
General Faculties Council
Campus Law Review Committee
Approved Minutes

Thursday, November 24, 2011
3-15, UHALL
9:30 am – 11:00 am

ATTENDEES:

Steven Penney - Chair, Deborah Eerkes, Jayson MacLean, Tamara Korassa, Aditya Rao, Colten Yamagishi, Lise Gotell, Elaine Geddes, Adrienne Wright, Ada Schmude, Maxi Miciak, Iva Spence, Garry Bodnar (Coordinator), Emily Paulsen (Scribe)

PRESENTERS AND GUESTS:

Deborah Eerkes, Director, Office of Student Judicial Affairs
Steven Penney, Chair, GFC Campus Law Review Committee
Iva Spence, Appeals Coordinator, University Governance
Jody Wolfe, Research Associate, Addictions and Mental Health Research Lab, School of Public Health

OPENING SESSION

1. Approval of the Agenda

Materials before members are contained in the official meeting file.

The Agenda was reordered to accommodate guests.

Motion: Geddes/Eerkes

THAT the GFC Campus Law Review Committee approve the Agenda, as amended.

CARRIED

2. Approval of the Minutes of September 22, 2011

Materials before members are contained in the official meeting file.

Motion: Korassa/Schmude

THAT the GFC Campus Law Review Committee approve the Regular Session Minutes of September 22, 2011.

CARRIED

3. Comments from the Chair (no documents)

There were no comments from the Chair.

ACTION ITEMS

4. Proposed Changes to Section 30.3.1(3) of the Code of Student Behaviour (COSB) to Accommodate the Current Residence Community Standards

Materials before members are contained in the official meeting file.

Presenter: Deborah Eerkes, Director, Office of Student Judicial Affairs

Purpose of the Proposal: To ensure the Code of Student Behaviour (COSB) is current with regards to changes to the Residence Community Standards.

Discussion:

Ms Eerkes noted she had put forward this proposal as a housekeeping item in order to amend the COSB to take into account that the Residence disciplinary committees no longer exist, given the introduction of new Residence Community Standards involving restorative justice processes in the Spring of 2011. There was no additional discussion.

Motion: Geddes/Miciak

THAT GFC Campus Law Review Committee, acting under delegated authority from General Faculties Council, approve the proposed change to Section 30.3.1(3) of the Code of Student Behaviour relating to Residence discipline processes, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachment 1, to take effect upon final approval.

CARRIED

5. Inappropriate Behaviour Towards Individuals or Groups

Materials before members are contained in the official meeting file.

Presenter: Deborah Eerkes, Director, Office of Student Judicial Affairs

Purpose of the Proposal: The University has encountered several cases in which students have been charged under the Code of Student Behaviour's (COSB) Section 30.3.4 – Inappropriate Behaviour Towards Members of the University Community – in which the 'victims' were not actually Members of the University Community. The Code should focus on our students' behaviour, not necessarily on who that behaviour is directed toward. In all cases, a tangible link to the University or University Activities must be made in order for COSB charges to apply. The impact of the proposal is to refocus on the behaviour of the University's students rather than the target of that behaviour.

Discussion:

Ms Eerkes introduced the proposal, noting as the rationale for the proposed changes the need to ensure that the COSB focuses on student behaviour and not on whom that behaviour is directed.

Motion: Eerkes/Gotell

THAT the GFC Campus Law Review Committee recommend to the GFC Executive Committee a proposal submitted by the Director of the Office of Student Judicial Affairs (OSJA) to revise the heading of Code of Student Behaviour Section 30.3.4 to "Inappropriate Behaviour Towards Individuals or Groups" along with the resulting revisions to Code Sections 30.5.2(2)e, 30.5.6(1) and 30.5.6(2), as set forth in Attachment 1, to

take effect upon final approval.

CARRIED

DISCUSSION ITEMS

6. Office of Student Judicial Affairs (OSJA) 2010-2011 Annual Report and Statistics

Materials before members are contained in the official meeting file.

Presenter: Deborah Eerkes, Director, Office of Student Judicial Affairs

Purpose of the Proposal: To provide GFC CLRC with the annual report and statistics of the Office of Student Judicial Affairs (OSJA) for the 2010-2011 academic year.

Discussion:

Ms Eerkes presented an annual report including statistics from the Office of Student Judicial Affairs for the period 2010-2011. The number of expulsions was noted to have decreased but, overall, the statistics on which Ms Eerkes reports were seen to have remained consistent with last year's.

