

SENATE MEETING PUBLIC SESSION AGENDA

January 15, 2020
3:30 – 5:30 PM

Senate Chambers (Room 1079 Charles J McCaffray Hall)

1.0 Acknowledgement of Territory

2.0 Presentation - none

**3.0 S-202001.01
Approval of the Agenda †**

Page 1 That the agenda for the January 15, 2020 Public Session of Senate be approved as presented.

† **NOTE:** *The Senate Agenda for the public session consists of two parts, a consent agenda and a regular agenda. The consent agenda contains items that are deemed to be routine or noncontroversial and are approved by the Steering Committee of Senate for placement on that agenda. Any Senator wishing to discuss any item on the consent agenda may ask the Chair of Senate that the item be removed from the consent agenda and placed on the regular agenda. Items removed from the consent agenda will be placed on the regular agenda and dealt with in the order in which they appear on the full agenda. Senators wishing to ask a question regarding an item on the consent agenda, without necessarily removing that item from the consent agenda, are strongly encouraged to direct questions to the Secretary of Senate in advance of the meeting.*

**4.0 S-202001.02
Approval of Senate Minutes**

Page 5 That the minutes of the October 23, 2019 Public Session of Senate be approved as presented.

**S-202001.03
Approval of Senate Minutes – Special Meeting**

Page 35 That the minutes of the December 2, 2019 Public Session of Senate be approved as presented.

5.0 Business Arising

6.0 President's Report (5 minutes) Weeks

7.0 Report of the Provost (5 minutes) Ryan

7.1 Academic Re-Structuring - Senate Update

8.0 Report of the Registrar (5 minutes) Annear

9.0 Question Period (10 minutes)

9.1 Written questions submitted in advance

9.1.1 Who is eligible to be a supervisor for graduate programs?

9.1.2 What did the University communicate to NSERC about the cessation of faculty picketing?

Was there any communication to NSERC explaining the change in labour actions, and if so, what did it say?

9.1.3 What were the activities and meeting dates of the Provost's Advisory Committee on the Academic Action Plan during calendar year 2019?

9.2 Questions from the floor

10.0 **S-202001.04**
Approval of Motions on the Consent Agenda **Weeks**
That the motions on the consent agenda, except for those removed for placement on the regular agenda, be approved as presented.

11.0 Committee Reports

11.1 **Senate Committee on Academic Appeals** **Hartley**

For Approval:

Regular **S-202001.05**
New Academic and Non-Academic Conduct Student Policy
That the Academic and Non-Academic Conduct Student Policy be approved as proposed.
Page 34 Effective Date: February 1, 2020

Regular **S-202001.06**
New Student Appeals Procedures
That the Student Appeals Procedures be approved as proposed.
Page 57 Effective Date: February 1, 2020

For Information Only:

SCAA/SCSDA10909.03
New Academic and Non-Academic Conduct Student Procedures
That the Academic and Non-Academic Misconduct Procedures be approved as proposed.
Page 66 Effective Date: February 1, 2020

11.2 **Senate Committee on Academic Affairs** **Ryan**

For Approval:

Regular **S-202001.07**
Graduate Academic Calendar Regulations and Policies
That the change(s) to the Graduate Academic Calendar Regulations and Policies on pages 31 and 36 - 46 of the 2019/2020 Graduate Academic Calendar, be approved as proposed.
Page 76 Effective Date: February 1, 2020

Regular **S-202001.08**
Undergraduate Academic Calendar Regulations and Policies
That the change(s) to the Undergraduate Regulations and Policies on pages 34 - 47 of the 2019/2020 Undergraduate Academic Calendar, be approved as proposed.
Page 103 Effective Date: February 1, 2020

Regular **S-202001.09**
Approval of the UNBC Academic Dates - 2024- 2025
That the UNBC Academic Dates for 2024-2025 be approved as proposed.
Page 132 Effective Date: September 2024

Regular **S-202001.10**
Memorandum of Agreement – UBC/UNBC
That the Memorandum of Agreement (MOA) between UBC and UNBC regarding the distributed Master of Physical Therapy program be approved as proposed.

Page 136 **Effective Date:** January 15, 2020

Regular **S-202001.11**

Letter of Understanding – UBC/UNBC

That the Letter of Understanding between (LOU) UBC and UNBC to guide the operations of the Master of Occupational Therapy Northern and Rural Cohort be approved as proposed.

Page 157 **Effective Date:** January 15, 2020

Regular **S-202001.12**

Memorandum of Agreement – UNBC/Grande Prairie Regional College

That the new Memorandum of Agreement between the University of Northern British Columbia and Grande Prairie Regional College be approved as proposed.

Page 165 **Effective Date:** February 1, 2020

11.3 Steering Committee of Senate

Weeks

For Approval:

Regular **S-202001.13**

Change(s) to the Senate Handbook – Senate Committee on Student Appeals

That the changes to the Senate Handbook be approved as proposed.

Page 175 **Effective Date:** Upon Approval of Senate

11.4 Senate Committee on Nominations

Casperson

For Information:

SCAAF SUBCOMMITTEE ON ACADEMIC SCHEDULING

Professional Program Faculty Rep (appointed by the Provost) (03/31/2020)

Vacant

CASHS Faculty Rep (appointed by Dean of CASHS) (03/31/2020)

Vacant

SENATE COMMITTEE ON ACADEMIC APPEALS

Lay Senator (03/31/2021)

Vacant

SENATE COMMITTEE ON ADMISSIONS AND DEGREES

Faculty Member — CASHS (03/31/2021)

Vacant

Faculty Member (03/31/2022)

Vacant

SENATE COMMITTEE ON ACADEMIC AFFAIRS

Regional Senator (03/31/2021)

Vacant

Graduate Student Senator (CSAM) (08/31/2020)

Vacant

SENATE COMMITTEE ON FIRST NATIONS AND ABORIGINAL PEOPLES

Aboriginal Regional Senator or Aboriginal Lay Senator (03/31/2020)

Vacant

SENATE COMMITTEE ON SCHOLARSHIPS AND BURSARIES

Faculty Senator — CASHS (03/31/2021)

Vacant

Faculty Senator — CSAM (03/31/2020)

Vacant

SENATE COMMITTEE ON STUDENT DISCIPLINE APPEALS

First Nations Student (08/31/2020)

Vacant

Administrative Staff Member (03/31/2022)

Vacant

SENATE COMMITTEE ON UNIVERSITY BUDGET

Exempt Staff Representative, appointed by the Exempt Group

Vacant

11.5 Senate Committee on Curriculum and Calendar

Annear

11.6 Senate Committee on Admissions and Degrees

Annear

- 11.7 Senate Committee on First Nations and Aboriginal Peoples Ryan
- 11.8 Senate Committee on Honourary Degrees and Special Forms of Recognition Weeks
- 11.9 Senate Committee on Scholarships and Bursaries Annear
- 11.10 Senate Committee on University Budget
- 12.0 Information
- 13.0 Other Business
- 14.0 **S-202001.14** (10 minutes)
Move to In Camera Session
That the meeting move In Camera
- 15.0 **S-202001.18**
Adjournment
That the Senate meeting be adjourned.

**SENATE COMMITTEE ON ACADEMIC APPEALS AND SENATE COMMITTEE ON
STUDENT DISCIPLINE APPEALS**

PROPOSED MOTION

Motion: That the Academic and Non-Academic Conduct Student Policy be approved as proposed.

1. **Effective Date:** February 1, 2020

2. **Rationale:**

In April 2016, a motion came forward with proposed revisions to Undergraduate Regulations #50 (Appeals Process) and #51 (Senate Committee on Academic Appeals). In response to the motion, Senate created an ad hoc committee charged with considering the motion and reporting back to Senate as to the questions of principle within the motion.

On August 23, 2017, the Ad Hoc Committee presented a report to Senate that outlined several key issues with the current appeals process and contained several recommendations. The ad hoc committee requested the report be given to the Senate Committee on Academic Appeals, so the committee could make changes to the academic appeal process.

In June 2018, the Provost asked the University Registrar, University Secretary and then Interim Manager, Students Affairs, to work with the Integrated University Planning Office in revising the current student regulations in the academic calendar to come up with clear and transparent policy and procedures around student academic and non-academic conduct and the appeals process.

The first draft of the policy and procedures were reviewed by the Senate Committee on Academic Appeals and the Senate Committee on Student Discipline Appeals on November 1, 2019. Further feedback sessions include the following:

- December 11, 2018 – Senate Committee on Academic Appeals and Senate Committee on Student Discipline Appeals
- January 8, 2019 – Student Senators
- January 9, 2019 – Senate Committee on Academic Affairs
- March 1, 2019 – Student Engagement Session
- March 5, 2019 – CSAM Chairs Management Team
- March 7, 2019 – CASHS Chairs Council
- March 21, 2019 – Meeting regarding Graduate Programs
- March 14, 2019 – CSAM College Council
- March 21, 2019 – CASHS College Council
- April 3, 2019 – Meeting regarding Continuing Studies
- September 4, 2019 – Office of Research
- September 6, 2019 – Senate Committee on Academic Appeals
- September 10, 2019 – Office of Graduate Programs

The academic calendars will reference academic and non-academic conduct and the appeals processes; however, the policy and procedural content will be removed from the calendars. The Academic and Non-Academic Conduct Student Policy, Academic and Non-Academic Misconduct Procedures and Student

Appeals Procedures will be separate documents posted on UNBC's policy and procedures website.

3. Implications for Other Programs / Faculties

The changes affect all academic administrative units and academic service units that directly support students.

College: CSAM and CASHS

College Council / Committee Motion Number: For information and feedback.

College Council / Committee Approval Date: CSAM – March 14, 2019 and CASHS – March 21, 2019

Attachment Pages (if applicable): 21 pages

- Academic and Non-Academic Conduct Student Policy

INFORMATION TO BE COMPLETED AFTER SCAA AND SCSDA MEETING

Brief Summary of Committee Debate:

Motion No.: SCAA/SCSDA201909.01

Moved by: T. Klassen-Ross

Seconded by: H. Holler-Busch

Committee Decision: CARRIED

Approved by SCAA: September 20, 2019
And SCSDA **Date**

Chair's Signature

For recommendation to ✓ , **or information of** **Senate.**

 <h1 style="text-align: center;">POLICY</h1>	Policy No:	Approval Date:
	Approving Authority: Senate and Board of Governors	
Responsible Executive: Provost and Vice-President Academic		
Title: <h2 style="text-align: center;">ACADEMIC AND NON-ACADEMIC CONDUCT – STUDENTS</h2>		
Background and Purpose of this Policy: <ul style="list-style-type: none"> • Provide clarity, principles, standards and expectations for Students for both Academic and Non-Academic Conduct • Define Students’ responsibilities and rights as members of the University Community • Provide clarity and transparency for Students with respect to procedural and decision making authority for Academic and Non-Academic Misconduct, investigations and Appeals 		

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1. CORE VALUES AND STATEMENT OF PRINCIPLES

- 1.1 The University of Northern British Columbia is a place of research, teaching, and learning, where members of the University Community value inclusiveness and diversity, community, integrity, and academic excellence. These values are supported through an unwavering commitment to free expression and debate in an atmosphere of respectful interactions, safety and good conduct.
- 1.2 The University is committed to reconciliation and recognizing Aboriginal Ways of Knowing within the Academy. UNBC's Motto, *En Cha Huna*, meaning "they also live," sets a foundation of respect, and reflects a shared commitment to Responsibility, Reciprocity and Relationship in the interactions between students and the University Community as a whole.
- 1.3 All members of the University Community share the responsibility for the academic standards and reputation of the University. Academic Integrity is founded on values of respect for knowledge, truth, scholarship and acting with honesty. Upholding Academic Integrity is in the interests of all members of the University and broader Community and is a condition of continued membership in the University Community.
- 1.4 The University strives, whenever possible, to take an educational and developmental approach to Academic and Non-Academic Misconduct, informed by knowledge and respect for mental health, well-being, cultural differences, and principles of reconciliation.
- 1.5 The University adheres to the principles of Procedural Fairness and Natural Justice in working to ensure that Students, Faculty and Staff are aware of their rights and responsibilities with respect to Academic and Non-Academic Conduct, in investigating alleged misconduct, and when taking steps to establish or impose consequences.

2. FORMAL RELATIONSHIP BETWEEN THE UNIVERSITY AND STUDENTS

- 2.1 Upon registering and while registered in a for-credit course, program of study or audited course offered by or through the University of Northern British Columbia (UNBC), a Student enters a formal relationship with the University by which they
 - 2.1.1 acknowledge the right of the University to set acceptable standards of Academic Integrity and of Academic and Non-Academic Conduct;
 - 2.1.2 accept and agree to be subject to the University's Policies, Rules and Procedures; and
 - 2.1.3 accept the right of the University to investigate, impose discipline and determine consequences for Academic or Non-Academic Conduct found to have violated the University's standards, Policies, Rules or Procedures.

- 2.2** Students enrolled in professional programs such as Nursing, Social Work, Education and Engineering may be subject to additional requirements, expectations, standards and consequences with respect to Academic and Non-Academic Conduct not expressly covered by this Policy. It is the responsibility of Instructors and Faculty Members in those Programs to ensure that any such additional requirements or expectations are communicated to the Students.

3. SCOPE

- 3.1** This Policy applies to all UNBC Students as defined in section 4.3.9 herein.
- 3.2** This Policy governs a Student's conduct to the extent necessary to ensure: a scholarly community characterized by free expression, open debate, critical and free inquiry, and diversity of thought and perspective; the orderly and safe enjoyment of University facilities by all members of the University Community; and the proper functioning of the University and protection of University property.
- 3.3** This Policy applies to Academic Misconduct that is alleged to have occurred whether within or part of a course, or not related to a specific course.
- 3.4** This Policy applies to Non-Academic Misconduct that is alleged to have occurred:
- 3.4.1** on any property owned, leased or controlled by the University, or used for University purposes;
 - 3.4.2** off University property, in circumstances where:
 - i. the Student is participating in a University activity; or
 - ii. the Student's conduct has a real and substantial connection to a University activity or the Student represents, claims to represent or would reasonably be perceived to be representing the University or an organization affiliated with the University, and the Student's conduct has a negative impact on the University's reputation or goodwill in the community. For clarity, this provision is not intended to limit a Student's right to lawfully picket, assemble, protest, criticize or disagree with the University on issues of policy.
 - 3.4.3** through electronic media, regardless of where it originates, where there is a clear connection to the University Community; or
 - 3.4.4** Using the University's Information and Communications Technology resources.
- 3.5** The forms of Academic and Non-Academic Misconduct set out in this Policy include attempts to engage in misconduct, as well as aiding or abetting misconduct.
- 3.6** This Policy is not to be interpreted to interfere with freedom of expression or the usual and essential free exchange of ideas and debate in an academic environment.
- 3.7** References to the Chair of the SCA, the University Registrar, the Dean, the Director, the Associate Dean, University Secretary, the Provost and Vice President, Academic

and the President in this Policy and the Procedures enacted under it include their designates where appropriate.

4. DEFINITIONS

4.1 Definitions – Specific to Academic Conduct

4.1.1 **Academic Dishonesty** refers to any type of cheating that occurs in relation to a formal academic exercise.

4.1.2 **Academic Integrity** refers to values like honesty, trust, fairness, respect, and responsibility in which good academic work must be founded. Academic integrity includes a commitment to not engage in or tolerate acts of falsification, misrepresentation or deception. Such acts of dishonesty violate the fundamental ethical principles of the University Community and compromise the worth of work completed by others.

4.1.3 **Academic Misconduct** includes any action, attempted action or assisting of an action that involves Academic Dishonesty, does not support the values of Academic Integrity, or may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other member(s) of the University Community.

4.2 Definitions – Specific to Non-Academic Misconduct

4.2.1 **Non-Academic Misconduct** includes behaviour a Student knows, or ought reasonably to know, would have an adverse effect on the following:

- i. safety of themselves or others;
- ii. integrity or proper functioning of the University and its activities;
- iii. use and enjoyment of University facilities; or
- iv. condition of University property, or property of others being used by the University or in association with a University activity.

4.2.2 **Complaint** means a Non-Academic Misconduct complaint, in the form prescribed by the Procedures enacted under this Policy, regarding the conduct or behaviour of a Student or Students. A Complaint must be made to either UNBC Security Services, the Office of the Registrar, the Office of a Dean or other Administrative Office designated by the Provost and Vice President, Academic or authorized by the Procedures enacted under this Policy to receive a Complaint.

4.2.3 **Complainant** refers to the person(s) filing a Complaint under this Policy. Anyone in the University Community may file a Complaint regarding the Non-Academic Misconduct of a Student(s). Where the Complainant is a contractor, visitor, or guest, the University reserves the right to take on the role of the Complainant.

- 4.2.4 **On-line Activity** includes communication applications or participation in social media, websites, message boards or other on-line platforms or environments that pertain to UNBC, University property, faculty, Students, or staff.

4.3 General Definitions – Applicable to Academic and Non-Academic Conduct

- 4.3.1 **Appeal Procedures** mean the Procedures enacted by Senate to ensure clarity, transparency and consistency in the processes used in the initiation and proceeding and disposition of final appeals of decisions made pursuant to this Policy.
- 4.3.2 **Authorized Representative** is a person authorized in writing, to the extent and in the form prescribed in the Procedures to communicate, receive information, or respond to enquiries with respect to an allegation of Academic or Non-Academic Misconduct, on behalf of a Student.
- 4.3.3 **Decision Maker** refers to the person or persons who have been granted the authority, pursuant to the *University Act*, or pursuant to this Policy or the Procedures, to determine whether or not to proceed with an informal or formal investigation and to impose a penalty or disciplinary measure for Academic or Non-Academic Misconduct under this Policy.
- 4.3.4 **Formal Investigation** is a formal process designed to assist with a determination of facts in cases of alleged Academic and Non-Academic Misconduct. A Formal Investigation is conducted by an Investigator designated by the Provost and Vice President, Academic, and in accordance with the Procedures enacted under this Policy.
- 4.3.5 **Informal Investigation** is an informal process designed to assist the Provost and Vice President, Academic or designated Decision Maker in determining whether an allegation of Academic or Non-Academic Misconduct should be subject to a Formal Investigation or whether an informal review and resolution is appropriate. An Informal Investigation is conducted in accordance with the Procedures enacted under this Policy.
- 4.3.6 **Investigator's Report** is a written report from an Investigator setting out the process followed in a Formal Investigation as well as any findings of fact.
- 4.3.6 **Natural Justice and Procedural Fairness** refer to principles and processes that are open and transparent and that ensure timely and fair investigations and hearings, well informed and unbiased decisions by qualified Decision Makers, adequate notice and access to information to be relied on or that is relevant to decisions, and the rights of a person subject to allegations to have sufficient and timely information about those allegations and the opportunity to reasonably and fully respond.

- 4.3.7** **Procedures** mean the Academic and Non-Academic Misconduct Procedures enacted by the Provost and Vice-President Academic to give effect to this Policy.
- 4.3.8** **Senate Committee on Student Appeals (SCA)** is the UNBC Senate standing Committee of final appeal for students in matters of Academic and Non-Academic discipline, pursuant to sections 37(1)(v) and 61(2) and (3) of the *University Act*.
- 4.3.9** **Student** means a person enrolled in a credit course at UNBC, or a person who is otherwise designated as a Student by the UNBC Senate whether through resolution or as defined in the Undergraduate or Graduate Calendar (*University Act* [RSBC 1996] c. 468, s. 1).
- 4.3.10** **Support Person** is a person who may attend any meeting concerning disciplinary matters related to an allegation of Academic or Non-Academic Misconduct or an appeal hearing with a Student, for personal support. A Support Person is not authorized to speak or receive information on behalf of a Student unless they are also acting as an Authorized Representative, as defined in this Policy.
- 4.3.11** **University Act or “the Act”** is the University Act of British Columbia [RSBC 1996] Chapter 468.
- 4.3.12** **University Community** includes, but is not limited to, Students, faculty, employees, contractors, volunteers, affiliates, visitors, guests, and members of the Senate and Board of Governors.

5. ACADEMIC CONDUCT POLICY STATEMENT – REQUIREMENTS AND EXPECTATIONS

5.1 General Principles of Academic Honesty and Academic Integrity

- 5.1.1.** Students are responsible for ensuring that they are familiar with the generally accepted standards and requirements of Academic Honesty and Academic Integrity. Unfamiliarity with these standards and requirements does not excuse a Student from consequences and penalties, pursuant to this Policy, the *UNBC Undergraduate or Graduate Calendar Regulations*, or pursuant to the relevant provisions of the *University Act of British Columbia*.
- 5.1.2** Faculty members and Instructors are responsible for informing Students at the beginning of each course of any additional or specific criteria related to Academic Honesty or Academic Integrity for a particular class or course, including expectations for acknowledging the thoughts, writings and work of authors and others, which are generally expected or acceptable in the discipline. Faculty members and Instructors are also expected to clarify expectations with respect to acceptable level of group work, limitations on the use of an editor or tutoring service, and use of online resources.

- 5.1.3** All forms of Academic Dishonesty, whether they occur within or as part of a course, or outside of the requirements or parameters of a specific course, are prohibited and are treated as Academic Misconduct for the purposes of this Policy.
- 5.1.4** Any action that violates the generally accepted standards of Academic Integrity is prohibited and deemed to be Academic Misconduct for the purposes of this Policy, including any act of dishonesty, falsification, misrepresentation, or deception in one's academic work
- 5.1.5** Any academic work created or submitted by a student, whether required, assessed or otherwise, may be subject to a penalty for Academic Misconduct, including a presentation or a draft paper, proposal, thesis or other assignment.
- 5.1.6** It is a violation of Academic Integrity to help others or attempt to help others engage in any form of Academic Dishonesty or Academic Misconduct.

5.2 Specific Forms of Academic Misconduct

The following specific acts, omissions, and behaviours by a Student, as defined in this Policy, whether they occur within or as part of a course, or are not related to a specific course, constitute Academic Misconduct and are prohibited. These examples are provided to support interpretation of the Principles outlined in section 5.1. The list is not exhaustive and is not intended to limit the application of the Principles.

- 5.2.1** Plagiarism, including, but not limited to, the following:
 - i.** submitting or presenting the work of another person, including artistic imagery, as that of the Student without full and appropriate attribution;
 - ii.** copying all or part of an essay or other assignment from an author or other person, including a tutor or fellow Student, and presenting the material as the Student's original work;
 - iii.** failing to acknowledge the phrases, sentences or ideas of the author of published or unpublished material that is incorporated into an essay or other assignment.
- 5.2.2** Submitting the same, or substantially the same, essay, project, presentation or other assignment more than once for credit, whether or not the earlier submission was at UNBC or another institution, without clear notice and acknowledgement of the prior use.
- 5.2.3** Cheating on an in-course or final examination, including, but not limited to, the following:
 - i.** unauthorized sharing of material such as textbooks during an "open book" examination;
 - ii.** concealing information pertaining to the examination in the examination room, washrooms or other places accessible to the Student during the time of the examination;
 - iii.** using course notes or any other aids not approved by a Faculty Member or Instructor, during an examination;

- iv. unauthorized possession or use of an examination question sheet, an examination answer book, or a completed examination or assignment, or other examination material;
- v. unauthorized use of devices such as mobile phones and tablets or any other unauthorized electronic means of receive or sharing information pertaining to the examination; or
- vi. unauthorized access or sharing of information or resources, in any format, pertaining to the examination.

5.2.4 Submitting an essay, project, thesis, presentation, other assignment or examination, or part thereof, as one's original work, that was purchased or otherwise acquired from another source, unless the work or material is commercially available data, images, or other intellectual property that is sourced and the acquisition of which is properly and fully described and cited by the Student and approved by the course Instructor or Academic Supervisor.

5.2.5 Unauthorized use of an editor, whether paid or unpaid. An editor is an individual or service, other than the Faculty member, Instructor, Academic Supervisor, or member of a Supervisory Committee, who manipulates, revises, corrects or alters a Student's written or non-written work.

Students must ask for direction and clarification with respect to the type of editor and the extent of editing that is permissible in the course prior to the submission of the work. Students may access authorized academic support services such as those offered through the Academic Success Centre.

5.2.6 Cheating on assignments, projects, examinations or other forms of evaluation including, but not limited to, the following:

- i. using, or attempting to use, another individual's answers;
- ii. providing questions or answers to other individuals;
- iii. in the case of Students who study together, submitting identical or virtually identical assignments for evaluation, unless expressly permitted by the course Instructor or Academic Supervisor.

5.2.7 Impersonating a candidate or knowingly being impersonated in an examination.

5.2.8 Falsifying material that is subject to academic evaluation, including, but not limited to, the following:

- i. submitting false records or information, in writing or orally, including the falsification of laboratory results or research findings.
- ii. engaging in misrepresentation, including falsifying documents, to gain a benefit or advantage in a course, including the submission of a forged or altered medical certificate or death certificate.

5.2.9 Engaging in any action intended to disadvantage Students in a course including destroying, stealing, or concealing library resources.

5.2.10 Stealing, destroying or altering the work of another Student.

- 5.2.11** Unauthorized or inappropriate use of computers, calculators and other forms of technology in coursework, assignments or examinations.
- 5.2.12** Unauthorized sharing, selling, or use of proprietary instructional, examination, textbook, assignment, or other course materials.
- 5.2.13** Falsification, misrepresentation, fraud, or misuse with the dominant purpose of academic advantage, including, but not limited to, the following:
- i. forging, misusing, or altering any University document or record;
 - ii. engaging in misrepresentation that may create an incorrect perception of the Student's academic position or credentials;
 - iii. obtaining any textbooks, study aids, equipment, material, or services by fraudulent means;
 - iv. submitting a manufactured, forged, altered, or converted document including a forged or altered medical certificate, death certificate, or travel document to a University Official, which the Student knows, or ought reasonably to have known, to be altered;
 - v. impersonating an Instructor, Student, or other member of the University Community;
 - vi. engaging in any action which disadvantages the access of Students to course enrollment or course materials;
 - vii. unauthorized sharing or selling of propriety instructional, examination, textbook, assignment or other course materials; or
 - viii. hiding or withholding library literature for the purpose of preventing other students accessing the literature.
- 5.2.14** Misconduct in Undergraduate or Graduate Research as defined in UNBC's *Integrity in Research and Scholarship Policy, Research Involving Human Participants Policy, Animal Care and Use Policy*, and any other University, Research Ethics Board or the Animal Care and Use Committee policies, procedures or guidelines related to research.
- 5.2.15** Helping others or attempting to help others engage in any of the Academic Misconduct described herein.

5.3 Disciplinary Measures in Response to Academic Misconduct

Disciplinary measures in response to Academic Misconduct may include, but are not limited to, the following:

- 5.3.1 Written Reprimand** - A written reprimand to a Student from the Instructor, Academic Supervisor, Supervisory Committee, the Program Chair or the Dean, that the Student's behaviour has violated the standards and principles outlined in this Policy, and that a record of the behaviour has been placed in the Student's file in the Office of the Registrar.

5.3.2 Reduction of Grade - A reduction of grade by the Instructor, including assigning a failing grade, for an examination, test, assignment or course to which an offense is relevant, in consultation as appropriate with the Chair, the Academic Supervisor, Supervisory Committee or Dean. The reduction in grade is communicated by the Instructor to the student, in writing, and copied to the Office of the Registrar to be placed in the Student's file. Where a failing grade is assigned by an Instructor, the support of the Chair or the Dean must be indicated by the signature of the Chair or Dean on the letter of notice.

5.3.3 Requirement to Withdraw from Course(s) – The removal of a Student from one or more courses, for one or more terms. Notice of the removal must be provided by the Instructor in writing to the Student and copied to the Office of the Registrar to be placed in the Student's file. In situations where a student has an Academic Supervisor, the Office of the Registrar contacts the Academic Supervisor to inform them of the decision. Where a student is required to withdraw from a course for one or more terms, the support of the Chair or Dean must be indicated by signature of the Chair or Dean on the letter of notice.

Removal from a course for a term or multiple terms, may require re-application for admission to a Program or Faculty and may require withdrawal from any internship, practicum, or research project.

5.3.4 Requirement to Withdraw from the University – Suspension of a Student from the University, either for a specified period after which the Student may be eligible to return, or a permanent suspension from the University, with a prohibition on re-application or re-admission. A suspension may only be imposed by the Provost and Vice-President Academic, on authority delegated by the President. Notice of suspension is signed by the Provost and Vice President, Academic and copied to the Office of the President and to the Office of the Registrar to be placed in the Student's file.

Suspension from the University requires withdrawal from any internship, practicum, or research project, and may include termination of employment, where the Student is an UNBC employee and their employment is related to their academic work.

5.3.5 Other reasonable disciplinary measures or penalties may be imposed, provided however that any measures not specified herein must be supported by the Instructor and the Chair or Dean and must be clearly articulated and communicated to the Student and to the Office of the Registrar.

6. NON – ACADEMIC MISCONDUCT POLICY STATEMENT – REQUIREMENTS AND EXPECTATIONS

6.1 General Principles – Respectful Conduct and Behaviour

- 6.1.1** Students are responsible for ensuring that they are familiar with the generally accepted standards and requirements of respectful conduct and behavior in a University environment. Unfamiliarity with these standards and requirements does not excuse a Student from consequences and penalties, pursuant to this Policy, the *UNBC Undergraduate or Graduate Calendar Regulations*, or pursuant to the relevant provisions of the *University Act of British Columbia*.
- 6.1.2** The University is responsible for informing Students through reasonable and available means, of additional or specific criteria related to conduct and behaviour that may be expected or required in environments such as University housing, sports facilities, classrooms, field schools or laboratories.
- 6.1.3** Any behaviour or action that violates the generally accepted standards of conduct is prohibited and deemed to be misconduct for the purposes of this Policy, including any behaviour or act that puts at risk the health, safety and wellness of others, or that interferes in the rights of others to quiet access, enjoyment and use of University facilities or interferes in the rights of others to participate in University activities free from harassment, intimidation or harm.
- 6.1.4** It is a violation of this Policy to encourage others or attempt to help others engage in any form of misconduct.

6.2 Harassment, Discrimination, Sexual Violence and Misconduct

Students are subject to the provisions of the UNBC policies on *Harassment and Discrimination* and the *Sexual Violence and Misconduct Policy and Response Procedures*, which can be found on the University's Policies and Procedures website.

6.3 Specific Forms of Non-Academic Misconduct

The following specific acts, omissions, and behaviours are prohibited and may lead to intervention, discipline or imposition of penalty by the University. These examples are provided to support interpretation of the Principles outlined in ss. 6.1 through 6.5 above. The list is not exhaustive and is not intended to limit the application of the Principles.

6.3.1 Misconduct Against People

Misconduct against people by word or action includes, but is not limited to, the following:

- i. physical aggression, assault, intimidation, threat, or coercion;
- ii. threatening or endangering the health, safety, or well-being of any person;

- iii. sexual misconduct or sexual violence, as defined in the University's *Sexual Violence and Misconduct Policy*;
- iv. bullying or harassment, as defined in the University's *Respect in the Workplace Policy*;
- v. harassment or discrimination as defined in the *University's Harassment and Discrimination Policy*;
- vi. behaviour that the Student knows, or ought to reasonably know, would be unwelcome and would cause another person to feel threatened, intimidated, or harassed;
- vii. engaging in initiation ceremonies, hazing, or other rituals that are dehumanizing or degrading, including initiation ceremonies associated with sports teams and clubs, compromised of individual or collective acts that intimidate or humiliate another person.

6.3.2 Disruption

Disruption means engaging in unruly or threatening behaviour that causes a disturbance and disrupts or threatens to disrupt a University class, event, activity, or process.

6.3.3 Unauthorized Possession or Use of Weapons or Dangerous Objects

Unauthorized possession or use of weapons or dangerous objects as defined and described in the UNBC Policy on *Weapons*.

6.3.4 Unauthorized Possession or Use of Dangerous or Hazardous Substances

Unauthorized possession or use of dangerous substances as defined and described in UNBC Policies on Dangerous and Hazardous Substances, Bio-Hazards, or as otherwise defined and restricted through applicable Legislation or Regulation and as may be communicated through the UNBC Lab Safety Committee, Instructors, written or posted laboratory rules and procedures, or the like.

6.3.5 Misconduct Against Property

Misconduct against property includes, but is not limited to, the following:

- i. possessing or using University property, the property of any member of the University Community, or property belonging to a third party acquired in connection with a University activity, without appropriate consent or authority;
- ii. destroying, interfering with, or damaging University property or resources, or the property of others on any of the University campuses;
- iii. defacing any University property including buildings or premises;
- iv. removing books or other library or archival material without authorization;
- v. defacing or deliberately misplacing library or archival materials, or engaging in other actions which deprive other members of the University community or public of their opportunity to access these resources.

6.3.6 Fraud, Misuse, and Impersonation

Fraud, misuse, and impersonation includes, but is not limited to, the following:

- i. forging, misusing or altering, without permission, any University document or record;
- ii. obtaining any textbooks, study aids, equipment, materials or service by fraudulent means;
- iii. submitting a manufactured, forged, altered, or converted document, including a forged or altered medical certificate, death certificate, or travel document to a University Official, with intent to deceive;
- iv. submitting a document that has been falsified or a misrepresentation made that may create an incorrect perception of a student's academic position or credentials;
- v. impersonating a faculty member, Student or other member of the University Community;
- vi. obtaining a financial or other advantage by fraudulent means;
- vi. misrepresentation of application information;
- vii. misrepresenting identity, status, qualifications, or authority;
- viii. failure to declare attendance at another post-secondary institution;
- ix. failure to report suspensions from another post-secondary institution.

6.3.7 Unauthorized Entry or Presence

Entering or remaining in any University building without proper authorization, or allowing others, without proper authorization, to have access to areas designated for faculty or employees, is prohibited.

6.3.8 Violation of University Policies

Contravening University policies, rules, regulations, or the like.

6.3.9 Violation of the Student Housing Handbook and Student Housing Community Standards or the Student Housing License Agreement

Violation of the published rules and community standards governing Student Housing as set out in *the Student Housing Handbook* or violation of the *Student Housing License Agreement* is prohibited.

6.3.10 Misuse of Disciplinary Procedures

Falsifying or misrepresenting information or causing others to falsify or misrepresent information which either leads to or is presented as part of a University disciplinary processes. This includes making false, vexatious, trivial, or repetitious allegations under this Policy or any other University policy against a University Community member(s).

6.3.11 Misuse of Electronic Email and Other University Information Resources

Misuse of University electronic email and other University information resources includes, but is not limited to, the following actions:

- i. access or attempt to access resources without appropriate authorization;
- ii. disruption of the proper use of these resources;
- iii. destruction or modification of the integrity of computer based information;

- iv. invasion of the privacy of others' use of these resources;
- v. use or sale of the University information resources for personal gain without authorization;
- vi. violation of the protection provided by copyright and/or license for computer programs;
- vii. unauthorized use of another person's account, permitting another person to use one's own account, or sharing login and access information for the purpose of enabling such access;
- viii. interfering with or harassing other users, including conduct at a computing facility, for example a computer lab;
- ix. impersonating another user;
- x. using the resources to violate any University regulation, or any provincial or national regulation or law.

6.3.12 Alcohol, Drug and Controlled Substances

Consumption or possession of alcohol, drugs or controlled substance on University property or while participating in a University activity, except as authorized under applicable UNBC Policies.

