1. Approval of the Agenda

2. Approval of the Minutes of the Open Session of May 21, 2024

3. The Minutes of the Open Session of June 10, 2024 will be considered for approval at the Senate meeting on September 9, 2024

4. Business Arising from the Minutes
   i) Amendment of Policy A32.03 Distinguished SFU Professor (For Information) S.24-95
   ii) Case Note - Faculty Association of UBC v. UBC (For Information) S.24-96

5. Report of the Chair
   i) Report of the Provost

6. Question Period*

7. Report of Faculties regarding students who have met requirements for Degrees, Certificates, and Diplomas
   i) Adjustments – Graduate and Undergraduate Credentials (For Information) S.24-97

8. Reports of Committees

   A) Senate Committee on Agenda and Rules (SCAR)
      i) Proposed Public Interest Disclosure Policy (For Consultation) S.24-98
      ii) Changes to Policy GP 44 – Sexualized Violence Policy (For Information) S.24-99
      iii) Senate Review Committee Interim Report #2 (For Information) S.24-100

   B) Senate Committee on Undergraduate Studies (SCUS)
      i) Duolingo English Test - Pilot Extension S.24-101
      ii) Program Changes (For Information) S.24-102
      iii) New Course Proposals (For Information) S.24-103
      iv) Course Changes (For Information) S.24-104

   C) Senate Graduate Studies Committee (SGSC)
      i) Graduate General Regulation 1.3.3 and 1.7.7c S.24-105
ii) New Course Proposals (For Information) S.24-106
iii) Course Changes (For Information) S.24-107

D) Senate Nominating Committee (SNC)
i) Senate Committee Elections (For Information) S.24-108

9. Other Business

10. Information
   i) Date of the next regular meeting - Monday, September 9, 2024

Agenda items and papers for the September meeting will be required by the Secretary at noon on Thursday, August 22, 2024. Submissions may be emailed to senate@sfu.ca. These items will be considered by the Senate Committee on Agenda and Rules on Tuesday, August 27, 2024 with Senate distribution on Friday, August 30, 2024.

The Senate agenda and papers for this meeting are available on the Senate website at http://www.sfu.ca/senate/agenda.html.

Detailed curriculum papers can be found on Docushare at https://docushare.sfu.ca/dsweb/View/Collection-12682

Tom Nault
University Registrar and Executive Director | Student Enrolment
Secretary of Senate

*Questions should be submitted in writing to Tom Nault (email tmnault@sfu.ca) with “Senate Question” in the subject line by Wednesday, July 3rd at 9:00 am.
BACKGROUND
The Distinguished SFU Professor program is a joint initiative of the Provost and Vice-President, Academic (VPA) and the Vice President, Research and Innovation (VPRI). Policy A32.03, sets out the criteria and terms for the appointments of Distinguished SFU Professors, which recognize SFU faculty members of distinction who have achieved exceptional performance and distinguished accomplishments. An amendment was proposed to the policy to allow Distinguished SFU Professors to keep the title permanently (beyond the 5-year funding term), with a caveat that the VPA and VPRI have the authority to revoke the title should exceptional circumstances arise, such as contravention of any SFU policies. These proposed changes were posted for community consultation on the Policy Gazette for a three-week period. Additionally, they were submitted to Senate, Faculty Relations, SFUFA, Faculty Deans, Equity office and the advisory committee for SFU Distinguished Professors for feedback. At the June Senate meeting, a new version of the policy was approved (including some amendments made on the floor of Senate) and the policy was passed to the Board of Governors for final approval.

CONSULTATION FEEDBACK
The consultation process resulted in the following feedback and changes:

• Support for the amendment that Distinguished SFU Professors (Full Professors) should keep the title permanently (beyond the 5-year funding term), with a caveat that the VPA and VPRI have the authority to revoke the title should exceptional circumstances arise, such as contravention of any SFU policies;
• To include the title “Distinguished SFU Associate Professor of [Specialty Subject Area]” but not the title “Distinguished SFU Assistant Professor of [Specialty Subject Area]”;
• To replace “faculty of any rank” with “tenured faculty members”; 
• To remove the reference to an additional stipend for a further 5-year term appointment, in very rare circumstances, at the sole discretion of the VPA and VPRI;
• To add clarifying text related to Distinguished SFU Professors receiving an internal or external award, or a senior administrative role at the university, and relinquishing/foregoing the stipend;
• To add clarifying text to clarify that alignment with EDI objectives will conform to GP19 and the SFUFA collective agreement;
• Listing the SFU/SFUFA collective agreement in section 6; and
• Editorial type changes.
THE ISSUES RAISED BY THE BOARD OF GOVERNORS FOR FURTHER DISCUSSION

On June 19 a Board committee (GRCC) met to discuss the proposed changes to A32.03. Several issues were raised and further discussion of the policy changes was deferred to the September Board meetings. Since these issues involve potential changes to the version of the policy approved by Senate, they are being brought back to Senate for further discussion at the July Senate meeting.

The issues raised by BOG include:

- Section 4.1.3 of the policy currently reads:
  “...have achieved pre-eminence in their field while also aligning with the University’s strategic objectives and/or emerging priorities; and”

The Board questioned whether the policy should include “while also aligning with the University’s strategic objectives and/or emerging priorities”? If this is an award to recognize a lifetime of research achievement, is it relevant to consider whether those achievements align with current (or emerging) university priorities?

- The Board requested clarification on the primary purpose of the policy. Is it, for example, focused on retention, recognition of lifetime achievement, career advancement, or something else? This influences the eligibility criteria “tenured research faculty”. Depending on the purpose, it may be wise to limit this award to full professors and to be clear about what happens to the designation when a full professor retires from the university. This can then be spelled out in the policy.

- The Board notes that clause 4.4 limits the number of faculty members receiving a stipend to “not normally exceed 4% of the SFU professoriate at any one time”. This does not place any limit on the fraction of the SFU professoriate that holds the title. Concern was expressed that, without a limit or a guideline, the prestige associated with this title may diminish over time. The Board asked management to report on limits placed on similar policies at other universities when this item comes back for their consideration.

NEXT STEPS

After Senate discussion, the updated DUP policy would need to be approved again by Senate and then submitted for the GRCC Board committee to recommend and the full Board to approve. Once the proposed amendments are approved by the Board of Governors, revised policy A32.03 will go into effect immediately and an announcement will be sent to the SFU community.

ATTACHMENTS

1. Revised Policy A32.03 Distinguished SFU Professor - with amendments marked
2. Revised Policy A32.03 Distinguished SFU Professor – clean copy
3. Summary of feedback received and responses to feedback
**ITEM TITLE** | Amendment of Policy A32.03 Distinguished SFU Professor  
---|---  
**DATE** | May 22, 2024  
**COMMITTEE** | GRCC  
**SESSION** | Open  
**ACTION REQUESTED** | ☒ For Information/Discussion  
☐ Committee to Recommend, Board to Approve  
☐ Committee to Approve, Board for Information  
☐ Board to Approve  
**BOARD AGENDA** | To maximize the efficiency and effectiveness of the Board meeting, Committee to Recommend/Board to Approve items that are routine and/or non-controversial, and do not require debate, discussion or explanation at the full Board meeting, may be appropriate to include on the Board’s consent agenda  
☒ Consent Agenda  
☐ Regular Agenda  
**SUBMITTED BY** | Dugan O’Neil, Vice-President, Research & Innovation  
**RECOMMENDED BY** | Dugan O’Neil, Vice-President, Research & Innovation  
**ENDORSED BY PRESIDENT** | [Signature]  

**REASON(S) WHY THIS ITEM IS BEFORE THE BOARD**

This item is being brought before the Board as required by Policy B10.00 - Policy on University Policies and Procedures.

**MOTION**

For Committee to recommend/Board to approve:  
“**That the revised policy A.32.03 Distinguished SFU Professor, be approved effective immediately.**”

**EXECUTIVE SUMMARY**

The Distinguished SFU Professor program is a joint initiative of the Provost and Vice-President, Academic (VPA) and the Vice President, Research and Innovation (VPRI). Policy A32.03, sets out the criteria and terms for the appointments of Distinguished SFU Professors, which recognize SFU faculty members of distinction who have achieved exceptional performance and distinguished accomplishments relative to their rank and years of service. An amendment was proposed to the policy to allow Distinguished SFU Professors to keep the title permanently (beyond the 5-year funding term), with a caveat that the VPA and VPRI have the authority to revoke the title at any time, and at their discretion. These proposed changes were posted for community consultation on the Policy Gazette for a three-week period. Additionally, they were submitted to Senate, Faculty Relations, SFUFA, Faculty Deans, Equity office and the advisory committee for SFU Distinguished Professors for feedback.
CONSULTATION FEEDBACK
The consultation process resulted in the following feedback and changes:

- Support for the amendment that Distinguished SFU Professors (Full Professors) should keep the title permanently (beyond the 5-year funding term), with a caveat that the VPA and VPRI have the authority to revoke the title should exceptional circumstances arise, such as contravention of any SFU policies;
- To include the title “Distinguished SFU Associate Professor of [Specialty Subject Area]” but not the title “Distinguished SFU Assistant Professor of [Specialty Subject Area]”;
- To replace “faculty of any rank” with “tenured faculty members”;
- To remove the reference to an additional stipend for a further 5-year term appointment, in very rare circumstances, at the sole discretion of the VPA and VPRI;
- To add clarifying text related to Distinguished SFU Professors receiving an internal or external award, or a senior administrative role at the university, and relinquishing/foregoing the stipend;
- To add clarifying text that alignment with EDI objectives will be in all aspects of the canvassing, selection and promotion process;
- Listing the SFU/SFUFA collective agreement in section 6; and
- Editorial type changes.

CONSIDERATIONS
The proposed substantive amendments have followed the following process, as per B10.00:

1. Briefing memo with proposed policy amendments was submitted to University Secretary, General Counsel and Executive Team; confirmed that amended policy would go to Senate for information.
2. Consultations with key stakeholders were conducted: Senate, Faculty Relations, SFUFA, Faculty Deans, Equity office and the advisory committee for SFU Distinguished Professors.
3. Community consultation conducted from February 22, 2024 to March 15, 2024.
4. Confirmed with Senate office/SCAR that Senate would receive post-consultation materials for information.
5. Post-consultation briefing memo and materials submitted to University Secretary and General Counsel.
6. Post-consultation briefing memo and materials submitted to Executive Team.
7. Post consultation briefing memo and materials submitted to Senate (for information) and to Board of Governors (for approval).

NEXT STEPS
Once the proposed changes are approved by the Board, revised policy A32.03 will go into effect immediately and an announcement will be sent to the SFU community.

ATTACHED SUPPLEMENTARY MATERIALS

1. Revised Policy A32.03 Distinguished SFU Professor - with amendments marked
2. Revised Policy A32.03 Distinguished SFU Professor – clean copy
3. Summary of feedback received and responses to feedback
EXECUTIVE SUMMARY

The Distinguished SFU Professor program is to recognize and celebrate Simon Fraser University members of distinction who have achieved exceptional performance and distinguished accomplishment in their scholarly or creative work/or innovation such that their accomplishments are nationally and internationally recognized. This policy sets out the criteria and terms for the appointments of Distinguished SFU Professors. The procedure and related documents establish the process to be followed by the Provost and Vice-President, Academic and Provost and Vice-President, Research and International Innovation in the nomination, adjudication and appointment of SFU Distinguished Professors.

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1.0 PREAMBLE

1.1 A joint initiative of the Provost and Vice-President Academic, Vice-President, Research and International Innovation, the purpose of the Distinguished SFU Professor program is to recognize SFU faculty members of distinction who have achieved exceptional performance and distinguished accomplishments relative to their rank and years of service.

2.0 PURPOSE

2.1 The purpose of this policy is to set the criteria and terms for the appointment of Distinguished SFU Professors and set parameters for such appointments.

3.0 SCOPE AND JURISDICTION

3.1 This policy applies to research tenured faculty members of any rank.

4.0 POLICY

4.1 The title of Distinguished SFU Professor recognizes and rewards research tenured faculty members of any rank who meet the following criteria:

4.1.1 Have a demonstrated and sustained record of distinguished, exemplary accomplishments in their scholarly or creative work and/or innovation relative to their rank and stage of their career;

4.1.2 Have a national and international reputation;

4.1.3 Have achieved pre-eminence in their field while also aligning with the University’s strategic objective and/or emerging priorities; and

4.1.4 Have a demonstrated commitment to collegial leadership and to engagement.

4.2 Distinguished SFU Professors will bear the title “Distinguished SFU [Rank] Professor of [Specialty Subject Area],” or “Distinguished SFU Associate Professor of [Specialty Subject Area],” or “Distinguished SFU Assistant Professor of [Specialty Subject Area].” There is no expiry date to the title of “Distinguished SFU Professor of [Specialty Subject Area]” although it can be revoked at the discretion of the Provost and Vice-President Academic VP Academic and VP Research & International Innovation should exceptional circumstances arise, such as contravention of any SFU policies. The titles “Distinguished SFU Associate Professor of [Specialty Subject Area]” and “Distinguished SFU Assistant Professor of [Specialty Subject Area]” will expire at the end of the term 5 years after the date of the initial appointment, unless an additional 5-year term has been approved (see section 4.5). All areas of scholarship will be considered with nominations whose scholarly activities align with and advance SFU’s strategic priorities encouraged.

4.3 Faculty members who hold internal or external named awards, such as endowed chairs and professorships, Canada Research Chairs or major salary awards from granting agencies are not eligible to be nominated for a Distinguished SFU Professorship. A faculty member who holds a Distinguished SFU Professorship must relinquish it if they receive such an award.

