



General Faculties Council  
Campus Law Review Committee  
Approved Open Session Minutes

Thursday, September 26, 2013  
3-07 South Academic Building (SAB)  
9:00 AM -10:30 AM

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**ATTENDEES:**

Voting Members:

|                       |                                                                                                                                                                |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Steven Penney         | Ex-Officio Chair, Academic Staff Elected from at-large, appointed by GFC Executive Committee                                                                   |
| Deborah Eerkes        | Ex-Officio Member, Discipline Officer, Office of Student Judicial Affairs                                                                                      |
| Frank Robinson        | Ex-Officio Member, Vice-Provost and Dean of Students                                                                                                           |
| Sarah Wolgemuth       | Ex-Officio Member (Delegate), Director of Residence Services                                                                                                   |
| Adrienne Wright       | Elected Member, Staff selected from Categories A1.0, A2.0 and/or B1.0                                                                                          |
| Carrie Holstead       | Elected Member, Staff selected from Categories A1.0, A2.0 and/or B1.0                                                                                          |
| Kathy Tang            | Elected Member, Student-at-large, Graduate or Undergraduate                                                                                                    |
| Sujata Persad         | Elected Member, Academic Staff elected from Categories A1.1, A1.5 or their counterparts in A1.6                                                                |
| Monty Bal             | Appointed Member, Representative of the Graduate Students' Association, appointed by the GSA Executive, Vice-President (Labour)                                |
| Patrick Cajina Cortez | Appointed Member, Representative of Residences, elected by the University of Alberta Residence Hall Association, President, Residence Hall Association         |
| William Lau           | Appointed Member, Representative of the Students' Union Executive or their designee, appointed by the Students' Union Executive, Vice-President (Student Life) |
| Jayson MacLean        | Appointed Member (Delegate), Representative of the Student Ombudservice                                                                                        |

Non-Voting Members:

|                  |                                                                                     |
|------------------|-------------------------------------------------------------------------------------|
| Garry Bodnar     | Member, Director, General Faculties Council Services and Secretary to GFC, Resource |
| Michael Peterson | Member, Appeals and Compliance Officer, Resource                                    |

Presenter(s):

|                        |                                                                                                     |
|------------------------|-----------------------------------------------------------------------------------------------------|
| Deborah Eerkes         | Director, Office of Student Judicial Affairs                                                        |
| Marion Haggarty-France | University Secretary                                                                                |
| Joanna Harrington      | Associate Dean, Faculty of Graduate Studies and Research                                            |
| Steven Penney          | Chair, GFC Campus Law Review Committee                                                              |
| Norma Rodenburg        | Student Affairs Officer, Office of the Dean of Students                                             |
| Sarah Wolgemuth        | Assistant Dean of Students – Residence Life, Offices of the Dean of Students and Residence Services |

Staff:

Garry Bodnar, Coordinator, GFC Campus Law Review Committee (CLRC)  
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.

*Discussion:*

The Chair reorganized the Agenda to accommodate guest presenters.

Motion: Lau/Eerkes

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

**CARRIED**

2. Approval of the Open Session Minutes of June 6, 2013

Materials before members are contained in the official meeting file.

Motion: MacLean/Eerkes

THAT the GFC Campus Law Review Committee approve the Open Session Minutes of June 6, 2013.

**CARRIED**

3. Comments from the Chair

The Chair welcomed new and returning members and invited members to introduce themselves.

4. Comments from the University Secretary for the New Academic Year

There were no documents.

*Discussion:*

Ms Haggarty-France welcomed members to the new academic year and explained that the GFC Campus Law Review Committee (CLRC) provides a valuable service to the University community in the work that carries out in relation to student judiciary matters. She added that a work plan for GFC CLRC is being developed which includes a focus on streamlining changes to the Code of Student Behaviour. She reminded members of the vacancies on the Committee and invited suggestions for replenishment.

**ACTION ITEMS**

5. Residence Community Standards Policy Proposed Changes

Materials before members are contained in the official meeting file.

*Presenters:* Deborah Eerkes, Director, Office of Student Judicial Affairs; Sarah Wolgemuth, Assistant Dean of Students – Residence Life, Offices of the Dean of Students and Residence Services

*Purpose of the Proposal:* To update the Residence Community Standards Policy to enact the recommendations of the Residence Community Standards Review Committee (RCSRC) and to make the RCSRC-recommended improvements to the current Residence Community Standards Policy.

