UVIC UNIVERSITY OF VICTORIA

SENATE RULES AND PROCEDURES

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RULES AND PROCEDURES

1.00 These Rules and Procedures have been established in accordance with the *University Act*. In the event of a conflict the *University Act* will prevail.

2.00 The *University Act* sets out the powers of Senate.

3.00 The Senate Committee on Agenda and Governance will consider and make recommendations to Senate on any matters relating to rules and procedures that are not otherwise covered by these Rules and Procedures.

MEMBERSHIP

4.00 Senate membership is established in accordance with section 35(2) of the *University Act*. The current membership is set out in Appendix A.

Chair and Vice-Chair

5.00 The President will serve as Chair of Senate.

6.00 Senate will elect one of its members to serve as Vice-Chair. The Vice-Chair will serve as Chair in the absence of the President. The Vice-Chair will serve for a term of one year and until replaced, and may not serve more than two consecutive terms.

Leaves and Vacancies

7.00 Any elected member of Senate is entitled to a leave of absence for no more than three consecutive regular meetings of Senate. Unless granted an extension by the Chair, any absence beyond that will lead to a request for the resignation of the member.

8.00 If a vacancy in any position arises on Senate before the next regular election, the Senate secretary will report this to Senate at its next meeting and will enter a declaration of vacancy in the minutes of that meeting.

8.01 If the vacancy is an elected faculty member, professional librarian or continuing sessional, a by-election will be conducted in accordance with the *Rules to Govern Elections to the Board of Governors and the Senate*.

8.02 If the vacancy is a student or convocation member, the Senate secretary will consult the list of alternates from the immediate past election. If there is a suitable alternate, the candidate will be declared elected if the candidate received a percentage of votes at least equal to the percentage of participation in the election. If there is no alternate, the Senate secretary will issue a call for nominations, which will specify the Senate meeting at which an election on the floor of Senate will be held.

Duties

9.00 Senate members must carry out their functions with integrity, independence, good faith, and prudence of a reasonable individual.

10.00 Each member of Senate has a duty with other Senate members to act in the best interests of the University. Members of Senate may also bring the perspective of their colleagues and may articulate the interests of their home department and faculty.

Confidentiality

11.00 Senate members are expected to maintain the confidentiality of closed Senate deliberations and documents forever. Senate committee members are expected to maintain the confidentiality of confidential committee deliberations and documents forever.

MEETINGS

Participation

12.00 Members of Senate may only participate in Senate in person. Attendance or vote by proxy is not permitted.

12.01 Ex officio members of Senate may assign a delegate to attend an open session on their behalf in order to respond to questions that may arise.

12.02 Remote attendance at Senate is permitted when a member of Senate is prevented from attending the physical meeting location.

i) Senate members attending remotely ensure their full names are visible and cameras are turned on during the open and closed meetings of Senate.

ii) Senate members are expected to participate in the oral discussion of Senate irrespective of their mode of attendance. Messaging functions available with various software platforms are disabled.

Regular Meetings

13.00 Senate holds regular meetings each month from October to May. Regular meetings will normally be held on the first Friday of the month at 3:30 p.m. in the Senate and Board Chambers. Meetings may be scheduled on alternate dates and times to accommodate major events or notable dates.

14.00 A regular meeting may be cancelled by the Chair of Senate on recommendation of the Senate Committee on Agenda and Governance if the committee determines there is insufficient business to justify holding a meeting.

Special Meetings

15.00 Between June and September the Chair may call a special meeting if there is business that cannot be postponed until the next regular meeting. At any other time, a special meeting may be held at the discretion of the Chair, or at the request of at least eight members of Senate.

16.00 The notice for a special meeting will clearly specify the purpose of the meeting and will be circulated to Senate at least three days before the meeting.

17.00 At a special meeting, only the matter or matters specified in the notice may be considered.

Emergency Protocol

18.00 The *Emergency Protocol for Senate Operations* outlined in Appendix B is intended for use by Senate in case of emergencies or significant disruptions to academic program delivery.

18.01 In response to an emergency and in accordance with the *Emergency Protocol for Senate Operations*, Senate may delegate authority to the Senate Committee on Agenda and Governance or the Vice-President Academic and Provost.

Open and Closed Sessions

19.00 Meetings of Senate include an open and closed session, as necessary. The closed session is used for the discussion of business deemed by the Chair to be confidential.

20.00 The open session of a meeting is open to members of the public. Attendance is limited to the seating capacity of the visitors' gallery.

21.00 Normally, only members of Senate, and non-voting invitees with speaking rights as determined by Senate from time to time, may be present during the closed session.

22.00 The Chair, at his/her discretion, may invite non Senators to attend the closed session where their attendance supports the agenda.

23.00 The Chair, at his/her discretion, may have the visitors' gallery cleared or ask anyone who is interfering with the orderly conduct of the Senate's business to leave the visitors' gallery.

Quorum

24.00 The quorum required for all meetings of Senate will be fifteen members, at least eight of whom must be elected members.

25.00 For special meetings, at least five of the members required for quorum must be elected faculty members.

Agenda and Order of Business

26.00 The Chair is responsible for ensuring that Senate meetings proceed efficiently, fairly and in accordance with established rules. In fulfilling this responsibility, the Chair provides procedural guidance to members and makes procedural rulings on matters of process, order, and the interpretation of Senate rules and procedures.

27.00 The agenda for regular meetings is reviewed by the Senate Committee on Agenda and Governance, normally a minimum of 14 days prior to the scheduled meeting date.

28.00 Any member of Senate may request in writing that an item be added to the agenda of the next regular meeting. The request must be submitted to the Senate Committee on Agenda and Governance at least two days prior to its meeting to review the agenda.

29.00 The agenda for regular meetings will normally be circulated to members of Senate at least six days before the meeting is scheduled to take place.

30.00 There will be agendas for the open and the closed sessions. The open agenda will be made public.

31.00 The order of agenda items for regular open meetings will normally be:

1. Approval of the agenda
2. Minutes of the last meeting
3. Business arising from the minutes
4. Remarks from the Chair
5. Correspondence
6. Proposals and reports from Senate committees
7. Proposals and reports from faculties and other divisions
8. Proposals and reports from the Vice-President Academic and Provost
9. Other business
10. Adjournment

32.00 In exceptional circumstances, any urgent matter not on the agenda of a regular meeting may, at the request of a member of Senate and the discretion of the Chair, be added to the agenda under "other business".

33.00 The Chair will receive proposals at the beginning of a regular meeting for other changes to the agenda.

34.00 When the agenda is modified at a meeting, the Chair will declare it approved as amended, unless there is a call for a formal vote to approve the agenda. When there are no additions or changes to the agenda, the Chair will declare the agenda approved as circulated.

35.00 An item on the agenda of the open session may be placed into the closed session at any time prior to or during discussion of the item by successful motion to have it so placed.

36.00 For each agenda item, the Chair may develop a speakers list. Members must wait to be recognized by the Chair before speaking, avoid cross-talk, and adhere to time limits set by the Chair. A member of Senate may speak a second time on a particular item only after the Chair has exhausted the list of first-time speakers. The mover of a motion or amendment will have the final opportunity to speak.

Voting

37.00 Voting will normally be by show of hands. Alternatively, one or more secret ballots shall be held at the meeting by the open request of fourteen members of Senate.

38.00 Voting for the purpose of elections conducted on the floor of Senate will be by secret ballot.

39.00 Secret ballots by Senate members who attend remotely will be conducted via email to the University Secretary. This vote will be confidential but not anonymous.

40.00 The Chair will have the same right of a single vote as other members of Senate.

41.00 In the case of an equality of votes for and against a motion, the Chair will declare that the question is resolved in the negative.

42.00 The Chair will formally announce the outcome of each vote and this outcome will be recorded in the Senate minutes. Any member of Senate may ask that the vote count or the member's individual vote or abstention be recorded in the Senate minutes.

Recording

43.00 Senate proceedings may not be recorded or reported on using cameras or other electronic equipment unless approved at the discretion of the Chair prior to the meeting.

Minutes

44.00 The minutes shall be the official record of a Senate meeting.

45.00 The minutes of each meeting will be circulated in draft form to members of Senate for approval at the next regular meeting. Draft minutes of a previous open session will be approved by Senate during the open session. Draft minutes of a previous closed session will be approved by Senate at the closed session.

46.00 Once approved, the minutes of an open session will be sent to the offices of Departments and Schools, the offices of senior officers of the university, the University of Victoria Students' Society, and the Graduate Students' Society.

Approval by Email

47.00 In exceptional circumstances, the Chair, after consultation with the Senate Committee on Agenda and Governance, may request voting on the motion of an item by mail or email with a report to Senate at the next meeting.

SENATE COMMITTEES

48.00 Senate will establish such standing and *ad hoc* committees it deems necessary and Senate will determine the terms of reference, membership and the method of appointing or electing members to those committees.

49.00 The following Senate standing committees have been established by Senate:

- Senate Committee on Academic Standards
- Senate Committee on Admission, Re-registration and Transfer
- Senate Committee on Agenda and Governance
- Senate Committee on Appeals
- Senate Committee on Awards
- Senate Committee on Continuing Studies
- Senate Committee on Curriculum
- Senate Committee on Honorary Degrees and Other Forms of Recognition
- Senate Committee on Learning and Teaching
- Senate Committee on Libraries
- Senate Committee on Planning
- Senate Committee on University Budget

Terms of Reference

50.00 The terms of reference of Senate standing or *ad hoc* committees are as determined by Senate. The terms of reference for the Senate standing committees are set out in Appendix C.

51.00 A Senate standing or *ad hoc* committee may consider any item that falls within its terms of reference, or items referred to it by the Senate Committee on Agenda and Governance.

52.00 A Senate standing committee may consider items that fall outside its terms of reference if it:

52.01 notifies and works in conjunction with any other Senate standing or *ad hoc* committee that has authority to consider the item as provided by its terms of reference; and

52.02 seeks the approval of the Senate Committee on Agenda and Governance.

53.00 Senate standing and ad hoc committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

Reports from Senate Committees

54.00 The Senate standing committees will submit an annual report to Senate. *Ad hoc* committees of Senate will submit annual reports to Senate during the time that those committees are active.

54.01 Annual reports will include information about meeting dates, actions taken and issues considered by a committee over the course of the year. Annual reports may also identify issues recommended by the committee for consideration by Senate.

55.00 The schedule for submission of annual reports to Senate by Senate standing committees is as follows:

- January: Senate Committee on Agenda and Governance – nominations sub-committee, Senate Committee on Admission, Re-registration and Transfer
- April: Senate Committee on Learning and Teaching, Senate Committee on University Budget
- May: Senate Committee on Planning, Senate Committee on Appeals, Senate Committee on Honorary Degrees and Other Forms of Recognition, Senate Committee on Libraries
- October: Senate Committee on Continuing Studies; Senate Committee on Curriculum
- November: Senate Committee on Awards, Senate Committee on Academic Standards

56.00 Each report to Senate from a Senate standing or *ad hoc* committee shall include the names of all members of the committee.

57.00 At the request of Senate, representatives of Senate on outside bodies may be invited to report to Senate on the activities of those bodies.

Composition of Senate Standing Committees

The composition of the Senate Committee on Agenda and Governance will include members of Senate only and will be determined in part through an election conducted on the floor of Senate. Two members of Senate who are not students or convocation members will be elected to the Senate Committee on Agenda and Governance by Senate at the May meeting.

58.00 In all other Senate standing committees, membership will include, where practicable and appropriate, at least two members of Senate, one of whom should normally be the Chair of the committee.

59.00 The Chairs of Senate standing committees will be appointed by Senate for a one year term. The Chair of a standing committee will be eligible for re-appointment, but may not serve for a period longer than his or her maximum term on the committee.

60.00 Normally an ex officio member of a Senate standing committee will not be appointed Chair of that committee.

61.00 The President or nominee will be an ex officio member of all Senate committees except the Senate Committee on Appeals. If the President appoints a nominee, this appointment shall be a continuing appointment and it shall be made after consultation with the Senate Committee on Agenda and Governance; however, such a nominee may be withdrawn at any time by the President. Other ex officio members of the Senate standing committees will follow the same process for appointing a nominee.

62.00 Any Senate standing committee other than the Senate Committee on Appeals may co-opt non-voting members, in consultation with the Senate Committee on Agenda and Governance. Any Senate standing committee may appoint *ad hoc* sub-committees whenever necessary.

Appointment to Senate Standing Committees

63.00 Members of Senate standing committees will be appointed for a period of up to three years. A member of a standing committee will be eligible for re-appointment, but none may serve for more than six consecutive years.

64.00 In accordance with its terms of reference, the Senate Committee on Agenda and Governance will normally be responsible for preparing recommendations on the membership of Senate standing and *ad hoc* committees for consideration by Senate at its May and October meetings, or as necessary. Further nominations may be made by the members of Senate present at the meeting at which nominations are considered, provided consent of the nominee has been obtained. In such case, an election will be held to determine the committee membership.

Leaves and Vacancies

65.00 A member of a Senate standing committee, whether they are a member of Senate or not, will be entitled to a leave of absence for no more than three consecutive regular meetings of the committee. Unless granted an extension by the Chair, any absence

beyond that will lead to a request for the member's resignation from the Senate standing committee.

66.00 A member of a Senate standing committee who is on leave will normally be replaced for the duration of his/her leave and return to the committee upon return from leave. In exceptional cases, a member may wish to continue serving on the Senate standing committee while on leave and this may be allowed, subject to the appropriate approvals.

67.00 Vacancies on Senate standing committees that arise during the year will be filled by appointment by Senate upon recommendation of the Senate Committee on Agenda and Governance.

68.00 If vacancies arise during the year for the members of the Senate Committee on Agenda and Governance elected to the committee on the floor of Senate, these will be filled through an election carried out on the floor of Senate.

69.00 Vacancies that arise on the Senate Committee on Admission, Re-registration and Transfer or the Senate Committee on Appeals will be filled without delay by the Senate Committee on Agenda and Governance, subject to ratification by Senate at its next meeting.

AMENDMENTS TO RULES AND PROCEDURES

70.00 Any proposal to amend or change the Senate Rules and Procedures, including a request to establish a new Senate standing committee or changes to the terms of reference of an existing Senate standing committee, will be presented in the form of one of the following:

70.01 a notice signed by at least one-fourth of the members of Senate;

70.02 a notice from a Senate standing committee;

70.03 a notice from an *ad hoc* committee appointed by Senate to examine the Senate Rules and Procedures; or

70.04 a notice made by a member of Senate during the course of a Senate meeting and approved by a majority of those present at the meeting.

