

SIMON FRASER UNIVERSITY

S.81-34

MEMORANDUM

To..... SENATE

From..... SENATE COMMITTEE TO CONSIDER STUDENT
ACADEMIC DISCIPLINE AND CONDUCT

Subject..... REPORT, SADC

Date..... JANUARY 27, 1981

1. The Senate Committee to Consider Student Academic Discipline and Conduct was established by Senate on March 5, 1979. The terms of reference for the Committee and the membership structure are shown on Appendix I herewith. Student membership changed at various times with M. Elliott replacing T. Glas as at November 21, 1979 and J. Crawley replacing M. Elliott as at November 21, 1980. There was no change in chairmanship, in faculty members, in Secretary.

The Secretary has been informed verbally of the resignation of J. Crawley and that the Student Forum removed the student members as at January 14, 1981. An open forum was held on January 19, 1981 without students as members of the Committee and a meeting of the Committee, still without student members, was held on January 21 to incorporate some of the changes proposed at the open forum and through written submissions.

The Chairman has been informed verbally that the intent is to return two students as members of the Committee as soon as possible in February.

A brief summary is appended indicating number of meetings held and processes followed in obtaining input to the Committee.

2. Under its first term of reference the Committee has concerned itself with intellectual honesty and has developed SADC 85 - Statement on Intellectual Honesty, SADC 87 - Procedures for Dealing with Incidents of Intellectual Dishonesty, and under its third term of reference it developed SADC 89 - Terms of Reference, Senate Committee on Academic Discipline.

The Committee is now providing these documents to Senate with its recommendations.

3. Under its second term of reference the Committee concerned itself with student conduct, as charged by Senate. It developed a general statement - SADC 86 - Statement on Student Conduct, a further paper on Draft Procedures for Dealing with Student Misconduct and incorporated language in an earlier draft of SADC 89. In this area of student conduct there are contentious issues. These documents are not submitted at this time as discussion is not completed.

It is the view of the Committee that opportunities should be provided for discussion to continue, with student representation on the Committee, on this charge from Senate relative to conduct.

4. The Committee therefore submits its interim report and recommends that Senate approve the following items:

- MOTION 1. That Senate approve the proposed Statement on Intellectual Honesty. Paper S.81-34A
- MOTION 2. That Senate approve the Procedures for Dealing with Incidents of Intellectual Dishonesty Paper S.81-34B
- MOTION 3. That Senate approve the Terms of Reference - Senate Committee on Academic Discipline. Paper S.81-34C

In discussion at the Senate Committee on Agenda and Rules it was recommended that the items be separated and that there be three separate motions as shown above. The intent is that normal practice be followed and that vote will be undertaken on the specific main motion (or main motion as amended) when debate on the paper is completed.

It is further intended that in debate on each of the main motions and on papers items will be dealt with seriatim.

5. The Committee recommends that discussion be allowed to continue, with student representation on the Committee, on the charge from Senate relative to conduct. As indicated above, the Student Society has indicated intention to return two students to the Committee in early February.
6. During a number of discussions of the Committee it was agreed that concurrently with submission of a report to Senate attention would be drawn to two areas which were of concern to the Committee during its deliberations:
 - i) Statements were developed by the Committee under the charge to it related to student intellectual dishonesty and academic discipline. It is the view of the Committee that the attention of Senate should be drawn to the desirability of developing appropriate statements and procedures on faculty ethics and responsibilities.
 - ii) Senate is advised that it may be desirable to establish further policies relative to some aspects of student records management, including the degree of permanency of retention of disciplinary actions and access to such information.

SENATE COMMITTEE TO CONSIDER STUDENT ACADEMIC DISCIPLINE AND CONDUCT - ad hoc
(Reporting Category "C")

Members	Conditions	Term	Expiry Date	Name	Name
			80-1	80-2	80-3

Vice-President, Academic or his designate	Chairman:	J. M. Munro
Faculty Member	Appointed by the President	Paul Brantingham
Faculty Member		M. Pflischke
Student	Chosen by the Student Society	M. Elliott*
Student		R. Powell
Registrar, or his designate (non-voting)	Secretary	H. M. Evans

TERMS OF REFERENCE

1. To develop procedures for the University for considering and dealing with matters of student academic discipline, including appeal procedures, and to recommend these to Senate for consideration and approval.
2. To develop procedures for the university for considering and dealing with matters of student conduct, including appeal procedures, and to recommend these to Senate for consideration and approval.
3. Before dissolution of the Committee, to present to Senate recommendations concerning membership, structure, terms of reference, general procedures, for any standing or ad hoc Senate Committee or other bodies which may be necessary to carry out recommendations approved by Senate under (1) and (2) above.