During the ensuing discussion, the presenter addressed questions and comments from members regarding the following matters: the higher proportion of males committing offences, but a preference in the report to target behaviours rather than the gender of those committing offences; the lack of data from the Faculty of Medicine and Dentistry and the reasons for this anomaly; the decline in appeals over the years as more of an indication of the changes in the punitive system of justice rather than a change in student behavior; a clarification of what is meant by the broad category of "violation of safety and dignity;" and the possibility of an institutional restorative justice system in the future.

7. Coalition for Action on High Risk Drinking (CAHRD) 2010-2011 Report

Materials before members are contained in the official meeting file.

Presenters: Deborah Eerkes, Director, Office of Student Judicial Affairs; Jody Wolfe, Research Associate, Addictions and Mental Health Research Lab, School of Public Health

Purpose of the Proposal: To report on the issues and preventative initiatives at the University of Alberta relating to harmful alcohol use.

Discussion:

Ms Eerkes introduced the 2010-2011 report from the Coalition for Action on High Risk Drinking (CAHRD). She noted three principles from the previous year helped guide the report: information carrying, consultation and advice, and monitoring trends. Additionally, the online self-assessment program, *Check Yourself*, was discussed in the report.

Ms Wolfe went into greater detail about the report, noting that the information was gathered from many sources including the Office of Student Judicial Affairs (OSJA), Residence Services, the Sexual Assault Centre, University of Alberta Protective Services (UAPS), and online surveys. Trends were seen to have remained steady for the past year which gives the University the opportunity to implement new policies and easily see how these affect change. An audit tool, which is the basis of *Check Yourself*, was used to capture the frequency and quantity of bingeing and a description of the experiences and relative harms of drinking amongst student members of the University community. It was found that direct advertising

greatly encouraged participation by students in the *Check Yourself* website. *Check Yourself* was described to have empirically proven to reduce drinking among heavy drinkers by using normative based intervention. A correlation between alcohol use and disciplinary problems was noted, along with the financial strain this then puts on UAPS and, more generally, the University.

During the ensuing discussion, the presenters addressed questions and comments from members regarding the following matters: the rarity of academic offences related to alcohol; the under-representation of the statistics due to unreported incidents; the 30% reduction, on average, of heavy drinkers who had worked through the *Check Yourself* website; the lack of raw data; and the focus in the report on risky behaviours as opposed to positive trends.

8. Chart of Proposed Changes to Appeal Regulations

Presenter: Iva Spence, Appeals Coordinator, University Governance

Purpose of the Proposal: For discussion/information.

Discussion:

Ms Spence spoke to the proposal to establish monthly sessions following on meetings of GFC CLRC which would serve to gather stakeholders in the Code of Student Behaviour (COSB), to discuss proposals for possible revisions to the Code, to receive feedback, and to encourage action. Residence Services had not responded to date but were expected to be added to the list of participants in this endeavour.

A member questioned whether a student undergoing an academic appeal should have their transcripts reviewed due to concerns regarding confidentiality.

9. Annual Report to General Faculties Council (GFC) from the Appeals Coordinator (July 1, 2009 to June 30, 2011) (to be distributed)

Presenter: Iva Spence, Appeals Coordinator, University Governance

Purpose of the Proposal: To provide the annual report of statistics as required by GFC policy. In addition to reporting on the 2010-2011 reporting year, the Appeals Coordinator also submitted a report past due for the 2009-2010 reporting year.

Discussion:

Ms Spence presented the annual report to the GFC, which included a breakdown of charges. The numbers were seen to have remained fairly consistent.

During the ensuing discussion, the presenter addressed questions and comments from members regarding the following matters: whether or not there was an inherent bias towards appeals being denied; the value of tracking the year of the student and the level of the course in which the academic offence took place; and the usefulness of the flow chart which clearly outlines the appeal processes.

10. Question Period

Members discussed the possible benefits of showing the Annual Report from the Appeals Coordinator to the wider University community to better educate them regarding the consequences of misconduct and the process of discipline. The problem of unreported incidences was noted to come in part from a misunderstanding and/or ignorance of the disciplinary processes at the University. It was suggested that

second-year students be targeted in an advertisement regarding appeals since they were the group most likely to offend. The extensive use of social media sites was also suggested as a means to educate the wider community about the consequences of academic dishonesty and on appeal processes. It was also noted that to successfully and thoroughly educate the University community, more resources would be required.

INFORMATION ITEMS

11. Items Approved by the GFC Campus Law Review Committee by E-Mail Ballots

There were no items to date.

12. Information Items Forwarded to Committee Members Between Meetings

There were no items to date.

CLOSING SESSION

13. Adjournment

The Chair adjourned the meeting at 10:55 am.