



**UNIVERSITY  
OF ALBERTA**

# **Annual Report of Appeals And Compliance Coordinator (Including University Discipline Statistics)**

July 1, 2022 to June 30, 2023



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## Scope

This report covers the period of July 1, 2022 to June 30, 2023. Statistics for previous years are also included for comparison.

This report provides information about discipline decisions and the appeal process under the Code of Student Behaviour (COSB) and the Code of Applicant Behaviour (COAB), with the focus on the university appeal level of the University Appeal Board (UAB). This report also provides information for two other university-level appeal bodies, the General Faculties Council Academic Appeals Committee (GFC AAC) and the General Faculties Council Practice Review Board (GFC PRB). With the introduction of the Student Conduct Policy (SCP) suite in November 2022, an additional appeal body has been created, the Student Misconduct Appeal Panel (Appeal Panel), and will be discussed in this report.

## Role of the Appeals Coordinator

Working as the Appeals and Compliance Coordinator in University Governance, I carry out the role of the Appeals Coordinator under the COSB, COAB, University of Alberta Academic Appeals Policy (AAP), the University of Alberta Practicum Intervention Policy (PIP), and the Student Misconduct Appeal Procedure (SMAP) for the UAB/Appeal Panel, GFC AAC and GFC PRB. In this role I am neutral and do not advocate for either party in an appeal. I facilitate or administer the appeal process steps from the time an appeal is received, through the hearing and decision made by an appeal panel, to distribution of the written decision. I also provide procedural information to the parties to an appeal and to the appeal panel throughout the appeal process.

Apart from individual appeals, I oversee the administration of the university-level student appeal system to ensure that the university continues to implement a fair process by which to address appeals. This includes helping to educate panel members as to the framework within which they work when hearing appeals and helping the university community understand that framework.

## University-Level Student Appeal Process

The university-level student appeal system is made up of four appeal bodies – the UAB/Appeal Panel, the GFC AAC and the GFC PRB.

Discipline decisions arise as a result of a student being charged with academic offence(s) under the COSB or COAB. When the appropriate decision-maker has made a final decision finding offence(s) and imposing sanction(s), the decision can be appealed by the student (and in some cases the Dean) to the UAB.

The UAB generally hears appeals from students charged under the COSB or COAB who disagree with the academic discipline decisions made against them. UAB decisions are final and binding, within the university, subject to application to the courts for judicial review. Under the COSB (and the COAB) the

UAB has the broad authority to determine whether an offence was committed and to confirm, vary or quash sanctions imposed.

Sharing a common membership with the UAB, the Appeal Panel hears appeals from students found in misconduct of the SCP or Sexual and Gender-Based Violence Policy (SGBVP) following the process outlined in the Student Misconduct Appeal Procedure (SMAP). Appeal Panel decisions are final and binding, subject to application to the courts for judicial review. Under the SMAP, the Appeal Panel has the authority to overturn a decision of the Student Conduct Officer (SCO) where a decision was made on the basis of an error or errors that would have had a material effect on the outcome, showing deference to the SCO decision.

Under the AAP, academic standing issues are heard by the GFC AAC. The GFC AAC hears appeals from students wishing to appeal faculty decisions on matters of academic standing, including matters such as a requirement to withdraw, or a denial of graduation or promotion. The GFC AAC hears appeals from students after they have exhausted all other avenues of appeal within a faculty. GFC AAC decisions are final and binding, subject to application to the courts for judicial review. The authority of the GFC AAC is to uphold (and award any remedy not contrary to faculty rules) or deny an appeal depending upon whether it finds a miscarriage of justice, as defined by the AAP, occurred within the faculty process.

Under the PIP, appeals concerning practicum interventions are heard by the GFC PRB. The GFC PRB's decisions are final and binding, subject to application to the courts for judicial review.

### Principles of the Appeal Process

Appeals at the university level deal with complex issues affecting students, faculties and the university as a whole. Given this impact, and the fact that this final level of appeal is the last opportunity for issues to be heard within the university, it is very important that the appeal process is fair and perceived to be fair. Coming to decisions through a fair process promotes confidence in those decisions by the parties and the appeal panels themselves.