Membership and terms of reference established by Senate
March 5, 1979. Membership revised April 2, 1979.

* Replaced T. Glas, resigned, effective November 20, 1979.

To January 23, 1981

STATEMENT ON INTELLECTUAL HONESTY - SADC 85

The academic standards and reputation of a university are a shared responsibility of the faculty and students. Intellectual honesty is a cornerstone of the development and acquisition of knowledge and is a condition of continued membership in the university community.

Intellectual dishonesty may take many forms. For example, the unacknowledged use of the ideas or published material of others constitutes plagiarism. While much academic work must involve the consideration of ideas and material originally conceived or made accessible by others, there is a significant difference between an acknowledged restatement of such ideas and materials after intelligent assimilation, and the intentional, unacknowledged reproduction of them. Other examples of intellectual dishonesty are cheating on exams, aiding and abetting cheating, the use of essays prepared by other persons, a falsification of laboratory results, impersonation of another student at an examination, misrepresentation of information on and the falsification of academic records.

Academic Discipline

Sanctions imposed by the University for intellectual dishonesty may include a simple warning, reassessment of the work, failure on the particular assignment, failure in the course, denial of admission or readmission, forfeiture of university financial aid, and suspension or expulsion from the University.

In deciding on the appropriate sanction to be imposed for an act violating intellectual honesty, consideration will be given to all relevant matters including the extent of the dishonesty, the inadvertent or the deliberate character of the dishonesty, the importance of the work in question as a course component, whether the act in question is an isolated incident or part of repeated acts of academic dishonesty, and to any mitigating or aggravating circumstances.

Procedures to be followed by university authorities or by a student wishing to initiate an appeal in a case of academic discipline are detailed in the University's Policies and Procedures Manual. Copies of the procedures are available from the Office of the Registrar.

PROCEDURES FOR DEALING WITH INCIDENTS OF
INTELLECTUAL DISHONESTY - SADC 87

- A
1. Course instructors are expected to inform students at the beginning of the semester of any special criteria of intellectual honesty pertinent to the course. Such special criteria shall be consistent with the University's "Statement on Intellectual Honesty". Failure of a course instructor to provide special information pertinent to the course does not in any way exempt a student from penalties that may be imposed under these procedures.
 2. When a course instructor finds that a student in one of his or her courses has been intellectually dishonest, the course instructor shall take one or more of the following courses of action:
 - (a) require the student to redo the work or impose a failing mark for the work, or both;
 - (b) with the approval of the Department Chairman, give the student a grade of "F" for the course;
 - (c) recommend to the Department Chairman that the student's status as a member of the University community be reviewed by the President.

The student shall be informed of the action taken and may be restricted by the University from withdrawing from a course once the course instructor initiates action to invoke penalties under paragraph 2(b) or paragraph 2(c), or both.

In deciding on the appropriate sanction to be imposed for an act violating intellectual honesty, consideration will be given to all relevant matters including the extent of the dishonesty, the inadvertent or the deliberate character of the dishonesty, the importance of the work in question as a course component, whether the act in question is an isolated incident or part of repeated acts of academic dishonesty, and to any mitigating or aggravating circumstances.

3. The Department Chairman will investigate the facts relating to the incident of alleged intellectual dishonesty before approving a penalty under paragraph A.2(b) or initiating action under paragraph A.2(c).
4. Each Department shall establish a standing committee called the Committee on Academic Discipline Appeals to hear appeals from the decisions made under paragraphs A.2(a) and 2(b). This committee's membership must include an equal number of faculty and student members and a chairman from the Department who may be either a student or a faculty member and who may

not vote except in the case of a tie. Neither the President nor the Department Chairman may be a member of this committee. Each Department shall determine its committee's size, method of selecting members, and procedures.

