



UNIVERSITY OF ALBERTA

UNIVERSITY GOVERNANCE

General Faculties Council
Campus Law Review Committee
Approved Open Session Minutes

Thursday, April 25, 2013
3-07, South Academic Building
9:30 AM – 11:00 AM

ATTENDEES:

Voting Members:

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| Steven Penney | (Elected from at-large) Staff Member and Appointed by the GFC Executive Committee |
| Deborah Eerkes | Discipline Officer |
| Norma Rodenburg (Delegate) | Vice-Provost and Dean of Students |
| Bill Mowbray | Director, University of Alberta Protective Services |
| Sarah Wolgemuth | Director of Resident Services |
| Jayson MacLean | Student OmbudService |
| Nathan Andrews (Delegate) | Graduate Students' Association |
| Saadiq Sumar | Students' Union Executive |
| Lise Gotell | Academic Staff |
| Elaine Geddes | Academic Staff |
| Adrienne Wright | Staff from A1.0, A2.0 and/or B1.0 |

Non-Voting Members:

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| Michael Peterson | Appeals Coordinator |
| Garry Bodnar | Director of GFC Services and Secretary to GFC |

Presenters:

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| Deborah Eerkes | Director, Office of Student Judicial Affairs |
| Marion Haggarty-France | University Secretary |
| Steven Penney | Chair, GFC Campus Law Review Committee |

Staff:

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| Garry Bodnar | Coordinator, GFC Campus Law Review Committee |
| Marion Haggarty-France | University Secretary |
| Andrea Patrick | Scribe |

OPENING SESSION

1. Approval of the Agenda

Materials before members are contained in the official meeting file.

Motion: Eerkes/Sumar

THAT the GFC Campus Law Review Committee approve the Agenda.

CARRIED

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

Materials before members are contained in the official meeting file.

Motion: Geddes/Wright

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

CARRIED

3. Comments from the Chair

Professor Penney welcomed observers to the meeting including newly-elected (incoming) Students' Union (SU) and Graduate Students' Association (GSA) representatives.

ACTION ITEMS

4. 'Class' and 'Class Disruption': Proposed Changes to the Code of Student Behaviour

Materials before members are contained in the official meeting file.

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

Purpose of the Proposal: To update the Code of Student Behaviour sections that deal with the definitions of 'Class' (Section 30.2.9) and 'Class Disruption' (Sections 30.4.3(1)a and 30.5.3) as well as some housekeeping items.

Discussion:

Ms Eerkes briefly outlined the contents of the proposal to members, noting that the proposed revisions are necessary to reflect the currency of online courses. She stated that the revisions include changes to the wording of the above-noted Code sections, that is, the definition of 'class and amendments to 'Minor Sanctions'.

Members expressed questions in relation to this proposal, including, but not limited to: whether instructors have the right to bar an individual from their administrative offices at the University; and how this would apply to help sessions offered students.

Motion: Eerkes/MacLean

THAT the GFC Campus Law Review Committee approve, under delegated authority from General Faculties Council, proposed revisions to Sections 30.2.9, 30.3.6(6), 30.4.3(1)(a), and 30.5.3 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 1, to take effect upon final approval.

CARRIED

5. Harassment and Discrimination Definitions in the Code of Student Behaviour – Proposed Revisions to Accord with UAPPOL Policy

Materials before members are contained in the official meeting file.

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

Purpose of the Proposal: To update the Code of Student Behaviour definitions of 'Harassment and Discrimination' so that they accord with the new UAPPOL Discrimination, Harassment and Duty to Accommodate Policy.

Discussion:

Ms Eerkes reported that this proposal reflects necessary changes to the Code of Student Behaviour as a result of the introduction of the University's current Discrimination, Harassment and Duty to Accommodate Policy within the University of Alberta Policies and Procedures Online (UAPPOL) environment. She stated that certain definitions that had previously existed were omitted and that reference was now made to the aforementioned UAPPOL policy.