The authority of the appeal bodies (UAB/Appeal Panel/GFC AAC/GFC PRB) flows from the powers delegated by GFC and conferred on GFC pursuant to the *Post-Secondary Learning Act*. The appeal bodies carry out their authority as outlined in the applicable university appeal policy, in keeping with the principles of administrative fairness. The principles of administrative fairness are the basis for our appeals policies, help us to interpret those policies and provide the framework within which our appeal panels make decisions.

The structured steps of our appeals processes recognize the impact and finality of these decisions and ensure the opportunity for parties to an appeal to make their best cases and be fully heard. The appeals process has been designed to enable students and university decision-makers to be heard through presenting their arguments and evidence to an objective panel coming from the university community.

At its core, our appeals system involves the parties fully making their cases in writing and knowing the case of the other side before an appeal hearing takes place. Depending on the appeal process and applicable policy, parties either appear at a hearing where they are able to present their information, subject to questioning, before an objective appeal panel, or the appeal is held by way of documentary review. The appeal panel then considers and weighs all of the evidence and comes to a decision, which it explains to the parties in writing. If any process issues or requests arise before or during a hearing, the appeal panel chair (sometimes with the full appeal panel) decides how to fairly address the issues, keeping in mind the relevant appeals policy and the principles of administrative fairness, including the goal to provide for a full and fair hearing.

### Appeal Panel Membership

The university-level student appeal panels are made up of volunteer panel members from the university community. While the exact makeup of a panel depends on the applicable appeal policy, generally the panels are a combination of undergraduate/graduate students and academic staff selected from the university's appeal panel membership lists. Membership is determined by an application process and ultimately approved by General Faculties Council. Appeal panel members come from the greatest possible variety of faculties and the broadest possible representation of the university community. For objectivity, no appeal panel member may sit on an appeal involving a party from their faculty. Appeal hearings are scheduled throughout the academic year, including summer, mostly in evenings to accommodate academic schedules. Student panel members usually serve for terms of two years, while academic staff panel members usually serve for terms of three years (both with the possibility of serving additional terms). The number of appeals heard by individual panel members depends on the number of appeals received and the faculties involved.

In addition to their understanding of the university environment through their experience as students (both undergraduate and graduate) and academic staff, our panel members are provided ongoing training, including understanding the principles of administrative fairness within which their tribunals operate. This helps to ensure that, as discussed above, the appeal process is a fair one.

The service of appeal panel members is a significant commitment, including considering and addressing procedural issues arising before and during hearings, conducting hearings, deliberating and drafting written reasons for decisions. All of our panel members recognize the need to objectively hear cases, analyze and weigh evidence, then come to reasonable decisions based on that evidence. Part of my role is to ensure that appeal panels have all the needed resources to perform their role. I thank all of our appeal panel members for their commitment and service to our university community. Their work is a very important contribution to fostering and maintaining the values of the university, for all members of our community.

## Discipline Decision Statistics / Appeals Statistics

In conjunction with administering appeals, my office collects and maintains the statistics from every discipline decision made at the university under the COSB and COAB.

The 2022-2023 reporting statistics show an increase in the number of discipline decision cases decided by Deans and Discipline Officers across the university, with the majority of these decisions involving the academic offences of cheating and plagiarism. The challenges related to mass cheating events and its correlation to unauthorized use of artificial intelligence (AI) tools continues to have an impact on discipline decisions. This impact may ease as the community better understands AI benefits and limitations, and communicates clearly its authorized and unauthorized use.

Our office has not yet received an appeal from the SCP/SGBVP and it should be noted that any non-academic discipline statistics refer to violations found under the pre-November 2022 COSB.

This reporting year saw a decrease in the number of appeals compared to the previous year. While the provided statistics include general outcomes of the appeals heard, caution should be used before considering any trends from these outcomes. The sample size is small and each case was decided on its own unique merits, with the resulting statistics providing simply a snapshot of the outcomes for those particular cases heard and decided.