5. Penalties imposed by a course instructor under paragraph A.2(a) require no further action. However, the student may appeal the imposition of the penalty to the Departmental Committee in writing within 14 days after the student is notified of the course instructor's decision (see paragraph B.8).
6. A student may appeal a penalty imposed pursuant to paragraph A.2(b) to the Departmental Committee. Notice of the appeal must be given in writing within 28 days after the student is notified of the Department Chairman's decision (see paragraph B.8).
7. If the course instructor and Department Chairman believe the seriousness of the conduct warrants action under paragraph A.2(c), they will forward the case to the President to be dealt with in his or her discretion.
8. When the Registrar believes that any document has been falsified or a misrepresentation made that in either case may create an incorrect perception of a student's academic position or credentials, the Registrar may either issue a reprimand to the student or recommend that the President review the case for possible application of penalties involving the individual's status as a member of the University community.
9. The President shall delay implementing a penalty under paragraphs 7 and 8 until 14 days after the student has been notified of the President's decision (see paragraph B.8), and, where notice of an appeal has been properly given, until the Senate Committee on Academic Discipline has made its decision.
10. The Senate Committee on Academic Discipline shall hear appeals by students made in accordance with paragraph B.3 from decisions of:
 - (a) A departmental committee on Academic Discipline Appeals in cases upholding penalties imposed under paragraphs A.2(a) and A.2(b);
 - (b) The Registrar to issue a reprimand under Section A.8; and
 - (c) The President imposing a penalty in cases forwarded under paragraphs A.7 and A.8.

Decisions of the Senate Committee on Academic Discipline shall be final except as provided for in Section B.11.

B

General Procedures

1. The procedures described in this document have been developed with regard to appropriate principles of natural justice in order to ensure that a student subject to disciplinary proceedings is treated fairly, while recognizing that such proceedings will not normally be conducted in the same manner as those of a court of law.
2. A person, or a departmental committee, making a recommendation or a decision or imposing a penalty shall adopt appropriate procedures and shall, if the student so requests, give the student an opportunity to make representations concerning the matter. Such person shall also hold all documentary evidence submitted to him or her in connection with the matter until the time for appeal under these procedures has elapsed, and shall deliver such evidence to the Registrar if it is requested.
3. Each notice of appeal under these procedures shall be given in writing, in the case of an appeal to a departmental committee to the Department Chairman, and in the case of an appeal to the Senate Committee on Academic Discipline to the Registrar, in each case within the relevant time limit after the student has been notified of the decision being appealed from (see paragraph B.8.). The notice of appeal shall state the student's reasons for the appeal.
4. A student who appeals to the Senate Committee on Academic Discipline pursuant to these procedures shall be entitled to a copy of the full record of the case under appeal. The "full record" of the case consists of all available documentary evidence submitted to, and the decision of, each prior decision maker. The Senate Committee may withhold that portion of any evidence which does not relate to the appeal of the student, or that identifies a person whose privacy might be unfairly invaded by disclosure provided that the Committee is of the opinion that non-disclosure would not prejudice the right of the student to have a fair hearing.
5. The Senate Committee on Academic Discipline shall hold a hearing in respect of each appeal made to it pursuant to these procedures to hear such evidence as it considers appropriate and such representations as the student wishes to make. The student shall have the right to attend and have a representative of his choice attend each hearing in respect of his or her appeal, but not during the Committee's deliberations.

The Chairman of the Department Committee on Academic Discipline may be present and permitted to testify at any appeal hearing of the Senate Committee on Academic Discipline. Similarly the course instructor may be present and permitted to testify.
6. A person or committee determining any matter pursuant to these procedures may receive and act upon such evidence and information as he, she, or it, considers to be reliable, whether such evidence or information would be admissible in a court of law. Reasonable effort shall be made to adjudge the accuracy of such evidence or information.
7. Each decision to impose a penalty on a student (except under paragraph A.2(a)) and each decision on appeal therefrom shall be communicated to the student with reasons in writing. Notice of the decisions shall include a statement of the student's right of appeal under these procedures, if any, as well as information concerning the services of the Student Society Ombudsperson's office.

8. A decision sent by registered or certified mail to the student at his or her current address as shown on the records of the registrar shall be deemed to have been received by the student on the fourth day of mail service after the date of mailing if it was not earlier delivered to that address.
9. If an appeal is successful, every reasonable effort shall be made to return the student to the position he or she would have been in if the decision appealed from had not been taken.

More specifically, in the case of penalties imposed under paragraph A.2(a) or A.2(b), the student shall be given the opportunity either to complete the course, including objective grading of the work originally submitted or to withdraw from the course without academic penalty. Extra time may be permitted to complete the course. If on appeal all penalties are removed and course completion is not feasible, then the course tuition fees and costs of course materials will be refunded.