71.00 A notice to amend or change the Senate Rules and Procedures must specify the amendment or change proposed. The proposal will be included in the agenda of the next regular meeting of Senate, or will be considered at a special meeting called for that purpose. Following the receipt by Senate of such notice, the Senate Committee on Agenda and Governance will study the proposed amendment or change, will seek advice, as deemed appropriate by the committee, and will report its opinion or findingsto the person(s) or committee proposing the amendment or change and to Senate in time for the ordinary or special meeting at which the amendment or change will be considered.

71.01 A notice to amend or change the Senate Rules and Procedures submitted by the Senate Committee on Agenda and Governance may be considered at Senate at the first meeting at which it is submitted.

72.00 An amendment or change to the Senate Rules and Procedures will be considered passed if it is approved by at least two-thirds of the members of Senate present at the meeting.

Revisions approved by Senate on:
November 4, 1981
May 20, 1981
December 1, 1982
November 7, 1984
January 7, 1987
May 4, 1988
January 11, 1989
April 4, 1990
April 1, 1992
November 7, 2001
May 6, 2005
May 5, 2006
May 6, 2011
December 6, 2013
April 6, 2015
November 3, 2023
December 6, 2024
May 2, 2025
October 2, 2026

APPENDIX A
Senate Membership
Section 35(2) of the *University Act*

Part 7 — Senate

Senate of university other than University of British Columbia or special purpose, teaching university

35 (1) The senate for each university other than the University of British Columbia or a special purpose, teaching university is continued.

(2) The senate of each university other than the University of British Columbia or a special purpose, teaching university is composed of the following:

(a) the chancellor;

(b) the president, who is the senate's chair;

(c) the academic vice president or equivalent;

(d) the deans of faculties;

(e) the chief librarian;

(f) the director of continuing education;

(g) a number of faculty members equal to twice the number of senate members provided in paragraphs (a) to (f), to consist of 2 members of each faculty elected by the members of that faculty, and the remainder elected by the faculty members in the manner that they, in joint meeting, determine;

(h) a number of students, equal to the number of senate members provided in paragraphs (a) to (f), elected from the students who are members of an undergraduate student society or a graduate student society, in a manner that ensures that at least one student from each faculty is elected;

(i) 4 persons who are not faculty members, elected by and from the convocation;

(j) one member to be elected by the governing body of each affiliated college of the university;

(k) additional members, determined by the senate, without altering the ratio set out in paragraphs (g) and (h).

APPENDIX B

EMERGENCY PROTOCOL FOR SENATE OPERATIONS

This protocol is intended for use in case of emergencies and significant disruptions to academic program delivery and aims to ensure that the university is able to:

- make timely decisions and communicate with students;
- ensure academic continuity where possible; and
- make necessary adjustments to academic policy and regulations.

Some types of emergencies can be planned for in advance. In those cases any delegation of authority should be carried out in advance at scheduled meetings of Senate.

UVic Emergency Response Plan*	Incident/emergency types	Authority	Trigger for delegation
Level 1 - Local	Localized incidents with minimal disruption and/or damage to campus - e.g. plumbing failure, small hazardous spill	If time allows (i.e. a response can wait 3 or more days): 1. Call special meeting of Senate. 2. Recommendations relating to an emergency must come from the Vice-President Academic and Provost for decision by Senate. 3. In addition to making a decision, Senate may delegate authority for further decision making to the Senate Committee on Agenda and Governance, the Vice-President Academic and Provost or other officers and committees, if/as required. If, instead, a response is required within 3 days (i.e. the notice requirement for calling special meeting of Senate), the Senate Committee on Agenda and Governance is authorized to make decisions on behalf of Senate. Decisions will be made as follows: 1. An urgent meeting of the Senate Committee on Agenda and Governance will be called. 2. Recommendations relating to an emergency must come from the Vice-President Academic and	Senate motion (if time permits), otherwise triggered by emergency event

		Provost for decision by the Senate Committee on Agenda and Governance. 3. The Senate Committee on Agenda and Governance must consult with the chair of the Senate Committee on Academic Standards and other Senate committee chairs, as appropriate. 4. If the quorum requirement for a meeting of the Senate Committee on Agenda and Governance cannot be met within 24 hours, the President is authorized to make decisions on behalf of the committee until such time as a meeting can be convened. 5. Decisions made under delegated authority must be reported to Senate at its next scheduled meeting.	
Level 2 - Major	Considerable damage or disruption to campus - e.g. damage to a building (e.g. library), major and sudden student system issues, or any other event leading to significant disruption to academic program delivery (e.g. major flu outbreak, major threat to health or welfare of campus community)	If time allows (i.e. a response can wait 3 or more days): 1. Call special meeting of Senate. 2. Recommendations relating to an emergency must come from the Vice-President Academic and Provost for decision by Senate. 3. In addition to making a decision, Senate may delegate authority for further decision making to the Senate Committee on Agenda and Governance, the Vice-President Academic and Provost or other officers and committees, if/as required. If, instead, a response is required within 3 days (i.e. the notice requirement for calling special meeting of Senate), the Senate Committee on Agenda and Governance is authorized to make decisions on behalf of Senate. Decisions will be made as follows: 1. An urgent meeting of the Senate Committee on Agenda and Governance will be called. 2. Recommendations relating to an emergency must	Senate motion (if time permits), otherwise triggered by emergency event

		come from the Vice-President Academic and Provost for decision by the Senate Committee on Agenda and Governance. 3. The Senate Committee on Agenda and Governance must consult with the chair of the Senate Committee on Academic Standards and other Senate committee chairs, as appropriate. 4. If the quorum requirement for a meeting of the Senate Committee on Agenda and Governance cannot be met within 24 hours, the President is authorized to make decisions on behalf of the committee until such time as a meeting can be convened. 5. Decisions made under delegated authority must be reported to Senate at its next scheduled meeting.	
Level 3 - Catastrophic	Wider impact on region resulting in extensive damage and/or disruption to campus and academic program delivery - e.g. earthquake, severe weather, major fire or explosion affecting multiple buildings, major power outage	During a catastrophic emergency, the Vice-President Academic and Provost is authorized to make decisions in consultation with chair of Senate (i.e. the President of the university). In the absence of the Vice-President Academic and Provost, the President is authorized to make these decisions. Decisions made under delegated authority must be communicated to Senate as soon as possible in the circumstances, with a full report provided to Senate at its next scheduled meeting.	Emergency event

In most cases, recommendations related to significant disruptions to academic program delivery will come from the Vice-President Academic and Provost to Senate or to the Senate Committee on Agenda and Governance (as delegated by Senate). The types of recommendations and decisions that should be considered by Senate Committee on Agenda and Governance and the Vice-President Academic and Provost in case of emergency include, but are not limited to:

- cancellation of classes
- cancellation of courses
- delay of exam period

- changes to add/drop deadlines
- changes to review timelines for academic accommodations
- change to academic concession requirements
- changes to published dates for the end of classes and for course examinations
- completion of course requirements
- change to assessment requirements
- changes to requirements of continuing awards
- approval of the granting of student scholarships and awards
- cancellation or re-scheduling of accommodated exams

Decisions made under delegated authority should be confined to dealing with specific issues related to the emergency for the period of the emergency and as necessary in the period immediately after the emergency. Care must be taken to avoid making decisions that may have ongoing implications for the delivery of academic programs. Decisions made under delegated authority must be reported to Senate at the next scheduled meeting. At that meeting members of Senate will be given the opportunity to provide feedback and raise concerns which will be formally reported back to the Senate Committee on Agenda and Governance and the Vice-President Academic and Provost, and any other officers or committees who made decisions under delegated authority during the course of an emergency.

Decisions made under delegated authority that require approval by the Board of Governors must be forwarded to the Board of Governors for approval before implementation.

The types of recommendations and decisions that would not be considered in the case of an emergency include motions/proposals from Senate committees unrelated to the emergency including:

- approval of new programs
- approval of changes to and student awards
- approval of honorary degrees
- approval of membership appointments
- Senate committee annual reports
- academic policy changes (unrelated to the emergency event)

** The emergency levels used in the Emergency Protocol for Senate Operations are in line with the university's emergency response plan.*

Approved by Senate:
December 6, 2013

University of Victoria

Senate Committee on Academic Standards
Terms of Reference

The committee shall foster and protect the overall academic standards of the university, and, in particular shall:

1. Oversee and advise Senate on those broad areas of academic standards that affect the welfare and reputation of the university, including policies on grading and academic integrity;

2. Recommend to Senate regarding the appropriate policies and procedures to be used in granting admission, re-registration, and transfer of credit that would affect academic standards;

3. Advise Senate on any university policy, regulation, procedure, or practice that affects academic standards that in the Committee's view needs review and revision, and recommend appropriate action;

4. Approve, on behalf of Senate, the granting of degrees (other than honorary degrees) and report to Senate on degrees awarded;

5. Consider and, if appropriate, approve on behalf of Senate, requests for early granting of degrees and for waiver of degree requirements under exceptional circumstances and report to Senate on the disposition of such requests;

6. Consider any proposals for the rescinding of a degree and make a recommendation to Senate;

7. Consider proposals from other sources, inside and outside the university, that could affect academic standards;

8. Consult with the faculties on all matters considered by the committee which are of significance to the faculties; and

9. Receive annual reports from the chair on any issues arising from the annual review of the curriculum at the meeting of the Senate Committee on the Curriculum.

Senate standing and *ad hoc* committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

<u>Composition:</u>

- 10 faculty members representing the faculties (at least 2 of whom shall be senators), voting
- 1 representative from the Division of Continuing Studies, voting
- 4 students including at least 1 student senator and 1 graduate student, voting
- President or nominee, *ex officio*, voting
- Vice-President Academic and Provost or designate, *ex officio*, voting
- Convocation Senator, voting

- Executive Director, Cooperative Education and Career Services, ex officio, non-voting
- Registrar, ex officio, non-voting
- Associate Registrar, Registrar Services, ex officio, non-voting
- Associate Dean, Academic Advising (Faculties of Science, Social Sciences, and Humanities), ex officio, non-voting
- Associate Vice-President Academic Programs, ex officio, non-voting

Total membership = 23 (18 voting members)

The secretary of the committee is the Associate University Secretary.

Approved and Revised by Senate:
April 6, 1983
October 6, 1995
May 4, 2007
May 4, 2012
October 4, 2013
December 6, 2013
October 2, 2020
October 1, 2021
April 4, 2025

University of Victoria

Senate Committee on Admission, Re-registration and Transfer Appeals Terms of Reference

1. Preamble

a) The Senate Committee on Admission, Re-registration and Transfer Appeals (the "Committee"), a standing committee of Senate, is an impartial appeal body at the University of Victoria. In accordance with the *University Act* (RSBC 1996 c. 468), the Senate has delegated to the Committee the authority and responsibility to decide, on behalf of the Senate, all appeals from students on decisions made regarding undergraduate admission, re-registration, and transfer of credit, including those which are made under exceptional circumstances or special access categories as defined in the Calendar regulations.

b) Prior to filing an appeal with the Committee, a student must have pursued and exhausted all other reviews, appeals, or remedies provided by the University of Victoria's Undergraduate Admissions and Undergraduate Records offices.

2. Committee Composition

c) Membership

The membership of the Committee shall consist of eighteen (18) members, twelve (12) of which are voting. The composition of the members are as follows:

- eight (8) regular faculty members representing the faculties, one of whom shall serve as Chair of the Committee, and one of whom shall serve as Vice-Chair (voting)
- the President or nominee (*ex officio*, voting)
- two (2) undergraduate student members of Senate (voting)
- one (1) student appointed upon nomination by the UVSS (voting)
- the Associate Dean, Academic Advising (Faculties of Science, Social Sciences, and Humanities) (*ex officio*, non-voting)
- the Director or equivalent of an Advising Centre from a faculty other than Humanities, Science and Social Sciences, or designate (*ex officio*, non-voting)
- the Director or equivalent of International Centre for Students (*ex officio, non-voting*)
- the Director of Counselling Services or designate (*ex officio*, non-voting)
- the university representative to the B.C. Council on Admission and Transfer, Transfer and Articulation Committee (*ex officio*, non-voting)
- the Registrar (*ex officio*, non-voting)

Total membership - 18 (12 voting members)

d) The secretary of the committee is an Associate Registrar from the Office of the Registrar and Enrolment Management (as designated by the University Secretary). A representative from the Office of the Registrar and Enrolment Management will be the recording secretary.

3. Committee Procedure

e) A quorum for a meeting of the Committee shall be four of the voting members. Of these members, at least half the voting members present must be faculty members.

f) Committee members will receive an orientation on the processes of administrative tribunals and the principles of relational, procedural and substantive fairness. The Committee will also inform itself on the processes and policies for admission, re-registration, and transfer of credit, and rule on appeals of decisions regarding admission, re-registration, and transfer of credit fairly and expeditiously.

g) The Faculty of Graduate Studies will rule on admission, re-registration, and transfer appeals related to graduate students. The Faculty of Graduate Studies will provide the Committee with an annual report in October that includes an outline of the process for making appeal decisions, and a summary of the number of graduate appeals heard by general category together with the number of appeals accepted and the number rejected.

h) Prior to an appeal being heard, the Chair of the Committee may appoint one or more individuals with pertinent expertise to inquire into and to advise or report on any question of fact or opinion relevant to any issue in an appeal, including issues involving disability, language or cultural considerations.

i) The Committee shall determine its decision regarding an appeal by voting. A simple majority of the voting members present must be in favour for an appeal to be granted (a tie vote fails).

j) The Vice-Chair shall chair the Committee in the event the Chair is absent or has a conflict of interest with an appellant.

k) A record of the minutes of meetings and decisions made by the Committee shall be kept in the Office of the Registrar and Enrolment Management to support consistency in its decisions.

l) Documentation and discussions regarding appeals shall be held in confidence. Committee members shall not discuss the substance of an appeal outside Committee meetings.