4.4 The cohort of Distinguished SFU Professors (including Associate Professors) receiving a salary stipend will not normally exceed 4% of the SFU professoriate at any one time. Appointments are phased to ensure appointment opportunities every year. Normally, at least two Distinguished
SFU Professors are available for each Faculty. It is recognized that larger faculties may receive more.

4.5 Distinguished SFU Professorships are awarded for up to a 5-year term and come with a salary stipend of $20,000 per annum for a 5-year term over and above the holder’s regular faculty salary for the duration of the award. The holder may request that the stipend be provided as a research grant instead of salary. While this salary stipend will normally be provided for a single 5-year term only, it will be the norm, in very exceptional circumstances an additional stipend for a further 5-year term appointment stipend may be considered at the sole discretion of the VP Academic and the VP Research & International. The number of appointments salary stipends beyond 5 years will not normally exceed 10% of the total number of existing Distinguished SFU Professors. A faculty member who holds a Distinguished SFU Professorship and then receives an internal or external named award, such as endowed chairs and professorships, Canada Research Chairs or major salary awards from granting agencies, must relinquish any future stipends related to the Distinguished SFU Professorship. A faculty member who accepts a senior administrative role at the university would normally forego any stipends related to the Distinguished SFU Professorship for their duration of their senior administrative role. For certainty, a Distinguished SFU Professor who holds the title “Distinguished SFU Professor of [Specialty Subject Area]” will retain that title (unless otherwise revoked in accordance with Section 4.2 above) even after no salary stipend is available to that Distinguished SFU Professor.

4.6 Equity considerations will be upheld in the evaluation of nominees and selection of awardees, in accordance with the SFU/SFUFA Collective Agreement and as described in SFU policy GP19. The principles of academic freedom will be upheld in the evaluation of nominees and selection of awardees, in accordance with the SFU/SFUFA Collective Agreement. The Distinguished SFU Professorship initiative will align with SFU’s equity and diversity and inclusion objectives in all aspects of the canvassing, selection and promotion process.

5.0 ROLES AND RESPONSIBILITIES

5.1 The responsibilities of Distinguished SFU Professor will include giving public lectures and participating in other public events as requested by the Provost and Vice-President Academic Vice President, Academic and Provost and/or the Vice-President, Research and International Innovation, as well as participating in mentorship and tutoring of junior faculty or other duties helping advance careers and excellence.

6.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

6.1 The legal and other University Policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:

6.1.1 University Act, RSBC 1996, c 468

6.1.2 Freedom of Information and Protection of Privacy Act, RSBC 1996, c 165

6.1.3 SFU/SFUFA collective agreement

7.0 ACCESS TO INFORMATION AND PROTECTION OF PRIVACY

7.1 The information and records made and received to administer this policy are subject to the access to information and protection of privacy provisions of British Columbia’s Freedom of Information and Protection of Privacy Act and the University’s Information Policy series.
8.0 RETENTION AND DISPOSAL OF RECORDS

8.1 Information and records made and received to administer this policy are evidence of the University’s actions to administer the Distinguished SFU Professor program. Information and records must be retained and disposed of in accordance with a records retention schedule approved by the University Archivist.

9.0 POLICY REVIEW

9.1 This policy must be reviewed every three years and may always be reviewed as needed.

10.0 POLICY AUTHORITY

10.1 This policy is jointly administered under the authority of the Provost and Vice-President Academic Vice-President, Academic and Provost and the Vice-President, Research and International Innovation.

11.0 INTERPRETATION

11.1 Questions of interpretation or application of this policy or its procedures shall be referred to the Provost and Vice-President Academic Vice-President, Academic and Provost and the Vice-President, Research and International Innovation, whose decision shall be final.

12.0 PROCEDURES AND OTHER ASSOCIATED DOCUMENTS

12.1 The procedures for this policy are: Distinguished SFU Professor Procedure.
Distinguished SFU Professor

Policy Authority: Provost and Vice-President Academic and Vice-President, Research and Innovation

Associated Procedure(s): Distinguished SFU Professor Procedure

EXECUTIVE SUMMARY

The Distinguished SFU Professor program is to recognize and celebrate Simon Fraser University members of distinction who have achieved exceptional performance and distinguished accomplishment in their scholarly or creative work/or innovation such that their accomplishments are nationally and internationally recognized. This policy sets out the criteria and terms for the appointments of Distinguished SFU Professors. The procedure and related documents establish the process to be followed by the Provost and Vice-President Academic and Vice-President, Research and Innovation in the nomination, adjudication and appointment of SFU Distinguished Professors.

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2.0 PURPOSE

2.1 The purpose of this policy is to set the criteria and terms for the appointment of Distinguished SFU Professors and set parameters for such appointments.

3.0 SCOPE AND JURISDICTION

3.1 This policy applies to tenured research faculty members.

4.0 POLICY

4.1 The title of Distinguished SFU Professor recognizes and rewards tenured research faculty members who meet the following criteria:

4.1.1 Have a demonstrated and sustained record of distinguished, exemplary accomplishments in their scholarly or creative work and/or innovation;

4.1.2 Have a national and international reputation;

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4.2 Distinguished SFU Professors will bear the title “Distinguished SFU Professor of [Specialty Subject Area]”, or “Distinguished SFU Associate Professor of [Specialty Subject Area]”. There is no expiry date to the title of “Distinguished SFU Professor of [Specialty Subject Area]” although it can be revoked at the discretion of the Provost and Vice-President Academic and VP Research & Innovation should exceptional circumstances arise, such as contravention of any SFU policies. The title “Distinguished SFU Associate Professor of [Specialty Subject Area]” will expire 5 years after the date of the appointment. All areas of scholarship will be considered with nominations whose scholarly activities align with and advance SFU’s strategic priorities encouraged.

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4.4 The cohort of Distinguished SFU Professors (including Associate Professors) receiving a salary stipend, will not normally exceed 4% of the SFU professoriate at any one time. Appointments are phased to ensure appointment opportunities every year. Normally, at least two Distinguished SFU Professors are available for each Faculty. It is recognized that larger Faculties may receive more.

4.5 Distinguished SFU Professorships come with a salary stipend of $20,000 per annum over and above the holder’s regular academic salary for a 5-year term. The holder may request that the stipend be provided as a research grant instead of salary. A faculty member who holds a Distinguished SFU Professorship and then receives an internal or external named award, such as
endowed chairs and professorships, Canada Research Chairs or major salary awards from
granting agencies, must relinquish any future stipends related to the Distinguished SFU
Professorship. A faculty member who accepts a senior administrative role at the university
would normally forego any stipends related to the Distinguished SFU Professorship for their
duration of their senior administrative role. For certainty, a Distinguished SFU Professor who
holds the title “Distinguished SFU Professor of [Specialty Subject Area]” will retain that title
(unless otherwise revoked in accordance with Section 4.2 above) even after no salary stipend is
available to that Distinguished SFU Professor.

4.6 Equity considerations will be upheld in the evaluation of nominees and selection of awardees, in
accordance with the SFU/SFUFA Collective Agreement and as described in SFU policy GP19. The
principles of academic freedom will be upheld in the evaluation of nominees and selection
of awardees, in accordance with the SFU/SFUFA Collective Agreement.

5.0 ROLES AND RESPONSIBILITIES

5.1 The responsibilities of Distinguished SFU Professor will include giving public lectures and
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the Vice-President, Research and Innovation, as well as participating in mentorship and tutoring of
junior faculty or other duties helping advance careers and excellence.

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6.1 The legal and other University Policy authorities and agreements that may bear on the administration
of this policy and may be consulted as needed include but are not limited to:

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8.1 Information and records made and received to administer this policy are evidence of the University’s
actions to administer the Distinguished SFU Professor program. Information and records must be
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9.0 POLICY REVIEW

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10.1 This policy is jointly administered under the authority of the Provost and Vice-President Academic
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11.1 Questions of interpretation or application of this policy or its procedures shall be referred to the Provost and Vice-President Academic and the Vice-President, Research and Innovation, whose decision shall be final.

12.0 PROCEDURES AND OTHER ASSOCIATED DOCUMENTS

12.1 The procedures for this policy are: Distinguished SFU Professor Procedure
<table>
<thead>
<tr>
<th>Deans Council feedback</th>
<th>Response</th>
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<tbody>
<tr>
<td>Clarify that at the end of the 5 years, any other arrangements/benefits made by the</td>
<td>Decided that additional supports are at the discretion of the Dean and should not be included in this policy.</td>
</tr>
<tr>
<td>Faculty also come to an end, in addition to the $20K, otherwise it is assumed that</td>
<td></td>
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<td>other benefits will continue.</td>
<td></td>
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<tr>
<td>A process should be followed when considering to remove the title and it should be</td>
<td>A clause on revoking the title has been added as follows: There is no expiry date to the title of “Distinguished SFU Professor of [Specialty Subject Area]” although it can be revoked at the discretion of the VP Academic and VP Research &amp; Innovation should exceptional circumstances arise, such as contravention of any SFU policies.</td>
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<td>consistent with the disciplinary framework in the collective agreement. Be careful</td>
<td></td>
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<tr>
<td>about academic freedom.</td>
<td></td>
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<tr>
<td>Consider adding a process where there is a regular review every 5 years instead of</td>
<td>Decided to include a clause on revoking rather than a regular review process for all DUPs to reduce the administrative burden for something that will be very unlikely to happen.</td>
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<tr>
<td>having a revoking clause.</td>
<td></td>
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<tr>
<td>Could this title be used for recruitment purposes or does it assume professorship at</td>
<td>Nothing in the policy specifies that the scholarly impact of a faculty member has to happen at SFU. Therefore, it is possible to create a procedure to recognize someone as a DUP based on work done elsewhere and have the DUP title conferred at the time, they take their SFU appointment.</td>
</tr>
<tr>
<td>SFU?</td>
<td></td>
</tr>
<tr>
<td>Clarity around what is not counted against the 4%.</td>
<td>The 4% soft limit is only applied to people receiving stipends but also includes Distinguished Associate Professors. Updated the wording as follows: The cohort of Distinguished SFU Professors (including Associate Professors) receiving a salary stipend, will not normally exceed 4% of the SFU professoriate at any one time.</td>
</tr>
<tr>
<td>Can there be a Distinguished Emeritus Professor?</td>
<td>As Emeritus is itself an honourary title, we have not investigated the implications of adding DUP to that honour.</td>
</tr>
<tr>
<td><strong>SFUFA/Faculty Relations feedback</strong></td>
<td><strong>Response</strong></td>
</tr>
<tr>
<td>------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>In the section of the Collective Agreement titled “Awards for Chairs, Fellows, and Professorships” clause 42.51 states “The salary supplement and/or research grants provided will end upon conclusion of the appointment as University Chair/Fellow/Professorship at which time the Member’s salary will revert to the academic salary level without the supplement.” Based on this clause, there is a request to remove the reference to the salary stipend being extended in exceptional circumstances.</td>
<td>Based on this feedback from SFUFA/Faculty Relations, the following text was removed from section 4.5: “While this salary stipend will normally be provided for a single 5 year term only, in very exceptional circumstances an additional stipend for a further 5 year term appointment stipend may be considered at the sole discretion of the VP Academic and the VP Research &amp; International. The number of appointments salary stipends beyond 5 years will not normally exceed 10% of the total number of existing Distinguished SFU Professors.” In section 4.2, the following text was removed since there is no possibility of an extension: “unless an additional 5 year term has been approved (see section 4.5).”</td>
</tr>
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<table>
<thead>
<tr>
<th><strong>Equity office feedback</strong></th>
<th><strong>Response</strong></th>
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<tbody>
<tr>
<td>There should be well defined criteria for considering an additional 5-year stipend as there is the potential for creating inequities. I think it would be best to ensure that there is good conversation in advance in terms of what are the applicable criteria are, sometimes policies come with procedures as well so am not aware of the process or what is available in this case.</td>
<td>Due to feedback from SFUFA and Faculty Relations regarding clause 42.51 in the Collective Agreement, the reference to an extension to the salary stipend in exceptional circumstances and the possibility of an additional 5-year term was removed.</td>
</tr>
<tr>
<td>The statement on aligning with SFU’s EDI objectives could be a bit more substantive by explaining how. For example, with the merit criteria, process of award nomination and approval, process for selecting committee members.</td>
<td>This information is already captured in the terms of reference and procedures for the committee which is more appropriate than adding those details to the policy.</td>
</tr>
</tbody>
</table>
The VPPEI recommended that additional language be added to section 4.0 as follows: “...may be revoked for contravention of any SFU policies at the discretion of...”

The wording has been updated as follows:

There is no expiry date to the title of “Distinguished SFU Professor of [Specialty Subject Area] although it can be revoked at the discretion of the VP Academic and VP Research & Innovation should exceptional circumstances arise, such as contravention of any SFU policies.