~~The Senate Committee on Academic Discipline may recommend to the President that other forms of dispensation be granted.~~

10. Any penalty other than that imposed under Section A.2(a) shall be accompanied by a written reprimand, a copy of which shall be placed in the student's permanent file in the Registrar's office. In cases involving penalties of suspension or expulsion, a notation shall be made on the student's transcript for the duration of the penalty but shall be removed from the transcript when the period of suspension has ended. Data which relates to penalties imposed and which is retained in the student's permanent file, after penalty has been served, shall be kept in a sealed "confidential" envelope to be opened only by the Registrar or his designate when further circumstances necessitate access.
11. Upon the written request of the student or the President, the Senate Committee on Academic Discipline may initiate proceedings to consider amelioration or reduction of a penalty previously imposed.

C. DEFINITIONS

In this paper the following definitions apply:

"Course Instructor" means the person responsible for the course.

"Department Chairman" in the context of conduct of any course means the Chairman of the Department (or the equivalent administrative officer) which is primarily responsible for providing the course.

"Senate Committee" means the Senate Committee on Academic Discipline.

"Student Society: means the Simon Fraser Student Society.

SHORT TERMS OF REFERENCE

SENATE COMMITTEE ON ACADEMIC DISCIPLINE - SADC 89

A. Membership and Voting

- (a) Chairman - elected by and from Senate for a 1-year term
 - (b) 3 faculty members elected by Senate for over-lapping 2-year terms
 - (c) 1 faculty member (alternate) elected by Senate for a 1-year term
 - (d) 3 students selected by the Student Society for 1-year terms
 - (e) 1 student (alternate) selected by the Student Society for a 1-year term
 - (f) The Registrar or his or her designate shall serve as non-voting secretary to the Committee
2. "Student" means a person who is presently enrolled at the university in a credit course or who is designated by resolution of the Senate as a student; for these purposes for undergraduate students it includes 1) Those registered in a credit course or courses in the semester in which nominations are due, or ii) Those in good standing who were registered in a credit course or courses in the immediately previous semester who certify that they intend to register again at Simon Fraser University before missing two consecutive registrations. For these purposes for graduate students it includes any student duly registered as a graduate student other than one who currently is designated with "on leave" status.
3. Each member shall have one vote, but alternates may vote only as set out in paragraph A.4 and the Chairman or Acting Chairman shall vote only in the case of ties.
4. The faculty member alternate shall be eligible to vote when one of the other faculty members is absent or involved in the case being heard by the Committee and the student alternate shall be eligible to vote when one of the other student members is absent or involved in the case being heard by the Committee.
5. Faculty Deans and Department Chairmen are not eligible for election to this Committee.

6. The President shall not be a member of this Committee.

B. Responsibilities

1. The Committee is the "standing committee of final appeal for students in matters of academic discipline" referred to in various sections of the University Act.
2. The Committee is established to hear appeals from penalties imposed on students under "Procedures for Dealing with Incidents of Intellectual Dishonesty" and to hear such other appeals and deal with such other matters as Senate or the chairman of Senate so directs.
3. Senate delegates to the Committee its power and authority to deal with all appeals in matters of academic discipline of students.

C. Procedures

1. The procedures described in this document and related documents have been developed with regard to appropriate principles of natural justice in order to ensure that a student subject to disciplinary proceedings is treated fairly, while recognizing that such proceedings will not normally be conducted in the same manner as those of a court of law.
2. The Committee may adopt such procedures as it considers appropriate and shall, if the student so requests, give the student opportunity to make representations concerning the matter.
3. The Committee shall observe the following standards and procedures while carrying out its responsibilities:
 - (a) If the Chairman is absent from any Committee meeting, a quorum of the Committee shall elect an Acting Chairman from among voting members present to act as Chairman of the meeting while the Chairman remains absent.
 - (b) A quorum of the Committee is 5 members entitled to vote at the meeting.
 - (c) If a member is involved in a case before the Committee, he or she shall not act as a member of the Committee with respect to that case.
 - (d) When an appeal has been initiated and new evidence is to be made available the Chairman of the Committee, on consideration of the new evidence, may instruct that the case be further considered with the new evidence by the previous review body, or may permit the appeal to proceed to the Committee with the new evidence to be considered at that level.

4. The Committee shall consider each relevant part of the full record concerning the alleged offence or conduct, as well as all additional relevant evidence and representations made to the Committee in connection with the case.

A student who appeals to the Senate Committee on Academic Discipline pursuant to these procedures shall be entitled to a copy of the full record of the case under appeal. The "full record" of the case consists of all available documentary evidence submitted to, and the decision of, each prior decision maker. The Senate Committee may withhold that portion of any evidence which does not relate to the appeal of the student, or that identifies a person whose privacy might be unfairly invaded by disclosure provided that the Committee is of the opinion that non-disclosure would not prejudice the right of the student to have a fair hearing.

