



SENATE MEETING

Tuesday, November 6th, 2018 4:00 – 6:00 pm
Capilano University – LB 322

AGENDA

Acknowledgments

We respectfully acknowledge the Lil'wat, Musqueam, Squamish, Sechelt and Tsleil-Waututh people on whose territories our campuses are located.

- 1. Welcome**
- 2. Approval of the Agenda - Decision** Senate Members
- 3. Approval of the October 2, 2018 Minutes – Decision** Senate Members
Schedule 3
- 4. Correspondence Received – None**
- 5. Business Arising - None**
- 6. New Business**
 - 6.1 Program Review Schedule (2019 – 2020) – *Information* Laureen Styles
Schedule 6.1
- 7. Committee Reports**
 - 7.1 Academic Planning and Program Review Committee – *Information* Michael Thoma
 - 7.2 By-law, Policy and Procedure Committee – *Decision* Stephen Williams
 - 7.2.1 B.109.1 Student Appeals Procedure Schedule 7.2.1
 - 7.3 Curriculum Committee – *Decision* Deb Jamison
[October 19, 2018 – Agenda Package / October 19, 2018 Draft Minutes](#)
 - 7.3.1 Resolution Memorandum Schedule 7.3.1
 - 7.4 Instructional Technologies Advisory Committee – *Information* Aurelea Mahood
 - 7.5 Budget Advisory Committee – *Information* Marnie Findlater
- 8. Other Reports**
 - 8.1 Chair of Senate – *Information* Paul Dangerfield
 - 8.2 Vice Chair of Senate – *Information* Majid Raja
 - 8.3 VP Academic and Provost – *Information* Laureen Styles



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8.4 Board Report – *Information*

Duncan Brown

9. Discussion Items

10. Other Business

11. Information Items



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MINUTES

Present: Laureen Styles (Acting Chair), Sean Ashley, Duncan Brown, Brent Calvert, Dilnavaz Dhillon, Marnie Findlater, Robin Furby, Kyle Guay, Ted Gervan, Deb Jamison, Aisha Lakhdhir, Aurelea Mahood, Brad Martin, Lauren Moffatt, Corey Muench, Majid Raja, Toran Savjord, Debbie Schachter, Ekaterina Sergeeva, Graeme Sleep, Judy Snaydon, Michael Thoma, Diana Twiss, Halia Valladares, Mark Vaughan, Stephanie Wells, Stephen Williams, Recording Secretary: Mary Jukich

Regrets: Paul Dangerfield, Cyndi Banks, David Fung, Michelle Gervais, Joshua Millard, Adam Sale, Jaswinder Singh, Carleen Thomas, Tammy Towill

Acknowledgement

We respectfully acknowledge the Lil'wat, Musqueam, Squamish, Sechelt and Tsleil-Waututh people on whose territories our campuses are located.

The Academic Vice President & Provost called the meeting to order at 4:00 pm.

1. Welcome

In the absence of Tammy Towill, Kyle Guay assumed voting rights for the Faculty of Global and Community Studies.

In the absence of Adam Sale, Judy Snaydon assumed voting rights for the Faculty of Fine and Applied Arts.

2. Approval of the Agenda

Stephanie Wells moved and Deb Jamison seconded:
To adopt the agenda.

CARRIED

3. Approval of the Minutes

Dilnavaz Dhillon moved and Kyle Guay seconded:
To adopt the September 11, 2018 minutes.

CARRIED

4. Correspondence Received

No correspondence was received.



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5. Business Arising

5.1 Senate Subcommittees

Presented by: Majid Raja

Membership is now full, and the committees will be moving forward with committee business.

6. New Business

6.1 BA General

Presented by: Laureen Styles

Senate was informed that a recommendation was previously endorsed, with the full support of the Faculty of Arts & Sciences at their All Faculty meeting on August 30th, 2018, to withdraw the Stage 1 Bachelor of Arts (General).

6.2 2019 – 2020 Academic Schedule

Presented by: Toran Savjord

The 2019 – 2020 Academic Schedule was presented for information. On review, the following suggestions were presented:

- Remove the words “(day in lieu)” beside November 11, 2019 as this is a statutory holiday.
- There is a discrepancy between the fall and spring registration dates.
- The current Schedule will result with PD being only two days.
- The Academic Schedule still shows that for Fall 2020 registration begins in July. As there is a possibility that registration may change to an earlier date, it may be beneficial to add a note that the date is subject to change.
- A suggestion was presented if the fee deferral deadline could be included.