6.3.13 Illegal Conduct

A criminal conviction or civil court judgement for behaviour that is University related constitutes misconduct under this Policy.

- 6.3.14** Failure to Comply with the Reasonable Direction of a UNBC Security Officer, Health and Safety Officer, police officer or University administrator with responsibility for Security and the Health and Safety of Members of the UNBC Community.

6.4 Penalties and Disciplinary Measures in Response to Non-Academic Misconduct

- 6.4.1 Warning or reprimand** – a written warning or reprimand to the Student.
- 6.4.2 Non-academic probation** – a written reprimand and order for a designated probationary period in which the Student must fulfill certain conditions, demonstrate good conduct, or otherwise be subject to the imposition of further or more severe disciplinary sanctions.
- 6.4.3 Restitution** – payment of compensation for loss, damage, or harm that may be monetary or in the form of appropriate service or material replacement.
- 6.4.4 Apology** – issuance of a statement, apology, or retraction in an appropriate form in public or private.
- 6.4.5 Loss of Privileges** – a denial of specified privileges for a specified period, including services or privileges for which the Student pays fees. Privileges include, but are not limited to, those that, if restricted, may affect full participation in campus life and/or residence life, but do not make it

impossible to complete academic requirements. Loss of privileges for which a fee has been paid does not result in a partial or full refund of that fee.

- 6.4.6 Restriction or Prohibition of Access or Use** – a denial for a specified period, or conditions imposed on, the Student’s right to access or use of any part or all of the University’s premises, equipment, facilities, services, activities, programs, meetings, or events, or those held by or in association with the University. This includes restricting or prohibiting a Student from visiting Student Housing as the guest of another person.
- 6.4.7 Restriction on Contact** – restriction or limitation from contact (e.g. in person, on-line, text message, phone, etc.) with an individual or individuals for a specified period of time. This may include a requirement that the Student remove themselves from an area of campus or on-line venue, forum, or discussion if they encounter an individual or individuals.
- 6.4.8 Conditions for (Re)enrollment**– include, but are not limited to, any of the following:
 - i. behavioural contracts;
 - ii. work assignments, service to the University, or other such discretionary assignments that are considered appropriate, provided that any such work or service is available and not otherwise prohibited;
 - iii. agreed upon mental health support service(s), such as participation in counselling or mental health services at UNBC, or coordinated with an external mental health provider acceptable to the University; or
 - iv. agreed upon participation in a UNBC-based or externally-based program of academic or personal support.
- 6.4.9 Loss of Fees** – includes the forfeiture or loss of payment, fees, or refunds.
- 6.4.10 Financial Sanctions** – includes disentanglement to, or revocation of, bursaries, awards, and scholarships.
- 6.4.11 Deny Admission to the University** – if the student has not yet been admitted to the University.
- 6.4.12 Requirement to Withdraw** – removal of the Student from one or more courses for one or more terms (which may require re-application for admission to a Program or Faculty or withdrawal from any internship, practicum, or research project).
- 6.4.13 Suspension from the University** – Suspension of the Student from the University, either for a specified period after which the Student is eligible to return, or a permanent suspension from the University. Suspensions normally result in withdrawal and/or imposition of an academic hold.

7. DECISION MAKING AUTHORITY – ACADEMIC AND NON-ACADEMIC MISCONDUCT

7.1 Academic Misconduct

The following outlines the decision-making authority in situations of alleged Academic Misconduct. In accordance with the Procedures enacted under this Policy, the University must provide Students accused of Academic Misconduct with written notice regarding any of the following actions and decisions.

- 7.1.1** For a minor or first offence, an Instructor, or an Academic Supervisor or Supervisory Committee when applicable, may reduce a Grade, and must file a formal report of resolution or of a finding of Academic Misconduct in a Student's file in the Office of the Registrar.
- 7.1.2** For second or subsequent offence, an Instructor, or an Academic Supervisor or Supervisory Committee when applicable, may reduce a Grade and must file a report of finding of the Academic Misconduct with the Registrar to be placed in the Student's file. The Registrar must provide notice to the Program Chair responsible for the course in which the Academic Misconduct occurred, the Program Chair responsible for the Program in which the Student is enrolled, if not the same Chair, and the Graduate Student Supervisor when applicable.
- 7.1.3** At the request of the Student or the Faculty Member, a Program Chair reviews the matter and may alter or confirm the above penalties and, in accordance with the Procedures for a serious first offence, or for a second or subsequent offence, may recommend removal of the Student from the Program, to the appropriate Dean.
- 7.1.4** At the request of the Student, the Faculty Member or the Chair, or if there is disagreement between the Faculty Member and the Chair, a Dean reviews the matter and may alter or confirm the above penalties. In accordance with the Procedures, the Dean may remove a student from a Program or may recommend suspension of the Student from the University to the Provost and Vice President, Academic for a serious first offence, or for a second or subsequent offence.
- 7.1.5** At the request of the Student, Faculty Member, Supervisory Committee, Chair or Dean, the Provost and Vice President, Academic may alter or confirm the above penalties. In accordance with the Procedures, the Provost and Vice President, Academic may remove a Student from a Program or, on the authority designated by the President, may suspend a Student from the University.

7.2 Non-Academic Misconduct

The following outlines the decision-making authority in situations of alleged Non-Academic Misconduct. In accordance with the Procedures enacted under this Policy, the University must provide Students accused of Non-Academic Misconduct with written notice regarding any of the following actions and decisions.

- 7.2.1** While an incident is being resolved, investigated or decided, the Provost and Vice President, Academic may impose precautionary, not disciplinary, interim measures that may include, but are not limited to, the following:
 - i.** the exclusion of individuals from all or any part of the University campuses;

- ii. limiting proximity to specific individuals;
- iii. limiting participation in campus activities;
- iv. limiting the use of the University's IT and communication network;
- v. requiring the Student to meet regularly with designated University staff members.

7.2.2 The Provost and Vice President, Academic or the President, in the case of student suspension or expulsion, may take one or more courses of actions including, but not limited to, the following:

- i. seek an informal resolution;
- ii. refer the matter to the Provost's Advisory Committee on Campus Action, Referral and Evaluation (CARE) for recommendation(s);
- iii. recommend the student receive counselling or other professional assistance and, if necessary, assist the student in obtaining counselling or other professional services;
- iv. a written reprimand, which forms part of the student's record;
- v. a performance contract;
- vi. suspension for a specified period;
- vii. suspension for an indefinite period, with the ability to apply for readmission to the University after a fixed period;
- viii. expulsion without the ability to apply for readmission to the University;
- ix. eviction from UNBC Student Housing;
- x. prohibition from entering UNBC Student Housing;
- xi. assess and recover costs to rectify the damage or loss caused by the student;
- xii. any other action deemed appropriate in the circumstances.

7.2.3 The steps of an informal resolution may include, but are not limited to, the following:

- i. the Provost and Vice President, Academic may discuss the matter with the Student to determine possible steps the Student could take to correct or resolve the issue;
- ii. the Provost and Vice President, Academic may refer the Student to University and/or community-based support services;
- iii. if the Student agrees to the proposed Informal Resolution, the Provost and Vice President, Academic prepares a written Resolution Agreement outlining action to be taken by the Student, which the Student signs.
- iv. the Resolution Agreement is revoked if the Student breaches the agreement. If the Student fails to adhere with any aspect of the Resolution Agreement, the Provost and Vice President, Academic proceeds to Formal Disciplinary Action.
- v. the Office of the Provost retains a copy of the signed Resolution Agreement and monitors the Student's adherence with the Resolution Agreement. Failure to adhere with a signed Resolution Agreement is prohibited under the *Academic and Non-Academic Conduct Student Policy*. In the event the Student does not adhere with the conditions of the Resolution Agreement, the University may pursue both the original

conduct addressed by the Resolution Agreement and the breach of the Resolution Agreement.

- vi. a Resolution Agreement may be entered into at any time prior to the Provost and Vice President, Academic imposing Disciplinary Measures.
- vii. if the Complaint is not resolved by Informal Resolution, the matter may proceed to Formal Disciplinary Action.

7.2.4 If falsified documents are submitted or other forms of misrepresentation are made by a student or on behalf of a student that create an incorrect perception of a student's academic position or credentials, the Dean may take one or more courses of actions including, but not limited to, the following:

- i. issue a formal, written reprimand to the student and place a copy of the reprimand on the student's University file;
- ii. deny the student admission or registration to a program or course of study if they have not yet been admitted;
- iii. disqualify the student from future considerations into a program or course of study;
- iv. require that the student write a letter of apology to any person adversely affected by the falsification or misrepresentation;
- v. correct any grade that the student may have received as a result of the falsification or misrepresentation;
- vi. recommend that the student receive counselling or other professional assistance; or
- vii. if it is believed that a more severe penalty should be imposed, a report of the incident is forwarded to the Provost and Vice President, Academic with a copy to the student;
- viii. Procedures 7.2.4 i. – vii. apply if the falsified documents or misrepresentation are discovered in a subsequent semester.

7.2.5 If the University Registrar determines a student not yet admitted to the University has submitted a document that has been falsified or a misrepresentation is made that may create an incorrect perception of a student's academic position or credentials, the University Registrar may deny the student admission to the University, including future considerations.

8. RIGHT TO APPEAL DECISIONS OR DISCIPLINE - ACADEMIC AND NON-ACADEMIC MISCONDUCT

A Student may appeal a decision made or disciplinary measure imposed in response to a finding of Academic or Non-Academic Misconduct. In accordance with the *University Act*, the appeal is to the Senate Committee on Student Appeals. An appeal is accepted by the Senate Committee if it meets the following criteria:

- 8.1.** The principles of Natural Justice or Procedural Fairness were not followed in the process leading to the decision or imposition of discipline;

- 8.2 Decisions were made in the investigation or adjudication process by persons who do not have the authority under this Policy, the Undergraduate or Graduate Calendar or the *University Act* to make decisions with respect to Academic or Non-Academic Misconduct;
- 8.3 Discipline imposed was excessive, or not consistent with University Policy or practice.

9. OUTCOMES OF APPEAL – ACADEMIC AND NON-ACADEMIC MISCONDUCT

- 9.1 If SCA, in consultation with the University Registrar, determines the substance of the appeal does not fall under the provisions outlined in section 8, the appeal is dismissed.
- 9.2 If SCA, in consultation with the University Registrar, determines the substance of the appeal falls under the provisions outlined in section 8, a SCA Appeal Hearing is called. SCA has the authority to make one of the following decisions:
 - 9.2.1 the SCA may dismiss the appeal and uphold the disciplinary decision; or
 - 9.2.2 the SCA may refer the matter back to the Decision Maker for further decision, or for further investigation and then further decision, as the Decision Maker may determine.
- 9.3 In all cases, where an appeal is allowed, the original penalty remains in effect until the matter is reconsidered and a further decision is made by the Decision Maker.

10. AUTHORITY TO ENACT PROCEDURES AND GENERAL PROCEDURAL REQUIREMENTS – ACADEMIC AND NON-ACADEMIC MISCONDUCT AND APPEALS

- 10.1 The Provost and Vice-President Academic has the authority to enact Procedures to give effect to the Academic and Non-Academic Misconduct provisions of this Policy.
- 10.2 The UNBC Senate has the authority to enact Procedures to give effect to the Appeal provisions and rights under this Policy and in accordance with the *University Act*.
- 10.3 All Procedures enacted under this Policy must be consistent with the provisions of this Policy and the requirements of the *University Act*, and be designed to support the application of the principles of Natural Justice and Procedural Fairness.
- 10.4 Procedures enacted under this Policy support the decision making authority of Instructors, Chairs, Deans and the Provost and Vice President, Academic in matters of Academic Discipline, respect the statutory authority of the President under the *University Act* to suspend a student or deal summarily with any matters of student discipline, and the statutory authority of the UNBC Senate to hear appeals and make final determinations on matter of student discipline.

10.5 The procedures are consistent with the requirements of the British Columbia *Freedom of Information and Protection of Privacy Act* (FIPPA). They ensure that all informal and formal processes, investigations and proceedings conducted under this Policy reflect best practices in the Protection of Privacy and Record's Management, and only those persons within the Institution who require personal information related to an allegation or Complaint have access to that information.

Motion Number (assigned by
Steering Committee of Senate): S-202001.06

**SENATE COMMITTEE ON ACADEMIC APPEALS AND SENATE COMMITTEE ON
STUDENT DISCIPLINE APPEALS**

PROPOSED MOTION

Motion: That the Student Appeals Procedures be approved as proposed.

1. **Effective Date:** January 1, 2020

2. **Rationale:**

The *Student Appeals Procedures* are enacted under the *Academic and Non-Academic Conduct Student Policy* and regulations in the Academic Calendars. They were written to accompany the new Policy and updated regulations

3. **Implications for Other Programs / Faculties**

The changes affect all academic administrative units and academic service units that directly support students.

4. **College:** CSAM and CASHS

College Council / Committee Motion Number: For information and feedback.

College Council / Committee Approval Date: CSAM – March 14, 2019 and CASHS – March 21, 2019

5. **Attachment Pages (if applicable):** 8 pages

- Student Appeals Procedures

INFORMATION TO BE COMPLETED AFTER SCAA AND SCSDA MEETING

Brief Summary of Committee Debate:

Motion No.: SCAA/SCSDA201909.04

Moved by: L. Parent

Seconded by: K. Hirsh-Pearson

Committee Decision: CARRIED

Approved by SCAA: October 4, 2019
And SCSDA **Date**

Chair's Signature

For recommendation to ✓, **or information of** _____ **Senate.**

 <p style="text-align: center;">PROCEDURES</p>	Policy No:	Approval Date:
	Approving Authority: Senate and the Board of Governors	
Responsible Executive: Provost and Vice President Academic		
Title: <p style="text-align: center;">Student Appeals</p>		

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1. PURPOSE

These procedures establish the process followed to resolve student appeals including academic misconduct, grade appeals, academic standards and non-academic misconduct appeals.

2. SCOPE

These procedures apply to all UNBC students as defined in Section 4.3.9 of the *Academic and Non-Academic Conduct Student Policy*.

3. PRINCIPLES

- 3.1 All students have the natural and reasonable right to appeal grades given during the term, the final grade of a course, and other academic policies and decisions of the University. SCA's decisions are final, binding and are not subject to review or appeal.
- 3.2 The Senate Committee on Student Appeals (SCA) is the standing committee of final appeals for students in matters of academic misconduct, non-academic misconduct, grade appeals and academic standards requirement to withdraw.
- 3.3 All appeal hearings are held in the strictest confidence and normally are attended only by members of the SCA and the parties to the particular appeal.
- 3.4 Faculty or student SCA committee members with previous direct involvement in the case may not deliberate on the appeal.
- 3.5 The Student has the right to challenge the neutrality of any member of the Committee scheduled to hear his/her appeal. The SCA Chair, with the advice of the Committee, rules on the validity of the challenge.
- 3.6 A support person may accompany a Student to any meeting concerning disciplinary matters and to an SCA appeal hearing.
- 3.7 Neither the Student nor the University has the right to representation by legal counsel during Appeal Hearings except by permission of the SCA Chair. The SCA Chair, at the Chair's sole discretion, may allow legal representation where they judge the circumstances of the case to be exceptional.
- 3.8 The Student may choose to withdraw the appeal at any stage in the process by notifying the University Registrar.
- 3.9 An appeal may result in a higher, equal or lower disciplinary decision or grade.

4. CONSIDERATIONS

- 4.1 The SCA Chair and the SCA each have the discretion to vary these procedural guidelines and time limits based on individual circumstances.
- 4.2 Evaluation of a Student's academic performance for continued enrolment is done prior to the completion of a grade appeal process, if the grade in question is pertinent to the said evaluation.
- 4.3 An appeal may result in a higher, equal or lower disciplinary decision or grade. The final recourse for all appeals is the SCA.
- 4.4 Communication and responses sent to the Student's UNBC email address provided on the appeal letter are deemed delivered to the Student unless the Student has provided the University Registrar written notice of a change in email address or that they wish to receive communication and responses via delivery to their home address.
- 4.5 SCA's decision is delivered to the Student and persons within the University who need to receive a copy of the decision for administrative purposes, including, but not limited to, the decision maker, University Registrar, Instructor, Academic Supervisor, Supervisory Committee, Program Chair, Director, Associate Dean, or Dean.

5. PROCEDURES – INITIATION OF STUDENT APPEALS

5.1. Initiation of Academic Misconduct, Grade for Course in Progress, and Final Grade Appeals

- 5.1.1 Students may appeal the following:
 - i. discipline imposed in response to a finding of Academic Misconduct and is accepted by SCA if it meets the appeal criteria outlined in *section 8. of the Academic and Non-Academic Conduct Student Policy*;
 - ii. a grade for a course in progress or final grade for a course the Student believes is inaccurate;
 - iii. requirement to withdraw on academic grounds if the Student believes it was made unfairly or the process leading up to the decision was not followed.
- 5.1.2 The Student obtains an *Academic Appeal Form* from the Office of the Registrar and should complete *Statement of Matter Under Appeal and Proposed Resolution* on the *Academic Appeal Form*.
- 5.1.3 The Student meets with their course Instructor to discuss their concerns as outlined in the *Academic Appeal Form*. The instructor and Student complete the Informal Appeal to the Instructor section of the *Academic Appeals Form*.

- i. If the instructor and the Student agree on a resolution, the matter is considered informally resolved. The instructor submits the *Academic Appeal Form* that includes the agreed resolution to the Office of the Registrar; or
 - ii. If the matter cannot be resolved informally, the instructor returns the form to the Student.
- 5.1.4** The Student decides within seven (7) business days of their meeting with the instructor if they would like to move forward with a formal appeal.
- 5.1.5** If moving ahead with a formal appeal, the Student submits the *Academic Appeal Form* and a letter to the Program Chair, Director or Associate Dean clearly articulating the following: the decision being appealed; the reason(s) why the decision is considered to be unfair; and what decision would be considered fair and why it would be fair. Graduate students must also provide their Academic Supervisor a copy of the *Academic Appeal Form* and letter.
- 5.1.6** The Program Chair, Director or Associate Dean reviews the appeal and meets with the Student and Instructor to discuss the appeal. The Program Chair, Director or Associate Dean documents the conversation on the *Academic Appeal Form*.
- 5.1.7** If a resolution favourable to the Student is found within seven (7) business days, the Program Chair, Director or Associate Dean submits the *Academic Appeal Form* to the Office of the Registrar stating the resolution and includes any applicable forms, if this is the agreed resolution. For Graduate Students, their Academic Supervisor should also receive a copy of the completed form.
- 5.1.8** If no resolution favourable to the Student is reached within seven (7) business days, the Chair, Director or Associate Dean submits the *Academic Appeal Form* to the responsible Dean. For Graduate Students, their Academic Supervisor should also receive a copy of the completed form.
- 5.1.9** The Dean reviews the appeal package, meets with the Program Chair, Director or Associate Dean and documents the conversation.
- 5.1.10** If the Dean requires further information, they may contact the Student and/or the Instructor.
- 5.1.11** If no resolution acceptable to the Student is reached within seven (7) business days, the Dean submits the form to the Office of the Registrar to be placed in the Student's file. For Graduate Students, their Academic Supervisor should also receive a copy of the completed form.
- 5.1.12** The University Registrar writes to the Student informing them of the decision of the Dean and provides the Student with the options of

withdrawing the appeal or moving the appeal ahead to the Senate Committee on Student Appeals.

- 5.1.13** Within 15 business days of being informed of the Dean's decision, the Student must inform the University Registrar if they are moving ahead with a SCA appeal by writing a letter to the SCA through the University Registrar and requesting an appeal hearing. The letter must clearly articulate the decision being appealed, the reason(s) why the decision is considered to be unfair, what decision would be considered fair, and why it would be fair. The Student must also submit all relevant appeal documentation to the University Registrar.

5.2 Initiation of Academic Standards Requirement to Withdraw Appeal

- 5.2.1** Students who have reason to believe their requirement to withdraw on academic grounds was made unfairly, or the process leading up to the decision was not followed, must first appeal to the responsible Dean in writing articulating the decision being appealed, the reason(s) why the decision is considered to be unfair, what decision would be considered fair, and why it would be fair.
- 5.2.2** If the Dean, in consultation with the President, agrees to rescind the requirement to withdraw, the Dean informs the Office of the Registrar and the Academic Supervisor (when applicable) and no further action by the Student is necessary.
- 5.2.3** If the Dean, in consultation with the President, does not agree to rescind the requirement to withdraw, the Student can appeal to SCA about a decision made regarding requirement to withdraw in writing if the appeal meets one or more of the following criteria:
- i. the Decision Maker incorrectly applied a University policy and, as a result, the decision was unfair;
 - ii. the Student has material evidence that was not reasonably available prior to the time of the decision under appeal, and knowledge of that evidence would probably have led to a different decision;
 - iii. during the process leading up to the imposition of discipline the Student did not know the substance of the complaint and was not given, at some point in the process, a reasonable opportunity to respond;
 - iv) the process was otherwise procedurally unfair.
- 5.2.4** The appeal letter and all relevant attachments, must be filed by the Student with the Office of the Registrar within 15 working days of the date of the decision being appealed.
- 5.2.5** The letter must contain the following:
- i. Student's name and student number;
 - ii. Student's address, telephone number and UNBC email address
 - iii. Information about the decision being appealed, including a summary of the circumstances surrounding the decision to impose discipline

- and the process leading up to the decision. If available, the Student must attach a copy of the written decision;
- iv. A summary of the ground(s) on which the appeal should advance. The grounds of an appeal must meet one or more of the criteria as outlined in section 5.2.3 of these procedures.
 - v. the documentary evidence and/or witness statement(s) of the new evidence if the appeal alleges that there is material evidence that was not reasonably available prior to the decision; and
 - vi. a brief statement of the remedy sought on appeal.

5.3 Initiation of Non-Academic Misconduct Appeal

- 5.3.1** Students may appeal non-academic discipline under the *Academic and Non-Academic Conduct Student Policy* to the SCA if it meets the criteria outlined in section 8. of the Policy.
- 5.3.2** The Student must file a *Notice of Appeal* and all relevant attachments to the Office of the Registrar within 15 business days of the date of the decision being appealed.
- 5.3.3** The Notice of Appeal must contain the following:
 - i. the Student's name, UNBC student number, address, telephone number and UNBC email address;
 - ii. information about the decision being appealed, including a summary of the circumstances surrounding the decision to impose discipline and the process leading up to the decision. If available, the Student must attach a copy of the written decision;
 - iii. a summary of the ground(s) on which the appeal should advance. The grounds of an appeal must meet one or more of the criteria as outlined in section 8, of the *Academic and Non-Academic Conduct Student Policy*;
 - iv. the documentary evidence and/or witness statement(s) of the new evidence if the appeal alleges that there is material evidence that was not reasonably available prior to the decision;
 - v. a brief statement of the remedy sought on appeal.
- 5.3.4** A copy of the Notice of Appeal and attachment(s) are delivered to the Provost and Vice President, Academic, and the Chair of SCA requests the Record of the Investigation and the decision from the Office of the Provost and Vice President, Academic. The Record of the investigation and decision should include the following, where available:
 - i. the initial complaint;
 - ii. the Investigation Report prepared by the Provost and Vice President, Academic;
 - iii. any documents gathered by the Provost and Vice President, Academic during the Investigation;
 - iv. the submissions of the Student and Complainant provided to the Provost and Vice President, Academic; and
 - v. the decision.
- 5.3.5** Within seven (7) business days of the receipt of the Notice of Appeal, the Provost and Vice President, Academic submits a written response and the

Record of the Investigation to the appeal to SCA through the University Registrar. A copy of the response and Record of Investigation are sent to the Student.

- 5.3.6** If the Provost and Vice President, Academic raised any new issues the Student could not reasonably have anticipated, the Student may, within seven (7) business days of receipt of the Provost and Vice President, Academic's submissions, send the University Registrar a written reply. The University Registrar sends a copy of the reply to the Provost and Vice President, Academic.
- 5.3.7** If the Student would like to proceed with their appeal to SCA, the Student must notify the University Registrar in writing.

6. PROCEDURES – APPEAL TO THE SENATE COMMITTEE ON STUDENT APPEALS

6.1 Preliminary Review

SCA, in consultation with the University Registrar, reviews any forms, letters, Notice of Appeals, reports and other relevant documentation from the Student's file concerning the appeal and makes one of the following decisions based on the nature of the appeal.

6.1.1 Academic Misconduct and Non-Academic Appeals

- i. If the appeal meets the provisions outlined in section 8. of the *Academic and Non-Academic Conduct Student Policy*, SCA calls for an appeal hearing.
- ii. If the substance of the appeal does not fall under the *Academic and Non-Academic Conduct Student Policy*, the appeal is returned to the Student with a letter from the Chair of SCA explaining why the appeal does not meet appeal criteria.

6.1.2 Grade for Course in Progress and Final Grade Appeals

- i. If the substance of the appeal indicates the principles of Natural Justice or Procedural Fairness were not followed in the process leading up to the grade or in the grade appeal, SCA calls for an appeal hearing.
- ii. If the substance of the appeal does not fall under section 6.1.2 i., the appeal is returned to the Student with a letter from the Chair of SCA explaining why the appeal does not meet appeal criteria.

6.1.3 Academic Standards Requirement to Withdraw Appeals

- i. If the appeal meets one or more of the following criteria, SCA calls for an appeal hearing:
 - a. The principles of Natural Justice or Procedural Fairness were not followed in the process leading up to the requirement to withdraw decision;
 - b. Decisions were made in the investigation or adjudication process by persons who do not have the authority under the

- Undergraduate or Graduate Calendar or the University Act to make decisions with respect to requirement to withdraw;
- c. Discipline imposed was excessive, or not consistent with University policy or practice.
- ii. If the substance of the appeal does not fall under section 6.1.3 i., the appeal is returned to the Student with a letter from the Chair of SCA explaining why the appeal does not meet appeal criteria.

6.2 Academic Appeal Hearing

- 6.2.1** The members of SCA, Student, Instructor, Academic Supervisor, Program Chair, Director, Associate Dean, Dean, Provost and Vice President, Academic or other decision makers involved in the decision-making process (es) are provided the complete Appeal Package and invited to the SCA Appeal Hearing.
- 6.2.2** SCA may request further submissions in writing or in person if necessary for their deliberations.
- 6.2.3** SCA deliberates in a closed meeting.
- 6.2.4** The decision of the majority of the SCA is the decision of the committee.
- 6.2.5** After considering an appeal, SCA makes one of the following decisions based on the nature of the appeal.
 - i. Academic Misconduct and Non-Academic Misconduct Appeals:
 - a. uphold the disciplinary decision; or
 - b. refer the matter back to the decision maker(s) for further consideration or for further investigation, and then further decision.
 - ii. Grade While Course is in Progress or Final Grade Appeals:
 - a. uphold the grade;
 - b. recommend to the Dean that a test, exam, or assignment be re-marked.
 - c. refer the matter back to the Instructor, Program Chair, Director, Associate Dean or Dean for further consideration.
 - iii. Academic Standards Requirement to Withdraw
 - a. uphold the requirement to withdraw decision;
 - b. refer the matter back to the Dean and President for further consideration or for further investigation, and then further decision.
- 6.2.6** The Chair of SCA issues the committee's decision to the Student in writing, with the reasons for the decision, normally within five business days of the conclusion of its deliberations.

7. PROCEDURAL AUTHORITY / EXECUTIVE OR ADMINISTRATIVE RESPONSIBILITIES

These procedures are administered under the authority of the Provost and Vice President, Academic.

Motion Number (assigned by
Steering Committee of Senate): N/A

**SENATE COMMITTEE ON ACADEMIC APPEALS AND SENATE COMMITTEE ON
STUDENT DISCIPLINE APPEALS**

PROPOSED MOTION

Motion: That the Academic and Non-Academic Misconduct Procedures be approved as proposed.

1. **Effective Date:** January 1, 2020

2. **Rationale:**

The *Academic and Non-Academic Misconduct Procedures* are enacted under the *Academic and Non-Academic Conduct Student Policy* and were written to accompany the new Policy.

3. **Implications for Other Programs / Faculties**

The changes affect all academic administrative units and academic service units that directly support students.

4. **College:** CSAM and CASHS

College Council / Committee Motion Number: For information and feedback.

College Council / Committee Approval Date: CSAM – March 14, 2019 and CASHS – March 21, 2019

5. **Attachment Pages (if applicable):** 9 pages

- Academic and Non-Academic Misconduct Procedures

INFORMATION TO BE COMPLETED AFTER SCAA AND SCSDA MEETING

Brief Summary of Committee Debate:

Motion No.: SCAA/SCSDA10909.03

Moved by: K. Hirsh-Pearson **Seconded by:** B. Van Der Velde

Committee Decision: CARRIED

Approved by SCAA: September 20, 2019
And SCSDA **Date**

Chair's Signature

For recommendation to ✓, **or information of** _____ **Senate.**

 PROCEDURES	Policy No:	Approval Date:
	Approving Authority: Senate and the Board of Governors	
Responsible Executive: Provost and Vice-President, Academic		
Title: <p style="text-align: center;">Academic and Non-Academic Misconduct</p>		

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1. PURPOSE

These procedures establish the process followed to resolve, informally or formally, student academic or non-academic conduct complaint or allegation.

2. SCOPE

These procedures apply to all UNBC students as defined in Section 4.3.9 of the *Academic and Non-Academic Conduct Student Policy*.

3. PRINCIPLES

- 3.1 Students must be treated fairly before being penalized for misconduct. They are entitled to information about the alleged wrongdoing and to provide a response.
- 3.2 When the University imposes a penalty on a Student for misconduct, the Student may appeal to the Senate Committee on Student Appeals (SCA). SCA is the standing committee of final appeal for students in matters of all misconduct.
- 3.3 A support person may accompany a Student to any meeting concerning disciplinary matters.
- 3.4 The University may proceed with a case even if it is also being dealt with in proceedings external to the University.
- 3.5 Where University policies set out procedures that are invoked in particular contexts (e.g., *Sexual Violence and Misconduct Policy and Response Procedures*), those procedures must be followed before any disciplinary action is taken under the *Academic and Non-Academic Conduct Student Policy*.
- 3.6 In deciding upon the appropriate penalty to be imposed for an act of student academic or non-academic misconduct, consideration must be given to the following factors:
 - 3.6.1 the extent of the misconduct;
 - 3.6.2 the impact that the misconduct has had on members of the University community;
 - 3.6.3 the impact that the misconduct has on the public image of the University;
 - 3.6.4 the inadvertent or the deliberate nature of the misconduct;
 - 3.6.5 the importance of the work in question as a component of the course or program;

- 3.6.6 whether the act in question is an isolated incident or part of repeated acts of misconduct; and
- 3.6.7 any other mitigating or aggravating circumstances.

4. PROCEDURES – ACADEMIC MISCONDUCT

4.1 Allegations

- 4.1.1 An Instructor who suspects a Student has engaged in academic misconduct as outlined in section 5.2 of the *Academic and Non-Academic Conduct Student Policy*, and has evidence to support the allegation, should contact the Student normally within 10 business days of the incident. The Student is informed of the allegation and offered the opportunity to respond, which normally results in a meeting between the Instructor and Student.
- 4.1.2 If the Student refuses to provide a response to the allegation or to participate in the process, the Instructor can proceed to make a determination of the incident.

4.2 Determining the Nature of the Allegation

- 4.2.1 If the Instructor determines there is not enough compelling information to support the allegation, the investigation ends and the Student is informed of the determination.
- 4.2.2 If the Instructor determines there is enough compelling information to support the allegation, the process proceeds as outlined in section 4.3.

4.3 Determining the Nature of the Allegation and Appropriate Penalties

- 4.1.3 If there is compelling information to support the allegation of an offence, the Instructor completes the *UNBC Academic Misconduct Form*, and may impose a penalty as outlined in section 7.1.1 of the Policy.
- 4.1.4 For minor or first offences, the Instructor meets with the Student to report their findings and inform the Student of the penalty.
 - i. If the Student agrees with the allegation, resolution and penalty, they complete and sign the student section of the *UNBC Academic Misconduct Form*. The Instructor submits the completed form and any supporting documentation to the Office of the Registrar, the Office of the Registrar places the form and documentation in the Student's file, and the matter is considered resolved.
 - ii. If the Student does not agree with the accusation, resolution or penalty, the Student may complete the comment section but does not sign the student section of the *UNBC Academic Misconduct Form*. The matter is considered unresolved, and the Instructor forwards the form and any

supporting documentation onto the Program Chair, Director or Associate Dean. For Programs that do not have a Program Chair, Director, or Associate Dean, the form and any supporting documentation are forwarded to the Dean.

- 4.3.3** The Instructor refers allegations that are a second or subsequent offence that may or may not be minor or a first-time violation that is particularly unusual or serious to the Program Chair, Director or Associate Dean, or to the Dean when the Programs does not have a Program Chair, Director, or Associate Dean.

4.4 Referral to the Program Chair, Director or Associate Dean

- 4.4.1** The Program Chair, Director or Associate Dean reviews the allegation(s) and any supporting documentation.
- 4.4.2** For allegations that are a second or subsequent offence, or if the Instructor, Program Chair, Director or Associate Dean knows or suspects the allegation is a second or subsequent offence, the Program Chair, Dean or Associate Dean contacts the Office of the Registrar to outline the incident and determine if the Student's record contains any other confirmed academic misconduct.
- 4.4.3** The Program Chair, Director or Associate Dean and the Instructor meet with the Student to discuss the allegation.
- i.** The Program Chair completes the *UNBC Academic Misconduct Form* and decides to dismiss the case, uphold the Instructor's decision, impose another penalty or refer the case to the Dean, which may include a recommendation.
 - ii.** If the Student agrees with the allegation, resolution and penalty, they complete and sign the student section of the *UNBC Academic Misconduct Form*. The Program Chair, Director or Associate Dean submits the completed form and any supporting documentation to the Office of the Registrar, the Office of the Registrar places the form and documentation in the Student's file, and the matter is considered resolved.
 - iii.** If the Student does not agree with the accusation, resolution or penalty, then the Student may complete the comment section but does not sign the student section of the *UNBC Academic Misconduct Form*. The matter is considered unresolved, and the Program Chair, Director or Associate Dean forwards the form and any supporting documentation onto the Dean.

4.5 Professional Programs

In the case of professional programs that have their own internal procedures for the purpose of accreditation, allegations of student academic misconduct are reviewed as per the professional program's regulations.

4.6 Referral to the Dean

- 4.6.1** Where there have been one or more prior violations of academic dishonesty or academic misconduct, and the Program Chair, Director or Associate Dean has determined that compelling information exists to support the allegation, the Program Chair forwards the case to the responsible Dean.
- 4.6.2** The Program Chair, Director or Associate Dean may submit a recommendation to the Dean with respect to a proposed penalty.
- 4.6.3** In the case of a first-time violation that is particularly unusual or serious, the Program Chair, Director or Associate Dean may refer the case to the responsible Dean with a recommendation for a penalty more severe than those normally imposed.
- 4.6.4** The Dean reviews the allegation(s), any prior academic violations, and recommendation(s) from the Program Chair, Director or Associate Dean to determine an appropriate penalty for the academic misconduct as per the Policy.
- 4.6.5** The Dean meets with the Student to discuss the allegation.
- i.** The Dean completes the *UNBC Academic Misconduct Form* and decides to dismiss the case, uphold the Program Chair, Director or Associate Dean's decision or recommendation, or impose another penalty.
 - ii.** The Student completes and signs the student section of the *UNBC Academic Misconduct Form*.
 - iii.** The Dean submits the completed form and any supporting documentation to the Office of the Registrar, the Office of the Registrar places the form and documentation in the Student's file.

