

THE UNIVERSITY OF BRITISH COLUMBIA



Senate Committee on Appeals on Academic Standing
c/o
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4 May 2012

To: Vancouver Senate

From: Committee on Appeals on Academic Standing

Re: Annual Report (1 May 2011 – 30 April 2012) (information)

Senate has delegated to the *Senate Committee on Appeals on Academic Standing* the authority to hear and dispose of student appeals from decisions of Faculties in matters of academic standing. The Committee shall allow an appeal where it is found that the decision of the Faculty was arrived at through improper or unfair procedures, and that as a result, a wrong decision on the merits has or may have been arrived at. However, the Committee has no jurisdiction where the sole question raised in an appeal turns on the exercise of academic judgment by a Faculty. The decision of the Committee on an appeal is a final disposition of that appeal. The Vancouver Senate has conferred on the Committee the power of making final decisions pursuant to section 37(1)(b) of the *University Act* (reference: *UBC Calendar, Academic Regulations, Senate Appeals on Academic Standing, sub-section 2.2*).

Students may also appeal to the Committee the refusal of the Registrar to extend the timeline for accepting an appeal, namely within 10 business days of being informed in writing of the Faculty's final decision.

As per section 40(a) of the Rules and Procedures of the Vancouver Senate, the Committee is required to make an annual report to Senate, including the number of appeals heard, their disposition, and the general nature of the appeals.

Since last reporting to Senate in May 2011, eight (8) appeals proceeded to Committee hearings (as compared with 14 in the prior year), of which two (2) were allowed and six (6) were dismissed.

In addition to the eight (8) appeals concluded, which are summarized below, the Committee has been advised that in the past year an additional nine (9) appeals were presented to the Registrar, of which one (1) was resolved prior to a Committee hearing; one (1) was withdrawn by the appellant prior to a Committee hearing; two (2) were dismissed by the Registrar due to lack of timely prosecution and five (5) are in progress and are expected to be heard by the Committee in the upcoming weeks.

To provide for more hearing scheduling options for Appellants and Faculty, the Committee appointed a Co-Chair.

Appeals Allowed

- The student appealed a decision of the Faculty concerning failed standing in a course. The Committee held that in following its usual review process, which was subject to concerns of bias, the Faculty had rendered an unfair decision. The Committee overturned the Faculty's decision, and, having substituted a new mark for the mark awarded by the Faculty under its flawed review process, sent the matter back to the Faculty for calculation and assignment of a passing grade per the course rubric.

- The student appealed a decision of the Faculty to deny a request for Deferred Standing in two courses. The Committee allowed the appeal on the basis of additional medical evidence presented by the student in the appeal, which ought properly to have been considered. The Committee overturned the Faculty's decision, and directed the Faculty to grant the student Academic Concession in the form of Withdrawal from all of the student's courses in the relevant term.

Appeals Dismissed

- The student appealed a decision of the Faculty not to re-confer a degree. The Committee declined jurisdiction of the appeal on the basis that the appeal did not relate to a matter of academic standing, but rather to an administrative request for a change of records related to a successfully completed academic program for which a degree was duly and appropriately conferred.
- The student appealed a decision of the Faculty requiring the student's withdrawal due to the student's failure to meet program requirements. The Committee held that the Faculty's decision was not based on improper or unfair procedures, nor was there consideration of any information that ought not to have been considered, nor was there a failure to consider information that ought properly to have been considered.
- The student appealed a decision of the Faculty requiring the student's withdrawal due to the student's failure to meet program requirements. The Committee held that the Faculty's decision was not based on improper or unfair procedures, nor was there consideration of any information that ought not to have been considered, nor was there a failure to consider information that ought properly to have been considered.
- The student appealed a decision of the Faculty to deny a request for academic concession for personal issues in connection with a final examination. The Committee dismissed the appeal on the basis that the Faculty's decision was not based on improper or unfair procedures, nor was there consideration of any information that ought not to have been considered, nor was there a failure to consider information that ought properly to have been considered.
- The student appealed a decision of the Faculty to deny a request for Deferred Standing in connection with a final exam. The Committee held that the Faculty's decision was not based on improper or unfair procedures, nor was there consideration of any information that ought not to have been considered, nor was there a failure to consider information that ought properly to have been considered.
- The student appealed a decision of the Faculty to deny a request for Deferred Standing in two courses. The Committee held that the Faculty's decision was not based on improper or unfair procedures, nor was there consideration of any information that ought not to have been considered, nor was there a failure to consider information that ought properly to have been considered.

General Observations of Special Interest to UBC Vancouver Faculty

1. The Committee continues to draw to the attention of Faculties and Departments the importance of following due process in all matters relating to student assessment, promotion and appeals. In particular, the Committee notes the importance of Faculties and Departments responding to requests for information within the required timeframes, in order to ensure that appeals proceed in a timely and efficient manner.

In order to address this issue, the Committee is in the process of considering specific concerns relating to the current Review of Assigned Standing policy, and may refer the

matter to Senate with a recommendation for further action to the Academic Policy Committee, as appropriate.

2. Another issue of concern was brought to the attention of the Committee in the past months during deliberations related to appeals, relating to the University requirement for preservation of final examinations. **A final examination becomes the property of the University and must remain in the possession of the University for one year from the date of the examination, after which it should be destroyed or otherwise disposed of in accordance with [UBC Policy 117](#).** Members of the Committee have discovered that archived examinations for certain courses have been destroyed prior to the one year prescribed term.

Special thanks are due the well-organized, expeditious, and generally unheralded staff at Enrolment Services and Senate and Curriculum Services, who continue to assist the Committee in its valuable and confidential work.

Respectfully submitted,

Dr. Lance Rucker and Dr. William Dunford, Co-Chairs
Senate Committee on Appeals on Academic Standing

Members of the Committee, 2011-2012:

Dr. Lance Rucker (Co-Chair)
Dr. William Dunford (Co-Chair)
Dr. Joe Belanger
Mr. Ryan Bredin
Dr. Gwen Chapman
Mr. Brendan Craig
Dr. Bikkar S. Lalli
Dr. Peter Leung
Ms. Saba Marzara
Dr. Dan Simunic
Dr. Lawrence Walker