4. Appeal Procedure

m) The Committee has jurisdiction to hear appeals of decisions made regarding undergraduate admission, re-registration, and transfer of credit, including (but not limited to) the following:
   - withdrawal an offer of admission or re-registration due to unsatisfactory academic performance;
   - refusal of admission, due to unsatisfactory academic performance;
   - special access categories as defined in the Calendar regulations
   - an assigned requirement to withdraw;
   - denial of transfer credit from other institutions

- decisions related to a violation of the failure to declare studies elsewhere Calendar regulations, such as:
  - denial or cancellation of an application for admission or re-registration
  - rescinding an offer of admission or re-admission and a ban on any application for at least one term
  - cancellation of current registration;
  - the denial of transfer credit from institutions where attendance was not disclosed
  - the display on the official transcript of all penalties assigned
  - placement on disciplinary probation

n) A student or applicant wishing to appeal a decision to the Committee (the "appellant") shall complete a Senate Committee on Admission, Re-registration and Transfer Notice of Appeal Form with supporting documentation. Should the Office of the Registrar and Enrolment Management deem that the appeal lacks sufficient supporting documentation, the appellant will be notified and given the opportunity to supplement the appeal before it goes to the Committee.

o) Grounds for appeal are limited to:

i) unforeseen extenuating circumstances supplemented with relevant documentation;

ii) significant physical affliction or psychological distress documented by a physician or other health care professional;

iii) documented significant distress, or documented significant responsibility as a caregiver, as a result of an immediate member of the family suffering from serious trauma or illness;

iv) evidence of incorrect advice or errors of administration by authorized University personnel, with evidence that the appellant's studies were adversely affected;

v) new, material information is available which, despite the exercise of due diligence by the appellant, could not have been presented at the time of the decision giving rise to the appeal, and the relevance and significance of the new information is such that if it had been submitted at the time of the decision, could reasonably have been expected to have altered the outcome.

p) Dissatisfaction with University regulations, or disagreements concerning the evaluation of admissibility of evaluation of credit value equivalency (e.g. calculation of G.P.A., credit conversion, or questions regarding satisfaction of English proficiency) or failure to meet published deadlines do not constitute grounds for appeal.

q) For each appeal, the senior member of Undergraduate Admissions or Undergraduate Records (or designate) shall be present to provide information on applicable university calendar regulation, policy and procedures to the Committee.

r) Appellants do not attend Committee meetings. An appeal is decided based on the appellant's written documentation provided and the information package submitted through the Office of the Registrar and Enrolment Management, which includes (but is not limited to) a summary of the students' academic record, student's transcripts, and additional information provided for the appeal submitted by the student.

s) The Committee may defer an appeal decision pending receipt of more information and may request additional documentation. If any Committee members request additional information, this will only be done if the Committee Chair decides that this additional information would be both relevant and cogent to deciding the appeal.

t) Appeal decisions are communicated to the student in writing by the Office of the Registrar and Enrolment Management (Undergraduate Admissions or Undergraduate Records units) within one week of the decision.

u) The Committee's decision may be appealed to the Senate Committee on Appeals only on the grounds of specific procedural error.

5. Delegated Authority

The Committee may delegate to the Office of the Registrar and Enrolment Management the Committee's authority to approve an admission or re-registration appeal in the following circumstances:

Admission:

- circumstances in which the student is denied admission due to being below the current cut-off but is above the calendar-stated university minimum; or,
- circumstances in which the student's admission offer is being withdrawn due to being below the current retaining average/GPA but is above the calendar-stated university minimum.

Re-registration:

- circumstances in which the student is denied re-registration due to the first assignment of a requirement to withdraw with documentation as described below; or,
- circumstances in which the student is denied re-registration due to the first assignment of a requirement and the student has, at maximum, two outstanding courses required for degree completion.

The approval of delegated appeals will be based on (but not limited to) demonstrated medical or other exceptional grounds in which the student has provided documentation for the period described (e.g. additional academic information such as, SAT/ACT scores, institutional comparative ranking etc.), and in consultation with the appropriate academic unit in the case of selective program decisions.

6. Annual Report to Senate

v) The Committee's annual report to Senate shall contain the following information:

- the number of appeals that have been heard and decided since the last report to Senate;
- a summary of the appeals heard by general category together with the number of appeals allowed and the number rejected;
- the report from the Faculty of Graduate Studies described in section 3g)

w) The Committee may request further information from the Faculty of Graduate Studies following receipt of the report described in section 3g).

x) If the Committee finds any university policy, regulation, procedure, or practice related to admission, re-registration, or transfer – including these Terms of Reference – that appears to need review and revision, the Committee may advise the Senate and recommend appropriate action.

<u>Approved and Revised by Senate:</u>
December 1, 1976
April 1, 1992
November 4, 1992
October 5, 1994
February 4, 2011
February 7, 2014
May 2, 2014
May 5, 2017
January 11, 2019
October 2, 2020
October 1, 2021
November 7, 2025

University of Victoria

Senate Committee on Agenda and Governance Terms of Reference

1. The Senate Committee on Agenda and Governance (Committee) shall:

    a. assist the Chair of Senate in preparing the agenda of the Senate meetings;
    b. ensure that the items included in the Senate agenda fall within the powers of Senate in accordance with the *University Act* and clearly state their purpose and intent;
    c. review the Rules to Govern the Conduct of Senate Procedures and the Rules to Govern Elections to the Board of Governors and Senate and make recommendations for their revision from time to time;
    d. deal with all matters of governance and procedures that fall within the powers and duties of Senate that may be referred to it from time to time by Senate; and
    e. make recommendations to Senate with regard to the membership, structure, terms of reference and procedures of Senate Committees and, where appropriate, any other committees requiring representation from members of Senate or faculty representation.

2. The Committee will not interfere with the rights of a Faculty, a Senate committee or a member of Senate to bring any matter to the attention of Senate that falls within the powers of Senate for information or necessary action.

3. The Committee may appoint *ad hoc* sub-committees consisting of Senate or non-Senate members to assist the Committee in the performance of its duties.

4. In response to an emergency which disrupts the delivery of academic programs, Senate may delegate authority to the committee for specific decision making, as documented in the *Emergency Protocol for Senate Operations* (see *Senate Rules and Procedures*, Appendix A)

5. The quorum of the Committee when it meets to discuss matters concerning the Senate agenda shall be 3 members, at least one of whom shall be a faculty member.

6. The quorum of the Committee when it meets to discuss matters of governance or procedures shall be 5 members.

7. The quorum of the Committee when it meets in accordance with the *Emergency Protocol for Senate Operations* shall be 3 members, not including the Vice-President Academic and Provost.

Senate standing and ad hoc committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

Composition:

- 5 members of Senate who are either faculty members, a professional librarian or a continuing sessional* (voting)
- 1 student member of Senate (voting)
- 1 convocation member of Senate (voting)
- the President as Chair of Senate (*ex officio*, voting)
- the Vice-Chair of Senate (*ex officio*, voting)
- Vice-President Academic and Provost (*ex officio*, voting)
- University Secretary (*ex officio*, non-voting)

Total membership - 11 (10 voting members)

**Two members from this category shall be elected to the Committee by Senate, in accordance with section 55.00 of the Senate Rules and Procedures. The other 3 members shall be appointed by Senate upon recommendation of the nominations sub-committee*.

The secretary of the committee is the Associate University Secretary.

Senate Committee on Agenda and Governance Nominations Sub-committee

Procedures

1. The nominations sub-committee will meet to propose recommendations for the membership of Senate committees for consideration at the May and October meetings of Senate. All recommendations to Senate must have the consent of the nominees.

2. The nominations sub-committee will annually publicize to the Senate and the university community a list of Senate committee vacancies for the upcoming year. Nominations for the vacancies should be submitted in writing to the Chair of the nominations sub-committee committee by a specified deadline.

3. Nominations sub-committee members are urged to suggest candidates for vacancies and should not limit suggestions to candidates from their own faculty.

4. The nominations sub-committee will consider nominations received, in addition to names put forth by members of the nominations sub-committee in making its recommendations to Senate.

5. The nominations sub-committee will consider the following when preparing its recommendations to Senate:
    a. Rotation of committee members in accordance with Senate regulations and the need to provide adequate continuity;
    b. Both administrative and academic loads on individuals;
    c. Desirability of spreading committee responsibilities as widely as possible throughout a faculty and across faculties; and
    d. The acquainting of a new faculty members with university procedures.

6. The members of the Senate present at the May and October meetings may make further nominations for the Senate committee vacancies. Senate will elect the committee members from the list of nominees, if more than one per vacancy is received.

7. The nominations sub-committee will recommend to Senate names to fill any Senate committee vacancies that arise through the year.

Nominations Sub-Committee Composition

8. The Committee will form a nominations sub-committee to recommend to Senate the membership of Senate Committees and, where appropriate, other committees requiring representation from members of Senate or faculty representation. The nominations sub-committee will be composed of the following committee members:

    - the President or nominee (*ex officio*, voting)
    - the Vice-Chair of Senate (*ex officio*, voting)
    - the student member of Senate (voting)
    - two members of the Committee who are not students, one of whom will be a member elected to the Committee by Senate and will serve as the Chair of the sub-committee (voting).

    Total membership – 5 (5 voting)

    The secretary of the sub-committee is the Associate University Secretary.

Student Membership on Senate Standing Committees

9. As approved by Senate on 15 April 1969, the minimum student representation on Senate committees shall be as follows:

    a. Senate Committee on Academic Standards: 2 students, including 1 graduate student and 1 undergraduate student, at least 1 of whom must be a member of Senate (the other will be nominated by the UVSS or the GSS as appropriate);
    b. Senate Committee on Admission, Re-registration and Transfer: 2 student members of Senate;
    c. Senate Committee on Agenda and Governance: 1 student member of Senate;
    d. Senate Committee on Appeals: 3 student members of Senate;
    e. Senate Committee on Awards: 1 student member of Senate;
    f. Senate Committee on Continuing Studies: 2 students, including at least 1 graduate student and 1 undergraduate student, at least 1 of whom must be a member of Senate (the other will be nominated by the UVSS or the GSS as appropriate);
    g. Senate Committee on Curriculum: 1 student member of Senate from the Senate Committee on Academic Standards;
    h. Senate Committee on Honorary Degrees and Other Forms of Recognition: 1 student member of Senate;

i. Senate Committee on the Library: 2 students, including 1 graduate student and 1 undergraduate student, at least 1 of whom must be a member of Senate (the other will be nominated by the UVSS or the GSS as appropriate);
j. Senate Committee on Planning: 2 students, including at least 1 graduate student and 1 undergraduate student, at least 1 of whom must be a member of Senate (the other will be nominated by the UVSS or the GSS as appropriate);
k. Senate Committee on Teaching and Learning: 5 students, including at least 1 student member of Senate, 2 undergraduate students and 1 graduate student; and
l. Senate Committee on University Budget: 1 student member of Senate.

<u>Approved and Revised by Senate:</u>
February 5, 1975
May 6, 2011
December 6, 2013

University of Victoria

Senate Committee on Appeals
Terms of Reference and Procedural Guidelines

Terms of Reference
Procedural Guidelines for Academic Appeals
Procedural Guidelines for Non-Academic Appeals

Terms of Reference

1. Preamble

(a) The Senate Committee on Appeals (the "Committee"), a standing committee of Senate, is an impartial final appeal body of last resort for students at the University of Victoria. In accordance with the *University Act* (RSBC 1996 c. 468), the Senate has delegated to the Committee the authority and responsibility to decide, on behalf of the Senate, all final appeals from students on matters involving the application of academic regulations and requirements.

(b) The Committee has no jurisdiction to consider a decision where the sole question in the student's appeal turns on a question of academic judgment.

(c) The Committee also hears student appeals from decisions of the President to suspend a student or deal summarily with any matter of student discipline in accordance with section 61 of the *University Act*, including appeals of temporary or permanent suspensions following proceedings under the Resolution of Non-Academic Misconduct Allegations Policy (AC1300) or the Sexualized Violence Prevention and Response Policy (GV0245).

(d) Prior to filing an appeal with the Committee, a student must have pursued and exhausted all other reviews, appeals, or remedies provided by the University of Victoria's undergraduate or graduate calendars or by the policies or regulations of the university or the student's faculty.

2. Senate Committee on Appeals

(a) Composition

The membership of the Committee shall consist of fourteen (14) members appointed by the Senate on the recommendation of the Senate Committee on Agenda and Governance, and membership is not restricted to members of Senate. The membership of the Committee shall consist of:

(i) ten (10) faculty members, one from each faculty, at least five (5) of whom shall be members of Senate (voting)
(ii) one (1) graduate student representative (voting)
(iii) five (5) student members of Senate from at least three different faculties (voting)

Total membership – 16 (16 voting members)

(b) The secretary of the committee is the Associate University Secretary (as designated by the University Secretary).

(c) A quorum for a meeting of the Committee for matters other than the hearing of a student appeal shall be 50% of the members plus one (1).

(d) Committee members will receive training on the processes of administrative tribunals and the principles of procedural fairness.

(e) Senate standing and *ad hoc* committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

3. Hearing Panels Composition

(a) Hearing Panels

Each student appeal that proceeds for consideration by the Committee shall be heard by a Hearing Panel composed of members of the Committee. A Hearing Panel may explore the resolution of an appeal by mediation.

(b) Composition of Three (3) Member Hearing Panels

Each Hearing Panel shall normally consist of three (3) members of the Committee unless the Committee Chair determines that the issues are of such significance that a five (5) member panel is warranted. A three (3) member panel shall be composed as follows:

(i) the Chair or Vice-Chair of the Committee who shall serve as Chair of the Hearing Panel;
(ii) one (1) student member; and
(iii) one (1) faculty member.

(c) Composition of Five (5) Member Hearing Panels

The Committee Chair may determine that the issues under appeal are of such significance that a five (5) member Hearing Panel is warranted, in which case one (1) additional student member and one (1) additional faculty member will be added to the Hearing Panel.

(d) Selection of Hearing Panel Members

The University Secretary shall select the Hearing Panel in accordance with Terms of Reference and Procedural Guidelines, and with a view to creating a fair and impartial Hearing Panel. Before selecting members for the Hearing Panel the University Secretary will instruct potential panel members to disclose any known conflict of interest or apprehension of bias.

(e) Alternate Chair of Hearing Panel

If neither the Chair nor the Vice-Chair of the Committee is able to serve on a Hearing Panel, or at the request of the Committee Chair, the University Secretary shall designate another member of the Committee as the Chair of the Hearing Panel.

(f) Alternate Hearing Panel Members

If not enough Committee members are able to serve on a Hearing Panel, the University Secretary in consultation with the Senate Committee on Agenda and Governance may select faculty members and students who are not Committee members but who are members of Senate. The ratio of faculty members and students set out in subsections (b) and (c) must be maintained.

(g) Sexualized Violence Prevention and Response Policy Training

Committee members (including alternate Hearing Panel members) who are selected to hear an appeal of a decision made under the Sexualized Violence Prevention and Response Policy will receive training in accordance with that policy.

4. Individuals with Expertise to Advise the Committee or Hearing Panel

The Chair of the Committee or a Hearing Panel may at any time appoint one or more individuals with pertinent expertise to inquire into and to advise or report on any question of fact or opinion relevant to any issue in the appeal, including issues involving disability, language, or cultural considerations.