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<th>Senate feedback</th>
<th>Response</th>
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<td>Bit puzzled about the distinguished associate and assistant idea. I mean, surely if somebody's sufficiently distinguished to get one of these awards and they're an assistant professor, they should be going up for tenure and promotion and ditto of someone who's an associate professor. If they're sufficiently distinguished to get one of these awards, they should be going for full professor. I don't quite understand the logic of having these two categories.</td>
<td>The Associate and Assistant titles were added due to the reference in the policy in section 4.1 that “The title of Distinguished SFU Professor recognizes and rewards research faculty of any rank who meet the following criteria:” There has never been an assistant professor nominated but there was one associate professor who was awarded the title. This feedback was raised by several people and a decision was made to remove the Assistant title. A reference to “tenured faculty members” has been added and the words “of any rank” has been removed. In section 4.1.1 the words “relative to their rank and stage of their career” has been removed now that there is a limit to tenured professors only.</td>
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<td>If somebody is declared to be a distinguished assistant professor and then they get promoted, do they automatically become a distinguished full professor or do they need to be re-distinguished at that point? And then related to that also in 4.2 of the policy it states that the title can be renewed if an additional five-year term has been approved. I'm not sure if that is intended to limit it to one additional five term or if you can have multiple additional five terms.</td>
<td>The way the policy is written, an Associate Professor (Assistant was removed) would need to be re-distinguished at the full professor level. Reference to the title being renewed has been removed.</td>
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<td>I just wanted to comment in support of the idea that if a full professor is a distinguished full professor, that does mean that on top of having the record that's promoted to full, they've done</td>
<td>This feedback was raised by several people and a decision was made to remove the Assistant title.</td>
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something to distinguish themselves. That generally is not going to be a kind of small set of accomplishments. I'm not sure about using distinguished Professor for assistant or associate professors, but it strikes me that to be distinguished yourself as an assistant professor does not necessarily involve a lifetime accomplishment in the same way that a full professor does. So I appreciate this distinction, and I think it's important and defensible.

Since this is being opened up and the title distinguishes being, I guess given to assistants and associates, and with the increase in number of lectures that we are hiring, is there any appetite to have a distinguished lecturer, senior lecturer (university lecturer). Same thing. Because otherwise all I see right now is a focus on the research and 4.11 to 4.14 doesn't really say research, it says distinguished in their scholarly and creative work and I will read that: Relative to their rank and stage of their career. So lecturers is also a rank.

This feedback was considered but the current criteria are designed to recognize scholarly accomplishments with impact on a national and international scale. Aspiring to perform that kind of scholarly work is part of the job of tenure-track research professors whose duties provide them with time to pursue such ends. Lecturer duties are focused on excellent teaching. Directly comparing an accomplished lecturer to an accomplished research faculty member using these criteria would therefore not be fair. Lecturers can be recognized instead through university teaching awards. Alternatively, the university can consider creating other forms of recognition – but Distinguished University Professor is not the right mechanism to recognize this form of excellence.

Do you want to talk about the relationship between the distinguished Professor and the CRC program? And I mean, to some degree, this program has evolved in part for people who've timed out of the CRC programs as well. So it matches those types of criteria. I don't know if you want to say anything more about.

There were a number of reasons why the policy was originally created, and one of which was to recognize exceptional accomplishment for senior chairs whose chairs had limited duration and then to allow that kind of recognition to continue. This feedback didn’t lead to any changes being made.

I'm just curious about this, you know, the 10% or more of people that can hold a stipend for a second term or third term or fourth term. I just think that's like over complicating things. So I think, you know, you get it for five years, you get your stipend for five years, some faculties also have like teaching release or other goodies attached to this to try to bring them in alignment with CRC's...not quite, but that's what we do in our faculty and then at the end of that, I would just say you get to keep being a distinguished professor, but you're out of the pool and that way you bring in, you know, new blood, new

Along with feedback from SFUFA and Faculty Relations about clause 42.51 in the Collective Agreement, the reference to an extension to the salary stipend in exceptional circumstances was removed.
people. There's funding to support it. So I would actually, I'm not in favor of never ending stipends of this. I think it's five years you get your goodies, you're done, but you get to keep the title. Just a thought.

I just wanted to say that I heartily agree with the notion of having, for example, distinguished university lecturer. I think that that is in keeping with the value of teaching and teaching scholarship in the university itself, and I'm pretty sure that we have a number of quite remarkable lecturers and university lecturers.

This feedback was considered but the current criteria are designed to recognize scholarly accomplishments with impact on a national and international scale. Aspiring to perform that kind of scholarly work is part of the job of tenure-track research professors whose duties provide them with time to pursue such ends. Lecturer duties are focused on excellent teaching. Directly comparing an accomplished lecturer to an accomplished research faculty member using these criteria would therefore not be fair. Lecturers can be recognized instead through university teaching awards. Alternatively, the university can consider creating other forms of recognition – but Distinguished University Professor is not the right mechanism to recognize this form of excellence.

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<td>If a faculty member received a University Professorship in the past, can they call themselves a Distinguished Professor? Also, I received this honour 2015-2020, which was just prior to the newly named award. At that time, full professors such as myself who were in their first term, could not reapply since the policy changed to Distinguished Professor. Are those of us who were caught in this transition allowed to apply to the Distinguish Prof. for their second 5 year term? Does the policy allow for those with a prior University Professorship (prior to 2019) to apply?</td>
<td>In this situation a faculty member will need to be nominated for this specific program to be considered for this title because the Distinguished University Professor program is different from the previous University Professorship program. Those with a prior University Professorship can be nominated for the Distinguished Prof award because they are different programs. A current University Professor (within the 5-year term) wouldn't be eligible based on item 4.3 in the policy &quot;Faculty members who hold internal or external named awards, such as endowed chairs and professorships, Canada Research Chairs or major salary awards from granting agencies are not eligible to be nominated for a Distinguished SFU Professorship&quot;.</td>
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<td>I was named a Distinguished SFU (Associate) Professor in 2019. I believe I was the only Associate Professor granted this status in the inaugural year. I’m emailing with two questions about the proposed amendment to Policy A32.03</td>
<td>The proposed amendments won’t be approved before this year’s application deadline. It was confirmed that the individual would need to be nominated for the program again so that</td>
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<td>Opinion</td>
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| seeking to allow Distinguished SFU Professors to keep the title permanently (beyond the 5-year funding term) except in exceptional circumstances.  
1. Will a decision on the proposed amendment be made before this year’s application deadline? My Distinguished SFU Professor status is set to expire this year and, as such, I was planning to reapply for another 5-year term, primarily to maintain the title.  
2. I was named a Distinguished SFU Associate Professor in 2019 and granted promotion to Full Professor in 2022. If the proposed amendment is approved, would I be able to hold the Distinguished SFU Professor title indefinitely because I am currently a Full Professor? Or would I need to reapply at my current rank? |
| she can be considered under her new rank of Professor. The title of Distinguished Associate Professor won't automatically become Distinguished Professor. |
| I was awarded the Distinguished Professor title and agree that the title is a recognition of achievement, which should not be revoked after the term of salary stipend is expired. Conceptually it is hard to understand why I will no longer be a distinguished professor after a term. This honour gives me motivation to continue to excel in all aspects of the job, which is beyond financial benefits. If this honour expires together with the salary stipend, it tints the glory of this award.  
I commend this initiative and I believe it will have a long-term impact on faculty morale. |
| Feedback affirms changes. |
| It is an excellent change. It makes a lot of sense to have the title permanently. |
| Feedback affirms changes. |
| I support making Distinguished SFU Professor a permanent title, for the reasons listed below. Having it for only 5 years is unusual — it’s normally a permanent title at other universities in North America.  
I do not see the point of having titles of Distinguished Assistant or Associate Professors. If an Assistant Professor performs at a distinguished level, they can apply for early tenure and promotion. Similarly, nothing prevents an Associate Professor applying for promotion. I haven’t see that at other universities. |
| Feedback regarding the Assistant and Associate titles was raised by several people and a decision was made to remove the Assistant title.  
The nominating feedback can be considered in the procedures.  
Feedback on using a different name was considered but didn’t lead to any changes. |
I also feel like the procedure for nominating for Distinguished Professor could be made more transparent. Perhaps make it possible for faculty members to submit applications, rather than having the Dean decide on who to nominate based on Dept Chair’s suggestion.

As implemented now at SFU, Distinguished Professor is much like a retention award. But this is not how the title is perceived by the outside world. Everywhere else, Distinguished Professor is the next rank after Professor. If the intent was to use it like a retention award, then SFU should think of a different name to avoid confusion.

The proposed changes to allow previously honoured “Distinguished Professors” to retain their title after the funding period has ended seems appropriate to me and in line with the intention of the designation.

However, I don't see the purpose of awarding the “Distinguished Assistant Professor” nor the “Distinguished Associate Professor” roles. To my mind, we have Canada Research Chairs and Named Professorships specifically to recognize and retain these earlier career researchers. SFU may run the risk of undermining the significance of an award and designation meant to recognize an individual and a body of work over much of a career by giving out the same titled award to more junior scholars.

If retention is the issue and the alternative chairs are not sufficient, I recommend calling the early career designations some other title.

Thank you for sharing the proposed policy revision. My question is, what are the “exceptional circumstances” that could arise? This is pretty vague. What is the purpose of the clause? I look forward to hearing your reply.

A situation of exceptional circumstances would be quite rare but if there was a finding that a Distinguished Professor was guilty of a major violation of a university policy (e.g. responsible conduct of research like falsifying data), or if someone committed a crime where they ended up in prison, there would need to be consideration of revoking the title because otherwise the title could still be used since there is no natural end point.

As you may know, the VMSI work group has an administrative awards and resources allocations sub-committee. When we (the sub-committee, Feedback regarding the Assistant and Associate titles was raised by several people and a decision was made to remove the Assistant title.
cc’d) saw the community consultation email on the Distinguished SFU Professor Award policy we decided to review the proposed policy changes together and collaborate on feedback.

Generally speaking we think this is a great change to make (re: not losing distinguished professor status), totally makes sense. We have a few small suggestions to improve the inclusivity of the policy. And one clarifying question re: what happens to the assistant and associate titles when they get promoted within their 5-year term. All of these are in comments in the attached PDF version of the policy. We are happy to chat further should there be any need for clarification etc.

An individual with the Associate title will keep the title for the 5-year term but can also be nominated for the program again so that they can be considered under their new rank of Professor. For clarity, the title of Distinguished Associate Professor won’t automatically become Distinguished Professor.

If an Associate Professor is promoted during the 5-year term, they don’t lose the title and can be nominated to the program again to be considered under their new rank of Professor.

With regards to adding a 4.1.5. It seems that the existing 4.1.1 (Have a demonstrated and sustained record of distinguished, exemplary accomplishments in their scholarly or creative work and/or innovation) covers impact on their discipline. It is true that there is no explicit reference to impact beyond academia, but this can be captured under “exemplary accomplishments”. We do not currently include a list of ways accomplishments can be exemplary in the policy, if we did, it would be a long list and subject to debate (and change over time). The peer review committee terms of reference might be a more appropriate place to provide guidance of this type.

In section 4.2 it is important to note that all areas of scholarship will be considered and that the nomination process should allow nominations for any type of scholarly activity. The encouragement to nominators to consider strategic priorities recognizes that the award can be a way to advance those priorities. It may, for example, be strategic for the university to have a Distinguished Professor of X. This statement is encouraging the nominators to consider this when seeking candidates to nominate.

The wording of section 4.6 (and similar sections in other policies) has been streamlined to say that the approach to EDI used in the program will align with the EDI objectives of the university. Otherwise, each policy effectively rewrites the university EDI approach. It does indeed refer to

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<td>In section 4.6, could further detail or clarity be added? Is this alignment in the process aspects or is this part of selection? Could we add something about valuing all forms of scholarship?</td>
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<td>Perhaps add a 4.1.5 - reflecting community/public/impact within and beyond academia OR add something about impact in practice. For example, Have had a major impact on their discipline or field of study and/or practice.</td>
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<td>Consider changing “All areas of scholarship will be considered with nominations whose scholarly activities align with and advance SFU’s strategic priorities encouraged” in section 4.2 to “All areas of scholarship will be considered with nominations whose scholarly activities align with and advance SFU’s vision, purpose, values and strategic priorities”</td>
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<td>In section 4.6, could further detail or clarity be added? Is this alignment in the process aspects or is this part of selection? Could we add something about valuing all forms of scholarship?</td>
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the processes used as part of the initiative. To clarify this, the following text has been added:

“in all aspects of the canvassing, selection, and promotion process.”

The valuing all forms of scholarship sentiment is conveyed in 4.1, which specifies the criteria used to evaluate nominations. 4.1 attempts to provide a set of high-level guidelines which is inclusive of any form of scholarship.

| I am pleased that the University recognizes the accomplishment made by the Distinguished Professors and thereby allowing the recipients to retain the title permanently. However, having the title and not providing the funding after the initial 5 years is a concern. In my experience, the Distinguished Professors are likely to request some kind of salary retention award as they do not want to see a drop in their income after the first 5 years, especially if the title continues. I do not think SFU is doing enough to simply allowing faculty members to keep their title and not provide the related funding on a continuing basis. What this change is essentially doing is to pass on the monetary responsibility to Faculties without the corresponding change in the Faculty budget allocation model. This in turn may jeopardize the Faculties abilities to assign adequate resources to the teaching priorities. In summary, this proposal advances the research aspect at the expense of the teaching output of some, if not all the Faculties. I am copying the “VPA office” as I would like to bring to their attention what this proposal, if passed, may impact the Faculties. |
| Based on feedback from SFUFA and Faculty Relations about clause 42.51 in the Collective Agreement (CA), the reference to an extension to the salary stipend in exceptional circumstances was removed. This also addresses the issue raised from this feedback since in order to be compliant with the CA, the stipend cannot continue. Deans can do as they wish within the confines of the collective agreement. What they choose to do or not to do is not the subject of this policy. |

Feedback from VPA office (person #1) on this issue:
Further to these concerns, is there some sort of precedent or past practice that we can draw on regarding this change? Are there similar programs where the title is retained but not the funding? This person has a point in that faculty members may want to continue receiving
monetary compensation/research funds/course release if the title is retained. To my knowledge, this is the first program that the VPA Office administers where the title is retained but funds are not since they do typically go hand in hand. Also, since we have new Distinguished Profs every year, the number may increase exponentially in later years.

