction over the proceedings.

1.2.2 All allegations of breaches of academic honesty other than those in course work shall be communicated by the administrator, committee or other person with direct knowledge (faculty, staff, clinical supervisor, etc.) to the student’s home Faculty.

1.2.3 Should a matter arise for which there appears to be no clear Faculty jurisdiction, the Senate Appeals Committee shall determine which Faculty shall have carriage of the matter.

1.2.4 Appeals of decisions of a Faculty committee are considered by the Senate Appeals Committee.

1.3 Investigating Potential Academic Misconduct

If a person (or persons) suspect(s) a breach of academic honesty:

1.3.1 on assignments, term papers, essays, theses and dissertations, etc., the matter shall be reported to the concerned course instructor or supervisor. For courses, if the evaluator is not the course instructor, the evaluator shall retain possession of the suspect material and provide a written report, together with the

* For ease of reference, the numbering of this document is consistent with the numbering used in the Senate Policy on Academic Honesty.

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- confiscated material, to the course instructor;
- 1.3.2 on non-course work, the person discovering the potential breach of academic honesty, shall retain possession of the suspect material and provide a written report, together with any confiscated material to the Associate Dean (Academic);
 - 1.3.3 in an examination, the invigilator, in cases of suspected impersonation, shall ask the student concerned to remain after the examination and shall request appropriate University identification or shall otherwise attempt to identify the student. In other cases of suspected breach of academic honesty, the invigilator shall confiscate any suspect material. In all cases, the student will be allowed to complete the examination. The invigilator(†), if other than the course instructor, shall give a full report, together with any confiscated material, to the Associate Dean (Academic) (See the [Senate Policy and Guidelines on the Conduct of Examinations](#) for further information);
 - 1.3.4 for research not conducted as part of a course, major research papers/projects, comprehensive examinations, theses and dissertations, person(s) suspecting potential academic dishonesty shall report the matter to the Associate Dean (Academic).
- 1.4 Initiating an Investigation of Potential Academic Misconduct
- 1.4.1 When a faculty member or course instructor directing a course, or having or sharing responsibility for a student's research, examination, or dissertation preparation, or a staff member or person employed to assist in the administration of evaluations, or other person suspecting potential academic dishonesty becomes aware of a possible violation of academic honesty, it is the responsibility of that person to forthwith notify the Associate Dean (Academic) and initiate an investigation of the matter.
 - 1.4.2 It is the responsibility of the Associate Dean (Academic) and the faculty member, course instructor or other person suspecting potential academic dishonesty to collect or assist in the collection of the necessary information and to be prepared to act as a witness at any committee hearing of the matter. The course instructor, faculty member or other person suspecting potential academic dishonesty is not called upon to determine whether or not a breach of academic honesty has occurred, nor to impose punishment, mild or severe.
 - 1.4.3 Once notified of a potential breach of academic honesty, the designated Faculty office shall post a block on enrolment activity in the course. The student may not

† At Osgoode, the practice of anonymous examinations requires that invigilators not report to course instructors but to the Associate Dean (Academic) directly.

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drop or be deregistered from the course for any reason, nor may transcripts be released to the student until a final decision is reached. A request by a student for a transcript to be sent to another institution or to a potential employer will be processed, but if the student is found guilty of a breach of academic honesty, the recipients of the transcript will be provided automatically with an updated transcript.

- 1.4.4 If the investigation relates to work already presented for evaluation but not yet evaluated, the course instructor or faculty member may elect to defer the evaluation of the work until after the matter has been dealt with. Normally, any evaluation of a work which relates to a charge will not be entered into the student's record until after the matter is concluded.
- 1.4.5 If the faculty member, course instructor or other person suspecting potential academic dishonesty decides to proceed with a formal complaint alleging a breach of academic honesty, the complaint shall be submitted in writing to the Associate Dean (Academic) as soon as is reasonably possible. The complaint shall contain a full, but concise, statement of the facts as perceived by the complainant and be accompanied by all available supporting evidence.
- 1.4.6 The Associate Dean (Academic) will normally take carriage of an alleged breach of academic honesty, including when an apparent breach of academic honesty is not tied to a student's enrolment in a specific course (examples of such infractions include 'falsification of an academic record', 'improper research practices', 'obstruction of other's academic activities') ([‡]).

1.5 Exploratory Meeting

- 1.5.1 When a complaint is received by the Associate Dean (Academic) an exploratory meeting shall be arranged to determine whether or not there are reasonable and probable grounds to proceed with a charge of breach of academic honesty. At least seven calendar days' written notice of the meeting and a brief description of the reason for the meeting shall be provided. At this meeting, convened and chaired by the Associate Dean (Academic), the student may be accompanied by a representative and the Associate Dean (Academic) may have another person present.
- 1.5.2 The exploratory meeting will result in one of the following:
 - i. It is agreed by all parties that no breach of academic honesty occurred. No

[‡] At Osgoode, it is the Associate Dean (Academic) rather than the faculty member or course instructor who will normally have responsibility for the conduct of the investigation, exploratory meeting and hearing of cases of alleged breach of academic honesty.

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records of the matter shall be retained.

- ii. If the student wishes to admit to a breach of academic honesty, a document signed by the student and the Associate Dean (Academic) which includes the admission, a summary of the matter and a joint submission as to penalty shall be forwarded to the Faculty committee which deals with allegations of breach of academic honesty. In such cases, the agreed-upon penalty shall not exceed failure in the course. The responsible Faculty committee receiving such a joint submission will normally impose the penalty suggested, but if it is of the opinion that some other penalty would be more appropriate, it shall arrange for a hearing of the matter, to which the student and faculty member will be invited.
- iii. If the student wishes to admit to a breach of academic honesty but no agreement is reached on recommended penalty, a document signed by the student and the Associate Dean (Academic), which includes the admission, a summary of the matter and individual submissions by the student and the Associate Dean (Academic) as to penalty shall be forwarded to the responsible Faculty committee, which shall arrange a hearing of the matter, to which the student and faculty member will be invited.
- iv. If the student elects not to attend the meeting, and if those present find sufficient grounds to proceed with a charge of breach of academic honesty, a summary of the matter shall be forwarded to the responsible Faculty committee, which shall arrange a hearing of the matter, to which the student will be invited.
- v. If the Associate Dean (Academic) decides that sufficient grounds exist to proceed with a formal charge of academic misconduct and the student does not admit to this alleged breach of academic honesty, a formal charge shall be prepared and submitted to the responsible Faculty committee. The charge shall contain a full, but concise, statement of the facts as perceived by the complainant and be accompanied by all available supporting evidence. The Associate Dean (Academic) will forward the documents contemplated in items iii. and iv. above and this section to the responsible Faculty committee.

1.6 Formal Hearing

- 1.6.1 The Associate Dean (Academic) shall give to the student and to the case presenter who is to present the case for Osgoode a written copy of the charge, a copy of the materials submitted by the course instructor or faculty member or other complainant which includes a summary of the evidence, a copy of the procedures to be followed and not less than 21 calendar days' written notice of the time and location of the hearing. If the student wishes to waive all or part of

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the notice period, she/he should inform the Associate Dean (Academic) in writing. If the student wishes to file a written response to the charge, it must be received by the Associate Dean (Academic) within 14 calendar days of the date on which the charge was sent to the student. The Associate Dean (Academic) will send a copy of the student's response to the charge to the case presenter. Both the student and the case presenter must inform the Faculty committee of their intention to call witnesses and file names of these witnesses at least seven calendar days prior to the hearing.

- 1.6.2 Prior to the hearing, if a student acknowledges the accuracy of the charges, the student may waive the right to a hearing by submitting a written statement that both admits guilt and waives the right to a hearing.
- i. In this statement, the student may make submissions as to appropriate penalty and give reasons. If the Associate Dean (Academic) concurs with the penalty recommendation of the student, a jointly signed submission will be forwarded to the Faculty committee. In such cases, the agreed-upon penalty shall not exceed failure in the course. Should the Faculty committee find that some other penalty would be more appropriate, it shall arrange for a hearing of the matter.
 - ii. If the Associate Dean (Academic) and student do not agree on a recommended penalty, individual submissions as to penalty shall be made by the student and case presenter to the committee at a hearing of the matter.
- 1.6.3 Only the Faculty committee members, a recording secretary, the case presenter, the student, the student's representative(s)/adviser(s) (who may be lawyers), a representative of Osgoode and the witnesses may be present at a hearing. The matter will be heard before a committee consisting of three faculty members selected by lot by the Associate Dean (Academic) from among the entire eligible faculty. Upon the request of the person charged with an academic offence, the committee shall consist of two faculty members selected by lot by the Associate Dean (Academic) from among the entire eligible faculty and one member selected by lot by the Associate Dean (Academic) from among all eligible student members of Faculty Council. Where any committee member cannot serve, she/he shall be replaced by another faculty or student member, similarly selected. Committee members shall be at "arm's length" from the student charged with a breach of academic honesty. Committee members are not at "arm's length" if they have had a significant personal or professional relationship with the student charged (§). Witnesses shall be present at the hearing only while

[§] Individuals asked to serve as committee members shall be told the identity of the student(s) involved. A potential

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testifying. Exceptions to this policy may be made at the discretion of the committee. The committee shall arrange for a recording secretary to take notes of the hearing. A record prepared from these notes will constitute the official record of the proceedings. Parties may, if they wish, arrange for their own written record of the hearing to be taken. The committee shall select one of its members to act as Chair. The Chair of the committee has full authority to assure an orderly and expeditious hearing. Any person who disrupts a hearing, or who fails to adhere to the rulings of the committee may be required to leave.

- 1.6.4 The committee shall consider the facts and circumstances of the case and determine whether there has been a breach of academic honesty. If a finding of academic misconduct is determined, the committee shall hear submissions as to the appropriate penalty and then decide the penalty.
- 1.6.5 If a student fails to appear at a hearing after proper notice, the hearing may proceed, a decision may be made and sanctions may be imposed, unless the student can establish, in advance of the hearing and to the satisfaction of the committee, that there are circumstances beyond her or his control which make an appearance impossible or unfairly burdensome.
- 1.6.6 Parties must be allowed a full and fair opportunity to present their evidence and to respond to the evidence presented against them. Parties are allowed to cross-examine each other's witnesses in matters related to the charge. The committee has the discretion to make rulings as to admissibility of evidence or the suitability of cross-examination. The committee is not bound by formal rules of evidence applicable in courts of law.
- 1.6.7 When the parties have presented all available relevant evidence and witnesses, each party may present a final argument. Following this the parties shall be excused without further discussion. The committee shall then enter into closed session to determine whether a breach of academic honesty has occurred. A finding of academic misconduct supported by a majority of committee members shall be binding.
- 1.6.8 If the committee does not render a finding of academic misconduct, all records of the charge and hearing will be held by the student's home Faculty until such time as appeals procedures are exhausted or abandoned. Thereafter, a record consisting of the complaint and the decision letter will be placed in a confidential

committee member is required to disclose any relationship that may mean that she/he is not at "arm's length" from the student charged. Simply knowing a student or having taught a class that she/he has taken does not normally disqualify a potential committee member.

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file retained in the Office of the Dean of the student's home Faculty.

- 1.6.9 Following a finding of academic misconduct, the committee shall next allow both parties to make a presentation as to suitable penalty. At this point the committee may be made aware of other academic offences in the student's file. The committee will again enter into closed session and decide upon the sanction. A decision by the majority of the committee to impose a particular penalty shall be binding. The decision of the committee, as described in Item 4.8 of the Senate Policy on Academic Honesty, must be communicated to the parties in writing, delivered by hand or by mail. A record of the offence, the proceedings and the finding will be retained in the Office of the Dean of the student's home Faculty, regardless of the severity of the penalty, and be held for a time consistent with the University's records retention guidelines. This record is for internal academic purposes only. A note shall be placed on the Student Information System to bar withdrawal from the course.
- 1.6.10 If the student is found to have committed a breach of academic honesty in work related to a funded research project, the Vice President Academic shall be notified and the Vice President or a designate shall determine whether to notify the granting agency.
- 1.6.11 If a student from another institution enrolled in a joint program or attending York on Letter of Permission is found to have committed a breach of academic honesty, notice of the Committee's findings will be sent to the other institution.