5. Procedural Guidelines

(a) The Committee shall follow procedural guidelines approved by Senate that govern the conduct of hearings. The Committee shall use the Academic Appeal procedural guidelines for appeals on matters involving the application of academic regulations and requirements, and the Non-Academic Appeal procedural guidelines for appeals of the President's decision to impose non-academic discipline.

(b) The Hearing Panel has the authority to depart from the approved procedural guidelines in order to ensure procedural fairness and natural justice with regard to an appeal.

(c) The Committee may, where a majority of all the members of the Committee agree, recommend to the Senate the amendment of the procedural guidelines from time to time in light of experience.

6. Time Limit for Filing an Appeal

Normally, an Appellant must file a Notice of Appeal with the University Secretary within two (2) months of the date of the final decision, action, or treatment being appealed. If the Notice of Appeal is not filed within this period of time, the Appellant must provide reasons for the delay in the Notice of Appeal and in exceptional circumstances the Committee Chair may consider whether the reasons warrant an extension of the time limit.

7. The Decision of a Hearing Panel is Final

The decision of a Hearing Panel is final and no appeal lies to the full Senate Committee on Appeals or to the Senate.

8. Re-opening of an Appeal

(a) Normally, an appeal may be re-opened only if, in the opinion of the members of the Committee who were not members of the Hearing Panel that initially heard the appeal, there is new, material evidence and the Committee is satisfied that:

(i) the evidence could not have been found and tendered at the original hearing by the exercise of reasonable diligence; and,
(ii) the relevancy and cogency of the new evidence is such that if it had been tendered at the original hearing it could reasonably be expected to have affected the outcome.

(b) Prior to making its decision, the Committee shall read the decision of the initial Hearing Panel including any dissenting reasons.

(c) Where the Committee decides to re-open an appeal, the appeal shall be referred to a Hearing Panel that consists of members who were not members of the Hearing Panel that previously heard the appeal.

(d) In all cases, an appeal may only be re-opened within one year of the Hearing Panel's final decision.

9. Annual Report to Senate

(a) The Committee's annual report to Senate shall contain the following information:

(i) the number of appeals that have been heard and decided since the last report to Senate;

(ii) a summary of each appeal that has been decided, prepared in a manner that is not likely to disclose the identity of the Appellant, the Respondent, or individual instructors, and that includes:

(1) the decision, act, or treatment that was the subject of the appeal;
(2) the grounds or reasons for the appeal;
(3) the remedy or relief sought by the Appellant;
(4) the disposition of the appeal by the Hearing Panel; and

(iii) the number of appeals that are pending where no decision has been rendered.

(b) If the Hearing Panel or the Committee has found any university policy, regulation, procedure, or practice, including these Terms of Reference, that appears to need review and revision, the annual report of the Senate

Committee on Appeals may recommend appropriate action.

Approved and Revised by Senate:
May 20, 1982
May 4, 1983
October 7, 1992
October 8, 1997
January 12, 2000
October 4, 2000
May 7, 2004
April 3, 2009
October 7, 2011
December 6, 2013
January 5, 2018
April 4, 2025

University of Victoria

Senate Committee on Appeals
Terms of Reference and Procedural Guidelines

PROCEDURAL GUIDELINES FOR ACADEMIC APPEALS

PREAMBLE

The purpose of these Procedural Guidelines is to provide guidance to Hearing Panels and the Parties to an appeal involving the application of academic regulations or requirements.

A Hearing Panel has the authority to depart from the Procedural Guideline to the extent necessary to ensure that the principles of fairness and natural justice are satisfied in a particular appeal.

DEFINITIONS

In these Procedural Guidelines:

"Appellant" means a person who has filed a Notice of Appeal.

"Business day" means a day when the university is open for business.

"Committee" means the Senate Committee on Appeals.

"Document" includes emails, letters, medical certificates, written opinions, and digitized information.

"Hearing Panel" is defined in the Senate Committee on Appeal's Terms of Reference.

"Party" means an Appellant or Respondent.

"Respondent" means the Dean or other person or body whose final act, decision, or treatment is the subject of an appeal.

"Student" means a student as defined by Senate and as set out in the current University of Victoria undergraduate and graduate calendars, including those students who meet the definition at the time of the action that is being appealed.

"University Secretary" means the University Secretary and includes a person designated by the University Secretary.

The singular of any term includes the plural.

PROCEDURAL GUIDELINES

1.0 NOTICE OF APPEAL

1.1 Prerequisite to Filing an Appeal

A Student who wishes to appeal must, prior to filing an appeal to the Committee, have exhausted any other reviews, appeals, or remedies provided by the University of Victoria's policies, undergraduate and

graduate calendars, or by the Student's faculty, including:

(a) asking for a review of an assigned grade under the Academic Regulations published in the university's undergraduate and graduate calendars;

(b) appealing a decision of a committee of a department, school, or faculty to the department, school, or faculty, as the case may be; and

(c) appealing a decision of a department, school, or faculty to the Dean of the faculty.

1.2 Filing Notice of Appeal

A Student who wishes to appeal must file a written Notice of Appeal with the University Secretary.

1.3 Time Limit within which Notice of Appeal must be filed

Normally, a Notice of Appeal must be filed with the University Secretary within two (2) months of the final decision, action, or treatment being appealed. The University Secretary shall determine whether a Notice of Appeal has been filed within the stipulated period. Where a Notice of Appeal is not filed within the stipulated period, the Appellant may provide written reasons that seek to excuse the delay in filing the Notice of Appeal. In exceptional circumstances the Committee Chair may determine that an extension is warranted, otherwise the Committee Chair shall deny the appeal.

1.4 Content of Notice of Appeal

An Appellant shall submit a completed Notice of Appeal form obtained from the University Secretary, which shall include:

(a) the final decision, action, or treatment that is being appealed including the date of the decision and name of the Respondent, and a copy of the decision if it was provided in writing;

(b) a summary of the background to the appeal including details of any previous reviews, appeals, or remedies that have been pursued and exhausted by the Appellant;

(c) a summary of the reasons and grounds for the appeal;

(d) a statement of the remedy or relief sought;

(e) any provision, regulation, or policy on which the Appellant relies;

(f) whether the Appellant seeks an in-person hearing or is satisfied with a hearing based solely on the written materials;

(g) any key Documents and a list of those Documents that are relevant to the Appellant's appeal; and

(h) a list of key Documents that the Appellant believes are in the possession of the Respondent and requests from the Respondent, and the reasons why the Documents are necessary.

2.0 JURISDICTION OF THE COMMITTEE AND COMPOSITION OF THE HEARING PANEL

2.1 Pure Appeal Only

The Committee hears appeals based on the record of the original decision and any other relevant Documents that the decision maker considered. The Committee does not re-hear matters, and will only consider new evidence to the extent necessary to hear an appeal under section 2.2(e).

2.2 Grounds for Appeal

A Student may only appeal on one or more of the following grounds:

(a) that a procedural error occurred of sufficient magnitude that it may reasonably be seen to have affected the fairness of the process or altered the outcome of the decision against the Student;

(b) that the decision under appeal was made with an erroneous interpretation of applicable university policies, procedures, regulations, or other rules, and this may reasonably be seen to have altered the outcome of the decision against the Student;

(c) that a factual error occurred of sufficient magnitude that it may reasonably be seen to have altered the outcome of the decision against the Student;

(d) that a reasonable person, exercising their judgment on the evidence leading to the decision that is under appeal, could not have made the decision that is under appeal; or

(e) that new, material evidence is available which, despite the exercise of due diligence by the Student wishing to appeal, could not have been made available at the time of the decision giving rise to the appeal, and the relevancy and cogency of the new evidence is such that if it had been tendered at the original hearing it could reasonably be expected to have altered the outcome.

2.3 Role of the Chair of the Senate Committee on Appeals

(a) The Committee Chair shall expeditiously review each Notice of Appeal and shall determine whether the appeal is within the Committee's jurisdiction.

(b) The Committee has jurisdiction to review decisions on matters involving the application of academic regulations or requirements. The Committee has no jurisdiction to consider a decision where the sole question in the Student's appeal turns on a question of academic judgment. The Committee also has jurisdiction to hear appeals from decisions of the President to suspend a Student or

deal summarily with any matter of Student discipline in accordance with section 61 of the *University Act*.

(c) Where the sole question raised in the appeal turns on the exercise of academic judgment, the Committee Chair shall determine that the appeal is outside the Committee's jurisdiction and the Committee shall not consider it.

(d) The Committee Chair may request that the Appellant or Respondent submit additional materials or information prior to making a final determination on jurisdiction.

(e) The Committee Chair's determination on jurisdiction is final and there is no opportunity of further appeal before the Committee or the Senate.

(f) If the appeal is within the jurisdiction of the Committee, the Committee Chair will determine whether the appeal shall proceed before a three (3) member or (5) member Hearing Panel in accordance with the Committee's Terms of Reference.

2.4 Role of the University Secretary

(a) The University Secretary shall inform the Appellant of the Committee Chair's determination of whether or not the matter is within the Committee's jurisdiction and whether the matter will be considered by a three (3) member or five (5) member Hearing Panel.

(b) Where the Committee Chair determines that a Notice of Appeal contains grounds of appeal that are within the Committee's jurisdiction, the University Secretary shall send a copy of the Notice of Appeal and any accompanying Documents to the Respondent.

3.0 CREATING THE HEARING PANEL

After the Committee Chair has determined that an appeal will proceed, the University Secretary will create a three (3) member or five (5) member Hearing Panel as directed by the Committee Chair.

4.0 RESPONSE BY THE RESPONDENT

4.1 Time for Delivering Response

Within ten (10) Business days after the date on which the University Secretary sends a copy of the Notice of Appeal to a Respondent, the Respondent shall file a written response (the "Response") with the University Secretary. The Committee Chair will consider a request from the Respondent to extend the deadline for the Response in extenuating circumstances.

4.2 Content of Response

The Response shall include the following information:

(a) the Respondent's reasons for the decisions, acts, or treatment that were referred to in the Appellant's Notice of Appeal;

(b) the response to matters contained in the Appellant's Notice of Appeal and a summary of the facts and evidence which the Respondent relies upon;

(c) the determination sought by the Respondent;

(d) any provision, regulation, or policy on which the Respondent relies;

(e) whether the Respondent seeks an in-person hearing or is satisfied with a hearing based solely on the written materials;

(f) any key Documents and a list of those Documents upon which the Respondent relies to support their Response, and attached copies of those Documents if they have not been supplied by the Appellant; and

(g) a list of key Documents that the Respondent believes are in the possession of the Appellant and requests from the Appellant, and the reasons why such Documents are necessary.

4.3 University Secretary to forward Response to Appellant

The University Secretary shall forward a copy of the Response to the Appellant.

5.0 REPLY BY THE APPELLANT

5.1 Time for Delivering a Reply

If the Appellant needs to file a Reply, it must be filed with the University Secretary within seven (7) Business days after the date upon which the University Secretary sends a copy of the Response to the Appellant.

5.2 Content of Reply

A Reply by the Appellant shall be confined to any additional information or Documents that may be necessary to respond to matters raised in the Respondent's Response.

5.3 University Secretary to Forward Reply to Respondent

The University Secretary shall forward a copy of the Appellant's Reply to the Respondent.

6.0 DOCUMENTS

6.1 Documents Distributed to the Hearing Panel

After the Appellant's Reply has been received or the time for filing the Appellant's Reply has expired, the University Secretary shall provide the

members of the Hearing Panel with copies of the Notice of Appeal, Response, and Reply (if any).

6.2 Documents Binder

In advance of the hearing, after the exchange of Documents is complete, the University Secretary will provide a complete set of information and Documents to each Party and to the Hearing Panel.

7.0 PRE-HEARING CONFERENCE

7.1 After all the Documents have been received and distributed to the Hearing Panel, the Hearing Panel Chair shall convene a pre-hearing conference of the Parties and the Hearing Panel. The purposes of a pre-hearing conference are to:

(a) discuss whether the Parties are willing to explore the resolution of the appeal by mediation prior to a hearing;

(b) explore with the Parties and decide whether the matter can proceed solely on the basis of the written materials submitted, or whether an in-person hearing is warranted in the circumstances;

(c) if the matter is to proceed as an in-person hearing, identify the names of witnesses that will be called by the Parties at an in-person hearing;

(d) if the matter is to proceed as an in-person hearing, make a determination of the time that will likely be required by each Party to present its evidence at an in-person hearing;

(e) discuss any matter that may assist in expediting the hearing of the appeal, such as issues for the appeal; and

(f) determine if any additional Documents are necessary to hear the appeal.

7.2 Synoptic minutes of the pre-hearing conference which record the expectations of the Hearing Panel with regard to the conduct of the appeal shall be made and distributed to the Parties.

7.3 At a pre-hearing conference, the Hearing Panel may make any order that will assist with the expeditious and fair hearing of the appeal.

8.0 NEW EVIDENCE

8.1 A Party may wish to introduce new evidence:

(a) during an in-person hearing, from a Document or a witness; or

(b) in the case of a hearing based solely on written materials, prior to delivering their final written argument.

8.2 In such cases, the Hearing Panel will not receive this new evidence unless

the evidence is relevant and cogent, and:

(a) the Party could not reasonably have anticipated based on the Notice of Appeal, the Response, and the Reply that the evidence would be relevant to the appeal; or

(b) the Party could not, with reasonable diligence, have discovered the existence of the evidence.

8.3 Notwithstanding the absence of any of the factors in section 8.2, the Hearing Panel may, when it is satisfied that principles of fairness and natural justice favour the reception of the evidence, permit the evidence to be received.

8.4 Where the Hearing Panel decides to permit new evidence to be received, the other Party is entitled, upon request, to an adjournment of an in-person hearing or an extension of relevant deadlines in a hearing based solely on written materials, for a sufficient period to enable the Party to consider and respond to the new evidence.

9.0 APPEAL BASED SOLELY ON WRITTEN MATERIALS

9.1 Appeal Based Solely on Written Materials Unless Hearing Panel Determines Otherwise

Unless the Hearing Panel determines otherwise at the pre-hearing conference, all appeals heard by the Committee will proceed based solely on the written materials submitted by the Parties.

9.2 Considerations Involved in Hearing Panel's Determination

Normally the Hearing Panel will determine that an appeal shall proceed based solely on written materials submitted by the Parties, unless the circumstances of the appeal warrant that an in-person hearing be held. An in-person hearing is necessary where the Hearing Panel determines that:

(a) there are issues of credibility in the appeal that can only be determined by calling persons to appear before a Hearing Panel;

(b) for reasons of procedural fairness there are other circumstances involved in the appeal that require an in-person hearing;

(c) the objective significance of the issue to one or both of the Parties, or the circumstances of one or both of the Parties, is such that an in-person hearing is required.