If some Faculties are providing and paying for the stipend themselves and not others, won’t this lead to an unfair advantage and inconsistencies in handling Distinguished Prof appointments?

**Feedback from VPA office (person #2) on this issue:**

This is an important concern. One potential way to address the concern would be for the revised policy to revise the language in 4.5 to remove the possibility of a stipend from any source after 5 years. I cannot really see a reason why the stipends should be extended now that recipients are being allowed to retain the title.

Have the implications of a decentralized approach to these awards been considered in light of Article 42 of the SFUFA collective agreement?

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Thank you for the opportunity to provide input to this proposed policy amendment. My comments are as follows:

4.5: "A faculty who holds a DUP and then receives an internal or external named award...must relinquish any future stipends related to the DUP."

- If the intent is to not offer a salary stipend while the DUP holds another salary award, then should the wording be, "must relinquish their stipend related to the Distinguished SFU Professorship during the term that they hold the internal or external named award." This would enable the DUP to resume their salary stipend after the term of their other salary award ends if it is less than 5 years.

We considered the possibility of placing a “hold” on the DUP stipend for a period of time. However, most of the awards which would lead to relinquishing the stipend are at least 5-years in duration. Some of them can be 14 years (CRC T1) or more. Since the original stipend period was only meant to be 5 years, creating a clause in which the stipend term could be postponed indefinitely was not consistent with the intent. If the external award is very short term (e.g., 1 year) it likely would not fit the criteria of needing to relinquish the DUP stipend in the first place.

The following text has been added: “A faculty member who accepts a senior administrative role at the university would normally forego any stipends related to the Distinguished SFU Professorship for their duration of their senior administrative role.”
| I suggest that faculty members who are appointed to a senior administrative position during their term as a DUP also forego their salary stipend during the term of their appointment. | There is some flexibility provided in this wording, as some nuanced cases exist (e.g., a faculty member agreeing to serve as Dean pro-tem for 3 months in an emergency situation). |
| Consider adding that the DUP title is "for life while a member of the SFU faculty association and upon retirement, will bear the title of DUP Emerita/us." | Added “in all aspects of the canvassing, selection, and promotion process.” to 4.7. |
| 4.6: “The DUP initiative will align with SFU’s equity, diversity and inclusion objectives.” | |
| Implied, but could be strengthened by explicitly adding, "in all aspects of the canvassing, selection, and promotion process." | |
| I agree with the proposed amendments to the policy. | Feedback affirms changes. |
| Re this consolation, I want to first thank you for this proposal. This makes sense and I will be honoured to continue to hold this title, should this be approved. One question: Is there going to be any opportunity to apply to continue the salary top up, or how is that being handled? I appreciate the university is in a tight financial situation, but what I want to avoid is that those that ask to maintain the salary level are able to keep it versus something more equitable. Thanks for any clarification! | Based on the feedback from others and from SFUFA/Faculty Relations about clause 42.51 in the Collective Agreement, the reference to an extension to the salary stipend in exceptional circumstances was removed. |
| I think I forgot to add a note that capitalization of “Faculty” (e.g. Science) is inconsistent in the policy. In some sentences it is lower case; others it is upper case. Detailed comments in an attachment: | Capitalization inconsistencies were reviewed. There are different uses of capitalization depending on how the word is being used. If referring to faculty members, then lower case; if referring to the academic unit, then upper case. |
| • Consider adding a definition of “Distinguished SFU Professor” to section 1.1 • Consider referring to the title as “award” instead of “title” in section 4.1; The award of… • Consider adding “Recipients of...” at the beginning of 4.2 to keep distinction between position and title clear • Consider adding “contravention of any SFU policies or collective agreements.” | Other items listed still need to be considered. |
| Section 1.1: The purpose of the program is defined in section 1.1. We believe that text defines Distinguished SFU Professor. | Section 4.1: We believe “title” is more appropriate here. A DUP adds “distinguished” to their title and can include this in their CV, email signature, etc. in a way that would be unusual for an “award”. |
| Consider changing “The titles…” to “Appointments of…” in section 4.2 |
| If the Associate Professor appointment is renewed, what happens with the stipend should be addressed in section 4.5. |
| Section 4.3 is more like selection criteria and could move to 4.1 (4.1.5) |
| Consider moving the first sentence in 4.4 to 4.5 or as the last sentence of 4.4 |
| Consider adding “receiving a salary stipend as part of the Distinguished Professor award” in the first sentence of 4.4 |
| Consider changing “faculty salary” to “academic salary” in the first sentence of 4.5; this is more consistent with other policies, etc. |
| Consider changing “further 5-year term” to “second 5-year term” in 4.5 – this section was deleted |
| Consider adding SFUFA/SFU Collective Agreement to section 6.0 (related legal, policy authorities and agreements) |

| Section 4.2: This is related to the comment above – DUP is a title, not just an award. |
| Section 4.2: How would a faculty member violate a collective agreement in such a way that their title would be revoked, but was not also a violation of SFU policy? Perhaps this is possible, but we have not been able to come up with a case. |
| Section 4.5: it is no longer possible to consider renewing the associate professor title. |
| Section 4.1 vs. 4.3: 4.1 are the selection criteria for the award while 4.3 lists an eligibility exclusion. Combining them is an interesting suggestion, but we don’t think it adds clarity (ie. doing this would require careful thought to the wording). |
| Faculty salary changed to “academic” salary. |
| Collective agreement added to related legal documents. |

| The VPA title is incorrect. It should be Provost and Vice-President Academic rather than Vice-President Academic and Provost. |
| The VPA title was updated to “Provost and Vice-President Academic” along with the VPRI updated title “Vice-President, Research and Innovation”. |
BACKGROUND

At the June 10, 2024, SFU Senate meeting, Senators engaged in a discussion about the intersection of collective agreements and policy obligations. President Johnson asked the Office of the General Counsel to review applicable case law and provide Senate with an update and guidance in this area.

This case note summarizes Faculty Association of the University of British Columbia v. University of British Columbia, 2010 BCCA 189, which provides insights into this matter, and provides some takeaways for Senate’s consideration. Thank you to Senator Percival for sharing this case citation with us.

SUMMARY AND TAKEAWAYS

In Faculty Association of the University of British Columbia v. University of British Columbia, the British Columbia Court of Appeal held that, under the University Act, RSBC 1996 c. 468, a university’s senate has power over academic governance and a university’s board of governors is not entitled to interfere with that power by the terms of a collective agreement or otherwise. Thus, when making academic policies, the senate is not constrained by the terms of the university’s collective agreements.

This decision makes a distinction between the obligations of a university’s board and a university’s senate, vis-à-vis the university’s collective agreements:

1. **Senate Policies**: This case confirms that a university’s board cannot through a collective agreement limit the statutory powers of its senate over academic governance. Thus, the senate’s ability to pass academic policies is not limited by the terms of collective agreements approved by the board.

2. **Board Policies**: While the board cannot limit the statutory powers of the senate, the board may enter into collective agreements that restrict its own statutory powers. Thus, board policies must be consistent with the collective agreements that the board has approved on behalf of the university.

3. **Policies Subject to Shared Jurisdiction**: The University Act includes a number of areas where the board and senate share jurisdiction including, for example, the establishment of faculties and the terms of affiliation with other institutions of learning. The statutory provisions dealing with these areas generally empower the senate to make recommendations or pass resolutions, which are then subject to the approval of the board before becoming effective. This decision indicates that the senate is not limited by the terms of collective agreements in making such recommendations or resolutions. However, as the board is required to abide by the terms of collective agreements that it has approved, the board’s ability to approve such recommendations or resolutions may be constrained if it determines that the recommendations or resolutions are inconsistent with those collective agreements.
CASE BACKGROUND

The board of governors of the University of British Columbia (UBC) approved a collective agreement (Collective Agreement) between UBC and the university’s faculty association (UBCFA) effective July 2006. The Collective Agreement included terms relating to student evaluations of faculty.

In May 2007, UBC’s senate passed a policy regarding student evaluations of teachers, which included provisions regarding the use of such evaluations in employment decisions about faculty. UBCFA filed a grievance claiming that aspects of the policy violated the Collective Agreement. The grievance was referred to an arbitrator.

ARBITRAL DECISION

In arbitration, UBC objected that the senate policy could not be the subject of a grievance under the Collective Agreement. It argued that, under the bi-cameral governance model of the University Act, the board could not restrict the statutory powers of the senate through a collective agreement. Thus, the senate was free to pass an academic policy even if it were not consistent with an existing collective agreement.

In contrast, UBCFA argued that UBC as an employer was a single entity, and thus, all of UBC’s constituent parts, including its senate, were bound by the terms of the Collective Agreement (the Single Entity Employer Argument).

The arbitrator rejected the Singly Entity Employer Argument reasoning that, under the University Act, the university was composed of separate parts, including the board and senate, each of which had defined powers. He thus accepted UBC’s position that UBC’s board could not bind the senate to a collective agreement that conflicted with the terms of a senate policy. UBCFA sought review of the arbitrator’s decision in the Court of Appeal.

APPEAL DECISION

The Court of Appeal upheld the arbitrator’s decision. In the appeal, UBCFA advanced two primary arguments:

- First, it maintained the Singly Entity Employer Argument.
- Second, it argued that when the senate exercises a permissive power granted to it under the University Act, as it was when it passed the student evaluation policy, the senate must do so in harmony with UBC’s obligations under the Collective Agreement, and, in the case of an irreconcilable conflict between the agreement on the policy, the Collective Agreement must prevail (the Harmonization Argument).

First, the court rejected the Single Entity Argument and agreed with the arbitrator’s conclusion that UBC was composed of separate parts with defined powers. The court noted that the University Act expressly sets out areas where the board and senate have separate powers as well as areas where their powers intersect or overlap. The court stated that while “one would expect the Board and Senate to cooperate in all areas of mutual interest [ ], ultimately, the power over academic governance is in the Senate and the Board is not entitled to interfere with its policy-making role in that regard by the terms of a collective agreement, or otherwise.”
Similarly, the court also rejected the Harmonization Argument. The court found that the crux of this argument was that the Collective Agreement should prevail over the senate policy in the event of conflict. The court noted that there is no provision in the *University Act* that permits the board, under its power to enter into collective agreements, to trump the senate in matters of academic governance. The court also reasoned that the Harmonization Argument had to fail because reaching any other conclusion would mean that the board would effectively have power to dictate aspects of academic policy through its power to enter into collective agreements and no such role for the board is contemplated by the *University Act*.

In coming to its conclusion, the court distinguished the board’s ability to limits the senate’s statutory powers with the board’s ability to constrain its own powers.
TO: Senate

FROM: Joy Johnson
Chair – Senate Committee on Agenda and Rules (SCAR)

DATE: June 28, 2024

SUBJECT: Proposed Public Interest Disclosure Policy

SCAR has reviewed S.24-98 (Proposed Public Interest Disclosure Policy) and is forwarding it to Senate for consultation.
TO: Senate Committee on Agenda and Rules
DATE: June 21, 2024
SUBJECT: Proposed Public Interest Disclosure Policy

SFU is introducing a new Public Interest Disclosure Policy for employees or former employees who wish to disclose or seek advice about serious wrongdoing occurring within the organization.

The proposed Public Interest Disclosure Policy ensures SFU’s compliance with the new BC Public Interest Disclosure Act (PIDA) and will work alongside SFU’s existing GP41 Protected Disclosure of Wrongdoing policy to provide additional rights and supports for members of the SFU community.

Currently, GP 41, provides a mechanism by which members of the university community (students, faculty, staff, temporary or sessional instructor, adjunct professor, or any volunteer engaged in a sanctioned university activity) can disclose wrongdoing committed by employees, agents, contractors and volunteers, to someone other than their supervisor, and provides protection to those who do so.

The proposed Public Interest Disclosure Policy will provide added protections, including allowing for anonymous disclosures of wrongdoing, ability to make public disclosures in circumstances of imminent risk or danger, and the ability to disclose wrongdoing directly to the provincial ombudsperson. As a requirement of the Public Interest Disclosure Act, an annual report on the number of disclosures of wrongdoing under the proposed Public Interest Disclosure Policy is required by the B.C. government to be published; no personal information is included in this report.

Key information about the proposed policy:

- The meaning of wrongdoing under the B.C. Public Interest Disclosure Act and SFU’s related policies is defined within the proposed policy, along with the options available to employees who would like to make a disclosure of wrongdoing, and the steps the university will take following a disclosure under this policy.
  - Wrongdoing as defined under PIDA means any of the following:
    a. a serious act or omission that, if proven, would constitute an offence under any BC or Canadian law;
    b. an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee's duties or functions;
c. a serious misuse of public funds or public assets;

d. a gross or systemic mismanagement; and

e. knowingly directing or counselling a person to commit any of the above.

- The proposed Public Interest Disclosure Policy and accompanying draft procedure will be implemented and overseen by a designated officer, appointed by the President. SFU’s designated officer for the Public Interest Disclosure Policy will be the Director of Internal Audit, who currently oversees GP41 Protected Disclosure of Wrongdoing.

- The Director, Internal Audit is the Designated Officer responsible for assessing each report of wrongdoing disclosed under the proposed Public Interest Disclosure Policy. Upon review of the report, the director, internal audit may refer the employee to the applicable policy or forward the report to the university office(s) that manages the applicable policy.

- In the event where the Designated Officer is away or if the disclosure is in respect to any person in the office of Internal Audit, the alternate Designated Officer is the General Counsel.

**Draft of Public Interest Disclosure Policy**

In recognition of the sensitive nature of disclosures and in addition to the proposed policy, a procedure to support the implementation of this policy has been drafted to assist the community in understanding how complaints will be managed and routed through SFU’s responsible offices.