8. Committee Reports

8.1 Academic Planning and Program Review Committee

Presented by: Michael Thoma



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The Committee met on September 18th, but there were no proposals to review.

The Committee reviewed a draft PowerPoint presentation on SAPPRC's process and procedures. This presentation was developed as a response to communicate SAPPRC's processes to the University community. It is intended to be presented to DAC's to inform what is expected from Concept Papers and Stage 1 Proposals.

8.2 By-law, Policy and Procedure Committee

Presented by: Majid Raja

The Committee is scheduled to meet on Tuesday, October 9th.

8.3 Curriculum Committee

Presented by: Deb Jamison

8.3.1 Resolution Memorandum

The resolutions brought forward from the September 21st, 2018 Senate Curriculum Committee meeting were presented to Senate for approval.

Deb Jamison moved and Halia Valladares seconded:

18/42 SCC resolutions 18/96 to 18/98 be adopted by Senate.

CARRIED

8.4 Instructional Technologies Advisory Committee

Presented by: Majid Raja

A meeting has been scheduled and discussion will be around Committee membership. Presently, there are more members on the Committee than allowed; however, all members will be invited to attend the first meeting of 2018/2019. This meeting will be conducted under SITAC's existing terms of reference, with adherence to voting rights defined in the terms of reference.

9. Other Reports

Chair of Senate

A report was not provided as Paul Dangerfield was absent from the meeting.



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Vice-Chair Senate

Majid Raja, Vice-Chair, reported on his attendance at the Board of Governors meeting on September 25th as Senate Representative, and PSE Governance Workshop on September 20th as a Board of Governor member.

In response to the Senate Vice-Chair's report to the Board, the Board will look into the Students Appeal Policy B.109 for clarification of jurisdiction.

In response to Majid Raja's question during the PSE Governance Workshop on September 20th, Tony Loughran, Executive Lead, Ministry of AEST informed the audience that the provincial government sees the current funding for teaching-focused universities as sufficient. Shannon Baskerville, Deputy Minister of AEST added that the government appreciates the concerns arising over the funding model for higher education, and therefore the system as a whole will be asked for input to overhaul or fix the funding model. It was indicated that there is some funding available for specific-target programs. For example, post-secondary institutions may seek funding from a pool of \$43m for programs in health/nursing, forestry, electrical and computer engineering.

VP Academic and Provost

Majid Raja assumed the role of Chair while Laureen Styles presented her report in the capacity of VP Academic and Provost.

Laureen Styles, VP Academic and Provost reported that steady progress continues with program proposals, and provided the following update:

- Stage 1 Bachelor of Science (General) is posted on the government website for peer review.
- Stage 1 Bachelor of Human Kinetics was forwarded to government, but not yet posted.
- Stage 1 Bachelor of Arts (English) is anticipated to be sent to government shortly for internal review prior to being posted for peer review.



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In moving forward, the University has signalled to government that it is growing and now focussing on new degree development.

Work continues on revising the program review template, and the reviewers have been requested for input as the process continues to be refined.

It is anticipated that the program review schedule for 2018/2019 and the program review schedule for 2020 will be brought to the November Senate for approval.

Upon completion of her report, Laureen Styles reassumed the role of Chair.

9.4 Board Report

Duncan Brown provided the following report:

The Board met on September 26, 2018.

Governance

The Board welcomed three new members, addressed Board committee membership and confirmed the appointment of the Chair and Vice-Chair of its Finance and Audit Committee.

In September the Board held a full-day Board orientation meeting. Also, several Board members attended a post-secondary institution governance workshop convened by the Ministry of Advanced Education, Skills and Training (AEST) and several Board members will attend another AEST governance workshop in October.

Administration

The Board approved the appointment of Toran Savjord, Vice President, Strategic Planning, Assessment and Institutional Effectiveness, as Acting Registrar until such time a new University Registrar is appointed.

