

THE UNIVERSITY OF BRITISH COLUMBIA



Senate Committee on Appeals on Academic Standing
c/o
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May 2, 2008

To: Vancouver Senate

From: Committee on Appeals on Academic Standing

Re: Annual Report 2007-2008

Senate has delegated to the *Senate Committee on Appeal 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 decided 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 judgement 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, Part V, Academic Regulations, Senate Appeals on Academic Standing, section 2*).

As per section 39(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May 2007, 8 appeals proceeded to Committee hearings, of which 6 were dismissed, 1 was allowed, and 1 was resolved and withdrawn prior to the Committee reaching a decision.

In addition to these 8 appeals, which are summarized below, the Committee has been advised that in the past year an additional 17 appeals were presented to the Registrar, of which 9 were resolved prior to a Committee hearing; 2 were dismissed by the Registrar due to lack of timely prosecution; and 6 are in progress and are expected to be heard by the Committee in the upcoming months.

Appeals Dismissed:

- The student appealed a failed standing in a course based upon the Faculty's refusal to grant a deferred standing in light of an illness. The Faculty had previously granted the appellant's request for deferred standing but with restriction on the appellant's course load for the following semester. The appellant did not accept the Faculty's offer and appealed to the Committee. The Committee held that the Faculty's decision had been arrived at through fair and proper procedures.



- The student appealed a decision of the Faculty to deny the student's request for academic concession due to illness at the time of the final exam. The Faculty had previously granted six concessions and had advised the student no more would be granted. The appeal was dismissed on the basis that there was no unfairness or impropriety on the part of the Faculty and had been arrived at in accordance with proper procedures.
- The student appealed a decision of the Faculty to deny a request to re-take a course for the fourth time. The student has been unsuccessful in three previous attempts at completing the course. The Committee held that the Faculty's decision was arrived at through fair and proper procedures.
- The student appealed a decision of the Faculty to not grant transfer credit for courses taken at an out-of-province college, although the student's transfer courses were recognized by an out-of-province university. The Committee held that the Faculty was not unfair in refusing to grant transfer credit and that the evaluation of such courses is within the purview of the Faculty.
- The student appealed a decision of the Faculty to deny a request for academic concession for illness in connection with three final examinations. The Committee held that there was no unfairness or impropriety on the part of the Faculty as a result of the Faculty following its regulations. The Committee nevertheless provided recommendations for follow-up to both the Faculty and the student.
- The student appealed a decision of the Faculty to deny a request for retroactive withdrawals in all courses taken during the prior academic year. The Committee considered when faculties ought to grant retroactive withdrawals on the basis of medical opinion coming considerably after examinations had been taken and graded. The Committee did not find any unfairness or impropriety on the part of the Faculty and therefore did not grant the appeal on that basis. However, as the Faculty was willing to reconsider the matter in light of new information, the appellant was encouraged take the matter back to the Faculty.

Appeal Allowed:

- The student appealed a decision of the Faculty requiring the student to withdraw due to the student's failure to follow procedures involving sensitive matters in a laboratory course. The Committee held that the Faculty's policies and procedures were inconsistent from course to course and therefore subject to potential misunderstanding. The student was permitted to continue the program with the proviso that all course requirements are to be met in a fully satisfactory manner.

Appeal resolved prior to the Committee reaching a decision:

- The student appealed a decision of the Registrar to deny a request to extend the 10-day time limit to submit a written notice of appeal against a decision of the Faculty requiring the student to withdraw. In light of new evidence presented at the hearing, the Registrar granted the student's request for an extension to appeal the decision of the Faculty. Additionally, the Faculty and student reached



an agreement prior to the Committee's scheduled hearing of the student's appeal.

General Observations

The Committee continues to draw to the attention of faculty and departments the importance of following due process in all matters relating to student assessment, promotion and appeal; of maintaining scrupulous records of course requirements, grade schemes, and student performance; as well as drawing such regulations and requirements to the attention of students.

Additionally, the Committee would like to emphasize to faculties and departments the importance of dealing with these issues and student appeal inquiries in a timely manner.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'R. Yaworsky', written over a horizontal line.

Dr. Ronald Yaworsky, Chair
Senate Committee on Appeals on Academic Standing

Members of the Committee, 2007/08:

- Prof. Christine Boyle
- Dr. Elizabeth Dean
- Dr. Robert Sparks
- Dr. Lee Gunderson
- Dr. Daniel Weary
- Dr. Christopher Friedrichs
- Mr. William McNulty
- Mr. Geoff Rawle (student)
- Ms. Diana Diao (student)
- Mr. Hillson Tse (student)
- Dr. Ronald Yaworsky (Chair)