

GFC CAMPUS LAW REVIEW COMMITTEE

MOTION AND FINAL DOCUMENT SUMMARY

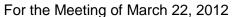
The following Motion and Document was considered by the GFC Campus Law Review Committee at its March 22, 2012 meeting:

Agenda Title: Offences Committed by Electronic Means

APPROVED MOTION: THAT the GFC Campus Law Review Committee approve, under delegated authority from General Faculties Council, proposed revisions to Section 30.3.1 (Offences Under the Code/Application) of the Code of Student Behaviour, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachment 1, to take effect upon final approval.

Final Item: 4

GFC CAMPUS LAW REVIEW COMMITTEE





FINAL Item No. 4

OUTLINE OF ISSUE

Agenda Title: Offences Committed by Electronic Means

Motion: THAT the GFC Campus Law Review Committee approve, under delegated authority from General Faculties Council, proposed revisions to Section 30.3.1 (Offences Under the Code/Application) of the Code of Student Behaviour, as submitted by the Director of the Office of Student Judicial Affairs (OSJA) and as set forth in Attachment 1, to take effect upon final approval.

Item

Action Requested		
Proposed by	Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA)	
Presenter	Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA)	
Subject	Offences committed by electronic means	

Details

Responsibility	Provost and Vice-President (Academic)
The Purpose of the Proposal is	To clarify how the Code of Student Behaviour applies to offences
(please be specific)	committed electronically.
The Impact of the Proposal is	Clarifies current practice.
Replaces/Revises (eg, policies,	Section 30.3.1 (Offences Under the Code/Application) of the Code of
resolutions)	Student Behaviour.
Timeline/Implementation Date	Upon final approval.
Estimated Cost	None.
Sources of Funding	N/A
Notes	N/A

Alignment/Compliance

Dare to Discover Values: To provide an intellectually superior educational environment; integrity, fairness, and principles of ethical		
conduct built on the foundation of academic freedom, open inquiry, and		
the pursuit of truth.		
(PSLA): The Post-Secondary		
•		
Learning Act (PSLA) gives GFC responsibility, subject to the authority of the Board of Governors, over academic affairs (Section		
26(1)) and over academic affairs (Section 31), including authority		
Coolin 61), moldaling dathonly		
2. GFC Campus Law Review Committee (CLRC) Terms of		
,		
Reference–Section 1 (<i>Authority</i>) : "GFC has thus established a Campus Law Review Committee (GFC CLRC)"		
3 32(3)		
ommittee (CLRC) Terms of		
Reference-Section 3(a) (Mandate of the Committee-Code of		
e Code of Student Behavior and		
o Codo of Cidaoni Bonavior and		
GFC, to approve all editorial		
amendments to the Code of Student Behaviour except editorial		
amendments to Section 30.6.		
f Student Behaviour deemed		
I OLUGELI DELIAVIONI DEELLED I		

For the Meeting of March 22, 2012

FINAL Item No. 4

Committee, which will decide whether or not it can act on behalf of		
GFC. (See Amendment of the Code, Section 30.7 of the GFC Policy		
Manual (Code of Student Behaviour.))"		

4. Code of Student Behaviour, <u>Amendment of the Code</u>-Section 30.7: ["]

30.7.1 Legislative Authority

General Faculties Council (GFC) and the Board of Governors may amend the Code in exercise of the authority vested in them by Section 31 of the *Post-Secondary Learning Act.* (CLRC 25 SEP 2003) (CLRC 29 OCT 2004 e-mail vote)

30.7.2 Editorial Amendments

30.7.2(1) The Campus Law Review Committee (CLRC) decides which amendments are editorial. (CLRC 29 OCT 2004 e-mail vote)

30.7.2(2) On delegated authority from GFC, all editorial amendments will be approved by the Campus Law Review Committee (CLRC) except editorial amendments to Section 30.6. (CLRC 29 OCT 2004 e-mail vote)

30.7.2(3) All amendments to Section 30.6 will be forwarded to the GFC Executive Committee for approval. (CLRC 29 OCT 2004 e-mail vote)

30.7.3 Substantive Amendments

30.7.3(1) Amendments to the Code deemed substantive by CLRC are forwarded to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC.(CLRC 29 OCT 2004 e-mail vote)

30.7.3(2) Only substantive changes to Section 30.6 proceed to the [Board Learning and Discovery Committee], which will decide whether or not it can act on behalf of the Board of Governors. (BEAC 11 JUNE 2004)

30.7.3(3) The Secretary to GFC must notify Students' Union and the Graduate Students' Association of all substantive changes to the Code (including Section 30.6) 15 Working Days before those changes are considered by GFC. The Students' Union and the Graduate Students' Association will be invited to contact their members so that the Students can access the changes on the World Wide Web via University Governance's home page."

Routing (Include meeting dates)

Consultative Route	University Governance; Office of the Dean of Students; Office of General	
(parties who have seen the	Counsel; Student OmbudService; and	
proposal and in what capacity)	GFC Campus Law Review Committee (for discussion) - February 23,	
	2012	
Approval Route (Governance)	GFC Campus Law Review Committee (March 22, 2012) - for final	
(including meeting dates)	approval	
Final Approver	GFC Campus Law Review Committee	

Attachments (each to be numbered 1 - <>):

1. Attachment 1 (page 1): Comparative Table of Proposed Changes to Section 30.3.1 of the Code of Student Behaviour



GFC CAMPUS LAW REVIEW COMMITTEE

For the Meeting of March 22, 2012

FINAL Item No. 4

Prepared by: Deborah Eerkes, Director, Office of Student Judicial Affairs (OSJA), deborah.eerkes@ualberta.ca

Current	Proposed	Rationale
30.3 Offences Under the	30.3 Offences Under the	
Code	Code	
30.3.1(1) This Code applies to all conduct by a Student or by Students that has a real and substantial link to the University, University Activities, the University Community, or University related Functions, whether or not the conduct occurred on or in relation to University property.	30.3.1(1) This Code applies to all conduct by a Student or by Students, by any means whatsoever, (including but not limited to internet forums, electronic communications or other media) that has a real and substantial link to the University, University Activities, the University Community, or University related Functions, whether or not the conduct occurred on or in relation to University property.	Rather than creating new definitions for behaviours like cyberbullying, cyberstalking, etc. we can make an overall statement that students' conduct online and through electronic media is also subject to the Code, as long as the real and substantial link to the University exists. In practice, this is how the Code is currently applied. Making it more explicit clarifies expectations for students and decision-makers. This approach provides the added benefit of not having to keep up with advances in technology.