The Board received reports from its Executive Committee, Finance and Audit Committee and Investment Management Committee, the President and the Senate. The Board received correspondence from The Hon. Melanie Mark,



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Minister of Advanced Education, Skills and Training, regarding the Sexual Violence campaign.

Finances

The Board approved the Statement of Financial Information for the fiscal year ending March 31, 2018, required by the Financial Information Act, which includes:

- Statement of assets and liabilities (i.e., the audited financial statements, previously approved by the Board at its June 19, 2018 meeting)
- Operational statement
- Schedule of debts
- Schedule of guarantee and indemnity agreements
- Statement of severance agreements
- Schedule of remuneration for board members
- Schedule of employee remuneration exceeding \$75,000 plus expenses
- Schedule of supplier goods and services exceeding \$25,000.

The Board approved a Five-year Capital Plan for 2019-20 to 2023-24 for submission to the Ministry of Advanced Education, Skill and Training.

Academic

The Board approved the Bachelor of Human Kinetics Stage 1 Proposal for Minister of Advanced Education, Skills and Training approval.

The Board approved the Bachelor of Arts, Major in English Stage 1 Proposal for Ministry of Advanced Education, Skills and Training approval for the following credentials:

- Bachelor of Arts, Major in English
- Bachelor of Arts, Honours in English
- Bachelor of Arts, Minor in English
- Bachelor of Arts, Minor in Creative Writing
- Bachelor of Arts, Concentration in Creative Writing.

Policy

The Board directed that Policy B.109 – Student Appeals Policy be reviewed to ensure that it is consistent with the section 35.2(5)(j) of the University Act.

The next Board meeting is November 20, 2018.



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10. Discussion Items

No discussion items were presented.

11. Other Business

No other business was presented.

12. Information Items

The School of Human Kinetics will be holding the Run/Walk Back to 1968 event to celebrate the 50th anniversary of Capilano University on October 4th, 11:30 am – 1:00 pm.

There being no further business the meeting was adjourned at 4:50 pm.

Next Meeting: Tuesday, November 6th, 2018

DRAFT

MEMORANDUM

To: Senate
From: Laureen Styles, VP, Academic and Provost
Re: Program Review Schedule 2018-2019 and 2019-2020

BACKGROUND:

Senate was notified of the Program Review Schedule in December 2017. In order to best apprise Senate of the activities underway and planned, updated schedules for 2018/19 and 2019/20 are provided with the details as follows:

Changes to the 2018/19 Schedule are as follows:

- The *Community Leadership and Social Change Diploma* replaced the *Education Assistant Certificate* for review.
- The *School of Science, Technology, Engineering, and Math* is deferred until the process for school review is determined given that our current policy and procedure is for review of programs.
- The *Engineering programs* were recently revised. Therefore, in consultation with the Chair, and the Dean, the program review of these programs will be rescheduled to a future date in order to afford sufficient time for the implementation of changes and concurrent assessment.

Changes to the 2019/20 Schedule are as follows:

- The *Education Assistant Certificate* replaces the *Associate Degree in Global Stewardship*. The Associate Degree in Global Stewardship will be rescheduled to a future date.
- The *School of Humanities* review is deferred until the process for school review is determined. The *Applied Behaviour* programs will proceed as a replacement in this year.

RECOMMENDATION:

That Senate accept as information the revised Program Review Schedule of 2018-2019 and the planned Program Review Schedule for 2019-2020.