Attached are the statistics for university-level student appeal processes and university-wide discipline decisions. The statistics are based upon year of appeal deadline: July 1, 2022 through June 30, 2023.

Laura Riley

Appeals and Compliance Coordinator

University Governance, University of Alberta

Figure 1

### Number of Appeals Received by University Governance

Judiciary/Academic Year (July 1 - June 30)	2017- 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022	2022- 2023
University Appeal Board	8	12	23	48	42	22
GFC Academic Appeals Committee	3	4	5	4	3	3
GFC Practice Review Board	0	1	0	0	0	0
<b>TOTAL NUMBER OF APPEALS</b>	<b>11</b>	<b>17</b>	<b>28</b>	<b>52</b>	<b>45</b>	<b>25</b>

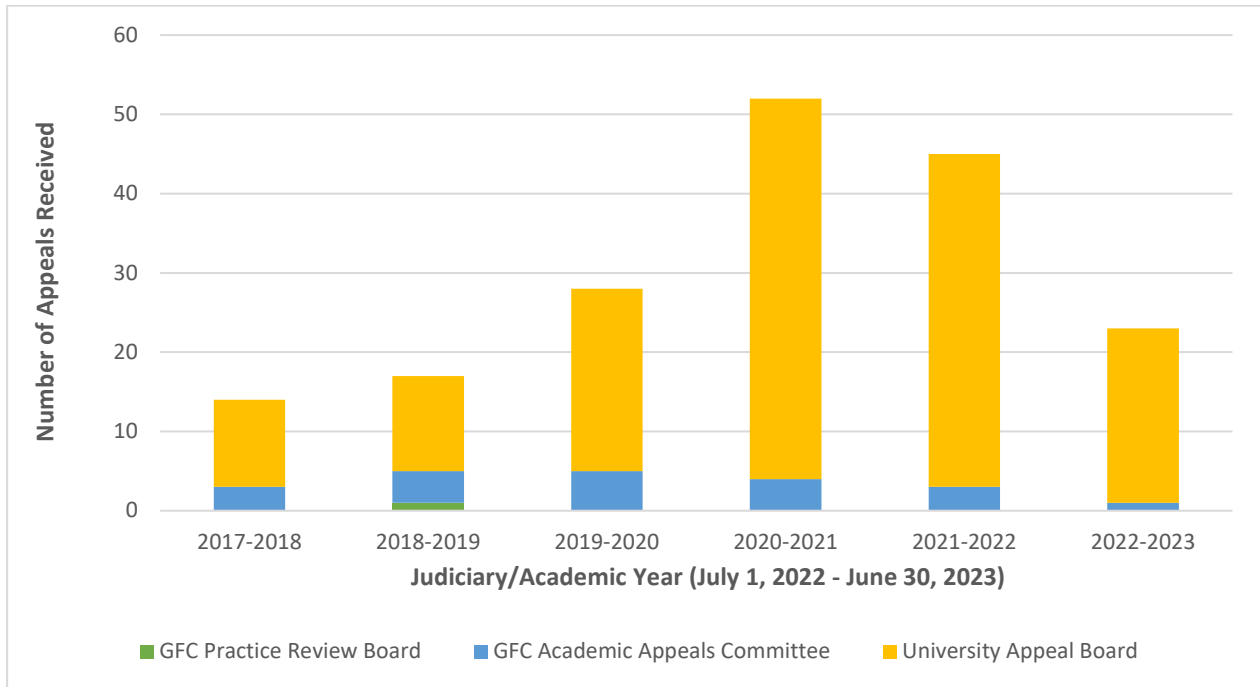


Figure 2

**UAB Disposition of Appeals  
July 1, 2022 to June 30, 2023**

Appeal Upheld	5
Appeal Denied	13
Appeal in Progress (undetermined as of June 30, 2023)	4
Appeal Withdrawn	2
<b>Total Appeal Cases</b>	<b>24</b>

Students can be charged with and appeal more than one offence and/or sanction, and as appeals may concern the offence(s), the severity of sanction(s), or both, the total number of appeal cases and how sanctions were addressed will not necessarily match. In some appeals, the offence is not appealed, but the sanction is. There are also appeals in which the appeal of the offence is denied, but the appeal of the sanction is upheld. As the Governance discipline database does not track the disposition of appeals when multiple issues are appealed, I have manually calculated the disposition of appeals by issue as follows:

Issues of Appeal	Appeal Upheld	Appeal Denied
Offence(s)	5	6
Severity of Sanction(s)	8	9

If sanctions were not increased/decreased/timing varied, the sanctions were confirmed and stayed the same; if the offence appeal was upheld, there were no sanctions.