2. Order of Faculty or Senate Hearings on Academic Honesty

The following indicates the order in which a Faculty or Senate committee should proceed when hearing a charge of breach of academic honesty. The committee may alter the order in the interests of fairness or in cases where multiple students are charged with related offences.

2.1 The Chair shall:

- introduce the parties and members of the committee;
- identify the nature of the case and evidence before the committee.

2.2 The presenter's case:

- briefly describe the case to be presented, in an opening statement;
- present support for the charge through oral testimony of complainant and witnesses, and through documentary evidence;
- the student (or her/his representative) may ask questions of each of the presenter's witnesses at the close of that person's testimony;
- committee members normally ask questions at the end of each person's testimony

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but may interrupt if clarity is required.

2.3 The student's case:

- briefly reply and indicate main arguments in an opening statement;
- present support for her/his case through oral testimony provided by her/himself and witnesses as well as documentary evidence;
- the presenter may ask questions of each of the student's witnesses at the close of that person's testimony;
- committee members normally ask questions at the end of each person's testimony but may interrupt if clarity is required.

2.4 The presenter shall be allowed to present testimony or other evidence in reply to new issues raised in the student's case which were not raised in the original presentation.

2.5 At any time, the committee may require other witnesses or the production of other written or documentary evidence and may, if it sees fit, adjourn the hearing after allowing both parties the opportunity to speak to the adjournment.

2.6 Following the presentation of evidence, the parties are entitled to make closing arguments and to summarize briefly the main points of their cases, but no new evidence may be introduced. This will proceed in the following order: the student (or her/his representative) followed by the presenter.

2.7 The committee will move into closed sessions for deliberations and decision. If there is a finding of academic misconduct, the committee will then consider submissions as to appropriate penalty, then return to closed sessions and decide on the appropriate penalty.

2.8 The written decision of the committee shall include:

- the names of committee members and all who appeared;
- a summary of the cases of the parties;
- the committee's findings of fact, decision and reasons; and
- the route of appeal.

3. Osgoode Guidelines on use of Collaborative Study Materials in Examinations

The York University Senate Policy on Academic Honesty (the "Policy") contains a number of offences against the Standards of Academic Honesty. One of these is cheating (Section III A 2.1). The Policy provides a number of examples of cheating, which include:

- "submitting work prepared in collaboration with another or other member(s) of a class, when collaborative work on a project has not been authorized by the instructor"

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- “submitting work prepared in whole or in part by another person and representing that work as one’s own”

In light of these examples of cheating in the Policy, certain questions have arisen as to their impact on practices such as student collaboration in the preparation of a “summary” of course material, which may be brought into an open-book examination, or the practice of using a widely-circulated summary as an aid in an examination context. Thus, students may each write different sections of a summary, or jointly produce all or part of a summary, or use a summary prepared in a previous year and available online. If a section of a summary is reproduced in an examination, where that section was not written by the student reproducing it, the question arises as to whether this constitutes an academic offence, in light of the language of the Policy above. A similar situation arises where students collaborate on the production of “sample” answers to questions that may be asked in an open-book examination, where several students reproduce that sample answer in the examination. There may also be other examples of pre-prepared or jointly-prepared study materials.

This memo from Academic Policy and Planning Committee (APPC) is intended to provide some guidance on these issues. For the sake of simplicity, the examples provided in the paragraph above will be referred to as “collaborative study materials”. 1.1 is addressed to JD students. 1.2 is addressed to instructors.

3.1 Guidance to Students on Use of Collaborative Study Materials in Examinations

- 3.1.1 In all cases, your approach to the use of collaborative study materials in an examination context should be guided by the Policy referenced above and any specific instructions provided on these issues by your instructor
- 3.1.2 Unless your instructor advises otherwise, you should assume that s/he is expecting that your examination answers represent your own individual work. In particular, while collaborative study materials may be used as a learning/study aid, the answers you give in your examination must be your own and should be expressed *in your own original words*. For example, unless you prepared the study materials yourself, you should not reproduce material from them verbatim, because the *instructor is assuming that the work is your own work*. Also remember that instructors, where appropriate, may give credit for the originality of the analysis or legal opinion provided in an examination answer.
- 3.1.3 It is acceptable to reproduce excerpts from cases, statutes or other legal materials in answering examination questions. The accurate transmission of

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concepts and tests established in authoritative cases or other legal materials is a skill being acquired at law school. Check with your instructor as to their expectations about the requirement to provide citations for cases and statutory provisions that you reproduce in exam answers.

3.1.4 If you are uncertain about the appropriate use of any form of study materials in an examination context, it is your obligation to consult the instructor.

3.2 Guidance to Instructors on Use of Collaborative Study Materials in Examinations

3.2.1 In light of the examples of cheating above, drawn from the Policy, APPC requests that instructors be clear with students as to their expectations concerning the use of collaborative study materials in an examination answer context. APPC assumes that the foundational principle is that students are being awarded individual grades for individual intellectual effort, unless a different norm has been established with the class in advance.

3.2.2 Please review with your class the guidance being provided to students in the memo above, and if you wish to deviate from it, be explicit with the class about how you will do so in the context of your examination. Note that while the Policy makes clear that instructors may authorize the presentation of collaborative work, it does not provide an alternative to the principle that representing work prepared by someone else as your own is an academic offence.

3.2.3 From the perspective of the Associate Dean (Academic)'s office, one key issue in the application of the Policy is whether the student is "submitting work" done by another when they draw upon collaboratively-prepared materials. Another is the issue of whether the student is representing the work as their own work when it is not. An important part of the analysis will be what the instructor's expectations were about the nature and extent of collaboration in preparing the examination answers. Please be as clear as possible about this with students.

3.2.4 Note that the Senate Policy says that "(I)t is the responsibility of the faculty member to forthwith notify" the Associate Dean (Academic)'s office and initiate an investigation, where the faculty member "becomes aware of a possible violation of academic honesty".

I. EXTENDED TIME PROGRAM AND LEAVE OF ABSENCE

1. Extended Time Program Guidelines

- 1.1 First-year students accepted into the Extended Time Program will normally be required to carry between 13 and 23 credit hours over two semesters.
- 1.2 Second- and third-year students accepted into the Extended Time Program will normally be required to carry between 13 and 17 credit hours over two semesters.
- 1.3 The Extended Time Program has been approved on a pilot project basis and will be reviewed after four years (1998-1999). The following regulations concerning this program were approved by Faculty Council in March 1993 and February 1995.
- 1.4 The Extended Time Program is available to first, second- and third-year students completing the JD degree.
- 1.5 Admission to the first year of the Extended Time Program is determined by the Admissions Advisory Committee.
- 1.6 Admission to the Extended Time Program is determined only after an applicant has been determined admissible to the JD Program through one of the existing categories.
- 1.7 Admission to the Extended Time Program is limited to a maximum of five students in any one academic year, with a total program of 30 students in all three years of the JD Program at any one time.
- 1.8 The division of the required first-year courses shall be determined by the Academic Policy and Planning Committee once the first-year curriculum revision is complete, allowing for a balance of courses and progression of studies.
- 1.9 Students are allowed to enter or leave the Extended Time Program in any year level of the JD Program, again subject to current program entry provision relative to students already enrolled at Osgoode.
- 1.10 The Academic rules shall be applied to the Extended Time Program and to a student in the Program so that as near as possible, and subject to the fairness principle expressed in Rule 7 of Section E, a student in the Program shall be in the same position as a student who is not in the Program.
- 1.11 When the following Rules are applied to a student in the Extended Time Program, the words "semester" and "academic year" shall have the same meaning they have when applied to a student not in the Program: Rules 4.6(c), 6.1 and 6.2 of Section A; Rules 3 and 4 of Section C; Rules 3.1 and 3.2 of Section D; and Rule 4.1(e) of Section E.
- 1.12 When the following rules are applied to a student in the Extended Time Program, the

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word "semester" shall mean a period made up of two semesters; and the words "academic year" shall mean a period made up of two academic years: Rules 3.4, 4.1(a), 4.4(a), 4.9(b) and 5.1(a) of Section A; Rules 3.1(c), 5.3(a) and 5.3(d) of Section E.

- 1.13 When Rule 4.5(c) of Section A and Rule 2.1 of Section D are applied to a student in the Extended Time Program the references of "two", "three" and "four" semesters shall read to mean four, six and eight semesters respectively.
- 1.14 When Rule 4.1(b) of Section A is applied to a student in the Extended Time Program, the words "academic year" shall be read to mean the first academic year of the period made up of two academic years which constitutes each of the second year and the third year of a student in the Program.
- 1.15 Rule 3.1(a) of Section E shall be applied to a student in the Extended Time Program as if the opening clause of the Rule reads as follows: "Immediately upon release of the Fall semester grades and of the Winter semester grades of the first academic year of the period made up of two academic years which constitutes each of the second year and the third year for a student in the Program."
- 1.16 When Rule 3.1(b) of Section E is applied to a student in the Extended Time Program it shall be deemed to include a provision that an interim decision whether any grade of such a student should be adjusted by the Grades Review Committee may be taken at the end of the Winter semester of a year that is the first academic year of the period made up of two academic years which constitutes each of the second year and the third year for a student in the Program.
- 1.17 When Rule 4.2(b) of Section E is applied to a student in the Extended Time Program it shall be deemed to include a provision that a Petition of a student in the Program may be considered in the first instance by the Grades Review Committee at its May or June meeting at the end of the Winter semester of a year that is the first academic year of the period made up of two academic years which constitutes each of the second year and third year for a student in the Program.

2. Leave of Absence

- 2.1 Students will not be permitted a leave of absence during the first year of their JD studies except in exceptional circumstances. After completion of the first year of JD studies, a student may request and receive, on a pro forma basis, one leave of absence of not more than two consecutive semesters. A request for any further leaves of absence may be granted only in the most exceptional circumstances.
- 2.2 A request for a leave of absence should be submitted to the Assistant Dean, Students or the Associate Dean (Students).

SECTION III: LECTURE RECORDING POLICY

Osgoode Hall Law School is committed to excellence in legal education and to the principle and practice of student engagement in learning. Osgoode students are expected to attend classes and to accept responsibility for their class preparation, note-taking and class participation.

However, the Law School recognizes that, for some students, engagement sometimes requires accommodation. Depending on the circumstances, accommodation for some students may take the form of lecture notes; for others, it could mean being able to listen to recorded lectures; and, on occasion, for some, it could mean both lecture notes and recordings. Moreover, the variety of demands on and burdens borne by students mean that considering ad hoc requests for accommodation throughout each term has imposed enormous demands on staff time and resources. Meanwhile, advances in technology have opened up new ways to be responsive to student needs, while respecting instructors' choices about how to deliver their courses and how they wish to have students engage and learn.

In the past, to assist students who are entitled to make recordings as a form of accommodation, the Law School has endeavored to do so on their behalf using university equipment and resources. Unfortunately, due to a combination of equipment failure and human error, the Law School lacks the capacity to effectively and reliably record lectures. Therefore, students who are entitled to make recordings as a form of accommodation – see Section IV below – are strongly encouraged to do so using their own recording devices. Although the Law School will continue to make its best efforts to record lectures using its own equipment and make those recordings available as part of our efforts to accommodate student needs, the Law School does not warrant that it will be successful in making lecture recordings or that recordings made will be of good quality. As a result, the Law School expressly cautions accommodated students against relying on its recordings and encourages accommodated students to make their own recordings using their own equipment, with the consent of the instructor.

When it comes to lecture recording, the governing principle informing this policy remains the same as in the past – a lecture is the intellectual property of the instructor. Recordings may be permitted where an instructor consents and recordings are generally not permitted where an instructor does not consent, subject to the exceptions set out below for accommodated students. Beginning in Fall 2015 Osgoode's Lecture Recording Policy will be as follows:

- I. The default will be that lecture courses at Osgoode will be recorded by the instructor. The default for seminars is that they will not be recorded.
- II. All students will be entitled to access to all successful recordings for lecture courses in

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which they are enrolled.

