

**SIMON FRASER UNIVERSITY**  
**Senate Committee on Agenda and Rules**  
**Memorandum**

TO: SCAR

FROM: Judith Osborne  
V.P., Legal Affairs RE: Amendment to Policy S.10.03  
University Board on Student Discipline ("UBSD")

DATE: July 14, 2010

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It has come to our attention that an editorial change to the above-captioned policy is required to close a procedural gap for challenges of the Chair's neutrality.

Section 2.1 of the policy presently states:

*When the neutrality of any member of the Tribunal is challenged, the issue will be determined by the Chair. When the neutrality of the Chair is challenged, the issue will be determined by the Coordinator of the UBSD.*

In practice, the current Coordinator of the UBSD serves as the Chair of every tribunal thus there is no effective mechanism in the policy for dealing with a challenge to the Chair's neutrality. In order to address this issue, the section will be amended to read as follows:

*The neutrality of any member of the Committee scheduled to hear an appeal may be challenged and will be determined by the Chair. If the neutrality of the Chair is challenged, the issue will be determined by the other members of the hearing panel.*

The foregoing is the same procedure and wording as provided for in Policy S.10.04, Senate Committee on Disciplinary Appeals ("SCODA").

We ask that you include this matter as an information item on the Agenda for Senate's meeting of September 13, 2010. The amendment will become effective on that date.