



UNIVERSITY OF ALBERTA

UNIVERSITY GOVERNANCE

General Faculties Council
Campus Law Review Committee
Approved Open Session Minutes

Thursday, May 24, 2012
3-15, UHALL
9:30 AM – 11:00 AM

ATTENDEES:

Voting Members:

Steven Penney	(Elected from at-large) Staff Member and Chair, as appointed by the GFC Executive Committee
Deborah Eerkes	Discipline Officer
Frank Robinson	Vice-Provost and Dean of Students
Jim Newman (Delegate)	Director, University of Alberta Protective Services
Dima Utgoff	Director of Resident Services
Natalie Sharpe (Delegate)	Student OmbudService
Nathan Andrews (Delegate)	Graduate Students' Association
Kaibree Drake	Residences
Saadiq Sumar	Students' Union Executive
Lise Gotell	Academic Staff
Elaine Geddes	Academic Staff [2011-2012 Current Associate Dean]
Jess Ann Gordon	Student at-large

Non-Voting Members:

Iva Spence	Appeals Coordinator
Garry Bodnar	Director of GFC Services and Secretary to GFC

Presenters:

Deborah Eerkes	Director, Office of Student Judicial Affairs
Chris Hackett	Discipline Officer, Office of Student Judicial Affairs
Steven Penney	Chair, GFC Campus Law Review Committee
Natalie Sharpe	Senior Advisor and University Director, Student OmbudService
Iva Spence	Appeals Coordinator, University Governance

Staff:

Garry Bodnar	Coordinator, GFC Campus Law Review Committee
Emily Paulsen	Scribe

OPENING SESSION

1. Approval of the Agenda

Materials before members are contained in the official meeting file.

Motion: Geddes/Eerkes

THAT the GFC Campus Law Review Committee approve the Agenda.

CARRIED

2. Approval of the Open Session Minutes of March 22, 2012

Materials before members are contained in the official meeting file.

Motion: Gordon/Geddes

THAT the GFC Campus Law Review Committee approve the Minutes of March 22, 2012.

CARRIED

3. Comments from the Chair

The Chair commented on a number of items of interest to members.

ACTION ITEMS

4. Disclosure Within and Around Student Discipline Processes

Materials before members are contained in the official meeting file.

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

Purpose of the Proposal: To bring clarity and transparency to the Code of Student Behaviour about current practices of disclosure of disciplinary decisions; to evaluate effectiveness of current practices; and to propose new practices where the Code does not currently meet the needs of the University Community.

Discussion:

Ms Eerkes introduced the item and invited any remarks from members.

During the ensuing discussion, the presenter addressed questions and comments including, but not limited to, the following: clarification regarding the categories of “academic” and “non-academic” probation; an explanation regarding the change in terminology from “permanent academic record” to “central academic record;” clarity regarding who has access to confidential files; review of editorial changes (eg, adjustments in numbering); and the assertion that definitions are unique to each policy, as set out in the UAPPOL environment.

Motion I: Eerkes/Geddes

THAT the GFC Campus Law Review Committee, acting under delegated authority from General Faculties Council, approve proposed changes to Section 30.2 (Definitions), Section 30.4 (Sanctions and Their Impact), Section 30.5.7, and Section 30.5.8 of the Code of Student Behaviour, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachments 2, 3, 4, and 5, to take effect upon approval.

CARRIED

Motion II: Eerkes/Geddes

THAT the GFC Campus Law Review Committee recommend to the GFC Executive Committee proposed changes to Section 30.6.5 (Procedures at the UAB Hearing)/Subsections 14 and 15 of the Code of Student Behaviour, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachment 5 (as amended), to take effect upon final approval.

CARRIED

(Members agreed to treat the above-noted Motions together as an omnibus Motion.)

5. Proposed Editorial Changes to the Code of Student Behaviour, Code of Applicant Behaviour, and the Practicum Intervention Policy

Materials before members are contained in the official meeting file.

Presenter: Iva Spence, Appeals Coordinator, University Governance

Purpose of the Proposal: To foster alignment between the Code of Applicant Behaviour, the Code of Student Behaviour, and the Practicum Intervention Policy. The changes include such matters as: adding e-mail as an official method of communication; clarifying the definition of academic standing; clarifying the definition of 'Working or Business Day'; and general housekeeping.

Discussion:

Ms Spence explained to members that all changes put forward in the item are editorial in nature, which would then allow GFC CLRC to approve the proposal under delegated authority from General Faculties Council.

During the ensuing discussion, the presenter addressed questions and comments including, but not limited to, the following: clarification regarding the deadline for appeals; and an explanation concerning the use of e-mail, which must abide by the University's official e-mail policy.