- III. Instructors will make reasonable efforts to use the classroom TechSmith Relay technology to record their lectures.
 - a. In the alternative, instructors may use their own personal recording device, or may make arrangements for a student, or students, in the class to make reasonable efforts to record lectures on a personal recording device. In these instances, the recorded lecture must be made available to all students in the class by posting to the class (Moodle) website.
 - b. Instructors who elect not to use the classroom TechSmith Relay technology shall advise the Assistant Dean, Students (mrimon@osgoode.yorku.ca) of this election and the alternative method of recording.
- IV. Instructors may opt out of this default recording policy based on a number of justifiable pedagogical reasons, such as to encourage personal attendance and candid discussion in the classroom. Instructors who choose to restrict access to their lecture recordings shall advise the Associate Dean (Academic) and, in any event, shall still provide access to recordings for students in need of accommodation by making reasonable efforts to use the classroom TechSmith Relay technology only and in accordance with the following policy and procedure:
 - a. Recordings for Students in Need of Accommodation (Restricted Access Classes)
 - i. *Students with Disabilities*

Osgoode is committed to working with students with disabilities to identify the forms of accommodation that meet the needs of the individual student in order to ensure, as far as possible, that student's ability to participate fully in the academic program.

Students with disabilities are to contact the Office of Admissions and Student Services. From there, the student will be referred to York's Student Accessibility Services, which is tasked with reviewing any supporting documents and deciding whether a student should be permitted to record lectures and/or obtain lecture notes as a form of reasonable accommodation.

If York's Student Accessibility Services advises that because of a disability a student should be permitted to either record lectures or obtain notes, the student will be required to choose which form of accommodation they prefer. Should York's Student Accessibility Services recommend the need for both forms of accommodation, both would then be facilitated as far as possible.

For those students who require lecture notes, the Dean's Scribes Program has

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been created to pair, as far as possible, selected anonymous 'scribes' with students whose documented disabilities indicate that they require the assistance of a peer note-taker as a form of accommodation.⁵ The Law School makes best efforts to pair students with 'scribes'. Given that we rely on student volunteers, both the availability and the quality of the notes may vary.

ii. *Student Absence of Three or More Days: Serious Medical or Compassionate Situations*

Osgoode may approve access to lecture recordings for individual students who are unable to attend classes due to a serious medical situation or family emergency, or death in the family necessitating an absence from school of three or more days.⁶ Access to lectures in these circumstances for absences longer than four weeks of classes must be referred to the Assistant Dean, Students or the Associate Dean (Students).

iii. *Religious Observance*

Osgoode may approve access to lecture recordings for individual students who are unable to attend class for reasons of religious observance. Requests must be made at least one week in advance of the proposed absence and will be granted in accordance with York University's Religious Accommodation Guidelines.

iv. *Make up classes, Mooting and Court/Hearing Attendances*

Instructors may approve access to lecture recordings of make-up classes. Although this is regarded as best practice, the granting of access to such recordings is entirely in the discretion of the instructor.

In addition, if a student will be away from the Law School for three or more days in order to attend a mooting or lawyering skills competition or to attend court or a tribunal hearing in relation to one of the Law School's clinical or intensive programs, they may be permitted to access the lecture recordings for classes that they miss during that period.

⁵ Students interested in volunteering to be a Dean's Scribe or who wish to inquire about obtaining class notes from a Dean's Scribe should contact Gayle Dyke, Programs and Records Coordinator at gdyke@osgoode.yorku.ca.

⁶ 'Family' in this Policy includes close family members and others with a close, family-like relationship to the student.

b. Procedure for Students in Need of Accommodation (Restricted Access Classes)

i. *Approval of Requests for Non-Disabled Students*

The procedure by which permission to record lectures – or access lecture recordings - is obtained by disabled students was detailed above. For all other requests under this policy, in order to ensure adequate notice to the Law School and to the instructors involved, any student wishing to obtain permission to record a lecture or lectures – or have access to a lecture recording(s) must:

- make this request in writing not less than one week in advance of the class that is to be recorded where the basis of the request is religious observance or to attend a moot or a court or tribunal hearing, or twenty-four hours in advance in the case of medical or compassionate grounds;
- submit the request by web application form available on [MyOsgoode](#)
- identify the serious medical situation, family emergency or death in the family, or the moot or court or tribunal attendance, that necessitates their absence; and
- support the request in all cases by appropriate documentation substantiating the existence of the grounds.

If the request is not granted:

- a request by an instructor on behalf of the same student will not be granted;
- a request for reconsideration thereof may be undertaken only by the Assistant Dean, Students or the Associate Dean (Students), as appropriate.

c. The Mechanics of Lecture Recording (Restricted Access Classes)

If a student is granted permission to record a lecture – or have access to a lecture recording - for any of the reasons noted above, the following procedures govern:

- i. With the consent of the instructor, the student may make a recording themselves or have another student who they designate do so on their behalf.
- ii. The instructor may record the lecture using their own device and provide it to the individual student.
- iii. In all other instances, the instructor will record the lecture using the electronic classroom's 'lecture capture' technology and the Office of

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- Admissions & Student Services will facilitate the student's access to the recording(s).
- iv. The York UIT Classroom Operations department provides training sessions to instructors on the use of the 'lecture capture' technology in the electronic classrooms as part of a continued effort to attempt to record lectures. Instructors will continue to be encouraged to make lecture recordings using that technology. *Full-time Faculty must request additional assistance through their faculty assistants. Adjunct Faculty must request additional assistance through help@osgoode.yorku.ca. It is recommended that bookings for assistance be made seven business days in advance.*
 - v. Any recording that the Law School manages to successfully capture will be made available only to the student entitled to record the lecture under the terms of this policy.
- V. Notwithstanding the Law School's best efforts to assist all students with the learning and classroom engagement process through the use of technology, the Law School acknowledges and students should be aware – as evidenced by past practices and experiences – that not all technology works all the time. Therefore, notwithstanding this policy, students who rely on audio recordings may seek to supplement the Law School's audio recordings with their own audio recordings using their own equipment, with the consent of the Instructor.
- VI. The failure of a lecture to be successfully recorded, or a deficiency in a recording, does not render the material covered in that lecture unexaminable or otherwise exempt from evaluation.
- VII. Limitations on Use of Recording and Duty to Destroy
- a. A student who either records a lecture using his or her own equipment, or who accesses a lecture recorded by the Law School using lecture capture technology, is prohibited from reproducing or distributing the recording or any portion thereof to anyone and from using the recording for any purpose other than for the personal academic use for which the recording was made according to this policy. Students who access these recordings undertake to abide by this prohibition. Failing to respect this prohibition would be a breach of Osgoode's Academic Honesty rules (Rule 3.3.2 – "non-course work") and/or the Student Code of Conduct and will be treated accordingly.
 - b. Further, at the end of the deferred exam period in any given term, all students who are in possession of recordings obtained under the operation of this Policy from that term are required to delete any such recordings and not retain any

copies of such recordings, either in whole or in part, for any purpose whatsoever.

This policy will be reviewed at the end of each academic year to consider its effectiveness and any potential modifications going forward.

SECTION IV: OSGOODE FINANCIAL SERVICES: FUNDING PROCEDURES & GUIDELINES

A. BURSARY PROCESS AND INFORMATION GUIDE

The goal of Osgoode Hall Law School's Fall bursary process is to provide a fair and equitable distribution of funds to as many students as possible with demonstrated financial need.

This document is intended to be a comprehensive guide which outlines all aspects of the Fall bursary process, including: 1) eligibility requirements; 2) the bursary application; 3) the application review process; 4) the disbursement process; 5) uses of the bursary assessment; and 6) student obligations with respect to the process.

All students are expected to review this guide prior to applying for a Fall bursary. Any questions should be directed to the Financial Services Office (FSO) at financialservices@osgoode.yorku.ca.

1. Eligibility Requirements

The following students may apply for an Osgoode bursary:

- Domestic and international students enrolled in the JD program who are paying tuition fees to Osgoode Hall Law School (Osgoode), including transfer students.
- Letter of Permission students paying Osgoode tuition.
- Joint program students, during the terms they are paying tuition to Osgoode. JD/MBA students paying fall term tuition to Schulich and winter term tuition to Osgoode, are eligible for a bursary. However the value will be reduced by 50%, as it is intended to assist with Osgoode tuition payment in the winter. Note that funding provided by the other faculty/school must be declared in the bursary application.
- Students on approved Osgoode/York international exchange programs who are paying Osgoode tuition.
- Students in the JD/LL.B (Civil) program with the Université de Montréal, if they are paying Osgoode tuition.
- Students in the Extended Time Program. (Note that such students' bursary entitlement will be prorated in proportion to their course load).

The following students may not apply for an Osgoode bursary:

- National Committee on Accreditation (NCA) students.
- Osgoode students on a Leave of Absence for the year (students on Leave of Absence for one term only are eligible however their bursary will be reduced by 50%).
- Osgoode students on a Letter of Permission at another school, who are paying fees to that school.
- Exchange students from other law schools, who are paying fees to their home school.

In addition, to be considered for bursary funding, students must meet the following eligibility requirements:

1. They must apply to a government student loan program in the same year as the bursary application.
2. They must apply for a student line of credit in the same year as the bursary application. Students may apply to any bank, but if they are denied by their first choice, a second application must be made to either RBC, TD Bank or Scotiabank, because these banks have specific loan programs in place for law students. If a line of credit is already in place, students must show that they have activated it for the present academic year (i.e. requested the next installment, if it is released in separate annual installments) by providing an up-to-date statement of funding available; and
3. They must provide complete documentation to support information reported in the bursary application. This includes:
 - a. proof of a government student loan for the current academic year, reflecting the total amount of funding available (or proof of denial, if applicable);
 - b. proof of an active student line of credit for the current academic year, including the amount used to date, the amount remaining and the total credit limit (or proof of denial, if applicable);
 - c. statements reflecting all outstanding educational debt, including past government student loans, lines of credit, credit cards and personal/private loans;

- d. statements for all personal chequing, savings and investment accounts;
- e. if applicable, proof that a student who is living at home with their parents is paying rent and/or contributing to other living expenses (detailing the student's share of the expenses);
- f. if a student reports expenses which exceed the allowable budget, documentation to support the explanation provided for the excess in Part C of the application; and
- g. documentation to support any other factors or unique circumstances cited in the bursary application, which the student feels the FSO should take into account when assessing financial need.

Why are the above required?

Requirements (1) and (2) exist because bursary funds are intended to help students meet their expenses for the current year, after they have exhausted all other available resources. We expect students to attempt to secure provincial government funding and a student line of credit to help fund their legal education.

Supporting documentation is required to ensure accurate and honest reporting, to corroborate explanations for expenses which exceed those set out in the allowable budget, and to provide the FSO with additional information about unique or exceptional circumstances.

2. Bursary Application

The bursary application is available online on the first day of school. This year, complete bursary applications, including the completed online application form and uploaded supporting documentation, are due by 11:59 PM **on Monday, September 21, 2020**. If a student is unable to provide a document (for example because he/she has not yet received her OSAP assessment) he/she must notify the FSO and provide it as soon as possible.

There are three parts to the bursary application:

Part A – Personal, Family and Financial Information

Part A of the bursary application asks students to provide basic personal, family and financial information, including:

- personal and family circumstances (e.g. residency, marital status, dependents, living

- arrangements);
- registration status (e.g. year of study, extended or full-time);
- anticipated expenses for the eight-month academic term, having reference to the allowable budget (see below);
- available resources and assets (e.g. government aid, parental/spousal contributions, scholarships/awards, savings, professional student line of credit);
- outstanding educational debt (e.g. outstanding government loans or student line of credit funds used for prior academic pursuits).