2018-2019

Revised October 2018

Faculty of Business & Professional Studies	School of Business	Bachelor of Business Administration (cont'd 2017/18)
		Diploma of Business Administration (cont'd 2017/18)
		Certificate of Business Administration (cont'd 2017/18)
		Business Administration Advanced Certificate (cont'd 2017/18)
Faculty of Arts & Sciences		Bachelor of Arts: Major in Liberal Studies
	School of Science, Technology, Engineering, & Math	Astronomy, Biology, Chemistry, Computing & Data Science, Physics, & Mathematics & Statistics, Engineering, Associate Degree in Science-(defer)
Faculty of Education, Health, & Human Development	School of Education and Childhood Studies	Bachelor of Early Childhood Care and Education (ECCE)
		Diploma in ECCE
		Certificate in ECCE
		Certificate in ECCE: Infant & Toddler
		Certificate in ECCE: Special Needs
		Post-Baccalaureate Diploma in ECCE
		ECCE Pathway for International Students
	Education Assistant Certificate-(defer to 2019/20)	
	School of Access and Academic Preparation	Diploma in Community Leadership and Social Change
	School of Allied Health	Citation in Community Capacity Building
Faculty of Fine and Applied Arts	School of Performing Arts	Bachelor of Music Therapy (cont'd from 2017/18)
		Advanced Certificate in Arts & Entertainment Management (AEM)
		Diploma in AEM
		Certificate in Acting for Stage & Screen
		Diploma in Acting for Stage & Screen
		Diploma in Musical Theatre
Diploma in Technical Theatre		
Faculty of Global & Community Studies	School of Tourism	Bachelor of Tourism Management
		Diploma in Tourism Management Co-op
		Diploma in Tourism Management for International Students
		Citation for Tourism Marketing

2019-2020

Revised October 2018

Faculty of Arts & Sciences	School of Humanities	Bachelor of Arts in Applied Behaviour Analysis (ABA) - Autism
		Post-Baccalaureate Diploma in ABA (Autism)
		Post-Baccalaureate Certificate in ABA (Autism)
		Art History, Creative Writing, English, Languages, Linguistics (to include Language & Culture Certificates), Philosophy, & History (defer)
Faculty of Business & Professional Studies	School of Legal Studies	Bachelor of Legal Studies (Paralegal)
		Diploma in Paralegal
		Certificate in Paralegal
		Certificate in Legal Administrative Assistant
		Citation in Criminal Law Practice and Procedure
Faculty of Fine and Applied Arts	School of Motion Picture Arts	Bachelor of Motion Picture Arts
		Diploma in Motion Picture Arts
		Certificate of Motion Picture Arts
		Diploma of Documentary
		Citations in Film Fundamentals
		Diploma in 2D Animation & Visual Development
		Diploma in 3D Animation for Film & Games
		Animation Fundamentals
		Diploma in Digital Visual Effects
		Diploma in Costuming for Stage & Screen
		Certificate & Diploma in Indigenous Independent Digital Filmmaking
Faculty of Education, Health, and Human Development	School of Allied Health	Education Assistant Certificate
Faculty of Global & Community Studies	School of Global Stewardship	Associate of Arts Degree—Global Stewardship (defer)
	School of Outdoor Recreation	Diploma in Outdoor Recreation



SENATE REPORT

AGENDA ITEM:	Procedure No. B.109.1 Student Appeals
PURPOSE:	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Information <input type="checkbox"/> Discussion
MEETING DATE:	November 6, 2018
PRESENTER:	Stephen Williams

PURPOSE

To approve the Procedure No. B109.1 Student Appeals.

BACKGROUND


Senate previously approved the Student Appeals policy, which has been attached for your information. The Senate Bylaw, Policy and Procedure Committee met on October 23 and then again on October 29 to review the procedures document.

DISCUSSION

The Student Appeals Procedure document presents the steps to appeal any number of decisions (for example, admissions, graduation, or a final grade appeal tribunal recognizing there is a separate Final Grade Appeal policy and procedures document).

RECOMMENDATION

THAT Senate approve Procedure No. B. 109.1 Student Appeals.

 CAPILANO UNIVERSITY		PROCEDURE	
Procedure No.		Officer Responsible	
B.109.1		Vice-President Academic and Provost	
Procedure Name			
Student Appeals			
Policy This Procedure is Under		Date of Next Policy Review	
B.109 Student Appeals		2023	
Date Issued	Date Revised	Related Policies, Reference	
2018			

1 OVERVIEW

1.1 The procedures set out in this document are designed to support the University’s Student Appeals Policy. All tribunal hearings will be guided by the principles of natural justice and decisions based on the balance of probability. In particular, students have the right to:

- 1.1.1 Know in advance the composition of the tribunal;
- 1.1.2 Make submissions to the Registrar (or designate) and tribunal in writing;
- 1.1.3 Have an oral hearing in cases of suspension and/or expulsion by the President;
- 1.1.4 Receive copies of all submissions made to the Registrar (or designate);
- 1.1.5 Enter a written reply to all submissions; and,
- 1.1.6 Receive a timely, written decision that gives a final disposition of the appeal.

