



UNIVERSITY OF ALBERTA

UNIVERSITY GOVERNANCE

General Faculties Council Campus Law Review Committee Open Session Minutes

Thursday, April 23, 2015
2-31 South Academic Building (SAB)
9:30 AM - 11:00 AM

ATTENDEES:

Voting Members:

Steven Penney	Chair, Academic Staff Elected from at-large, appointed by GFC Executive Committee
Deborah Eerkes	Member, Discipline Officer, Office of Student Judicial Affairs
Brent Epperson	Member (Delegate), Representative of the Student Ombudservice
Robin Overall	Member, Interim Vice-Provost and Dean of Students
Judith Garber	Member, Staff selected from Categories A1.0, A2.0 and/or B1.0
Elaine Geddes	Member, Academic Staff and Associate Dean (Categories A1.1, A1.5 or counterpart in A1.6) who is a current Associate Dean
Brock Richardson	Member, Acting Director of Residence Services
Lori Thorlakson	Member, Academic Staff (A1.1, A1.5, or counterpart in A1.6 who is a former Associate Dean, or former Discipline Officer, or former UAB Chair
Adrienne Wright	Member, Staff selected from Categories A1.0, A2.0 and/or B1.0

Non-Voting Members:

Meg Brolley	Member, Director, General Faculties Council Services and Secretary to GFC, Resource
Michael Peterson	Member, Appeals and Compliance Officer, Resource

Presenter(s):

Deborah Eerkes	Director, Office of Student Judicial Affairs
Steven Penney	Professor, Faculty of Law, and Chair, GFC CLRC

Staff:

Andrea Patrick, Coordinator, GFC Campus Law Review Committee
Marion Haggarty-France, University Secretary
Arden Burtnik, Scribe

OPENING SESSION

1. Approval of the Agenda

Materials before members are contained in the official meeting file.

Presenter: Steven Penney, Professor, Faculty of Law, and Chair, GFC CLRC

Motion: Overall/Epperson

THAT the GFC Campus Law Review Committee approve the Agenda.

CARRIED

2. Approval of the Open Session Minutes of January 22, 2015

Materials before members are contained in the official meeting file.

Presenter: Steven Penney, Professor, Faculty of Law, and Chair, GFC CLRC

Motion: Geddes/Eerkes

THAT the GFC Campus Law Review Committee approve the Open Session Minutes of January 22, 2015, as amended.

CARRIED

3. Comments from the Chair

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

ACTION ITEMS

4. Changes to Section 30.5.2(6) of the Code of Student Behaviour: Appeal of Declining to Proceed with a Complaint

Materials before members are contained in the official meeting file.

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

Purpose of the Proposal: To simplify and make more efficient the current appeal of a decision not to proceed with a complaint under the Code of Student Behaviour (COSB) while maintaining the required fairness of the process.

Discussion:

Ms Eerkes reported that the current process to appeal a decision not to proceed with a complaint under the Code of Student Behaviour (COSB) is resource-intensive and inefficient. She stated to members that a change to section 30.5.2(6) of the COSB would save both time and resources for the University without compromising fairness. A working group (comprised of the Office of Student Judicial Affairs (OSJA), General Counsel, Residence Services, an Associate Dean, the Student OmbudService and the Appeals and Compliance Officer) was created to review this section of the Code and identified a number of issues, including: that the Unit Director is redundant; the process to appeal a Dean's decision not to proceed should stay within the Faculty; constituting a three person panel is time consuming and unnecessary. In addition, under the current model, she noted, if the three-person panel were to find that the matter should proceed, the Discipline Officer does not have the authority to act.

Ms Eerkes provided members with a brief outline of the proposed changes, adding that she conducted extensive consultation during the development of this proposal.

During the ensuing discussion surrounding this proposal, members provided a number of comments and questions, including, but not limited to: clarification regarding current concerns with the panel; concerns that the perception of fairness within these processes would suffer as a result of the proposed changes;

support for written reasons to continue to be provided; clarification regarding where on campus assistance is required; that these proposed changes provide more rights and protection than in any other legal forum; that there are various reasons why the University of Alberta Protective Services (UAPPS) will not proceed with an investigation; a suggestion for an editorial amendment.

Members agreed to the inclusion of a friendly amendment to ensure that written reasons will be provided.

Motion: Eerkes/Geddes

THAT the GFC Campus Law Review Committee recommend to the GFC Executive Committee proposed changes to Section 30.5.2(6) of the Code of Student Behaviour: Appeal of Declining to Proceed with a Complaint, as submitted by the Office of Student Judicial Affairs (OSJA), and as contained within Attachment 1, as amended, to be effective upon final approval.

CARRIED

DISCUSSION ITEMS

5. Question Period

A member sought clarification in regards to the recent Go Life protest on North Campus, and enquired about the status of the review of the Student Groups Procedure in the University of Alberta Policies and Procedures (UAPPOL).

INFORMATION REPORTS

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

There were no items.

7. Information Items Forwarded to Committee Members Between Meetings

There were no items.

CLOSING SESSION

8. Adjournment

The Chair adjourned the meeting at 10:15 a.m.