Expenses - Allowable Budget

The expense section of the bursary application contains an 'allowable budget' which sets out the expected average expenses for a student living in Toronto, for the eight-month academic term. Although students may report their actual expenses, the FSO expects that they will adhere to the allowable budget numbers. Students will not be penalized for reporting actual expenses which exceed the budget; rather, such expenses will not be considered in the assessment of financial need unless a reasonable explanation for the excess is provided. More information about the treatment of reported expenses which exceed those set out in the allowable budget is provided in the next section.

Please see [here](#), for a copy of this year's allowable budget, as well as further information about reporting specific expenses.

Resources and Assets

It is expected that students will explore and exhaust all available resources and assets, including, but not limited to, family/spousal contributions, government funding, student lines of credit, external awards or scholarships and personal savings. In addition, it is expected that students will obtain employment each summer, and therefore have some income to report as a resource for the following year. A student who does not obtain summer employment must provide an explanation as to why in Part C of the application.

Educational Debt

An expected average educational debt load per year is set out in the bursary application. Only debt related to academic pursuits is considered in the assessment of financial need. General consumer debt will not be considered. Including an expected average educational debt load allows a uniform standard to be applied to all students as a starting point and helps to ensure that consumer debt is not disguised as educational debt. Students who report debt which exceeds the expected debt load per year must provide an explanation

in Part C of the application.

Part B – Supplemental Information

Bursaries are funded through a combination of Tuition Set Aside funds, Osgoode unrestricted funds and donor-designated bursaries. Students complete one bursary application to be considered for all sources of bursary funding. Many of the donor-designated bursaries have very specific criteria. Part B of the application asks a series of questions related to the student's interests, extracurricular involvements and other personal characteristics to help the FSO identify students who meet the criteria for specific donor-designated bursaries. The information provided in Part B of the application will **not** affect the student's bursary entitlement, it will only affect where the funds making up the bursary award will come from. For example, if a student is assessed as Level 3, he or she will receive \$5,000, regardless of whether he or she meets the criteria for a particular donor-designated bursary.

Part C – Additional Considerations and Explanations

Part C of the application gives students an opportunity to discuss additional factors or unique circumstances that they feel are relevant to the assessment of need, and which were not fully captured in Part A or B of the application. If students report expenses or educational debt that exceeds the allowable budget or the expected debt load per year, they **must** provide an explanation in Part C. As noted earlier, corroborative documentation is required to support such explanations.

We **strongly encourage students to fully complete Part C** of the application.

3. Application Review Process

The application review process takes place during the months of October and November. A detailed review of all bursary applications and supporting documentation is conducted by the FSO staff. Where resources permit, two staff members will review each application.

The review process involves a comparative assessment of all bursary applications; that is, a student's level of financial need is assessed relative to that of all other bursary applicants in the same year of study.

Stage One – Objective assessment

The application review process begins with an objective assessment of financial need. The starting point for every assessment is an assumption that the student's expenses adhere to the allowable budget. While some students may disagree with the numbers in the

budget, the purpose of the allowable budget is to apply a conservative and uniform standard to all students, and to reduce the risk that students who spend extravagantly will receive greater bursary awards.

The student's allowable resource/expense shortfall (meaning the difference between the student's reported resources and assets, and the allowable budget expenses for the eight-month academic term) will be calculated to arrive at a preliminary assessment of need. At this stage, the FSO will also assume that the student's level of educational debt is in line with the expected debt load per year, as set out in the application.

Stage Two – Subjective considerations

In the second stage of the process, the FSO may consider actual expenses, actual debt and any additional information and/or unique circumstances reported by the student and supported by corroborative documentation. This allows the FSO to conduct a more holistic assessment of each student's unique situation.

Expenses exceeding the allowable budget

If a student reports expenses that exceed those set out in the allowable budget, a reasonable explanation must be provided in Part C of the application. Examples of reasonable explanations may include:

- significant or unexpected health care costs;
- larger (and hence more expensive) accommodations because a student is a custodial parent or caregiver for an elder or other family member;
- extenuating family circumstances such as disability or illness; or
- unexpected expenses, such as those due to fire or theft.

The above is not an exhaustive list, but rather is intended to illustrate the type of explanations that the FSO will consider reasonable. Part C should not be used to explain why the allowable budget numbers do not represent average living costs in Toronto.

The FSO will assess the explanation provided. If the explanation is considered reasonable and is supported by corroborative documentation, the FSO will adjust the student's preliminary resource/expense shortfall to include the actual expense (instead of using the allowable expense amount). If no explanation and/or corroborative documentation is provided, or if the explanation is not considered reasonable, the FSO will use the allowable budget amount for that expense when determining the student's resource/expense shortfall.

Educational debt exceeding expected average

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If a student reports an educational debt load that significantly exceeds the expected average debt load per year set out in the bursary application, a reasonable explanation for that excess, as well as corroborative documentation, must be provided. An example of a reasonable explanation may be that the student pursued graduate studies prior to law school, and therefore has accumulated more debt than a student coming to law school from an undergraduate program.

If a reasonable explanation is provided and supported by corroborative documentation, the FSO will consider this extra debt, in addition to the student's resource/expense shortfall, in the final assessment of financial need. If no reasonable explanation and/or corroborative documentation is provided, the extra debt will play a relatively small role in the final assessment of the student's financial need.

Lack of summer income

As noted earlier, there is an expectation that students will obtain summer employment during each year of law school, and that some of their summer income will be available for the current academic term. If no summer income is reported in Part A, a reasonable explanation of why must be provided in Part C. An example of a reasonable explanation for no summer income would be participation in a law-related, unpaid summer internship, such as the International Legal Partnership. If no explanation is provided, the FSO will consider the student to have some resources available from the summer when assessing the student's resource/expense shortfall.

Additional personal, family or financial circumstances

As students have unique personal, family and financial circumstances, the FSO will consider all additional information provided by the student to arrive at a fair and holistic assessment of the student's situation and level of financial need. Examples of circumstances that may be considered may include:

- sole caregiver status, family size, number of dependents;
- health and disability status;
- ineligibility for a government loan/line of credit (reasons must be provided);
- travel costs due to illness of a family member; and
- unexpected changes in personal or financial circumstances, such as marital breakdown or loss of a spouse's income.

The above is not intended to be an exhaustive list, but rather to illustrate the kind of information that a student may wish to convey to the FSO. It is necessary to provide the FSO with as much information as possible to explain why these factors should be considered in the final assessment of need.

Stage 3 - Arriving at a Final Assessment of Need

The primary consideration in the assessment of financial need is the student's resource/expense shortfall for the current academic year. This is because bursary funds are primarily intended to help students meet their expenses for the current academic year. While outstanding prior educational debt load is a consideration, it is secondary to the resource/expense shortfall. After the Stage 2 review, a final assessment of need will be made. This final assessment will then be considered comparatively with the final need assessments of all bursary applicants, and a final ranking will be assigned.

Students will be ranked as Level 1 (\$1,500), Level 2 (\$3,000), Level 3 (\$5,000), Level 4 (\$7,500), Level 5 (\$11,500), Level 6 (\$15,000) or no financial need (\$0). A ranking of no financial need may be assigned where, relative to all other applicants, a student shows little (or no) resource/expense shortfall and/or documented debt load.

Disbursement Process

Bursaries are distributed in late November/early December. Students will be notified by email about their bursary entitlement and the amount will be posted to their student account. If a student subsequently withdraws in whole or in part from the program, the amount of the bursary will be reduced and a portion or all of it will be recovered.

Bursary assessments are final. If students have questions about their application and/or final assessment, they are welcome to make an appointment with a member of the FSO by emailing financialservices@osgoode.yorku.ca. Before doing so, students should note the following:

- They should not assume that their previous year's bursary allocation will be the same as the current year's allocation.
- It is expected that law students will have some resource/expense shortfall, as well as outstanding debt during their law school studies. Therefore, having a shortfall and/or debt does not guarantee a particular bursary amount or a bursary at all.
- Financial need is determined relative to the need of all other bursary applicants in a given year. Accordingly, a student with some need may not receive substantial funding if the amount of need is lower when compared to that of the other applicants.
- Because assessments are conducted holistically and on a comparative basis, the FSO cannot specify the precise weight given to specific factors in the assessment of need. Some discretion is necessary to allow the FSO to assist students with exceptional or unique circumstances.

Any student who experiences a significant change in circumstance or encounters an emergency after bursaries are disbursed is encouraged to contact the FSO to inquire about

additional financial assistance and/or other support which may be available.

Uses of the Bursary Assessment

The primary use of a student's final bursary ranking is to determine the amount of bursary funding to be distributed during the fall bursary process, as outlined in this document. Students should note that the bursary assessment may also be used as a preliminary measure of financial need in the awarding of scholarships and other funding opportunities for which financial need is a requirement. This includes the smaller secondary winter bursary funding process. It is to a student's benefit to apply for a bursary if he or she wishes to be considered for other need-based funding.

Student Obligations

Students applying for bursary assistance must understand and agree to the following:

- a. Students have an obligation to complete the bursary application form honestly, accurately and completely.
- b. If any dishonesty, misrepresentations or omissions are discovered in the application form, or in the supporting documentation provided by the student, sanctions will be applied. The choice of sanction will be at the discretion of the FSO, the Assistant Dean, Students, or others, as appropriate. Sanctions may include, but are not limited to, cancellation of the bursary award, ineligibility for future need-based financial assistance, a letter in the student's file, and/or a letter filed with the student's provincial Law Society.
- c. The onus is on students to provide all relevant information and corroborative documentation to support their bursary application. The FSO will rely solely on what is submitted with the application and will not seek out the applicant to obtain missing documentation or further or better particulars. For example, if a student does not include an explanation for a reported expense that exceeds that set out in the allowable budget, the reported expense will not be used to adjust the student's resource/expense shortfall. Similarly, if a student does not include documentation to support a reported educational debt, the FSO will not consider that amount as outstanding.
- d. Any applications submitted after the application deadline will not be reviewed. If students are unable to provide complete documentation by the deadline, they must advise the FSO of the reason and provide the documentation as soon as it is available. No assessment will be made on the student's application until the outstanding documentation is provided. If the student fails to provide the

documentation in a timely manner, they may lose their eligibility for bursary funding for the year.

- e. All students are assumed to have read the information contained in this document prior to applying for a bursary.

Updated August 2020

J. ENTRANCE SCHOLARSHIPS/AWARDS: OPERATING PROCEDURES

ENTRANCE SCHOLARSHIPS/AWARDS: OPERATING PROCEDURES

1. Applicants receiving an offer of admission from Osgoode Hall Law School are automatically considered for all entrance scholarships/awards, if they have completed the online Financial Statement with their application. Students who did not complete the Financial Statement with their application may request access to the form after they have been admitted but will only be considered for scholarships/awards which have not already been allocated by the time the Financial Statement is completed. In limited cases, where a scholarship has no financial need component, applicant without a Financial Statement may be considered. Priority will be given to those who completed a Financial Statement.
2. The Office of Admissions provides the Student Financial Services Office (“FSO”) with a list of admitted students who meet specific academic requirements, as early in the process as possible. The list is based on a combination of a student’s GPA and LSAT score.
3. Generally, students with a combined score of greater than 3.8 and an LSAT in the 80th percentile or better are considered competitive for scholarships with a merit component. Students with scores below those thresholds may be considered for scholarships which have specific criteria, for example, place of residence, involvement in extra-curricular activities, or category of admission. They may also be considered later in the process if any scholarships remain available.
4. Scholarships/awards are offered as early in the admissions process as possible. Students who receive a scholarship offer prior to April 1st must firmly accept their offer of admission by that date to receive the scholarship. If they do not, the scholarship will be reallocated to another student. Students receiving a scholarship offer after April 1st will be given until their admission response deadline to accept the scholarship offer. The allocation process continues until the available scholarships/awards have been awarded for the given year.