1.2 These procedures govern the conduct of an appeal.

1.3 The tribunal’s determination is final and there is no further right to appeal.

2 APPLICATION FOR APPEAL

2.1 The appellant submits a completed application to the Registrar that includes the following information (form available online):

- 2.1.1 A statement (description) of the appeal;
- 2.1.2 The appellant’s contact information;
- 2.1.3 The precise grounds for the appeal (see Policy Section 4.1);
- 2.1.4 The important evidence that was missing, if applicable;
- 2.1.5 The remedy sought;

- 2.1.6 Request for an oral hearing ONLY in cases of suspension and/or expulsion by the President;
 - 2.1.7 List of witnesses for the oral hearing, in cases of suspension and/or expulsion by the President;
 - 2.1.8 Name of appellant's counsel, if applicable;
 - 2.1.9 A copy of the decision being appealed; and
 - 2.1.10 Any documents the appellant wishes to submit to the tribunal as evidence in support of the appeal.
- 2.2 The deadline for submitting the application for appeal is within twenty-one (21) calendar days of the decision that is being appealed.

3 PROCEDURE FOR APPEAL APPLICATION

- 3.1 Where the correspondence is electronic, it will be through the official Capilano University email.
- 3.2 An appellant submits their completed application to the Registrar (or designate, as appointed pursuant to Section 5.2 of B.109 Student Appeal Policy) along with any supplemental materials. The Registrar (or designate) will review the application and will contact the appellant, through email, of any deficiencies in the application. These deficiencies must be corrected within the stated timeframe determined by the Registrar (or designate) or the application will be deemed incomplete and the appeal will not be heard.
- 3.3 Once the Registrar (or designate) has determined the application is complete, they will determine if the application has met one of the stated grounds found in the Policy. If the appellant has failed to advance any arguments to support their specified grounds for appeal, the Registrar (or designate) will dismiss the application for appeal. The appellant will be notified, through email, of this determination and the reasons why their application was dismissed, if applicable.
- 3.4 The Registrar (or designate) may also dismiss the application for appeal if timelines have not been complied with and there is no valid reason to explain the delay. The appellant will be notified, through email, of this determination.
- 3.5 If the Registrar (or designate) determines that the application for appeal is complete and it has valid grounds, the Registrar (or designate) will forward the appellant's application to the respondent within five (5) business days.
- 3.6 Within ten (10) business days of the receipt of the appellant's application, the respondent will deliver to the Registrar (or designate) any documents the respondent wishes to submit to the tribunal as evidence in support of their position and any response to the claims made by the appellant.

- 3.7 Within five (5) business days of the respondent submitting their materials to the Registrar (or designate), the Registrar (or designate) will forward this information to the appellant. The appellant will have ten (10) business days to submit any material in response to the respondent to the Registrar (or designate).
- 3.8 After the appellant addresses the respondent's material, all materials collected by the Registrar (or designate) are considered the appeal file.
- 3.9 Once the appeal file is complete, the Registrar (or designate) will form a tribunal (see Policy), taking into consideration the following:
 - 3.9.1 Whether the appeal is academic or non-academic in nature;
 - 3.9.2 Any conflicts of interest;
 - 3.9.3 Whether a request is made for an oral hearing in cases of suspension or expulsion;
 - 3.9.4 The availability and workload of each SAC member; and
 - 3.9.5 Whether a SAC member is currently serving on a tribunal or tribunals.
- 3.10 Once the tribunal members are determined, the Registrar (or designate) will arrange for the tribunal members to receive a copy of the appeal file. The tribunal members will select a tribunal chair as stated in the policy.
- 3.11 The tribunal will meet within ten (10) business days of receipt of the appeal file.