During the discussion, members expressed a number of comments and questions in relation to this proposal, including, but not limited to: clarification about the definition of 'harassment'; clarification about the definition of 'class'; and clarification about the lists of 'class' and 'groups' as they relate to the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms.

Members suggested two 'friendly' amendments to which the proposer agreed—these were the inclusion of a link to the definitions cited within the cited UAPPOL policy and to change reference to 'class' to 'group'.

Mr Bodnar and Professor Penney provided members with a briefing on the GFC CLRLC Terms of Reference and delegated authority from General Faculties Council (GFC) as it relates to the approval of changes to the Code of Student Behaviour.

Motion: Eerkes/Wright

THAT the GFC Campus Law Review Committee approve, under delegated authority from General Faculties Council, proposed revisions to Section 30.3.4 (Inappropriate Behaviour towards Individuals and Groups) 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 1, as amended, to take effect upon final approval.

CARRIED

6. Readmission After a Suspension – Clarifying Proposed Changes to the Code of Student Behaviour

Materials before members are contained in the official meeting file.

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

Purpose of the Proposal: To clarify Section 30.4.2(13)(f) (Suspension) of the Code of Student Behaviour which speaks to readmission after a suspension.

Discussion:

Ms Eerkes briefed members on the contents of the proposal, adding that, following consultation with each Faculty, proposed amendments to the Code of Student Behaviour were drafted to provide clarity surrounding the issue of the readmission of students after a period of suspension. She stated that her aim was to ensure that the contents of the Code of Student Behaviour would not override admissions decisions. She explained that students suspended for less than 12 months do not need to reapply, whereas students suspended for 12 months or more do need to reapply.

Members, during the discussion, expressed a number of comments and questions in relation to this item, including, but not limited to: that most Faculties have their own rules surrounding readmission; a concern that the proposed revisions will be misinterpreted; there is a great deal of division among the Faculties surrounding readmission; that the language within the Code needs to be consistent to ensure clarity; and a suggestion to remove "period of" from the text before members to clarify the exact length of the suspension.

Following the discussion, Ms Eerkes announced that she would withdraw this item from consideration at this time, pending further consultation and possible further revision. Members agreed.

DISCUSSION ITEMS

7. Office of Student Judicial Affairs 2011/12 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 2011/12 academic year.

Discussion:

Ms Eerkes provided a summarized overview of the contents of the OSJA 2011/12 Annual Report and Statistics, noting that the number of cases had remained steady for the last three years and that gender seemed to play a role within non-academic misconduct. She spoke of the increased incidents of cheating described within the Report and noted that there were 42 charges of breach to external rules, including Criminal Code violations. She stated that a total of 29 charges under the Code were dismissed.

During the ensuing discussion, members expressed several comments and questions in relation to the Report, including, but not limited to: clarification about internal *versus* external rules; clarification about cheating violations including the number of incidents and type; and clarification with regard to charges to student groups.

8. Chart of Proposed Changes to Appeal Regulations

There were no documents.

Presenter: Marion Haggarty-France, University Secretary

Purpose of the Proposal: To ensure stakeholders connect and share the status of contemplated changes and, where possible, coordinate efforts.

Discussion:

Ms Haggarty-France updated members on the status of the 'Chart of Proposed Changes to Appeal Regulations', adding that although the group has not met since December 2012, progress continues to be made. She reported that the Working Group remains mindful that too many changes to the Code can present difficulties for those working with it and that this group wants to ensure that proper consultation is maintained before additional proposed changes move forward.

She stated that a related work plan will likely be discussed at the May, 2013 meeting of GFC CLRC and that the revised 'Chart' will be posted on the University Governance website.

Professor Penney thanked Ms Haggarty-France and Mr Bodnar for their continued efforts regarding this issue.

9. Question Period

A member enquired when the next review of the University's Residence Community Standards Policy will be initiated, and Ms Wolgemuth replied that she will be circulating an e-mail next week with a suggested schedule.

Professor Penney thanked student members Mr Saadiq Sumar and Mr Brent Epperson for their active participation on GFC Campus Law Review Committee (CLRC) and wished them luck in future endeavors.

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 11:15 am.