4.7 Referral to the Provost and Vice President, Academic

- 4.7.1** Cases where the Dean recommends the Student be removed from a Program or suspended from the University are referred to the Provost and Vice President, Academic.
- 4.7.2** The Provost and Vice President, Academic reviews the allegation(s), any prior academic violations, and the recommendation(s) and determines if removal from the Program or suspension is the appropriate penalty for the misconduct.
- 4.7.3** The Provost and Vice President, Academic completes the *UNBC Academic Misconduct Form* and forwards it to the Office of the Registrar to be placed in the Student's file.

4.8 Letters of Reprimand

- 4.7.1** The Student is sent notification outlining the penalty by the authority (Instructor, Program Chair, Director, Associate Dean, Dean, or Provost and Vice President, Academic) responsible for imposing the penalty.
- 4.7.2** A copy of the letter is sent to the Office of the Registrar for inclusion in the Student's record.
- 4.7.3** Where applicable, a copy of the letter is also sent to the Instructor, Program Chair, Director, Associate Dean, Academic Supervisor, Supervisory Committee, Office of Graduate Programs and the Dean.

5. PROCEDURES – NON-ACADEMIC MISCONDUCT

5.1 Emergencies

Complaints related to safety, security, and other urgent matters should be made to UNBC Security Services, who respond to ensure the safety and security of members of the University Community, contractors, visitors and guests, and safeguard the operation of the University and its property as per the *Emergency Response to Inappropriate, Disruptive or Threatening Behaviour Policy*.

UNBC Security Services documents the incident in an Incident Report and includes their observations and any other relevant circumstances. This information is forwarded to the Provost and Vice President, Academic and the senior level administrator responsible for Safety and Security in a timely manner, normally within one business day.

5.2 General Procedures for Student Non-Academic Misconduct

- 5.2.1** If a member of the University Community believes that a Student has engaged in non-academic misconduct under the *Academic and Non-Academic Conduct Student Policy*, a University official may complete an *Incident Report* and forward the report to the Provost and Vice President, Academic and the senior level administrator responsible for Safety and Security.
- 5.2.2** If the misconduct involves a form of harassment, the written report of the investigation conducted is sent to the Provost and Vice President, Academic, who is the responsible officer for students.
- 5.2.3** Upon receipt of the report, the Provost and Vice President, Academic may impose interim measures as outlined in section 7.2.1 of the *Academic and Non-Academic Conduct Student Policy* while the incident is being resolved, investigated or decided. Such measures are precautionary, not disciplinary, and are reassessed weekly.

- 5.2.4 The Provost and Vice President, Academic investigates the alleged act of misconduct and decides if the allegations are true and constitute Non-Academic Misconduct under the *Academic and Non-Academic Conduct Student Policy*, or if the allegations fall under another University Policy.
- 5.2.5 The Provost and Vice President, Academic must give the Student the opportunity to meet and discuss the situation.
- 5.2.6 After the investigation is complete, the Provost and Vice President, Academic or the President, in the case of student suspension or expulsion, may take one or more courses of actions as outlined in section 7.2.2 of the *Academic and Non-Academic Conduct Student Policy*.
- 5.2.7 The Provost and Vice President Academic or the President must notify the Student in writing of the decision and action taken.
- 5.2.8 If the Provost and Vice President, Academic or President take action under 7.2.3 (ii) through 7.2.3 (vi) of the *Student Academic and Non-Academic Conduct Student Policy*, the Student must be notified in writing that a copy of the documentation associated with the incident and a record of any actions taken is retained by the University and that, in the event of any further reports of non-academic misconduct, the record may be used in determining the action to be taken for the subsequent misconduct.
- 5.2.9 The Provost and Vice President, Academic will notify the Complainant of the result of the Investigation to the extent possible.

6. PROCEDURES – FALSIFIED DOCUMENTS OR OTHER FORMS OF MISREPRESENTATION

6.1 Allegations of Falsified Documents or Other Forms of Misrepresentation Submitted to the Office of the Registrar

- 6.1.1 If the University Registrar has reasonable grounds to believe a document has been falsified or a misrepresentation made that may create an incorrect perception of a Student's academic position or credentials, the Student should be contacted normally within 10 business days of the incident. The Student is informed of the allegation and offered the opportunity to respond, which normally results in a meeting between the University Registrar and the Student.
- 6.1.2 If the Student refuses to provide a response to the allegation or to participate in the process, the University Registrar can proceed to make a determination of the incident.

- 6.1.3** If the University Registrar determines there is not enough compelling information to support the allegation, the investigation ends and the Student is informed of the determination.
- 6.1.4** If the University Registrar determines there is enough compelling information to support the allegation, the University Registrar refers the matter to the Dean with one or more of the recommendations outlined in section 7.2.4 of the *Academic and Non-Academic Conduct Student Policy*.
- 6.1.5** The Student is notified in writing that a copy of the documentation associated with the incident and a record of the action taken is retained by the University and that, in the event of any further reports of misconduct, the record may be used in determining the action to be taken for the subsequent misconduct.

6.2 Other Allegations of Falsified Documents or Other Forms of Misrepresentation

- 6.2.1** If an Instructor, or Academic Supervisor or Supervisory Committee when applicable, has reasonable grounds to believe that a Student in their course has submitted a document that has been falsified or has made a misrepresentation to gain a benefit or an advantage in a course, the Instructor, or Academic Supervisor or Supervisory Committee, must confer with the Program Chair, Director or Associate Dean to decide whether the misconduct should be dealt with as a case of Academic Misconduct or non-academic misconduct, or both.
- 6.2.2** If the Instructor and the Program Chair, Director, or Associate Dean decide that the falsification or misrepresentation should be dealt with as Academic Misconduct, they must proceed under *section 4. Procedures – Academic Misconduct*.
- 6.2.3** If the Instructor, or Academic Supervisor or Supervisory Committee when applicable, and the Program Chair, Director or Associate Dean decide that the falsification or misrepresentation should be dealt with as Non-Academic Misconduct, they must proceed under *section 5. Procedures – Non-Academic Misconduct*.
- 6.2.4** If the Instructor, or Academic Supervisor or Supervisory Committee when applicable, and the Program Chair, Director or Dean decide that the falsification or misrepresentation should be dealt with as both Non-Misconduct and Academic Misconduct, the matter must be dealt with under *section 5. Procedures – Non-Academic Misconduct*. Following an investigation and determination of Non-Academic Misconduct, an academic penalty may be imposed in addition to any of the penalties for Non-Academic Misconduct.

7. PROCEDURAL AUTHORITY / EXECUTIVE or ADMINISTRATIVE RESPONSIBILITIES

These procedures are administered under the authority of the Provost and Vice President, Academic.

Motion Number (assigned by
Steering Committee of Senate): S-202001.07

SENATE COMMITTEE ON ACADEMIC AFFAIRS

PROPOSED REVISION OF CALENDAR ENTRY

Motion: That the change(s) to the Graduate Academic Calendar Regulations and Policies on pages 31 and 36 - 46 of the 2019/2020 Graduate Academic Calendar, be approved as proposed.

1. **Effective date:** January 1, 2020

2. **Rationale for the proposed revisions:**

In April 2016, a motion came forward with proposed revisions to Undergraduate Regulations #50 (Appeals Process) and #51 (Senate Committee on Academic Appeals). In response to the motion, Senate created an ad hoc committee charged with considering the motion and reporting back to Senate as to the questions of principle within the motion.

On August 23, 2017, the Ad Hoc Committee presented a report to Senate that outlined several key issues with the current appeals process and contained several recommendations. The ad hoc committee requested the report be given to the Senate Committee on Academic Appeals, so the committee could make changes to the academic appeal process.

In 2018, the Provost asked the University Registrar, University Secretary and then Interim Manager, Students Affairs, to work with the Integrated University Planning Office in revising the current student regulations in the academic calendar to come up with clear and transparent policy and procedures around student academic and non-academic conduct and the appeals process.

The first draft of the policy and procedures were reviewed by the Senate Committee on Academic Appeals and the Senate Committee on Student Discipline Appeals on November 1, 2019. Further feedback sessions include the following:

- December 11, 2018 – Senate Committee on Academic Appeals and Senate Committee on Student Discipline Appeals
- January 8, 2019 – Student Senators
- January 9, 2019 – Senate Committee on Academic Affairs
- March 1, 2019 – Student Engagement Session
- March 5, 2019 – CSAM Chairs Management Team
- March 7, 2019 – CASHS Chairs Council
- March 21, 2019 – Meeting regarding Graduate Programs
- March 14, 2019 – CSAM College Council
- March 21, 2019 – CASHS College Council
- April 3, 2019 – Meeting regarding Continuing Studies
- September 4, 2019 – Office of Research
- September 6, 2019 – Senate Committee on Academic Appeals
- September 10, 2019 – Office of Graduate Programs

The academic calendars will reference academic and non-academic conduct and the appeals processes; however, this motion proposes the policy and procedures content in the academic calendars be removed and are established as separate documents on the policy and procedures website.

This motion recommends revisions to the 2019-2020 Undergraduate Academic Calendar and the 2019-2020 Regulations. Information about the new *Academic and Non-Academic Conduct Student Policy*, *Academic and Non-Academic Misconduct Student Procedures* and *Student Appeals Procedures* will be posted to the University's Policies and Procedures website once approved.

3. Implications of the changes for other programs, etc., if applicable:

The changes affect all academic administrative units and academic service units that directly support students.

4. Reproduction of current Calendar entry for the item to be revised:

Graduate Programs Admissions and Regulations

1.11 Misrepresentation of Application Information *pages 24-25*

Misrepresentation of application information constitutes fraud or misconduct and may result in acceptance and registration being cancelled. The applicant may also be disqualified from consideration, not only in the year of application, but in all subsequent years. If discovered in a subsequent semester such representation may result in expulsion from the University.

Application fraud or misconduct includes the following:

- a. Failure to declare attendance at another post-secondary institution;
- b. Presenting falsified academic documentation or causing or encouraging another person to falsify records through translation or data changes;
- c. Presenting falsified personal documentation (e.g., using a false name, date of birth, country of origin, etc.);
- d. Presenting falsified or fictitious reference documentation;
- e. Cheating on or having another person write a standardized entry exam such as TOEFL or GRE;
- f. Presenting another person's standardized test score as one's own to falsify a test result; and
- g. Failure to report suspensions from another post-secondary institution.

5.0 Appeals *page 31*

Appeals are heard by the Senate Committee on Academic Appeals and are not subject to further appeal. Further information may be obtained from the Office of the Registrar. See also the Academic Appeals Policy and Procedures section under the General Regulations and Policies section of the Graduate Calendar.

Graduate General Regulations and Policies *page 36-46*

I. Notification of Disclosure of Personal Information to Statistics Canada

Statistics Canada is the national statistical agency. As such, Statistics Canada carries out hundreds of surveys each year on a wide range of matters, including education.

It is essential to be able to follow students across time and institutions to understand, for example, the factors affecting enrolment demand at postsecondary institutions. The increased emphasis on accountability for

public investment means that it is also important to understand 'outcomes'. In order to conduct such studies, Statistics Canada asks all colleges and universities to provide data on students and graduates. Institutions collect and provide to Statistics Canada student identification information (student's name, student ID number, Social Insurance Number), student contact information (address and telephone number), student demographic characteristics, and enrolment information.

The federal Statistics Act provides the legal authority for Statistics Canada to obtain access to personal information held by educational institutions. The information may be used for statistical purposes only, and the confidentiality provisions of the Statistics Act prevent the information from being released in any way that would identify a student.

Students may contact Statistics Canada via e-mail if they have any questions: statcan.PSIS-SIEP.statcan@canada.ca.

II. BC Freedom of Information and Protection of Privacy Act

The University of Northern British Columbia gathers and maintains information used for the purposes of admission, registration and other fundamental activities related to being a member of the UNBC community and attending a public postsecondary institution in the Province of British Columbia. Information provided to the University by students, and any other information placed into the student record, will be protected and used in compliance with the BC Freedom of Information and Protection of Privacy Act (1996).

III. Student Conduct Statement of Principles

1. Introduction

The University of Northern British Columbia ("University") is an academic community whose purpose is to search for knowledge through teaching, research, and the free exchange of ideas. As such, the University is committed to developing among its members an enduring sense of community rooted in a working and learning environment which emphasizes mutual respect and tolerance and which is free from discrimination, harassment, disruptive behaviour, and violence. The members of the University community include students, faculty, staff, administrators, governors, senators, and, in certain contexts, visitors. In order for the members of the University community to participate fully and effectively in the University's purpose, certain standards of conduct must be recognized and respected.

2. Purpose

The purpose of this policy is:

- a. to set out the standards of conduct which apply to student members of the University community in connection with their participation in University-related activities and behaviour while on any of UNBC's campuses;
- b. to establish procedures for investigating a complaint that a student has breached this policy;
- c. to provide penalties for those students who have breached this policy; and,
- d. to identify the procedure which will govern an appeal by a student who has been found to have breached this policy.

This policy is intended to address major concerns about student misconduct and is not intended to interfere with faculty and administration's ability to deal with minor acts of misconduct in an informal and consensual manner, where appropriate.

3. Definitions

- a. "Campus life" is any activity that occurs as part of life on campus. This includes but is not limited to:
 - i. being present on campus, whether as a student or the guest of a UNBC student,
 - ii. living in Residence,
 - iii. working on campus,
 - iv. attending classes, university-sponsored events, student society-sponsored events,
 - v. conducting university-sponsored research or lab activity, and
 - vi. operating a vehicle on campus
- b. "Director" is the Director, Student Success
- c. "University employee" is a faculty or staff member.

4. Statement of Principles

- a. Every student has the right to participate freely as a member of the University community subject only to reasonable conditions governing eligibility and the payment, when required, of appropriate fees or charges.
- b. Free participation in campus life requires the existence of an environment free from discrimination, violence and threats of violence, direct or indirect physical interference with one person by another person, intimidation, and verbal abuse, whether oral or written.
- c. Members of the University community must recognize and accept that the free exchange of ideas will involve exposure to the formulation and expression of ideas with which an individual is in fundamental disagreement or which an individual finds offensive. The University's purpose requires that the formulation and expression of such ideas must be tolerated, provided that neither the formulation nor the expression of such ideas violates any generally applicable laws of Canada or British Columbia or any policies of the University. Toleration does not require acceptance of such ideas, nor does it preclude the formulation and expression of a critical response to such ideas, provided that neither the formulation nor the expression of such a response violates any generally applicable laws of Canada or British Columbia or any policies of the University.
- d. Student members of the University are expected to:
 - i. comply with the generally applicable laws of Canada and British Columbia;
 - ii. honour contractual obligations arising in connection with a student's membership in the University community;
 - iii. comply with the applicable academic regulations of the University, and;
 - iv. comply with the University's policies.
- e. This policy must be interpreted and applied in conformity with both the University's purpose as an academic community and the above Statement of Principles.

5. Student Standards of Conduct

Within the framework set out in the Statement of Principles, acts of student misconduct subject to penalty under this policy include but are not limited to:

- a. threatening or engaging in behaviour that a reasonable person would perceive to be intimidating or offensive, or that may endanger the health or safety of students, faculty, staff or administration of the University;
- b. participating in disruptive action including but not limited to:
 - i. disrupting instructional activities including lectures, seminars, labs, examinations and tests;
 - ii. physically or verbally abusing another person;
 - iii. repetitive or intrusive use of indecent, profane or vulgar language in a public place that disturbs others;
 - iv. obstructing the rights and privileges of other members of the University community;
 - v. disrupting campus life by electronic means, whether directly or indirectly;
 - vi. obscenity
- c. harming another person at or in connection with that person's participation in campus life;
- d. misappropriating, converting, destroying, permanently defacing, or otherwise damaging University property, resources, or the property and resources of other members of the University community;
- e. possessing the property of other members of the University Community without proper authorization;
- f. forging, falsifying, misusing, or altering any University data or record whether in physical or electronic form;
- g. obtaining or using, whether directly or indirectly, University equipment, material, or services by fraudulent or other unlawful means;
- h. possession or use of intoxicants on campus, except within approved areas under the University's Liquor Policy;
- i. possession for use or sale of illegal drugs;
- j. possession or use of firearms, fireworks, or other inherently dangerous objects on campus;
- k. failing to comply with the reasonable directions of a University employee or a University Security Officer, or a Police Officer when they are acting in performance of their duties at or in connection with campus life;
- l. breaching any law of general application of Canada or British Columbia in connection with campus life;
- m. aiding, abetting, or acting as an accomplice at or in connection with any prohibited conduct; and;

n. any other misconduct which significantly interferes with the University's operations.

6. Responding to Apparent Breaches of This Policy

Emergencies

If a student's conduct appears to pose a threat to the student's own safety or to the safety of another person, any person witnessing the conduct should contact campus security immediately. Where there is a risk of injury or harm to any person or property, the student whose conduct is in question may be required to leave the University's property immediately pending and during an investigation into the alleged misconduct. Campus security must promptly prepare a Report to be given to the Director.

Reports of Allegations of Student Misconduct

University employees, including faculty, administration and staff may report allegations of student misconduct to the Director on the prescribed form.

Complaints of Allegations of Student Misconduct

Members of the University community who are not University employees (students, vendors, external stakeholders) may file a Complaint alleging that a student has engaged in misconduct, in breach of this policy.

The person filing the Complaint will be known as the "Complainant." The person about whom the Complaint is made will be known as the "Respondent." Such a Complaint must be made to the Director on the prescribed form and must set out in detail the facts on which the Complaint is based. A Complaint must be made within 45 days of the last event which is the subject of the Complaint, unless the Director allows a longer period of time. In allowing a longer period of time the Director must consider the following factors:

- a. the reasons for the Complainant's delay in filing the complaint;
- b. whether there will be prejudice to the Respondent or another person as a result of the delay, and;
- c. the seriousness of the misconduct alleged against the Respondent.

The Director will, upon receipt of the Report or the Complaint, consider the alleged acts of misconduct and decide:

- a. that the allegations, if true, do not constitute misconduct under this policy and decline to act on the Report or the Complaint;
- b. not to investigate the Report or the Complaint because the allegations are trivial or frivolous;
- c. that the allegations fall under another University policy or fall under both this policy and another University policy, in which case the Director must refer the Report or the Complaint to the University official responsible for the administration of the other University policy and consult with the other University official and determine an orderly method of proceeding that will ensure that all elements of the Report or Complaint will be investigated;
- d. that the allegations in the Complaint or the Report should be investigated or otherwise addressed in accordance with this policy.

The Director will notify the person who made the Report or the Complaint of the decision.

Prior to investigating a Complaint and with the consent of the Complainant and the Respondent, the Director may refer a Complaint to mediation by a mediator appointed by the Director. If the Complaint is resolved, the resolution will be put in writing, signed by the parties and filed with the Director. If the Complaint is not resolved through mediation, the Director will investigate the Complaint.

Reports or Complaints of Criminal Misconduct

If the Director determines on reviewing a Report or a Complaint that the allegations may constitute one or more criminal offences, the Director must inquire as to whether the Complainant has reported or intends to report the allegations to the police. If the Complainant has reported or intends to report the allegations to the police, the Director will coordinate the University's investigation with the police investigation.

Investigation of Allegations in a Report or Complaint

In conducting an investigation, the Director will engage in detailed interviews of the person who filed the Report or the Complainant; and with the student about whom the Report is made or the Respondent; and with any other witness who the Director believes has information relevant to the investigation; and will review all documents which the Director identifies during the investigation as relevant to the investigation.

After concluding the investigation, the Director must prepare an Investigation Report for the Provost setting out findings of fact and a conclusion about whether those findings constitute a breach of this policy.

Duties of the Provost in Disciplinary Cases

On receipt of the Investigation Report, the Provost must deliver a copy to the Complainant and to the Respondent. Both the Complainant and the Respondent will be entitled to make a written submission about any matter contained in the Investigation Report. Any such submission must be delivered to the Provost within a time limit established by the Provost, always provided that the time limit must not be less than 5 working days and must be the same for both the Complainant and the Respondent. The Provost has the discretion to extend any time limit previously set.

After the deadline for any submissions has passed, the Provost must review the Investigation Report and all of the submissions received in the case of a Complaint and must make a decision. The Provost has the discretion to accept or vary the Director's conclusion.

If the Provost decides that a breach has not occurred or that the Complaint is trivial, the Provost will dismiss the Report or the Complaint. If the Provost decides that a breach of this policy has occurred, the Provost will decide on the appropriate penalty. The available options include, but are not limited to, the following:

- a. a written reprimand, which will form part of the student's permanent record;
- b. a performance contract;
- c. suspension for a specified period;
- d. suspension for an indefinite period, with or without the ability to apply for readmission to the University after a fixed period;
- e. eviction from UNBC Residences
- f. prohibition from entering UNBC Residences
- g. payment in part or for all of the costs for replacing or repairing damage to the University's property;
- h. any other action deemed appropriate in the circumstances, including the provision of remedial measures to the Complainant (where applicable).

If the disciplinary response involves any form of suspension, the President must review the Director's Investigation Report and any submissions made by a Complainant and a Respondent and make the decision.

7. General Matters

Nothing in this policy affects the President's authority under the University Act to suspend a student or to deal summarily with a matter of student discipline.

It is a serious act of misconduct to file a false and malicious Complaint under this policy or to file a Complaint solely for the purpose of retaliating against another person. Similarly, it is a serious act of misconduct to retaliate in any manner against a person for filing a Complaint or a Report or responding to a Complaint or a Report or for participating in a proceeding under this policy. The University will respond to all such acts of misconduct under the terms of the policies and contracts governing the University's relationship with the person who has engaged in the misconduct.

8. Appeal of a decision imposing discipline under the Student Conduct Statement of Principles

A student who is subject to a penalty imposed by the President or Provost (or delegate) (the Decision Maker") under Regulation and Policy III, Student Conduct Statement of Principles ("Student Conduct Policy"), may appeal to the Senate Committee on Student Discipline Appeals ("SCSDA"). The SCSDA is the final adjudicator of appeals under the Student Conduct Policy.

A copy of the procedures for appeals under the Student Conduct Policy is available from the Office of the Registrar. Please note that the procedures include a 15-day time limitation for filing a notice of appeal.

Appeals of academic decisions under Regulation and Policy V: General Academic Regulations and appeals of decisions under Regulation IV: Harassment, Discrimination and Diversity Initiatives are addressed under those regulations and policies.

9. Grounds for an Appeal under the Student Conduct Policy

An appeal to the SCSDA is not a full re-hearing of the decision to impose discipline. A student's appeal of the imposition of discipline under the Student Conduct Policy to the SCSDA must be made on one of more of the following bases:

- a. The Decision Maker incorrectly applied a University policy and, as a result, the decision was unfair;
- b. The student has material evidence that was not reasonably available prior to the time of the decision under appeal, and knowledge of that evidence would probably have led to a different decision;
- c. During the process leading up to the imposition of discipline the student did not know the substance of the complaint and was not given, at some point in the process, a reasonable opportunity to respond, or the process was otherwise procedurally unfair.

10. Standards of Review

The SCSDA will review the Decision Maker's decision on one or more of the three grounds of appeal listed above, with regard to the standards of review listed below.

- a. Where the appeal is under 9 (a), the appropriate standard as to whether the Decision Maker misapplied a University Policy is correctness. The standard of review as to whether the decision was, as a result, unfair, is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive it to be unfair to let a decision based on the incorrect application of the policy stand.
- b. Where an appeal is under paragraph 9 (b), the appropriate standard of review is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive it to be unfair to let a decision made without consideration of the new evidence stand.
- c. Where an appeal is under paragraph 9 (c), the appropriate standard of review is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive the process to be unfair.

11. Outcomes

An appeal under the Student Conduct Policy will result in one of the following three outcomes:

- a. The Chair of the SCSDA, in consultation with the Registrar, may dismiss the appeal on a preliminary basis, on the basis that the appeal is frivolous, vexatious or an abuse of process;
- b. The SCSDA may uphold the disciplinary decision;
- c. The SCSDA may refer the matter back to the Decision Maker for further decision, or for further investigation and then further decision, as the Decision Maker may determine.

In all cases, where an appeal is allowed, the original penalty will remain in effect until the matter is reconsidered and a further decision is made by the Decision Maker.

IV. Harassment, Discrimination and Diversity Initiatives

The University of Northern British Columbia is committed to providing a working and learning environment in which all students, staff and faculty are treated with respect and dignity. The University of Northern British Columbia acknowledges the right of all individuals in the University community to work or learn without discrimination or harassment because of race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, age, sexual orientation, political beliefs or criminal or summary conviction offense unrelated to their employment. An approved policy, available at www.unbc.ca/policy, applies to all members of the UNBC community and is administered by the Harassment and Discrimination Advisor. For further information or assistance please contact the Harassment and Discrimination Advisor 250.960-.6618.

V. General Academic Regulations page 39-46

[There are no changes to General Academic Regulations 1-24, so they have been omitted.]

25. Academic Offenses

Any conduct that violates the standards of the University as set out in the Undergraduate University Calendar, particularly those related to academic honesty, is a serious offense. The formal processes set out in these Regulations are to be followed. The Senate Committee on Academic Appeals provides for impartial review of decisions made at lower levels as defined in these Regulations. Minimum sanctions for an academic offense includes reprimands and reduction of grades; the maximum sanction is dismissal from the student's academic program or suspension from the University (see Academic Regulation 47 (Academic Sanctions)). Such offenses include, but are not limited to the following:

- a. **Plagiarism:** Plagiarism occurs when a student submits or presents work of another person in such a manner as to lead the reader to believe that it is the student's original work; self-plagiarism is the submission of work previously submitted for academic credit without prior written and signed approval of the current course instructor.
- b. **Cheating:** Cheating takes numerous forms and includes, but is not limited to, the following: copying from another student's work or allowing another student to copy from one's own work; obtaining a copy of an examination before it is officially available; misrepresenting or falsifying references, citations, or sources of information; knowingly recording or reporting false or invented empirical or statistical data; and possession of notes, books, diagrams or other aids during examinations that are not authorized by the examiner (See Regulation 40a).
- c. **Submitting False Records:** Knowingly submitting false medical or criminal records, transcripts, or other such certificates or information.
- d. **Withholding Records:** Non-disclosure of previous attendance at a post-secondary institution, and of the transcript of record pertaining thereto, or of other documentation required by the University.
- e. **Misrepresenting One's Own Identity:** Impersonation or the imitation of a student in class, in a test or examination or class assignment. Both the impersonator and the individual impersonated may be charged.
- f. **Falsification of Results:** The falsification of laboratory and research results.
- g. **Submission of False Information:** The submission of false or misrepresented information on any form used by the University or an agent thereof.
- h. **Aiding or Abetting** any of the above academic offences.

26. Procedure on Suspicion of an Academic Offence

- a. An instructor, invigilator or administrator who suspects plagiarism, cheating, or any other academic offence, and has evidence to support the accusation, will review the contents of the student's file in the Office of the Registrar to determine whether the record indicates a prior academic offense, and will obtain a copy of the UNBC Report Form for Academic Misconduct. The instructor or administrator then will contact the student to inform the student fully of the offence and to present the evidence for it. The student may request that a third party (for example another faculty member, a teaching assistant, a staff member, or the ombudsperson) be present at this or any subsequent meetings.
- b. If the issue is resolved at this level, the faculty member or administrator will fill in Part A of the UNBC Report Form for Academic Misconduct and forward it to the Office of the Registrar to be placed in the student's file. Discussions with the Chair or Dean may be held at the request of either the faculty member or the student, and the Dean may also be brought in at any stage if requested by either party.
- c. If the matter is not resolved between the student and faculty member or administrator, it will be discussed by the student, faculty member, and the Chair of the program involved or, in the case of professional programs that have their own internal appeals committees, reviewed by those committees. After these discussions or reviews, the Chair and Dean will complete Parts B and C respectively of the Report Form for Academic Misconduct. Whether or not a penalty is imposed, a copy of the Report Form will be placed in the student's file in the Office of the Registrar, and copied to the student.
- d. The student may appeal any lower level decision to the Senate Committee on Academic Appeals (see Academic Regulations 50, 51).

27. Academic Sanctions

"Every student accepted for registration at the University of Northern British Columbia shall be deemed to have agreed to be bound by the regulations and policies of the University and of the Program in which that student is enrolled" (Academic

Calendar notices, p.1). A student not adhering to the University's Regulations and Policies shall be subject to academic sanctions.

A range of penalties is described below:

- a. Reprimand: This is a written warning to a student from the Instructor, Program Chair or the Dean of the College that the student's behaviour is considered unacceptable to the University and that a record of the unacceptable behaviour has been placed in the student's file in the Office of the Registrar.
- b. Reduction of Grade: A reduction of grade, including assigning a failing grade, may be applied to an examination, test, or assignment or course to which an offense is relevant and will be decided upon by the instructor, in consultation as may be appropriate with the Chair or Dean.
- c. Suspension: A student's Dean may recommend suspension, either for a specified period or indefinitely, to the President. On the recommendation of the Dean, the President may suspend a student from the University, either for a specified period or indefinitely. Prior to the President's decision becoming final, the student will be informed in writing of the recommendation. The student will be given 15 working days following such notification to lodge an appeal before the President's final decision becomes effective. Any such appeal must be made in writing to the Registrar and will be reviewed by the Senate Committee on Academic Appeals. Once the matter of suspension is final and upheld, a permanent notation will be placed on the student's transcript.

28. Academic Appeals - Definition

Academic appeals deal with the evaluation of a student's academic work: course grades, grades assigned on research papers and other course work, the outcome of written and oral thesis examinations, the results of an assessment to determine if a student's academic performance warrants continued enrolment in his/her Graduate Program, the outcome of a language examination, and any other academic assessment or evaluation that may be carried out within a Graduate Program.

29. General Procedure on Academic Appeals

- a. It is expected that, where appropriate and possible, a student will attempt to resolve a problem informally with the instructor or the appropriate person before initiating a formal appeal process.
- b. Appeals must be submitted in writing, within 15 working days of the action or decision being appealed.
- c. The person to whom the appeal is addressed will normally be a course instructor (for appeals of grades) or a supervisor (in the case of other appeals as listed in Academic Regulation 23 above). This person must acknowledge receipt of the appeal in writing within 10 days.

30. Appeals Process

All students have the natural and reasonable right to appeal grades given during the term, the final grade of a course, and other academic policies and decisions of the University. The Senate Committee on Academic Appeals is the final adjudicator in such matters. All formal appeals must be made through the Registrar, in writing and with necessary documentation, within 15 working days of the receipt of the decision in question. The student's written appeal must state clearly the decision being appealed, the reason(s) why the decision is considered to be unfair, what decision would be considered fair, and why it would be fair. It is incumbent upon the student to advise the University, via the Office of the Registrar, of their current contact information. All written appeals to the Senate Committee on Academic Appeals should indicate whether an in-person hearing is being requested. Otherwise, cases are adjudicated on the basis of the written submissions.

31. Senate Committee on Academic Appeals: Procedures

The Senate Committee on Academic Appeals follows the principles of natural justice. That is, its procedures are fair and open, appropriate to the matter under consideration, and provide the opportunity for those affected to put forward their views fully for consideration by the Committee. Following these principles, the Committee develops its own procedures and practices to conduct appeals and is not constrained by strict rules of procedure and evidence.

A quorum consists of a majority of voting members, including at least one student member and two faculty members. No faculty or student committee member with previous direct involvement in the case may hear the appeal. The appellant has the right to challenge the neutrality of any member of the Committee scheduled to hear his/her appeal. The Chair, with the

advice of the Committee, will rule on the validity of the challenge.

If the appellant requests an in-person hearing, the interested parties (e.g., the course Instructor(s), Chair and/or Dean) will be notified and may also appear at the appeal, when available. Appeals shall be based on the appellant's written submission (all relevant evidence and documentation related to the matter which is under appeal, and all relevant information contained in the student record). New evidence cannot be presented at the hearing.

If the appellant asks to be present at the hearing yet fails to appear before the Committee on the appointed day and time, the Committee may, without further notice, proceed to hear the appeal based on the written submission. If there are compassionate or medical grounds for nonappearance, the Chair or the Secretary to the Committee must be notified immediately. The Chair will determine the acceptability of these grounds and whether the appeal hearing should be postponed.

All forms of adjudication are held in the strictest confidence and normally are attended only by members of the Committee and the parties to the particular appeal. Upon written notification to the Senate Committee on Academic Appeals, appellants may be accompanied by an additional party for the purpose of personal support.

Neither the appellant nor the University shall have the right to representation by legal counsel during appeal hearings except by permission of the committee Chair. The Chair, at the Chair's sole discretion, may allow legal representation where he or she judges the circumstances of the case to be exceptional.

The Secretary to Senate, in consultation with the Committee Chair as appropriate, reviews each request to hear an appeal before any hearing or adjudication. This review is intended to ensure that the nature of the appeal is consistent with the mandate of the Committee and to ensure that the appeal is both valid and could not be resolved by other means. In some instances the review may lead to a reversal of the decision before review, while in other instances it may indicate there are insufficient grounds for an appeal or that further documentation is required. In all cases, however, any decision to hear or not to hear an appeal rests with the Committee.

The Senate Committee on Academic Appeals reviews decisions made at lower levels when requested to do so by the appellant. Normally it rules in two areas. It considers whether appropriate and fair adjudication was exercised in respect of a case and, where it concludes that there was unfairness, it may direct a readjudication using a procedure that it prescribes as being appropriate and fair. It considers whether the penalty assessed was consistent with University Regulations and practice and was not pernicious and, where it concludes that there was a lack of consistency or an unreasonable response, it may state its concerns clearly and direct a reconsideration. The Committee may act, whether a reconsideration has been directed or not, to overturn or to support a decision. Whatever the matter under consideration, the Committee and all parties to the appeal are provided by the Registrar with the same information, sufficient to permit a meaningful hearing. The Committee maintains a record of its deliberations and provides the reason(s) for its decisions.

32. Appeal of Term Grades While Course is in Progress

Students who have reason to believe their term grade, while a course is in progress, is inaccurate should meet with their course instructor immediately. If both the instructor and the student agree, on the basis of an informal review, the matter is thereby concluded and a change of grade is submitted if necessary.

Students who wish to appeal grades other than final grades, formally, should initiate the following process:

- a. The student obtains an Academic Appeals Form from the Office of the Registrar and submits it to the Program Chair.
- b. The Chair meets the instructor(s) on the matter, obtains the instructor's(s') comments and adds the Chair's comments.
- c. If no resolution favourable to the student is reached within seven working days, the Chair, without delay, submits the form to the Dean.
- d. If no resolution acceptable to the student is reached within seven working days, the Dean, without delay, submits the form to the Registrar for advancement to the Senate Committee on Academic Appeals.

e. At any stage in the process, the student may choose to withdraw the appeal by notifying the Registrar.