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5. Students who have received conditional offers because they have fewer than 90 credits are generally not considered for entrance scholarships. Exceptions may be made if final transcripts are received later in the scholarship process, their GPA and LSAT scores are within the competitive range and there are still scholarships available.
6. Students in the JD/MBA, JD/MES, and JD/MA (Philosophy) joint programs are eligible for scholarships in the year they commence their studies at Osgoode. Consideration for scholarships will be based on the student's application information at the time of acceptance to the joint program. Students will be assessed for scholarships with the class with which they commence the JD portion of their program at Osgoode.
7. Students who request and are granted a one-year deferral of admission will lose any scholarship they were awarded with their acceptance and will be eligible for scholarship consideration in the year they commence their studies at Osgoode. Consideration for scholarships will be based on the student's application at the time of acceptance to the JD program. Students will be assessed for scholarships with the class with which they commence their program at Osgoode.
8. All scholarships/awards are posted to the student's account at York University. If the recipient should subsequently withdraw from the academic program, the amount of the scholarship/award may be reduced in whole or in part and the scholarship recovered depending on the time/extent of withdrawal.
9. The names of student recipients may be used for publicity purposes.
10. The FSO administers the Program and report results annually to Faculty Council.

Updated August 2020

UPPER YEAR SCHOLARSHIPS/AWARDS: OPERATING PROCEDURES

1. Upper year scholarships are allocated in July, following the release of grades from the previous academic year.
2. Most upper year scholarships are awarded based on a combination of merit and financial need. Some scholarships have additional selection criteria such as year of study, extracurricular involvement or place of residence.
3. The Office of Programs and Records provides the Student Financial Services Office (FSO) with a ranked list of sessional grades (for performance in the academic year that has just ended) for students entering their second and third year of the JD program. This is used to assess academic merit.

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4. Financial information provided by students in their bursary applications for the corresponding academic year is used to identify students with financial need.
5. Potential scholarship recipients are then identified based on the ranked list, their bursary application and/or additional criteria, depending on the selection criteria for the particular scholarship being allocated.
6. Students in the JD/MBA, the JD/MES, and the JD/MA (Philosophy) joint programs are not considered for upper year scholarships for performance in the year they are in residence in the other Faculty or School.
7. Upper year scholarship recipients are notified of their award by a letter from the Dean.
8. All scholarships are mounted to the student's account at York University. If the student should subsequently withdraw in whole or in part from the academic program, the amount of the award may be reduced and an appropriate portion, or all, of it recovered.
9. The FSO administers the Program and reports the results annually to Faculty Council.
10. The names of the student recipients may be used for publicity purposes.

Updated August 2020

RENEWABLE SCHOLARSHIPS/AWARDS: OPERATING PROCEDURES

1. Osgoode offers several renewable scholarships. Renewable scholarships will be renewed if the student's grades (sessional or cumulative) meet the following criteria:
 - (a) **First-year renewable entrance awards that require *standing in the top 20% of the class***
 - Harley D. Hallett Renewable Entrance Scholarships
 - Honourable William G.C. Howland Award of Excellence Entrance Scholarship
 - Note:** recipients whose grades do not meet the academic renewal criteria upon entering 2L may be renewed for 3L if their 2L grades put them in the top 20% of the class.
 - (b) **First -year renewable award that requires *good standing***
 - Alison J. Youngman/Stikeman Elliott Entrance Award
 - (c) **Second-year renewable award that requires *standing in top 20% of the class***
 - Blake, Cassels & Graydon LLP Award
2. For renewable awards that have a financial need requirement, the FSO will review the student's fall term bursary application to confirm that they continue to demonstrate

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financial need. The FSO may request additional financial information from the student as required.

3. If a recipient should withdraw in whole or in part from the academic program, the amount of the scholarship/award will be reduced and an appropriate portion or all of it will be recovered.
4. The names of the student recipients may be used for publicity purposes.
5. The Student Financial Services Office administers the Program and the results of the process are reported annually to Faculty Council.

Updated July 2019

MEDAL AND PRIZE PROGRAM: OPERATING PROCEDURES

1. Medals and prizes will be awarded annually following the release of grades, and prior to Convocation.
2. A gold, silver and bronze medal is awarded annually to the students with the first, second and third highest cumulative grade point averages over all three years of law school, as determined by the Programs and Records Office. In the case of a tie, two medals will be awarded in any category. To be eligible for medals, you must not spend more than one academic semester at another law school. Joint program students are eligible for medals.
3. The Hennick Medal for Academic Excellence is awarded annually to the top student graduating from the JD/MBA program with the highest cumulative grade point average over their two degrees.
4. Prizes are grouped into three categories:
 - i. Class Standing Awards;
 - ii. Course and Subject Area Awards and Prizes; and
 - iii. Awards for Excellence Beyond Academic Achievement.
5. Eligible recipients for class standing awards, and course and subject area awards and prizes, are determined by the Programs and Records Office, in consultation with faculty. They are allocated based on the specific award criteria and the student's standing in a given area. They may be awarded to graduating as well as current students.
6. Students may apply or be nominated for the Awards for Excellence Beyond Academic Achievement (discretionary awards) by the deadline set by the Student Financial

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Services Office. All submissions are reviewed, and final decisions are made, by members of the Student Awards Committee.

7. In the case of a tie between two or more students, prizes and awards will be shared.
8. The monetary value of awards and prizes are mounted to the student's account at York University.
9. In cases where the prize is not monetary (for example, a book prize), the student will be contacted by the Student Financial Services Office as to the nature of the award.
10. Students receive a letter from the Dean prior to Convocation informing them of their prizes and awards, and they are announced as part of Convocation when the student graduates.
11. The names of student recipients may be used for publicity purposes.
12. The Student Financial Services Office administers this process and reports annually to Faculty Council.

Updated August 2020

EMERGENCY FUNDING PROGRAM: OPERATING PROCEDURES

1. Osgoode's Emergency Funding Program offers financial support to students who require immediate access to funds because of short-term emergency situations. Emergency funding is a last resort and is available only to students who have exhausted all personal resources, government loans and lines of credit.
2. There are two types of emergency support: Emergency Loans and Emergency Bursaries.
 - **Emergency Loans:** Emergency loans are available for students who require funds outside of Osgoode's regular financial aid processes (i.e. the fall bursary and winter funding processes) due to unanticipated or emergency situations that have affected the student's capacity to pay normal living expenses, such that accelerated access to Osgoode's student financial aid will assist substantially in relieving the hardship that the student is facing. For example, a loan may be granted to a student experiencing a delay in receipt of provincial funding or an employment cheque and is therefore unable to pay his or her rent. An emergency loan functions as an advance of a student's fall bursary or winter funding entitlement: i.e., the amount of the emergency loan will be deducted from the student's subsequent fall or winter award, depending on

when the loan is provided. Emergency loans are interest-free and are available up to a maximum of **\$3,000**.

- **Emergency Bursaries:** Emergency bursaries are one-time, non-repayable financial awards for students facing exceptional one-time costs due to unanticipated, extraordinary situations. Emergency bursaries are a support of last resort and, as such, are only available in circumstances in which an emergency loan would be clearly inappropriate. Examples of situations in which a student may be granted an emergency bursary could include: homelessness due to fire or eviction or loss of essential personal belonging (such as clothing) due to theft. The maximum emergency bursary is **\$1,000, though amounts will generally be substantially lower.**
3. For further information on emergency funding and how to apply, please visit the [Emergency Funding page](#) on the Financial Services website.

Updated August 2020

FUNDING FOR STUDENTS IN JOINT PROGRAMS: OPERATING PROCEDURES

1. Osgoode Hall Law School has the following joint programs with York University: the JD/MBA (Schulich School of Business); JD/MES (Faculty of Environmental Studies); and the JD/MA (Philosophy) (Department of Philosophy).
2. Students in Joint Programs are responsible for declaring any scholarship/awards, bursaries or any other financial assistance they have received from the other faculty when applying for financial assistance from Osgoode.

Entrance Scholarships

1. Students registered in joint programs are eligible for consideration for entrance scholarships but only in the year that they are in residence and paying tuition to Osgoode.
2. In limited cases, students who commence the first year of their joint program at the other faculty/school may be considered for entrance scholarships prior to their second year of the joint program (which will be their first year at Osgoode). Scholarship allocations will be made based on the information in the student's application at the time they were admitted to the joint program. Students will be assessed with the class with which they commence the JD portion of their program at Osgoode. Priority will be given to new applicants to the joint program.

Upper Year Scholarships

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1. Upper year scholarships are awarded at the end of the academic year, once final grades are received. Joint program students are considered for upper year scholarships only if they have just completed their academic year at Osgoode. Upper year scholarships are awarded based only on grades earned at Osgoode.

Renewal of Scholarships

1. Students in receipt of renewable scholarships will only be renewed in the years they attend Osgoode. Only grades from the previous year at Osgoode are considered.

Bursaries

1. Joint Program students are eligible for Fall bursary or Winter funding only in the years that they are in residence at Osgoode. Students are required to make an application to the Osgoode Bursary Program by the stated deadline and fulfill the eligibility requirements in accordance with the bursary program guidelines. They do not apply for an Osgoode bursary during the year they are resident at the other faculty. Students in the third year of the JD/MBA program who are paying fees to both Schulich and Osgoode are eligible for a bursary, but it will be reduced to 50% to reflect that they are only paying one term of tuition to Osgoode.

Emergency Funding

1. Students registered in Joint Programs are eligible for emergency funding only in the years that they are in residence at Osgoode.

Updated August 2020

INCOME CONTINGENT LOAN PROGRAM: OPERATING PROCEDURES

1. The Income Contingent Loan Program (ICLP) is a pilot program which provides selected eligible students with bursary and loan funding to cover the cost of tuition. In each year of law school, participants will receive the maximum bursary amount for that year, and the remainder of their tuition will be covered by a loan from the school. Participants will agree to repay the entirety of their loan after graduation over a 10-year period. Contingent on their income level in any of the years of the repayment period, the loan repayment for those years may be forgiven in whole or in part.
2. Interested persons will apply concurrently with their law school application by the application deadline of November 1 each year. To be considered for the ICLP, applicants must complete the financial statement and supplemental ICLP form with their law school application. Because of the timing of ICLP decisions, applicants must write the LSAT by November of the year before they intend to start the program to be considered for the ICLP.

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3. All applicants who completed the ICLP supplemental form and receive an offer of admission to the JD program will be invited to submit backup documentation to support the information reported in their ICLP supplemental form.
4. The Student Financial Services Office (FSO) will review all complete ICLP applications and select a shortlist of 15 to 20 candidates to be interviewed. Selection criteria include high financial need and aptitude for legal studies. The shortlist will be selected by March 1 of the year in which the applicant will commence the JD program.
5. Interviews will be conducted by a panel of two to three members of a sub-committee of the Admissions Committee. The interviewee will be provided with a copy of the loan agreement at the interview.
6. The ICLP sub-committee will meet to select the ICLP participants by March 20 and decisions will be communicated to all those interviewed by March 25 at the latest. To confirm their participation in the ICLP, selected applicants must firmly respond to their offers of admission to the JD program and to the ICLP program by April 1. They must also provide a signed copy of the Loan Agreement to the FSO by April 1.
7. ICLP participants must complete a bursary application in each year of the JD program to confirm their continued eligibility for the ICLP.
8. Extended time program students are eligible for the ICLP.
9. There are no restrictions on taking leaves of absence and continuing the ICLP upon return, provided the student continues to demonstrate the requisite level of financial need when they return to Osgoode.
10. For joint program students, the loan will only apply to the Osgoode portion of their tuition.
11. Each year, the student's ICLP allotment (both loan and bursary amounts) will be posted to the student's account at York University. If the student should subsequently withdraw from the academic program, the loan portion will immediately become due and the bursary portion for that year may be reduced in whole or in part and the appropriate amount recovered.
12. The loan is repayable in accordance with the terms of the Loan Agreement.
13. The FSO administers the Program while the student is in law school and report results annually to Faculty Council. The Office of the Executive Officer administers the repayment of the loan.