Motion: Gotell/Geddes

THAT the GFC Campus Law Review Committee approve, under delegated authority from General Faculties Council, proposed changes to the Code of Applicant Behaviour (Section 11.8.3 (Definitions) and Section 11.8.8.3 (Service and Notice)); Code of Student Behaviour (Section 30.2 (General Definitions), Section 30.3.2 (Inappropriate Academic Behaviour), and Section 30.5.1(6) (Notice to Students)); and the Practicum Intervention Policy (Section 87.7 (Composition of the GFC PRB), Section 87.12 (Service and Notice), and 'Definitions')), as submitted by the Appeals Coordinator and as set forth in Attachments 1, 2 and 3, to take effect upon approval.

CARRIED

6. Proposed Changes to the Code of Student Behaviour (Section 30.6) and the Practicum Intervention Policy (Section 87.9)

Materials before members are contained in the official meeting file.

Presenters: Natalie Sharpe, Senior Advisor and University Director, Student OmbudService; Iva Spence, Appeals Coordinator, University Governance

Purpose of the Proposal: To clarify the 'Suggested Hearing Procedures' for all University-level appeals.

Discussion:

Ms Sharpe explained to members that the proposed changes as presented were considered editorial in nature, with the goal to bring more clarity to appeals procedures by ensuring consistent terminology and simplifying the regulations to make them more reader friendly.

Ms Spence added that the eventual goal is to create a single Panel of Chairs so that there is a larger pool to draw from for the establishment of appeal committees.

During the ensuing discussion, presenters addressed questions and comments including, but not limited to, the following: clarification around permitting the appellant the ability to speak after the respondent has presented during an appeal, if so desired; and the ability of a Chair to make a decision regarding a claim from a party to an appeal with respect to their perception the Chair is biased.

Motion: Gordon/Eerkes

THAT the GFC Campus Law Review Committee recommend to the GFC Executive Committee approval of proposed changes to Code of Student Behaviour Section 30.6 (Procedures for Appeal of Decisions to the University Appeal Board (UAB)) and Practicum Intervention Policy Section 87.9 (Procedures at the GFC PRB Hearing), as submitted by the Appeals Coordinator and as set forth in Attachments 1 and 2, to take effect upon final approval.

CARRIED

DISCUSSION ITEMS

7. Terms of Reference for the Working Group on the Use of Text-Matching Software

Materials before members are contained in the official meeting file.

Presenter: Chris Hackett, Discipline Officer, Office of Student Judicial Affairs

Purpose of the Proposal: To provide a Terms of Reference document associated with a Working Group on the Use of Text-Matching Software to GFC CLRC for review and feedback.

Discussion:

Mr Hackett introduced the item to members and asked members for their questions and comments in the hope that the Working Group would be able to proceed smoothly, with clear direction.

Ms Eerkes commented that there was some confusion regarding what the group's mandate should be and what GFC CLRC was charging the group to do.

During the ensuing discussion, the presenters addressed questions and comments including, but not limited to, the following: the influence of cost on the Working Group's recommendation(s); the expressed need for clarification around the Working Group's mandate before recommendations could be contemplated; whether the group should work to provide guidelines, policies, a set of best practices, or be charged with simply gathering information; a recommendation that the mandate of the Working Group read that their duty is to "make investigations and possibly recommendations;" the possibility of consulting institutions with text-matching software regulations; the controversial use of text-matching software by students in which some use the program to plagiarize but avoid getting caught while others may use it to

ensure proper citation; protecting the intellectual property of students; clarification around membership on this group and possibly increasing the faculty representation on the working group since text-matching software would impact faculty in a significant manner; clarification regarding whether or not the group is considered a subcommittee of CLRC or a working group; a recommendation to bring the document to the Provost and Vice-President (Academic) because of the cost and the widespread implications; and a recommendation to keep the work as simple and minimalistic as possible since it would be used by many stakeholders across the institution.

8. Chart of Proposed Changes to Appeal Regulations

Materials before members are contained in the official meeting file.

Presenter: Iva Spence, Appeals Coordinator, University Governance

Purpose of the Proposal: To update the members of the GFC CLRC on the status of ongoing changes within Appeal regulations, Code of Student Behavior.

Discussion:

There was no discussion.

9. Question Period

There were no questions.

INFORMATION REPORTS

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

There were no items.

11. Information Items Forwarded to Committee Members Between Meetings

There were no items.

CLOSING SESSION

12. Adjournment

The Chair adjourned the meeting at 10:55 am.