An appeal may result in a higher, equal or lower grade. The final recourse for all appeals is the Senate Committee on Academic Appeals.

33. Appeal of Final Grade

Students who have reason to believe their final grade in a course, once released by the Office of the Registrar, is inaccurate should meet with their course instructor immediately, if possible (see Academic Regulation 40). If instructor and student agree, on the basis of an informal review, the Office of the Registrar is advised of a grade change and the matter is thereby concluded.

Students who wish to appeal their final grade, formally, should initiate the following process:

- a. The student obtains an Academic Appeals Form from the Office of the Registrar and forward submits it to the Program Chair.
- b. The Chair meets the instructor(s) on the matter, obtains the instructor's(s') comments and adds the Chair's comments.
- c. If no resolution favourable to the student is reached within seven working days, the Chair, without delay, submits the form to the Dean.
- d. If no resolution acceptable to the student is reached within seven working days, the Dean, without delay, submits the form to the Registrar for advancement to the Senate Committee on Academic Appeals.
- e. At any stage in the process, the student may choose to withdraw the appeal by notifying the Registrar.

An appeal may result in a higher, equal or lower grade. The final recourse for all appeals is the Senate Committee on Academic Appeals. Evaluation of a student's academic performance for continued enrolment will not be done prior to the completion of a grade appeal process, if the grade in question is pertinent to the said evaluation.

34. Appeals Concerning Academic Program Matters

In the case of appeals concerning matters other than those listed above, the following procedures shall be followed:

- a. The student must meet with the supervisor, or the supervisory committee, or the Chair of the Program as appropriate (or, if the instructor is also the supervisor, the Chair, or, if the Chair is the supervisor, the College Dean, or, if the College Dean is the supervisor, the Provost) in an attempt to resolve the matter. Within 5 days of the meeting, the Chair of the Program (or College Dean) must send a written report of the meeting to the Office of Graduate Programs, with a copy to the student. The report shall notify the Office of Graduate Programs of the particulars of the case, and of the result of the meeting.
- b. If, after the process set out in 33.a) is completed, the student is unsatisfied with the result and wishes to continue the appeal, a written notice of the student's intention must be sent to the Vice President Research and Graduate Programs or designate within 15 days of receiving the letter from the Chair or other appropriate official. The Vice President or designate will acknowledge receipt of the notice within 5 days of receiving it.
- c. The Vice President Research and Graduate Programs or designate will conduct an investigation of the matter. In the course of this investigation, written reports from each member of the Committee may be requested. Committee members may submit reports even if not asked to do so. Copies of all reports will

be made available to the student. After reviewing these reports, the Vice President Research and Graduate Programs or designate will come to one of the following decisions:

- i. If the Vice President is convinced that the process was appropriate, and that the reports clearly indicate academic deficiencies on the part of the student for which the original decision which led to the appeal was appropriate and reasonable, the Vice President may decide to uphold the decision.
- ii. If the Vice President is convinced that the examination or other assessment process was flawed or improper, the Vice President may order a re-examination or other re-evaluation as appropriate. The new examination or evaluation will be conducted either by the same examining committee as the original one, or by a new one, as deemed appropriate by the Vice President.
- iii. If the Vice President is convinced that the examination or other process was correct, but that factors other than academic merit may have influenced the decision, the Vice President may order a re-examination or a re-evaluation, as he/she deems appropriate. The new examination or evaluation will be conducted either by the same examining committee as the original one, or by a new one, as deemed appropriate by the Vice President.
- iv. If the Vice President is convinced that a new examination or evaluation is unlikely to resolve the issue, or if the result of the new examination or evaluation is appealed, he/she may, with the consent of the Program, appoint external assessors to evaluate the student's performance.
- v. In all cases concerning appeals, a further appeal may be made to the Senate Committee on Academic Appeals which shall deal with it according to its rules of procedure (see Academic Regulation 28).

35. Appeals Concerning Academic Relationships

Appeals may arise out of other difficulties involving the academic relationship between students and faculty members. It is sometimes necessary, for instance, for a student to change supervisors, or a student may have other difficulties with a supervisor, or a student may have difficulties of a personal nature with a faculty member. Because the personal and professional relationship between student and faculty member can become entangled, and because problems of this sort can be perceived as potentially career-threatening by a student, there is a need for a process by which a student can seek mediation and resolution in such cases. Because each is different, and because a formal committee procedure as outlined under Academic Regulation 24 may not be appropriate in such cases, the following procedure shall be followed:

- a. A student experiencing such difficulties should attempt to resolve them informally at the level of the individual instructor or the Program Chair.
- b. If this cannot be done, or if the nature of the problem is such that the student does not wish to attempt it, the student should seek the advice of the Vice President Research and Graduate Programs or designate, who shall follow one of the following procedures:
 - i. If the Vice President Research and Graduate Programs thinks it advisable, the Vice President shall seek to bring about a solution through informal means.
 - ii. If in the opinion of the Vice President Research and Graduate Programs the complaint is invalid, the Vice President Research and Graduate Programs shall advise the student of this opinion, and take no further action.
 - iii. If in the opinion of the Vice President the complaint is valid but an informal solution is unlikely, or if the Vice President has attempted an informal solution and has failed, he/she shall advise the student of this fact.

iv. In the case of 33, the student may choose not to proceed further, or the student may choose to proceed with the matter. In the latter case, the student shall make a written complaint, through the Registrar, to the Senate Committee on Academic Appeals which shall consider it according to its rules of procedure.

36. University Closure/Weather

On rare occasions, the President (or designate) may elect to close the University due to inclement weather or other human or natural circumstance. In such circumstances, classes and examinations will be formally cancelled and will be rescheduled. Assignments due on the date of the closure must be submitted on the next day that the University is open.

5. Proposed revision with changes underlined and deletions indicated clearly using “~~striketrough~~”:

Graduate Programs Admissions and Regulations

1.11 Misrepresentation of Application Information *pages 24-25*

Misrepresentation of application information constitutes ~~fraud or misconduct~~ as per the *Academic and Non-Academic Conduct Student Policy*. ~~and An applicant's may result in admission, acceptance and or registration to the University, a program or a course of study may be revoked. There may be impacts on future considerations. being cancelled.~~ For more information on student conduct at UNBC, visit <https://www.unbc.ca/policy>. ~~The applicant may also be disqualified from consideration, not only in the year of application, but in all subsequent years. If discovered in a subsequent semester such representation may result in expulsion from the University.~~

Application fraud or misconduct includes the following:

- a. ~~Failure to declare attendance at another post-secondary institution;~~
- b. ~~Presenting falsified academic documentation or causing or encouraging another person to falsify records through translation or data changes;~~
- c. ~~Presenting falsified personal documentation (e.g., using a false name, date of birth, country of origin, etc.);~~
- d. ~~Presenting falsified or fictitious reference documentation;~~
- e. ~~Cheating on or having another person write a standardized entry exam such as TOEFL or GRE;~~
- f. ~~Presenting another person's standardized test score as one's own to falsify a test result; and~~
- g. ~~Failure to report suspensions from another post-secondary institution.~~

...

5.0 Appeals *page 31*

Appeals are heard by the Senate Committee on Academic Student Appeals and are not subject to further appeal. Further information may be obtained from the Office of the Registrar. Please refer to the *Academic and Non-Academic Conduct Student Policy* and the *Student Appeals Procedures* for further information. See also the *Academic Appeals Policy and Procedures* section under the *General Regulations and Policies* section of the *Graduate Calendar*.

Graduate General Regulations and Policies *page 36-46*

I. Formal Relationship Between the University and Students

Upon registering and while registered in a for-credit course, program of study or audited course offered by or through the University of Northern British Columbia (UNBC), a Student enters a formal relationship with the University by which they

- acknowledge the right of the University to set acceptable standards of Academic Integrity and of Academic and Non-Academic Conduct;
- accept and agree to be subject to the University's Policies, Rules and Procedures; and
- accept the right of the University to investigate, impose discipline and determine consequences for Academic or Non-Academic Conduct found to have violated the University's standards, Policies, Rules or Procedures.

By registering to become a student at UNBC, a Student agrees to enter the formal relationship outlined above.

Students are required to inform themselves of UNBC's policies, procedures, rules and regulations, and any subsequent amendments in place at the University. Please refer to the following website to access UNBC's Policies and Procedures: <https://www.unbc.ca/policy>.

II. UNBC's Core Values and Statement of Principles

1. UNBC is a place of research, teaching, and learning, where members of the University Community value inclusiveness and diversity, community, integrity, and academic excellence. These values are supported through an unwavering commitment to free expression and debate in an atmosphere of respectful interactions, safety and good conduct.
2. The University is committed to reconciliation and recognizing Aboriginal Ways of Knowing within the Academy. UNBC's Motto, *En Cha Huna*, meaning "they also live," sets a foundation of respect, and reflects a shared commitment to Responsibility, Reciprocity and Relationship in the interactions between students and the University Community as a whole.
3. All members of the University Community share the responsibility for the academic standards and reputation of the University. Academic Integrity is founded on values of respect for knowledge, truth, scholarship and acting with honesty. Upholding Academic Integrity is a condition of continued membership in the University Community.
4. The University strives, whenever possible, to take an educational and developmental approach to Academic and Non-Academic Misconduct, informed by knowledge and respect for mental health, well-being, cultural differences, and principles of reconciliation.
5. The University adheres to the principles of Procedural Fairness and Natural Justice in working to ensure that Students, Faculty and Staff are aware of their applicable rights and responsibilities with respect to Academic and Non-Academic Conduct, in investigating alleged misconduct, and when taking steps to establish or impose consequences.

III. Academic Conduct and Non-Academic Conduct

UNBC is committed to creating a scholarly community characterized by free expression, open debate, critical and free inquiry, and diversity of thought and perspective; the orderly and safe enjoyment of University facilities by all members of the University Community; and the proper functioning of the University and protection of University property.

The Academic and Non-Academic Conduct Student Policy defines students' responsibilities as academic community members, defines inappropriate student conduct, and provides procedures and outcomes to be invoked if students engage in such behaviour. Each student is responsible for their conduct that affects the University community.

A Student may appeal a decision made or disciplinary measure imposed in response to a finding of Academic Misconduct. A student may appeal a suspension imposed in response to a finding of Non-Academic Misconduct. In accordance with the *University Act*, the appeal is to the Senate Committee on Student Appeals.

For more information on academic conduct and non-academic conduct and the appeals processes at UNBC visit <https://www.unbc.ca/policy>.

IV. Harassment, Discrimination and Diversity Initiatives

UNBC is committed to providing a working and learning environment in which all students, staff and faculty are treated with respect and dignity. UNBC acknowledges the right of all individuals in the University community to work or learn without discrimination or harassment. An approved policy, available at www.unbc.ca/policy, applies to all members of the UNBC community.

I. V. Notification of Disclosure of Personal Information to Statistics Canada

Statistics Canada is the national statistical agency. As such, Statistics Canada carries out hundreds of surveys each year on a wide range of matters, including education.

It is essential to be able to follow students across time and institutions to understand, for example, the factors affecting enrolment demand at postsecondary institutions. The increased emphasis on accountability for public investment means that it is also important to understand 'outcomes'. In order to conduct such studies, Statistics Canada asks all colleges and universities to provide data on students and graduates. Institutions collect and provide to Statistics Canada student identification information (student's name, student ID number, Social Insurance Number), student contact information (address and telephone number), student demographic characteristics, and enrolment information.

The federal Statistics Act provides the legal authority for Statistics Canada to obtain access to personal information held by educational institutions. The information may be used for statistical purposes only, and the confidentiality provisions of the Statistics Act prevent the information from being released in any way that would identify a student.

Students may contact Statistics Canada via e-mail if they have any questions: statcan.PSIS-SIEP.statcan@canada.ca.

II. VI. BC Freedom of Information and Protection of Privacy Act

~~The University of Northern British Columbia~~ UNBC gathers and maintains information used for the purposes of admission, registration and other fundamental activities related to ~~being a member of~~ membership in the UNBC community and attendance at a public postsecondary institution in the Province of British Columbia. Information provided to the University by students, and any other information placed into the student record,

will be is protected and used in compliance with the BC Freedom of Information and Protection of Privacy Act (1996).

~~III. Student Conduct Statement of Principles~~

~~1. Introduction~~

~~The University of Northern British Columbia (“University”) is an academic community whose purpose is to search for knowledge through teaching, research, and the free exchange of ideas. As such, the University is committed to developing among its members an enduring sense of community rooted in a working and learning environment which emphasizes mutual respect and tolerance and which is free from discrimination, harassment, disruptive behaviour, and violence. The members of the University community include students, faculty, staff, administrators, governors, senators, and, in certain contexts, visitors. In order for the members of the University community to participate fully and effectively in the University’s purpose, certain standards of conduct must be recognized and respected.~~

~~2. Purpose~~

~~The purpose of this policy is:~~

- ~~a. to set out the standards of conduct which apply to student members of the University community in connection with their participation in University related activities and behaviour while on any of UNBC’s campuses;~~
- ~~b. to establish procedures for investigating a complaint that a student has breached this policy;~~
- ~~c. to provide penalties for those students who have breached this policy; and,~~
- ~~d. to identify the procedure which will govern an appeal by a student who has been found to have breached this policy.~~

~~This policy is intended to address major concerns about student misconduct and is not intended to interfere with faculty and administration’s ability to deal with minor acts of misconduct in an informal and consensual manner, where appropriate.~~

~~3. Definitions~~

- ~~a. “Campus life” is any activity that occurs as part of life on campus. This includes but is not limited to:
 - ~~i. being present on campus, whether as a student or the guest of a UNBC student,~~
 - ~~ii. living in Residence,~~
 - ~~iii. working on campus,~~
 - ~~iv. attending classes, university sponsored events, student society sponsored events,~~
 - ~~v. conducting university sponsored research or lab activity, and~~
 - ~~vi. operating a vehicle on campus~~~~
- ~~b. “Director” is the Director, Student Success~~
- ~~c. “University employee” is a faculty or staff member.~~

~~4. Statement of Principles~~

- ~~a. Every student has the right to participate freely as a member of the University community subject only to reasonable conditions governing eligibility and the payment, when required, of appropriate fees or charges.~~
- ~~b. Free participation in campus life requires the existence of an environment free from discrimination, violence and threats of violence, direct or indirect physical interference with one person by another person, intimidation, and verbal abuse, whether oral or written.~~
- ~~c. Members of the University community must recognize and accept that the free exchange of ideas will involve exposure to the formulation and expression of ideas with which an individual is in fundamental disagreement or which an individual finds offensive. The University’s purpose requires that the formulation and expression of such ideas must be tolerated, provided that neither the formulation nor the expression of such ideas violates any generally applicable laws of Canada or British Columbia or any policies of the University. Toleration does not require acceptance of such ideas, nor does it preclude the formulation and expression of a critical response to such ideas, provided that neither the formulation nor the expression of such a response violates any generally applicable laws of Canada or British Columbia or any policies of the University.~~
- ~~d. Student members of the University are expected to:
 - ~~i. comply with the generally applicable laws of Canada and British Columbia;~~~~

- ii. honour contractual obligations arising in connection with a student's membership in the University community;
 - iii. comply with the applicable academic regulations of the University, and;
 - iv. comply with the University's policies.
- e. This policy must be interpreted and applied in conformity with both the University's purpose as an academic community and the above Statement of Principles.

5. Student Standards of Conduct

Within the framework set out in the Statement of Principles, acts of student misconduct subject to penalty under this policy include but are not limited to:

- a. threatening or engaging in behaviour that a reasonable person would perceive to be intimidating or offensive, or that may endanger the health or safety of students, faculty, staff or administration of the University;
- b. participating in disruptive action including but not limited to:
 - i. disrupting instructional activities including lectures, seminars, labs, examinations and tests;
 - ii. physically or verbally abusing another person;
 - iii. repetitive or intrusive use of indecent, profane or vulgar language in a public place that disturbs others;
 - iv. obstructing the rights and privileges of other members of the University community;
 - v. disrupting campus life by electronic means, whether directly or indirectly;
 - vi. obscenity
- c. harming another person at or in connection with that person's participation in campus life;
- d. misappropriating, converting, destroying, permanently defacing, or otherwise damaging University property, resources, or the property and resources of other members of the University community;
- e. possessing the property of other members of the University Community without proper authorization;
- f. forging, falsifying, misusing, or altering any University data or record whether in physical or electronic form;
- g. obtaining or using, whether directly or indirectly, University equipment, material, or services by fraudulent or other unlawful means;
- h. possession or use of intoxicants on campus, except within approved areas under the University's Liquor Policy;
- i. possession for use or sale of illegal drugs;
- j. possession or use of firearms, fireworks, or other inherently dangerous objects on campus;
- k. failing to comply with the reasonable directions of a University employee or a University Security Officer, or a Police Officer when they are acting in performance of their duties at or in connection with campus life;
- l. breaching any law of general application of Canada or British Columbia in connection with campus life;
- m. aiding, abetting, or acting as an accomplice at or in connection with any prohibited conduct; and;
- n. any other misconduct which significantly interferes with the University's operations.

6. Responding to Apparent Breaches of This Policy

Emergencies

If a student's conduct appears to pose a threat to the student's own safety or to the safety of another person, any person witnessing the conduct should contact campus security immediately. Where there is a risk of injury or harm to any person or property, the student whose conduct is in question may be required to leave the University's property immediately pending and during an investigation into the alleged misconduct. Campus security must promptly prepare a Report to be given to the Director.

Reports of Allegations of Student Misconduct

University employees, including faculty, administration and staff may report allegations of student misconduct to the Director on the prescribed form.

Complaints of Allegations of Student Misconduct

Members of the University community who are not University employees (students, vendors, external stakeholders) may file a Complaint alleging that a student has engaged in misconduct, in breach of this policy. The person filing the Complaint will be known as the "Complainant." The person about whom the Complaint is made will be known as the "Respondent." Such a Complaint must be made to the Director on the prescribed form and must set out in detail the facts on which the Complaint is based. A Complaint must be made within 45 days of the last event which is

the subject of the Complaint, unless the Director allows a longer period of time. In allowing a longer period of time the Director must consider the following factors:

- a. the reasons for the Complainant's delay in filing the complaint;
- b. whether there will be prejudice to the Respondent or another person as a result of the delay, and;
- c. the seriousness of the misconduct alleged against the Respondent.

The Director will, upon receipt of the Report or the Complaint, consider the alleged acts of misconduct and decide:

- a. that the allegations, if true, do not constitute misconduct under this policy and decline to act on the Report or the Complaint;
- b. not to investigate the Report or the Complaint because the allegations are trivial or frivolous;
- c. that the allegations fall under another University policy or fall under both this policy and another University policy, in which case the Director must refer the Report or the Complaint to the University official responsible for the administration of the other University policy and consult with the other University official and determine an orderly method of proceeding that will ensure that all elements of the Report or Complaint will be investigated;
- d. that the allegations in the Complaint or the Report should be investigated or otherwise addressed in accordance with this policy.

The Director will notify the person who made the Report or the Complaint of the decision.

Prior to investigating a Complaint and with the consent of the Complainant and the Respondent, the Director may refer a Complaint to mediation by a mediator appointed by the Director. If the Complaint is resolved, the resolution will be put in writing, signed by the parties and filed with the Director. If the Complaint is not resolved through mediation, the Director will investigate the Complaint.

Reports or Complaints of Criminal Misconduct

If the Director determines on reviewing a Report or a Complaint that the allegations may constitute one or more criminal offences, the Director must inquire as to whether the Complainant has reported or intends to report the allegations to the police. If the Complainant has reported or intends to report the allegations to the police, the Director will coordinate the University's investigation with the police investigation.

Investigation of Allegations in a Report or Complaint

In conducting an investigation, the Director will engage in detailed interviews of the person who filed the Report or the Complainant; and with the student about whom the Report is made or the Respondent; and with any other witness who the Director believes has information relevant to the investigation; and will review all documents which the Director identifies during the investigation as relevant to the investigation.

After concluding the investigation, the Director must prepare an Investigation Report for the Provost setting out findings of fact and a conclusion about whether those findings constitute a breach of this policy.

Duties of the Provost in Disciplinary Cases

On receipt of the Investigation Report, the Provost must deliver a copy to the Complainant and to the Respondent. Both the Complainant and the Respondent will be entitled to make a written submission about any matter contained in the Investigation Report. Any such submission must be delivered to the Provost within a time limit established by the Provost, always provided that the time limit must not be less than 5 working days and must be the same for both the Complainant and the Respondent. The Provost has the discretion to extend any time limit previously set.

After the deadline for any submissions has passed, the Provost must review the Investigation Report and all of the submissions received in the case of a Complaint and must make a decision. The Provost has the discretion to accept or vary the Director's conclusion.

If the Provost decides that a breach has not occurred or that the Complaint is trivial, the Provost will dismiss the Report or the Complaint. If the Provost decides that a breach of this policy has occurred, the Provost will decide on the appropriate penalty. The available options include, but are not limited to, the following:

- a. a written reprimand, which will form part of the student's permanent record;

- ~~b. a performance contract;~~
- ~~c. suspension for a specified period;~~
- ~~d. suspension for an indefinite period, with or without the ability to apply for readmission to the University after a fixed period;~~
- ~~e. eviction from UNBC Residences~~
- ~~f. prohibition from entering UNBC Residences~~
- ~~g. payment in part or for all of the costs for replacing or repairing damage to the University's property;~~
- ~~h. any other action deemed appropriate in the circumstances, including the provision of remedial measures to the Complainant (where applicable).~~

~~If the disciplinary response involves any form of suspension, the President must review the Director's Investigation Report and any submissions made by a Complainant and a Respondent and make the decision.~~

7. General Matters

~~Nothing in this policy affects the President's authority under the University Act to suspend a student or to deal summarily with a matter of student discipline.~~

~~It is a serious act of misconduct to file a false and malicious Complaint under this policy or to file a Complaint solely for the purpose of retaliating against another person. Similarly, it is a serious act of misconduct to retaliate in any manner against a person for filing a Complaint or a Report or responding to a Complaint or a Report or for participating in a proceeding under this policy. The University will respond to all such acts of misconduct under the terms of the policies and contracts governing the University's relationship with the person who has engaged in the misconduct.~~

8. Appeal of a decision imposing discipline under the Student Conduct Statement of Principles

~~A student who is subject to a penalty imposed by the President or Provost (or delegate) (the Decision Maker") under Regulation and Policy III, Student Conduct Statement of Principles ("Student Conduct Policy"), may appeal to the Senate Committee on Student Discipline Appeals ("SCSDA"). The SCSDA is the final adjudicator of appeals under the Student Conduct Policy.~~

~~A copy of the procedures for appeals under the Student Conduct Policy is available from the Office of the Registrar. Please note that the procedures include a 15 day time limitation for filing a notice of appeal.~~

~~Appeals of academic decisions under Regulation and Policy V: General Academic Regulations and appeals of decisions under Regulation IV: Harassment, Discrimination and Diversity Initiatives are addressed under those regulations and policies.~~

9. Grounds for an Appeal under the Student Conduct Policy

~~An appeal to the SCSDA is not a full re-hearing of the decision to impose discipline. A student's appeal of the imposition of discipline under the Student Conduct Policy to the SCSDA must be made on one of more of the following bases:~~

- ~~a. The Decision Maker incorrectly applied a University policy and, as a result, the decision was unfair;~~
- ~~b. The student has material evidence that was not reasonably available prior to the time of the decision under appeal, and knowledge of that evidence would probably have led to a different decision;~~
- ~~c. During the process leading up to the imposition of discipline the student did not know the substance of the complaint and was not given, at some point in the process, a reasonable opportunity to respond, or the process was otherwise procedurally unfair.~~

10. Standards of Review

~~The SCSDA will review the Decision Maker's decision on one or more of the three grounds of appeal listed above, with regard to the standards of review listed below.~~

- a. Where the appeal is under 9 (a), the appropriate standard as to whether the Decision Maker misapplied a University Policy is correctness. The standard of review as to whether the decision was, as a result, unfair, is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive it to be unfair to let a decision based on the incorrect application of the policy stand.
- b. Where an appeal is under paragraph 9 (b), the appropriate standard of review is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive it to be unfair to let a decision made without consideration of the new evidence stand.
- c. Where an appeal is under paragraph 9 (c), the appropriate standard of review is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive the process to be unfair.

11. Outcomes

An appeal under the Student Conduct Policy will result in one of the following three outcomes:

- a. The Chair of the SCSDA, in consultation with the Registrar, may dismiss the appeal on a preliminary basis, on the basis that the appeal is frivolous, vexatious or an abuse of process;
- b. The SCSDA may uphold the disciplinary decision;
- c. The SCSDA may refer the matter back to the Decision Maker for further decision, or for further investigation and then further decision, as the Decision Maker may determine.

In all cases, where an appeal is allowed, the original penalty will remain in effect until the matter is reconsidered and a further decision is made by the Decision Maker.

IV. Harassment, Discrimination and Diversity Initiatives page 41

The University of Northern British Columbia is committed to providing a working and learning environment in which all students, staff and faculty are treated with respect and dignity. The University of Northern British Columbia acknowledges the right of all individuals in the University community to work or learn without discrimination or harassment because of race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, age, sexual orientation, political beliefs or criminal or summary conviction offense unrelated to their employment. An approved policy, available at www.unbc.ca/policy, applies to all members of the UNBC community and is administered by the Harassment and Discrimination Advisor. For further information or assistance please contact the Harassment and Discrimination Advisor 250.960-6618.

V. General Academic Regulations page 41-47

[There are no changes to General Academic Regulations 1-24, so they have been omitted.]

25. Academic Offenses Misconduct

Any academic conduct that violates *The Academic and Non-Academic Conduct – Student Policy* the standards of the University as set out in the Undergraduate University Calendar, particularly those related to academic honesty, is a serious offense. The formal processes set out in the following three documents: *Academic and Non-Academic Conduct – Student Policy, Academic and Non-Academic Misconduct Procedures, and Appeals Procedures* these Regulations are to be followed. For more information on student academic conduct at UNBC, visit <https://www.unbc.ca/policy>. The Senate Committee on Academic Appeals provides for impartial review of decisions made at lower levels as defined in these Regulations. Minimum sanctions for an academic offense include reprimands and reduction of grades; the maximum sanction is dismissal from the student's academic program or suspension from the University (see Academic Regulation 46 (Academic Sanctions)). Such offenses include, but are not limited to the following:

- a. Plagiarism: Plagiarism occurs when a student submits or presents work of another person in such a manner as to lead the reader to believe that it is the student's original work; self-plagiarism is the

~~submission of work previously submitted for academic credit without prior written and signed approval of the current course instructor.~~

- ~~b.—Cheating: Cheating takes numerous forms and includes, but is not limited to, the following: copying from another student's work or allowing another student to copy from one's own work; obtaining a copy of an examination before it is officially available; misrepresenting or falsifying references, citations, or sources of information; knowingly recording or reporting false or invented empirical or statistical data; and possession of notes, books, diagrams or other aids during examinations that are not authorized by the examiner (See Regulation 39(a)).~~
- ~~c.—Submitting False Records: Knowingly submitting false medical or criminal records, transcripts, or other such certificates or information.~~
- ~~d.—Withholding Records: Non-disclosure of previous attendance at a post-secondary institution, and of the transcript of record pertaining thereto, or of other documentation required by the University.~~
- ~~e.—Misrepresenting One's Own Identity: Impersonation or the imitation of a student in class, in a test or examination or class assignment. Both the impersonator and the individual impersonated may be charged.~~
- ~~f.—Falsification of Results: The falsification of laboratory and research results.~~
- ~~g.—Submission of False Information: The submission of false or misrepresented information on any form used by the University or an agent thereof.~~
- ~~h.—Aiding or Abetting any of the above academic offences.~~

26. Procedure on Suspicion of an Academic Offence

- ~~a. An instructor, invigilator or administrator who suspects plagiarism, cheating, or any other academic offence, and has evidence to support the accusation, will review the contents of the student's file in the Office of the Registrar to determine whether the record indicates a prior academic offence, and will obtain a copy of the UNBC Report Form for Academic Misconduct. The instructor or administrator then will contact the student to inform the student fully of the offence and to present the evidence for it. The student may request that a third party (for example another faculty member, a teaching assistant, a staff member, or the ombudsperson) be present at this or any subsequent meetings.~~
- ~~b. If the issue is resolved at this level, the faculty member or administrator will fill in Part A of the UNBC Report Form for Academic Misconduct and forward it to the Office of the Registrar to be placed in the student's file. Discussions with the Chair or Dean may be held at the request of either the faculty member or the student, and the Dean may also be brought in at any stage if requested by either party.~~
- ~~c. If the matter is not resolved between the student and faculty member or administrator, it will be discussed by the student, faculty member, and the Chair of the program involved or, in the case of professional programs that have their own internal appeals committees, reviewed by those committees. After these discussions or reviews, the Chair and Dean will complete Parts B and C respectively of the Report Form for Academic Misconduct. Whether or not a penalty is imposed, a copy of the Report Form will be placed in the student's file in the Office of the Registrar, and copied to the student.~~
- ~~d. The student may appeal any lower level decision to the Senate Committee on Academic Appeals (see Academic Regulations 50, 51).~~

27. Academic Sanctions

~~"Every student accepted for registration at the University of Northern British Columbia shall be deemed to have agreed to be bound by the regulations and policies of the University and of the Program in which that student is enrolled" (Academic~~

Calendar notices, p.1). A student not adhering to the University's Regulations and Policies shall be subject to academic sanctions.

A range of penalties is described below:

- a. Reprimand: This is a written warning to a student from the Instructor, Program Chair or the Dean of the College that the student's behaviour is considered unacceptable to the University and that a record of the unacceptable behaviour has been placed in the student's file in the Office of the Registrar.
- b. Reduction of Grade: A reduction of grade, including assigning a failing grade, may be applied to an examination, test, or assignment or course to which an offense is relevant and will be decided upon by the instructor, in consultation as may be appropriate with the Chair or Dean.
- c. Suspension: A student's Dean may recommend suspension, either for a specified period or indefinitely, to the President. On the recommendation of the Dean, the President may suspend a student from the University, either for a specified period or indefinitely. Prior to the President's decision becoming final, the student will be informed in writing of the recommendation. The student will be given 15 working days following such notification to lodge an appeal before the President's final decision becomes effective. Any such appeal must be made in writing to the Registrar and will be reviewed by the Senate Committee on Academic Appeals. Once the matter of suspension is final and upheld, a permanent notation will be placed on the student's transcript.

28. Academic Appeals – Definition

Academic appeals deal with the evaluation of a student's academic work: course grades, grades assigned on research papers and other course work, the outcome of written and oral thesis examinations, the results of an assessment to determine if a student's academic performance warrants continued enrolment in his/her Graduate Program, the outcome of a language examination, and any other academic assessment or evaluation that may be carried out within a Graduate Program.

29. General Procedure on Academic Appeals

- a. It is expected that, where appropriate and possible, a student will attempt to resolve a problem informally with the instructor or the appropriate person before initiating a formal appeal process.
- b. Appeals must be submitted in writing, within 15 working days of the action or decision being appealed.
- c. The person to whom the appeal is addressed will normally be a course instructor (for appeals of grades) or a supervisor (in the case of other appeals as listed in Academic Regulation 23 above). This person must acknowledge receipt of the appeal in writing within 10 days.

30. 26. Appeals Process

All students have the natural and reasonable right to appeal grades given during the term, the final grade of a course, requirement to withdraw and decisions the University makes regarding academic and non-academic misconduct, other academic policies and decisions of the University. The Senate Committee on Academic Student Appeals is the final adjudicator in such matters. For more information on student appeals, please visit <https://www.unbc.ca/policy>. All formal appeals must be made through the Registrar, in writing and with necessary documentation, within 15 working days of the receipt of the decision in question. The student's written appeal must state clearly the decision being appealed, the reason(s) why the decision is considered to be unfair, what decision would be considered fair, and why it would be fair. It is incumbent upon the student to advise the University, via the Office of the Registrar, of their current contact information. All written appeals to the Senate Committee on Academic Appeals should indicate whether an in-person hearing is being requested. Otherwise, cases are adjudicated on the basis of the written submissions.

31. Senate Committee on Academic Appeals: Procedures

The Senate Committee on Academic Appeals follows the principles of natural justice. That is, its procedures are fair and open, appropriate to the matter under consideration, and provide the opportunity for those affected to put forward their views fully for consideration by the Committee. Following these principles, the Committee develops its own procedures and practices to conduct appeals and is not constrained by strict rules of procedure and evidence.

A quorum consists of a majority of voting members, including at least one student member and two faculty members. No faculty or student committee member with previous direct involvement in the case may hear the appeal. The appellant has the right to challenge the neutrality of any member of the Committee scheduled to hear his/her appeal. The Chair, with the advice of the Committee, will rule on the validity of the challenge.

If the appellant requests an in-person hearing, the interested parties (e.g., the course instructor(s), Chair and/or Dean) will be notified and may also appear at the appeal, when available. Appeals shall be based on the appellant's written submission (all relevant evidence and documentation related to the matter which is under appeal, and all relevant information contained in the student record). New evidence cannot be presented at the hearing.

If the appellant asks to be present at the hearing yet fails to appear before the Committee on the appointed day and time, the Committee may, without further notice, proceed to hear the appeal based on the written submission. If there are compassionate or medical grounds for nonappearance, the Chair or the Secretary to the Committee must be notified immediately. The Chair will determine the acceptability of these grounds and whether the appeal hearing should be postponed.

All forms of adjudication are held in the strictest confidence and normally are attended only by members of the Committee and the parties to the particular appeal. Upon written notification to the Senate Committee on Academic Appeals, appellants may be accompanied by an additional party for the purpose of personal support.

Neither the appellant nor the University shall have the right to representation by legal counsel during appeal hearings except by permission of the committee Chair. The Chair, at the Chair's sole discretion, may allow legal representation where he or she judges the circumstances of the case to be exceptional.

The Secretary to Senate, in consultation with the Committee Chair as appropriate, reviews each request to hear an appeal before any hearing or adjudication. This review is intended to ensure that the nature of the appeal is consistent with the mandate of the Committee and to ensure that the appeal is both valid and could not be resolved by other means. In some instances the review may lead to a reversal of the decision before review, while in other instances it may indicate there are insufficient grounds for an appeal or that further documentation is required. In all cases, however, any decision to hear or not to hear an appeal rests with the Committee.

The Senate Committee on Academic Appeals reviews decisions made at lower levels when requested to do so by the appellant. Normally it rules in two areas. It considers whether appropriate and fair adjudication was exercised in respect of a case and, where it concludes that there was unfairness, it may direct a readjudication using a procedure that it prescribes as being appropriate and fair. It considers whether the penalty assessed was consistent with University Regulations and practice and was not pernicious and, where it concludes that there was a lack of consistency or an unreasonable response, it may state its concerns clearly and direct a reconsideration. The Committee may act, whether a reconsideration has been directed or not, to overturn or to support a decision. Whatever the matter under consideration, the Committee and all parties to the appeal are provided by the Registrar with the same information, sufficient to permit a meaningful hearing. The Committee maintains a record of its deliberations and provides the reason(s) for its decisions.