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A. GOVERNANCE OF YORK UNIVERSITY

1. Board of Governors

The government, conduct and management of the University is vested in the Board of Governors, a body with a maximum membership of 30, most of whom are lay members of the Toronto business and professional communities. The Board exercises its responsibility for management policy through a committee structure representing its major areas of activity - Executive Committee, Academic Resources Committee, Finance and Audit Committee, Land and Property Committee, Investment Committee, Governance and Human Resources Committee, and Marketing, Communications and Community Affairs Committee. The Board meets approximately five times per year to receive reports and recommendations from these committees and from the President. The Board is addressed through either the President or the Secretary of the University.

2. Senate

The Senate is the senior academic policy-making body of the University. Its current membership is approximately 160, the majority of which are full-time members of the teaching faculty, 15 percent are student representatives appointed by the various student caucuses, as well as several special constituents. The Senate pursues its work through two main avenues: the Faculty Councils and the Standing Committees of Senate.

3. Standing Committees of Senate

Information on the [Standing Committees of Senate](#), their membership and terms of reference may be obtained from the University Secretariat or online.

4. Faculty Councils

Faculty Councils (which are sub-committees of Senate) usually comprise all of the full-time members of faculty of a particular Faculty, along with varying proportions of student membership, and other members who may be appointed from time to time by the Senate. The Councils concern themselves largely with matters of curriculum and academic regulations for their particular Faculties, and with matters relevant to the internal activities of the Faculty. Reports from Faculty Councils dealing with changes in academic regulations, curriculum, or matters of tenure or promotion, are forwarded to Senate committees for approval.

5. Osgoode Hall Law School's Participation in Senate

Osgoode Hall at present elects five faculty representatives to Senate (one of whom is the Dean), and two student members. As well, faculty members may be asked from time to time to stand for election for membership on various Senate committees.

B. GOVERNANCE OF OSGOODE HALL LAW SCHOOL

The law school community depends upon the participation of all of its members in order to secure effective operation of its democratic self-government. All members, therefore, are expected to participate in meetings of Faculty Council and its committees. They are also expected to assist in the evaluation of potential or continuing members of the faculty by cooperating with, and serving on, the Faculty Recruitment Committee, the Faculty Appointments Committee and Tenure and Promotion Committee.

As members of the University community, law school faculty members may also participate in its governance.

All faculty members should inform themselves of formal policies or rules in effect in the Law School and cooperate by adhering to those policies or rules.

C. FACULTY COUNCIL OF OSGOODE HALL LAW SCHOOL

Faculty Council is a committee of Senate (see [The Senate Handbook: Rules, Procedures and Guidelines](#)) and derives its powers therefrom.

1. Establishment

- a. Each Faculty of York University shall have a council which is responsible for academic governance in areas defined by Senate.
- b. Faculty Councils are established by Senate by means of statutes.
- c. Rules governing the membership of Faculty Councils are formally approved by Senate, and membership lists are approved by the Executive Committee of Senate on an annual basis.
- d. Changes to the rules and procedures of Councils shall be reviewed by the Executive Committee to ensure their compliance with recognized principles and practices.
- e. Faculty Councils may cite Senate's rules and procedures for disposition of an issue not adequately addressed in their own rules and procedures.

2. Academic Governance Responsibilities

As a sub-committee of Senate, Faculty Council has the following responsibilities derived from the Responsibilities and Powers of Senate, York University Act, Legislature of Ontario, 1965, c. 143, s.12:

- a. to determine and regulate the standards for the admission of students to the Osgoode Hall Law School, the contents and curricula of all courses of study, and the requirements for graduation;
- b. to conduct examinations and appoint examiners;
- c. to deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards for academic achievement.

3. Other Responsibilities

From time to time, Council may undertake other responsibilities that are consistent with the principles of academic governance at York and fall within its jurisdiction.

4. Student Membership

The number of student members of each of the Councils of Faculties and Colleges is determined by the respective Councils on the understanding:

That the number of student members on Councils of Graduate Faculties and Colleges (including the Osgoode Hall Law School) not exceed twenty-five percent (25%) of the total voting membership of each of those Councils.

5. Rules and Procedures

5.1 The members of the Council shall be:

- a. (i) all members of the tenure-stream faculty, and (ii) up to two contractually limited appointees (CLAs) or contractually limited term academic appointments (CLTAs) as defined by York University-OFHA Collective Agreement, who have a term of appointment of at least two years; and (iii) up to three non-tenured or non-tenure track continuing appointments (NTCAs), as defined in the York University-OFHA Collective Agreement, who have a term of appointment of at least two years.
- b. all professional librarians,
- c. 17 members of the JD student body,
- d. two members of the adjunct faculty,
- e. three graduate students,

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- f. one representative of the support staff,
 - g. one representative of the library support staff,
 - h. up to three members of other Faculties of the University,
 - i. the Director of Parkdale Community Legal Services,
 - j. the Director of the Community and Legal Aid Services Program,
 - k. the Director of Legal Process,
 - l. the Assistant Dean & Executive Director of Osgoode Professional Development,
 - m. such other persons as may from time to time be appointed by the Senate as members of the Council, currently, *ex officio* non-voting: Chair of Senate, President of the University, Secretary of Senate and Vice-President Academic & Provost.
- 5.2
- a. The President and any one other voting Executive Member of the Legal and Literary Society shall be members *ex officio* of the Council.
 - b. 15 JD student members of the Council shall be elected annually by the student body in a ballot to be conducted by the Legal and Literary Society; at least one student member shall be elected from each year.
 - c. One graduate student member shall be chosen annually from each of the PhD, LLM research-stream and LLM course-based graduate programs by the Graduate Law Students Association.
 - d. Members of the Council under Rule 5.1 f) and g) above shall be chosen annually by their respective constituencies.
 - e. Members of the Council under Rule 5.1 d) and h) above shall be chosen annually by the Nominating Committee.
- 5.3
- a. The Council may invite the attendance, for either the full academic year or for a particular meeting, of individuals who are not members of the Council; such individuals shall be entitled to participate in the meetings of the Council to which they have been invited but shall not have the right to vote.
 - b. A student member of any committee of the Council under Rule 5.15, not being a member of the Council under Rule 5.2, shall have voting rights on any issue arising from any report of a committee of which she/he is a member which is to be presented to, or is being debated in, the Council.
- 5.4
- a. At its concluding meeting each year, the Council shall elect a Chair from its members; she/he shall hold office for the ensuing year or until a successor is

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- elected, or she/he resigns.
- b. At its concluding meeting each year, the Council shall elect a Vice-Chair from its members; she/he shall hold office for the ensuing year or until a successor is elected or she/he resigns.
 - c. The Council shall appoint a Secretary, who will normally be a member of the administrative staff of the Law School. The duties of the Secretary shall be to take charge of the records and papers of the Council and to keep the same properly arranged for convenient reference; she/he shall attend all meetings of the Council and keep regular minutes of all the proceedings thereat; she/he shall prepare all official documents, and generally discharge such other duties as may be assigned by the Council, or, when Council is not in session, by the Chair.
- 5.5
- a. Regular meetings shall normally be held once each month from the September inaugural meeting to April, inclusive, in accordance with a schedule of meetings adopted by Council at its concluding meeting of the preceding year.
 - b. Unless otherwise determined by Council, meetings shall not last more than two hours.
- 5.6
- On petition of not fewer than seven members or at the request of the Dean, the Chair shall, on not less than one clear business day notice, call a special meeting for the transaction of business only as may be specified in the notice of meeting.
- 5.7
- At all regular or special meetings, 20 voting members of the Council will form a quorum.
- 5.8
- The Chair may take part in a debate on any subject, but before doing so he/she shall leave the chair and appoint the Vice-Chair or some other member to occupy it until he/she has spoken.
- 5.9
- Except as may be otherwise provided, all questions which may come before the Council shall be decided by a majority of the members present, but in the case of an equality of votes, the question shall be deemed to be negative.
- 5.10
- The Chair may vote on any question; no member shall have more than one vote.
- 5.11
- The Chair shall declare the results of every vote, and on any question except the motion to adjourn the Council or to adjourn a debate, any member may require the yeas and nays to be recorded.
- 5.12
- a. An agenda for each regular meeting shall be distributed to members of Council at least by noon on the second business day preceding the date of the meeting.
 - b. The agenda shall be prepared by the Chair and Secretary in accordance with these Rules and Procedures.

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- c. Except upon a two-thirds vote of the members present, no committee report or recommendation shall be considered by Council at a regular meeting unless at least a summary of such report and recommendation, if any, has been distributed to members of the Council at least by noon on the second business day preceding the date of the meeting.
 - d. No motion introducing new matters shall be taken into consideration at any regular meeting of Council, except upon a two-thirds vote of the members present, unless notice in writing has previously been given to the Secretary for circulation with the notice of meeting.
- 5.13 When a question is under debate, no motion shall be received by the Chair except for one of the following purposes:
 - a. adjourn the Council,
 - b. to adjourn the debate,
 - c. to put the question,
 - d. to refer the matter to a committee, or
 - e. to amend.
- 5.14 A motion to adjourn the Council or a debate shall always be in order, but no member may speak to such a motion for more than five minutes.
- 5.15
 - a. There shall be Standing Committees of the Council (as set forth below) and such Special Committees as Council may from time to time determine.
 - b. Members of committees shall be approved by but need not be members of Council, except where otherwise provided by these Rules or by resolution of Council.
 - c. For the purposes of membership of Osgoode committees, the Law School's professional librarians shall be treated as faculty.
 - d. In addition to the members of the Committees stipulated below, Council may from time to time, upon the recommendation of the Nominating Committee, approve further members to Standing or Special Committees.
- 5.16 The Council shall annually approve a Nominating Committee to nominate faculty members and chairs of Standing Committees for the following academic year, and to receive and discuss the names of students proposed and nominated by Student Caucus to serve as members of Standing Committees for the following academic year. Additional nominations may be made from the floor at the time of voting.

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- 5.17 a. The Dean, or an Associate Dean or an Assistant Dean, acting in her/his place, shall be an *ex officio* member of all Standing and Special Committees.
- b. Each Standing and Special Committee shall have as secretary a member of the administrative staff, appointed by the Dean.
- 5.18 Each committee shall fix the time and place of its own meetings.
- 5.19 The quorum of any committee shall consist of a majority of its voting members.
- 5.20 a. Except as otherwise provided by these rules, and except in the case of the Academic Standing Committee, all members of Council may attend, without invitation, any meeting of any Council committee, but shall not take part in the proceedings unless invited to do so by the Committee.
- b. Agendas, materials, minutes and correspondence of all Standing and Special Committees of Faculty Council shall be forwarded to the Committees Liaison Officer of the Student Caucus, with the exception of the following Committees:
- i. Academic Standing;
 - ii. Admission;
 - iii. Faculty Appointments;
 - iv. Faculty Recruitment;
 - v. Grades Review;
 - vi. Priorities & Finance; and
 - vii. Tenure and Promotion.
- 5.21 Vacancies occurring in a Standing or Special Committee may be filled at any Council meeting, upon the recommendation of the Nominating Committee.
- 5.22 None of the foregoing rules shall be suspended at any meeting of the Council except by a two-thirds vote of the members present.
- 5.23 The Council shall approve full-time faculty members for the following designated seats on Senate and its committees, normally for three-year terms:
- a. Senate - 4, except as in 5.24
 - b. Executive Committee - 1
 - c. Academic Policy and Planning Committee - 1
 - d. Committee for Libraries and Information Technology - 1
 - e. Senate Committee on Research - 1
 - f. Sub-Committee on Honorary Degrees and Ceremonials - 1
- 5.24 One of Osgoode Hall Law School's faculty seats on the Senate of York University shall

be reserved for a member of the adjunct faculty, but, in the absence of a member of the adjunct faculty who is willing and able to serve, the Senate seats shall be held by members of the full-time faculty.

