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OSGOODE HALL LAW SCHOOL  
YORK UNIVERSITY

# UNDERSTANDING THE ACADEMIC RULES

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Presented by:  
Karen Drake, Associate Dean (Students)  
and  
Mya Rimon, Assistant Dean, Students

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# Part I: Academic Rules of Osgoode Hall Law School

See the 2021 [Academic Handbook](#)

MyOsgoode>>Student Handbooks>>JD  
Academic Handbook>>Academic Rules

# Academic Rules of Osgoode Hall Law School

**Section A** = Academic Credit

• **Section B** = Evaluation in the First Year

• **Section C** = Evaluation in the Second and Third Year

• **Section D** = Administration of the Upper Year Elective System

• **Section E** = Examinations and Grading (ie.. E-Exams; Instructor/Student Grade Reviews; Grade Reviews, Grade Reappraisals and Petitions)

• **Section F** = Procedures for Granting of Examination Deferrals and Final Paper Extensions

• **Section G** = Procedures for Granting In-Term Academic Accommodation

• **Section H** = Academic Offences

• **Section I** = Extended Time Program and Leave of Absence

# Grades and Grading Profile

## 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

## Credit / No-Credit:

With the approval of Faculty Council, a course, seminar or program may be graded on a credit/no credit basis.

# Osgoode's Grading Profile

## Courses with more than 30 students:

A+/A:	15%
B+/B:	60%
C+/C:	20%
D+/D/F:	5%

- 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.
- 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.
- In the D+/D/F range, there is no restriction on the number of “plus” grades awarded.

An instructor is permitted a maximum variation of 5% from the assigned profile, with variation in excess of five percentage points requiring the approval of the Grades Review Committee (GRC).

# Osgoode's Grading Profile

## **Courses with 30 or fewer students, Seminars and Clinical Programs:**

The grading profile does not apply, subject to the following rules:

- Where the median grade is higher than a B+ or lower than a B, the instructor must submit an explanation to the Grades Review Committee
- The purpose of the explanation is to assure the GRC that the instructor has addressed the grading process in an informed and conscientious manner
- Where the GRC is satisfied with the explanation, it shall normally approve the grades. Where the GRC is not satisfied, it may request the instructor reconsider or change the grades
- The GRC is guided by the principle that the judgment of the instructor lies at the heart of the grading process and is normally entitled to deference

The GRC meets during the week after the last grades are received. No grades can be released to students until they have been approved by GRC.

# And after the grades are released ...

No instructor shall alter a grade awarded to a student except in accordance with the grade appeal procedures.

Students are entitled to a conference with the instructor regarding their grade - must make an appointment to do so within three weeks.

Students 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.

All decisions as to whether a particular student passes or fails and whether any of his/her grades should be adjusted by the Grades Review Committee shall be taken at the end of the winter semester of each year.

A student will be failed and required to withdraw from the School if, in any academic year, he/she obtains:

- an F grade in any course, seminar or program; or
- a No Credit in any course, seminar or program graded on a credit/no credit basis;

or

- a grade point average of less than 3.60.

A student who has failed in a subject will normally be graded as "allowed" by faculty decision where his/her grade point average (ignoring the failure) is not less than 4.75.

A student may petition to the Grades Review Committee for supplemental relief or aegrotat standing.

# In-Term Academic Accommodations

- Extensions; deferrals; alteration of a course requirement
- Based on medical, compassionate or equitable grounds
- Request to the Assistant Dean, Students or the Instructor:
  - In writing
  - In advance
  - Supporting documentation



# Examination Deferrals & Final Paper Extensions

- Based on medical, compassionate or equitable grounds
- Must be approved by the Assistant Dean, Students:
  - Must use the Deferral/Extension Request Form
  - Must be in advance
  - Must have supporting documentation
- Set deferred exam period (see [Sessional Dates](#))

# Final Papers & Assignments

- Due on the first day of the exam period except for ELGC final paper (due in early February)
- Late submission results in an “F” grade
- Petition to the Grades Review Committee (Spring meeting)

# Indigenous & Aboriginal Law Requirement

- Rule A.3.9 of the Academic Rules
- Indigenous and Aboriginal Law Requirement
  - **Comparative Law: Indigenous Legal Traditions**
  - **Rights & Reconciliation: Indigenous Peoples and Law**
  - Indigenous Peoples and the Canadian Law
  - Directed Reading: Indigenous Realities and Perspectives

# Truth and Reconciliation Commission's Final Report

## Call to Action #28:

“We call upon law schools in Canada to require all law students to take a course in Aboriginal people and the law, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.”

## **Part II:**

# **ACADEMIC HONESTY**

**See Academic Rules, Section H**

# What it's all about...

- Respect for the nature and idea of a university;
- Your part in the the reputation and integrity of our institution;
- Respect for the conversations you are joining, your peers, and your professors;
- Your own integrity and reputation.