32. Appeal of Term Grades While Course is in Progress

Students who have reason to believe their term grade, while a course is in progress, is inaccurate should meet with their course instructor immediately. If both the instructor and the student agree, on the basis of an informal review, the matter is thereby concluded and a change of grade is submitted if necessary.

Students who wish to appeal grades other than final grades, formally, should initiate the following process:

- a. The student obtains an Academic Appeals Form from the Office of the Registrar and submits it to the Program Chair.
- b. The Chair meets the instructor(s) on the matter, obtains the instructor's(s') comments and adds the Chair's comments.
- c. If no resolution favourable to the student is reached within seven working days, the Chair, without delay, submits the form to the Dean.
- d. If no resolution acceptable to the student is reached within seven working days, the Dean, without

~~delay, submits the form to the Registrar for advancement to the Senate Committee on Academic Appeals.~~

~~e. At any stage in the process, the student may choose to withdraw the appeal by notifying the Registrar.~~

~~An appeal may result in a higher, equal or lower grade. The final recourse for all appeals is the Senate Committee on Academic Appeals.~~

33. Appeal of Final Grade

~~Students who have reason to believe their final grade in a course, once released by the Office of the Registrar, is inaccurate should meet with their course instructor immediately, if possible (see Academic Regulation 40). If instructor and student agree, on the basis of an informal review, the Office of the Registrar is advised of a grade change and the matter is thereby concluded.~~

~~Students who wish to appeal their final grade, formally, should initiate the following process:~~

~~a. The student obtains an Academic Appeals Form from the Office of the Registrar and forward submits it to the Program Chair.~~

~~b. The Chair meets the instructor(s) on the matter, obtains the instructor's(s') comments and adds the Chair's comments.~~

~~c. If no resolution favourable to the student is reached within seven working days, the Chair, without delay, submits the form to the Dean.~~

~~d. If no resolution acceptable to the student is reached within seven working days, the Dean, without delay, submits the form to the Registrar for advancement to the Senate Committee on Academic Appeals.~~

~~e. At any stage in the process, the student may choose to withdraw the appeal by notifying the Registrar.~~

~~An appeal may result in a higher, equal or lower grade. The final recourse for all appeals is the Senate Committee on Academic Appeals. Evaluation of a student's academic performance for continued enrolment will not be done prior to the completion of a grade appeal process, if the grade in question is pertinent to the said evaluation.~~

34. Appeals Concerning Academic Program Matters

~~In the case of appeals concerning matters other than those listed above, the following procedures shall be followed:~~

~~a. The student must meet with the supervisor, or the supervisory committee, or the Chair of the Program as appropriate (or, if the instructor is also the supervisor, the Chair, or, if the Chair is the supervisor, the College Dean, or, if the College Dean is the supervisor, the Provost) in an attempt to resolve the matter. Within 5 days of the meeting, the Chair of the Program (or College Dean) must send a written report of the meeting to the Office of Graduate Programs, with a copy to the student. The report shall notify the Office of Graduate Programs of the particulars of the case, and of the result of the meeting.~~

~~b. If, after the process set out in 33.a) is completed, the student is unsatisfied with the result and wishes to continue the appeal, a written notice of the student's intention must be sent to the Vice President Research and Graduate Programs or designate within 15 days of receiving the letter from the Chair or other appropriate official. The Vice President or designate will acknowledge receipt of the notice within 5 days of receiving it.~~

~~c. The Vice President Research and Graduate Programs or designate will conduct an investigation of the matter. In the course of this investigation, written reports from each member of the Committee may be requested. Committee members may submit reports even if not asked to do so. Copies of all reports will be made available to the student. After reviewing these reports, the Vice President Research and Graduate Programs or designate will come to one of the following decisions:~~

- ~~i. If the Vice President is convinced that the process was appropriate, and that the reports clearly indicate academic deficiencies on the part of the student for which the original decision which led to the appeal was appropriate and reasonable, the Vice President may decide to uphold the decision.~~
- ~~ii. If the Vice President is convinced that the examination or other assessment process was flawed or improper, the Vice President may order a re-examination or other re-evaluation as appropriate. The new examination or evaluation will be conducted either by the same examining committee as the original one, or by a new one, as deemed appropriate by the Vice President.~~
- ~~iii. If the Vice President is convinced that the examination or other process was correct, but that factors other than academic merit may have influenced the decision, the Vice President may order a re-examination or a re-evaluation, as he/she deems appropriate. The new examination or evaluation will be conducted either by the same examining committee as the original one, or by a new one, as deemed appropriate by the Vice President.~~
- ~~iv. If the Vice President is convinced that a new examination or evaluation is unlikely to resolve the issue, or if the result of the new examination or evaluation is appealed, he/she may, with the consent of the Program, appoint external assessors to evaluate the student's performance.~~
- ~~v. In all cases concerning appeals, a further appeal may be made to the Senate Committee on Academic Appeals which shall deal with it according to its rules of procedure (see Academic Regulation 28).~~

35. 27. Appeals Concerning Academic Relationships

Appeals may arise out of other difficulties involving the academic relationship between students and faculty members. It is sometimes necessary, for instance, for a student to change supervisors, or a student may have other difficulties with a supervisor, or a student may have difficulties of a personal nature with a faculty member. Because the personal and professional relationship between student and faculty member can become entangled, and because problems of this sort can be perceived as potentially career-threatening by a student, there is a need for a process by which a student can seek mediation and resolution in such cases. Because each case is different unique, and because a formal committee procedure as outlined under Academic Regulation 24 may not be appropriate in such cases, the following procedure shall be followed:

- a. A student experiencing such difficulties should attempt to resolve them informally at the level of the individual Instructor or the Program Chair.
- b. If this cannot be done, or if the nature of the problem is such that the student does not wish to attempt it, the student should seek the advice of the Vice President Research and Graduate Programs or designate, who shall follow one of the following procedures:
 - i. If the Vice President Research and Graduate Programs thinks it advisable, the Vice President shall seek to bring about a solution through informal means;
 - ii. After assessing the evidence that is presented, if in the opinion of the Vice President Research and Graduate Programs the complaint is invalid, the Vice President Research and Graduate Programs shall advise the student of this opinion, and take no further action;
 - iii. After assessing the evidence that is presented, if in the opinion of the Vice President the

complaint is valid but an informal solution is unlikely, or if the Vice President has attempted an informal solution and has failed, he/she shall advise the student of this fact;

- c. In the case of ~~33~~ an appeal of a final grade, the student may choose not to proceed further, or the student may choose to proceed with the matter. In the latter case, the student shall make a written complaint, through the Registrar, to the Senate Committee on Academic Student Appeals which shall consider it according to its rules of procedure.

36-28. University Closure/Weather

On rare occasions, the President (or designate) may elect to close the University due to inclement weather or other human or natural circumstance. In such circumstances, classes and examinations ~~will be~~ are formally cancelled and ~~will be~~ rescheduled. Assignments due on the date of the closure must be submitted on the next day that the University is open.

6. Authorization: (Please ignore — Section to be completed by Committee Recording Secretaries)

Program / Academic / Administrative Unit: Office of the Registrar, Student Affairs and the Office of the University Secretariat

College: n/a

SCCC Reviewed: October 28, 2019

College Council Motion Number: n/a

College Council Approval Date: n/a

Senate Committee on Academic Appeals/Senate Committee on Student Discipline Appeals Motion Number: SCAA/SCSDA201909.05

Senate Committee on Academic Appeals/Senate Committee on Student Discipline Appeals Meeting Date: October 4, 2019

Senate Committee on First Nations and Aboriginal Peoples Motion Number: (if applicable, or state "not applicable")

Senate Committee on First Nations and Aboriginal Peoples Meeting Date: (if applicable, or state "not applicable")

7. Other Information

Attachment Pages: # pages (fill in number of pages, or indicate "0" if there are no attachments)

INFORMATION TO BE COMPLETED AFTER SENATE COMMITTEE ON ACADEMIC AFFAIRS MEETING

Brief Summary of Committee Debate:

Motion No.: SCAAF202001.03

Moved by: T. Klassen Ross

Seconded by: E. Jensen

Committee Decision: CARRIED



Approved by SCAAF: January 8, 2020
Date

Chair's Signature

For recommendation to ✓, or information of _____ Senate.

Motion Number (assigned by
Steering Committee of Senate): S-202001.08

SENATE COMMITTEE ON ACADEMIC AFFAIRS

PROPOSED REVISION OF CALENDAR ENTRY

Motion: That the change(s) to the Undergraduate Regulations and Policies on pages 34 - 47 of the 2019/2020 Undergraduate Academic Calendar, be approved as proposed.

1. **Effective date:** January 1, 2020

2. **Rationale for the proposed revisions:**

In April 2016, a motion came forward with proposed revisions to Undergraduate Regulations #50 (Appeals Process) and #51 (Senate Committee on Academic Appeals). In response to the motion, Senate created an ad hoc committee charged with considering the motion and reporting back to Senate as to the questions of principle within the motion.

On August 23, 2017, the Ad Hoc Committee presented a report to Senate that outlined several key issues with the current appeals process and contained several recommendations. The ad hoc committee requested the report be given to the Senate Committee on Academic Appeals, so the committee could make changes to the academic appeal process.

In May 2018, the Provost asked the University Registrar, University Secretary and then Interim Manager, Students Affairs, to work with the Integrated University Planning Office in revising the current student regulations in the academic calendar to come up with clear and transparent policy and procedures around student academic and non-academic conduct and the appeals process.

The first draft of the policy and procedures were reviewed by the Senate Committee on Academic Appeals and the Senate Committee on Student Discipline Appeals on November 1, 2019. Further feedback sessions include the following:

- December 11, 2018 – Senate Committee on Academic Appeals and Senate Committee on Student Discipline Appeals
- January 8, 2019 – Student Senators
- January 9, 2019 – Senate Committee on Academic Affairs
- March 1, 2019 – Student Engagement Session
- March 5, 2019 – CSAM Chairs Management Team
- March 7, 2019 – CASHS Chairs Council
- March 21, 2019 – Meeting regarding Graduate Programs
- March 14, 2019 – CSAM College Council
- March 21, 2019 – CASHS College Council
- April 3, 2019 – Meeting regarding Continuing Studies
- September 4, 2019 – Office of Research
- September 6, 2019 – Senate Committee on Academic Appeals
- September 10, 2019 – Office of Graduate Programs

The academic calendars will reference academic and non-academic conduct and the appeals processes; however, this motion proposes the policy and procedures content in the academic calendars be removed and are established as separate documents on the policy and procedures website.

This motion recommends revisions to the 2019-2020 Undergraduate Academic Calendar and the 2019-2020 Regulations. Information about the new *Academic and Non-Academic Conduct Student Policy*, *Academic and Non-Academic Misconduct Student Procedures* and *Student Appeals Procedures* will be posted to the University's Policies and Procedures website once approved.

3. Implications of the changes for other programs, etc., if applicable:

The changes affect all academic administrative units and academic service units that directly support students.

4. Reproduction of current Calendar entry for the item to be revised:

Undergraduate Regulations and Policies

I. Notification of Disclosure of Personal Information to Statistics Canada

Statistics Canada is the national statistical agency. As such, Statistics Canada carries out hundreds of surveys each year on a wide range of matters, including education.

It is essential to be able to follow students across time and institutions to understand, for example, the factors affecting enrolment demand at post-secondary institutions. The increased emphasis on accountability for public investment means that it is also important to understand 'outcomes.' In order to carry out such studies, Statistics Canada asks all colleges and universities to provide data on students and graduates. Institutions collect and provide to Statistics Canada student identification information (student's name, student ID number, Social Insurance Number), student contact information (address and telephone number), student demographic characteristics, enrolment information, previous education, and labour force activity.

The Federal Statistics Act provides the legal authority for Statistics Canada to obtain access to personal information held by educational institutions. The information may be used only for statistical purposes, and the confidentiality provisions of the Statistics Act prevent the information from being released in any way that would identify a student.

Students who do not wish to have their information used are able to ask Statistics Canada to remove their identification and contact information from the national database.

Further information on the use of this information can be obtained from Statistics Canada's website: www.statcan.gc.ca or by writing to the Postsecondary Section, Centre for Education Statistics, 17th Floor, R.H. Coats Building, Tunney's Pasture, Ottawa, K1A 0T6.

II. BC Freedom of Information and Protection of Privacy Act

The University of Northern British Columbia gathers and maintains information used for the purposes of admission, registration and other fundamental activities related to being a member of the UNBC community and attending a public postsecondary institution in the Province of British Columbia. Information provided to

the University by students, and any other information placed into the student record, will be protected and used in compliance with the BC Freedom of Information and Protection of Privacy Act (1996).

III. Student Conduct Statement of Principles

1. Introduction

The University of Northern British Columbia (“University”) is an academic community whose purpose is to search for knowledge through teaching, research, and the free exchange of ideas. As such, the University is committed to developing among its members an enduring sense of community rooted in a working and learning environment which emphasizes mutual respect and tolerance and which is free from discrimination, harassment, disruptive behaviour, and violence. The members of the University community include students, faculty, staff, administrators, governors, senators, and, in certain contexts, visitors. In order for the members of the University community to participate fully and effectively in the University’s purpose, certain standards of conduct must be recognized and respected.

2. Purpose

The purpose of this policy is:

- a. to set out the standards of conduct which apply to student members of the University community in connection with their participation in University-related activities and behaviour while on any of UNBC’s campuses;
- b. to establish procedures for investigating a complaint that a student has breached this policy;
- c. to provide penalties for those students who have breached this policy; and,
- d. to identify the procedure which will govern an appeal by a student who has been found to have breached this policy.

This policy is intended to address major concerns about student misconduct and is not intended to interfere with faculty and administration’s ability to deal with minor acts of misconduct in an informal and consensual manner, where appropriate.

3. Definitions

- a. “Campus life” is any activity that occurs as part of life on campus. This includes but is not limited to:
 - i. being present on campus, whether as a student or the guest of a UNBC student,
 - ii. living in Residence,
 - iii. working on campus,
 - iv. attending classes, university-sponsored events, student society-sponsored events,
 - v. conducting university-sponsored research or lab activity, and
 - vi. operating a vehicle on campus
- b. “Director” is the Director, Student Success
- c. “University employee” is a faculty or staff member.

4. Statement of Principles

- a. Every student has the right to participate freely as a member of the University community subject only to reasonable conditions governing eligibility and the payment, when required, of appropriate fees or charges.
- b. Free participation in campus life requires the existence of an environment free from discrimination, violence and threats of violence, direct or indirect physical interference with one person by another person, intimidation, and verbal abuse, whether oral or written.

- c. Members of the University community must recognize and accept that the free exchange of ideas will involve exposure to the formulation and expression of ideas with which an individual is in fundamental disagreement or which an individual finds offensive. The University's purpose requires that the formulation and expression of such ideas must be tolerated, provided that neither the formulation nor the expression of such ideas violates any generally applicable laws of Canada or British Columbia or any policies of the University. Toleration does not require acceptance of such ideas, nor does it preclude the formulation and expression of a critical response to such ideas, provided that neither the formulation nor the expression of such a response violates any generally applicable laws of Canada or British Columbia or any policies of the University.
- d. Student members of the University are expected to:
 - i. comply with the generally applicable laws of Canada and British Columbia;
 - ii. honour contractual obligations arising in connection with a student's membership in the University community;
 - iii. comply with the applicable academic regulations of the University, and;
 - iv. comply with the University's policies.
- e. This policy must be interpreted and applied in conformity with both the University's purpose as an academic community and the above Statement of Principles.

5. Student Standards of Conduct

Within the framework set out in the Statement of Principles, acts of student misconduct subject to penalty under this policy include but are not limited to:

- a. threatening or engaging in behaviour that a reasonable person would perceive to be intimidating or offensive, or that may endanger the health or safety of students, faculty, staff or administration of the University;
- b. participating in disruptive action including but not limited to:
 - i. disrupting instructional activities including lectures, seminars, labs, examinations and tests;
 - ii. physically or verbally abusing another person;
 - iii. repetitive or intrusive use of indecent, profane or vulgar language in a public place that disturbs others;
 - iv. obstructing the rights and privileges of other members of the University community;
 - v. disrupting campus life by electronic means, whether directly or indirectly;
 - vi. obscenity
- c. harming another person at or in connection with that person's participation in campus life;
- d. misappropriating, converting, destroying, permanently defacing, or otherwise damaging University property, resources, or the property and resources of other members of the University community;
- e. possessing the property of other members of the University Community without proper authorization;
- f. forging, falsifying, misusing, or altering any University data or record whether in physical or electronic form;
- g. obtaining or using, whether directly or indirectly, University equipment, material, or services by fraudulent or other unlawful means;
- h. possession or use of intoxicants on campus, except within approved areas under the University's Liquor Policy;
- i. possession for use or sale of illegal drugs;
- j. possession or use of firearms, fireworks, or other inherently dangerous objects on campus;
- k. failing to comply with the reasonable directions of a University employee or a University Security Officer, or a Police Officer when they are acting in performance of their duties at or in connection with campus life;
- l. breaching any law of general application of Canada or British Columbia in connection with campus life;
- m. aiding, abetting, or acting as an accomplice at or in connection with any prohibited conduct; and;
- n. any other misconduct which significantly interferes with the University's operations.

6. Responding to Apparent Breaches of This Policy

Emergencies

If a student's conduct appears to pose a threat to the student's own safety or to the safety of another person, any person witnessing the conduct should contact campus security immediately. Where there is a risk of injury or harm to any person or property, the student whose conduct is in question may be required to leave the University's property immediately pending and during an investigation into the alleged misconduct. Campus security must promptly prepare a Report to be given to the Director.

Reports of Allegations of Student Misconduct

University employees, including faculty, administration and staff may report allegations of student misconduct to the Director on the prescribed form.

Complaints of Allegations of Student Misconduct

Members of the University community who are not University employees (students, vendors, external stakeholders) may file a Complaint alleging that a student has engaged in misconduct, in breach of this policy.

The person filing the Complaint will be known as the "Complainant." The person about whom the Complaint is made will be known as the "Respondent." Such a Complaint must be made to the Director on the prescribed form and must set out in detail the facts on which the Complaint is based. A Complaint must be made within 45 days of the last event which is the subject of the Complaint, unless the Director allows a longer period of time. In allowing a longer period of time the Director must consider the following factors:

- a. the reasons for the Complainant's delay in filing the complaint;
- b. whether there will be prejudice to the Respondent or another person as a result of the delay, and;
- c. the seriousness of the misconduct alleged against the Respondent.

The Director will, upon receipt of the Report or the Complaint, consider the alleged acts of misconduct and decide:

- a. that the allegations, if true, do not constitute misconduct under this policy and decline to act on the Report or the Complaint;
- b. not to investigate the Report or the Complaint because the allegations are trivial or frivolous;
- c. that the allegations fall under another University policy or fall under both this policy and another University policy, in which case the Director must refer the Report or the Complaint to the University official responsible for the administration of the other University policy and consult with the other University official and determine an orderly method of proceeding that will ensure that all elements of the Report or Complaint will be investigated;
- d. that the allegations in the Complaint or the Report should be investigated or otherwise addressed in accordance with this policy.

The Director will notify the person who made the Report or the Complaint of the decision.

Prior to investigating a Complaint and with the consent of the Complainant and the Respondent, the Director may refer a Complaint to mediation by a mediator appointed by the Director. If the Complaint is resolved, the resolution will be put in writing, signed by the parties and filed with the Director. If the Complaint is not resolved through mediation, the Director will investigate the Complaint.

Reports or Complaints of Criminal Misconduct

If the Director determines on reviewing a Report or a Complaint that the allegations may constitute one or more criminal offences, the Director must inquire as to whether the Complainant has reported or intends to report the allegations to the police. If the Complainant has reported or intends to report the allegations to the police, the Director will coordinate the University's investigation with the police investigation.

Investigation of Allegations in a Report or Complaint

In conducting an investigation, the Director will engage in detailed interviews of the person who filed the Report or the Complainant; and with the student about whom the Report is made or the Respondent; and with any other witness who the Director believes has information relevant to the investigation; and will review all documents which the Director identifies during the investigation as relevant to the investigation.

After concluding the investigation, the Director must prepare an Investigation Report for the Provost setting out findings of fact and a conclusion about whether those findings constitute a breach of this policy.

Duties of the Provost in Disciplinary Cases

On receipt of the Investigation Report, the Provost must deliver a copy to the Complainant and to the Respondent. Both the Complainant and the Respondent will be entitled to make a written submission about any matter contained in the Investigation Report. Any such submission must be delivered to the Provost within a time limit established by the Provost, always provided that the time limit must not be less than 5 working days and must be the same for both the Complainant and the Respondent. The Provost has the discretion to extend any time limit previously set.

After the deadline for any submissions has passed, the Provost must review the Investigation Report and all of the submissions received in the case of a Complaint and must make a decision. The Provost has the discretion to accept or vary the Director's conclusion.

If the Provost decides that a breach has not occurred or that the Complaint is trivial, the Provost will dismiss the Report or the Complaint. If the Provost decides that a breach of this policy has occurred, the Provost will decide on the appropriate penalty. The available options include, but are not limited to, the following:

- a. a written reprimand, which will form part of the student's permanent record;
- b. a performance contract;
- c. suspension for a specified period;
- d. suspension for an indefinite period, with or without the ability to apply for readmission to the University after a fixed period;
- e. eviction from UNBC Residences
- f. prohibition from entering UNBC Residences
- g. payment in part or for all of the costs for replacing or repairing damage to the University's property;
- h. any other action deemed appropriate in the circumstances, including the provision of remedial measures to the Complainant (where applicable).

If the disciplinary response involves any form of suspension, the President must review the Director's Investigation Report and any submissions made by a Complainant and a Respondent and make the decision.

7. General Matters

Nothing in this policy affects the President's authority under the University Act to suspend a student or to deal summarily with a matter of student discipline.

It is a serious act of misconduct to file a false and malicious Complaint under this policy or to file a Complaint solely for the purpose of retaliating against another person. Similarly, it is a serious act of misconduct to retaliate in any manner against a person for filing a Complaint or a Report or responding to a Complaint or a

Report or for participating in a proceeding under this policy. The University will respond to all such acts of misconduct under the terms of the policies and contracts governing the University's relationship with the person who has engaged in the misconduct.

8. Appeal of a decision imposing discipline under the Student Conduct Statement of Principles

A student who is subject to a penalty imposed by the President or Provost (or delegate) (the Decision Maker") under Regulation and Policy III, Student Conduct Statement of Principles ("Student Conduct Policy"), may appeal to the Senate Committee on Student Discipline Appeals ("SCSDA"). The SCSDA is the final adjudicator of appeals under the Student Conduct Policy.

A copy of the procedures for appeals under the Student Conduct Policy is available from the Office of the Registrar. Please note that the procedures include a 15-day time limitation for filing a notice of appeal.

Appeals of academic decisions under Regulation and Policy V: General Academic Regulations and appeals of decisions under Regulation IV: Harassment, Discrimination and Diversity Initiatives are addressed under those regulations and policies.

9. Grounds for an Appeal under the Student Conduct Policy

An appeal to the SCSDA is not a full re-hearing of the decision to impose discipline. A student's appeal of the imposition of discipline under the Student Conduct Policy to the SCSDA must be made on one of more of the following bases:

- a. The Decision Maker incorrectly applied a University policy and, as a result, the decision was unfair;
- b. The student has material evidence that was not reasonably available prior to the time of the decision under appeal, and knowledge of that evidence would probably have led to a different decision;
- c. During the process leading up to the imposition of discipline the student did not know the substance of the complaint and was not given, at some point in the process, a reasonable opportunity to respond, or the process was otherwise procedurally unfair.

10. Standards of Review

The SCSDA will review the Decision Maker's decision on one or more of the three grounds of appeal listed above, with regard to the standards of review listed below.

- a. Where the appeal is under 9 (a), the appropriate standard as to whether the Decision Maker misapplied a University Policy is correctness. The standard of review as to whether the decision was, as a result, unfair, is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive it to be unfair to let a decision based on the incorrect application of the policy stand.
- b. Where an appeal is under paragraph 9 (b), the appropriate standard of review is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive it to be unfair to let a decision made without consideration of the new evidence stand.
- c. Where an appeal is under paragraph 9 (c), the appropriate standard of review is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive the process to be unfair.

11. Outcomes

An appeal under the Student Conduct Policy will result in one of the following three outcomes:

- a. The Chair of the SCSDA, in consultation with the Registrar, may dismiss the appeal on a preliminary basis, on the basis that the appeal is frivolous, vexatious or an abuse of process;
- b. The SCSDA may uphold the disciplinary decision;
- c. The SCSDA may refer the matter back to the Decision Maker for further decision, or for further investigation and then further decision, as the Decision Maker may determine.

In all cases, where an appeal is allowed, the original penalty will remain in effect until the matter is reconsidered and a further decision is made by the Decision Maker.

IV. Harassment, Discrimination and Diversity Initiatives

The University of Northern British Columbia is committed to providing a working and learning environment in which all students, staff and faculty are treated with respect and dignity. The University of Northern British Columbia acknowledges the right of all individuals in the University community to work or learn without discrimination or harassment because of race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, age, sexual orientation, political beliefs or criminal or summary conviction offense unrelated to their employment. An approved policy, available at www.unbc.ca/policy, applies to all members of the UNBC community and is administered by the Harassment and Discrimination Advisor. For further information or assistance please contact the Harassment and Discrimination Advisor 250.960-.6618.

V. General Academic Regulations

[There are no changes to General Academic Regulations 1-45, so they have been omitted.]

46. Academic Offenses

Any conduct that violates the standards of the University as set out in the Undergraduate University Calendar, particularly those related to academic honesty, is a serious offense. The formal processes set out in these Regulations are to be followed. The Senate Committee on Academic Appeals provides for impartial review of decisions made at lower levels as defined in these Regulations. Minimum sanctions for an academic offense include reprimands and reduction of grades; the maximum sanction is dismissal from the student's academic program or suspension from the University (see Academic Regulation 46 (Academic Sanctions)). Such offenses include, but are not limited to the following:

- a. **Plagiarism:** Plagiarism occurs when a student submits or presents work of another person in such a manner as to lead the reader to believe that it is the student's original work; self-plagiarism is the submission of work previously submitted for academic credit without prior written and signed approval of the current course instructor.
- b. **Cheating:** Cheating takes numerous forms and includes, but is not limited to, the following: copying from another student's work or allowing another student to copy from one's own work; obtaining a copy of an examination before it is officially available; misrepresenting or falsifying references, citations, or sources of information; knowingly recording or reporting false or invented empirical or statistical data; and possession of notes, books, diagrams or other aids during examinations that are not authorized by the examiner (See Regulation 39(a)).

- c. **Submitting False Records:** Knowingly submitting false medical or criminal records, transcripts, or other such certificates or information.
- d. **Withholding Records:** Non-disclosure of previous attendance at a post-secondary institution, and of the transcript of record pertaining thereto, or of other documentation required by the University.
- e. **Misrepresenting One's Own Identity:** Impersonation or the imitation of a student in class, in a test or examination or class assignment. Both the impersonator and the individual impersonated may be charged.
- f. **Falsification of Results:** The falsification of laboratory and research results.
- g. **Submission of False Information:** The submission of false or misrepresented information on any form used by the University or an agent thereof.
- h. **Aiding or Abetting** any of the above academic offences.

47. Procedure on Suspicion of an Academic Offence

- a. An instructor, invigilator or administrator who suspects plagiarism, cheating, or any other academic offence, and has evidence to support the accusation, will review the contents of the student's file in the Office of the Registrar to determine whether the record indicates a prior academic offense, and will obtain a copy of the UNBC Report Form for Academic Misconduct. The instructor or administrator then will contact the student to inform the student fully of the offence and to present the evidence for it. The student may request that a third party (for example another faculty member, a teaching assistant, a staff member, or the ombudsperson) be present at this or any subsequent meetings.
- b. If the issue is resolved at this level, the faculty member or administrator will fill in Part A of the UNBC Report Form for Academic Misconduct and forward it to the Office of the Registrar to be placed in the student's file. Discussions with the Chair or Dean may be held at the request of either the faculty member or the student, and the Dean may also be brought in at any stage if requested by either party.
- c. If the matter is not resolved between the student and faculty member or administrator, it will be discussed by the student, faculty member, and the Chair of the program involved or, in the case of professional programs that have their own internal appeals committees, reviewed by those committees. After these discussions or reviews, the Chair and Dean will complete Parts B and C respectively of the Report Form for Academic Misconduct. Whether or not a penalty is imposed, a copy of the Report Form will be placed in the student's file in the Office of the Registrar, and copied to the student.
- d. The student may appeal any lower level decision to the Senate Committee on Academic Appeals (see Academic Regulations 49, 50).

48. Academic Sanctions

"Every student accepted for registration at the University of Northern British Columbia shall be deemed to have agreed to be bound by the regulations and policies of the University and of the Program in which that

student is enrolled" (Academic Calendar notices, p.1). A student not adhering to the University's Regulations and Policies shall be subject to academic sanctions.

A range of penalties is described below:

- a. Reprimand: This is a written warning to a student from the Instructor, Program Chair or the Dean of the College that the student's behaviour is considered unacceptable to the University and that a record of the unacceptable behaviour has been placed in the student's file in the Office of the Registrar.
- b. Reduction of Grade: A reduction of grade, including assigning a failing grade, may be applied to an examination, test, assignment or course to which an offense is relevant and will be decided upon by the instructor, in consultation as may be appropriate with the Chair or Dean.
- c. Suspension: A student's Dean may recommend suspension, either for a specified period or indefinitely, to the President. On the recommendation of the Dean, the President may suspend a student from the University, either for a specified period or indefinitely. Prior to the President's decision becoming final, the student will be informed in writing of the recommendation. The student will be given 15 working days following such notification to lodge an appeal before the President's final decision becomes effective. Any such appeal must be made in writing to the Registrar and will be reviewed by the Senate Committee on Academic Appeals. Once the matter of suspension is final and upheld, a permanent notation will be placed on the student's transcript.

49. Academic Standing - Definition

Students are expected to meet the necessary minimum standards for performance while attending UNBC. Those who fail to meet the minimum standard will be placed on academic probation. The minimum standard is defined as an academic average on nine or more credit hours of UNBC course work that produces a cumulative grade point average (CGPA) of at least 2.00.

50. Conditions of Academic Standing

- a. Academic Probation: "Academic Probation" constitutes a warning to a student that the student's academic performance has been at a level which, if continued, could disqualify the student from graduation; and further that continued performance below the required standard could lead to requirement to withdraw from the University on academic grounds.

Students may be placed on Academic Probation under the following conditions:

- i. Admission to the University on the basis of an unproven or unsuccessful previous university record.
- ii. A UNBC cumulative GPA of less than 2.00 after attempting nine credits of course work.

Letters of permission will not be given to students on academic probation.

Students who have been placed on Academic Probation who achieve a Semester GPA (SGPA) of 2.00 or greater in subsequent semesters will be allowed to continue their studies at UNBC while on Academic Probation. Students are considered to have returned to good academic standing once their Cumulative GPA

(CGPA) is 2.00 or greater. Students are not permitted to graduate while on Academic Probation (see Academic Regulation 32 (Graduation Constraints)).

- b. Requirement to Withdraw: The following circumstances may result in a requirement to withdraw from UNBC. These are:
- i. Discovery that required documentation for admission was withheld, by the student, from the University;
 - ii. Failure to pay for tuition or university services;
 - iii. Failure to achieve an SGPA of 2.00 or higher after the completion of 30 credits while on Academic Probation. Normally, in this case, a requirement to withdraw from the University is for three semesters (one full calendar year);
 - iv. A decision by the President of the University that the suspension of a student, for reasons of unsatisfactory conduct, unsatisfactory academic performance, or otherwise clearly indicates that withdrawal from UNBC is in the best interest of the University.

Academic credit earned at another post-secondary institution during the requirement to withdraw period will be considered for transfer to UNBC, providing:

1. Courses meet the University's policy on transfer credit
2. Courses do not duplicate successful or unsuccessful course work previously completed at UNBC

It is recommended that students who are required to withdraw, and plan to return to UNBC at a later date, meet with a Student Advisor to discuss their academic standing and course plan prior to enrolling in courses at another post-secondary institution.

In order to apply for re-admission to the University, students must submit an Application for Admission/Re-admission to the Office of the Registrar. Students must provide, with the application, a letter to the Registrar stating their rationale for wishing to return to studies at UNBC and documenting any work completed or experience gained which would better qualify them to complete studies at UNBC successfully. Students who are permitted to return to studies at UNBC return on academic probation, and are subject to the University's policy on academic standing and continuance found in the current calendar.

- c. Second Requirement to Withdraw: Students Required to Withdraw from the University a second time normally will not be considered for readmission for at least two full calendar years following the Requirement to Withdraw. Re-admission will only be on presentation of compelling evidence that the student is both able and prepared to succeed in University studies.

51. Appeals Process

All students have the natural and reasonable right to appeal grades given during the term, the final grade of a course, and other academic policies and decisions of the University. The Senate Committee on Academic

Appeals is the final adjudicator in such matters. All formal appeals must be made through the Registrar, in writing and with necessary documentation, within 15 working days of the receipt of the decision in question. The student's written appeal must state clearly the decision being appealed, the reason(s) why the decision is considered to be unfair, what decision would be considered fair, and why it would be fair. It is incumbent upon the student to advise the University, via the Office of the Registrar, of their current contact information. All written appeals to the Senate Committee on Academic Appeals should indicate whether an in-person hearing is being requested. Otherwise, cases are adjudicated on the basis of the written submissions.

52. Senate Committee on Academic Appeals: Procedures

The Senate Committee on Academic Appeals follows the principles of natural justice. That is, its procedures are fair and open, appropriate to the matter under consideration, and provide the opportunity for those affected to put forward their views fully for consideration by the Committee. Following these principles, the Committee develops its own procedures and practices to conduct appeals and is not constrained by strict rules of procedure and evidence.

A quorum consists of a majority of voting members, including at least one student member and two faculty members. No faculty or student committee member with previous direct involvement in the case may hear the appeal. The appellant has the right to challenge the neutrality of any member of the Committee scheduled to hear his/her appeal. The Chair, with the advice of the Committee, will rule on the validity of the challenge.

If the appellant requests an in-person hearing, the interested parties (e.g., the course Instructor(s), Chair and/or Dean) will be notified and may also appear at the appeal, when available. Appeals shall be based on the appellant's written submission (all relevant evidence and documentation related to the matter which is under appeal, and all relevant information contained in the student record). New evidence cannot be presented at the hearing.

If the appellant asks to be present at the hearing yet fails to appear before the Committee on the appointed day and time, the Committee may, without further notice, proceed to hear the appeal based on the written submission. If there are compassionate or medical grounds for nonappearance, the Chair or the Secretary to the Committee must be notified immediately. The Chair will determine the acceptability of these grounds and whether the appeal hearing should be postponed.

All forms of adjudication are held in the strictest confidence and normally are attended only by members of the Committee and the parties to the particular appeal. Upon written notification to the Senate Committee on Academic Appeals, appellants may be accompanied by an additional party for the purpose of personal support.

Neither the appellant nor the University shall have the right to representation by legal counsel during appeal hearings except by permission of the Committee Chair. The Chair, at the Chair's sole discretion, may allow legal representation where he or she judges the circumstances of the case to be exceptional.