*Discussion:*

Ms Eerkes provided a brief outline of changes set out in the proposal, including: the improvement of communication with students with regard to restorative justice processes; the addition of a new, more generic definition of “Facilitator”; the expansion of the definition of “minor incident”; changing “Resident Contract” to “Resident Agreement”; and minor changes including updating titles and correcting typographical errors.

Members expressed a number of questions and comments in relation to this proposal, including, but not limited to: commentary that students had enjoyed collaborating on this project; commentary that the Students’ Union (SU) will be working on future changes to appeals and surrounding inclusion; and clarification on the deletion of the word “formal” on page 20 of the material before members.

The Chair explained for the benefit of new members the difference between GFC CLRC considering and approving a proposal with delegated authority from General Faculties Council (GFC) and recommending this item forward to the GFC Executive Committee.

Mr Bodnar clarified the Committee’s mandate within the Terms of Reference in relation to the terms “substantive” and “editorial” changes.

Motion: Eerkes/Cajina Cortez

THAT the GFC Campus Law Review Committee recommend to the GFC Executive Committee proposed changes to the existing Residence Community Standards Policy, as submitted by the Offices of Residence Services and Student Judicial Affairs (OSJA) and as set forth in Attachment 1, to take effect upon final approval.

**CARRIED**

**DISCUSSION ITEMS**

6. Clarifying the Procedure for Handling Complaints of Research and Scholarship Misconduct Lodged Against Students

Materials before members are contained in the official meeting file.

*Presenter:* Joanna Harrington, Associate Dean, Faculty of Graduate Studies and Research

*Purpose of the Proposal:* For information/discussion. To remove confusion that currently exists as to the procedure to be followed when investigating and adjudicating a complaint of research and scholarship misconduct that has been lodged against a student (usually a graduate student) and to ensure that the same procedure is followed for dealing with this kind of academic offence as with other kinds of academic offence (such as plagiarism and cheating) and to reduce confusion for students, professors, Associate Chairs (Graduate Studies), the Student OmbudService (SOS), Associate Deans, and the Discipline Officers.

*Discussion:*

Dr Harrington thanked members for their attention to this proposal, adding that it serves to address concerns about clarity regarding the procedures to be followed after complaints about research and scholarship misconduct have been lodged against a student. She provided an overview of some of the proposed changes to the Code of Student Behavior and added that consequential changes to the Research and Scholarship Integrity Policy (RSIP) and its appendix in the University of Alberta Policies and Procedures On-Line (UAPPOL) would also be required. She noted that there was extensive consultation with Discipline Officers and Associate Chairs (Graduate) in relation to drafting these proposed amendments.

During the ensuing discussion surrounding this item, members expressed several comments and questions, including, but not limited to: a query as to whether Dr Harrington would be willing to consult with members of the Students' Union (SU) regarding this proposal; clarification about who makes the decision with regard to the six-month time limit unless there are exceptional circumstances; clarification about the roles of the adjudicator and investigator in relation to the proposed changes; whether there have ever been cases where a student and supervising faculty member have offended concurrently; clarification as to whether changes to the UAPPOL policy are required; clarification as to whether the Code of Student Behavior and UAPPOL changes will be presented together as one proposal; clarification as to whether there will be information about these changes, as they specifically relate to research, developed for and communicated to students; clarity around whether this proposal covers the issue of ethics; expressions of support for this proposal; and a suggestion to remove the problematic section within UAPPOL altogether.

The Chair thanked Dr Harrington for presenting her proposal.

7. Annual Report of the Residence Community Standards Review Committee (RCSRC)

Materials before members are contained in the official meeting file.

*Presenter:* Sarah Wolgemuth, Assistant Dean of Students – Residence Life, Offices of the Dean of Students and Residence Services

*Purpose of the Proposal:* For information/discussion; report on the second annual review of the Restorative Justice Program as per Section C.4 of the University of Alberta Residence Community Standards Policy.

*Discussion:*

Ms Wolgemuth directed members to the Report and explained that it represents the second of two required formal reviews of the University's new Residence Community Standards Policy and by extension, the institutional Restorative Justice Program. She provided a brief outline of the contents of the Report, including: a proposed increase in training activities; the possible elimination of the role of Restorative Team Coordinator; improved communication and sessions regarding Community Resolutions; increased training for Residence Operations staff to be able to accurately refer certain issues to either Residence Life or to the Restorative Justice Program; improved educational sessions regarding the Restorative Justice Program; the introduction of a mid-level Restorative Meeting; and suggested procedures for all three levels of Restorative response.

