

ACADEMIC COUNCIL REPORT

ACTION REQUESTED:

Decision	<input checked="" type="checkbox"/>
Recommendation	<input type="checkbox"/>
Discussion/Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

TO: Academic Council

DATE: 27 April 2021

FROM: Graduate Studies Committee

SUBJECT: Graduate Academic Calendar Migration project

GRADUATE STUDIES COMMITTEE MANDATE:

- Under the Policy Framework, Policy Owners must consult with deliberative bodies before presenting draft policy instruments to the approval authority for approval
- Graduate Studies Committee (GSC) has a mandate of maintaining the academic standards set by Academic Council and to review and recommend to Academic Council changes to graduate academic policy
- Under the Policy Framework, changes to academic policy items which are substantive in nature are presented to the deliberative body for recommendation to Academic Council; this includes substantive changes to policy items not yet migrated to the Policy Library from the Academic Calendar

MOTION FOR CONSIDERATION:

That, pursuant to the recommendation of the Graduate Studies Committee, Academic Council hereby approve the Graduate Academic Integrity and Professional Unsuitability Calendar Copy, as presented.

BACKGROUND/CONTEXT/RATIONALE:

Further to the GSC Committee Report, May 28, 2019 detailing the Graduate Academic Calendar migration to the Policy Library, several academic policies and procedures have been migrated from the Academic Calendar to the Policy Library over the course of the last year, and approved via the GSC and Academic Council. While some policy documents have been migrated with minor edits to fit the Policy Framework, other documents are also revised to reflect current practice, as part of the review.

In November 2020, Academic Council approved the new Academic Integrity Policy and Procedures. As with other items migrated to the Policy Library, the academic integrity text in the Graduate Academic Calendar is being updated to remove the policy language and direct

students to the new policy documents. In addition, in the absence of a stand-alone Professional Unsuitability Policy, this Calendar section is being revised to continue existing practices related to professional unsuitability until a Policy can be completed and entered into the Policy Library. Work on the new Professional Unsuitability Policy is ongoing and is being led by The Teaching and Learning Centre.

CONSULTATION:

In conjunction with the Policy Office, the following approval path was determined for the new policy documents:

- Deliberative Body: GSC March 2021 for recommendation
- Approval Authority: Academic Council April 2021

NEXT STEPS:

- Following the approval of Academic Council, the Graduate Academic Calendar text will be updated as presented, effective Fall 2021

SUPPORTING REFERENCE MATERIALS:

For Recommendation:

- **Graduate Academic Integrity and Professional Unsuitability Calendar Copy**

Policy Calendar Copy

The following sections of the Graduate Academic Calendar are impacted by the new Academic Integrity Policy and the ongoing work on the new Professional Unsuitability Policy.

Section: Academic conduct

Academic Integrity

Graduate students and faculty members share an important responsibility to maintain the highest standards of quality, integrity and honesty in their academic work. These standards are founded on the principles of mutual trust, rigorous scholarly exchange and respect for the intellectual property of others. Academic ~~misconduct~~ integrity violations at the graduate level ~~is~~ are an offence against the integrity of the university community and ~~is~~ are punishable by appropriate disciplinary action.

It is presumed that graduate students appreciate the fundamental principles of good scholarship, are aware of the actions that constitute academic ~~misconduct~~ integrity violations and understand the seriousness of the consequences that may result from academic integrity violations ~~acts of misconduct~~ when they are found to exist. A lack of familiarity with the university's policy on ~~academic conduct~~ academic integrity on the part of a student does not constitute a defence against its application.

The Academic Integrity Policy [LINK] is intended to establish, encourage and protect the ethical principles and conditions required for authentic and meaningful education, scholarship, and research. The Policy and the related Procedures ensure the rights and fair treatment of all University Members regarding the response to suspected acts of Academic Misconduct.

The Academic Integrity Violation Procedures [LINK] set out a fair and transparent process for investigating and resolving allegations of academic integrity violations.

~~Academic misconduct~~

~~Academic misconduct includes, but is not limited to, the following:~~

- ~~• Unreasonable infringement on the freedom of other members of the academic community (e.g., disrupting classes or examinations, harassing, intimidating or threatening others).~~
- ~~• Cheating on examinations, assignments, reports or other work used to evaluate student performance. Cheating includes, but is not limited to, copying from another student's work or allowing one's own work to be copied; submitting another person's work as one's own; consulting with an unauthorized person during an examination; using unauthorized aids; submitting work prepared in collaboration with other member(s) of a class when collaborative~~

~~work on a project has not been authorized by the instructor; and improperly obtaining examination papers, tests or similar materials, and/or using or distributing such materials.~~