4 TRIBUNAL PROCEDURES WITH HEARINGS

- 4.1 Each tribunal member will review the completed appeal file separately prior to its initial meeting. Normally, this will be completed within five (5) business days of receiving the appeal file.
- 4.2 Tribunal members may request further materials through the Registrar (or designate) prior to the initial meeting. Such requests will be reviewed by the Registrar (or designate) who will determine if the requested evidence should be made available, based on the principles of natural justice.
- 4.3 If new evidence is obtained, a copy must be provided to both parties who must be given an opportunity to respond to the new material if they wish. The unavailability of the evidence shall not delay the hearing process.
- 4.4 Tribunal members should not seek out any extra information themselves but judge the case based on the evidence contained within the appeal file.
- 4.5 The tribunal members may, as a group, seek clarification on Capilano University policies and natural justice procedures from the Registrar (or designate) or the Manager, Policy, Privacy and Governance.

5 TRIBUNALS WITH NO ORAL HEARINGS

- 5.1 The tribunal members will normally set the time for the hearing within ten (10) business days after Section 4 is complete.
- 5.2 The tribunal will decide on one of the following outcomes:
 - 5.2.1 Hear and uphold original decision;
 - 5.2.2 Hear and return the decision to be heard again by lower level decision making authority, with instructions for overcoming bias or with new information;
 - 5.2.3 Hear and uphold the original decision but alter the penalty; or,
 - 5.2.4 Hear and replace the decision.
- 5.3 Within five (5) business days of the tribunal's determination, copies of the written decision, which normally will include a brief rationale, shall be sent by the tribunal chair to the Registrar (or designate) who will provide the written decision to all relevant University parties. The Registrar (or designate) will provide the written decision and rationale to the appellant and respondent. The written decision and rationale shall not prejudice any of the parties or interfere with their privacy rights.

6 TRIBUNAL DETERMINATION WITH ORAL HEARING

- 6.1 The tribunal members will normally set the time for the hearing within ten (10) business days after Section 4 is complete. The Registrar (or designate) will inform the appellant and the respondent of the day and time of the hearing. The respondent and appellant are responsible for informing their witnesses (if applicable) of the day and time of the hearing. Efforts will be made to accommodate individual schedules, but rendering a timely decision is of primary importance.
- 6.2 The tribunal members should not discuss any matters related to the appeal with the appellant and the respondent prior to the hearing, for any reason. Any queries should be handled by the Registrar (or designate).


Holding the Hearing:

- 6.3 The tribunal chair should begin by introducing everyone and stating their role in the tribunal, including but not limited to tribunal member, appellant, respondent, the support person for appellant or respondent.
- 6.4 A support person cannot be a witness, and cannot speak during the hearing.
- 6.5 Third party witnesses shall be asked to wait outside the room until they are called upon to present their evidence.

- 6.6 The appellant, respondent, or tribunal shall be entitled to the attendance of legal counsel at the hearing. The party must notify the Registrar within a minimum of seven (7) calendar days that legal counsel will be present. This will allow for the other parties to obtain legal counsel, if they choose. At the discretion of the Registrar, the hearing may be delayed to allow for securing of legal counsel.
- 6.7 Tribunals shall follow the principles of natural justice with the appellant and respondent having the opportunity to present their argument and evidence. Witnesses may be questioned by tribunal members.
- 6.8 At the close of the hearing, the tribunal chair will indicate the approximate time length before a determination is communicated.
- 6.9 The tribunal will decide on one of the following outcomes:
 - 6.9.1 Hear and uphold original decision;
 - 6.9.2 Hear and return the decision to be heard again by lower level decision making authority, with instructions for overcoming bias or with new information;
 - 6.9.3 Hear and uphold the original decision but alter the penalty; or,
 - 6.9.4 Hear and replace the decision.
- 6.10 Within five (5) business days of the tribunal's determination, copies of the decision, which normally will include a brief rationale, shall be sent by email from the tribunal chair to the Registrar (or designate) who will provide the decision to all relevant University parties. The Registrar (or designate) will provide the decision and rationale to the appellant and respondent though email. The written decision and rationale shall not prejudice any of the parties or interfere with their privacy rights.

7 RECORD KEEPING

- 7.1 A record of the oral hearing will be kept. All material produced at the tribunal, including the original appeal file and any notes, will be gathered by the Chair.
- 7.2 Appeal files and tribunal determinations are confidentially maintained by the Registrar's Office. Records relating to the appeals proceedings will be kept for a period of no less than seven (7) years following the completion of all actions pertaining to a particular appeal. After this time, records may continue to be kept on file if deemed necessary by the Registrar's Office and will otherwise be confidentially destroyed.
- 7.3 Records are not available to be copied or viewed by members of the University community unless required by the procedures listed in this document or for the purposes of external legal proceedings.