# Academic Honesty – Section H:

- You are responsible for knowing the policy on academic honesty, found in [Section H](#) of our Academic Rules.
- Section H incorporates, by reference, York University's [Senate Policy on Academic Honesty](#)

# Academic Honesty – Section H:

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## **Policies Reflect:**

- an affirmation and clarification for members of the University of the general obligation to maintain the highest standards of academic honesty
- a clear sense of academic honesty and responsibility as fundamental to good scholarship
- the general responsibility of:
  - all faculty members to foster acceptable standards of academic conduct; and
  - the student to be mindful of and abide by such standards.

## **Academic honesty requires – at a minimum – that members of the University Community:**

- do not falsely claim credit for the ideas, writing or other intellectual property of others,
- do not cheat (attempt to gain an improper advantage in an academic evaluation), and
- do not nor attempt or actually alter, suppress, falsify or fabricate any research data or results, official academic record, application or document.



# Some examples of breaches of Academic Honesty

- **Cheating:**
  - “the attempt to gain an improper advantage in academic evaluation”
    - Learning of an examination question before it’s available
    - Copying another person’s answer
    - Consulting an unauthorized source during an examination
    - Disrupting an academic evaluation
    - Submitting work done for one class for a second class without instructors’ consent
    - Submitting work done in whole or in part by another as one’s own
    - ...

# Some examples of breaches of Academic Honesty

- **Impersonation** in a class, on a test, interview, etc...
- **Plagiarism:**
  - “the misappropriation of the work of another by representing another person’s ideas, writing or other intellectual property as one’s own.”
  - Includes “paraphrasing another’s writing without proper acknowledgement”
- **Falsification or alteration** of an academic record/document
  - Includes “by omission”
  - Includes documents in support of applications, petitions (physicians’ letters, etc)
- **Encouraging**, enabling, or causing any offence of academic honesty

# Academic Honesty – Section H:

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- Take note of the [“Osgoode Guidelines on use of Collaborative Study Materials in Examinations”](#) in Section H of the Academic Rules, at p. 61 of the [Academic Handbook](#):
  - For example, students may study using a course summary prepared in whole or in part by others
  - The guidelines state: “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.*”
- 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.

# Possible Sanctions for breaches of Academic Honesty:

Include – in order of severity

- Written warning or reprimand
- Completion of academic honesty assignment
- Remedial assignment
- Lower grade on assignment
- Lower grade in course
- Failure in course
- Permanent grade of record
- Transcript notation
- Suspension from university
- Expulsion from university
- Withholding or rescinding degree

# Academic Honesty and Law School

- The stresses of Law School can never justify academic dishonesty.
- Law students are studying law and seeking to join a profession that is predicated on principles of respect, trust, integrity, and the desire for a good grade is never worth compromising one's professional integrity and future.
- **Law Society of Ontario's Good Character Requirement:** "While attending a post-secondary institution, have allegations of misconduct ever been made against you or have you ever been suspended, expelled or penalized by a post-secondary institution for misconduct?"

# If you have questions or are confused about the meaning of academic integrity or the definitions of academic offences

- Consult the [Academic Rules](#) in the Academic Handbook
- **Speak to your instructor**
- Consult
  - the Assistant Dean, Students
  - the Associate Dean (Students), or
  - the Associate Dean (Academic)

## Part III:

# STUDENT AND PROFESSIONAL CODES OF CONDUCT

See: York University's [Code of Student Rights and Responsibilities](#)

# Making Connections with Ethical Lawyering in a Global Community

The legal profession is a normative system  
whose norms are reflected in

- the governing statute, the *Law Society Act*
- the *Rules of Professional Conduct*
- and in many accepted conventions and practices

The University too is a normative system;

- many norms regarding student conduct,
- both academic and non-academic



# Professionalism and Wellbeing

- Wellbeing is an important component of legal professionalism. The coping strategies students learn in law school can transfer with them to the profession.  
**Healthy coping diminishes risk of ethical transgressions in legal practice.**
- "The values that promote professionalism - integrity, collegiality, honesty, decency - are the same that promote well-being, and their absence is shown to correlate with distress." (Lawrence S. Kreiger, "The Inseparability of Professionalism and Personal Satisfaction" (New York Law School Clinical Research Inst., Research Paper No. 04/05-01)

# Code of Student Rights and Responsibilities (CSRR)

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## Purpose

- is intended to be educative and to promote accountability among students toward their peers and other members of the York community
- identifies behaviors that are disruptive to the educational purposes of the university, diminish the dignity of individuals and groups and that compromise the safety of the campus

# Your General Responsibility:

- From the CSRR:
  - “students are responsible for conducting themselves in a way that supports research, teaching and learning, and upholding an atmosphere of civility, diversity, equity and respect in their interactions with others. Students should strive to make the campus safe, to support the dignity of individuals and groups, and to uphold individual and collective rights and responsibilities.”