- ~~● Impersonating another student or allowing oneself to be impersonated for purposes of taking examinations or carrying out laboratory or other assignments.~~
- ~~● Plagiarism, which is the act of presenting the ideas, words or other intellectual property of another as one's own. The use of other people's work must be properly acknowledged and referenced in all written material. The work of others may include, but is not limited to, images, designs, processes, computer software, digital, audio and video files, and Internet resources.~~
- ~~● Submission of work for evaluative purposes when a major portion has been previously submitted or is being submitted for evaluation by another instructor without the express permission of all instructors involved.~~
- ~~● Aiding and abetting others in acts of academic misconduct.~~
- ~~● Fabrication or falsification of information, citation or result in an academic exercise. Falsification does not include those factors intrinsic to the process of academic research such as honest error, conflicting data, or differences in interpretation or assessment of data or experimental design.~~
- ~~● Deliberate destruction of or tampering with one's own research data or that of others, or other practices that deviate significantly from those which are commonly accepted as appropriate within scholarly communities.~~
- ~~● Failure to comply with university policy or with relevant federal or provincial statutes or regulations for the protection of researchers, human participants or the health and safety of the public or the welfare of animals.~~
- ~~● Violation of health and safety regulations in laboratory or other setting.~~
- ~~● Falsification of academic records, submission of false credentials or misrepresentation of facts for the purpose of gaining academic advantage or for any other purpose.~~
- Professional unsuitability, such as behaviour inconsistent with the norms and expectations of the profession.

Professional Unsuitability

Students in programs leading to professional certification must demonstrate behaviour appropriate to practice in those professions. Where a dean determines that behaviour inconsistent with the norms and expectations of the profession has been exhibited by a student, that student may be immediately withdrawn from the program by the dean or subject to one or more of the sanctions described below.

A student demonstrating professional unsuitability may be immediately suspended from any practicum, field work or similar activity at the discretion of the dean pending a final decision.

Procedures

With respect to all accusations of ~~academic misconduct~~professional unsuitability, students are presumed innocent until the contrary has been established. Decisions regarding the commission of ~~academic misconduct or~~ professional unsuitability are based on the balance of probabilities. A record of all allegations of ~~misconduct~~professional unsuitability, along with details of the resolution, will be entered into the central academic records kept by the School of Graduate and Postdoctoral Studies.

Faculty, staff or students who have reason to believe that an [act of professional unsuitability](#) ~~academic offence has been committed~~ ~~has been committed~~ should report the matter promptly to the appropriate dean(s) responsible. If the alleged academic offence occurs within a course, then the initial dean(s) for the allegation is/are the course dean(s). There also may be separate deans for the program in which the student is enrolled or for the student's supervisor. Should there be more than one dean involved, they will establish which dean(s) shall be responsible for addressing the complaint. In the case of allegations of misconduct in research and scholarship, there shall be an appropriate level of inquiry into the matter prior to the submission of a report on the offence, consistent with the university's policy on Integrity in Research and Scholarship.

The dean(s) shall establish a graduate integrity committee comprised of a dean's delegate and two members of the graduate faculty to investigate the complaint and recommend resolution. A student will not be permitted to withdraw from their courses or program until the matter is resolved and sanction imposed, if applicable.

The dean or their delegate must inform the student in writing of the allegations, the possible sanctions and provide the student with a copy of the pertinent policy statement. The student will be given 10 working days to prepare a response. The Graduate Integrity Committee will then meet with the student to hear the response. The student is entitled to be accompanied by up to two advisors at this meeting, provided the identity of the advisors is given no less than 48 hours before the meeting.

The committee shall then conduct a thorough investigation of the allegations and response, and make its recommendation to the dean within 10 further working days. The dean will notify the parties of the decision in writing. A copy of the decision will be provided on a need-to-know basis to administrative units (e.g., other faculties, the School of Graduate and Postdoctoral Studies).

Sanctions

If a student is deemed to have committed ~~academic misconduct~~ [an act of professional unsuitability](#), one or more of the following disciplinary sanctions may be imposed. The sanctions will be determined by the nature of the offence. Sanctions may include, but are not limited to, the following:

- A written reprimand warning the student that the behaviour was unacceptable and that further misconduct will lead to additional sanctions. A copy of the reprimand will be placed in the student's file, but no notation will appear on the academic record.
- Submission of a failing grade in a course.
- Disciplinary probation for the remainder of the student's registration in their current program of study. A note to this effect will be placed in the student's file, and a notation may appear on their academic record.
- Expunging of grades or revoking of degrees.
- Suspension from attendance from the university for a period not less than one term (fall or winter) and not exceeding three years as deemed appropriate. While suspended, a student may not register and loses the right to attend lectures, write examinations and receive payment from university sources. Courses taken elsewhere during the period of suspension are not eligible for transfer credit. Notice of suspension will be placed in the student's file and will appear on their academic record. The conditions of suspension will specify the length of time such notice will remain on the student's academic record.

- Permanent expulsion from the university. A note to this effect will be placed in the student's file and will remain on their academic record.
- Such other sanctions as deemed appropriate.