Sanction Increased	4
Sanction Decreased	3
Sanction Timing Varied	1



Figure 3

**GFC AAC Disposition of Appeals  
July 1, 2022 to June 30, 2023**

Appeal Upheld	0
Appeal Denied	1
Returned to Faculty	0
Taken Back by Faculty	2
Total Appeals	3

- “Returned to Faculty” means the GFC AAC decided at the appeal hearing to return the matter to the Faculty Academic Appeals Committee for re-hearing, based upon new evidence being introduced at the appeal hearing.
- “Taken Back by Faculty” means the student provided new information as part of the appeal and, before the GFC AAC hearing, the Faculty chose to reconsider the matter at the Faculty level.

Figure 4

**GFC PRB Disposition of Appeals  
July 1, 2022 to June 30, 2023**

Appeal Upheld	0
Appeal Denied	0
Total Appeals	0

Figure 5

**Total Discipline Decision Cases under COSB Decided by Deans and Discipline Officers**

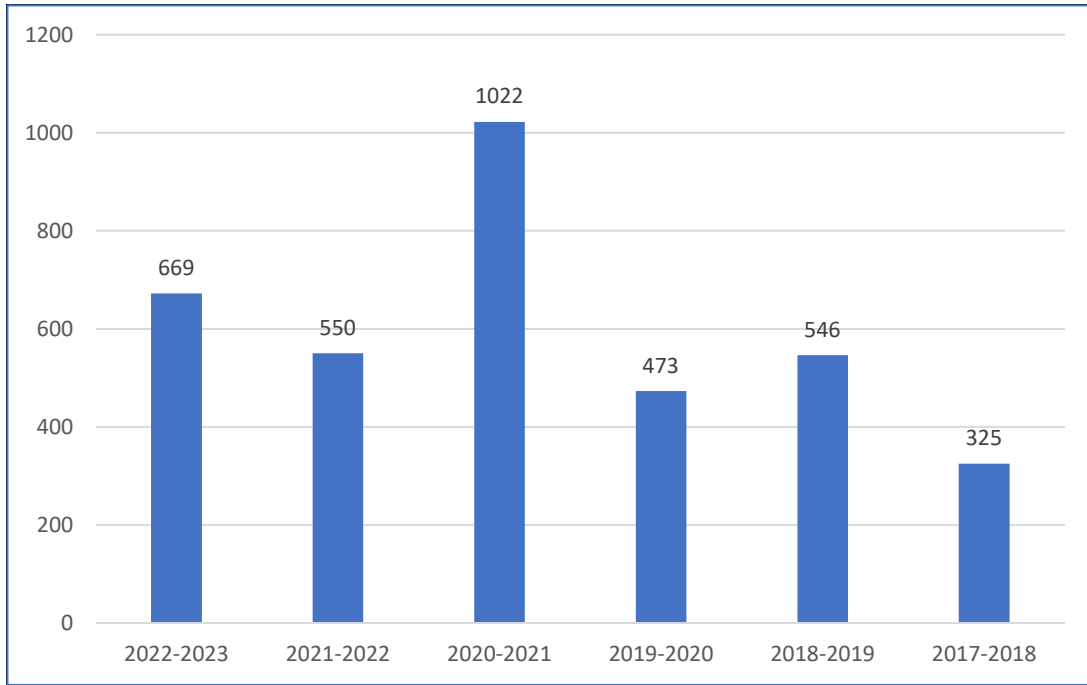


Figure 6

**Category of Sanction by Decision Maker under COSB  
July 1, 2022 to June 30, 2023**

Sanction Type Description	Count	Final Decision By
Exclusion	3	Discipline Officer
Exclusion	1	UAB
Less Than Suspension or Expulsion	650	Dean
Less Than Suspension or Expulsion	4	Discipline Officer
Less Than Suspension or Expulsion	9	UAB
Suspension or Expulsion	12	Discipline Officer
Suspension or Expulsion	3	UAB
UAB dismissed charge	5	UAB