9.3 Delivery of Final Written Argument Where No In-Person Hearing

Where a Hearing Panel orders that an appeal be dealt with solely on the basis of written material submitted by the Parties, each Party has the option of delivering a final written argument with regard to why the appeal should be allowed or denied. A Party's final written argument may not raise new grounds of appeal or introduce new evidence that has not been referred to in the Notice of Appeal, Response or Reply. A Party's

final written argument must be delivered to the University Secretary within five (5) business of the Hearing Panel's order.

10.0 "IN-PERSON" HEARINGS

10.1 Date, Time and Place of In-Person Hearing

The University Secretary, after consulting the availability of the members of the Hearing Panel, the Parties, and their advocates including legal counsel, if any, shall set the date, time, and place for an in-person hearing and send a Notice of Hearing to the Parties and the members of the Hearing Panel. Unless all of the Parties agree to a shortened period of notice, there must be at least five (5) Business days between the date when the University Secretary sends the Notice of Hearing to the Parties and the date set for the commencement of an in-person hearing.

10.2 *In Camera* Hearing and Confidentiality

All in-person hearings shall be held *in camera* and the proceedings are confidential to the Parties and the members of the Hearing Panel. The Hearing Panel's written report shall be the official record of the hearing.

10.3 Presence of Parties and Witnesses During In-Person Hearing

(a) Parties are entitled to be present throughout an in-person hearing. Where the Respondent is a faculty or other body, the Respondent is entitled to have a representative present throughout the hearing regardless of whether the representative may be a witness at the hearing.

(b) With regard to witnesses who are not Parties as described above, a Hearing Panel may order that witnesses who have not yet given testimony not be permitted to enter the hearing room until they are called as a witness. Such an order may be appropriate where the Hearing Panel concludes that if witnesses are permitted to hear the testimony of earlier witnesses, some witnesses may be inclined to present their testimony in a manner that is consistent with, or influenced by, that of earlier witnesses.

10.4 Order of Witnesses, Questioning and Final Submissions

An in-person hearing will proceed in the following manner:

(a) The Hearing Panel Chair invites the Appellant to make a brief opening statement (not exceeding 10 minutes) that outlines the issues in the appeal from the Appellant's perspective.

(b) The Hearing Panel Chair invites the Appellant to present evidence that is relevant to the issues in the appeal. Witnesses who are called by the Appellant will be questioned in the following order:

(i) the Appellant may address questions to the witness;

(ii) the Respondent may address questions to the witness;

(iii) the Appellant may address further questions to the witness that are limited to matters that have been raised for the first time in questions by the Respondent; and

(iv) members of the Hearing Panel may address questions to the witness.

(c) After the Appellant has completed the presentation of the Appellant's evidence, the Hearing Panel Chair invites the Respondent to make a brief opening statement (not exceeding 10 minutes) that outlines the issues in the appeal from the Respondent's perspective.

(d) The Hearing Panel Chair invites the Respondent to present evidence that is relevant to the issues in the appeal. Witnesses who are called by the Respondent will be questioned in the following order:

(i) the Respondent may address questions to the witness;

(ii) the Appellant may address questions to the witness;

(iii) the Respondent may address further questions to the witness that are limited to matters that have been raised for the first time in questions by the Appellant; and

(iv) members of the Hearing Panels may address questions to the witness.

(e) The questioning of witnesses is subject to the direction of the Hearing Panel Chair. The Hearing Panel Chair may refuse to permit a question to be answered by a witness when:

(i) the question is not relevant to an issue in the appeal;

(ii) the witness has already answered the question or a similar question that has been addressed to the witness by the Party asking the question;

(iii) the question requests the witness to divulge information or communications that are privileged, confidential or protected from disclosure by the Freedom of Information and Protection of Privacy Act; or

(iv) the Party asking the question is badgering the witness.

(f) After Parties have presented their evidence, the Hearing Panel may invite other persons to attend the hearing and give evidence to the Hearing Panel. Such an invitation should only be made when:

(i) the Hearing Panel believes that the evidence introduced by the Parties is insufficient to enable the Hearing Panel to

make a decision; and

(ii) the Hearing Panel has given the Parties notice of its intention to invite other witnesses and has given the Parties an opportunity to make representations to the Hearing Panel about the proposed invitation.

(g) The Hearing Panel Chair will invite the Appellant to make a final submission (normally limited to 20 minutes) with regard to the disposition of the appeal.

(h) The Hearing Panel Chair will invite the Respondent to make a final submission (normally limited to 25 minutes) with regard to the disposition of the appeal.

(i) The Hearing Panel Chair will invite the Appellant to respond (normally limited to five minutes) to the Respondent's submission.

10.5 Admissibility of and Weight Attributed to Evidence

Only evidence that is relevant to issues that are identified in the Notice of Appeal, the Respondent's Response, and the Reply are admissible. The Hearing Panel Chair shall determine on behalf of the Hearing Panel whether evidence is admissible. The Hearing Panel shall decide how much weight, if any, should be given to evidence that is admitted.

10.6 Written Submissions

(a) At the conclusion of an in-person hearing, the Hearing Panel may request the Parties to make written submissions instead of or in addition to oral submissions. Where the Parties are requested to make written submissions, the submissions must be filed with the University Secretary within five (5) Business days after the last day of the hearing.

(b) The University Secretary shall send a copy of each written submission to the members of the Hearing Panel and the other Party.

10.7 Recording of the In-Person Hearing of an Appeal

Except with the express permission of the Hearing Panel, no audio or video recording may be made of an in-person hearing. Parties and members of the Hearing Panel members with disabilities who need accommodation will be permitted to use electronic and other aids to assist them.

10.8 Adjournments

The Hearing Panel may adjourn an in-person hearing at any time and order the hearing to be resumed at a specified date and time or at a date and time for which notice is to be given to the Parties by the University Secretary.

10.9 Failure of a Party to Attend a Scheduled In-Person Hearing

If a Party fails to attend a scheduled in-person hearing, where the Party was given reasonable notice of the hearing or resumption of an adjourned hearing, the Hearing Panel may order the hearing to proceed in the absence of the Party or the Hearing Panel may:

(a) where the Appellant is the Party who has failed to attend, dismiss the appeal;

(b) where the Respondent is the Party that has failed to attend, grant the remedy or relief requested by the Appellant against that Respondent.

11.0 REPRESENTATION

A Party may act in person or be represented by an advocate or legal counsel at any stage of an appeal. Notice of advocate's or counsel's names must be provided to all other Parties and to the Committee at least three (3) Business days before the hearing date, unless the Committee allows otherwise.

12.0 ACCESS OF PARTIES TO WRITTEN MATERIAL

One of the objectives of the Procedural Guidelines is to ensure that each Party has access to all Documents that are relevant to the issues in the appeal. To the extent that a Party has not otherwise been provided with a copy of a relevant Document that is in the possession of the University, a Hearing Panel may request that the appropriate University official provide the Party with a copy of a Document or access to a Document. Such a request shall not be made where the Document is a confidential or privileged Document, or is a Document that must not be produced under the *Freedom of Information and Protection of Privacy Act*.

13.0 FAILURE TO COMPLY WITH PROCEDURAL GUIDELINES OR HEARING PANEL ORDER

Where a Party fails to comply with the Procedural Guidelines or an order of a Hearing Panel, the Hearing Panel may, after providing reasonable notice to the Party of the consequences of a failure to comply:

(a) dismiss the appeal where the Appellant fails to comply; or

(b) allow the appeal where the Respondent fails to comply.

14.0 MEMBER OF A HEARING PANEL UNABLE TO CONTINUE

Where a member of a Hearing Panel withdraws or is unable to serve because of a conflict of interest or other reason the remaining members of the Hearing Panel may continue and complete the hearing of the appeal provided that the Hearing Panel has a minimum of three (3) members. If the number of remaining Hearing Panel members is fewer than three (3), the Committee Chair will determine, depending on the circumstances and the stage of the appeal, whether it is necessary to dissolve the Hearing Panel and for the University Secretary to create a new Hearing Panel.

15.0 DECISION OF HEARING PANEL

15.1 Basis of Decision

In coming to its decision, a Hearing Panel shall limit its consideration to:

(a) The Notice of Appeal, Response, and Reply and other Documents provided to the Hearing Panel by the Parties during the hearing process;

(b) Testimony and other evidence submitted to the Hearing Panel during the hearing process if there was an in-person hearing; and

(c) The calendar, academic regulations, University Policies, or policies approved by a Faculty or Department.

15.2 Motion

The Hearing Panel's decision shall be made by majority vote on a formal motion of the Hearing Panel. If the appeal is allowed, the Hearing Panel will then proceed to consider any orders or recommendations that may be necessary to implement the Hearing Panel's decision to allow the appeal.

15.3 Orders and Recommendations that a Hearing Panel May Make

(a) A Hearing Panel may:

(i) Allow an appeal, and

(1) where the appeal relates to a decision or action, refer the subject matter of the appeal back to the Respondent or other appropriate person or body for review or reconsideration in accordance with the reasons of the Hearing Panel;

(2) where the appeal relates to the treatment of the Appellant, refer such treatment with recommendations for redress to the Respondent or other appropriate person or body with authority over the Respondent; or

(3) make any decision that the Senate could make with regard to the subject matter of the appeal;

(ii) Dismiss the appeal; or

(iii) Dismiss the appeal and make recommendations to the Respondent or other appropriate person or body.

(b) The reasons of the Hearing Panel may contain recommendations with regard to:

(i) The process by which the matter should be reviewed or

reconsidered; and

(ii) The factors that either should or should not be taken into account upon the review or reconsideration of the matter.

15.4 Notification of Hearing Panel's Decision Prior to Reasons

A Hearing Panel may notify the University Secretary of the Hearing Panel's decision with regard to an appeal and subsequently deliver the Hearing Panel's written reasons. The University Secretary shall communicate the decision and the written reasons to the Parties.

15.5 Confidentiality

All deliberations of a Hearing Panel are confidential. Members of a Hearing Panel shall not discuss the substance of an appeal outside hearings or meetings of the Hearing Panels.

15.6 Action Report by a Party

Where the Hearing Panel orders that a Party or another university official take an action as a result of the Hearing Panel's final decision, the Party or the university official is required to submit a written report to the Hearing Panel Chair within 30 days of the decision that confirms that the action has been taken or completed**.**

15.7 Report of Decision

(a) The Hearing Panel shall provide reasons for its decision in a written report that is signed by the members of the Hearing Panel who agree with the decision.

(b) Where the decision of the Hearing Panel is not unanimous, a member of the Hearing Panel who does not agree with the majority shall provide written reasons for her or his dissent.

(c) The decision together with any dissenting reasons shall be delivered to the University Secretary who shall provide copies to the Parties.

<u>Approved and Revised by Senate:</u>
April 3, 2009
October 7, 2011
January 5, 2018

University of Victoria

Senate Committee on Appeals
Terms of Reference and Procedural Guidelines

PROCEDURAL GUIDELINES FOR NON-ACADEMIC APPEALS

PREAMBLE

The purpose of these Procedural Guidelines is to provide guidance to Hearing Panels and the Parties to an appeal of a non-academic decision or sanction made by the President in accordance with section 61 of the *University Act*.

A Hearing Panel has the authority to depart from the Procedural Guideline to the extent necessary to ensure that the principles of fairness and natural justice are satisfied in a particular appeal.

DEFINITIONS

In these Procedural Guidelines:

"Appellant" means a person who has filed a Notice of Appeal.

"Business day" means a day when the university is open for business.

"Committee" means the Senate Committee on Appeals.

"Document" includes letters, emails, medical certificates, written opinions, and digitized information.

"Hearing Panel" is defined in the Senate Committee on Appeal's Terms of Reference.

"Party" means an Appellant or Respondent.

"Respondent" means the person or body whose final act, decision, or treatment is the subject of an appeal.

"Student" means a student as defined by Senate and as set out in the current University of Victoria undergraduate and graduate calendars, including those students who meet the definition at the time of the action that is being appealed.

"University Secretary" means the University Secretary and includes a person designated by the University Secretary.

The singular of any term includes the plural.

PROCEDURAL GUIDELINES

1.0 NOTICE OF APPEAL

1.1 Filing Notice of Appeal

A Student who wishes to appeal must file a written Notice of Appeal with the University Secretary.

1.2 Time Limit within which Notice of Appeal must be filed

Normally, a Notice of Appeal must be filed with the University Secretary within two (2) months of the final decision, action, or treatment being appealed. The University Secretary shall determine whether a Notice of Appeal has been filed within the stipulated period. Where a Notice of Appeal is not filed within the stipulated period, the Appellant may provide written reasons that seek to excuse the delay in filing the Notice of Appeal. In exceptional circumstances the Committee Chair may determine that an extension is warranted, otherwise the Committee Chair shall deny the appeal.

1.3 Content of Notice of Appeal

An Appellant shall submit a completed Notice of Appeal form obtained from the University Secretary, which shall include:

(a) the final decision, action, or treatment that is being appealed including the date of the decision and name of the Respondent, and a copy of the decision if it was provided in writing;

(b) a summary of the background to the appeal;

(c) a summary of the reasons and grounds for the appeal;

(d) a statement of the remedy or relief sought;

(e) any provision, regulation, or policy on which the Appellant relies;

(f) whether the Appellant seeks an in-person hearing or is satisfied with a hearing based solely on the written materials;

(g) any key Documents and a list of those Documents that are relevant to the Appellant's appeal; and

(h) a list of key Documents that the Appellant believes are in the possession of the Respondent and requests from the Respondent, and the reasons why the Documents are necessary.

2.0 JURISDICTION OF THE COMMITTEE AND COMPOSITION OF THE HEARING PANEL

2.1 Pure Appeal Only

The Committee hears appeals based on the record of the original decision and any other relevant Documents that the decision maker considered. The Committee does not re-hear matters, and will only consider new evidence to the extent necessary to hear an appeal under section 2.2(e).

2.2 Grounds for Appeal

A Student may only appeal on one or more of the following grounds:

(a) that a procedural error occurred of sufficient magnitude that it may reasonably be seen to have affected the fairness of the

process or altered the outcome of the decision against the Student;

(b) that the decision under appeal was made with an erroneous interpretation of applicable university policies, procedures, regulations, or other rules, and this may reasonably be seen to have altered the outcome of the decision against the Student;

(c) that a factual error occurred of sufficient magnitude that it may reasonably be seen to have altered the outcome of the decision against the Student;

(d) that a reasonable person, exercising their judgment on the evidence leading to the decision that is under appeal, could not have made the decision that is under appeal; or

(e) that new, material evidence is available which, despite the exercise of due diligence by the Student wishing to appeal, could not have been made available at the time of the decision giving rise to the appeal, and the relevancy and cogency of the new evidence is such that if it had been tendered at the original hearing it could reasonably be expected to have altered the outcome.