The Secretary of Senate, in consultation with the Committee Chair as appropriate, reviews each request to hear an appeal before any hearing or adjudication. This review is intended to ensure that the nature of the appeal is consistent with the mandate of the Committee and to ensure that the appeal is both valid and could not be resolved by other means. In some instances the review may lead to a reversal of the decision before review, while in other instances it may indicate there are insufficient grounds for an appeal or that further documentation is required. In all cases, however, any decision to hear or not to hear an appeal rests with the Committee.

The Senate Committee on Academic Appeals reviews decisions made at lower levels when requested to do so by the appellant. Normally it rules in two areas. It considers whether appropriate and fair adjudication was exercised in respect of a case and, where it concludes that there was unfairness, it may direct a readjudication using a procedure that it prescribes as being appropriate and fair. It considers whether the penalty assessed was consistent with University Regulations and practice and was not pernicious and, where it concludes that there was a lack of consistency or an unreasonable response, it may state its concerns clearly and direct a reconsideration. The Committee may act, whether a reconsideration has been directed or not, to overturn or to support a decision. Whatever the matter under consideration, the Committee and all parties to the appeal are provided by the Registrar with the same information, sufficient to permit a meaningful hearing. The Committee maintains a record of its deliberations and provides the reason(s) for its decisions.

53. Appeal of Term Grades While Course is in Progress

Students who have reason to believe their term grade, while a course is in progress, is inaccurate should meet with their course instructor immediately. If both the instructor and the student agree, on the basis of an informal review, the matter is thereby concluded and a change of grade is submitted if necessary.

Students who wish to appeal grades other than final grades, formally, should initiate the following process:

- a. The student obtains an Academic Appeals Form from the Office of the Registrar and submits it to the Program Chair.
- b. The Chair meets the instructor(s) on the matter, obtains the instructor's(s') comments and adds the Chair's comments.
- c. If no resolution favourable to the student is reached within seven working days, the Chair, without delay, submits the form to the Dean.
- d. If no resolution favourable to the student is reached within seven working days, the Dean, without delay, submits the form to the Registrar for advancement to the Senate Committee on Academic Appeals.
- e. At any stage in the process, the student may choose to withdraw the appeal by notifying the Registrar.

An appeal may result in a higher, equal or lower grade. The final recourse for all appeals is the Senate Committee on Academic Appeals.

54. Appeal of Final Grade

Students who have reason to believe their final grade in a course, once released by the Office of the Registrar, is inaccurate should meet with their course instructor immediately, if possible (see Academic Regulation 41). If instructor and student agree, on the basis of an informal review, the Office of the Registrar is advised of a grade change and the matter is thereby concluded.

Students who wish to appeal their final grade, formally, should initiate the following process:

- a. The student obtains an Academic Appeals Form from the Office of the Registrar and submits it to the Program Chair.
- b. The Chair meets the instructor(s) on the matter, obtains the instructor's(s') comments and adds the Chair's comments.
- c. If no resolution favourable to the student is reached within seven working days, the Chair, without delay, submits the form to the Dean.
- d. If no resolution favourable to the student is reached within seven working days, the Dean, without delay, submits the form to the Registrar for advancement to the Senate Committee on Academic Appeals.
- e. At any stage in the process, the student may choose to withdraw the appeal by notifying the Registrar.

An appeal may result in a higher, equal or lower grade. The final recourse for all appeals is the Senate Committee on Academic Appeals. Evaluation of a student's academic performance for continued enrolment will not be done prior to the completion of a grade appeal process, if the grade in question is pertinent to the said evaluation.

55. Appeal Procedure on Requirement to Withdraw

"Requirement to Withdraw" on academic grounds is a decision under the purview of the student's College Dean. Therefore, a student's first recourse by way of appeal is the Dean. If the Dean agrees to rescind the requirement, the Dean informs the Office of the Registrar and no further action by the student is necessary.

Otherwise, any academic appeal on a requirement to withdraw must be made in writing to the Registrar and will be reviewed by the Senate Committee on Academic Appeals.

56. University Closure/Weather

On rare occasions, the President (or designate) may elect to close the University due to inclement weather or other human or natural circumstance. In such circumstances, classes and examinations will be formally cancelled and will be rescheduled. Assignments due on the date of the closure must be submitted on the next day that the University is open.

5. Proposed revision with changes underlined and deletions indicated clearly using "strikethrough":

Undergraduate Regulations and Policies

I. Formal Relationship Between the University and Students

Upon registering and while registered in a for-credit course, program of study or audited course offered by or through the University of Northern British Columbia (UNBC), a Student enters a formal relationship with the University by which they

- acknowledge the right of the University to set acceptable standards of Academic Integrity and of Academic and Non-Academic Conduct;

- accept and agree to be subject to the University's Policies, Rules and Procedures; and
- accept the right of the University to investigate, impose discipline and determine consequences for Academic or Non-Academic Conduct found to have violated the University's standards, Policies, Rules or Procedures.

By registering to become a student at UNBC, a Student agrees to enter the formal relationship outlined above.

Students are required to inform themselves of UNBC's policies, procedures, rules and regulations, and any subsequent amendments in place at the University. Please refer to the following website to access UNBC's Policies and Procedures: <https://www.unbc.ca/policy>.

II. UNBC's Core Values and Statement of Principles

1. UNBC is a place of research, teaching, and learning, where members of the University Community value inclusiveness and diversity, community, integrity, and academic excellence. These values are supported through an unwavering commitment to free expression and debate in an atmosphere of respectful interactions, safety and good conduct.
2. The University is committed to reconciliation and recognizing Aboriginal Ways of Knowing within the Academy. UNBC's Motto, *En Cha Huna*, meaning "they also live," sets a foundation of respect, and reflects a shared commitment to Responsibility, Reciprocity and Relationship in the interactions between students and the University Community as a whole.
3. All members of the University Community share the responsibility for the academic standards and reputation of the University. Academic Integrity is founded on values of respect for knowledge, truth, scholarship and acting with honesty. Upholding Academic Integrity is a condition of continued membership in the University Community.
4. The University strives, whenever possible, to take an educational and developmental approach to Academic and Non-Academic Misconduct, informed by knowledge and respect for mental health, well-being, cultural differences, and principles of reconciliation.
5. The University adheres to the principles of Procedural Fairness and Natural Justice in working to ensure that Students, Faculty and Staff are aware of their applicable rights and responsibilities with respect to Academic and Non-Academic Conduct, in investigating alleged misconduct, and when taking steps to establish or impose consequences.

III. Academic Conduct and Non-Academic Conduct

UNBC is committed to creating a scholarly community characterized by free expression, open debate, critical and free inquiry, and diversity of thought and perspective; the orderly and safe enjoyment of University facilities by all members of the University Community; and the proper functioning of the University and protection of University property.

The *Academic and Non-Academic Conduct Student Policy* defines students' responsibilities as academic community members, defines inappropriate student conduct, and provides procedures and outcomes to be invoked if students engage in such behaviour. Each student is responsible for their conduct that affects the University community.

A Student may appeal a decision made or disciplinary measure imposed in response to a finding of Academic Misconduct. A student may appeal a suspension imposed in response to a finding of Non-Academic Misconduct. In accordance with the *University Act*, the appeal is to the Senate Committee on Student Appeals.

For more information on academic conduct and non-academic conduct and the appeals processes at UNBC, visit <https://www.unbc.ca/policy>.

IV. Harassment, Discrimination and Diversity Initiatives

UNBC is committed to providing a working and learning environment in which all students, staff and faculty are treated with respect and dignity. UNBC acknowledges the right of all individuals in the University community to work or learn without discrimination or harassment. An approved policy, available at www.unbc.ca/policy, applies to all members of the UNBC community.

I. V. Notification of Disclosure of Personal Information to Statistics Canada

Statistics Canada is the national statistical agency. As such, Statistics Canada carries out hundreds of surveys each year on a wide range of matters, including education.

It is essential to be able to follow students across time and institutions to understand, for example, the factors affecting enrolment demand at post-secondary institutions. The increased emphasis on accountability for public investment means that it is also important to understand 'outcomes.' In order to carry out such studies, Statistics Canada asks all colleges and universities to provide data on students and graduates. Institutions collect and provide to Statistics Canada student identification information (student's name, student ID number, Social Insurance Number), student contact information (address and telephone number), student demographic characteristics, enrolment information, previous education, and labour force activity.

The Federal Statistics Act provides the legal authority for Statistics Canada to obtain access to personal information held by educational institutions. The information may be used only for statistical purposes, and the confidentiality provisions of the Statistics Act prevent the information from being released in any way that would identify a student.

Students may contact Statistics Canada via e-mail if they have any questions: statcan.PSIS-SIEP.statcan@canada.ca.

II. VI. BC Freedom of Information and Protection of Privacy Act

~~The University of Northern British Columbia~~ UNBC gathers and maintains information used for the purposes of admission, registration and other fundamental activities related to ~~being a member of~~ membership in the UNBC community and attendance at a public postsecondary institution in the Province of British Columbia. Information provided to the University by students, and any other information placed into the student record, ~~will be~~ is protected and used in compliance with the BC Freedom of Information and Protection of Privacy Act (1996).

III. Student Conduct Statement of Principles

1. Introduction

The University of Northern British Columbia (“University”) is an academic community whose purpose is to search for knowledge through teaching, research, and the free exchange of ideas. As such, the University is committed to developing among its members an enduring sense of community rooted in a working and learning environment which emphasizes mutual respect and tolerance and which is free from discrimination, harassment, disruptive behaviour, and violence. The members of the University community include students, faculty, staff, administrators, governors, senators, and, in certain contexts, visitors. In order for the members of the University community to participate fully and effectively in the University’s purpose, certain standards of conduct must be recognized and respected.

2. Purpose

The purpose of this policy is:

- a. to set out the standards of conduct which apply to student members of the University community in connection with their participation in University-related activities and behaviour while on any of UNBC’s campuses;
- b. to establish procedures for investigating a complaint that a student has breached this policy;
- c. to provide penalties for those students who have breached this policy; and,
- d. to identify the procedure which will govern an appeal by a student who has been found to have breached this policy.

This policy is intended to address major concerns about student misconduct and is not intended to interfere with faculty and administration’s ability to deal with minor acts of misconduct in an informal and consensual manner, where appropriate.

3. Definitions

- a. “Campus life” is any activity that occurs as part of life on campus. This includes but is not limited to:
 - i. being present on campus, whether as a student or the guest of a UNBC student,
 - ii. living in Residence,
 - iii. working on campus,
 - iv. attending classes, university-sponsored events, student society-sponsored events,
 - v. conducting university-sponsored research or lab activity, and
 - vi. operating a vehicle on campus
- b. “Director” is the Director, Student Success
- c. “University employee” is a faculty or staff member.

4. Statement of Principles

- a. Every student has the right to participate freely as a member of the University community subject only to reasonable conditions governing eligibility and the payment, when required, of appropriate fees or charges.
- b. Free participation in campus life requires the existence of an environment free from discrimination, violence and threats of violence, direct or indirect physical interference with one person by another person, intimidation, and verbal abuse, whether oral or written.
- c. Members of the University community must recognize and accept that the free exchange of ideas will involve exposure to the formulation and expression of ideas with which an individual is in fundamental disagreement or which an individual finds offensive. The University’s purpose requires that the formulation and expression of such ideas must be tolerated, provided that neither the formulation nor the expression of such ideas violates any generally applicable laws of Canada or British Columbia or any policies of the University. Toleration does not require acceptance of such ideas, nor does it preclude the

~~formulation and expression of a critical response to such ideas, provided that neither the formulation nor the expression of such a response violates any generally applicable laws of Canada or British Columbia or any policies of the University.~~

- ~~d. Student members of the University are expected to:
 - ~~i. comply with the generally applicable laws of Canada and British Columbia;~~
 - ~~ii. honour contractual obligations arising in connection with a student's membership in the University community;~~
 - ~~iii. comply with the applicable academic regulations of the University, and;~~
 - ~~iv. comply with the University's policies.~~~~
- ~~e. This policy must be interpreted and applied in conformity with both the University's purpose as an academic community and the above Statement of Principles.~~

5. Student Standards of Conduct

~~Within the framework set out in the Statement of Principles, acts of student misconduct subject to penalty under this policy include but are not limited to:~~

- ~~a. threatening or engaging in behaviour that a reasonable person would perceive to be intimidating or offensive, or that may endanger the health or safety of students, faculty, staff or administration of the University;~~
- ~~b. participating in disruptive action including but not limited to:
 - ~~i. disrupting instructional activities including lectures, seminars, labs, examinations and tests;~~
 - ~~ii. physically or verbally abusing another person;~~
 - ~~iii. repetitive or intrusive use of indecent, profane or vulgar language in a public place that disturbs others;~~
 - ~~iv. obstructing the rights and privileges of other members of the University community;~~
 - ~~v. disrupting campus life by electronic means, whether directly or indirectly;~~
 - ~~vi. obscenity~~~~
- ~~c. harming another person at or in connection with that person's participation in campus life;~~
- ~~d. misappropriating, converting, destroying, permanently defacing, or otherwise damaging University property, resources, or the property and resources of other members of the University community;~~
- ~~e. possessing the property of other members of the University Community without proper authorization;~~
- ~~f. forging, falsifying, misusing, or altering any University data or record whether in physical or electronic form;~~
- ~~g. obtaining or using, whether directly or indirectly, University equipment, material, or services by fraudulent or other unlawful means;~~
- ~~h. possession or use of intoxicants on campus, except within approved areas under the University's Liquor Policy;~~
- ~~i. possession for use or sale of illegal drugs;~~
- ~~j. possession or use of firearms, fireworks, or other inherently dangerous objects on campus;~~
- ~~k. failing to comply with the reasonable directions of a University employee or a University Security Officer, or a Police Officer when they are acting in performance of their duties at or in connection with campus life;~~
- ~~l. breaching any law of general application of Canada or British Columbia in connection with campus life;~~
- ~~m. aiding, abetting, or acting as an accomplice at or in connection with any prohibited conduct; and;~~
- ~~n. any other misconduct which significantly interferes with the University's operations.~~

6. Responding to Apparent Breaches of This Policy

Emergencies

~~If a student's conduct appears to pose a threat to the student's own safety or to the safety of another person, any person witnessing the conduct should contact campus security immediately. Where there is a risk of injury or harm to any person or property, the student whose conduct is in question may be required to leave~~

~~the University's property immediately pending and during an investigation into the alleged misconduct. Campus security must promptly prepare a Report to be given to the Director.~~

~~Reports of Allegations of Student Misconduct~~

~~University employees, including faculty, administration and staff may report allegations of student misconduct to the Director on the prescribed form.~~

~~Complaints of Allegations of Student Misconduct~~

~~Members of the University community who are not University employees (students, vendors, external stakeholders) may file a Complaint alleging that a student has engaged in misconduct, in breach of this policy.~~

~~The person filing the Complaint will be known as the "Complainant." The person about whom the Complaint is made will be known as the "Respondent." Such a Complaint must be made to the Director on the prescribed form and must set out in detail the facts on which the Complaint is based. A Complaint must be made within 45 days of the last event which is the subject of the Complaint, unless the Director allows a longer period of time. In allowing a longer period of time the Director must consider the following factors:~~

- ~~a. the reasons for the Complainant's delay in filing the complaint;~~
- ~~b. whether there will be prejudice to the Respondent or another person as a result of the delay, and;~~
- ~~c. the seriousness of the misconduct alleged against the Respondent.~~

~~The Director will, upon receipt of the Report or the Complaint, consider the alleged acts of misconduct and decide:~~

- ~~a. that the allegations, if true, do not constitute misconduct under this policy and decline to act on the Report or the Complaint;~~
- ~~b. not to investigate the Report or the Complaint because the allegations are trivial or frivolous;~~
- ~~c. that the allegations fall under another University policy or fall under both this policy and another University policy, in which case the Director must refer the Report or the Complaint to the University official responsible for the administration of the other University policy and consult with the other University official and determine an orderly method of proceeding that will ensure that all elements of the Report or Complaint will be investigated;~~
- ~~d. that the allegations in the Complaint or the Report should be investigated or otherwise addressed in accordance with this policy.~~

~~The Director will notify the person who made the Report or the Complaint of the decision.~~

~~Prior to investigating a Complaint and with the consent of the Complainant and the Respondent, the Director may refer a Complaint to mediation by a mediator appointed by the Director. If the Complaint is resolved, the resolution will be put in writing, signed by the parties and filed with the Director. If the Complaint is not resolved through mediation, the Director will investigate the Complaint.~~

~~Reports or Complaints of Criminal Misconduct~~

~~If the Director determines on reviewing a Report or a Complaint that the allegations may constitute one or more criminal offences, the Director must inquire as to whether the Complainant has reported or intends to report the allegations to the police. If the Complainant has reported or intends to report the allegations to the police, the Director will coordinate the University's investigation with the police investigation.~~

~~Investigation of Allegations in a Report or Complaint~~

In conducting an investigation, the Director will engage in detailed interviews of the person who filed the Report or the Complainant; and with the student about whom the Report is made or the Respondent; and with any other witness who the Director believes has information relevant to the investigation; and will review all documents which the Director identifies during the investigation as relevant to the investigation.

After concluding the investigation, the Director must prepare an Investigation Report for the Provost setting out findings of fact and a conclusion about whether those findings constitute a breach of this policy.

Duties of the Provost in Disciplinary Cases

On receipt of the Investigation Report, the Provost must deliver a copy to the Complainant and to the Respondent. Both the Complainant and the Respondent will be entitled to make a written submission about any matter contained in the Investigation Report. Any such submission must be delivered to the Provost within a time limit established by the Provost, always provided that the time limit must not be less than 5 working days and must be the same for both the Complainant and the Respondent. The Provost has the discretion to extend any time limit previously set.

After the deadline for any submissions has passed, the Provost must review the Investigation Report and all of the submissions received in the case of a Complaint and must make a decision. The Provost has the discretion to accept or vary the Director's conclusion.

If the Provost decides that a breach has not occurred or that the Complaint is trivial, the Provost will dismiss the Report or the Complaint. If the Provost decides that a breach of this policy has occurred, the Provost will decide on the appropriate penalty. The available options include, but are not limited to, the following:

- a. a written reprimand, which will form part of the student's permanent record;
- b. a performance contract;
- c. suspension for a specified period;
- d. suspension for an indefinite period, with or without the ability to apply for readmission to the University after a fixed period;
- e. eviction from UNBC Residences
- f. prohibition from entering UNBC Residences
- g. payment in part or for all of the costs for replacing or repairing damage to the University's property;
- h. any other action deemed appropriate in the circumstances, including the provision of remedial measures to the Complainant (where applicable).

If the disciplinary response involves any form of suspension, the President must review the Director's Investigation Report and any submissions made by a Complainant and a Respondent and make the decision.

7. General Matters

Nothing in this policy affects the President's authority under the University Act to suspend a student or to deal summarily with a matter of student discipline.

It is a serious act of misconduct to file a false and malicious Complaint under this policy or to file a Complaint solely for the purpose of retaliating against another person. Similarly, it is a serious act of misconduct to retaliate in any manner against a person for filing a Complaint or a Report or responding to a Complaint or a Report or for participating in a proceeding under this policy. The University will respond to all such acts of misconduct under the terms of the policies and contracts governing the University's relationship with the person who has engaged in the misconduct.

8. Appeal of a decision imposing discipline under the Student Conduct Statement of Principles

~~A student who is subject to a penalty imposed by the President or Provost (or delegate) (the Decision Maker”) under Regulation and Policy III, Student Conduct Statement of Principles (“Student Conduct Policy”), may appeal to the Senate Committee on Student Discipline Appeals (“SCSDA”). The SCSDA is the final adjudicator of appeals under the Student Conduct Policy.~~

~~A copy of the procedures for appeals under the Student Conduct Policy is available from the Office of the Registrar. Please note that the procedures include a 15-day time limitation for filing a notice of appeal.~~

~~Appeals of academic decisions under Regulation and Policy V: General Academic Regulations and appeals of decisions under Regulation IV: Harassment, Discrimination and Diversity Initiatives are addressed under those regulations and policies.~~

9. Grounds for an Appeal under the Student Conduct Policy

~~An appeal to the SCSDA is not a full re-hearing of the decision to impose discipline. A student’s appeal of the imposition of discipline under the Student Conduct Policy to the SCSDA must be made on one of more of the following bases:~~

- ~~a. The Decision Maker incorrectly applied a University policy and, as a result, the decision was unfair;~~
- ~~b. The student has material evidence that was not reasonably available prior to the time of the decision under appeal, and knowledge of that evidence would probably have led to a different decision;~~
- ~~c. During the process leading up to the imposition of discipline the student did not know the substance of the complaint and was not given, at some point in the process, a reasonable opportunity to respond, or the process was otherwise procedurally unfair.~~

10. Standards of Review

~~The SCSDA will review the Decision Maker’s decision on one or more of the three grounds of appeal listed above, with regard to the standards of review listed below.~~

- ~~a. Where the appeal is under 9 (a), the appropriate standard as to whether the Decision Maker misapplied a University Policy is correctness. The standard of review as to whether the decision was, as a result, unfair, is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive it to be unfair to let a decision based on the incorrect application of the policy stand.~~
- ~~b. Where an appeal is under paragraph 9 (b), the appropriate standard of review is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive it to be unfair to let a decision made without consideration of the new evidence stand.~~
- ~~c. Where an appeal is under paragraph 9 (c), the appropriate standard of review is reasonableness; that is whether a reasonable person, knowledgeable about the facts, would perceive the process to be unfair.~~

11. Outcomes

~~An appeal under the Student Conduct Policy will result in one of the following three outcomes:~~

- ~~a. The Chair of the SCSDA, in consultation with the Registrar, may dismiss the appeal on a preliminary basis, on the basis that the appeal is frivolous, vexatious or an abuse of process;~~
- ~~b. The SCSDA may uphold the disciplinary decision;~~
- ~~c. The SCSDA may refer the matter back to the Decision Maker for further decision, or for further investigation and then further decision, as the Decision Maker may determine.~~

In all cases, where an appeal is allowed, the original penalty will remain in effect until the matter is reconsidered and a further decision is made by the Decision Maker.

~~IV. Harassment, Discrimination and Diversity Initiatives~~

~~The University of Northern British Columbia is committed to providing a working and learning environment in which all students, staff and faculty are treated with respect and dignity. The University of Northern British Columbia acknowledges the right of all individuals in the University community to work or learn without discrimination or harassment because of race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, age, sexual orientation, political beliefs or criminal or summary conviction offense unrelated to their employment. An approved policy, available at www.unbc.ca/policy, applies to all members of the UNBC community and is administered by the Harassment and Discrimination Advisor. For further information or assistance please contact the Harassment and Discrimination Advisor 250.960.6618.~~

VII. General Academic Regulations

[There are no changes to General Academic Regulations 1-45, so they have been omitted.]

46. Academic Offenses Misconduct

Any academic conduct that violates the Academic and Non-Academic Conduct – Student Policy the standards of the University as set out in the Undergraduate University Calendar, particularly those related to academic honesty, is a serious offense. The formal processes set out in the following three documents: Academic and Non-Academic Conduct – Student Policy, Academic and Non-Academic Misconduct Procedures, and Appeals Procedures these Regulations are to be followed. For more information on student academic conduct at UNBC, visit <https://www.unbc.ca/policy>. The Senate Committee on Academic Appeals provides for impartial review of decisions made at lower levels as defined in these Regulations. Minimum sanctions for an academic offense include reprimands and reduction of grades; the maximum sanction is dismissal from the student's academic program or suspension from the University (see Academic Regulation 46 (Academic Sanctions)). Such offenses include, but are not limited to the following:

- ~~i. Plagiarism: Plagiarism occurs when a student submits or presents work of another person in such a manner as to lead the reader to believe that it is the student's original work; self plagiarism is the submission of work previously submitted for academic credit without prior written and signed approval of the current course instructor.~~

- ~~j. Cheating: Cheating takes numerous forms and includes, but is not limited to, the following: copying from another student's work or allowing another student to copy from one's own work; obtaining a copy of an examination before it is officially available; misrepresenting or falsifying references, citations, or sources of information; knowingly recording or reporting false or invented empirical or statistical data; and possession of notes, books, diagrams or other aids during examinations that are not authorized by the examiner (See Regulation 39(a)).~~

- ~~k. Submitting False Records: Knowingly submitting false medical or criminal records, transcripts, or other such certificates or information.~~

- ~~l.—Withholding Records: Non-disclosure of previous attendance at a post-secondary institution, and of the transcript of record pertaining thereto, or of other documentation required by the University.~~
- ~~m.—Misrepresenting One's Own Identity: Impersonation or the imitation of a student in class, in a test or examination or class assignment. Both the impersonator and the individual impersonated may be charged.~~
- ~~n.—Falsification of Results: The falsification of laboratory and research results.~~
- ~~o.—Submission of False Information: The submission of false or misrepresented information on any form used by the University or an agent thereof.~~
- ~~p.—Aiding or Abetting any of the above academic offences.~~

47. Procedure on Suspicion of an Academic Offence

- ~~e.—An instructor, invigilator or administrator who suspects plagiarism, cheating, or any other academic offence, and has evidence to support the accusation, will review the contents of the student's file in the Office of the Registrar to determine whether the record indicates a prior academic offense, and will obtain a copy of the UNBC Report Form for Academic Misconduct. The instructor or administrator then will contact the student to inform the student fully of the offence and to present the evidence for it. The student may request that a third party (for example another faculty member, a teaching assistant, a staff member, or the ombudsperson) be present at this or any subsequent meetings.~~
- ~~f.—If the issue is resolved at this level, the faculty member or administrator will fill in Part A of the UNBC Report Form for Academic Misconduct and forward it to the Office of the Registrar to be placed in the student's file. Discussions with the Chair or Dean may be held at the request of either the faculty member or the student, and the Dean may also be brought in at any stage if requested by either party.~~
- ~~g.—If the matter is not resolved between the student and faculty member or administrator, it will be discussed by the student, faculty member, and the Chair of the program involved or, in the case of professional programs that have their own internal appeals committees, reviewed by those committees. After these discussions or reviews, the Chair and Dean will complete Parts B and C respectively of the Report Form for Academic Misconduct. Whether or not a penalty is imposed, a copy of the Report Form will be placed in the student's file in the Office of the Registrar, and copied to the student.~~
- ~~h.—The student may appeal any lower level decision to the Senate Committee on Academic Appeals (see Academic Regulations 49, 50).~~

48. Academic Sanctions

~~“Every student accepted for registration at the University of Northern British Columbia shall be deemed to have agreed to be bound by the regulations and policies of the University and of the Program in which that student is enrolled” (Academic Calendar notices, p.1). A student not adhering to the University's Regulations and Policies shall be subject to academic sanctions.~~

~~A range of penalties is described below:~~

- d. ~~Reprimand: This is a written warning to a student from the Instructor, Program Chair or the Dean of the College that the student's behaviour is considered unacceptable to the University and that a record of the unacceptable behaviour has been placed in the student's file in the Office of the Registrar.~~
- e. ~~Reduction of Grade: A reduction of grade, including assigning a failing grade, may be applied to an examination, test, assignment or course to which an offense is relevant and will be decided upon by the instructor, in consultation as may be appropriate with the Chair or Dean.~~
- f. ~~Suspension: A student's Dean may recommend suspension, either for a specified period or indefinitely, to the President. On the recommendation of the Dean, the President may suspend a student from the University, either for a specified period or indefinitely. Prior to the President's decision becoming final, the student will be informed in writing of the recommendation. The student will be given 15 working days following such notification to lodge an appeal before the President's final decision becomes effective. Any such appeal must be made in writing to the Registrar and will be reviewed by the Senate Committee on Academic Appeals. Once the matter of suspension is final and upheld, a permanent notation will be placed on the student's transcript.~~

4947. Academic Standing - Definition

Students are expected to meet the necessary minimum standards for performance while attending UNBC. Those who fail to meet the minimum standard ~~will be~~ are placed on academic probation. The minimum standard is defined as an academic average on nine or more credit hours of UNBC course work that produces a cumulative grade point average (CGPA) of at least 2.00.

5048. Conditions of Academic Standing

- a. Academic Probation: "Academic Probation" constitutes a warning to a student that the student's academic performance has been at a level which, if continued, could disqualify the student from graduation; and further, that continued performance below the required standard could lead to a requirement to withdraw from the University on academic grounds.

Students may be placed on Academic Probation under the following conditions:

- i. Admission to the University on the basis of an unproven, falsified or unsuccessful previous university record;
- ii. A UNBC ~~cumulative~~ CGPA of less than 2.00 after attempting nine (9) credits of course work.

Letters of permission ~~will~~ are not ~~be~~ given to students on academic probation.

Students who have been placed on Academic Probation who achieve a Semester GPA (SGPA) of 2.00 or greater in subsequent semesters ~~will be~~ are allowed to continue their studies at UNBC while on Academic Probation. Students are considered to have returned to good academic standing once their ~~Cumulative CGPA (CGPA)~~ CGPA is 2.00 or greater. Students are not permitted to graduate while on Academic Probation (see Academic Regulation 32 ([Graduation Constraints])).

- b. Requirement to Withdraw: The following circumstances may result in a requirement to withdraw from UNBC. ~~These are:~~

- i. Discovery that required documentation for admission was withheld, ~~by the student,~~ from the University or falsified;
- ii. Failure to pay for tuition or ~~u~~University services;
- iii. Failure to achieve an SGPA of 2.00 or higher after the completion of 30 credits while on Academic Probation. Normally, in this case, a requirement to withdraw from the University is for three semesters (one full calendar year);
- iv. A decision by the President of the University that the suspension of a student, for reasons of unsatisfactory conduct, unsatisfactory academic performance, or otherwise, clearly indicates that withdrawal from UNBC is in the best interest of the University.

Academic credit earned at another post-secondary institution during the requirement to withdraw period ~~will be~~ is considered for transfer to UNBC, provided that ing:

- i. Courses meet the University's policy on transfer credit;
- ii. Courses do not duplicate successful or unsuccessful coursework previously completed at UNBC;

It is recommended that students who are required to withdraw, and who plan to return to UNBC at a later date, meet with a Student Advisor to discuss their academic standing and course plan prior to enrolling in courses at another post-secondary institution.

In order to apply for re-admission to the University, students must submit an Application for Admission/Re-admission to the Office of the Registrar. Students must provide, with the application, a letter to the Registrar stating their rationale for wishing to return to studies at UNBC and documenting any work completed or experience gained which would better qualify them to complete studies at UNBC successfully. Students who are permitted to return to studies at UNBC return on ~~a~~Academic ~~p~~Probation, and are subject to the University's ~~policy~~ regulations on academic standing and continuance found in the current calendar.

- c. Second Requirement to Withdraw: Students Required to Withdraw from the University a second time normally ~~will~~ are not ~~be~~ considered for re-admission for at least two (2) full calendar years following the Requirement to Withdraw. Re-admission ~~will~~ is only ~~be~~ on presentation of compelling evidence that the student is both able and prepared to succeed in University studies.

5149. Appeals Process

All students have the natural and reasonable right to appeal grades given during the term, the final grade of a course, ~~requirement to withdraw, decisions the University makes regarding academic misconduct and suspension resulting from non-academic misconduct, other academic policies and decisions of the University.~~ The Senate Committee on ~~Academic Student Appeals~~ is the final adjudicator in such matters. For more information on student appeals, please visit <https://www.unbc.ca/policy>. ~~All formal appeals must be made through the Registrar, in writing and with necessary documentation, within 15 working days of the receipt of the decision in question. The student's written appeal must state clearly the decision being appealed, the reason(s) why the decision is considered to be unfair, what decision would be considered fair, and why it would be fair. It is incumbent upon the student to advise the University, via the Office of the Registrar, of their~~

~~current contact information. All written appeals to the Senate Committee on Academic Appeals should indicate whether an in-person hearing is being requested. Otherwise, cases are adjudicated on the basis of the written submissions.~~

~~52. Senate Committee on Academic Appeals: Procedures~~

~~The Senate Committee on Academic Appeals follows the principles of natural justice. That is, its procedures are fair and open, appropriate to the matter under consideration, and provide the opportunity for those affected to put forward their views fully for consideration by the Committee. Following these principles, the Committee develops its own procedures and practices to conduct appeals and is not constrained by strict rules of procedure and evidence.~~

~~A quorum consists of a majority of voting members, including at least one student member and two faculty members. No faculty or student committee member with previous direct involvement in the case may hear the appeal. The appellant has the right to challenge the neutrality of any member of the Committee scheduled to hear his/her appeal. The Chair, with the advice of the Committee, will rule on the validity of the challenge.~~

~~If the appellant requests an in-person hearing, the interested parties (e.g., the course Instructor(s), Chair and/or Dean) will be notified and may also appear at the appeal, when available. Appeals shall be based on the appellant's written submission (all relevant evidence and documentation related to the matter which is under appeal, and all relevant information contained in the student record). New evidence cannot be presented at the hearing.~~

~~If the appellant asks to be present at the hearing yet fails to appear before the Committee on the appointed day and time, the Committee may, without further notice, proceed to hear the appeal based on the written submission. If there are compassionate or medical grounds for nonappearance, the Chair or the Secretary to the Committee must be notified immediately. The Chair will determine the acceptability of these grounds and whether the appeal hearing should be postponed.~~

~~All forms of adjudication are held in the strictest confidence and normally are attended only by members of the Committee and the parties to the particular appeal. Upon written notification to the Senate Committee on Academic Appeals, appellants may be accompanied by an additional party for the purpose of personal support.~~

~~Neither the appellant nor the University shall have the right to representation by legal counsel during appeal hearings except by permission of the Committee Chair. The Chair, at the Chair's sole discretion, may allow legal representation where he or she judges the circumstances of the case to be exceptional.~~

~~The Secretary of Senate, in consultation with the Committee Chair as appropriate, reviews each request to hear an appeal before any hearing or adjudication. This review is intended to ensure that the nature of the appeal is consistent with the mandate of the Committee and to ensure that the appeal is both valid and could not be resolved by other means. In some instances the review may lead to a reversal of the decision before review, while in other instances it may indicate there are insufficient grounds for an appeal or that further documentation is required. In all cases, however, any decision to hear or not to hear an appeal rests with the Committee.~~

~~The Senate Committee on Academic Appeals reviews decisions made at lower levels when requested to do so by the appellant. Normally it rules in two areas. It considers whether appropriate and fair adjudication was exercised in respect of a case and, where it concludes that there was unfairness, it may direct a readjudication using a procedure that it prescribes as being appropriate and fair. It considers whether the~~

~~penalty assessed was consistent with University Regulations and practice and was not pernicious and, where it concludes that there was a lack of consistency or an unreasonable response, it may state its concerns clearly and direct a reconsideration. The Committee may act, whether a reconsideration has been directed or not, to overturn or to support a decision. Whatever the matter under consideration, the Committee and all parties to the appeal are provided by the Registrar with the same information, sufficient to permit a meaningful hearing. The Committee maintains a record of its deliberations and provides the reason(s) for its decisions.~~

53. Appeal of Term Grades While Course is in Progress

~~Students who have reason to believe their term grade, while a course is in progress, is inaccurate should meet with their course instructor immediately. If both the instructor and the student agree, on the basis of an informal review, the matter is thereby concluded and a change of grade is submitted if necessary.~~

~~Students who wish to appeal grades other than final grades, formally, should initiate the following process:~~

- ~~f. The student obtains an Academic Appeals Form from the Office of the Registrar and submits it to the Program Chair.~~
- ~~g. The Chair meets the instructor(s) on the matter, obtains the instructor's(s') comments and adds the Chair's comments.~~
- ~~h. If no resolution favourable to the student is reached within seven working days, the Chair, without delay, submits the form to the Dean.~~
- ~~i. If no resolution favourable to the student is reached within seven working days, the Dean, without delay, submits the form to the Registrar for advancement to the Senate Committee on Academic Appeals.~~
- ~~j. At any stage in the process, the student may choose to withdraw the appeal by notifying the Registrar.~~

~~An appeal may result in a higher, equal or lower grade. The final recourse for all appeals is the Senate Committee on Academic Appeals.~~

54. Appeal of Final Grade

~~Students who have reason to believe their final grade in a course, once released by the Office of the Registrar, is inaccurate should meet with their course instructor immediately, if possible (see Academic Regulation 41). If instructor and student agree, on the basis of an informal review, the Office of the Registrar is advised of a grade change and the matter is thereby concluded.~~

~~Students who wish to appeal their final grade, formally, should initiate the following process:~~

- ~~f. The student obtains an Academic Appeals Form from the Office of the Registrar and submits it to the Program Chair.~~

- ~~g. The Chair meets the instructor(s) on the matter, obtains the instructor's(s') comments and adds the Chair's comments.~~
- ~~h. If no resolution favourable to the student is reached within seven working days, the Chair, without delay, submits the form to the Dean.~~
- ~~i. If no resolution favourable to the student is reached within seven working days, the Dean, without delay, submits the form to the Registrar for advancement to the Senate Committee on Academic Appeals.~~
- ~~j. At any stage in the process, the student may choose to withdraw the appeal by notifying the Registrar.~~

~~An appeal may result in a higher, equal or lower grade. The final recourse for all appeals is the Senate Committee on Academic Appeals. Evaluation of a student's academic performance for continued enrolment will not be done prior to the completion of a grade appeal process, if the grade in question is pertinent to the said evaluation.~~

~~55. Appeal Procedure on Requirement to Withdraw~~

~~"Requirement to Withdraw" on academic grounds is a decision under the purview of the student's College Dean. Therefore, a student's first recourse by way of appeal is the Dean. If the Dean agrees to rescind the requirement, the Dean informs the Office of the Registrar and no further action by the student is necessary.~~

~~Otherwise, any academic appeal on a requirement to withdraw must be made in writing to the Registrar and will be reviewed by the Senate Committee on Academic Appeals.~~

5650. University Closure/Weather

On rare occasions, the President (or designate) may elect to close the University due to inclement weather or other human or natural circumstance. In such circumstances, classes and examinations ~~will be~~ are formally cancelled and ~~will be~~ rescheduled. Assignments due on the date of the closure must be submitted on the next day that the University is open.