5. The Senate Committee on Academic Discipline shall hold a hearing in respect of each appeal made to it pursuant to these procedures to hear such evidence as it considers appropriate and such representations as the student wishes to make. The student shall have the right to attend and have a representative of his choice attend each hearing in respect of his or her appeal, but not during the Committee's deliberations.

The Chairman of the Department Committee on Academic Discipline may be present and permitted to testify at any appeal hearing of the Senate Committee on Academic Discipline. Similarly the course instructor may be present and permitted to testify.

6. The Committee determining any matter pursuant to these procedures may receive and act upon such evidence and information as it considers to be reliable, whether such evidence or information would be admissible in a court of law. Reasonable effort shall be made to adjudge the accuracy of such evidence or information.
7. Appeals shall be heard and decisions made with due dispatch. Each decision on appeal shall be communicated to the student with reasons in writing. Each decision of the Committee is final and there is no right of appeal from its decision except as provided for in Section C.10

A decision sent by registered or certified mail to the student at his or her current address as shown on the records of the registrar shall be deemed to have been received by the student on the fourth day of mail service after the date of mailing if it was not earlier delivered to that address.

8. Meetings of the Senate Committee on Academic Discipline are closed.
9. The Committee has discretionary power in exceptional cases to waive technical requirements which in the Committee's opinion would otherwise cause undue hardship.
10. Upon the written request of the student or the President, the Senate Committee on Academic Discipline on written reasons satisfactory to the Committee, may initiate proceedings to consider amelioration or reduction of a penalty previously imposed. Upon instruction by the President the Committee shall initiate such proceedings but with the final disposition to rest with the Committee other than in those cases where imposition of the penalty rested initially with the President in which case, in consultation with the Committee, he/she may act directly to ameliorate perceived injustice.

D. Reporting

The Committee shall report its decisions in summary, anonymous form to Senate at least annually and more frequently if appropriate. It will also provide Senate with an annual report reviewing the operation of the procedures referred to in paragraph B.2. The Committee has the responsibility of making recommendations to Senate concerning necessary modifications of University policies and procedures in the areas of intellectual honesty and academic discipline.

Summaries of information on offences and on penalties assigned will be available in the Office of the Registrar.

SUMMARY - MEETINGS HELD, PROCESSES USED TO OBTAIN INPUT TO COMMITTEE,
SOME ACTIVITIES

For approximately one year the Senate Committee on Agenda and Rules gave consideration to the broad areas of academic discipline and student conduct and then recommended appointment of the present Committee to focus and facilitate discussion. The materials available to SCAR were available to SADC.

In addition, further data was collected either through AUCC or directly from the university concerned on the principles, procedures, or regulations used by other institutions. The data ranged from brief calendar entries only through to long detailed regulations and procedures and covered twelve Canadian universities. Other general or specialized information was obtained such as Carnegie Council - Summary Report on Academic Discipline.

SADC held its first meeting on July 6, 1979. The Chairman wrote to all deans and departmental chairmen to request data on any current procedures or previous experience which could be of value to the Committee.

Nineteen meetings of the Committee were held prior to an open forum held March 26, 1980.

The Chairman of the Committee on March 4, 1980 wrote to senior officials, deans and chairmen of departments indicating intent for open forum to be held March 19, requesting response to the papers as proposed to be received by March 25. At the request of students the date for open forum became March 26 and for response March 27.

Arrangements were made for two student members of the Committee to meet with various student unions if desired, assisted by the Committee Chairman.

On March 11, 1980 proposals of the Committee were published in The Peak, with call for open forum for March 19, changed to March 26, requesting submissions not later than March 27. Written response to the Chairman's memorandum or to The Peak advertising were received from five department chairmen, one individual, two student unions and from the Student Society in the form of a brief. Additional comments were made at the forum.

The Committee continued meeting as from March 31, 1980 and considered each of the submissions received, making a number of revisions to earlier papers. Its declared intent was to proceed with revisions, to again write deans and departmental chairmen and to again hold open forum before submission of recommendations to Senate. In November decision was made for open forum to be held December 4 and advertisement was placed in The Peak on November 14 advising of that date, and that full papers would be published in The Peak on November 25. These were published. At the request of the Student Society on November 21, the date of forum was changed to January 19, 1981. The Student Society request had been for longer deferment, but was not accepted.

