

Current regulations (to be replaced)**Challenge of a thesis examination failure**

When a thesis has been failed and the student feels that the failure is not based on the academic or scholarly quality of the thesis itself, but rather that the judgment of failure is determined by bias, error, or serious misrepresentation on the part of the examiner, he/she may challenge the failure.

To do so, the student must request a challenge of the failure to GPS within 6 weeks of its notification, including a detailed letter explaining the reasons he/she believes that the judgment of failure is based on the examiner's bias, error, or serious misrepresentation. The student's letter must also include a statement that he/she is fully aware of the serious consequences of a negative outcome of the challenge (see below), and must be accompanied by a supporting letter from the Unit.* Scientific or scholarly disagreement as to whether or not the thesis meets the academic qualifications for the degree is not a basis for a challenge.

Whether or not the challenge of the failure will be accepted is determined by a hearing carried out by the Thesis Challenge Sub-Committee of the Council of Graduate and Postdoctoral Studies, made up of:

- Dean of Graduate and Postdoctoral Studies (Chair)
- Three standing members nominated from the membership of the Council of Graduate and Postdoctoral Studies
- One academic member who is nominated by the Dean of the Student's Faculty (but not from the student's department, if the Faculty has departments)

A challenge will seldom be heard unless the thesis has been failed after the revise and resubmit process.

If the Challenge Sub-committee determines that the failing judgment was based on bias, error, or misrepresentation, the thesis will be re-examined.

If the request is approved, the Unit must provide GPS with the names of two potential new internal and/or external examiners. GPS will contact and secure the examiner. No contact between the Unit* and potential examiners is permitted.

If the Challenge Sub-committee determines that the failing judgment was not based on bias, error, or misrepresentation, the failure stands and the student will be withdrawn from the university.

Replace with the following

Hearing Committee (for bias, error, or misrepresentation)

If a thesis has not been passed, and the student feels that this judgment is not based on the academic or scholarly quality of the thesis itself, but rather is determined by bias, error, or serious misrepresentation on the part of the examiner, he/she may submit to the Dean of Graduate and Postdoctoral Studies a written request for a new examiner for the thesis, documenting the bias, error, or serious misrepresentation. This request must be made within six weeks of the notification of failure, and may be accompanied by a letter of support from the supervisor and/or Unit.

To consider the request, the Dean will convene (and chair) a Hearing Committee, composed of 2 standing members of Graduate Council and an appointed member of the student's disciplinary Faculty. This Committee will review the request at a hearing to which the student will be invited in order to present his/her case. The Committee will render a decision (in the absence of the student) as to whether bias, error or serious misrepresentation has been proven. The decision and the reasons behind it will be communicated in writing to the student, with reasons, by the Dean of Graduate & Postdoctoral Studies within one week of the Committee hearing.

If the request for a new examiner is approved by the Committee, the examination by the examiner in question will be considered void; the student and supervisor with the approval of the Unit must identify and contact a new examiner (and submit a new Nomination of Examiners form to GPS). **The thesis may not be revised prior to submission to the new examiner, as the examination will be treated as an initial submission.**

If the request for a new examiner is not approved by the Committee, the student has the right to Revise and Resubmit under the normal procedures. If the revised thesis also fails to pass examination, the thesis will be judged as not fulfilling the requirements for the degree and the student will be withdrawn from the University.

If bias, error, or serious misrepresentation is first alleged as a result of the examination of a revised thesis (i.e. a thesis that did not pass the first examination and was subsequently revised and resubmitted), the Hearing Committee process described above will be followed. If the allegation is upheld, a new examiner will be secured as described above. If the allegation is not upheld, no further revisions will be considered; the student will be withdrawn from the University.

Comment [A1]: Should the student be allowed to have an advocate?