D. STANDING COMMITTEES OF FACULTY COUNCIL

1. Academic Policy and Planning Committee

- a. The Academic Policy and Planning Committee shall:
 - i. review all existing and proposed courses, seminars and programs;
 - ii. supervise and assist in the development of the curriculum;
 - iii. review the Academic Rules;
 - iv. undertake long range curricular planning;
 - v. at the beginning of each academic year, present for the information of Council, a work plan developed in consultation with the faculty; and
 - vi. establish such sub-committees and working groups as are necessary to enable it to carry out its functions and shall inform Faculty Council on their purpose and composition.
- b. The membership of the Academic Policy and Planning Committee shall be:
 - i. five members of the full-time faculty, at least four of whom, including the Chair, shall be full-time tenure-stream faculty,
 - ii. four JD students,
 - iii. one member of the adjunct faculty,
 - iv. Law Librarian, *ex officio*,
 - v. Associate Dean (Academic), *ex officio*,
 - vi. Associate Dean (Students), *ex officio*,
 - vii. Assistant Dean, Students, *ex officio*

2. Academic Standing Committee

- a. The Academic Standing Committee shall:
 - i. have terms of reference as provided in the Academic Rules of Osgoode Hall Law School, Section E. Examinations and Grading, sub-sections 5.1 through 5.4 inclusive, or as amended from time to time; and
 - ii. report annually to the Council by its March meeting.
- b. The membership of the Academic Standing Committee shall be:
 - i. six members of the full-time faculty, one of whom shall be Chair, at least five of whom shall be full-time tenure-stream faculty,

- ii. two JD students who shall participate in the deliberations of the Committee except when otherwise requested by the petitioner, and
- iii. Associate Dean (Students), *ex officio*.

3. Admissions Committee

- a. The Admissions Committee shall:
 - i. be responsible for student admissions to all years of the JD program;
 - ii. develop, maintain and periodically review policies governing the admission of applicants to the first year and upper year JD program;
 - iii. present for Council approval policies relating to new admissions categories and proposals to change substantially the eligibility criteria of established admissions categories;
 - iv. annually review, and, where necessary, revise, procedures for administering the admissions process;
 - v. monitor admissions decisions for the non-discretionary admissions category;
 - vi. make admissions decisions for all discretionary admissions categories, including admission to the Extended Time program in all years of the JD program;
 - vii. maintain policies and procedures for deciding:
 - a) applicant requests for reconsideration of admissions decisions,
 - b) applicant requests to waive deadlines and eligibility criteria;
 - viii. annually review data on applications, offers and registrations;
 - ix. prepare an annual report on admissions data, and on the procedures and policies followed by the Committee, for presentation to the Council no later than its March meeting;
 - x. review the mandate of the Admissions Committee every five years; and
 - xi. facilitate monitoring of the impact of deregulated tuition fees by:
 - a) surveying applicants who decline offers about their reasons for rejecting an offer. Data on the reasons for rejection shall be included in the Committee's annual report;
 - b) presenting in its annual report on admissions data any changes or trends that the committee believes are relevant to the impact of deregulated fees.
- b. The Admissions Committee shall have the following membership:
 - i. five members of the full-time faculty, at least four of whom, including the Chair, shall be full-time tenure-stream faculty,
 - ii. three JD students,

- iii. one graduate student registered in the full-time graduate program,
 - iv. Assistant Dean, Students as an *ex-officio* member empowered to vote on policy matters but not in relation to decisions about individuals,
 - v. Associate Dean (Students) as an *ex-officio* and voting member. In the event that the Associate Dean (Students) position falls into abeyance, the Nominating Committee shall appoint a sixth member of the full-time faculty to the Admissions Committee, and
 - vi. the Admissions Officer as (non-voting) Secretary to the Committee.
- c. The quorum of the committee shall be four voting members.

4. Clinical Education Committee

- a. The Clinical Education Committee shall:
- i. monitor all clinical programs of the Faculty, and
 - ii. develop proposals for new clinical programs for approval by the Academic Policy and Planning Committee.
- b. The membership of the Clinical Education Committee shall be:
- i. Director of Clinical Education, who shall be Chair,
 - ii. four members of the full-time faculty, at least three of whom shall be full-time tenure-stream faculty,
 - iii. three JD students (one of whom shall be a current division leader in the Community and Legal Aid Services Program, one of whom shall be a current student from Parkdale Community Legal Services, and one other JD student),
 - iv. Director of Parkdale Community Legal Services, *ex officio*,
 - v. Director of CLASP, *ex officio*,
 - vi. Associate Dean (Academic), *ex officio*, and
 - vii. Manager, Experiential Education & Career Development, *ex officio*.

5. Digital Innovation Committee

- a. The Digital Innovation Committee shall:
- i. make recommendations to Faculty Council or to other committees of Faculty Council on issues within its or their jurisdiction relating to innovation and information technology that:
 - a) relate to academic policy;
 - b) would substantially benefit from faculty or student input; or
 - c) are referred to it or on which advice is sought by another committee.
 - ii. oversee the process of and make recommendations to Faculty Council with regard to strategic planning for innovation and information technology;

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- iii. comment on decisions of the Administration relating to innovation and information technology;
 - iv. make recommendations to the Administration on issues relating to innovation and information technology;
 - v. develop and implement a plan for broader ongoing faculty and student input into issues relating to innovation and information technology, and recommend similar initiatives to the Administration; and
 - vi. report annually to Faculty Council.
- b. The membership of the Digital Innovation Committee shall be:
- i. Law Librarian,
 - ii. three members of the full-time faculty, one of whom shall be Chair and at least two of whom shall be full-time tenure-stream faculty,
 - iii. one professional librarian,
 - iv. three JD students,
 - v. one graduate student,
 - vi. Dean or designate, *ex officio*,
 - vii. Director of Information Technology, *ex officio*,
 - viii. Associate Dean (Academic), *ex officio*, and
 - ix. Assistant Dean, Students, *ex officio*.

6. Equality Committee

- a. The Equality Committee shall:
- i. identify and act on equality issues in the Law School in order to ensure that the commitment expressed in the Equality Resolution is being fulfilled at Osgoode Hall Law School. As well, the Equality Committee will be responsible for overseeing the implementation of the recommendations of the Osgoode Faculty Affirmative Action Plan; and
 - ii. report annually to Council.
- b. The membership of the Equality Committee shall be:
- i. three members of the full-time faculty, two of whom shall serve as Co-chairs and at least two of whom shall be full-time tenure-stream faculty,
 - ii. three JD student members,
 - iii. one staff member,
 - iv. one professional law librarian,
 - v. Associate Dean (Academic), *ex officio*, and
 - vi. Associate Dean (Students), *ex officio*.

7. Faculty Appointments Committee

- a. The Faculty Appointments Committee shall:
 - i. consider recommendations by the Faculty Recruitment Committee concerning the appointment of full-time faculty; and
 - ii. recommend offers of appointment to the full-time faculty, subject to the provisions of Rule f., below.
 - iii. In considering recommendations or other information from the FRC, be bound by expectations of confidentiality concerning the names or other identifying characteristics of candidates for appointment (unless or until an appointment is public) as well as any substantive aspects of their files not otherwise in the public domain, and the positions expressed in favour of or against any candidate including votes cast at the Faculty Appointments Committee.
- b. The membership of the Faculty Appointments Committee shall be:
 - i. all members of the full-time tenure-stream faculty.
 - ii. four undergraduate student members, who shall be the one student member of the Tenure and Promotion Committee, and the three student members of the Faculty Recruitment Committee; and
 - iii. one graduate student member, who shall be the member of the Faculty Recruitment Committee.
- c. The Chair of the Faculty Appointments Committee shall be the Associate Dean (Academic) or another faculty member designated by the Dean.
- d. The quorum of the Faculty Appointments Committee shall be 20 voting members of the Committee.
- e. The Faculty Appointments Committee may be convened either by the Chair of the Faculty Appointments Committee, or by the Chair of the Faculty Recruitment Committee.
- f. A motion that an offer of appointment to the full-time faculty be approved by the Faculty Appointments Committee shall be decided by an affirmative vote of not less than 66 and two-thirds percent of the members present and voting, excluding abstentions.*

* It was intended that this rule be reviewed in 2008-2009.

8. Faculty Recruitment Committee

- a. The Faculty Recruitment Committee shall:
 - i. make recommendations to the Faculty Appointments Committee concerning the appointment of full-time faculty in accordance with the priorities approved by Faculty Council;
 - ii. develop procedures for the recruitment of full-time faculty, for the approval of Faculty Council;
 - iii. develop and maintain a three-year rolling plan for faculty appointments that is consistent with the policies approved by Faculty Council; and
 - iv. present the three-year plan for approval annually by the October meeting of Faculty Council.
- b. The Faculty Recruitment Committee shall have the following membership:
 - i. five members of the full-time faculty, all of whom shall be full-time tenure-stream faculty and one of whom shall be Chair,
 - ii. three JD students,
 - iii. one graduate student appointed by the Graduate Law Students Association,
 - iv. Chair of the Equality Committee, *ex officio*,
 - v. Associate Dean (Academic), *ex officio*,
 - vi. Dean, *ex officio*, and
 - vii. Associate Dean (Research & Institutional Relations), *ex officio*.
- c. One of the two Co-Chairs of the Equality Committee will be an *ex officio* member of the Faculty Recruitment Committee to have the responsibility of an advocacy role throughout the recruitment process to ensure the process of recruitment does everything possible to maximize the objectives of the Osgoode Faculty Employment Equity Plan.

9. Grades Review Committees – First, Second and Third Years

- a. The Grades Review Committees shall have terms of reference as provided in the Academic Rules of Osgoode Hall Law School, Section E., Examinations and Grading, sub-sections 4.1(a) through 4.22(b)(iii) inclusive, as amended from time to time.
- b. The Grades Review Committee shall have the following membership:
 - i. Five faculty members, and
 - ii. Associate Dean (Academic), *ex officio*, as Chair.

10. Library Committee

- a. The Library Committee shall:
 - i. concern itself with Law Library policy as it affects the academic life of the Law School, and the University. In so doing, it will respond to submissions from groups or individuals or will independently investigate problems, in order that it may advise on matters which have a bearing on academic affairs;
 - ii. collaborate with the Law Library in the review and evaluation of rules for the use of the Law Library;
 - iii. receive the preliminary budget figure for the Law Library in the Law School Budget and the rationale for such a figure, so as to participate in the discussion leading to the establishment of the Law Library Budget. The Library Advisory Committee shall also receive the preliminary allocations within the Law Library Budget from the Law Librarian for communication and advice;
 - iv. submit reports for the information of Faculty Council. In order to perform this function effectively, it will receive for information and review the Law Librarian's Annual Report to the Dean, or such similar reports as may be available; and
 - v. facilitate effective communication between user groups and the Law Library, and the Law Library and Faculty Council.
- b. The Library Committee shall have the following membership:
 - i. four members of the full-time faculty, at least three of whom, including the Chair, shall be full-time tenure-stream faculty,
 - ii. the Law Librarian,
 - iii. one professional librarian,
 - iv. one professional library staff member,
 - v. one non-professional library staff member,
 - vi. one JD student,
 - vii. one graduate student,
 - viii. the Associate Dean (Academic), *ex officio*,
 - ix. the Director of Information Technology, *ex officio*, and
 - x. Graduate Program Director, *ex officio*.

11. Nominating Committee

- a. The Nominating Committee shall annually, at the concluding meeting of Faculty Council, and as necessary throughout the year, make recommendations to Faculty Council concerning faculty membership and chairship of its Standing and Special Committees, faculty membership on Senate and its Committees, and

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other administrative bodies of the Law School and the University. The Nominating Committee shall also forward to Faculty Council the nominations of the Student Caucus concerning student membership and chairship of its Standing and Special Committees, along with any advice, if appropriate.

- b. The Nominating Committee shall have the following membership:
 - i. Dean, *ex officio*, as Chair,
 - ii. three members of the full-time tenure-stream faculty,
 - iii. two JD students, non-voting, one of whom shall be the Chairperson of Student Caucus, *ex officio*,
 - iv. Associate Dean (Academic), *ex officio*, and
 - v. Chair of Faculty Council, *ex officio*.