2.3 Role of the Chair of the Senate Committee on Appeals

(a) The Committee Chair shall expeditiously review each Notice of Appeal and shall determine whether the appeal is within the Committee's jurisdiction.

(b) The Committee has jurisdiction to hear appeals from decisions of the President to suspend a Student or deal summarily with any matter of Student discipline in accordance with section 61 of the *University Act*. This jurisdiction includes appeals of temporary or permanent suspensions imposed under the Resolution of Non-Academic Misconduct Allegations Policy or the Sexualized Violence Prevention and Response Policy. The Committee has no jurisdiction to hear appeals of sanctions imposed under the Resolution of Non-Academic Misconduct Allegations Policy or the Sexualized Violence Prevention and Response Policy other than suspensions by the President.

(c) Where the appeal is of a sanction imposed under the Resolution of Non-Academic Misconduct Allegations Policy or the Sexualized Violence Prevention and Response Policy that is not a suspension, the Committee Chair shall determine that the appeal is outside the Committee's jurisdiction and the Committee shall not consider it.

(d) The Committee Chair may request that the Appellant or Respondent submit additional materials or information prior to making a final determination on jurisdiction.

(e) The Committee Chair's determination on jurisdiction is final and there is no opportunity of further appeal before the Committee or the Senate.

(f) If the appeal is within the jurisdiction of the Committee, the Committee Chair will determine whether the appeal shall proceed before a three (3) member or (5) member Hearing Panel in accordance with the Committee's Terms of Reference.

2.4 Role of the University Secretary

(a) The University Secretary shall inform the Appellant of the Committee Chair's determination of whether or not the matter is within the Committee's jurisdiction and whether the matter will be considered by a three (3) member or five (5) member Hearing Panel.

(b) Where the Committee Chair determines that a Notice of Appeal contains grounds of appeal that are within the Committee's jurisdiction, the University Secretary shall send a copy of the Notice of Appeal and any accompanying Documents to the Respondent.

3.0 CREATING THE HEARING PANEL

After the Committee Chair has determined that an appeal will proceed, the University Secretary will create a three (3) member or five (5) member Hearing Panel as directed by the Committee Chair.

4.0 RESPONSE BY THE RESPONDENT

4.1 Time for Delivering Response

Within ten (10) Business days after the date on which the University Secretary sends a copy of the Notice of Appeal to a Respondent, the Respondent shall file a written response (the "Response") with the University Secretary. The Committee Chair will consider a request from the Respondent to extend the deadline for the Response in extenuating circumstances.

4.2 Content of Response

The Response shall include the following information:

(a) the Respondent's reasons for the decisions, acts, or treatment that were referred to in the Appellant's Notice of Appeal;

(b) the response to matters contained in the Appellant's Notice of Appeal and a summary of the facts and evidence which the Respondent relies upon;

(c) the determination sought by the Respondent;

(d) any provision, regulation, or policy on which the Respondent relies;

(e) whether the Respondent seeks an in-person hearing or is satisfied with a hearing based solely on the written materials;

(f) any key Documents and a list of those Documents upon which the

Respondent relies to support their Response, and attached copies of those Documents if they have not been supplied by the Appellant; and

(g) a list of key Documents that the Respondent believes are in the possession of the Appellant and requests from the Appellant, and the reasons why such Documents are necessary.

4.3 University Secretary to forward Response to Appellant

The University Secretary shall forward a copy of the Response to the Appellant.

5.0 REPLY BY THE APPELLANT

5.1 Time for Delivering a Reply

If the Appellant needs to file a Reply, it must be filed with the University Secretary within seven (7) Business days after the date upon which the University Secretary sends a copy of the Response to the Appellant.

5.2 Content of Reply

A Reply by the Appellant shall be confined to any additional information or Documents that may be necessary to respond to matters raised in the Respondent's Response.

5.3 University Secretary to Forward Reply to Respondent

The University Secretary shall forward a copy of the Appellant's Reply to the Respondent.

6.0 DOCUMENTS

6.1 Documents Distributed to the Hearing Panel

After the Appellant's Reply has been received or the time for filing the Appellant's Reply has expired, the University Secretary shall provide the members of the Hearing Panel with copies of the Notice of Appeal, Response, and Reply (if any).

6.2 Documents Provided to Parties

In advance of the hearing, after the exchange of Documents is complete, the University Secretary will provide a complete set of information and Documents to each Party and to the Hearing Panel.

7.0 PRE-HEARING CONFERENCE

7.1 After all the Documents have been received and distributed to the Hearing Panel, the Hearing Panel Chair shall convene a pre-hearing conference of the Parties and the Hearing Panel. The purposes of a pre-hearing conference are to:

(a) discuss whether the Parties are willing to explore the resolution of the appeal by mediation prior to a hearing;

(b) explore with the Parties and decide whether the matter can proceed solely on the basis of the written materials submitted, or whether an in-person hearing is warranted in the circumstances;

(c) if the matter is to proceed as an in-person hearing, identify the names of witnesses that will be called by the Parties at an in-person hearing;

(d) if the matter is to proceed as an in-person hearing, make a determination of the time that will likely be required by each Party to present its evidence at an in-person hearing;

(e) discuss any matter that may assist in expediting the hearing of the appeal, such as issues for the appeal; and

(f) determine if any additional Documents are necessary to hear the appeal.

7.2 Synoptic minutes of the pre-hearing conference which record the expectations of the Hearing Panel with regard to the conduct of the appeal shall be made and distributed to the Parties.

7.3 At a pre-hearing conference, the Hearing Panel may make any order that will assist with the expeditious and fair hearing of the appeal.

8.0 NEW EVIDENCE

8.1 A Party may wish to introduce new evidence:

(a) during an in-person hearing, from a Document or a witness; or

(b) in the case of a hearing based solely on written materials, prior to delivering their final written argument.

8.2 In such cases, the Hearing Panel will not receive this new evidence unless the evidence is relevant and cogent, and:

(a) the Party could not reasonably have anticipated based on the Notice of Appeal, the Response, and the Reply that the evidence would be relevant to the appeal; or

(b) the Party could not, with reasonable diligence, have discovered the existence of the evidence.

8.3 Notwithstanding the absence of any of the factors in section 8.2, the Hearing Panel may, when it is satisfied that principles of fairness and natural justice favour the reception of the evidence, permit the evidence to be received.

8.4 Where the Hearing Panel decides to permit new evidence to be received, the other Party is entitled, upon request, to an adjournment of an in-

person hearing or an extension of relevant deadlines in a hearing based solely on written materials, for a sufficient period to enable the Party to consider and respond to the new evidence.

9.0 APPEAL BASED SOLELY ON WRITTEN MATERIALS

9.1 Appeal Based Solely on Written Materials Unless Hearing Panel Determines Otherwise

Unless the Hearing Panel determines otherwise at the pre-hearing conference, all appeals heard by the Committee will proceed based solely on the written materials submitted by the Parties.

9.2 Considerations Involved in Hearing Panel's Determination

Normally the Hearing Panel will determine that an appeal shall proceed based solely on written materials submitted by the Parties, unless the circumstances of the appeal warrant that an in-person hearing be held. An in-person hearing is necessary where the Hearing Panel determines that:

(a) there are issues of credibility in the appeal that can only be determined by calling persons to appear before a Hearing Panel;

(b) for reasons of procedural fairness there are other circumstances involved in the appeal that require an in-person hearing;

(c) the objective significance of the issue to one or both of the Parties, or the circumstances of one or both of the Parties, is such that an in-person hearing is required.

9.3 Delivery of Final Written Argument Where No In-Person Hearing

Where a Hearing Panel orders that an appeal be dealt with solely on the basis of written material submitted by the Parties, each Party has the option of delivering a final written argument with regard to why the appeal should be allowed or denied. A Party's final written argument may not raise new grounds of appeal or introduce new evidence that has not been referred to in the Notice of Appeal, Response or Reply. A Party's final written argument must be delivered to the University Secretary within five (5) business of the Hearing Panel's order.

10.0 "IN-PERSON" HEARINGS

10.1 Date, Time and Place of In-Person Hearing

The University Secretary, after consulting the availability of the members of the Hearing Panel, the Parties, and their advocates including legal counsel, if any, shall set the date, time, and place for an in-person hearing and send a Notice of Hearing to the Parties and the members of the Hearing Panel. Unless all of the Parties agree to a shortened period of notice, there must be at least five (5) Business days between the date when the University Secretary sends the Notice of Hearing to the Parties and the date set for the commencement of an in-person hearing.

10.2 *In Camera* Hearing and Confidentiality

All in-person hearings shall be held *in camera* and the proceedings are confidential to the Parties and the members of the Hearing Panel. The Hearing Panel's written report shall be the official record of the hearing.

10.3 Presence of Parties and Witnesses During In-Person Hearing

(a) Parties are entitled to be present throughout an in-person hearing.

(b) With regard to witnesses who are not Parties as described above, a Hearing Panel may order that witnesses who have not yet given testimony not be permitted to enter the hearing room until they are called as a witness. Such an order may be appropriate where the Hearing Panel concludes that if witnesses are permitted to hear the testimony of earlier witnesses, some witnesses may be inclined to present their testimony in a manner that is consistent with, or influenced by, that of earlier witnesses.

10.4 Order of Witnesses, Questioning and Final Submissions

An in-person hearing will proceed in the following manner:

(a) The Hearing Panel Chair invites the Appellant to make a brief opening statement (not exceeding 10 minutes) that outlines the issues in the appeal from the Appellant's perspective.

(b) The Hearing Panel Chair invites the Appellant to present evidence that is relevant to the issues in the appeal. Witnesses who are called by the Appellant will be questioned in the following order:

(i) the Appellant may address questions to the witness;

(ii) the Respondent may address questions to the witness;

(iii) the Appellant may address further questions to the witness that are limited to matters that have been raised for the first time in questions by the Respondent; and

(iv) members of the Hearing Panel may address questions to the witness.

(c) After the Appellant has completed the presentation of the Appellant's evidence, the Hearing Panel Chair invites the Respondent to make a brief opening statement (not exceeding 10 minutes) that outlines the issues in the appeal from the Respondent's perspective.

(d) The Hearing Panel Chair invites the Respondent to present evidence that is relevant to the issues in the appeal. Witnesses who are called by the Respondent will be questioned in the following order:

(i) the Respondent may address questions to the witness;

(ii) the Appellant may address questions to the witness;

(iii) the Respondent may address further questions to the witness that are limited to matters that have been raised for the first time in questions by the Appellant; and

(iv) members of the Hearing Panels may address questions to the witness.

(e) The questioning of witnesses is subject to the direction of the Hearing Panel Chair. The Hearing Panel Chair may refuse to permit a question to be answered by a witness when:

(i) the question is not relevant to an issue in the appeal;

(ii) the witness has already answered the question or a similar question that has been addressed to the witness by the Party asking the question;

(iii) the question requests the witness to divulge information or communications that are privileged, confidential or protected from disclosure by the *Freedom of Information and Protection of Privacy Act*; or

(iv) the Party asking the question is badgering the witness.

(f) After Parties have presented their evidence, the Hearing Panel may invite other persons to attend the hearing and give evidence to the Hearing Panel. Such an invitation should only be made when:

(i) the Hearing Panel believes that the evidence introduced by the Parties is insufficient to enable the Hearing Panel to make a decision; and

(ii) the Hearing Panel has given the Parties notice of its intention to invite other witnesses and has given the Parties an opportunity to make representations to the Hearing Panel about the proposed invitation.

(g) The Hearing Panel Chair will invite the Appellant to make a final submission (normally limited to 20 minutes) with regard to the disposition of the appeal.

(h) The Hearing Panel Chair will invite the Respondent to make a final submission (normally limited to 25 minutes) with regard to the disposition of the appeal.

(i) The Hearing Panel Chair will invite the Appellant to respond (normally limited to five minutes) to the Respondent's submission.

10.5 Admissibility of and Weight Attributed to Evidence

Only evidence that is relevant to issues that are identified in the Notice of Appeal, the Respondent's Response, and the Reply are admissible. The Hearing Panel Chair shall determine on behalf of the Hearing Panel whether evidence is admissible. The Hearing Panel shall decide how much weight, if any, should be given to evidence that is admitted.

10.6 Written Submissions

(a) At the conclusion of an in-person hearing, the Hearing Panel may request the Parties to make written submissions instead of or in addition to oral submissions. Where the Parties are requested to make written submissions, the submissions must be filed with the University Secretary within five (5) Business days after the last day of the hearing.

(b) The University Secretary shall send a copy of each written submission to the members of the Hearing Panel and the other Party.

10.7 Recording of the In-Person Hearing of an Appeal

Except with the express permission of the Hearing Panel, no audio or video recording may be made of an in-person hearing. Parties and members of the Hearing Panel members with disabilities who need accommodation will be permitted to use electronic and other aids to assist them.

10.8 Adjournments

The Hearing Panel may adjourn an in-person hearing at any time and order the hearing to be resumed at a specified date and time or at a date and time for which notice is to be given to the Parties by the University Secretary.

10.9 Failure of a Party to Attend a Scheduled In-Person Hearing

If a Party fails to attend a scheduled in-person hearing, where the Party was given reasonable notice of the hearing or resumption of an adjourned hearing, the Hearing Panel may order the hearing to proceed in the absence of the Party or the Hearing Panel may:

(a) where the Appellant is the Party who has failed to attend, dismiss the appeal;

(b) where the Respondent is the Party that has failed to attend, grant the remedy or relief requested by the Appellant against that Respondent.

11.0 REPRESENTATION

A Party may act in person or be represented by an advocate or legal counsel at any stage of an appeal. Notice of advocate's or counsel's names must be provided to all other Parties and to the Committee at least three (3) Business days before the hearing date, unless the Committee allows otherwise.

12.0 ACCESS OF PARTIES TO WRITTEN MATERIAL

One of the objectives of the Procedural Guidelines is to ensure that each Party has access to all Documents that are relevant to the issues in the appeal. To the extent that a Party has not otherwise been provided with a copy of a relevant Document that is in the possession of the University, a Hearing Panel may request that the appropriate University official provide the Party with a copy of a Document or access to a Document. Such a request shall not be made where the Document is a confidential or privileged Document, or is a Document that must not be produced under the *Freedom of Information and Protection of Privacy Act*.

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(a) dismiss the appeal where the Appellant fails to comply; or

(b) allow the appeal where the Respondent fails to comply.