On November 26 the Chairman wrote deans and departmental chairmen requesting response. Notice appeared in The Peak on January 14, 1981 reminding of the open forum to be held.

Thirteen meetings of the Committee were held between the two open forums.

Following the forum the Committee met on January 23, made a number of revisions on the basis of written submissions (three), and verbal presentation and one written submission at forum. Decision was made to submit interim report and recommendations to Senate.

(At various stages legal advice was obtained by the Committee.)

SIMON FRASER UNIVERSITY

MEMORANDUM

To..... SENATE

From..... H.M. Evans

..... Secretary, Senate

Subject..... SENATE MEETING, FEBRUARY 9, 1981
..... FURTHER MATERIALS

Date..... February 4, 1981

The enclosed papers are provided for the February 9th meeting of Senate. They relate to Paper S81-34, Report SADC.

S 81-34 D

Office of the
Student Senators
T.C. 217
02 FEB 81

Dear Fellow Senators,

The attached amendments relate to document S81-34, the SADC report.

They are put forward by the Student Senators' Caucus for your consideration. Although the list of proposed amendments is lengthy, we feel that they are worthy of your close attention.

We feel that the SADC report does not adequately protect students nor does it make proper provision for 'due process'.

Due to the complexity of the amendment package, we are taking the unusual step of circulating it prior to the Senate meeting.

We feel that there are two means of dealing with the SADC report and its related amendments. We can deal with the report and its amendments on the floor of Senate, at the February meeting, or we can refer the report and the proposed amendments back to SADC which will then return a revised report, at its earliest convenience.

We thank you for the time that you will spend familiarizing yourself with both the SADC report and the amendment package.

Respectfully,



Stephen K. Anderson
Chair,
S.F.U. Student Senators' Caucus

Registrar's Note: -

S.81-34E relates to S.81-34B - Procedures for Dealing with Incidents of Intellectual Dishonesty.

Items 1 through 10 propose amendments to SADC 87, Section A
Items 12 through 20 propose amendments to SADC 87, Section B

S.81-34F relates to Paper S.81-34C - Terms of Reference - Senate Committee on Academic Discipline.

Item 21 proposes amendment to SADC 89, Section A
Items 22 through 30 propose amendment to SADC 89, Section C

Item 31 permits renumbering of SADC 87 and SADC 89 where appropriate.

PROPOSED AMENDMENTS TO Academic Discipline & Conduct Proposals

- ✓1. To amend SADC 87, Paragraphy A-1, by substituting for the words "does not in any way" the word "may", in the last sentence.
- ✓2. To amend SADC 87, Paragraph A-1, by substituting for the word "expected" the word "required" in the first sentence.
- ✓3. To amend SADC 87 by adding a new paragraph before the existing paragraph A-2, to read as follows:

When a Course Instructor suspects that a student is, or has been, involved in academic misconduct, the Course Instructor shall inform the student of that suspicion, and allow the student to present his/her defense in such a manner, and with such assistance, as the student sees fit. This shall occur before either the imposition of a penalty (under Section A-2 (a)) or referral to the Department Chair (under A-2 (b)), or to the President (under A-2 (c)).
- ✓4. To amend SADC 87, paragraph A-3, to read as follows:

The Department Chair shall investigate the facts, with the affected student and his/her representative present, relating to the incident of alleged intellectual dishonesty, before approving a penalty under paragraph A-2 (b) or initiating action under paragraphy A-2.(c).
- ✓5. To amend SADC 87, paragraph A-4, by the addition of the words "subject to approval by Senate" at the end of the ⁵1st sentence of the paragraph.
- ✓6. To amend SADC 87, paragraph A-5, by adding, after the word "appeal" in the second sentence, the words "the allegation of guilt and/or".
- ✓7. To amend SADC 87, paragraph A-6, by the addition of the sentence "A departmental Committee shall have the power to relieve against a failure to meet such time limit, by a vote of 3/4ths (or more) of the Committee."
- ✓8. To amend SADC 87, paragraph A-7, to read:

If the course instructor and the Departmental Chairman, after through investigation, believe that the seriousness of the alleged conduct warrents action under paragraph A-2 (c), they will forward the case to the President who shall, after full investigation and allowing the student involved to present such case in such manner as the student deems fit and having proper regard for the principles of natural justice, deal with the case at his/her discretion."