**Draft of Public Interest Disclosure Policy procedure**

The proposed policy does not supercede other current policies. SFU maintains a comprehensive policy structure that addresses inappropriate conduct and behaviour at SFU, such as policy S10.01 (Student Academic Integrity), S10.05 (Student Conduct), GP18 (Human Rights), GP41 (Protected Disclosure of Wrongdoing), GP44 (Sexual Violence and Misconduct Prevention, Education and Support), and GP47 (Bullying and Harassment). Additional communication materials to support the community in navigating these policies will also be developed.

Thank you,

Margarita Fullerton  
University Secretary
PUBLIC INTEREST DISCLOSURE

Date [date] Number [number]

Date of Last Review/Revision [date] Mandated Review [date]

Policy Authority: Margarita Fullerton, University Secretary

Associated Procedure(s): Public Interest Disclosure Procedures

EXECUTIVE SUMMARY

This policy and its associated procedures explain:

• SFU’s obligations under the Public Interest Disclosure Act (SBC 2018, c.22, “PIDA”)
• The meaning of Wrongdoing under PIDA;
• The options available to Employees who would like to make Disclosures of Wrongdoing, seek advice about making a Disclosure, or make a complaint about Reprisal; and
• The steps the University will take following receipt of a Disclosure.

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GLOSSARY

**Designated Officer** means the employee(s) designated by the President in this policy’s associated procedures, to receive requests for advice, and receive and address Disclosures of Wrongdoing.

**Discloser** means an Employee who requests advice or makes a Disclosure or a complaint about alleged Reprisal.

**Disclosure** means a disclosure of Wrongdoing made by a Discloser in accordance with this policy and its associated procedures.

**Employee** means all former and current employees of Simon Fraser University, and for the purposes of this policy also includes members of the SFU Board of Governors.

**Ombudsperson** means the Ombudsperson of British Columbia appointed under the *Ombudsperson Act* (RSBC 1996, c.340). For clarity, this provincial Ombudsperson is distinct from the SFU Ombudsperson.

**Reprisal** means any of the following measures of reprisal against an Employee, or counsel or direct that any of the following measures of reprisal be taken against an Employee, by reason that the Employee has, in good faith, made a request for advice, a Disclosure or a complaint about a reprisal or cooperated with an investigation:
   a. a disciplinary measure;
   b. a demotion;
   c. a termination of employment;
   d. any measure that adversely affects the employee's employment or working conditions;
      a threat to take any of the measures referred to in paragraphs (a) to (d).

**Supervisor** means an individual who instructs, directs, and controls Employees in the performance of their duties.

**Wrongdoing** means any of the following:
   a. a serious act or omission that, if proven, would constitute an offence under any BC or Canadian law;
   b. an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an Employee's duties or functions;
   c. a serious misuse of public funds or public assets;
   d. a gross or systemic mismanagement; and
   e. knowingly directing or counselling a person to commit any of the above.
1.0  PREAMBLE

1.1  PIDA protects all Employees who in good faith request advice about making, or make, a Disclosure of Wrongdoing or complaint about Reprisal, and who cooperate with an investigation under PIDA. Simon Fraser University (“SFU” or the “University”) is committed to its obligations under PIDA and adopts this policy and procedures to meet them. All Disclosures received under this policy will be addressed in the manner set out in its associated procedures, and the privacy of all Disclosers will be managed as required by PIDA and the Freedom of Information and Protection of Privacy Act (RSBC 1996, c.165, “FIPPA”).

1.2  This policy provides guidance to current and former Employees who wish to make a Disclosure or seek advice about making a Disclosure regarding Wrongdoing occurring within the University and establishes a separate procedure pursuant to which Employees can make Disclosures and seek protection against Reprisal.

2.0  PURPOSE

2.1  This policy and its associated procedures facilitate SFU in complying with its obligations under PIDA. PIDA requires certain public bodies to provide Employees with a process for making Disclosures, seeking advice about making a Disclosure, or making a complaint about Reprisals. PIDA allows Employees to:

   a. request advice about disclosing, and Disclose Wrongdoing occurring within SFU, which Employees may do anonymously;
   b. report retaliation (called a Reprisal) against them for making a Disclosure of Wrongdoing, requesting advice, or participating in an investigation of Wrongdoing; and
   c. make Disclosures to the Ombudsperson directly.

3.0  SCOPE AND JURISDICTION

3.1  This policy applies exclusively to Employees across the University, including all its programs and services, units and departments (both academic and administrative).

3.2  Individual employment or contractual disputes, except with respect to Reprisals, do not normally meet the definition of Wrongdoing and so may not fall within the scope and jurisdiction of this policy. For those matters, after an initial assessment, they may be referred to other applicable processes, such as collective agreement processes, applicable laws (such as the Workers Compensation Act and the Human Rights Code), or other University policies (such as GP47 (Bullying and Harassment), GP18 (Human Rights), or I10.11 (Protection of Privacy)).

3.3  There are no time limits for making a Disclosure under this policy; provided that former Employees may only make Disclosures relating to Wrongdoing that occurred or were discovered while they were employed by SFU or on the University’s Board of Governors, as applicable.

3.4  Contractors, students, volunteers, and members of the public may not make Disclosures under this policy. However, PIDA prohibits Reprisals against contractors because a contractor or their employees cooperated with an investigation under this policy and its associated procedures, in the form of (for example): cancelling contracts, withholding payment, or refusing to enter into future contracts.
4.0 POLICY

Wrongdoing

4.1 The definition of Wrongdoing under PIDA is adopted for purposes of this policy.

Requesting Advice

4.2 Employees have a right to seek advice about making a Disclosure or an alleged Reprisal from:

   a) their union or employee association representative;
   b) a lawyer (at their own expense);
   c) their Supervisor;
   d) a Designated Officer; or
   e) the Ombudsperson.

4.3 Employees can request advice about matters such as:

   a) whether their concern meets the definition of Wrongdoing;
   b) what other mechanisms might be appropriate for addressing their concerns;
   c) how their privacy will be managed;
   d) how to make a Disclosure;
   e) the steps that the University will take after a Disclosure is made; or
   f) whether to direct their Disclosure to the Ombudsperson.

4.4 Employees who request advice about making a Disclosure are protected from Reprisal regardless of whether they make a Disclosure.

Making a Disclosure

4.5 The University is committed to the highest standards of ethical conduct and a culture of honest, transparent, and accountable behaviour. SFU takes all Disclosures seriously.

4.6 Employees may make a Disclosure in the manner set out in this policy’s associated procedures, to:

   a) their Supervisor (current Employees only);
   b) a Designated Officer; or
   c) the Ombudsperson.

4.7 Employees must make Disclosures in good faith based on a reasonable belief that Wrongdoing has occurred or is about to occur.

4.8 When a Disclosure is received by a Discloser’s Supervisor or a Designated Officer, the applicable Designated Officer will follow the process set out in this policy’s associated procedures.

4.9 Employees may also make a public disclosure of Wrongdoing under limited, exceptional circumstances as set out in this policy’s associated procedures.

Employee Protection and Reprisal
4.10 Reprisal is prohibited. Employees must not engage in any Reprisal against a person who has, in
good faith, requested advice about making a Disclosure, has made a Disclosure or complaint
about reprisal, or has cooperated in an investigation conducted in accordance with this policy.

4.11 Employees are protected from Reprisals resulting from:
   a. seeking advice about making a Disclosure;
   b. seeking advice about concerns of Reprisal;
   c. making a Disclosure;
   d. reporting a Reprisal; and
   e. cooperating with an investigation in accordance with this policy and its associated
   procedures.

4.12 The Ombudsperson is responsible for investigating complaints of Reprisal. An Employee who
believes that Reprisal has taken place against them may contact the Ombudsperson to make a
complaint.

5.0 ROLES AND RESPONSIBILITIES

All Employees

5.1 All Employees are responsible for acting with honesty, integrity and accountability and complying
with applicable law and University policy in their work and dealings with others at the University.

The President

5.2 The President is responsible for assigning the role of Designated Officer and responding to the
Ombudsperson regarding steps taken to address recommendations relating to a finding of
Wrongdoing made by the Ombudsperson. The President may delegate their responsibilities to
other senior officials of SFU, provided that the President is responsible for ensuring that their
delегates properly carry out those responsibilities.

Designated Officer

5.3 The Designated Officer is responsible for publishing annual reports on the University’s activities
under PIDA, and exercising the responsibilities assigned to them by the President under this
policy and its associated procedures.

University Secretary

5.4 The University Secretary is responsible for ensuring that instruction is available to all Employees
about PIDA, this policy and its associated procedures.

Supervisors

5.5 Supervisors are responsible for responding to requests for advice from Employees, receiving
Disclosures and referring Disclosures to the Designated Officer, or other senior official, as set out
in this policy’s associated procedures.
6.0 CONSEQUENCES OF NON-COMPLIANCE

6.1 Those who are found to have engaged in Wrongdoing may be subject to disciplinary action, up to and including termination of employment, services, or privileges. Those who are found to have engaged in Wrongdoing may also face other legal consequences such as penalties under PIDA.

6.2 An Employee who makes a bad faith, malicious or intentionally false Disclosure may be subject to discipline, up to and including termination of employment. Such Employees may also face other legal consequences such as penalties under PIDA or civil claims brought by affected individual(s).

6.3 An Employee who does not strictly protect confidentiality and privacy as required by this policy, its associated procedures, and applicable law may be subject to disciplinary action, up to and including termination of employment. Those who breach confidentiality and privacy may also face other legal consequences such as penalties under PIDA or civil claims brought by affected individual(s).

6.4 The University will not tolerate Reprisals. This protection does not apply to protect an Employee from the consequences of their own Wrongdoing, misconduct or improper activity unrelated to their rights under PIDA. An employee who engages in Reprisal may be subject to discipline, up to and including termination of employment.

7.0 ANNUAL REPORTING

7.1 The President, or their delegate, is required to annually publish a report on the University’s activities under PIDA. This report will contain the information in section 13.1 of the policy’s associated procedures and be published as set out in the procedures.

8.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

8.1 The legal and other University policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:

8.1.1 University Act (RSBC, 1996, c.468)
8.1.2 Freedom of Information and Protection of Privacy Act (RSBC 1996, c. 165)
8.1.3 Public Interest Disclosure Act (SBC 2018, c. 22).
8.1.4 Workers Compensation Act (SBC 2019, c.165)
8.1.5 Occupational Health & Safety and WorkSafe BC regulations, policies, and guidelines
8.1.6 Protected Disclosure of Wrongdoing (GP41)
8.1.7 Conflict of Interest and Conflict of Commitment (GP 37)
8.1.8 Bullying and Harassment (GP 47)
8.1.9 Human Rights (GP 18)
8.1.10 Sexualized Violence (GP 44)
8.1.11 University Health and Safety (GP 17)
8.1.12 Code of Faculty Ethics and Responsibilities (A 30.01)
8.1.13 Collective agreements and human resources employment policies
9.0 ACCESS TO INFORMATION AND PROTECTION OF PRIVACY

9.1 The information and records made and received to administer this policy are subject to the access to information and protection of privacy provisions of British Columbia’s Freedom of Information and Protection of Privacy Act and the University’s Information Policy series.

10.0 RETENTION AND DISPOSAL OF RECORDS

10.1 Information and records made and received to administer this policy are evidence of the University’s actions to carry out various activities, including investigating reported wrongdoing or misconduct, processing internal complaints or reports, documenting whistleblower complaints, protecting whistleblowers, developing and upholding policies and procedures, providing employee training, communicating with stakeholders, managing records, appointing oversight bodies, taking corrective actions, and reporting annually on whistleblowing activities... Information and records must be retained and disposed of in accordance with a records retention schedule approved by the University Archivist.

11.0 POLICY REVIEW

11.1 This policy must be reviewed every five years and may always be reviewed as needed.

12.0 POLICY AUTHORITY

12.1 This policy is administered under the authority of the University Secretary.

13.0 INTERPRETATION

13.1 Questions of interpretation or application of this policy or its procedures shall be referred to the University Secretary whose decision shall be final.

14.0 PROCEDURES AND OTHER ASSOCIATED DOCUMENTS

14.1 The procedures for this policy are: Public Interest Disclosure - Procedures
PUBLIC INTEREST DISCLOSURE - Procedures

Date
[date]

Number
[number of parent policy]

Date of Last Review/Revision
[date]

Mandated Review
[date]

Policy Authority: Margarita Fullerton, University Secretary

Parent Policy: Public Interest Disclosure– Policy

GLOSSARY

Designated Officer means the employee(s) designated by the President in this policy’s associated procedures, to receive requests for advice, and receive and address Disclosures of Wrongdoing.

Discloser means an Employee who requests advice or makes a Disclosure or a complaint about alleged Reprisal.

Disclosure means a disclosure of Wrongdoing made by a Discloser in accordance with the policy and these procedures.

Employee means all former and current employees of Simon Fraser University, and for the purposes of the policy and these procedures also include members of the SFU Board of Governors.

Ombudsperson means the Ombudsperson of British Columbia appointed under the Ombudsperson Act (RSBC 1996, c.340). For clarity, this provincial Ombudsperson is distinct from the SFU Ombudsperson.

Reprisal means any of the following measures of reprisal against an Employee, or counsel or direct that any of the following measures of reprisal be taken against an Employee, by reason that the Employee has, in good faith, made a request for advice, a Disclosure or a complaint about a reprisal or cooperated with an investigation:
   a. a disciplinary measure;
   b. a demotion;
   c. a termination of employment;
   d. any measure that adversely affects the employee's employment or working conditions;
      a threat to take any of the measures referred to in paragraphs (a) to (d).

