



To: Senate Nominating Committee
CC: Senate Agenda Committee
From: Shirley Nakata
Re: Triennial Review Feedback
Date: January 31, 2020

Thank you for this opportunity to provide input and comments on the Senate Triennial Review process. I have organized my feedback under the broader categories below:

Senate appeal processes:

1. Training and supports for appeal committee members

It is a weighty responsibility that university decision-makers take on when they accept adjudicator roles. On top of their “day job”, they devote many hours and days in addition to the expenditure of emotional and cognitive resources. Once appointed to such roles, however, with the authority and discretion these positions grant to them, it is critical that Senators have basic adjudicator training and also maintain currency in the competencies required of them. And, it is the university’s responsibility to make sure that initial and continued training is available and completed. As in all of our roles on campus, continual refreshing, relearning and honing of our knowledge bases and skills are required. Nowhere is this more important than in our interactions with students.

I recommend that every Senator with adjudicative responsibilities complete comprehensive training in procedural fairness before they sit on their first appeal committee. This mandatory training must include education and exposure to trauma-informed approaches and intercultural competencies as they relate to fair decision-making.

2. Composition of Appeal Committees

Diverse representation on appeal committees is integral not only to substantively fair outcomes, it is also essential to promote trust and credibility in Senate processes themselves. In particular, student representation on university decision-making committees helps demonstrate the university’s commitment to student engagement and student wellbeing; students also bring an important perspective to decision-making, one that keeps university decisions responsive and relevant in today’s world. In addition to student representation, appeal panels should also be representative of other identities/perspectives, including race, gender and gender identity, ability, age, etc.

I recommend that each appeal panel have at least one student Senator and aim for diverse representation on equity and inclusion grounds. In order to address the challenges of student availability in particular, Senate should work with the university to create new supports and strengthen existing mechanisms to better accommodate students who wish to sit on appeal committees (e.g.



academic concessions). Student and diverse representation could also be enhanced by reviewing how appeals are scheduled. For example, if there were scheduled hearing dates set in advance each year based on panel availability, this, in addition to other hearings set in an ad hoc/as needed manner, could provide students and other appeal committee members with more certainty about scheduling. Consideration should also be given to the requirement that Senate appeals must be heard by at least five members of the Committee. Changing the current wording of the quorum provision to one that presumes a three-member panel and giving students the opportunity to request five members might significantly reduce the delay in constituting panels.

3. Review of Senate Appeal Processes

The new triennium occurs at a critical time for UBC with institution-wide activities focused on implementing the UBC Strategic Plan – Shaping UBC’s Next Century and various mid-level strategic plans. It is an opportunity for Senate to review some key policies and procedures that impact students, their rights and interests, especially as they relate to appeals. Senate appeals are the primary way through which university decisions relating to student discipline, academic standing and admissions are improved and sometimes, corrected. It is therefore imperative that these policies and processes be reviewed in the context of and are informed by the values and commitments identified by the UBC community.

Some areas for consideration, for example:

- Parity and consistency of procedure between the academic standing and discipline processes
 - Process for removing notations
 - Opportunity to respond/rebut
- Content of case summaries provided by the different appeal committees
- Timelines, forms and other requirements of students in appeal processes
- How weight (and how much) is given to aspects of a student’s individual circumstances that would further UBC’s strategic commitments and values

4. Accessibility of Senate Processes

Accessibility, in addition to Inclusivity and Flexibility, is a guiding principle outlined in the Senate Framework for Student Mental Health and Wellbeing. Accessibility of Senate processes should be enhanced by providing:

- Easy to find and easy to understand policies and procedures:
 - Plain language that avoids legal jargon
 - Online resources, such as flowcharts and timelines, that simply and visually set out Senate processes
 - FAQ’s
- Timely and prompt determination of issues and cases:
 - More consideration of the impact of **when** an appeal is heard in the context of the consequences to a student with their unique circumstances
 - Changes to how appeals are scheduled, number of Senators required on appeals
 - Prompt provision of reasons for decision

- Transparency and clarity of decision-making processes:
 - Flowcharts, timelines, and FAQ's that set out the appeal process
 - Reasons for decision that reveal a line of reasoning between facts and findings
 - Simplify access to case summaries by creating a separate webpage that lists them by committee and year (rather than embedded in Minutes)

Implementation of Senate Policies, Frameworks

Senate has established many important policies and frameworks that with more effective implementation could have a greater positive impact on students. The new Academic Concessions Policy is a good example where there is a concerted and intentional effort to implement and support the university community in implementation. The Senate Framework on Student Mental Health and Wellbeing was the product of many hours of consideration by the Ad Hoc Committee and one that has the potential to guide more policy and decision-making at Senate and the rest of the university in academic matters. While the Framework is referenced in some settings, it does not appear to consistently inform policy or decision-making processes.

I recommend that for Senate policies, procedures or frameworks that have a broad impact on the university community or cause or require significant changes to existing process or practice, Senate establish working groups or committees to plan and oversee implementation, which might include communication strategies, training, templates and other supports.

Representation in Senate

As the academic governance body for the university, it is imperative that Senate is guided by and its work consistent with UBC's strategic goals and objectives. (I have heard, with some surprise and dismay, views from university community members that Senate is not bound by UBC's Strategic Plan or its commitments as described in mid-level plans like the Indigenous Strategic Plan and the Inclusion Action Plan. I would surmise that it would be troubling for many to learn that a key body in the university's governing framework acted in ways that were not consistent with or in advancement of UBC's strategic values, commitments and goals.)

Representativeness is a challenge at almost all levels and areas of UBC. Despite our commitments and efforts in Indigenous mobilization and equity and inclusion, we continue to lack diverse representation in leadership and in senior levels of decision-making, like Senate. We have seen the establishment of senior advisor positions to the President and Provost in matters related to Indigenous Affairs, Racialized Faculty and Women Faculty. How can Senate better ensure the diversity of perspectives and lived experiences that is needed to inform and shape Senate policy and decision-making?

I would urge Senate to take advantage of the triennial review process to consider expanding Senate membership to improve representation and therefore inclusivity and engagement. Consideration could be given to creating designated seats or ex-officio positions on each Senate committee or advisory/consultative groups to include the diverse perspectives of populations that have been historically and persistently marginalized in our communities.