 CAPILANO UNIVERSITY		POLICY	
Policy No.	Officer Responsible		
B.109	Vice-President Academic and Provost		
Policy Name			
Student Appeals			
Approved by	Replaces	Category	Next Review
Board	S1999-03 Academic Appeals; S2015-03 Student Appeals	C	June 2023
Date Issued	Date Revised	Related Policies, Reference	
June 19, 2018		B.701 Student Code of Conduct B.401 Sexual Violence and Misconduct	

1 PURPOSE

- 1.1 This policy outlines when and how students can appeal academic determination(s) or non-academic determination(s).
- 1.2 Prior to filing an appeal under this policy, a student must have pursued and exhausted all other reviews, appeals, or remedies provided by Capilano University’s other policies and procedures.

2 DEFINITIONS

Academic Appeals include Appeals regarding:

- a. the procedural fairness in application of the Final Grade Appeal Policy;
- b. the procedural fairness on the determination of the sanctions imposed on students under the Student Academic Integrity Policy; or,
- c. the procedural fairness in application of any other University Policy that impacts a student’s academic standing.

Appellant – a student who claims an injustice or error has occurred.

Balance of Probability – the standard of proof used to determine findings of fact, requiring the evidence to show that the initial violation is more likely than not to have occurred.

Determination – the conclusion of an appeal by the rendering of a final decision based on a balance of probabilities. Determinations include, but are not limited to, sanctions imposed by a dean, vice-president or president.

Non-Academic Appeals include Appeals regarding:

- a. the procedural and substantive fairness of the determination of sanctions imposed on students under the Student Code of Conduct Policy;
- b. the procedural and substantive fairness of the determination of sanctions imposed on students under the Sexual Violence and Misconduct Policy; or,
- c. the procedural and substantive fairness of the determination made under any other University Policy that impacts the student's non-academic standing.

Respondent – the University instructor or administrator whose decision or determination is being appealed.

3 SCOPE

- 3.1 The original determination stays in effect unless and until it is overturned on appeal. This means that submitting an appeal will not prevent the decision being appealed from being enforced.
- 3.2 This policy has no jurisdiction to consider a decision where the student's appeal is based on a question of academic judgment.
- 3.3 The Student Appeals Committee (SAC) has sole jurisdiction to hear and make a final adjudication of appeals based on academic decisions or non-academic decisions not otherwise delegated to another body.
- 3.4 SAC holds final decision-making authority regarding appeals it considers. The findings of SAC represent the final decision of the university.

4 GROUNDS FOR AN APPEAL

In any appeal, the appellant must articulate the grounds for an appeal. All appeals are limited to the following grounds:

- a. On the balance of probabilities, that an injustice or error occurred when the determination of fact was made;
- b. A policy was incorrectly applied;
- c. The adjudicating body exceeded its legitimate jurisdiction or authority; or,
- d. Important evidence was ignored.

5 INITIATING AN APPEAL

- 5.1 Within twenty-one (21) calendar days of receipt of the decision that the appellant wishes to appeal under this policy, the appellant shall complete their application for appeal (see B.109.1 Student Appeals Procedures) and deliver it to the Registrar (see instructions online).

- 5.2 If the determination that is being appealed was made by the Registrar, the Vice-President Academic and Provost will appoint an administrator who has received the relevant training to act as Chair of the SAC for the duration of the appeal. The Vice-President Academic and Provost will inform the appellant through their Capilano University email regarding whom the Chair is as soon as the decision is made.
- 5.3 No matter shall be referred to the SAC unless the appellant has completed to the satisfaction of the Registrar (or designate) the application for appeal.

6 STUDENT APPEALS COMMITTEE

- 6.1 The SAC will create impartial tribunals to hear and determine appeals.
- 6.2 The Chair of SAC will be the Registrar (or designate).
- 6.3 The voting membership of SAC will be as follows:
 - a. Faculty members who are Senators with a minimum of one from each Faculty;
 - b. Faculty members who are not Senators with a minimum of one from each Faculty;
 - c. One student who is a Senator;
 - d. Three students who are not Senators;
 - e. One staff member who is a Senator; and,
 - f. Two staff members who are not Senators.
- 6.4 The Registrar, in consultation with the Office of Student Affairs, will arrange for relevant annual training for all members of the committee.