Supervisor means an individual who instructs, directs, and controls Employees in the performance of their duties.
Wrongdoing means any of the following:
   a. a serious act or omission that, if proven, would constitute an offence under any BC or Canadian law;
   b. an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an Employee's duties or functions;
   c. a serious misuse of public funds or public assets;
   d. a gross or systemic mismanagement; and
   e. knowingly directing or counselling a person to commit any of the above.

1.0 PURPOSE

1.1 These procedures establish the processes by which the University will respond to requests for advice, Disclosures of Wrongdoing, and complaints of Repraisal.

2.0 DESIGNATED OFFICER

2.1 For purposes of the policy and these procedures, the “Designated Officer” means the Director, Internal Audit. If a request for advice or a Disclosure relates to the Director, Internal Audit or any employees in the Internal Audit department, or the Director, Internal Audit has declared a conflict of interest, then the General Counsel will act as the Designated Officer.

3.0 SEEKING ADVICE

3.1 An Employee considering making a Disclosure may seek advice about the following:
   a. the meaning of Wrongdoing;
   b. what other mechanisms might be appropriate for addressing their concerns;
   c. how their privacy will be managed throughout the Disclosure process;
   d. how to make a Disclosure of Wrongdoing;
   e. how the process established by this procedure will work; or
   f. whether to direct their Disclosure to the Ombudsperson.

3.2 Employees may seek advice about making a Disclosure of Wrongdoing or advice about an alleged Reprisal from:
   a. their union or employee association representative;
   b. a lawyer (at their own expense);
   c. their Supervisor;
   d. the Designated Officer; or
   e. the Ombudsperson via their Contact Us webpage.

3.3 Employees may seek advice anonymously. Employees who seek advice anonymously must identify a reliable means by which the Designated Person may communicate with them (for example, to seek further information or clarification).

3.4 A Supervisor or Designated Officer must review and provide appropriate assistance in response to a request for advice. A Supervisor or Designated Officer who receives a request for advice shall seek to respond in writing, normally within 30 days of receiving the request.
4.0 MAKING A DISCLOSURE

4.1 An Employee who in good faith reasonably believes that a Wrongdoing has been committed or is about to be committed may make a Disclosure to any of the following:

   a. their Supervisor;
   b. the applicable Designated Officers; or
   c. the Ombudsperson.

4.2 Disclosures must be submitted in writing by Employees through one of the following methods:

   a. SFU’s online reporting platform (available on the SFU website)
   b. completing the form issued and maintained by the Designated Officer and emailing the form directly to their Supervisor or the applicable Designated Officer; or
   c. reporting to the Ombudsperson, via their Contact Us webpage.

4.3 Disclosures must include the following information, if known:

   a. a description of the Wrongdoing;
   b. the name of the person(s) alleged to have committed the Wrongdoing, or who is about to commit the Wrongdoing;
   c. the date or expected date of the Wrongdoing;
   d. whether information or conduct that is being disclosed relates to an obligation under an existing University policy or process, or applicable law, and if so, the name of the University policy, process, or applicable law;
   e. whether the Wrongdoing has already been reported under the policy or another process, and if so, the name of the person to whom it was reported and the response, if any, that the discloser received.

4.4 Disclosures may be made anonymously. Employees making an anonymous Disclosure must, in addition to the content required by Section 4.3, provide:

   a. information that enables the Designated Officer to determine whether the Discloser is an Employee and that the Discloser was an Employee at the time the alleged Wrongdoing occurred;
   b. adequate details about the alleged Wrongdoing or Reprisal, which will inform the Designated Officer’s assessment about whether to proceed with investigation; and
   c. a reliable means by which the Designated Person may communicate with them (for example, to seek further information or clarification).

5.0 PUBLIC DISCLOSURES INVOLVING IMMINENT RISK OF DANGER

5.1 An Employee may make a public disclosure of Wrongdoing under limited, exceptional circumstances as described below.

5.2 Before making a public disclosure, the Employee must:

   a. reasonably believe the alleged Wrongdoing poses an imminent risk of danger to the life, health or safety of persons, or to the environment;
   b. consult the relevant protection officials as follows:
i. in respect of a health-related matter, the Provincial Health Officer,
ii. in respect of an environmental matter, the agency responsible for the Emergency Program Act, or
iii. in any other case, an appropriate police force;

c. receive direction from the applicable protection official about whether to make the disclosure, and if so, on what conditions; and
d. if the protection official approves the disclosure, follow their instructions. If the direction from the protection official is that the employee should not make the disclosure, then employee must not make the disclosure to the public.

5.3 Additionally, when making a public disclosure, an Employees must not share information that is subject to a restriction under an enactment of BC or Canada. This means Employees must not share information that they are prohibited from sharing under a statutory oath or any federal or provincial statute or other regulation, including solicitor-client privilege, litigation privilege or another ground of common law privilege, or public interest immunity.

5.4 Immediately after making the disclosure, the Employee must:

   a. advise their Supervisor or the applicable Designated Officer about the public disclosure; and
   b. make a Disclosure per Section 4 of these procedures, to their Supervisor, Designated Officer or the Ombudsperson.

6.0 RECEIVING DISCLOSURES AND INITIAL ASSESSMENT

6.1 If an Employee makes a Disclosure to their Supervisor, the Supervisor must forward it to the applicable Designated Officer by email as soon as possible.

6.2 The Designated Officer will confirm receipt of a Disclosure to the Discloser within five (5) business days.

6.3 The Designated Officer will assess the Disclosure to:

   a) confirm that the Discloser is an Employee and that the Discloser was an Employee at the time the alleged Wrongdoing occurred;
   b) determine whether the allegations in the Disclosure would, if substantiated, meet the definition of Wrongdoing;
   c) confirm whether the alleged Wrongdoing occurred in or relating to SFU;
   d) confirm that contents of the Disclosure meet the requirements of this procedure;
   e) evaluate the risk of Reprisal against the Disclosure; and
   f) evaluate whether the Disclosure reveals information that gives rise to an imminent risk.

   If the Designated Officer reasonably believes that a Disclosure reveals information that gives rise to an imminent risk, they may make a report to an appropriate protection official.

6.4 In performing this assessment, the Designated Officer may seek further information from the Discloser, as needed.
6.5 When initiating an investigation, the Designated Officer will implement measures to safeguard the anonymity of the employee throughout the process and ensure risks of Reprisal are managed to the extent reasonably possible.

7.0 DECIDING WHETHER TO INVESTIGATE

7.1 Once the initial assessment of a Disclosure is complete, the Designated Officer must determine whether an investigation is warranted. The Designated Officer will normally make this determination within 30 days of receipt of the Disclosure.

7.2 The Designated Officer must not investigate a Disclosure, or must suspend an in-progress investigation of a Disclosure, if the Designated Officer reasonably determines that the Disclosure:

   a) was not made by an Employee;
   b) contains allegations that, if substantiated, would not meet the definition of Wrongdoing;
   c) alleges Wrongdoing that did not occur at or does not relate to SFU;
   d) relates primarily to:
      i. a dispute between an Employee and SFU respecting the Employee’s employment;
      ii. a matter relating to law enforcement;
      iii. a matter relating to the prosecution of an offence; or
      iv. an adjudicative function of a court, tribunal or other statutory decision maker, including decision, or the processes or deliberations that have led to or may lead to a decision, by the court, tribunal or other statutory decision maker.

7.3 The Designated Officer may refuse to investigate a Disclosure, or suspend an in-progress investigation of a Disclosure, if the Designated Officer reasonably determines that:

   a) the Disclosure does not provide sufficient details or particulars about the Wrongdoing;
   b) the Disclosure is frivolous or vexatious;
   c) the Disclosure was not made in good faith;
   d) an investigation of the Disclosure would serve no useful purpose or could not be reasonably conducted because the length of time that has passed between the date of when the subject matter of the disclosure arose and the date of the Disclosure;
   e) the Disclosure relates solely to a public policy decision;
   f) the Disclosure has been referred to another appropriate authority for investigation;
   g) the Disclosure has already been or is being appropriately investigated by an appropriate authority (including by the University pursuant to another applicable University policy or process);
   h) the Disclosure would more appropriately be addressed under another University policy or process, in which case, the Designated Officer will either refer the Discloser to the applicable policy or process or will forward the Disclosure to the appropriate University office(s) for that policy or process; or
   i) PIDA requires or allows the Designated Officer to refuse to investigate or suspend an in-progress investigation.

7.4 Additionally, the Designated Officer may postpone or suspend an investigation if the Designated Officer:
a) reports to a law enforcement agency an alleged offence they have reason to believe has been committed in relation to the Disclosure;
b) considers that the Investigation may compromise another investigation being undertaken at the University or elsewhere; or
c) the alleged Wrongdoing is also being investigated for the prosecution of an offence.

7.5 The Designated Officer must notify the Discloser in writing whether an investigation will proceed, and if so, who will undertake it. If the Designated Officer has declined to investigate or has stopped or suspended an investigation, they will provide notice with written reasons and confirm whether the Disclosure will be referred to another authority as described in these procedures, unless the Designated Officer reasonably believes that such notice would compromise another investigation.

7.6 The Designated Officer will provide notice of any decision to investigate to: the President (or, if the President is alleged to be responsible for the alleged Wrongdoing, the Chair of the Board of Governors) and the respondent(s). Notice may be delayed until an appropriate time if the Designated Officer believes that notification may compromise the investigation or expose the Discloser to Reprisal, provided that respondents will in all cases receive notice of the allegations prior to being interviewed.

8.0 INVESTIGATION

8.1 All investigations carried out under these procedures must:

a) be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances;
b) be objective, conducted in accordance with the principles of procedural fairness, and impartial to both the Discloser and the respondent(s) when evaluating the alleged Wrongdoing;
c) comply with all relevant provisions in any applicable collective agreement or policy, including notice, timelines, and other process requirements; and
d) be sensitive to the interests of all parties involved and maintain confidentiality to the extent possible under the circumstances.

8.2 Subject to Section 8.1 of these procedures, where multiple Disclosures contain significant factual overlap, the Designated Officer may decide that the Disclosures will be investigated together.

8.3 Investigations will normally be completed and a draft report prepared within four (4) months from the decision to investigate. The Designated Officer may amend this timeline (by extension or shortening) depending upon the nature and complexity of the allegations in the Disclosure.

8.4 Everyone involved in an investigation must treat all related information as confidential and protect any personal information collected, used or shared as part of a request for advice, Disclosure, complaint about Reprisal or Investigation to the extent possible under applicable legislation, policy and collective agreements.
9.0 INVESTIGATION REPORTS

9.1 Upon conclusion of an investigation, the Designated Officer will prepare an investigation report, which will include findings of Wrongdoing, reasons to support the findings, and any recommendations to address the findings, as applicable.

9.2 The investigation report will be provided to the President, unless they are implicated in founded Wrongdoing. If the President is implicated in founded wrongdoing, the report will be provided to the Chair of the Board of Governors.

9.3 Subject to the University’s obligations under FIPPA, the Designated Officer will provide a summary of the investigation report to the Discloser. Where practicable, the Designated Officer will also provide a summary of the investigation report to any person alleged or found to be responsible for Wrongdoing.

10. REFERRAL TO OMBUDSPERSON

10.1 Where the Designated Officer determines that the Disclosure is eligible for investigation, the Designated Officer will consider whether the Disclosure, in whole or in part, would be more appropriately investigated by the Ombudsperson and, subject to Section 10.2 below, may refer a Disclosure to the Ombudsperson. In assessing whether to refer a Disclosure to the Ombudsperson, the Designated Officer will consider:

a) the level and position of the alleged wrongdoer(s);
b) potential conflicts of interest or perceptions of conflict;c) the likelihood of voluntary compliance of witnesses;d) whether the Disclosure involves sensitive political or social issues;e) implications to the public interest;f) the risk of Reprisal to the Discloser and other participants in the investigation; andg) any other relevant factors that arise on the facts of the case;

10.2 The Designated Officer will always refer Disclosures involving the President to the Ombudsperson.

10.3 The Designated Officer will inform the Discloser in writing of a referral to the Ombudsperson.

11.0 REPRISAL

11.1 The Ombudsperson is responsible for investigating complaints of Reprisal. An Employee who believes that Reprisal has taken place against them may contact the Ombudsperson to make a complaint.

11.2 Reprisal complaints made to a Supervisor or the Designated Officer will be forwarded to and investigated by the office of the Ombudsperson.

12.0 REPORT TO LAW ENFORCEMENT

12.1 The Designated Officer may report an alleged offence relating to a request for advice, a Disclosure, or a Reprisal complaint to a law enforcement agency if they reasonably believe that an offence may have been committed. The offence may be reported regardless of whether the
Disclosure is determined to meet the threshold for Wrongdoing or whether the Designated Officer decides to investigate the Disclosure. In assessing whether to make a report, the Designated Officer will consider the seriousness of the allegations and whether the alleged offence may be a criminal offence.

12.2 The victim of any alleged offence will be consulted prior to a report being made, unless consultation poses health and/or safety concerns. Designated Officers may also wish to consider concerns about reporting to law enforcement in cases where persons involved belong to communities or groups that have historically been overpoliced.

12.3 The Designated Officer will not report an offence without first consulting the President, unless the President is implicated in the alleged offence.

