

Introduction

1. By Order No. 88 (NY/2021) dated 24 September 2021, the Tribunal ordered the parties:

a. By 8 October 2021, the parties to file a jointly-signed statement in which they were to set out the agreed and contested facts, provide a list of the legal provisions upon which the contested decision was based, and indicate whether they would be willing to enter into negotiations on resolving the case amicably;

b. By 8 October 2021, the Applicant to submit the identity of the witnesses that he wished to call, indicate what disputed fact(s) each of these witnesses was to give testimony about, and provide a brief statement or summary of the issue and/or disputed fact(s) to be addressed by each witness. If the Applicant did not wish to call any witnesses but maintained his request for an oral hearing, he should provide reasons for holding this hearing. Also, the Applicant was to state what additional written documentation he requested the Respondent to disclose, including by indicating what disputed fact(s) such documentation was intended to support.

c. The Respondent to file his response to the Applicant's submission by 13 October 2021.

2. On 15 October 2021, following a request for time extension by the Applicant, the parties filed their jointly-signed statement and the Applicant filed his submission in accordance with Order No. 88 (NY/2021).

8. In addition to these three points, the Tribunal notes that as a fourth prong of the judicial test, the Appeals Tribunal has held that the Dispute Tribunal is to examine whether the student's rights were respected (see