Figure 7

**COSB Discipline Decisions  
July 1, 2022 to June 30, 2023**

<b>Charge/Offence Description</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>GS N/A</b>	<b>N/A</b>	<b>N/A Applicant</b>
Cheating	288	77	44	31	3	14	13	
Misrepresentation of Facts	4	5	1	3		2	1	
Participation in an Offence	15	7	4	3	2	8	0	
Plagiarism	90	46	37	38	3	26	7	
Inappropriate Behaviour in Professional Programs				1	1			
Misuse of Confidential Materials	3	7						
Breach of Rules External to the Code		1	2	2			1	
Unauthorized Use of Facilities, Equipment, Materials, Services or Resources	1						1	
Violations of Safety or Dignity		1	1	3			2	

- Columns 1 through 5 refer to year of program of student when offence occurred.
- GS N/A refers to graduate student not applicable (i.e. no program year).
- N/A students are students in Open Studies, Faculty of Extension, Visiting Students, Previous Students and Special Students.
- N/A applicant refers to students reapplying who have been charged with offence re application; do not have a year of program.
- A student can be charged with more than one offence, so charges and case numbers will differ.

Figure 8

**Charge Count by Category of Sanction and Decision Maker under COAB  
July 1, 2022 – June 30, 2023**

**NONE**

Figure 9

**Cases Reviewed by Deans, University of Alberta Protective Services,  
Discipline Officers, Registrar, and the UAB under COSB  
July 1, 2021 – June 30, 2022**

<b>Decision Maker</b>	<b>Forwarded By</b>	<b>Count</b>
Dean	Not Applicable	650
Discipline Officer	Dean	13
	UAPS	6
Registrar	Not Applicable	0
UAB	Not Applicable	18

In all cases where a sanction of suspension or expulsion has been recommended by a Dean the case is referred to the Discipline Officer for review and decision on the recommendation.

Figure 10

**Cases Reviewed under COAB: July 1, 2021 – June 30, 2022**

**NONE**

Figure 11

**Charge Count by Category of Sanction and Decision Maker under COSB  
July 1, 2021 – June 30, 2022**

<b>Decision Maker</b>	<b>Less Than Suspension or Expulsion</b>	<b>Suspension or Expulsion</b>	<b>Exclusion</b>	<b>UAB dismissed charge</b>
Agricultural, Life and Environmental Sciences	10			
Arts	136	6		4
Augustana	76			
Business	115			
Education	16			
Engineering	131	6		
Extension	1			
Faculte Saint-Jean	10			
Kinesiology, Sport, and Recreation	5	1		
Medicine and Dentistry	2			
Nursing	7			
Public Health	1			
Rehabilitation Medicine	2			
Science	248	4		2
UAPS	3	3	6	

Figure 12

**Case Count by Category of Sanction and Decision Maker under COSB  
July 1, 2021 – June 30, 2022**

Decision Maker	Less Than Suspension or Expulsion	Suspension or Expulsion	Exclusion	UAB dismissed charge
Agricultural, Life and Environmental Sciences	10			
Arts	129	6		4
Augustana	76			
Business	114			
Education	14			
Engineering	119	4		
Extension	1			
Faculte Saint-Jean	10			
Kinesiology, Sport, and Recreation	5	1		
Medicine and Dentistry	2			
Nursing	7			
Public Health	1			
Rehabilitation Medicine	2			
Science	171	3		1
UAPS	2	1	4	

*Figure 13*

**Charge Count by Category of Sanction and Decision Maker under COAB  
July 1, 2022 – June 30, 2023**

**NONE**

*Figure 14*

**Case Count by Category of Sanction and Decision Maker under COAB  
July 1, 2022 – June 30, 2023**

**NONE**