12.4 The Designated Officer will provide no more information to law enforcement than is necessary to make the report.

13.0 ANNUAL REPORTING

13.1 The President, or their delegate, is required to publish a report on the University’s activities under PIDA annually. This report will contain the following information:

- a. the number of Disclosures received, including referrals of Disclosures;
- b. the number of investigations commenced as a result of a Disclosure;
- c. in the case of an investigation that results in a finding of Wrongdoing,
  - i. a description of the Wrongdoing;
  - ii. any recommendations, including those made by the Ombudsperson; and
  - iii. any corrective action taken in relation to the wrongdoing or the reasons why no corrective action was taken; and
- d. any other information prescribed by PIDA.

13.2 The report will not publicly identify anyone who has participated in the Disclosure process, including employees who have asked for advice but not made a Disclosure.

13.3 SFU will publish the reports on their external website.

14.0 ACCESS TO INFORMATION, CONFIDENTIALITY, AND PROTECTION OF PRIVACY

14.1 The information and records made and received to administer the policy and these procedures are subject to the access to information and protection of privacy provisions of FIPPA and the University’s Information Policy series. To the extent possible, the information and records will be treated in a confidential manner, in compliance with FIPPA and with applicable University policies.

14.2 Disclosures, investigation thereof, requests for advice, and complaints of Reprisal made under the policy and addressed under these procedures may involve the collection, use, and disclosure of sensitive personal information. Individuals (including Disclosers and individuals alleged to have committed Wrongdoing) involved in any Disclosure, investigation thereof, complaints of Reprisal, or requests for advice must not disclose this information to any other person, except to a Supervisor, support person, and/or representative of their constituency organization, or as required by applicable law. Confidentiality is required so that Disclosers and those requesting advice feel
free to come forward. Confidentiality is also required so that the reputations and interests of those alleged to have committed Wrongdoing are protected. However, either party may discuss the case in confidence with their Supervisor, support person, and/or representative of their constituency organization.

14.3 Subject to any limits or disclosure requirements imposed by law or by the policy or these procedures, any and all information, oral and written, created, gathered, received or compiled through the application of these procedures is to be treated as confidential by both all parties, their representatives, support persons, witnesses, and the officials designated by the policy or these procedures.

14.4 The Designated Officer will explain these confidentiality requirements to the Discloser, individuals seeking advice, or individuals making complaints of Reprisal.

15.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

15.1 The legal and other University Policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:

15.1.1 University Act (RSBC, 1996, c.468)
15.1.2 Freedom of Information and Protection of Privacy Act (RSBC 1996, c. 165)
15.1.3 15.1.3 Public Interest Disclosure Act (SBC 2018, c. 22)
15.1.4 15.1.4 Workers Compensation Act (SBC 2019, c.165)
15.1.5 Occupational Health & Safety and WorkSafe BC regulations, policies, and guidelines
15.1.6 Protected Disclosure of Wrongdoing (GP41)
15.1.7 Conflict of Interest and Conflict of Commitment (GP 37)
15.1.8 Bullying and Harassment (GP 47)
15.1.9 Human Rights (GP 18)
15.1.10 Sexualized Violence (GP 44)
15.1.11 University Health and Safety (GP 17)
15.1.12 Code of Faculty Ethics and Responsibilities (A 30.01)
15.1.13 Collective agreements and human resources employment policies
TO: Senate

FROM: Joy Johnson
Chair – Senate Committee on Agenda and Rules (SCAR)

DATE: June 28, 2024

SUBJECT: Changes to Policy GP 44 – Sexualized Violence Policy

SCAR has reviewed S.24-99 (Changes to Policy GP 44 – Sexualized Violence Policy) and is forwarding it to Senate for information.
MEMORANDUM

ATTENTION: SCAR
FROM: Dr. Dilson Etchevery Rassier, Provost and Vice-President, Academic
RE: Changes to Policy GP 44 – Sexualized Violence Policy

June 20, 2024

BC post-secondary institutions are required by the Sexual Violence and Misconduct Policy Act (2016) to review their sexualized violence policies every 3 years. This is the second review of SFU’s Sexual Violence and Misconduct Prevention, Education and Support Policy, GP 44. To ensure SFU’s continued alignment with provincial legislation the review of this policy began in Summer 2023 term and is set to conclude in Spring 2024 after two rounds of community consultations and robust engagement with key university community members, departments, offices, unions and associations.

Rationale for change:
The key revisions align with the best practices that emerged through a literature review and through a two-phased university consultation process.

1. Key revisions to GP 44’s Policy include:
   a. Modernized the title of and language used in the policy by replacing “sexual violence and misconduct” with “sexualized violence”.
   b. Added a new section under s.3.6 to include a time limit from the last instance of sexualized violence experienced for the intake of a Report once an individual is no longer a member of the University Community. This aligns with timelines set out in the BC Human Rights Code.
   c. Provided more information in s.8.5.2 to bring clarity to the Reporting process.

2. Key revisions to GP 44’s Appendix A (definitions) include:
   a. Updated s.2.15’s definition of “University Community” to include “or agreement”. This change allows us to include FIC students in the policy so that a Report can be received.
   b. Updated s.2.2 by substituting the term “accommodation” with “concession” to better align with SFU’s Accessibility for Students with Disabilities Policy (GP 26).
   c. Updated s.2.3.2’s definition of “Consent” to include “or who is incapacitated by alcohol or drugs”. This is a response to student feedback and provides more clarity.

3. The development of GP 44’s Procedures:
   a. This first draft was developed to align, where appropriate, with the Procedures attached to the Human Rights Policy (GP 18) and the Bullying and Harassment Policy (GP 47).
   b. Included s.6.0 which allows the SVSPO to intake “anonymous allegations” to support ongoing educational efforts and support the University in determining if there is evidence of significant risk to health and safety.
   c. Included examples of “interim measures” (s.10.3), “informal resolutions” (s.11.0), and “disciplinary sanctions” (s.13.2).
These policy changes have been reviewed by the Executive Team, the Office of the General Counsel, Faculty Relations, Human Resources/Labour Relations, the Office of Student Support, Rights and Responsibilities, SFUFA, CUPE, the Equity Office, the Human Rights Office, the Bullying and Harassment Central Hub, GSS, along with numerous student groups, individual students, staff, and faculty members through two rounds of community consultations.

**Attachments:**
- 2024 Amendments – Policy (GP 44)
- 2024 Amendments - Appendix A (GP 44)
- 2024 Amendments - Sexualized Violence Procedures (GP 44)
EXECUTIVE TEAM MEETING – CONSULTATION / INFORMATION BRIEFING NOTE

SUBJECT | SFU’s Sexual Violence and Misconduct Prevention, Education and Support Policy (GP44) Review
---|---
DATE | May 22, 2024
EXEC TEAM SPONSOR | Dr. Dilson Etcheverry Rassier
UNIT/DEPARTMENT | Provost and Vice-President, Academic
PREPARED BY | Dr. CJ Rowe
RESOURCE PEOPLE TO ATTEND MEETING: | Dr. CJ Rowe, Director, Sexual Violence Support & Prevention Office

TO BE SHARED WITH DEANS AFTER ET MEETING? | ☐ Yes ☒ No

TOPIC
For approval from SFU’s Executive Team on the proposed edits to SFU’s Sexual Violence and Misconduct Prevention, Education and Support Policy (GP 44), Appendix A, and Procedures.

BACKGROUND
BC post-secondary institutions are required by the [Sexual Violence and Misconduct Policy Act](https://www.bcgov.ca/govdocs/bills/sasvpmcaact16.pdf) (2016) to review their sexualized violence policies every 3 years. This is the second review of SFU’s Sexual Violence and Misconduct Prevention, Education and Support Policy, GP 44. To ensure SFU’s continued alignment with provincial legislation the review of this policy began in Summer 2023 term and is set to conclude in Spring 2024 after two rounds of community consultations and robust engagement with key university community members, departments, offices, unions and associations.

CONSIDERATIONS
1. Key revisions to GP 44’s Policy include:
   a. Modernized the title of and language used in the policy by replacing “sexual violence and misconduct” with “sexualized violence”.
   b. Added a new section under s.3.6 to include a time limit from the last instance of sexualized violence experienced for the intake of a Report once an individual is no longer a member of the University Community. This aligns with timelines set out in the BC [Human Rights Code](https://www2.gov.bc.ca/assets/gov/health-care/services/medical-professionals/quality-safety-programs/human-rights-code.pdf).
   c. Provided more information in s.8.5.2 to bring clarity to the Reporting process.
2. Key revisions to GP 44’s Appendix A (definitions) include:
   a. Updated s.2.15’s definition of “University Community” to include “or agreement”. This change allows us to include FIC students in the policy so that a Report can be received.
   b. Updated s.2.2 by substituting the term “accommodation” with “concession” to better align with SFU’s Accessibility for Students with Disabilities Policy (GP 26).
   c. Updated s.2.3.2’s definition of “Consent” to include “or who is incapacitated by alcohol or drugs”. This is a response to student feedback and provides more clarity.
3. The development of GP 44’s Procedures:
a. This first draft was developed to align, where appropriate, with the Procedures attached to the Human Rights Policy (GP 18) and the Bullying and Harassment Policy (GP 47).

b. Included s.6.0 which allows the SVSPO to intake “anonymous allegations” to support ongoing educational efforts and support the University in determining if there is evidence of significant risk to health and safety.

c. Included examples of “interim measures” (s.10.3), “informal resolutions” (s.11.0), and “disciplinary sanctions” (s.13.2).

RISKS
1. A number of key recommendations from the first and second rounds of the community consultations were not adopted. These key recommendations included: a) adopting a “prohibited relationships” clause that would disallow relationships where there is a power imbalance, b) explicitly allowing for transparent communications with all parties about outcomes of investigations and sanctions, and c) mandatory anti-sexualized violence training for all SFU community members. All of these recommendations will be addressed in the final report titled “Moving Forward: GP 44 Response and Future Pathways” and through educational initiatives.

2. Failure to engage in the policy review will result in SFU breaching its duties and obligations outlined in the Sexual Violence and Misconduct Policy Act, S.B.C. 2016 and will result in SFU falling behind other public post-secondary institutions. This is a reputational risk.

3. To date SFU has not developed procedures attached to our Sexual Violence Policy, GP 44. The draft procedures shared will close this gap.

CHANGE MANAGEMENT STRATEGY
This policy consultation has been designed in a way that allows key stakeholders and the broader university community with multiple opportunities to provide feedback gathered through multiple mechanisms (in-person conversations, workshops, and an online survey) to allow university community members many points of contact throughout this 8-month process.

NEXT STEPS
1. June - July 2024: The proposed revisions to GP 44 documents will be provided to the Senate Committee on Agenda and Rules (SCAR) for information.

2. September 2024: The final proposed revisions to all GP 44 documents will go to the Board of Governors for approval.

ATTACHMENTS
• 2024 Amendments – Policy (GP 44)
• 2024 Amendments - Appendix A (GP 44)
• 2024 Amendments - Sexualized Violence Procedures (GP 44)
EXECUTIVE SUMMARY

This policy commits SFU to establish a Sexual Violence Support and Prevention Office through which to provide trauma-informed support for members of the university community affected by sexualized violence and coordinated and comprehensive education and training about sexualized violence for all members of the university community. This policy also requires the University to establish fair processes for managing and investigating reports about such conduct and establishes a framework for doing so.

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18.0 PROCEDURES AND OTHER ASSOCIATED DOCUMENTS

1.0 PREAMBLE

1.1 Simon Fraser University ("the University") values and promotes the health, safety and well-being of individuals and the community. The University does not tolerate sexualized violence. With this policy, the University commits to:

1.1.1 Recognize the diversity of the University Community and understand that each person will be affected differently by sexualized violence, based on the intersection of multiple identities such as: sex; sexual orientation; gender identity and expression; Indigenous, racial or ethnic background; migration status; language; ability; faith; age; socio-economic status and previous experiences of trauma, including but not limited to generational and historical trauma; and that acts of sexualized violence may also be acts of sexism, racism, ableism, homophobia, and/or transphobia;

1.1.2 Recognize the significant impact that broader social attitudes and beliefs about sex, sexuality, and gender identity and expression that normalize sexualized violence, commonly referred to as rape culture, have on all of us.

1.1.3 Provide education for members of the University Community about healthy and consensual sexual practices and relationships;

1.1.4 Provide safe, accessible, and timely confidential assistance and support, referrals, and information to members of the University Community who are affected by sexualized violence;

1.1.5 Provide reasonable and appropriate concessions for members of the University Community who are affected by sexualized violence;

1.1.6 Provide education and awareness programs and training designed to reduce and prevent sexualized violence, and training on responding to Disclosures, for all members of the University Community. The University will strongly encourage all members to participate;

1.1.7 Consistently and effectively communicate the services, resources, and options available for members of the University Community affected by sexualized violence;

1.1.8 Investigate reported incidents of sexualized violence where appropriate;

1.1.9 Adhere to the principles of procedural fairness and natural justice, as outlined in section 9 of this policy, when investigating Reports of Sexualized Violence and when taking steps to establish consequences or impose discipline;

1.1.10 Systematically collect data concerning incidents of sexualized violence and
1.1.11 Report regularly to the University Community about the outcomes of this policy and its associated procedures.

2.0 PURPOSE

2.1 The purpose of this policy is to affirm the University’s commitment to maintaining and enhancing a safe and healthy campus for all members of the University Community and to state the University’s commitment to addressing Sexualized Violence by making available:

2.1.1 coordinated and comprehensive training and education for reducing, preventing, and responding to Sexualized Violence for members of the University Community;

2.1.2 coordinated and comprehensive trauma-informed support for members of the University Community affected by Sexualized Violence;

2.1.3 clear and fair processes for managing and investigating Reports of Sexualized Violence and, where appropriate, for establishing consequences and discipline.