12. Priorities and Finance Committee

- a. The Priorities and Finance Committee shall:
 - i. recommend to Faculty Council the ordering of Law School financial priorities, after a review of its requirements and the estimated level of university support, for use in the Law School's presentation to the University of the annual estimates of expenditures and budget;
 - ii. recommend to Faculty Council the ordering of both short- and long-term budget priorities for internal Law School use;
 - iii. recommend to Faculty Council adjustments to be made in the current Law School budget, after a review of financial statements of the Law School (except those dealing with faculty or staff salaries) from time to time;
 - iv. provide Faculty Council from time to time with a narrative statement of the reasons for the recommended order of priorities referred to in (i) and (ii) above;
 - v. recommend to the Dean the allocation of the Law Foundation Grant; and
 - vi. advise the Dean on setting of priorities for fundraising, and approve the allocation of funds actually raised outside the University.
- b. The Priorities and Finance Committee shall have the following membership:
 - i. three members of the full-time faculty, at least two of whom, including the Chair, shall be full-time tenure-stream faculty,
 - ii. two JD students,
 - iii. Executive Officer, *ex officio*,
 - iv. Dean, *ex officio*,
 - v. Law Librarian, *ex officio*, and
 - vi. Assistant Dean & Executive Director, Osgoode Professional Development, *ex*

officio.

13. Professional Stream Graduate Studies Committee

- a. The Professional Stream Graduate Studies Committee shall:
 - i. have authority with respect to admissions requirements, supervision, standards, and degree requirements of all students in the Professional Stream Graduate Program in Law, as specified in the Faculty of Graduate Studies' (FGS) Regulations Governing Graduate Studies;
 - ii. following consultation with Faculty Council of Osgoode Hall Law School (Faculty Council), as appropriate, recommend to FGS, as appropriate, all changes in academic policy and regulations pertaining to professional stream graduate studies in law, and report changes approved by FGS to Faculty Council for information;
 - iii. issue guidelines for admissions decisions to the Academic Director, Professional Stream Graduate Program and the Program Directors;
 - iv. serve as a review body where an applicant challenges a decision not to admit, where the members of the review body shall be other than those who made the initial decision or recommendation; and
 - v. participate in the review and ranking of scholarship applications.
- b. The Professional Stream Graduate Studies Committee shall have the following membership:
 - i. Academic Director, Professional Stream Graduate Program, *ex officio*, as Chair,
 - ii. Associate Dean (Research & Institutional Relations), *ex officio*,
 - iii. Graduate Program Director, *ex officio*,
 - iv. Assistant Dean & Executive Director, Osgoode Professional Development, *ex officio*,
 - v. Assistant Director Academic Programs/Director Part-Time LLM, Osgoode Professional Development, *ex officio*,
 - vi. a member of the full-time faculty,
 - vii. an adjunct faculty member in the Professional Stream Graduate Program,
 - viii. two students in the Professional Stream Graduate Program, and
 - ix. Senior Program Lawyer, International Programs, *ex officio*.

14. Research and Seminars Committee

- a. The Research and Seminars Committee shall:
 - i. have responsibility for stimulating research within the Law School and

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- assisting in obtaining outside funding for research, including reading draft grant applications and suggesting revisions for improving the applications;
 - ii. vet the applications for such other research grants or awards as require adjudication and make recommendation to the Dean as to recipients;
 - iii. suggest to the Associate Dean (Research & Institutional Relations) and/or the Graduate Studies Committee ways of enhancing links in the research field between graduate students and faculty;
 - iv. suggest to the Academic Policy and Planning Committee ways of enhancing the research skills and research culture amongst JD students;
 - v. generally, provide advice to the Associate Dean (Research & Institutional Relations) on matters brought to the Committee related to research;
 - vi. arrange an annual schedule of seminars by members of faculty and distinguished visitors, where appropriate;
 - vii. advise, as requested, on annual or other periodic public lectures; and
 - viii. carry out such other research-related or seminar/lecture-related functions as may be put to the Committee from time to time by the Dean or Faculty Council.
- b. The Research and Seminars Committee shall have the following membership:
- i. Associate Dean (Research & Institutional Relations), *ex officio*, as Chair,
 - ii. two members of the full-time faculty, at least one of whom shall be full-time tenure-stream faculty,
 - iii. Manager, Graduate Studies & Research Service as *ex-officio* member,
 - iv. Research Officer as an *ex-officio* member and as committee secretary,
 - v. Chief Law Librarian,
 - vi. one JD student,
 - vii. one graduate student,
 - viii. Directors of Research Centres/Institutes, *ex officio*,
 - ix. Assistant Director of Research, *ex officio*, and
 - x. Graduate Program Director.

15. Research Stream Graduate Studies Committee

- a. The Research Stream Graduate Studies Committee shall:
- i. have authority with respect to admissions requirements, supervision, standards, and degree requirements of all students in the Research Stream Graduate Program in Law, as specified in the Faculty of Graduate Studies' (FGS) Regulations Governing Graduate Studies;
 - ii. recommend for the approval of Faculty Council of Osgoode Hall Law School

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- (Faculty Council) all changes in academic policy and regulations pertaining to research graduate studies in law and report changes approved by the Senate to Faculty Council for information;
 - iii. participate in the review of graduate application files and recommend to the Graduate Program Director whether or not an applicant should be admitted;
 - iv. participate in the review and ranking of scholarship applications.
- b. The Research Stream Graduate Studies Committee shall have the following membership:
- i. Graduate Program Director, *ex officio*, as Chair,
 - ii. four members of the full-time tenure-stream faculty,
 - iii. three graduate students from the Research Graduate Program,
 - iv. Academic Director, Professional Stream Graduate Program, *ex officio*,
 - v. Assistant Dean & Executive Director, Osgoode Professional Development, *ex officio*,
 - vi. Associate Dean (Research & Institutional Relations), *ex officio*,
 - vii. Chief Law Librarian, *ex officio*, and
 - viii. Manager, Graduate Studies & Research Services, *ex officio*.

16. Standing Committee on Teaching and Learning

- a. The Standing Committee on Teaching and Learning shall:
- i. develop, promote and enhance the best practices in legal education within the educational program at the law school;
 - ii. review policies, procedures and programs within the law school so as to ensure that they are aligned with the goal of promoting an enriching educational experience for our students; and
 - iii. design and implement an annual Osgoode Course Design Institute (OCDI) for full-time and adjunct faculty at the law school, as well as for a limited number of graduate students with a particular interest in an academic career.
- b. The Standing Committee on Teaching and Learning shall have the following membership:
- i. two members of the full-time faculty, at least one of whom, including the Chair, shall be full-time tenure-stream faculty,
 - ii. one adjunct faculty member,
 - iii. Associate Dean (Students), *ex officio*,
 - iv. Assistant Dean, Students, *ex officio*,
 - v. the Director of Clinical Education, *ex officio*,
 - vi. three JD students,

- vii. one Graduate student, and
- viii. one professional librarian.

17. Student Awards Committee

- a. The Student Awards Committee shall:
 - i. determine the disposition of prizes and scholarships, except those which must be disposed of by the Admissions or Review Committees;
 - ii. recommend the acceptance of new prizes to the Senate Student Awards Committee, when appropriate; and
 - iii. consider matters related to the giving of prizes and medals.
- b. The Student Awards Committee shall have the following membership:
 - i. three members of the full-time faculty, at least two of whom, including the Chair, shall be full-time tenure-stream faculty,
 - ii. one JD student,
 - iii. Director, Student Financial Services, *ex officio*, and
 - iv. Assistant Dean, Students, *ex officio*.

18. Tenure and Promotions Adjudicating Committee

Note: Osgoode Hall Law School follows and adheres to the [York University Tenure and Promotions Policy, Criteria and Procedures](#) (approved by Senate March 21, 2002; Amended November 27, 2003, May 24, 2007, and June 28, 2007).

- a. The Tenure and Promotions Adjudicating Committee shall be responsible for adjudication of tenure and promotion files in accordance with the York University Tenure and Promotions Policy, Criteria and Procedures.
- b. The Tenure and Promotions Adjudicating Committee shall have the following membership:
 - i. Associate Dean (Academic), *ex officio*, who shall normally be Chair,
 - ii. five members of the tenured faculty,
 - iii. one JD student, and
 - iv. one graduate student.

E. SPECIAL COMMITTEES

1. Alumni Association Board

- a. The Alumni Association Board shall be composed of:
 - i. the President of the Alumni Association,

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- ii. two members of the full-time faculty, at least one of whom shall be full-time tenure-stream faculty,
- iii. one JD student,
- iv. Dean, *ex officio*,
- v. Assistant Dean, Students, *ex officio*, and
- vi. Director, Office of External Relations & Communications, *ex officio*.

2. CLASP Board of Directors

- a. The CLASP Board of Directors shall be composed of:
 - i. one member of the full-time tenure-stream faculty (Dean's nominee – Director of Clinical Education),
 - ii. three JD students, elected by CLASP, and
 - iii. one Alumni.

3. Nathanson Centre Executive Committee

- a. The Nathanson Centre Executive Committee shall be composed of:
 - i. Director, Nathanson Centre, as Chair,
 - ii. two members of the full-time faculty, at least one of whom shall be full-time tenure-stream faculty,, and
 - iii. Dean, *ex officio*.

4. Osgoode Community Enhancement Forum

- a. The Osgoode Community Enhancement Forum (OCEF) shall be composed of:
 - i. the Vice-President Internal of the Legal and Literary Society, who will serve as Co-Chair,
 - ii. Assistant Dean, Students, as Co-Chair,
 - iii. two members of the full-time faculty,
 - iv. two JD students, and
 - v. two Osgoode staff, *ex officio*.
- b. Any member of OCEF may call a meeting of OCEF.
- c. Quorum of OCEF will be achieved by attendance of 50% of the members of OCEF.
- d. OCEF shall foster social and extracurricular interaction between students, alumni and faculty through:
 - i. Encouraging student participation in faculty events;

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- ii. Encouraging faculty participation in student events;
 - iii. Creating unique events to facilitate the interaction between students and faculty; and
 - iv. Encouraging alumni to attend Osgoode events.
- e. The membership of OCEF and the membership of the Student-Faculty Relations Committee may be the same.

5. Osgoode Public Interest Requirement Committee

- a. The OPIR program shall be governed by a nine member committee consisting of:
- i. Director of Clinical Education, *ex officio*, as Chair;
 - ii. two members from the Clinical Education Committee including one JD student representative;
 - iii. two members from participating community organizations;
 - iv. one alumni member of the profession;
 - v. Associate Dean (Academic), *ex officio*;
 - vi. Assistant Dean, Students, *ex officio*, and
 - vii. Director of the Osgoode Public Interest Requirement, *ex officio*.
- b. The committee will have responsibilities for:
- i. hearing student appeals from decisions of the Director and determining the procedures for such appeals;
 - ii. setting broad policy directions; and
 - iii. reviewing and giving feedback to the Director on the activities of the Office.
- c. The committee shall meet at least once a year to set broad policy directions and review the work of the Director, and, on an as needed basis, to review student appeals from decisions of the Director.
- d. Three years after OPIR is implemented, a review shall be conducted by a committee including the Clinical Education Committee and three representatives from participating organizations. Among other things, the committee shall consider:
- i. retention of the discussion group and paper option;
 - ii. whether three hours is sufficient for the discussion groups; and
 - iii. whether credit should be given for all or a portion of OPIR.

6. Parkdale Board of Directors

- a. The Parkdale Board of Directors shall be composed of:

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- i. two members of the full-time faculty, at least one of whom shall be full-time tenure stream faculty, and
- ii. Academic Director, Parkdale, *ex officio*.

7. Winkler Institute Executive Committee

- a. The Winkler Institute Executive Committee shall be composed of:
 - i. Associate Dean (Academic), *ex officio*, as Co-Chair,
 - ii. one member of full-time faculty,
 - iii. one JD student, *ex officio*,
 - iv. Dean, *ex officio*, and
 - v. Clinic Director, Osgoode Mediation Clinic, *ex officio*, as Co-Chair.