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Where a member of a Hearing Panel withdraws or is unable to serve because of a conflict of interest or other reason the remaining members of the Hearing Panel may continue and complete the hearing of the appeal provided that the Hearing Panel has a minimum of three (3) members. If the number of remaining Hearing Panel members is fewer than three (3), the Committee Chair will determine, depending on the circumstances and the stage of the appeal, whether it is necessary to dissolve the Hearing Panel and for the University Secretary to create a new Hearing Panel.

15.0 DECISION OF A HEARING PANEL

15.1 Basis of Decision

In coming to its decision, a Hearing Panel shall limit its consideration to:

(a) The Notice of Appeal, Response, and Reply and other Documents provided to the Hearing Panel by the Parties during the hearing process;

(b) Testimony and other evidence submitted to the Hearing Panel during the hearing process if there was an in-person hearing; and

(c) The calendar, academic regulations, University Policies, or policies approved by a Faculty or Department.

15.2 Motion

The Hearing Panel's decision shall be made by majority vote on a formal motion of the Hearing Panel. If the appeal is allowed, the Hearing Panel will then proceed to consider any orders or recommendations that may

be necessary to implement the Hearing Panel's decision to allow the appeal.

15.3 Orders and Recommendations that a Hearing Panel May Make

(a) A Hearing Panel may:

(i) Allow an appeal, and

(1) refer the subject matter of the appeal back to the Respondent for review or reconsideration in accordance with the reasons of the Hearing Panel; or

(2) make any decision that the Senate could make with regard to the subject matter of the appeal;

(ii) Dismiss the appeal; or

(iii) Dismiss the appeal and make recommendations to the Respondent or other appropriate person or body.

(b) The reasons of the Hearing Panel may contain recommendations with regard to:

(i) The process by which the matter should be reviewed or reconsidered; and

(ii) The factors that either should or should not be taken into account upon the review or reconsideration of the matter.

15.4 Notification of Hearing Panel's Decision Prior to Reasons

A Hearing Panel may notify the University Secretary of the Hearing Panel's decision with regard to an appeal and subsequently deliver the Hearing Panel's written reasons. The University Secretary shall communicate the decision and the written reasons to the Parties.

15.5 Confidentiality

All deliberations of a Hearing Panel are confidential. Members of a Hearing Panel shall not discuss the substance of an appeal outside hearings or meetings of the Hearing Panels.

15.6 Action Report by a Party

Where the Hearing Panel orders that a Party or another university official take an action as a result of the Hearing Panel's final decision, the Party or the university official is required to submit a written report to the Hearing Panel Chair within 30 days of the decision that confirms that the action has been taken or completed.

15.7 Report of Decision

(a) The Hearing Panel shall provide reasons for its decision in a

written report that is signed by the members of the Hearing Panel who agree with the decision.

(b) Where the decision of the Hearing Panel is not unanimous, a member of the Hearing Panel who does not agree with the majority shall provide written reasons for her or his dissent.

(c) The decision together with any dissenting reasons shall be delivered to the University Secretary who shall provide copies to the Parties.

Approved and Revised by Senate:
January 5, 2018

Appendix C

Senate Committee on Awards
Terms of Reference

The Senate Committee on Awards shall:

1. Approve and recommend to Senate new or revised undergraduate and graduate student awards and the terms and conditions for those awards;

2. Consider and approve the student recipients nominated or recommended for undergraduate awards including those nominated or recommended for awards external to the university (graduate award recipients will be approved by the Faculty of Graduate Studies);

3. Request from faculty, if terms and conditions so specify, recommendations for awards;

4. Make recommendations to Senate about all university policies, procedures and regulations pertaining to student awards;

5. Liaise and maintain a close relationship with the Director of Student Awards and Financial Aid and the Faculty of Graduate Studies Scholarships Officer and, when requested, advise on the process for administering all undergraduate and graduate student awards at the university; and

6. Consider, on behalf of Senate, matters of social responsibility regarding student awards in accordance with university policy and the committee's procedural guidelines and advise Senate with respect to any concerns relating to a particular student award.

Senate standing and ad hoc committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

<u>Composition:</u>

- 5 faculty members (at least 2 of whom shall be members of Senate and 1 of whom shall be from the Faculty of Graduate Studies) (voting)
- the Chair of the Faculty of Graduate Studies Graduate Awards Committee (*ex officio*, voting)
- 1 Alumni Association representative (voting)
- 2 students, one of whom shall be a student member of Senate and one of whom shall be a graduate student representative (voting)
- President or nominee (*ex officio*, voting)
- Registrar (*ex officio*, non-voting)
- Scholarships Officer, Faculty of Graduate Studies, (*ex officio*, non-voting)
- Director, Student Awards and Financial Aid (*ex officio*, non-voting)

Total membership - 13 members (10 voting members)

The secretary of the committee is a representative from the Department of Student Awards and Financial Aid.

Approved and Revised by Senate:
January 9, 1980
November 6, 1996
November 4, 2011
October 4, 2013
December 6, 2013

SENATE COMMITTEE ON AWARDS PROCEDURAL GUIDELINES

These procedural guidelines have been established to provide guidance to the Senate Committee on Awards (the "Committee") when considering the new or revised terms of reference for student awards.

1. The Committee approves and recommends student awards to Senate in accordance with its terms of reference and the *Student Awards Policy* (AC1130).

Recommendation Process for Terms of Reference of Student Awards

2. The Committee reviews proposed new and revised terms of reference for student awards that have been established by the university, or by Development and External Relations offices working in coordination with donors and relevant constituents (e.g. faculties, deans, directors, Graduate Awards Committee).

3. Merit-based awards for graduate students will be recommended to the Senate Committee on Awards by the Faculty of Graduate Studies' Graduate Awards Committee.

4. After consideration of the proposed terms of reference for a student award, the Committee may:

    a. approve and recommend the terms of reference to Senate with no revisions;
    b. approve and recommend the terms of reference to Senate with minor revisions;
    c. refer terms of reference that require major revisions to the Donor Relations Coordinator, who will coordinate consultation with the pertinent dean(s) and donor(s) or the Graduate Awards Committee with a view to revising the terms of reference for reconsideration by the Committee; or
    d. decline to recommend the terms of reference of a student award to Senate.

Criteria for Student Awards

5. The Committee is guided by the *Student Awards Policy* (AC1130), which sets out the criteria for student awards.

6. In addition to the criteria set out in the *Student Awards Policy* (AC1130), the Committee may also consider the following:

    a. If the terms of reference for a student award include complex criteria, the Committee may request details regarding how the selection of recipients will be carried out before approving the terms of reference.
    b. Occasionally it may be desirable to approve student awards that give preference to a particular underrepresented group in the student population in an effort to address equity and diversity goals as outlined in the university's *Strategic Plan* and the *Policy on Human Rights, Equity and Fairness.*
    c. Although student awards with complex or restrictive criteria are discouraged, student awards with a very narrow academic focus may be considered when it can be demonstrated that a pool of eligible candidates can be easily identified by the university.

d. Student awards that have no geographic restrictions are encouraged.
e. Affiliation awards, which include student awards restricted to members or dependents of members of specified employee groups, unions, clubs etc., are accepted; however, the university may be unable to confirm the information provided by students regarding their application.
f. The values of endowed student awards are set by the University of Victoria Foundation. Due to fluctuations in the financial market, dollar values of endowed student awards are subject to change, and therefore award amounts should not be stated in the terms of reference of endowed student awards.

Social Responsibility Concerns

7. The Committee will consider, on behalf of Senate, matters of social responsibility regarding student awards and advise Senate with respect to any concerns relating to a particular student award.

8. If the Committee recommends to Senate a student award that causes a member of Senate or a member of the university community concern, the member may submit a request to the Secretary of Senate that the student award be referred back to the Committee. The Senate agenda and docket are available prior to meetings to members of the university community for viewing on the University Secretary's website. If Senate passes a motion to refer the student award back to the Committee, the member shall have 10 days following the date of the Senate meeting to provide the Committee with a written statement of concern.

9. If no submission is received, the Committee may at its discretion return the student award to Senate with a recommendation that it be approved. If a written statement is submitted, the Committee will consider the nature of the social responsibility issue raised and the extent of concern among relevant university constituents. The Committee need not poll the university or carry out surveys, but will study and report on any evidence presented to it. If the student award being considered has been supported or sponsored by a donor, the Committee will consult with the External Relations division, which may request a response from the donor or sponsor to the issues raised.

10. After completion of its review the Committee will recommend to Senate one or more of the following actions:

    a. acceptance of the student award;
    b. recommendation to the Chair of Senate that a communication of the concern be expressed to the donor or sponsor, that further clarification of its policy be requested and/or that a letter be sent urging changes in practice if there is clear evidence that the concerns are justified;
    c. removal of the student award from the list to be forwarded to the Board of Governors for approval accompanied by a written statement from Senate that the student award was not accepted.

Approved by Senate November 4, 2011

University of Victoria

Senate Committee on Continuing Studies Terms of Reference

The Senate Committee on Continuing Studies shall:

1. Review and make recommendations to the Division of Continuing Studies regarding academic policies and criteria concerning the offering of:

    a. Degree-credit courses and programs, approved by the Senate and the Board of Governors, when such courses or programs are not otherwise administered by the academic departments;

    b. Non-degree programs and courses.

2. Review proposals for new Senate-approved programs and for changes to existing Senate-approved programs and shall, at its discretion, make recommendations respecting such programs to the Senate Committee on Planning.

3. Review existing certificate and diploma programs at least every five years.

4. Advise Continuing Studies on academic issues as required.

Senate standing and ad hoc committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

<u>Composition:</u>

- 9 faculty members representing the faculties (at least 2 of whom shall be members of Senate) (voting)
- the Dean of Continuing Studies, Chair (*ex officio*, voting)
- 2 students, including 1 undergraduate student and 1 graduate student, at least one of whom must be a student member of Senate (voting)
- 1 student representative from the diploma or certificate program in Continuing Studies appointed by the Senate (voting)
- Chair, Senate Committee on Planning (*ex officio*, voting)
- 1 Alumni Association representative (voting)
- 1 convocation member of Senate (voting)
- President or nominee (voting)

Total membership - 17 (17 voting members)

The secretary of the committee is a representative from the Office of the Dean, Division of Continuing Studies.

<u>Approved and Revised by Senate:</u>
September 12, 1973
June 12, 1974
October 2, 1974
October 4, 2000
January 10, 2014
October 1, 2021
December 2, 2022

University of Victoria

Senate Committee on Curriculum
Terms of Reference

The Senate Committee on Curriculum shall:

1. Review curriculum submissions recommended by the Faculties for consistency with University policies and strategic goals, to resolve outstanding issues and to approve curriculum submissions for recommendation to Senate.

    a. For the purposes of the committee, 'curriculum' means all for-credit academic programs and courses offered by the University, including the descriptions and requirements of academic programs and courses, as described in the University Calendar;

2. Make recommendations concerning the *Policy on Calendar Submissions AC1120 and the* associated *Procedures on Curriculum Submissions*.

3. Consult, as required, with other senate committees on non-curricular issues related to the University Calendar, and make recommendations to Senate if appropriate.

4. Make recommendations to Senate on the form and frequency in which the University Calendar is published.

Senate standing and ad hoc committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

<u>Composition:</u>

- 2 faculty members (both of whom shall be members of Senate but normally not chairs of their Faculty Curriculum Committees) who will serve as Chair and Vice-Chair of the committee (voting)
- Vice-President Academic and Provost or designate (*ex officio*, voting)
- President, or nominee (*ex officio*, voting)
- Chairs (10) of Faculty Curriculum Committees (*ex officio*, voting)
- Dean, Faculty of Graduate Studies, or nominee *(ex officio, voting)*
- Chair, Senate Committee on Academic Standards (*ex officio*, voting)
- 1 student member of Senate from the Committee on Academic Standards (*ex officio*, voting)
- Associate University Secretary (*ex officio*, non-voting)
- Registrar (*ex officio*, non-voting)
- Associate Registrar (*ex officio*, non-voting)
- Calendar Manager, Curriculum and Calendar (*ex officio*, non-voting)
- Executive Director or designate, Co-operative Education and Career Services (*ex officio*, non-voting)

Total membership - up to 22 (up to 17 voting) depending on whether the Chair and/or Vice-Chair are also Chairs of their Faculty Curriculum Committees.

The secretary of the committee is an Associate Registrar from the Office of the Registrar and Enrolment Management (as designated by the University Secertary). A representative from the Curriculum and Calendar Office will be the recording secretary.

Approved and Revised by Senate:
March 6, 1996
May 6, 2011
May 4, 2012
June 4, 2013
January 10, 2014
October 5, 2018
October 1, 2021
April 4, 2025

University of Victoria

Senate Committee on Learning and Teaching Terms of Reference

The Senate Committee on Learning and Teaching shall:

1. Advise Senate on the university's learning and teaching environment and recommend measures, which are designed to enhance the university's learning and teaching environment;

2. Assist and advise Senate, after due consultation with the faculties and other appropriate units, in the formulation and promotion of effective academic policy in the areas of learning and teaching, within the context of university policies and negotiated agreements;

3. Respond to specific requests from the Senate, other senate standing committees, or from other groups or individuals within the university community (students, instructors, faculty and staff) when referred through the Senate to the committee;

4. Obtain information from and consult broad sources internal and external to the university as appropriate to deal with issues brought before the committee; and

5. Maintain close liaison and collaborate with the Executive Director of the Learning and Teaching Centre, and others on campus who contribute to the quality of learning and teaching at the university in support of key learning and teaching issues at the university.

Senate standing and *ad hoc* committee meetings are normally closed and the discussions and meeting documents are considered confidential.

<u>Composition</u>

- 10 faculty members representing the faculties (at least 2 of whom shall be senators) (voting)
- 1 representative from the Division of Continuing Studies (voting)
- 5 students including 2 student members of Senate, 2 undergraduate student representatives and 1 graduate student representative (voting)
- 1 convocation member of Senate (voting)
- 1 Alumni Association representative (voting)
- 1 Librarian selected by the Faculty Association Librarians Committee (FALC) (voting)
- University Librarian or designate (*ex officio*, voting)
- President or nominee (*ex officio*, voting)
- Associate Vice President Academic Programs (*ex officio*, non-voting)
- Chief Information Officer or designate (*ex officio*, non-voting)
- Executive Director, Division of Learning and Teaching Support and Innovation (*ex officio*, non-voting)
- Executive Director or designate, Co-operative Education & Career Services, (*ex officio,* non- voting)

Total membership = 25 (21 voting members)

University of Victoria

Senate Committee on Honorary Degrees and Other Forms of Recognition Terms of Reference

The Senate Committee on Honorary Degrees and Other Forms of Recognition ("the Committee") shall:

1. recommend to the Senate candidates for honorary degrees;

2. recommend to the Senate additions to the convocation roll;

3. recommend to the Senate changes to the criteria and qualifications for candidates for honorary degrees or for candidates for addition to the convocation roll;

4. recommend to the Senate that it revoke an honorary degree; and

5. make recommendations to the Senate on any other matters concerning forms of recognition which the Senate may refer to the Committee.