Transcript notations

Transcript notations for academic misconduct will include the following range of notations: grade of F assigned for [course number] for academic misconduct; suspended for academic misconduct for [dates of suspension]; and permanently expelled for academic misconduct.

Appeals

Decisions of deans relating to academic misconduct may be appealed to the Graduate Studies Committee of Academic Council. The student is given 10 working days to gather new evidence and to submit a letter of appeal to the Graduate Studies Committee. Under normal circumstances, disciplinary penalties will not be imposed before an appeal is decided, nor will official transcripts be issued during this period. Formal registration may be revoked where warranted. In the case of suspected professional unsuitability, a student may be withdrawn from classes, practica, work placements or other program-related activities pending the resolution of the case.

A student may apply to the Dean of Graduate Studies for continued attendance in classes and related activities while the appeal is being heard. In order for such a request to be granted, the dean must be satisfied that there would be no detrimental effect of such continued attendance. If the appeal is granted, formal registration will be reinstated.

Graduate academic appeals procedures

1. Appeals shall be heard by a panel of a minimum of three committee members. Committee members are determined by the Dean of Graduate Studies and include at least one student and at least two faculty members.
2. The appeal hearing shall be chaired by the Dean of Graduate Studies, or designate, who shall be counted as one of the panel members.
3. Decisions with respect to the final disposition of an appeal will be carried by a simple majority of panel members hearing the appeal.
4. An appellant must have completed any prior levels of appeal open to them before filing a Notice of Appeal with the committee.
5. An appeal to the committee shall be commenced by filing a Notice of Appeal in the required form no later than 4 p.m. on the tenth working day after the date of the decision that is being appealed.
6. The chair may refuse to give a hearing to an appeal on the grounds that it is not within the jurisdiction of the committee.
7. Notwithstanding a request for an oral hearing, the panel of the committee hearing an appeal may dismiss it by unanimous decision after considering the written submissions on the grounds that there is no real case for an appeal (i.e., the appeal is frivolous or vexatious and without merit).
8. In the Notice of Appeal, the appellant shall elect whether an oral hearing is requested. If no election is made, the appeal shall be determined in writing.
9. Where an appeal is to be determined in writing:

- i. As soon as reasonably practicable, the panel shall provide a copy of the Notice of Appeal to the responding faculty.
 - ii. The responding faculty has 10 working days to deliver to the panel a written response to the Notice of Appeal, attaching any documents relevant to the decision under appeal. A copy of the written response and attached documents shall be mailed to the appellant.
 - iii. The appellant shall have 10 working days from the mailing date of the responding faculty's response to provide any final written response. A copy of this shall be mailed to the faculty.
10. Where the appeal is to be determined by oral hearing:
 - i. Upon receipt of the Notice of Appeal, the panel, in consultation with the appellant and the responding faculty, will schedule a date for the oral hearing.
 - ii. No less than 10 working days prior to the hearing, the appellant shall deliver the following to the panel (three copies) and the responding faculty (one copy):
 - a. Any written submissions to be relied upon at the hearing.
 - b. Copies of all documents to be referred to at the hearing.
 - c. A list of persons attending as witnesses and a brief summary of each witnesses' intended evidence.
 - iii. No less than five working days prior to the hearing, the responding faculty shall deliver to the panel (three copies) and the appellant (one copy) of the material listed in paragraph 10(b), (i) to (iii) above.
11. Where the appeal is to be determined in writing, the members of the panel may convene in person or via teleconference.
12. For an oral hearing, the following procedures shall apply:
 - i. At the commencement of the hearing, the chair shall identify the parties and the members of the panel.
 - ii. The appellant, or a representative, shall briefly describe the case to be presented and provide factual support for the case through documentary evidence and testimony of the appellant and any witnesses, if relevant.
 - iii. The responding faculty, or a representative, shall briefly reply to the appellant's case and provide facts in opposition to the case through documentary evidence and the testimony of witnesses, if relevant.
 - iv. Panel members may ask questions at the conclusion of each person's statement or testimony, or at the conclusion of the appellant's or responding faculty's case.
 - v. Normally, neither the appellant nor the responding faculty may ask questions of the other's witnesses. However, where facts important to the decision of the appeal are in dispute, either party may ask permission and, if appropriate, the panel may grant permission for the cross-examination of some or all witnesses.
 - vi. Following the presentation of the appellant's and the responding faculty's cases, the appellant and the responding faculty may each make brief closing statements to summarize the main points of their respective positions.
 - vii. Following the foregoing steps, the parties will withdraw and the panel will move in camera for its deliberations.
 - viii. The decision of the panel will be in writing and shall include the names of the panel and all who appeared, a brief summary of the issues on the appeal, the panel decision and reasons in support of the decision.

13. The time limits specified under these procedures may be extended by the chair at the request of the appellant or responding faculty if reasonable grounds are shown for the extension.