6. Authorization: (Please ignore — Section to be completed by Committee Recording Secretaries)

Program / Academic / Administrative Unit: Office of the Registrar, Student Affairs and the Office of the University Secretariat

College: N/A

SCCC Reviewed: October 28, 2019

College Council Motion Number: N/A

College Council Approval Date: N/A

Senate Committee on Academic Appeals/Senate Committee on Student Discipline Appeals Motion Number: SCAA/SCSDA201909.05

Senate Committee on Academic Appeals/Senate Committee on Student Discipline Appeals

Meeting Date: October 4, 2019

Senate Committee on First Nations and Aboriginal Peoples Motion Number: (if applicable, or state "not applicable")

Senate Committee on First Nations and Aboriginal Peoples Meeting Date: (if applicable, or state "not applicable")

7. Other Information

Attachment Pages: ___#___ pages (fill in number of pages, or indicate "0" if there are no attachments)

INFORMATION TO BE COMPLETED AFTER SENATE COMMITTEE ON ACADEMIC AFFAIRS MEETING

Brief Summary of Committee Debate:

Motion No.: SCAAF202001.04

Moved by: T. Klassen Ross

Seconded by: E. Jensen

Committee Decision: CARRIED



Approved by SCAAF: January 8, 2020
Date

Chair's Signature

For recommendation to ✓, **or information of** _____ **Senate.**

Motion Number (assigned by
Steering Committee of Senate): S-202001.09

SENATE COMMITTEE ON ACADEMIC AFFAIRS

PROPOSED MOTION

Motion: That the UNBC Academic Dates for 2024-2025 be approved as proposed.

Effective Date: September 2024

Rationale: In order to allow departments and individuals to plan for future academic years, it is being proposed that Senate approve the academic semester dates for the 2024-2025 Academic Year.

Motion proposed by: Bert Annear

Academic Program: Office of the Registrar

Implications for Other Programs / Faculties? Implicates UNBC as a whole

College: N/A

College Council / Committee Motion Number: N/A

College Council / Committee Approval Date: N/A

Attachment Pages (if applicable): 3 pages

INFORMATION TO BE COMPLETED AFTER SENATE COMMITTEE ON ACADEMIC AFFAIRS MEETING

Brief Summary of Committee Debate:

Motion No.: SCAAF202001.05

Moved by: E. Korkmaz

\Seconded by: S. Wagner

Committee Decision: CARRIED

Approved by SCAAF: January 8, 2020
Date


Chair's Signature

For recommendation to **, or information of** _____ **Senate.**

Proposed Academic Dates 2024 - 2025

September 2024

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October 2024

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November 2024

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2024

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2024 Semester

Orientation Day: Tuesday, September 3
Start of Classes: Wednesday, September 4
Add/Drop Date: Wednesday, September 18
Withdrawal Date: Thursday, October 17
Last Day of Classes: Monday, December 2
First Day of Exams: Tuesday, December 3
Last Day of Exams: Wednesday, December 18
Total Exam Days: 14
Tentative Maintenance: Saturday, December 21
of Monday Instructional Days: 11
of Tuesday Instructional Days: 12
of Wednesday Instructional Days: 13
of Thursday Instructional Days: 13
of Friday Instructional Days: 13
of Instructional Days: 62 (11-12-13-13-13)

Legend

University Closure (Holiday)
Instructional Monday
Instructional Tuesday
Instructional Wednesday
Instructional Thursday
Instructional Friday
Weekend
Exam Day
Non-Instructional Day

Proposed Academic Dates 2024 - 2025

January 2025

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2025

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2025

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2025

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

January 2025 Semester

Orientation Day: Saturday, January 4

Start of Classes: Monday, January 6

Add/Drop Date: Monday, January 20

Withdrawal Date: Tuesday, February 18

Last Day of Classes: Friday, April 4

First Day of Exams: Saturday, April 5

Last Day of Exams: Thursday, April 17

Total Exam Days: 11

Reading Break: February 18-21

Easter: April 18-21

of Monday Instructional Days: 12

of Tuesday Instructional Days: 12

of Wednesday Instructional Days: 12

of Thursday Instructional Days: 12

of Friday Instructional Days: 12

of Instructional Days: 60 (12-12-12-12-12)

Legend

University Closure (Holiday)
Instructional Monday
Instructional Tuesday
Instructional Wednesday
Instructional Thursday
Instructional Friday
Weekend
Exam Day
Non-Instructional Day

Proposed Academic Dates 2024 - 2025

May 2025

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 2025

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2025

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August 2025

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Legend

University Closure (Holiday)
Instructional Monday
Instructional Tuesday
Instructional Wednesday
Instructional Thursday
Instructional Friday
Weekend
Exam Day
Non-Instructional Day

May 2025 Semester

Start of Classes: Monday, May 5
Add/Drop Date: Tuesday, May 20
Withdrawal Date: Tuesday, June 17
Last Day of Classes: Monday, August 11
First Day of Exams: Tuesday, August 12
Last Day of Exams: Saturday, August 16
Total Exam Days: 5
Summer Break: June 23-July 1
Convocation Day: Friday, May 30
Tentative Maintenance: Saturday, June 21

Spring 2025 Intercession

Start of Classes: Monday, May 5
Add/Drop Date: Friday, May 9
Withdrawal Date: Friday, May 23
Last Day of Classes: Friday, June 13
First Day of Exams: Monday, June 16
Last Day of Exams: Friday, June 20
Total Exam Days: 5
of Monday Instructional Days: 5
of Tuesday Instructional Days: 6
of Wednesday Instructional Days: 6
of Thursday Instructional Days: 6
of Friday Instructional Days: 6
of Instructional Days: 29 (5-6-6-6-6)

Summer 2025 Intercession

Start of Classes: Wednesday, July 2
Add/Drop Date: Tuesday, July 8
Withdrawal Date: Monday, July 21
Last Day of Classes: Monday, August 11
First Day of Exams: Tuesday, August 12
Last Day of Exams: Saturday, August 16
Total Exam Days: 5
of Monday Instructional Days: 5
of Tuesday Instructional Days: 5
of Wednesday Instructional Days: 6
of Thursday Instructional Days: 6
of Friday Instructional Days: 6
of Instructional Days: 28 (5-5-6-6-6)

SENATE COMMITTEE ON ACADEMIC AFFAIRS

PROPOSED MOTION

Motion: That the Memorandum of Agreement (MOA) between UBC and UNBC regarding the distributed Master of Physical Therapy program be approved as proposed.

Effective Date: January 15, 2020

Rationale: In May 2019, the Ministry of Advanced Education, Skills and Training announced an increase in physical therapy training seats to ensure more patients have access to quality healthcare which will improve their quality of life, while providing student access to education closer to home.

The additional seats will be created by initially expanding the current University of British Columbia (UBC) program by utilizing a distributed program model for educational delivery with UNBC and then moving to an accredited joint UNBC/UBC master of physical therapy degree. The distributed program will be delivered in a very similar model to the Northern Medical Program at UNBC. We would expect that in the future we will have a separate MOA for the joint degree with additional program and course approvals coming through senate at both UNBC & UBC and we will require approvals from the accrediting body and DQAB.

The Ministries of Health and Advanced Education, Skills and Training are providing UBC funding for the startup and planning to expand a master of physical therapy program in the North in partnership with UNBC, with the anticipated first intake of 20 first year students in the distributed program for September 2020 and intakes continuing through 2024 with the goal of moving towards the accredited joint degree in 2025. As we move to the joint degree delivery model we will phase out the distributed model with those students completing the required academic requirements of the distributed program.

The attached MOA outlines the partnership between UBC and UNBC in offering the distributed master of physical therapy program. As the distributed program is implemented, we will also be working on the joint program requirements.

Motion proposed by: Associate Vice Provost, Northern Medical Program

Academic Program: Master of Physical Therapy - Northern

Implications for Other Programs / Faculties? None

College: CSAM and CASHS College Councils – for information

College Council / Committee Motion Number: Not applicable

College Council / Committee Approval Date: Not applicable

Attachment Pages (if applicable): 19 pages

INFORMATION TO BE COMPLETED AFTER SENATE COMMITTEE ON ACADEMIC AFFAIRS MEETING

Brief Summary of Committee Debate:

Motion No.: SCAAF 202001.06

Moved by: S. Wagner

Seconded by: T. Klassen Ross

Committee Decision: CARRIED

Approved by SCAAF: January 8, 2020
Date


Chair's Signature

For recommendation to ✓, **or information of** _____ **Senate.**



MEMORANDUM OF AGREEMENT

BETWEEN:

THE UNIVERSITY OF BRITISH COLUMBIA

(“UBC”)

AND:

THE UNIVERSITY OF NORTHERN BRITISH COLUMBIA

(“UNBC”)

(collectively the “Institutions”)

WHEREAS:

1. The Ministries of Health and Advanced Education & Skills Training are providing funding to develop the UBC Faculty of Medicine (“FoM”) Master of Physical Therapy – Northern (“MPT-N”) program, a fully distributed academic program of the UBC Master of Physical Therapy (“MPT”) program –to increase recruitment and retention of physiotherapists in northern and rural areas of BC; and
2. The MPT-N program will operate out of UNBC facilities to allow MPT-N students to complete their academic education and the majority of their clinical education in northern and rural communities.; and
3. The FoM Northern Medical Program (“NMP”) currently operates out of UNBC subject to a separate Affiliation Agreement between the Institutions.

THEREFORE, the Institutions hereby agree to the following:

1.0 UNIVERSITY AND ACCREDITATION APPROVALS

- 1.1 The Institutions wish to begin the MPT-N program in August 2020 with 20 seats in the program.
- 1.2 The establishment of the MPT-N program is contingent upon accreditation by the Physiotherapy Education Accreditation Canada (“PEAC”) as a distributed education site of the UBC MPT program. In the event the MPT-N is not accredited as a distributed education site of the UBC



- MPT program the MPT-N program will not be established at this time. UBC will diligently seek accreditation from PEAC of the MPT-N as a distributed education site of the UBC MPT program.
- 1.3 In addition, the establishment of the MPT-N program as a distributed education site of the UBC MPT program is contingent upon and subject to the approval of the UBC Senate and authorization by the UBC Board of Governors to the Faculty of Medicine to increase enrollment of Physical Therapy students from the current 80 students per year (which includes 20 students in the Northern & Rural Cohort) to 80 students per year in Vancouver and 20 students per year in the MPT-N program.
 - 1.4 The establishment of the MPT-N program as a distributed education site of the UBC MPT program is contingent upon and subject to the approval of UNBC Senate and authorization of the UNBC Board of Governors.
 - 1.5 The Institutions agree to diligently seek approval of the respective Senate bodies and Boards of Governance to establish the MPT-N program. In the event approval is not granted by one or more governing bodies the MPT-N program will not be established at this time.

2.0 GOVERNANCE STRUCTURE

- 2.1 The NMP and the MPT-N program are autonomous programs that will share resources essential to the success of the MPT-N program.
- 2.2 The MPT-N program, as part of the accredited UBC MPT program, is under the direction and leadership of the Head, UBC Department of Physical Therapy who reports to the Dean, FoM, and reports to the Executive Associate Dean, Education, FoM (EADE) for education matters.
- 2.3 The MPT-N program falls within the portfolio of the UBC FoM Regional Associate Dean, Northern BC / Associate Vice President, NMP, UNBC (RAD/AVP- NMP) who is responsible for providing strategic regional leadership for the FoM. The RAD/AVP-NMP will work with the Head of the Department of Physical Therapy, to facilitate the relationships between the UBC Department of Physical Therapy, UNBC and the Northern Health Authority (NHA) on matters related to the MPT-N program.
- 2.4 There will be a designated MPT-N Site Lead, Academic and an MPT-N Site Lead Clinical (collectively "Site Leads"). The Site Leads are the local co-leaders for the MPT-N program. The Site Leads report to the Head of the Department of Physical Therapy for all academic and clinical matters relating to the MPT-N program.

3.0 FACULTY

- 3.1 Faculty will be recruited at both UBC and UNBC to the MPT-N program. Faculty will hold primary appointments at either UBC or at UNBC.



- 3.2 All UBC faculty appointees will have affiliate faculty appointments at UNBC. All UNBC faculty appointees teaching in the MPT-N program will have affiliate appointments at UBC with clear teaching, educational mission and leadership expectations and performance standards for the UBC Faculty of Medicine.
- 3.3 The UBC affiliate faculty appointment is subject to the approval of the UBC Board of Governors and the FoM policy governing affiliate faculty appointments (“Affiliate Faculty Policy”). UBC will diligently move the Affiliate Faculty Policy, currently in draft form and attached to this Agreement, through the FoM and UBC processes for Senate approval.
- 3.4 The UNBC affiliate faculty appointment is subject to the approval of the UNBC Board of Governors and the UNBC Policy for Affiliate Faculty Appointments for UBC Faculty.
- 3.5 Initially the program will be staffed with three tenure stream faculty appointees who will be located at the UNBC site. One faculty member will be the MPT-N Site Lead, Academic, and one faculty member will be the MPT-N Site Lead, Clinical. The third faculty member will be a researcher.
- 3.6 The Site Lead, Academic is responsible for the day-to-day operations of the academic portion of the MPT-N program and the MPT-N Site Lead, Clinical is responsible for the management of the clinical education program, which includes ensuring clinical capacity in physical therapy for clinical placements in northern and rural communities.
- 3.7 All individuals who teach students in the academic portion of the MPT-N program for 20 hours per year or more must hold and maintain a faculty appointment at UBC. The UBC appointment may be of any type (such as academic part-time, clinical, adjunct, affiliate) and of any rank.
- 3.8 All faculty members who hold either a UBC and/or UNBC appointment and who formally participate in MPT-N program teaching activities are accountable to the Dean of the UBC FoM, through the Department Head, Physical Therapy, with respect to their teaching contributions to the MPT-N program.
- 3.9 Terms and conditions of employment of faculty members in the MPT-N program who have their primary appointment at UNBC are governed by the collective agreement that UNBC has negotiated with the UNBC Faculty Association (“UNBC Collective Agreement”).
- 3.10 Terms and conditions of employment for UBC faculty members, other than Clinical Faculty members, are governed by the collective agreement between the Faculty Association and UBC (“UBC Collective Agreement”). UBC faculty members will be paid by UBC, and will receive merit awards and other annual increases as appropriate from UBC. All UBC faculty, including Clinical Faculty appointees, are bound by all UBC and FOM policies.
- 3.11 Terms and conditions of service for UBC Clinical Faculty members are set out in the contract between the Clinical Faculty member and UBC.
- 3.12 The Selection Committee for MPT-N faculty positions will include representation from both UBC and UNBC and the physical therapy community in northern BC.
- 3.13 Faculty members teaching in the MPT-N program, whose primary appointment is at UNBC will be subject to applicable tenure and promotion and merit processes provided by the UNBC Collective Agreement. UNBC will request from the Department Head, Physical



Therapy, a formal review of the educational contribution of the individual to the MPT-N program, and such formal review must be included in UNBC's overall review of the individual in respect of promotion and tenure decisions.

- 3.14 UBC will review the affiliate faculty appointee for other (i.e. research) contributions if requested by UNBC. UNBC agrees that all individuals who have affiliate faculty appointments in the UBC Faculty of Medicine and who hold their primary appointment at UNBC will be formally reviewed at least annually for their contribution to the MPT-N program by the UBC Physical Therapy Department Head.
- 3.15 When an individual holds a primary appointment at UBC and an affiliate faculty appointment at UNBC in the MPT-N program, UBC will request from the RAD/AVP- a formal review on behalf of UNBC of the educational contribution of the individual to the MPT-N program and such formal review must be included in UBC's overall review of the individual in respect of promotion and tenure decisions.

4.0 STAFFING

- 4.1 UNBC will employ an Administration Manager, IT, Program and Classroom Support and other administration staff required to support the MPT-N program at the UNBC site.
- 4.2 All administrative staff members will be employees of UNBC, whose terms and conditions of employment are governed by UNBC collective agreements and who will be paid by UNBC. UBC will make lump-sum quarterly transfers to UNBC equivalent to the costs associated with wages and benefits for these employees. UBC will pay progression through each salary grade, but UNBC will be responsible for GWI. All UNBC employees are bound by UNBC policies.
- 4.3 Administrative staff members report to the MPT-N Administration Manager, who reports to the Administrative Director, NMP.

5.0 COMMITTEES

- 5.1 Three committees with membership from UBC and UNBC will be established to assist with the development and operation of the MPT-N program.

5.2 Steering Committee

The Steering Committee is a joint institutional advisory committee to the Dean FoM and the Provost and Vice-President Academic, UNBC. The Steering Committee will:

- Provide support, guidance and advice for the MPT-N program including identification of adequate resourcing to implement curricular components.
- Advise the Head of the Department of Physical Therapy on budget allocation and distribution for the MPT-N program including capital and equipment expenditures. The Head of the Department of Physical Therapy has authority delegated by the Dean, Faculty of Medicine, over the departmental budget.



- Develop a framework for collaboration between UBC and UNBC to facilitate management of issues and activities involving both Institutions with respect to the MPT-N Program.

5.3 MPT-N Implementation Committee

The Implementation Committee will serve during the period when the MPT-N is being developed, as a temporary advisory body to the Department Head, Physical Therapy. The committee will advise on the establishment or modification of policies and guidelines governing the operations and processes in the MPT-N within the framework of collaboration developed by the Steering Committee, including but not limited to overall functioning of the MPT-N program, program evaluation, quality assurance, future planning, curriculum and accreditation.

5.4 MPT-N Admissions Subcommittee

The Admissions Subcommittee will review applications to the MPT-N program and will provide recommendations for admission to the UBC Department of Physical Therapy Admissions Committee.

6.0 ACADEMIC PROGRAM

6.1 UBC is responsible for the academic program for students in the UBC Department of Physical Therapy and shall, without limiting the generality of the foregoing:

- be responsible for and have authority over the curriculum of studies for the MPT program in both locations;
- provide adequate schedules to UNBC through appropriate liaison regarding dates of instruction and objectives of placements;
- assign to learning activities only those students who have met the admission and promotion requirements of UBC and who continue to meet those standards;
- assign to learning activities only those students who meet the health requirements of UBC and UNBC.

6.2 UBC will fulfill all terms required by PEAC to obtain and maintain the distributed education site accreditation for the MPT-N program including, but not limited to establishing and maintaining:

- the same educational objectives and equivalent education programs as the MPT program;
- a common curriculum based on same curricular principles, structure and objectives;
- a common assessment process, and common policies for the determination of grades;



- identical course duration or clinical placement length, unless a compelling reason exists for varying the length of the experience.
 - a single educational track for MPT and MPT-N students
- 6.3 As curriculum changes and develops, the curriculum will continue to be common across geographic sites by means of the implementation of all substantial changes at each geographic site. The MPT-N program and the MPT program will each reflect the distinctive geographic and community context in which it is delivered. Such distinctiveness will be expressed through the type or background of the patients who are involved in the curriculum, characteristics of facilities where clinical placement sites are developed and the particular flavor of the socio-economic issues in the different communities.
- 6.4 Curriculum and program reports, recommendations and approved changes are developed and considered by the MPT Curriculum Committee. The terms of reference and membership of the MPT curriculum committees will be changed to incorporate representation from UNBC, who will participate in program evaluation and curriculum revision.
- 6.5 MPT program expansion budget resources will be allocated to support the evaluation of the MPT-N program.
- 6.6 UBC is responsible for assessing the academic performance of all students in the UBC Faculty of Medicine and determining whether a student should be promoted to the subsequent year(s) of the program.

7.0 PROGRAM REVIEW

- 7.1 UNBC agrees to participate in all program evaluation activities, including the Physiotherapy Education Accreditation Canada accreditation processes.
- 7.2 UBC will share program evaluation indicators of the MPT-N program with UNBC.
- 7.3 The Institutions will address issues relating to the UBC and UNBC faculty teaching in the MPT-N program that are identified through the program evaluation process, and will participate in ongoing review of such issues.

8.0 CURRICULUM OWNERSHIP

- 8.1 For the purposes of this Agreement, the "Curriculum" is the plan for student learning that is implemented in the MPT program in accordance with its accreditation requirements. "Content" is comprised of the educational materials that are used by teachers to implement the Curriculum. The Content may include original works of a literary, artistic, or other nature or derivations of such original works.
- 8.2 The Curriculum and Content, whether or not capable of copyright or other intellectual property protection (including enhancements, compilations and translations), is and will



continue to be the sole property of UBC, and UNBC will not assert any right, title, or interest in or to the Curriculum or Content.

9.0 SPACE & EQUIPMENT

- 9.1 Dedicated space at UNBC is critical for the development of physiotherapy training at UNBC. Details of space requirements have been included as Appendix 1, and include academic, research and administrative space. Teaching (academic) spaces will be fully equipped with physiotherapy teaching equipment including plinths (assessment and treatment tables), anatomical models, electrotherapy equipment and exercise equipment. Teaching space will be video-conferencing enabled for broadcasting and receiving, to allow distribution of the academic program between UBC and UNBC as well as continuing professional development of the local and northern BC physiotherapy community, meetings and student activities. The funds for technology-enabled spaces for the PT & OT program expansions have been identified in the expansion proposal submission to government, and will be identified as a separate funding line item and included in the UNBC business case for renovation and equipment in the North. UBC will take full responsibility for identifying, designing, procuring and implementing the technologies covered under these funding line items. UBC will consult with UNBC's Information technology managers and where possible, align standards and approaches with UNBC practices so long as full interoperability with UBC provincial systems is maintained. UBC's management of the technology-enabled learning portion of these funding lines will ensure that the systems implemented are fully compatible with the existing UBC provincial AV/IT technology infrastructure. Ongoing support of the equipment also needs to be provided according to UBC's standards in order to ensure full interoperability with UBC provincial systems.
- 9.2 UBC will directly manage the disbursement of the technology-enabled learning portion of these funding lines and will procure all required technology goods and services and transfer costs through to UNBC without markup. UBC will leverage existing standing offers for procurement when appropriate. UBC will invoice UNBC for costs incurred at a minimum of once per year with more frequent invoices if required. Ownership of the technology systems as implemented will reside with UNBC and UNBC will renew the equipment in order to maintain full compatibility with the existing UBC provincial AV/IT technology infrastructure. Funds for renewal will be included in the MPT-N annual operating budget. UBC's current standard for renewal of video conference equipment is to renew every eight years.
- 9.3 UNBC agrees to provide for the MPT-N program access to existing suitable student facilities, cafeteria and other facilities for faculty members, affiliate faculty members, students and staff that are equivalent to those provided for UNBC faculty members, students and staff.
- 9.4 UNBC agrees to provide reasonable access to such institutional and administrative areas of the Dr Donald Rix Northern Health Sciences Centre academic areas as are selected by UNBC and UBC for learning activities of MPT-N students, or for their orientation and professional



development. In addition to dedicated space, the MPT-N program will, in a spirit of collaboration, share existing and future NMP resources, including lecture theatres and PBL rooms.

- 9.5 Equipment (teaching, research) is also an integral part of the MPT training program at UNBC. Equipment needs are expected to evolve over time. Significant equipment purchases will be endorsed by the Northern Steering Committee and purchase recommended as part of the annual operating budget of the MPT-N program. Equipment for the MPT-N program will be specified by the MPT program and will be installed, maintained, inventoried and insured by UNBC. The MPT-N program will have priority use, but in a spirit of collaboration, will allow other uses based on available capacity.

10.0 FINANCE

- 10.1 UBC and UNBC recognize that funding for the MPT Program (including the MPT-N program) is provided annually by the Province of British Columbia to UBC.
- 10.2 The Head of the Department of Physical Therapy is responsible for the budget, and will consult with the Steering Committee. UBC Department of Physical Therapy is responsible for transferring funds to UNBC on a quarterly basis to provide the annual operating budget for the MPT-N program. Signing authority will be granted to MPT-N Site Lead, Academic, the MPT-N Site Lead, Clinical and the Administrative Director (NMP) for varying amounts, according to UBC financial policy if UBC employees, or UNBC financial policy, if UNBC employees. The RAD/AVP NMP, UNBC will provide the one-over signing authority at UNBC.
- 10.3 The MPT-N Administration Manager is responsible for managing day-to-day financial processing. The MPT-N Administration Manager is responsible for the financial reporting to the Department of Physical Therapy, minimally on a quarterly basis.
- 10.4 There may be opportunities for joint fundraising between UNBC and UBC for the MPT-N program. The UNBC and UBC FoM Development Offices will work in collaboration with the Northern Steering Committee to establish guidelines for fundraising and to pursue fundraising initiatives deemed important by both organizations.

11.0 STUDENT SERVICES

- 11.1 MPT-N students will be registered as UBC students in the same manner as other UBC students and will have full access to campus, library and athletic recreational resources at UBC, as well as financial, counseling and academic support services from UBC, regardless of their geographic site. MPT-N students are subject to all UBC and FOM policies and procedures.



- 11.2 UNBC will confer affiliate UNBC student status on MPT-N Students entitling them to all academic and campus services afforded to UNBC students.
- 11.3 UNBC's policies respecting campus conduct, campus activities and access to campus resources will govern MPT-N students when they are on UNBC campus.
- 11.4 Student fees (outside of tuition) are quoted for students remaining at the Point Grey site for the 2 years of their education but can be considered an estimate of fees for those students in the MPT-N program. Students in the MPT-N program will be charged the respective UNBC student fees and will either be exempt from or compensated for the UBC student fees from which they will not benefit. MPT-N students will have access to student representation and services (i.e. UNBC student society, health services, athletics) at UNBC. All student fees will be collected by UBC.

12.0 COMMUNICATIONS

- 12.1 The website is an important service for student recruitment and support. UNBC and UBC agree to use the following wording of both websites – “MPT-N program – a collaboration between UBC and UNBC”. Posting of MPT-N program information on either website will be vetted by the Head, Department of Physical Therapy and the Associate Vice President, Northern Medical Program, UNBC, prior to posting.
- 12.2 Press releases and media relations are a joint responsibility. The pertinent Departments at UBC and UNBC are expected to work collaboratively with each other.

13.0 TERM AND TERMINATION

- 13.1 This Agreement will come into effect upon execution and will continue to be in effect unless terminated in accordance with this Agreement.
- 13.2 The Institutions agree to engage in a joint review of the Agreement after the program has been in effect for eighteen (18) months.
- 13.3 The parties may amend this Agreement by mutual agreement at any time. No amendment or modification to this Agreement will be effective unless it is in writing and duly executed by the parties.
- 13.4 Either Institution may terminate the Agreement at any time on the provision of at least six (6) months' written notice to the other Institution. On the provision of notice under this section the Institutions shall cease recruitment and admissions activities in the Program.
- 13.5 Despite termination of the Agreement the Institutions agree to continue to provide training as contemplated in this Agreement for a period of a maximum of 25 months to any MPT-N cohort students actively engaged in training at the time of termination.
- 13.6 Upon termination, the Agreement shall be of no further force or effect except that neither party shall be released from any obligation that has accrued up to the date of termination including the obligation to continue to provide training as described above.



13.7 Notice of termination shall be in writing and shall be deemed to have been duly given and received either (a) on the day of delivery, if delivered to the receiving party at:

If to UBC, to:

The University of British Columbia
6328 Memorial Road
Vancouver, British Columbia
V6T 1Z2
Attention: The President
Facsimile: (604) 822-5055

And:

The University of British Columbia
2194 Health Sciences Mall
Vancouver, British Columbia
V6T 1Z3
Attention: Dean, Faculty of Medicine
Facsimile: (604) 822-8017

If to UNBC, to:

University of Northern British Columbia
3333 University Way
Prince George, British Columbia
V2N 4Z9
Attention: The President
Facsimile: (250) 960-7301

or such other address as each party may designate in writing to the other party for this purpose.

IN WITNESS WHEREOF, Parties hereto caused Agreement to be signed by their proper officers duly authorized their behalf.



SIGNED FOR ON BEHALF OF THE UNIVERSITY OF BRITISH COLUMBIA	SIGNED FOR ON BEHALF OF THE UNIVERSITY OF BRITISH COLUMBIA
By: Title: Date:	By: Title: Date:
SIGNED FOR ON BEHALF OF THE UNIVERSITY OF NORTHERN BRITISH COLUMBIA	SIGNED FOR ON BEHALF OF THE UNIVERSITY OF NORTHERN BRITISH COLUMBIA
By: Title: Date:	By: Title: Date:



APPENDIX A

Title:	POLICY REGARDING THE UBC FACULTY OF MEDICINE EDUCATION PROGRAMS AND AFFILIATE FACULTY MEMBERS (DRAFT)
Approved:	
Approved By:	TBA BY FACULTY EXECUTIVE AND UBC SENATE
Audience:	All Faculty of Medicine affiliate faculty members
Purpose:	To establish standards for the appointment, reappointment, promotion and termination of appointment of affiliate faculty members, as well as the rights, roles and responsibilities of the UBC Faculty of Medicine and affiliate faculty members.
Contact:	Dean’s Office Faculty Affairs

[1. Introduction](#)

This document establishes the policy of the Faculty of Medicine at the University of British Columbia with regard to its affiliate faculty members concerning:

- a) appointments, reappointments, promotions and termination of appointment
- b) rights, roles and responsibilities of the UBC Faculty of Medicine and affiliate faculty members.

The Dean of the UBC Faculty of Medicine has the formal authority to assign all education duties in the MD Undergraduate Program. If the Dean wishes, he/she may delegate the authority for assignment of education duties.

Furthermore, in all cases, the Dean of the UBC Faculty of Medicine has final authority regarding the recommendations to the Board of Governors for any and every appointment in the UBC Faculty of Medicine.

Affiliate faculty members are individuals with faculty appointments at collaborating Universities (i.e. UNBC or UVic) who are invited to provide education services to the UBC Faculty of Medicine MD Undergraduate



Programs (“**Education Services**”). Upon their agreement to provide **Education Services**, **affiliate faculty members will be appointed as an affiliate faculty member in a relevant department in the UBC Faculty of Medicine and will be formally** assigned specific education services by the Dean of the Faculty of Medicine or the Dean’s designate.

The primary appointment of an affiliate faculty member at a collaborating University (i.e. UNBC or UVic) will be the governing appointment for the determination of salary, benefits, collective bargaining, other employment conditions of the affiliate faculty member, and the appointment issues of promotion and tenure. Affiliate faculty members will not be covered by any employment or collective agreement at the University of British Columbia and will not be accorded any rights in these areas at the University of British Columbia.

Affiliate faculty members are governed in their interaction with UBC by all policies and principles relevant to their role in delivering education services to students **and learners in the Faculty of Medicine.**

[II.Appointment and Reappointment of Affiliate Faculty Members](#)

The appointment or reappointment of an affiliate faculty member at UBC will be for a 3 year term, renewable subject to ongoing contribution to the UBC Faculty of Medicine Educational Programs. Dispute between UBC and a partner university relating to appointment or reappointment of an affiliate faculty member will be referred to the dispute resolution mechanism in the Master Affiliation Agreements between UBC and its partner Universities.

Affiliate faculty members will be appointed to the following affiliate faculty rank at the UBC Faculty of Medicine corresponding with the rank of their primary appointment at the collaborating University as outlined in the following table:



UBC Faculty of Medicine Appointment Rank	UNBC Appointment Rank	UVic Appointment Rank
Affiliate Lecturer	Lecturer	Lecturer
Affiliate Instructor I	Instructor I	
Affiliate Instructor II	Instructor II	
Affiliate Senior Instructor	Instructor III or Instructor IV	Senior Instructor
Affiliate Assistant Professor	Assistant Professor	Assistant Professor
Affiliate Associate Professor	Associate Professor	Associate Professor
Affiliate Professor	Professor	Professor
Affiliate Adjunct Professor	Visiting Professor	Adjunct Assistant Professor Adjunct Associate Professor Adjunct Professor Honorary Professor

III. Promotion of Affiliate Faculty Members

A formal review of the educational **services** contribution of an Affiliate Faculty Member to a **Faculty of Medicine Program** will be requested and included in Promotion and Tenure discussions at the collaborating university.

Upon the promotion of an affiliate faculty member at the collaborating University where their primary appointment is held, the UBC Faculty of Medicine will process a promotion of the affiliate faculty member's appointment. The new rank of the affiliate faculty member will correspond to the rank of their primary appointment as per the above table.