Senate standing and *ad hoc* committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

Composition

- the Chancellor, Chair (*ex officio*, voting)
- the President or nominee (*ex officio*, voting)
- 6 members, at least 2 of whom must be members of Senate, who are either faculty members, a professional librarian or a continuing sessional instructor (voting)
- 1 Alumni Association representative (voting)
- 1 student member of Senate (voting)
- Associate Vice-President University Relations (*ex officio*, non-voting)

Total membership – 11 (10 voting)

The secretary of the committee is the Associate University Secretary.

Criteria for the Selection of Candidates for Honorary Degrees

1. By awarding honorary degrees, the university attempts to recognize extraordinary achievement in community, national or international service, and honour individuals whose accomplishments are of such excellence that they provide, through example, inspiration and leadership to the graduates of the university.

2. Candidates for honorary degrees must normally have an exceptional record of distinction and achievement in at least one of:
    a. scholarship,
    b. research,
    c. teaching,
    d. the creative arts, or
    e. public service.

3. The Committee may recommend a candidate for an honorary degree if that candidate's distinction and achievement, though not fitting the categories listed above, manifests outstanding personal qualities that the Senate may wish to recognize and whose acceptance of an honorary degree would bring acclaim to the university.

4. In making its recommendations, the Committee should attempt to reflect regional and cultural diversity and the character and diversity of the university itself. For each regular convocation, the Committee should try to recommend at least one candidate who has or had some connection with British Columbia or the university.

5. Normally, individuals holding political office or a current appointment at the university are not eligible for consideration for honorary degrees.

6. When the Senate decides to have a special convocation, it may establish special criteria for candidates for honorary degrees and the number of honorary degrees to be awarded at that special convocation.

7. On occasion, candidates for honorary degrees may be selected so as to reflect a theme that, in the opinion of the Senate, is of importance to the university.

Approval by Senate for Conferral of Honorary Degrees

8. Recommendations of candidates for honorary degrees will be considered at the closed meetings of the Senate.

9. The Committee will recommend to the Senate that it approve the conferral of an honorary degree on a candidate.

10. If the Senate approves the recommendation from the Committee for conferral of an honorary degree, the candidate will be added to a pool (list) of candidates who should be offered honorary degrees.

    10.1 If an approved candidate accepts an honorary degree, the receipt of the honorary degree shall be scheduled at a time that is mutually convenient to the university and the candidate, provided that it is no longer than three years after placed in the pool.

    10.2 When necessary, the Committee may recommend that the Senate approve the convocation at which a candidate is to receive an honorary degree at the same time conferral of the honorary degree is approved.

11. A person recommended to the Senate for an honorary degree shall be placed in the pool only if two-thirds of the Senate members present vote in favour of approving the conferral of an honorary degree. Recommendations not meeting this requirement will automatically be referred back to the Committee.

12. The Secretary of the Committee shall maintain the pool of the candidates the Senate has decided should be offered honorary degrees. The Committee shall regularly provide the Senate with the list of names of candidates in the pool.

13. If a candidate who has been added to the pool is not awarded an honorary degree within three years of being placed in the pool, that candidate is automatically removed from the pool unless the Senate, normally on the recommendation of the Committee, decides that the candidate should remain in the pool for up to three more years.

Awarding of Honorary Degrees

14. Except in unusual circumstances and only at the discretion of the Senate, a candidate for honorary degree must attend a convocation ceremony to receive the honorary degree in person.

    14.1 If, after having indicated a willingness to accept an honorary degree, a candidate becomes incapacitated or dies, the honorary degree may be awarded at the discretion of the Chair of the Senate acting on behalf of the Senate.

Revoking an Honorary Degree

15. Senate may revoke an honorary degree in rare and exceptional circumstances in which:

    (a) the recipient's words or actions, or the maintaining of an of an honorary degree, is inconsistent with the university's mission, institutional plans, or values, or brings the university into disrepute; or
    (b) the recipient's words or actions have caused egregious harm to individuals, groups, or land.

16. Individuals who have a concern about an honorary degree recipient may submit a signed written statement of concern to the University Secretary.

Procedures for Nominating Candidates for Honorary Degrees

17. Members of convocation and members of the university community may send nominations for candidates for honorary degrees directly to the Committee; others who wish to nominate candidates must do so jointly with a member of convocation.

18. Nominations for candidates for honorary degrees should be in writing and should be sent to the Secretary of the Committee. Recommendations must include:

    a. a nomination letter including detailed specification and documentation of the candidate's distinctions and achievements;
    b. the current name and contact information of the candidate;
    c. the candidate's curriculum vitae; and
    d. two letters of support for the candidate.

Procedures of the Committee

19. The Secretary of the Committee shall acknowledge the receipt of each nomination of a candidate for an honorary degree or revocation submission in writing.

20. The deliberations of the Committee shall take place in camera and are confidential to the Committee. The Committee shall not disclose to anyone, except by making a recommendation to the Senate, what it decides about any of the submissions it receives.

21. Members of the Committee who are involved in a nomination or revocation submission shall withdraw from the room when that candidate is under consideration by the Committee.

22. The Committee shall use criteria approved by the Senate for selecting nominees, or revoking degrees, for recommendation to the Senate.

23. Normally the Committee shall consult with the appropriate Chair, Director, or Dean if the proposed candidate is recommended on the basis of distinction in an academic area represented at the University.

24. When the Committee recommends a candidate for an honorary degree to the Senate, it shall provide Senate with the nomination information and any other information the Committee deems appropriate.

25. The Committee shall meet at least twice annually.

26. Committee Procedures for the Revocation of an Honorary Degree

    26.1 If on first reading the information provided is deemed insufficient to meet the requirements under section 15.00, no further steps will be taken.

    26.2 The Committee will carefully consider all information provided to them, and may request additional information, documents, or additional written expert advice from any person.

    26.3 The Committee will make reasonable efforts to contact the honorary degree recipient (or, if that is not possible, their family or other representative) to request a response in writing. The Committee will inform the recipient (or their representative) of the concerns that have been raised and give them an opportunity to reply and submit any relevant information in writing.

    26.4 The Committee will decide on their recommendation to Senate by majority vote. The Committee may recommend that Senate revoke the honorary degree and will present the reasoning for this recommendation, and the information that the Committee relied upon, in writing.

    26.5 Recommendations of revocation of an honorand will be considered at the closed meetings of the Senate.

<u>Approved and Revised by Senate:</u>

June 12, 1974
April 1, 1981
May 9, 1984

January 7, 1987
October 5, 1994
October 7, 1998
October 3, 2001
January 9, 2004
February 5, 2005
May 6, 2011
December 6, 2013
October 1, 2021
November 1, 2024

The secretary of the committee is the Associate University Secretary.

Approved and Revised by Senate:
October 10, 1973
February 2, 1994
May 4, 2007
January 9, 2015
May 5, 2017
October 1, 2021
April 4, 2025

University of Victoria

Senate Committee on Libraries
Terms of Reference

The Senate Committee on Libraries shall:

1. Advise the University Librarian on matters relating to the operation of the Libraries and acts as the liaison between the Libraries and academic units and programs. The areas of advice include but are not limited to the following:

   - communication between the Libraries and academic units;
   - review of the Libraries' strategic plan and annual priorities;
   - review of major changes in Libraries' systems or operations;
   - review of Libraries' performance data.

2. Advise the Vice-President Academic and Provost annually on issues facing the Libraries.

3. Recommend changes to Senate in rules and regulations for the operation of the Libraries.

4. Rule on appeals from library patrons regarding penalties, fines or suspension of privileges.

Senate standing and *ad hoc* committee meetings are normally closed and the discussions and meeting documents are considered confidential.

<u>Composition</u>

- 10 faculty members representing the faculties (at least 2 of whom shall be members of Senate) (voting)
- 1 representative from the Division of Continuing Studies (voting)
- 1 research centre director, selected by the Council of Centre Directors (voting)
- 2 students, including 1 undergraduate student and 1 graduate student, at least one of whom must be a student member of Senate (voting)
- 1 Librarian selected by the Faculty Association Librarians' Committee (FALC) (voting)
- University Librarian (*ex officio*, voting)
- 3 Associate University Librarians (*ex officio*, voting)
- President or nominee (*ex officio*, voting)
- Chief Information Officer (*ex officio*, voting)

Total membership - 21 (21 voting members)

The secretary of the committee is a representative from the Office of the University Librarian.

Appendix C

Approved and Revised by Senate:
April 12, 1967
January 19, 1972
September 11, 1985
March 2, 1994
October 6, 1999
May 7, 2004
May 4, 2007
February 7, 2014
April 6, 2015
May 6, 2016
April 4, 2025

University of Victoria

Senate Committee on Libraries

Sub-Committee on Appeals Terms of Reference

Purpose

Any library patron who wishes to appeal the decision of the library administration to impose a fine or the size of the fine under library policy IM 7600, may submit a memo of appeal to the Senate Committee on Libraries. The Sub-Committee on Appeals serves as the decision making body for the entire Committee by reviewing the appeal and issuing a judgement. The Sub-Committee is convened on an ad hoc basis when required.

Membership

The Sub-Committee will consist of five members of the Senate Committee on Libraries who are not affiliated with library administration. If the library patron submitting the appeal is an undergraduate or graduate student, a Student Representative (if available) may be specially requested.

Election

At the first or second meeting of each school year, the Senate Committee Chair will request volunteers to provisionally serve on the Sub-Committee on Appeals when and if it is required. Upon convening, one member will act as Sub-Committee Chair.

Appeal Process

Appeals on library fines are acknowledged by the University Librarian, who will solicit a brief statement from the appropriate library manager on the history and nature of the fine in question. A copy of the appeal and the library statement is forwarded through the Senate Committee Chair (without comment) to the Chair of the Sub-Committee.

The Chair of the Sub-Committee routes the appeal to the other members of the Sub-Committee with his/her written comments. The Sub-Committee evaluates the statements and meets with both parties to further gather appropriate evidence for making a fair determination. The Sub-Committee then confers and drafts a decision to grant or deny the appeal.

The Sub-Committee's decision and rationale is then sent back to the University Librarian who notifies the appellant of the decision.

University of Victoria

Senate Committee on Planning
Terms of Reference

The Senate Committee on Planning shall:

1. Study, and submit recommendations to Senate concerning, proposals for the creation or discontinuation of programs, faculties, schools, departments, centres and institutes and major modifications of existing programs;

2. Approve, on behalf of Senate and the Board of Governors, the creation of micro-certificate programs and report annually on programs created;

3. Assist and advise Senate, after due consultation with the faculties, in the formulation of appropriate academic policy; and

4. Advise Senate and the President on academic issues as required.

The types of proposals to be considered by the Senate Committee on Planning are described in sections 12.00, 45.00, and 47.00 of the Procedures on Curriculum Submissions accompanying Senate Policy AC1120.

The definition of a micro-certificate is described in Senate Policy AC1135, Establishment of Micro-Certificate, Certificate and Diploma Programs.

Senate standing and *ad hoc* committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

<u>Interaction between the Deans and committee</u>

The agenda and minutes of all meetings will be sent to all the Deans.

The Dean of any Faculty or Division (or designate) involved in a matter being discussed by the Senate Committee on Planning should attend the presentation.

<u>Committee composition</u>

- 10 faculty members representing the faculties (at least 2 of whom shall be members of Senate) (voting)
- 1 member representing the Division of Continuing Studies (voting)
- 2 students - including at least 1 student member of Senate; 1 undergraduate student representative, 1 graduate student representative; the student who is not a member of Senate is to be nominated by the UVSS or the GSS as appropriate (voting)
- 1 Dean, other than the Dean of the Faculty of Graduate Studies, nominated by the Deans (voting)*

- Dean, Faculty of Graduate Studies (*ex officio*, voting)
- President or nominee (*ex officio*, voting)
- Vice-President Academic and Provost or designate (*ex officio*, voting)
- Associate Vice-President Academic Programs (Chair) (*ex officio*, voting)
- Vice-President Research or designate (*ex officio*, voting)
- Registrar (*ex officio*, non-voting)
- Executive Director or designate, Co-operative Education and Career Services (*ex officio*, non-voting)
- University Secretary or designate (*ex officio*, non-voting)

Total membership – 22 (19 voting members)

The secretary of the committee is a representative from the Office of the Vice- President Academic and Provost.

**the Dean will be nominated by and from the Deans for a three-year term, the nomination being sent to the Senate Committee on Agenda and Governance for approval by Senate. It is understood that a Dean may be re-appointed for a second and final term, if the Deans so desire.*

<u>Approved and Revised by Senate:</u>
September 14, 1983
September 16, 1987
November 16, 1992
November 3, 1994
March 1, 2000
February 4, 2005
February 6, 2006
October 5, 2007
May 4, 2012
October 5, 2012
October 4, 2013
December 6, 2013
April 4, 2014
December 1, 2017
March 5, 2021
May 5, 2023 (Board of Governors May 30, 2023)
April 4, 2025

University of Victoria

Senate Committee on University Budget
Terms of Reference

The Senate Committee on University Budget shall:

1. Meet with and assist the President in the preparation of the University Budget by meeting senior administrators (e.g., Vice-Presidents, Deans), reviewing budgetary issues with them and submitting recommendations to the President prior to the establishment of the annual budget.

2. Receive copies of the final university budget, provide comments to the Vice-President, Finance and Operations, and report to the Senate.

3. Recommend on consultative procedures for input by faculty and staff on the setting of the university budget.

4. Review funding issues related to academic and administrative units, both as referred to the committee by Senate and at the initiative of the committee and to report to Senate from time to time on such reviews.

Senate standing and *ad hoc* committee meetings are normally closed. A committee may determine that the whole or part of any committee discussion or document presented to the committee shall be held in confidence.

Composition:

- President or nominee (*ex officio*, voting)
- 7 faculty members (at least 2 of whom shall be members of Senate) (voting)
- 1 Student Senator (voting)
- 1 convocation member of Senate (voting)

Total membership – 10 (10 voting members)

The secretary of the committee is the Associate University Secretary.

Approved and Revised by Senate:
November 13, 1974
November 6, 1991
March 1, 2000
December 6, 2013