7 TRIBUNALS

- 7.1 When an appeal is scheduled, the Registrar (or designate) will name a three-member tribunal to hear and determine that appeal. The three members of the tribunal will be members of SAC. The Registrar (or designate) will not sit on tribunals.
- 7.2 For Academic Appeals, the tribunal will consist of two faculty members and one student.
- 7.3 Normally, for Non-Academic Appeals, the tribunal will consist of one faculty member, one staff member and one student. In the case of a highly sensitive matter, such as an appeal under the Sexual Violence and Misconduct Policy (B. 401), no student representatives will be included. In these cases, an extra faculty member will be added to the tribunal.
- 7.4 The tribunal will select a hearing chair from among the faculty members or staff members. Students are not permitted to chair tribunals.

- 7.5 The lack of availability of a student member will not prevent a tribunal from proceeding within the time frames required in the procedures. A faculty or staff member will be added if no student member is available.
- 7.6 If a faculty member or a staff member is not able to complete their duties on a tribunal, they must inform the Chair as soon as possible so that a new tribunal can be formed.
- 7.7 The appeal tribunal must both appear to be and be neutral in the matter under consideration. Any actual or apparent conflict of interest will disqualify a SAC member from sitting on a particular tribunal. The Registrar (or designate) will be responsible for ensuring that no tribunal member is in a conflict of interest. Examples of a conflict include situations where the member
- a. teaches, works or is enrolled in the same program area as the appealing student;
 - b. has a personal relationship with the appealing student or the official who imposed the discipline or grade; or
 - c. has some personal experience or professional involvement with the matter under appeal.
- 7.8 If any SAC member knows or suspects that any tribunal member has a conflict of interest that they have not declared, that SAC member has a duty to report that conflict to the Registrar (or designate). The Registrar (or designate) will convene a meeting of SAC to consider the report and, if necessary, vote on tribunal membership. The Registrar (or designate) will not vote. If external advice is required, the Vice-President Academic and Provost will obtain that advice.
- 7.9 This same process will apply when a student complains of a conflict on the part of a tribunal member.

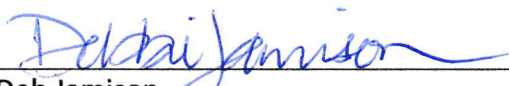


**SENATE CURRICULUM COMMITTEE
RESOLUTION MEMO**

DATE: October 23, 2018
TO: Paul Dangerfield, Chair, Senate
FROM: Deb Jamison, Chair, Senate Curriculum Committee

The following motions were carried by the Senate Curriculum Committee at its meeting on October 19th, 2018. Please acknowledge below that the Senate endorses its approval of the following motions:

- 18/99** The revisions to the Bachelor of Design in Visual Communication program profile be recommended to Senate for approval.
- 18/100** The Citation in Contract Law be recommended to Senate for approval.
- 18/101** The pre-requisite revisions to BADM 466 – Managing Change, BFIN 431 – Advanced Management Accounting, BMKT 405 – Marketing Projects in Industry and IBUS 434 – Advanced Topics in Cross-Cultural Business, as well as Cap Core designation under the heading *Experiential* be recommended to Senate for approval.
- 18/102** The new courses, FYS 100 – Culture & Creative Expression, FYS 101 – Self & Society, FYS 102 – Science & Technology, FYS 110 – Culture & Creative Expression, FYS 111 – Self & Society, FYS 112 – Science & Technology, FYS 120 – Culture & Creative Expression, FYS 121 – Self & Society, FYS 122 – Science & Technology, FYS 130 – Culture & Creative Expression, FYS 131 – Self & Society, FYS 132 – Science & Technology, FYS 140 – Culture & Creative Expression and FYS 141 – Self & Society and FYS 142 – Science & Technology be recommended to Senate for approval.


 Deb Jamison
 Chair, Senate Curriculum Committee

 Paul Dangerfield
 Chair, Senate

Date: Oct 23, 2018

Date: _____