IV. Termination of Appointment for Affiliate Faculty Members

The following factors will lead to the termination of the appointment of an affiliate faculty member:

- a) Termination of the primary faculty appointment at the collaborating University (i.e. UNBC or UVic)
- b) Voluntary termination of the affiliate faculty appointment by the affiliate faculty member
- c) Cessation or diminishment of the Education Services being provided by the affiliate faculty member to students **and learners in the in the Department to which the affiliate member is appointed.**
- d) Refusal to comply with policies and principles that apply in the provision of Education Services to students **and learners in the** UBC Faculty of Medicine program in the Department to which the affiliate member is appointed.
- e) Unprofessional or unethical conduct

V. Suspension of Appointment

During any suspension of the primary appointment at the collaborating University (i.e. UNBC or UVic), the appointment of the affiliate faculty member at UBC will also be suspended.

VI. Rights, Role and Responsibilities of the UBC Faculty of Medicine

▪ **Rights of the UBC Faculty of Medicine**

The UBC Faculty of Medicine has certain rights within the relationship between the affiliate faculty members and the Faculty of Medicine. The Faculty of Medicine reserves these rights to ensure that the standards of performance established by the Faculty related to the delivery of education services of its affiliate faculty members support the continuing development and accreditation of its medical programs. These rights include the right:

- a) to develop and update performance standards related to any area of contribution by affiliate



faculty members in education services

- b) to require that affiliate faculty members comply with all policies and procedures relevant to students **and learners** in the University of British Columbia, Faculty of Medicine programs.

- Role of the UBC Faculty of Medicine

The primary role of the Faculty of Medicine in support of its mission, is to develop and administer its programs in education and research, and to establish and develop geographically distributed program. The Faculty is also responsible for the development of a milieu that is conducive to willing and effective participation by its faculty and staff and students in the mission of the Faculty of Medicine.

- Responsibilities of the UBC Faculty of Medicine

Responsibilities of the Faculty of Medicine with respect to **education programs** include:

- ◆ Development, implementation, management and maintenance of the education program including achievement of accreditation standards where these apply
- ◆ Recruitment, appointment and promotion, as appropriate, of faculty and other teaching professionals to support the educational services required by the program
- ◆ Provision of courses and resources to support the development and improvement of the necessary skills required by affiliate faculty members for the provision of education services
- ◆ Establishment of committees, systems and processes for education services as required
- ◆ Allocation, assignment and communication of responsibilities related to education services
- ◆ Support of the involvement of affiliate faculty members in the development of policies and procedures that define their participation in the provision of Education Services **in the Department to which the affiliate member has been appointed.**
- ◆ Evaluation of education, programs, students and faculty



VII. Rights, Role and Responsibilities of Affiliate Faculty Members

▪ Rights of Affiliate Faculty Members

Affiliate faculty members have certain rights within the relationship between the affiliate faculty member and the UBC Faculty of Medicine. These include the right:

- a) to attend department/school meetings and events and to receive all agendas, minutes and material for such meetings and events as they request
- b) to cast a vote, if the individual is an affiliate assistant professor, affiliate associate professor or affiliate professor, in Faculty, departmental or school matters where a vote is extended to regular and clinical faculty members of the Faculty of Medicine
- c) to receive an annual evaluation of their education services to the **Department to which the affiliate faculty member has been appointed.**
- d) to receive appropriate faculty educational development to assist **the affiliate faculty members** to meet their pedagogical responsibilities **related to the Education Services provided in the Department to which the affiliate faculty member has been appointed.**
- e) to receive notice as early as practicable of the assignment of teaching responsibilities and to receive clarity in the nature and objectives of the teaching assignment

■ Role of Affiliate Faculty Members

The primary role of affiliate faculty members, with reference to the University of British Columbia, is participation in and commitment to, the Educational Services required to support the **education programs** administered by the Faculty of Medicine. While their primary role is the teaching of students, affiliate faculty members may also serve in other roles related to the provision of Education Services within the Faculty of Medicine.

■ Responsibilities of Affiliate Faculty Members

The primary responsibilities of affiliate faculty members include:

- ◆ Teaching of **students and learners** in university, hospital and community settings as agreed to in the letter of offer in accordance with the quality of education as stipulated by the UBC Faculty of Medicine
- ◆ Participation in the development and application of evaluation material
- ◆ Participation in evaluations of teaching, programs, students, **learners** and faculty

Other responsibilities may include:

- ◆ Management of curriculum delivery where delegated
- ◆ Supervision of UBC Faculty of Medicine students engaged in research activities
- ◆ Mentoring students
- ◆ Reporting, as required, on activities performed to fulfill teaching, faculty and professional development, and administration responsibilities.
- ◆ Continuing development of the particular skills that apply to their role as affiliate faculty members within in the **Faculty of Medicine education** programs and within their department, such as teaching and administration as determined by an objective evaluation
- ◆ Participation in organizing and/or teaching continuing professional education activities in university and non-university settings

- ♦ Maintenance by the affiliate faculty member of their *curriculum vitae* and teaching dossier
- ♦ Participation in any remedial faculty educational development activities when requested
- ♦ Maintenance of professional good standing, as appropriate ♦ Maintenance of professional or scientific skills, as appropriate

VIII. Amendment, Modification and Termination of Document

This document may be amended, modified or terminated by the Dean of UBC Faculty of Medicine with approval of the Faculty of Medicine Executive.

SENATE COMMITTEE ON ACADEMIC AFFAIRS

PROPOSED MOTION

Motion: That the Letter of Understanding between (LOU) UBC and UNBC to guide the operations of the Master of Occupational Therapy Northern and Rural Cohort be approved as proposed.

Effective Date: January 15, 2020

Rationale: In May 2019, the Ministry of Advanced Education, Skills and Training announced an increase in occupational therapy training seats to ensure more patients have access to quality healthcare which will improve their quality of life, while providing student access to education closer to home.

The additional seats will be created by initially expanding the current University of British Columbia (UBC) program by utilizing a cohort program delivery model with UNBC, moving towards a distributed model of delivery and ultimately moving to an accredited joint UNBC/UBC Master of Occupational Therapy degree. The cohort will be delivered in a very similar model to the physical therapy northern and rural cohort and the distributed program in a very similar model to the Northern Medical Program at UNBC. Each of these delivery changes will require additional Senate approvals at UNBC and UBC and will also require approval of the accrediting body and DQAB (for the joint degree).

The Ministries of Health and Advanced Education, Skills and Training are providing UBC funding for the startup and planning to expand a master of occupational therapy program in the North in partnership with UNBC, with the anticipated first intake of 8 first year students being admitted into the master of occupational therapy northern and rural cohort in September 2020 & 2021, moving towards 16 students admitted in a distributed model of delivery in 2022 and continuing the distributed intakes through 2027 with the goal of moving towards the accredited joint UNBC/UBC degree starting in 2028. As we move through each delivery model we will phase out the previous model with those students completing the required academic requirements of that delivery model.

The attached LOU outlines the partnership between UBC and UNBC in offering the master of occupational therapy northern and rural cohort. As the rural and northern cohort is being implemented, we will also be working on the distributed program model and then finalizing the requirements for the joint degree.

Motion proposed by: Associate Vice Provost, Northern Medical Program

Academic Program: Master of Occupational Therapy Northern and Rural Cohort

Implications for Other Programs / Faculties? None

College: CSAM and CASHS College Councils – for information

College Council / Committee Motion Number: Not applicable

College Council / Committee Approval Date: Not applicable

Attachment Pages (if applicable): 6 pages

INFORMATION TO BE COMPLETED AFTER SENATE COMMITTEE ON ACADEMIC AFFAIRS MEETING

Brief Summary of Committee Debate:

Motion No.: SCAAF202001.07

Moved by: S. Wagner

Seconded by: T. Klassen Ross

Committee Decision: CARRIED



Approved by SCAAF: January 8, 2020
Date

Chair's Signature

For recommendation to **, or information of** _____ **Senate.**



Letter of Understanding between UBC and UNBC to guide the operations of the MOT Northern and Rural Cohort

In May 2019, the Ministries of Health and Advanced Education and Skills Training approved infrastructure funding for the Master of Occupational Therapy Northern and Rural Cohort (MOT-NRC) of University of British Columbia (UBC) in collaboration with the University of Northern British Columbia (UNBC). This initiative is designed to increase recruitment and retention of occupational therapists in northern and rural areas of British Columbia (BC). The MOT-NRC will comprise 8 seats in addition to the 56 seats currently in the MOT program. The students in the MOT-NRC cohort will complete the majority of their clinical fieldwork education in northern and rural communities. UNBC will be the clinical hub for the majority of the MOT-NRC, with support provided to occupational therapists in northern and rural communities through local clinical instructor training, continuing professional development, and mentorship for specific clinical experiences.

To ensure the continued effective operation of the MOT-NRC the parties agree that governance, human resources, space, finances, student services, and communications will operate as follows.

Governance Structure

The MOT-NRC, is part of the accredited UBC MOT program, under the direction and leadership of the Head, Department of Occupational Science & Occupational Therapy, Faculty of Medicine, UBC. The Northern Medical Program is also part of the UBC Faculty of Medicine and although the sharing of resources with the Northern Medical Program is essential to the success of the MOT-NRC, the MOT-NRC program is autonomous.

At the UNBC site, the MOT-NRC falls within the portfolio of the UBC Faculty of Medicine Regional Associate Dean Northern BC / Associate Vice President, Northern Medical Program, UNBC. The Regional Associate Dean is responsible for providing strategic regional leadership for the UBC Faculty of Medicine and, working with the UBC Head of the Department of Occupational Science & Occupational Therapy, will facilitate the relationships between the UBC Department of Occupational Science & Occupational Therapy, UNBC and Northern Health Authority on matters related to the MOT-NRC.

The UBC Department of Occupational Science & Occupational Therapy MOT-NRC Coordinator of Fieldwork Education will be physically located at UNBC. This Coordinator is responsible for the day-to-day operations of the UNBC portion of the MOT-NRC, for fieldwork education based at UNBC, and for developing the clinical capacity in occupational therapy fieldwork in northern and rural communities. The Selection Committee for the Coordinator of Fieldwork Education, MOT-NRC, includes representation from UNBC, the occupational therapy community in northern BC, and the UBC Department of Occupational Science & Occupational Therapy. The Coordinator of Fieldwork Education for the MOT-NRC will be employed by UBC and reports to the Head, Department of Occupational Science & Occupational Therapy, UBC. The Coordinator will hold a UBC appointment and an affiliate appointment



Letter of Understanding between UBC and UNBC to guide the operations of the MOT Northern and Rural Cohort

at UNBC. This affiliate appointment will facilitate program operations and foster communication between the partners in the MOT-NRC.

The organizational structure will include a Joint Institutional Steering Committee and three committees that provide operational input and direction to the MOT-NRC including: (1) the MOT-NRC Implementation Committee, (2) the MOT-NRC Fieldwork Advisory Subcommittee, and (3) the MOT-NRC Admissions Advisory Subcommittee.

Joint Institutional Steering Committee for the MOT-NRC

During the development and implementation phase there will be a Joint Institutional Steering Committee for the MOT-NRC that advises the UBC Dean of the Faculty of Medicine and the UNBC Provost and Vice-President Academic. The Steering Committee will provide support and guidance to the MOT-NRC including identification of adequate resourcing to implement curricular components. The steering committee will develop a framework for collaboration between UBC and UNBC to facilitate overall management involving both Institutions with respect to the MOT-NRC.

MOT-NRC Implementation Committee

This committee will provide operational planning and implementation of the MOT-NRC during the development phase and reports to the steering committee. This committee will be co-chaired by the UBC Head of the Department of Occupational Science and Occupational Therapy and the UBC Northern Regional Associate Dean. The committee will provide information to assist the department head regarding resource allocation requirements for the MOT-NRC.

MOT-NRC Fieldwork Advisory Subcommittee:

This committee will provide guidance and support to the MOT-NRC Coordinator of Fieldwork Education, and the UBC Associate Head Fieldwork Education related to offering quality student placements in northern and rural communities, advising on fieldwork supervisor education, and offering fieldwork opportunities. This committee will be chaired by the Associate Head, Fieldwork Education, in the UBC Department of Occupational Science and Occupational Therapy.

MOT-NRC Admissions Subcommittee:

This committee will review and provide assessment of the MOT-NRC applications to the UBC Department of Occupational Science & Occupational Therapy, MOT Admissions Committee as well as participate in admissions interviews. This committee will be co-chaired by the MOT-NRC Coordinator of Fieldwork Education and the Associate Department Head, Department of Occupational Science and Occupational Therapy.



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Human Resources

All faculty members report to the UBC Head of the Department of Occupational Science & Occupational Therapy, are employees of UBC, with terms and conditions of employment determined by the UBC Faculty Collective Agreement. Faculty are subject to UBC and Faculty of Medicine policies and procedures.

All administrative staff members report to the Administrative Director of the UBC Northern Medical Program, are employees of UNBC, with terms and conditions of employment determined by UNBC collective agreements and are subject to UNBC and UBC Northern Medical Program policies and procedures.

Space

The availability of seminar room space, video-conferencing enabled for broadcasting and receiving, for local teaching and distance learning needs is critically important for the development of the MOT-NRC educational program in northern BC. The seminar room is supported by UBC MEDIT through its established relationships with UNBC IT.

Office space for the MOT-NRC Coordinator of Fieldwork Education and MOT-NRC Administrative Assistant will be located on the UNBC campus. Ideally the Administrative Assistant will be co-located with other UBC Northern Medical Program staff and this might be shared space.

Finance

UBC receives funds annually from the BC Government for the MOT program which includes the MOT-NRC.

The Head of the Department of Occupational Science and Occupational Therapy has authority delegated by the UBC Dean of the Faculty of Medicine, over the departmental budget and resource allocations. The UBC Department of Occupational Science and Occupational Therapy is responsible for transferring funds to UNBC upon receipt of a quarterly invoice from UNBC. Signing authority at UNBC will be granted to MOT-NRC Coordinator of Fieldwork Education and the Senior Administrative Manager for varying amounts, according to UNBC financial policy. The Regional Associate Dean will provide the one-over signing authority at UNBC.



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At UNBC, the MOT-NRC Administrative Assistant is responsible for managing day-to-day financial processing, with oversight by the UNBC Northern Medical Program Finance Manager. The Northern Medical Program Finance Manager is responsible for financial reporting to the UBC Department of Occupational Science & Occupational Therapy, minimally on a quarterly basis.

The implementation of the MOT-NRC will involve financial collaboration between UBC and UNBC. Under the terms of the agreement of the funding received from the provincial government, funds for the MOT-NRC will be spent on increasing the capacity for fieldwork education and supporting the overall educational mandate of the MOT program in northern and rural BC. UNBC is an integral partner in the delivery of occupational therapy education in northern and rural BC. Administration of the budget for operational needs at UNBC will follow UNBC financial policies and processes.

There may be opportunities for joint fundraising between UNBC and UBC for the MOT-NRC. The UNBC and UBC FoM Development/Advancement Officers will work in collaboration to establish guidelines for fundraising and to pursue fundraising initiatives deemed important by both organizations.

Student Services

MOT-NRC students are UBC students and not registered as UNBC students. However, UNBC will grant affiliate status to NRC students, allowing access to services as per existing processes with UNBC.

Communications

The website is an important service for student recruitment and support. UNBC and UBC agree to use the following wording of both websites: *UBC Northern and Rural Cohort – a collaboration between UBC and UNBC*. Posting of MOT-NRC information on either website will be vetted by the Head of the Department of Occupational Science & Occupational Therapy and the Regional Associate Dean, Northern Medical Program, UNBC, prior to posting.

Press releases and media relations are a joint responsibility. The pertinent Departments at UBC and UNBC are expected to work collaboratively with each other on any such releases.

TERM AND TERMINATION

This Agreement will come into effect upon execution and will continue to be in effect unless terminated in accordance with this Agreement.



Letter of Understanding between UBC and UNBC to guide the operations of the MOT Northern and Rural Cohort

The Institutions agree to engage in a joint review of the Agreement after the program has been in effect for thirty (30) months.

The parties may amend this Agreement by mutual agreement at any time. No amendment or modification to this Agreement will be effective unless it is in writing and duly executed by the parties.

Either Institution may terminate the Agreement at any time on the provision of at least six (6) months' written notice to the other Institution. On the provision of notice under this section the Institutions shall cease recruitment and admissions activities to the MOT-NRC cohort.

Despite termination of the Agreement the Institutions agree to continue to provide training as contemplated in this Agreement for a period of a maximum of 25 months to any MOT-NRC cohort students actively engaged in training at the time of termination.

Upon termination, the Agreement shall be of no further force or effect except that neither party shall be released from any obligation that has accrued up to the date of termination including the obligation to continue to provide training as described above.

Notice of termination shall be in writing and shall be deemed to have been duly given and received either (a) on the day of delivery, if delivered to the receiving party at:

If to UBC, to:
The University of British Columbia
6328 Memorial Road
Vancouver, British Columbia
V6T 1Z2
Attention: The President
Facsimile: (604) 822-5055

And:
The University of British Columbia
2194 Health Sciences Mall
Vancouver, British Columbia
V6T 1Z3
Attention: Dean, Faculty of Medicine
Facsimile: (604) 822-8017

If to UNBC, to:
University of Northern British Columbia



Letter of Understanding between UBC and UNBC to guide the operations of the MOT Northern and Rural Cohort

3333 University Way
Prince George, British Columbia
V2N 4Z9
Attention: The President
Facsimile: (250) 960-7301

or such other address as each party may designate in writing to the other party for this purpose.

IN WITNESS WHEREOF, Parties hereto caused Agreement to be signed by their proper officers duly authorized their behalf.

SIGNED FOR ON BEHALF OF THE UNIVERSITY OF BRITISH COLUMBIA	SIGNED FOR ON BEHALF OF THE UNIVERSITY OF BRITISH COLUMBIA
By: Title: Date:	By: Title: Date:
SIGNED FOR ON BEHALF OF THE UNIVERSITY OF NORTHERN BRITISH COLUMBIA	SIGNED FOR ON BEHALF OF THE UNIVERSITY OF NORTHERN BRITISH COLUMBIA
By: Title: Date:	By: Title: Date:

Motion Number (assigned by
Steering Committee of Senate): S-202001.12

SENATE COMMITTEE ON ACADEMIC AFFAIRS

PROPOSED MOTION

Motion: That the new Memorandum of Agreement between the University of Northern British Columbia and Grande Prairie Regional College be approved as proposed.

Effective Date: Upon approval of the Senate

Rationale: The School of Business plans to deliver its MBA (Master of Business Administration) program in Grande Prairie at the GPRC (Grande Prairie Regional College) campus from the September 2020 semester. The industries and communities served by both UNBC and GPRC are similar. The population in both regions requires formal education to support growth from technical positions such as, but not limited to, engineering and health care, to a leadership position in their current field.

On May 2, 2019, there were two information sessions held that open to the public, and 45 people were in attendance. A further 15 or more people have contacted UNBC for more information as potential students. UNBC has had regular weekly contact from potential students since the information session in May.

The curriculum of the program will be the same as the current MBA program in Prince George and Vancouver. It will likely run every other year due to demand and population size. This also would provide Northern BC residents with the opportunity to access our MBA program more easily than at the current locations in Prince George and Vancouver due to travel challenges. UNBC will bear the cost of the program delivery with an agreement with GPRC for space and use of technology.

As UNBC students, students registered in the UNBC MBA program in Grand Prairie will have access to all student services. Students will be informed of what services are available to them during the UNBC MBA orientation.

Motion proposed by: Dr. Sungchul Choi, Chair of the School of Business

Academic Program: Master of Business Administration

Implications for Other Programs / Faculties? n/a

College: College of Science and Management

College Council / Committee Motion Number: n/a

College Council / Committee Approval Date: n/a

Attachment Pages (if applicable): 8 pages

INFORMATION TO BE COMPLETED AFTER SENATE COMMITTEE ON ACADEMIC AFFAIRS MEETING

Brief Summary of Committee Debate:

Motion No.: SCAAF202001.08

Moved by: E. Jensen

\Seconded by: E. Korkmaz

Committee Decision: CARRIED



Approved by SCAAF: January 8, 2020
Date

Chair's Signature

For recommendation to ✓, or information of _____ Senate.

**MEMORANDUM OF AGREEMENT
(the "Agreement")**

This Agreement made this 10th day of December, 2019

Between

**Grande Prairie Regional College
(hereinafter referred to as "GPRC")**

And

**University of Northern British Columbia
(hereinafter referred to as "UNBC")**

(Individually, a "Party" and collectively, the "Parties")

WHEREAS Grande Prairie Regional College (GPRC) and the University of Northern British Columbia (UNBC) desire to serve the residents of Alberta and northern British Columbia by offering the UNBC Master of Business Administration degree in Grande Prairie, Alberta;

NOW THEREFORE this MOA sets out the intent and framework of the collaboration between GPRC and UNBC with regard to the use of GPRC facilities and services as follows:

1. PROGRAM OF STUDY

The Agreement applies only to the Master of Business Administration (MBA) degree of UNBC.

2. TERM

2.1 This Agreement will be in effect from the date of signing by both Parties for a maximum of five (5) years with an option to renew for an additional five (5) year term upon satisfactory review by each Party.

2.2 Either Party may end the term of this MOA, in writing, prior to 120 days of the cohort start date for the calendar year.. Student cohorts that have begun their studies shall be allowed to complete all courses necessary to meet the MBA requirements.

2.3 UNBC reserves the right to cancel the current year cohort, at no cost to UNBC, by notifying GPRC in writing 120 days prior to the beginning of the fall semester. Cancelling the current year cohort does not terminate this Agreement or cancel future year cohorts.

2.4 This Agreement shall not be amended unless such amendment is in writing and signed by both Parties.

3. OPERATIONAL LIMITATION

- 3.1 The Parties agree to maintain their respective liability and property insurance coverages in the event of any claims that each may suffer as a result of the delivery of the MBA program on GPRC's premises.
- 3.2 The Parties agree that nothing contained in this MOA shall be construed to (i) give either Party the power to direct and/or control the day-to-day activities of the other, (ii) constitute the Parties as partners, joint venturers, co-owners or otherwise, or (iii) allow the Parties to create or assume any obligation on behalf of the other Party for any purpose whatsoever.
- 3.3 The Parties further agree that in accordance with 3.2 (iii) each Party bears the entire cost and expense of conducting their respective business including, but not limited to, the costs for their respective facilities, employees, marketing materials, business organization, permits, licenses and any other forms of clearances and remittances as may be required from governmental or regulatory agencies.

4. INDEMNIFICATION

- 4.1 UNBC hereby agrees to indemnify and save harmless GPRC, its successors, assigns, and authorized representatives and each of them from and against losses, claims, damages, actions, and causes of action (collectively referred to as "Claims") that GPRC may sustain, incur, suffer or be put to at any time either before or after the expiration or termination of this Agreement, that arises out of errors, omissions, or negligent acts of UNBC or their subcontractors, servants, agents, or employees under this Agreement, excepting always that this indemnity does not apply to the extent, if any, to which the Claims are caused by errors, omissions, or the negligent acts of GPRC, its other contractors, assigns and authorized representations or any other person
- 4.2 GPRC hereby agrees to indemnify and save harmless UNBC, its successors, assigns, and authorized representatives and each of them from and against losses, claims, damages, actions, and causes of action (collectively referred to as "Claims") that UNBC may sustain, incur, suffer or be put to at any time either before or after the expiration or termination of this Agreement, that arises out of errors, omissions, or negligent acts of GPRC or their subcontractors, servants, agents, or employees under this Agreement, excepting always that this indemnity does not apply to the extent, if any, to which the Claims are caused by errors, omissions, or the negligent acts of UNBC, its other contractors, assigns and authorized representations or any other person.

5. INSURANCE

- 5.1 Both Parties shall agree to maintain Insurance coverage as follows:
 - 5.1.1 GPRC shall maintain Commercial General Liability in the minimum amount of \$2,000,000 per occurrence and provide evidence of such insurance upon request by UNBC with UNBC included as an additional insured. GPRC will not cancel or materially alter its insurance coverage without thirty days prior written notice to UNBC. In addition, any insurance pursuant to this Agreement will be subject to a "cross liability" clause whereby the insurance will be considered as having been executed separately for each Party.

5.1.2 UNBC is covered by the University, College and Institute Protection Program (UCIPP), and will maintain Commercial General Liability in the minimum amount of \$2,000,000 per occurrence and will provide evidence of such insurance upon request by GPRC.

5.1.3 UNBC will arrange coverage under the Workers Compensation Act (BC) or equivalent coverage for UNBC Employees while engaged in activities at GPRC's facilities.

6. STUDENTS AND COHORTS

- 6.1. The first MBA student cohort will start in the fall semester of 2020 and further cohorts will be assessed upon completion of the first cohort.
- 6.2. Each student cohort will be comprised of no less than 22 students and no more than 40 students.
- 6.3. GPRC tuition exempt employees cannot make up the minimum required number of students.
- 6.4. With respect to academic matters, students in UNBC courses are subject to UNBC's policies, regulations, rules and procedures as set out in the *UNBC Calendar*.
- 6.5. Students taking UNBC courses at GPRC shall be required to govern themselves in accordance with both UNBC's and GPRC's conduct policies. Should a UNBC student contravene the policy of either institution such that disciplinary action or expulsion must be administered, UNBC and GPRC shall consult and notify each other prior to executing any such action.

7. TUITION, FEES AND BOOKS

- 7.1 Students will pay directly to UNBC each semester the amount of tuition and fees billed.
- 7.2 All costs for textbooks, all course and program materials as well as travel costs will be the responsibility of the student.

8. SERVICES PROVIDED BY GPRC AS HOST INSTITUTION

- 8.1 A classroom, or combination of rooms, with Internet access and projector-screen facilities, will be provided with flexible seating for up to 40 students.
- 8.2 The classroom facility will be available for all classes for a fixed schedule to be determined upon mutual agreement of the Parties no later than sixty (60) days prior to the beginning of the student cohort as documented in Appendix "A" which may be amended from time to time subject to the program requirements.
- 8.3 Bookstore services will be provided by UNBC Bookstore for books selected by UNBC.
- 8.4 Students will have GPRC library privileges through the arrangement of reciprocal student accounts.

- 8.5 A link to the UNBC MBA URL will be available on the GPRC website to promote the program.
- 8.6 The Information Technology Department at GPRC will provide services as described in Appendix "B"
- 8.7 Subject to availability and booking by UNBC, meeting space will be made available to MBA faculty and staff.

9. SERVICES PROVIDED BY UNBC AS PROGRAM INSTITUTION

- 9.1 Applicants will directly apply to the Registrar of UNBC.
- 9.2 The admissions process will be the responsibility of UNBC.
- 9.3 Students will directly register with UNBC.
- 9.4 Faculty will be selected, hired and paid by UNBC to teach in the MBA program.
- 9.5 Student recruitment and program marketing is the responsibility of UNBC.
- 9.6 Student support services.
- 9.7 Students will be held to UNBC's academic and administrative policies.

10. FACILITIES FEE

In lieu of a fee for all facilities and services being used, UNBC will reserve two (2) positions in each cohort for GPRC employees, admitted into the MBA program, with a nominal charge of \$2500 per semester per tuition exempt employee to cover variable incremental expenses. GPRC students will be responsible for paying their UNBC student fees.

11. DISPUTE RESOLUTION

In the event of a dispute arising from the interpretation or operation of this Agreement, the Parties will do their best to amicably resolve the situation. If issues should arise the Parties shall attempt to resolve each issue through their designated representatives. If the issue cannot be resolved through the designated representatives the Parties shall escalate the issue to an appointed institutional officer for each Party.

12. COORDINATION

Each institution will designate a person(s) to represent the institution in all matters related to this Agreement.

UNBC DESIGNATED REPRESENTATIVE

NAME: Dr. Dan Ryan
TITLE: Provost
EMAIL: dan.ryan@unbc.ca

GPRC DESIGNATED REPRESENTATIVE

NAME: Dr. Tim Heath
TITLE: Vice-President Academics & Research
EMAIL: theath@gprc.ab.ca

13. NOTICES

All notices and other communications required or permitted hereunder shall be in writing and shall be validly given if delivered personally, transmitted by fax or sent by certified mail addressed to the Party or Parties as follows:

To UNBC:

MAIL: University of Northern British Columbia,
3333 University Way,
Prince George, B.C. V2N 4Z9
Attention: Provost

To GPRC:

MAIL: Grande Prairie Regional College
10726-106 Avenue,
Grande Prairie, AB T8V 4C4

14. GENERAL PROVISIONS

- 14.1. **Governing Law:** This agreement shall be deemed to have been executed in Canada and any disputes arising under the agreement or in relation to the agreement shall be governed by and construed in accordance with the laws of the provinces of Alberta and British Columbia and the federal laws of Canada where applicable.
- 14.2. **Force Majeure:** If either Party is prevented from carrying out the provisions hereof by reason of any act of God, natural disaster, war, revolution, riot, blockage, embargo, strike, lockout, labour disturbance, supplier shortages, the operation of law, interferences of or by civil or military authority or any other cause beyond the control of either Party, the Party so prevented, upon prompt written notice to the other Party (where applicable) shall not be held liable for any losses, damages, claims and/or interruptions to the delivery of the program for the duration of such prevention.
- 14.3. **PartyPartyPartyPartyPartiesPartyPrivacy and Confidentiality:** In carrying out each PParty's respective obligations, each PParty shall keep all confidential information in accordance with their respective policies and applicable laws including the Freedom of Information and Privacy Acts of British Columbia and Alberta.
- 14.4. **Entire Agreement:** This Agreement constitutes the entire agreement of the PParties with respect to the subject matter hereof and Parties Supersedes any prior agreements relating to the subject matter. All schedules and appendices attached hereto form part of this agreement.

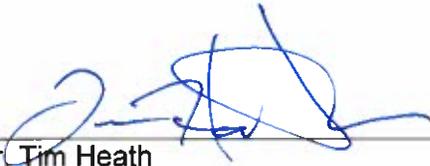
14.5. **Time of Essence:** Time shall be of the essence in every respect of this agreement.

14.6. **Survival:** Articles 4.1, 4.2, 11, 14.1, 14. and 14.3 shall survive the termination or expiration of this agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

Grande Prairie Regional College

University of Northern British Columbia



Dr. Tim Heath
Vice President, Academics and Research

Dr. Dan Ryan
Provost and Vice President, Academic



Date

Date

APPENDIX "A"
UNBC Program Schedule Requirements

- Each cohort will consist of sixteen (16) courses of thirty-six (36) instructional hours. This may be provided in person, on-line or virtually by agreement of both Parties.
- Classes will be scheduled generally 3 days a month from Friday to Sunday inclusive. however, the schedule will vary upon mutual agreement of both Parties.

APPENDIX “B”
GPRC Information Technology Department Services

GPRC Computer User Accounts for UNBC MBA Students and Instructors

- UNBC Students and Instructors can access wifi through GPRC’s wireless network.
- Accounts can only be requested by the UNBC MBA Director or designate. Authority can be delegated upon the agreement between GPRC and UNBC MBA Director.
- Account requests must be submitted two weeks before the start of the MBA school year. Currently, the school year starts in August.
- Accounts will be valid only for one (1) year as of the first day of each school year and will expire automatically after 12 months when renewal requests are not submitted two (2) weeks prior to the start of the next school year.
- Accounts will be for wifi, computer labs, lecterns in enhanced classrooms and printing access only.
- Computer lab access will be as-is. This means students and instructors will agree to use software available on the lab machines as provided. Without prior notifications, GPRC may update or remove software on the lab machines.
- Instructors and students are encouraged to use their own mobile devices for needs not fulfilled by GPRC computer labs.
- Support will be limited to account login issues and can be requested through the IT Service Desk during regular working hours. Application support and account quota increases are not supported.
- Unused printing credits will not be refunded as the accounts expire.
- UNBC instructors and students must abide by GPRC’s IT Acceptable Use Policy.

Instructor Specific:

1. UNBC instructors will be provided with GPRC accounts. The UNBC MBA Director or delegate is required to notify GPRC of account changes.
2. UNBC instructor accounts will have access to free on-campus black and white printing. Colour printing is available, at an additional charge.

Students specific:

1. Students can purchase printing credits online or through the GPRC library.
2. For account maintenance purpose, two weeks prior to the start of the school year (currently August). The UNBC MBA Program Director will provide a list of active students going into the 2nd year and a list of new students registering for 1st year.
3. Each student will be provided with an account to access wifi, computer labs, lecterns in enhanced classrooms and printing only. Students should not share accounts.
4. The accounts will expire at the end of every school year (currently August), and the request must be submitted to revalidate student access for a 2nd year.

Motion Number (assigned by
Steering Committee of Senate): S-202001.13

STEERING COMMITTEE OF SENATE

PROPOSED MOTION

Motion: That the Terms of Reference for the Senate Committee on Student Appeals be amended and changes to the Senate Handbook be made.

Effective Date: Upon the Approval of Senate

Rationale: That the word 'ideally' be added to the faculty membership to allow for the current faculty membership of SCAA to put their names forward and to ensure that the vacancies on the Senate Committee on Student Appeals can be kept to a minimum.

Motion proposed by: Office of the University Secretary

Academic Program: Not applicable

Implications for Other Programs / Faculties? None

College: Not applicable

College Council / Committee Motion Number: N/A

College Council / Committee Approval Date: N/A

Attachment Pages (if applicable): 1 pages

INFORMATION TO BE COMPLETED AFTER STEERING COMMITTEE OF SENATE MEETING

Brief Summary of Committee Debate:

Motion No.: SCS202001.03

Moved by: H. Holler-Busch

Seconded by: D. Ryan

Committee Decision: CARRIED

Approved by SCS: January 8, 2020
Date


Chair's Signature

For recommendation to ✓ **, or information of** _____ **Senate.**

SENATE COMMITTEE ON STUDENT APPEALS (SCA)

Terms of Reference

Background and Purpose:

The University Act of British Columbia [RSBC 1996] c. 468, grants Senate the power:

37(1) (v) to establish a standing committee of final appeal for students in matters of academic discipline.

And, provides at s. 61 **suspension of a student**

61(1) The president has the power to suspend and deal summarily with any matter of student discipline.

(2) On the exercise of that power, the president must promptly report the action to the standing committee established under section 37(1)(v) with a statement of his or her reasons

(3) The action of the president is final and subject in all cases to an appeal to the senate.

Terms of Reference:

- On behalf of Senate, to review and rule on all final appeals from students with respect to:
 - Matters involving academic discipline and standing, and;
 - Matters involving non-academic conduct resulting in suspension.
- To periodically review and provide feedback and recommendations to Senate with respect to University Policies, Procedures and Calendar Regulations, dealing with Student Academic and Non-Academic Conduct and Appeals.

Membership:

Eight (8) voting members appointed by Senate:

- (i) Five (5) faculty members, including:
 - a) One faculty member, ideally, from each of the five Faculties, at least three of whom should be Senators, and at least one of whom should be from a professional program
- (ii) Three (3) students, including:
 - a) One graduate student Senator
 - b) One undergraduate student Senator
 - c) One Student at Large (who may also be a student Senator), and who ideally is an Aboriginal student

Chair: A Member of Senate elected annually in October by and from among the members of the Committee.

Committee Secretary: Secretary of Senate

Recording Secretary: Governance Officer

Quorum: Majority, including at least two Faculty Members and one Student

Reporting Month: October