- ✓9. To amend SADC 87, paragraph A-8, to read as follows:
"When the Registrar believes that any document has been falsified or a misrepresentation has been made, that in any case may create an incorrect perception of a student's academic position or credentials, the Registrar may, after full investigation and allowing the student to present such case in such manner as the student deems fit and having proper regard for the principles of natural justice, either issue a reprimand or recommend that the President review the case for a possible application of penalties involving the individual's status as a member of the university community.
- ✓10. To amend SADC 87, paragraph A-9 so that it shall read as follows:
"The President shall delay implementing a penalty under paragraph 7 or 8 until 14 days after the student has been notified of the President's decision (see paragraph B-8), or until the Senate Committee on Academic Discipline has made its decision, whichever shall be the longer period.
- ✓11 THERE IS NO NUMBER 11

- ✓12. To amend SADC 87, paragraph B-1, by DELETING ;the existing paragraph and substituting the following:
"The rules and procedures governing the treatment of alleged incidents of misconduct shall conform, in all cases, to the requirements of natural justice. justice. A person accused of an act of intellectual dishonesty shall enjoy:the right to a speedy hearing by an impartial body; the right to be informed of the nature, cause, and originator of the accuaation; the right to confront the witnesses against him/her self; the right to have the assistance of a representative of his/her choice in the presentation of her/his defense."
- ✓13. To amend SADC 87, paragraph B-2, to read:
"A person, or a committee making a recommendation or decision or imposing a penalty, shall adopt appropriate procedures and shall give the student every opportunity to make such representation, in such manner, as the student sees fit. Such person, or committee, shall also hold all documentary evidence submitted to him/her/it, in connection with the matter under consideration, until all appeals under these procedures have been exhausted.. Notwithstanding the foregoing, the minimum period for the retention of this evidence shall be one year. This material shall be forwarded to the Registrar, for safe keeping, at the termination of the appeal process.
- ✓14. To amend SADC 87, paragraph B-3, by the addition of the following sentence to the end of the paragraph:
"The possible grounds for appeal shall include, but shall not be limited to, any or all of the following:
(a) Innocence,
(b) violation of due process
(c) mitigating circumstances
(d) new evidence
(e) other reasons, as specified by the student.
- ✓15. To amend SADC 87, paragraph B-4, so that it shall read:
"A student who appeals to the Senate Committee on Academic Discipline, pursuant to these procedures, shall be entitled to and shall be given a copy of the full record of the case under appeal. The "full record" of the case shall consist of all available documentary evidence and oral presentations given to, the transcripts of the meetings of, and the decision(s) of each prior decision maker.
- ✓16. To amend SADC 87, paragraph B-5, so that it shall read:
"The Senate Committee on Academic Discipline shall hold a hearing (or hearings) in respect of each appeal made to it, pursuant to these procedures, to hear such evidence and representations as the student wishes to present and to review the transcripts, records, and decisions from previous hearings, concerning each individual case. The student shall have the right and the opportunity to attend and to participate, and to have a representative of his/her choice attend and participate, in each hearing in respect of her/his appeal.

The Chairperson of the Departmental Committee on Academic Discipline may be present and may be premitted to testify at any relevant hearing of the Senate Committee on Academic Discipline.

The course instructor may be present and may be permitted to testify at any relevant hearing of the Senate Committee on Academic Discipline.

Neither the appellant, not his/her representative, nor the Chairperson of the Departmental Committee on Academic Discipline, nor the course instructor, nor any other person having an interest in the case (as determined by the committee) shall be present when the Senate Committee on Academic Discipline deliberates."

- ✓ 17 To amend SADC 87, paragraph B-6, by the ADDITION of the word "Every" before the first word of the second sentence.
- ✓ 18. To amend SADC 87, paragraph B-7, by CHANGING the first sentence so that it shall read;
"Each finding of guilt and each decision to impose a penalty on a student and each decision on appeal therefrom shall be communicated, with the reasons for such finding or penalty, in writing to the student affected."
- ✓ 19. To amend SADC 87, paragraph B-9, so that it shall read;
"If an appeal is successful, every reasonable effort shall be made to return the student to the position he/she would have been in if the decision appealed from had not been made.

More specifically, in the case of penalties imposed under paragraphs A-3 (a) or A-3 (b), the student shall be given the option of either completing the course (including objective grading of the work originally submitted) in which case the student shall be given an automatic thirty (30) day extension on the normal final date for the submission of work under special deferrals, or withdrawing from the course without academic or financial penalty.