# Rights and Responsibilities of Students

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## Students have the following rights:

- The right to academic pursuit as the primary reason for students to be at York.
- The right to participate in activities for students at the University, without harassment, intimidation, discrimination, disruption or acts of violence.
- The right to freedom of inquiry, expression and assembly on campus.
- The right to engage and participate in dialogue and to examine diverse views and ideas.
- The right to fair procedures in proceedings under this Code.
- The right to respect for one's person and property.
- The right to privacy of personal information

## Students also have the following responsibilities:

- The responsibility **not to disrupt or interfere** with University activities (e.g. academic activities such as classes, University programs, student co-curricular activities and tabling).
- The responsibility to behave in a way that **does not harm or threaten to harm** another person's physical or mental well-being.
- The responsibility to **uphold an atmosphere** of civility, honesty, equity and respect for others which values the inherent diversity in our community.
- The responsibility to **consider and respect the perspectives and ideas of others**, even when the student does not agree with their perspectives or ideas.
- The responsibility to **respect the property of others** including the property of the University.
- The responsibility to be **fully acquainted with and adhere to** University policies, procedures or rules.
- The responsibility to **respect the privacy** of personal information of others and treat disciplinary outcomes as confidential.
- The responsibility to **obey public laws**.

# Application of Code

- students and student groups
- student hosts responsible for the conduct of their guests
- to conduct on University premises
- to conduct not on York University premises that has a real and substantial link to the University

# Concerns about Non-Academic Misconduct?

- 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.
- Within Osgoode, students with concerns can reach out to
  - Prof. Karen Drake, Associate Dean (Students)
  - Mya Rimon, Assistant Dean, Students
  - Debbie Ernest, Student Success and Wellness Counsellor
  - Iva Keighley, Student Success and Wellness Counsellor
- The CSRR is overseen and the process is run by the Office of Student Community Relations (OSCR) -- (416) 736-5231  
[oscr@yorku.ca](mailto:oscr@yorku.ca)

# Proceedings Instituted under the Code

- Any student, staff or faculty member may file (with the Office of Student Community Relations) a complaint under the Code, alleging a breach of community standards by a student.
- Proceedings under the Code may be carried out prior to, simultaneous with, or following civil or criminal proceedings.



# Process & Sanctions

## Process:

- Informal Resolution
- Local Adjudication
- University Tribunal
- Appeals

## Sanctions:

- Wide range
- From reprimand to expulsion

# Sexual Violence Policy

- [Policy on Sexual Violence](#), approved by the Board of Governors in 2016
  - Applies to all York University community members, including invited guests;
  - Applies to sexual violence that occurs on campus, off campus, or using social media;
  - A formal complaint is not necessary in order to access the supports and services established by this policy

# Sexual Violence Policy

- Defines sexual violence:
  - “Any sexual act or act targeting a person’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person’s consent and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.”

# Sexual Violence Policy

- Defines consent:
  - a. Consent means active, ongoing, informed, and voluntary agreement to engage in sexual activity; it cannot be implied or assumed.
  - b. Consent cannot be given by someone who is incapacitated, unconscious, intoxicated, or otherwise incapable of consenting; Consent can be withdrawn anytime;
  - c. Consent cannot be obtained through threats, coercion, or other forms of control and intimidation, which includes coercion through abuse of a position of trust, power, or authority and;
  - d. It is the responsibility of the person who wishes to initiate sexual activity to obtain consent from the other person(s) involved.
  - e. The definition of consent does not vary based on a person's sex, sexual orientation, gender identity or gender expression

# Sexual Violence - Supports

- Support for those who have experienced sexual violence are provided through the [Centre for Sexual Violence Response, Support & Education](#)
- Support and services for respondents are provided through the [Office of Student Community Relations](#)

# Centre for Sexual Violence Response, Support & Education

- Centre for Sexual Violence Response, Support & Education is designated as the first point of contact for those who have experienced sexual violence and will support all members of the York Community – students, faculty, and staff.
- **Location:** 301 York Lanes
- **Number:** 416-736-5211
- **Email:** [thecentre@yorku.ca](mailto:thecentre@yorku.ca)

# Support Services

- Counselling services referral
- Academic accommodations
- Emergency Housing
- Medical
- Financial
- Social Service Agencies

Find a complete list of current services on the web or call our office to learn more.

# Conduct at the Law School is...

...governed by policies, procedures and academic rules that are guiding principles of life at the Law School and represent a common understanding of shared expectations and values.