During the discussion surrounding this report, members expressed a number of questions and comments, including, but not limited to: clarification about a singular incident where several offences are committed; whether the report is based on undergraduate residences; a request for an update on mid-level meetings; and the process for addressing students with substance abuse issues and clarification about the resources available to those students.

8. Office of Student Judicial Affairs 2012-2013 Annual Report and Statistics

Materials before members are contained in the official meeting file.

*Presenter:* Deborah Eerkes

*Purpose of the Proposal:* For information/discussion.

*Discussion:*

The Chair noted that, given time constraints at this meeting, this item would be presented at the next meeting of GFC CLRC.

9. Student Groups Procedure (in UAPPOL)

Materials before members are contained in the official meeting file.

*Presenters:* Norma Rodenburg, Student Affairs Officer, Office of the Dean of Student; Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA)

*Purpose of the Proposal:* For information/discussion. To make the administration of Student Groups more clear; to remove Student Groups from the Code of Student Behaviour and to provide a process for determining Student Group status or intervening in unacceptably risky Student Group Events or Activities and to remove Student Groups from the definition of "Student" under the Code and to acknowledge the management of Student Groups as a purely administrative function. This has the effect of making Student Groups no longer subject to Code charges; however, individual students acting on behalf of the group are still subject to the Code. Any decisions regarding the conduct of the Group are assessed in relation to the status of that Student Group.

*Discussion:*

Ms Rodenburg provided an overview of the proposal to members, adding that it has taken a year to develop this proposed procedure and that it originated from the need to clarify information surrounding Student Groups and their role. She noted that during the consultation process, it became apparent that there was confusion surrounding the presence of Student Groups within the Code of Student Behavior; she added further that it appeared to make more sense to remove it from the Code of Student Behavior completely, to acknowledge the management of student groups as an administrative function, and, finally, to develop a Student Group policy and procedure within the University of Alberta Policies and Procedures On-Line (UAPPOL). She stated that removing Student Groups from the Code of Student Behavior will not hinder in any way widespread collaboration on the development of future UAPPOL policy and related procedures. She briefed members on the editorial and substantive changes within the proposal.

Ms Eerkes clarified that, because the Code of Student Behavior relates to individual rights, it cannot be applied to student groups; however, she emphasized that individuals acting on behalf of a student group who commit an offence will still fall under the Code of Student Behavior. She also commented that the new policy and procedure will allow restitution and might include a process that a mandatory bond be remitted to the Dean of Students to cover any damages incurred by a student group.

During the extensive discussion surrounding this item, members expressed numerous comments and questions, including, but not limited to: the impact of the proposal on the formal discipline of student groups; legally, there are valid reasons to punish organizations in certain situations; clarification about the removal of fines for student groups; how the recent student group situation at the University of British Columbia (UBC) relates to the proposed changes; concern with the lack of a policy on this issue; whether

the Director of the University's Policy Standards Office (PSO) was consulted during the development of this proposal; that members of academic governance bodies might question the absence of an overarching policy before approving a procedure intended to fall under such a policy statement; suggestions for compiling a complete proposal before it enters governance; suggestions for language changes; clarification about the proposed appeal regulations; commentary that it would be beneficial to establish an appeal process as part of the new policy and procedure; that the University Appeal Board (UAB) is not the ideal forum to handle student group appeals; whether the new administrative appeals process can be strengthened; that the new appeals process would preserve fairness; and clarity as to whether risk management is included within the section on event planning.

The Chair thanked presenters for their efforts.

10. Chart of Proposed Changes to Appeal Regulations – Oral Update

There were no documents.

*Presenter:* Marion Haggarty-France

*Purpose of the Proposal:* For information/discussion.

*Discussion:*

Ms Haggarty-France explained that a revised work plan for the Committee would likely be presented at the next meeting, and Mr Bodnar added that there may it may be necessary to schedule a meeting of GFC CLRC in October, 2013.

11. Question Period

There were no questions.

**INFORMATION REPORTS**

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

There were no items.

13. Information Items Forwarded to Committee Members Between Meetings

There were no items.

**CLOSING SESSION**

14. Adjournment

The Chair adjourned the meeting at 10:20 am.