If on appeal all penalties are removed and course completion is not feasible within the automatic extension period, then

- (a) the course tuition fees shall be repaid, and
- (b) the costs of course materials and books shall be repaid, and
- (c) a mark of "AE" shall be given for the course.

The Senate Committee on Academic Discipline may recommend to the President that other additional forms of dispensation be granted, such additional dispensation shall not be unreasonably denied.

If an appeal is successful, all reference to the alleged misconduct contained in the student's file shall be removed within ten (10) days of the appeal decision, and the Registrar shall confirm, in writing, to the student that this has been done.

- ✓ 20. To amend SADC 87, paragraph B-10, by the addition of the following words to the end of the paragraph:
"The student shall have the right to access to his/her permanent file and she/he shall be advised when any addition or deletion is made to his/her file."

- ✓21. To amend SADC 89, paragraph A-1 (a) so that it shall read:
 (a) Chairperson - elected by a simple majority vote of the Committee for a one (1) year term.
- ✓22. To amend SADC 89, paragraph C-1, so that it shall read:
 "The rules and procedures governing the Senate Committee on Academic Discipline shall conform, in all cases, to the requirements of natural justice. A person accused of an act of misconduct shall enjoy: the right to a speedy hearing by an impartial body; the right to be informed of the nature, cause, and originator of the accusation; the right to confront the witnesses against him/her self; the right to have the assistance of a representative of her/his choice in the presentation of his/her defense."
- ✓23. To amend SADC 89, paragraph C-2, so that it shall read:
 "The Committee may adopt such procedures as it considers appropriate and shall give the student the opportunity to make such representation in such manner and with such assistance as the student deems fit."
- ✓24. To amend SADC 89, paragraph C-3, by CHANGING the word "Chairman" to "Chairperson"
- ✓25. To amend SADC 89, paragraph C-3, section (b) so that it shall read:
 "A quorum of the Committee shall be five (5) members entitled to vote at the meeting, except that it shall not include the chairperson or the acting chairperson."
- ✓26. To amend SADC 89, paragraph C-3, section (d), so that it shall read:
 "When an appeal has been initiated, and new evidence is to be made available, the Chairperson of the Committee, on consideration of the new evidence shall either, instruct that the case be further considered with the new evidence by the previous review body or that the appeal proceed to the Committee with the new evidence to be considered at that level."
- ✓27. To amend SADC 89, paragraph C-4, by DELETING the last sentence of the second paragraph.
- ✓28. To amend SADC 89, paragraph C-5, so that it shall read:
 "The Senate Committee on Academic Discipline shall hold a hearing (or hearings) in respect of each appeal made to it, pursuant to these procedures, to hear such evidence and representations as the student wishes to make and to review the transcripts, records, and decisions from each previous hearing concerning each individual case. The student shall have the right and the opportunity to attend and to participate, and to have a representative of his/her choice attend and participate, in each hearing in respect of her/his appeal."

The Chairperson of the Departmental Committee on Academic Discipline may be present and may be allowed to testify at any relevant hearing of the Senate Committee on Academic Discipline.

The Course Instructor may be present and may be permitted to testify at any relevant hearing of the Senate Committee on Academic Discipline.

Neither the appellant, nor his/her representative, nor the Chairperson of the Departmental Committee on Academic Discipline, nor the course instructor, nor any other person having an interest in the case (as determined by the committee) shall be present when the Senate Committee on Academic Discipline deliberates."

✓ 29. To amend SADC 89, paragraph C-6, by the ADDITION of the word "Every" before the first word of the second sentence.

✓ 30 To amend SADC 89, paragraph C-10, so that it shall read:
"Upon the written request of the student, the Senate Committee on Academic Discipline may initiate proceedings to consider amelioration or reduction of a penalty previously imposed.

Upon the written request of the President, The Senate Committee on Academic Discipline may initiate proceedings to consider amelioration or reduction of a penalty previously imposed.

The final decision of the Senate Committee on Academic Discipline shall be binding in all cases where it has been requested, by the President, to consider amelioration or reduction of a penalty previously imposed.

The final decision of the Senate Committee on Academic Discipline, acting in consultation with the President, shall be binding in all cases where it has been requested, by a student, to consider amelioration or reduction of a penalty previously imposed.

In cases where a student has requested amelioration or reduction of a penalty previously imposed and the Senate Committee on Academic Discipline agrees to hear the case, the final decision shall be made by secret ballot, and a majority vote shall prevail.

✓ 31 To amend SADC 87 and SADC 89 by renumbering where appropriate.