2.2 This policy must be read, interpreted, and applied within the context of these overarching purposes.

3.0 SCOPE and JURISDICTION

Prohibited Conduct

3.1 Acts of Sexualized Violence are prohibited.

3.2 Retaliation of any kind, direct or indirect, against a Survivor who Discloses or Reports Sexualized Violence, against a Respondent, or against anyone who participates in a University process addressing allegations of Sexualized Violence, is prohibited.

Jurisdiction of the Policy

3.3 This policy applies to all members of the University Community.

3.4 Any member of the University Community who Discloses or Reports that they have been affected by Sexualized Violence can access confidential assistance and support, referrals and information from the Sexual Violence Support and Prevention Office and request accommodation, regardless of the time or place at which the Sexualized Violence occurred, or the parties involved.

3.5 For the purposes of internal investigations, consequences and discipline, this policy applies only to Sexualized Violence by a member of the University Community against another member of the University Community that is Reported to the Sexual Violence Support and Prevention Office and that is alleged to have occurred.
3.5.1 on any property that is controlled by the University and used for University purposes; or

3.5.2 at or during an in-person or virtual meeting, event, or activity that is sponsored by or under the auspices of the University, or in furtherance of University business; or

3.5.3 Online, using the University’s Information and Communications Technology; or

3.5.4 When the Respondent was in a position of power or influence over the Survivor’s academic or employment status at the time of the reported incident.

3.6 The University may accept Disclosures and Reports from former University Community members if: the Complainant and Respondent were both members of the University Community at the time the incident occurred; the Respondent is a member of the University Community at the time that the Disclosure or Report is made; the Report takes place within one year of the alleged incident of Sexualized Violence or the last alleged incident of Sexualized Violence where recurrent Sexualized Violence is alleged to have occurred; and the incident occurred in the scope and jurisdiction outlined in s.3.5.

3.7 This policy also applies to and prohibits Sexualized Violence by a person who is not a member of the University Community, against a person who is a member of the University Community, which occurs on any property that is controlled by the University and used for University purposes. In such cases the University will, within the limits of its legal right to do so, endeavor to restrict that person’s access to, or remove that person from, University property.

3.8 In cases involving behaviour that falls within the definition of “sexual harassment” in the University’s Human Rights Policy (GP 18) and the University’s Bullying and Harassment Policy (GP 47), the Survivor may choose to proceed under that policy as set out in section 8.5.1 below. The Sexual Violence Support and Prevention Office will explain this option to a Survivor who makes a Report.

3.9 This policy is not intended to discourage or prevent a member of the University Community from exercising any other rights they may have, including, but not limited to, the right to file a complaint with the British Columbia Human Rights Tribunal or the right to pursue a criminal or civil remedy.

4.0 DEFINITIONS

4.1 See Appendix A for the definitions of words used in this policy and in its associated procedures.

5.0 SEXUAL VIOLENCE SUPPORT AND PREVENTION OFFICE

5.1 The University will establish a Sexual Violence Support and Prevention Office as a centre utilizing current best practices in education, training and support for Sexualized Violence for all members of the University Community.
5.2 The Sexual Violence Support and Prevention Office will:

5.2.1 provide safe, timely, ongoing, and confidential assistance and support, referrals, and information to a member of the University Community who has been affected by Sexualized Violence;

5.2.2 inform that person about the resources available to them;

5.2.3 receive and facilitate that person’s request for reasonable and appropriate academic, workplace or other concessions;

5.2.4 inform Survivors about the resources available to them, including their options for reporting Sexualized Violence and assist them to make informed decisions;

5.2.5 inform Respondents about the resources available to them and assist them to make informed decisions;

5.2.6 work closely with off-campus services as well as on-campus service units including Health & Counselling and Campus Public Safety to ensure timely and coordinated assistance, support, and referrals for members of the University Community affected by Sexualized Violence and to reduce the repetition of Disclosures and Reports by a Survivor;

5.2.7 provide timely and confidential assistance and support, referrals, and information to members of the University Community who have received Disclosures;

5.2.8 maintain a comprehensive, integrated communication strategy, which will include a central web resource with detailed information about:

   a. the supports and resources available to Survivors, Respondents, and other members of the University Community;

   b. options for reporting an incident of Sexualized Violence under section 8 of this policy, including processes that are external to the University and processes that are internal; and

   c. related matters.

5.2.9 oversee, develop, and coordinate the delivery of the training, education and awareness initiatives mandated by this policy;

5.2.10 systematically collect data and maintain annual statistics, without identifying information, on the number of Disclosed and Reported incidents of Sexualized Violence under this policy for the purposes of community education and for reporting to the University Community;

5.2.11 participate in the periodic evaluations of this policy and its related initiatives;
5.2.12 conduct periodic surveys of the University Community related to Sexualized Violence; and

5.2.13 establish an advisory panel to act as a resource for the Sexual Violence Support and Prevention Office, composed of experts from the University Community who have knowledge and experience in reducing, preventing, and responding to Sexualized Violence.

5.3 The Sexual Violence Support and Prevention Office (“Office”) will facilitate Reporting an incident of Sexualized Violence pursuant to section 8 of this policy when requested by a Survivor, and it will provide the Survivor with confidential and ongoing support, but the Office will not be an advocate for any member of the University Community, nor will it have a role in investigations or disciplinary actions.

6.0 AWARENESS, EDUCATION AND TRAINING

6.1 The Sexual Violence Support and Prevention Office will work in cooperation with relevant partners including, but not limited to, student organizations and unions, Student Affairs staff, academic departments, Human Resources, Faculty Relations, Athletics, the Human Rights Office, the Bullying and Harassment Central Hub, Campus Public Safety to oversee, develop, and coordinate a proactive and sustained education plan for the University Community that includes a combination of campaigns, on-line and in-person training sessions, workshops, print and on-line resources, programs, and other events on a range of topics related to:

6.1.1 reducing, preventing, and responding to Sexualized Violence; and

6.1.2 providing support for members of the University Community affected by Sexualized Violence.

6.2 The Sexual Violence Support and Prevention Office will facilitate the inclusion of educational materials related to Sexualized Violence in student and employee orientation and will be available to consult with individual faculty members, departments, and faculties in the development of course materials and program curriculum.

6.3 The Sexual Violence Support and Prevention Office will strongly encourage all members of the University Community to participate in the education and training, and to be knowledgeable about and to contribute to the reduction and prevention of Sexualized Violence.

7.0 DISCLOSING SEXUALIZED VIOLENCE

7.1 A member of the University Community who has experienced Sexualized Violence may choose to disclose the experience by confiding in the Sexual Violence Support and Prevention Office or a member of the University Community. This is a Disclosure. A Disclosure is not the same as a Report under section 8 of this policy. A Disclosure normally does not initiate an investigation or
other process. To initiate a formal reporting process, a Survivor must Report an incident of Sexualized Violence to the Sexual Violence Support and Prevention Office pursuant to section 8 of this policy.

7.2 All members of the University Community are strongly encouraged to be knowledgeable about how to appropriately receive and respond to a Disclosure. The Sexual Violence Support and Prevention Office provides education and training on how to appropriately receive and respond to a Disclosure. Members of the University Community who receive a Disclosure may choose to contact the Sexual Violence Support and Prevention Office for information, advice, and personal support.

7.3 A member of the University Community who receives a Disclosure should treat the Survivor with compassion, dignity, and respect. They should ensure that the Survivor is aware of this policy and inform the Survivor that the Sexual Violence Support and Prevention Office is available to provide the Survivor with confidential and ongoing assistance and support, referrals, and information.

7.4 A member of the University Community who Discloses or Reports to the Sexual Violence Support and Prevention Office that they have experienced Sexualized Violence can expect to:

7.4.1 be treated with compassion, dignity, and respect;
7.4.2 obtain timely assistance to create a safety plan;
7.4.3 learn about on- and off-campus services and resources;
7.4.4 obtain reasonable and appropriate academic, workplace or other concessions tailored on a case by case basis;
7.4.5 learn about the options and procedures for initiating internal and external processes to address an incident of Sexualized Violence, as outlined in section 8 of this policy, and the limits to confidentiality associated with each option;
7.4.6 receive timely, ongoing, and confidential support, regardless of whether the member chooses to make a Report under section 8 of this policy, and regardless of the outcome of that Report;
7.4.7 be provided with information to allow them to make autonomous and informed decisions about which services they believe will be the most beneficial; and
7.4.8 be provided with information to allow them to make autonomous and informed decisions about which of the options outlined in section 8 to pursue, if any.

7.5 A Survivor who Discloses to the Sexual Violence Support and Prevention Office that they have experienced Sexualized Violence is entitled to decide whether to:

Deleted: and Misconduct
7.5.1 access available on- and off-campus services and to choose the services they feel will be the most beneficial;

7.5.2 contact the relevant law enforcement agency and pursue criminal proceedings;

7.5.3 file a complaint with the British Columbia Human Rights Tribunal, where the matter falls within its jurisdiction;

7.5.4 initiate other legal proceedings;

7.5.5 file a complaint of sexual harassment under the University’s Human Rights Policy (GP 18) or the University’s Bullying and Harassment Policy (GP 47); or

7.5.6 convert their Disclosure into a Report pursuant to section 8.5.2 of this policy, with the intention of initiating an internal process as outlined in that section.

7.5.7 A member of the University Community who requests academic, workplace, or other concessions due to an incident of Sexualized Violence should contact the Sexual Violence Support and Prevention Office. The Office will receive and facilitate the request where reasonable and appropriate.

8.0 REPORTING SEXUALIZED VIOLENCE TO THE UNIVERSITY

8.1 A Survivor who has experienced Sexualized Violence by another member of the University Community may choose to Report the Sexualized Violence to the Sexual Violence Support and Prevention Office with the intention of initiating a process under section 8.5 of this policy. A Report is not the same as a Disclosure under section 7. A Disclosure normally does not initiate an investigation or other process.

8.2 A Survivor may make a Report to the Sexual Violence Support and Prevention Office alone or with assistance of a support person of their choice.

8.3 The Sexual Violence Support and Prevention Office will inform the Survivor about their options, as outlined in sections 8.4 and 8.5 of this policy and will assist them to understand those options.

8.4 A Survivor may choose one or more of the following options to initiate an external process:

8.4.1 to contact the relevant law enforcement agency and pursue criminal proceedings;

8.4.2 to file a complaint with the British Columbia Human Rights Tribunal where the matter falls within its jurisdiction;

8.4.3 to initiate other legal proceedings.

8.5 A Survivor who makes a Report may choose one of the following options to initiate an internal process:
8.5.1 to file a complaint under the University’s Human Rights Policy (GP 18) or the University’s Bullying and Harassment Policy (GP 47) in cases involving behaviour that may fall within the definition of sexual harassment in that policy.

a. The Sexual Violence Support and Prevention Office, the Human Rights Office or the Bullying and Harassment Central Hub can assist the survivor in determining which office would be the most appropriate office to receive a Report. If one office determines that the reported behaviour does not fall within the scope of the policy that would not preclude the Survivor from providing a Report to one of the other offices. However, an incident fully investigated under one policy will not be investigated under the other policy.

8.5.2 to initiate, as a Complainant, one of the following processes through the Sexual Violence Support and Prevention Office:

a. if the Respondent is a student, the Sexual Violence Support and Prevention Office will direct the matter to the Office of Student Support, Rights and Responsibilities pursuant to the Student Conduct Policy (S 10.05) for further steps;

b. if the Respondent is an employee of the University and is a member of the APSA, CUPE, Poly Party, and TSSU employee groups, the Sexual Violence Support and Prevention Office will direct the matter to Human Resources/Labour Relations for further steps;

c. if the Respondent is an employee of the University and is a member of SFUFA, the Sexual Violence Support and Prevention Office will direct the matter to Faculty Relations for further steps;

d. if the Respondent is an employee of the University and is excluded or senior administration, including Deans and Associate Deans, but excluding the University’s Executive, the Sexual Violence Support and Prevention Office will direct the matter to Human Resources/Labour Relations for further steps;

e. if the Respondent is an employee of the University and is a member of the University’s Executive, or is a member of the University Community whose affiliation with the University does not fall within sections 8.5.2.a to 8.5.2.d, the Sexual Violence Support and Prevention Office will direct the matter to the Office of the General Counsel for further steps.

8.6 Nothing in this policy prevents interim measures being imposed on a Respondent pursuant to a University policy or collective agreement.

8.7 The University reserves the right to initiate an internal investigation and/or to inform the relevant law enforcement agency without the consent of the Survivor if it has a reasonable belief that the
safety of one or more persons may be at risk. Circumstances where the University may proceed without a Complainant include:

8.7.1 Where there is risk to the safety of the University Community.

8.7.2 Where required by law, such as under the Occupational Health and Safety Regulation and the Child, Family and Community Service Act.

In these circumstances the University will provide support throughout the process for individuals impacted by Sexualized Violence.

9.0 PROCEDURAL FAIRNESS

9.1 The University shall deal with all Reports of Sexualized Violence in a fair, unbiased, and timely manner and in accordance with relevant collective agreements and other applicable University policies.

9.2 An impartial and appropriately qualified and trained person shall investigate Reports of Sexualized Violence.

9.3 Investigations must comply with all relevant provisions in an applicable collective agreement or policy, including notice requirements, timelines, and other process issues.

9.4 A Complainant and a Respondent shall each be advised of the procedures that will be followed.

9.5 A Respondent shall be advised of the allegation and shall be given an opportunity to respond.

9.6 Procedural fairness apply to both the Complainant and the Respondent.

10.0 CONSEQUENCES AND OUTCOMES

10.1 A Respondent who is found to have committed an act of Sexualized Violence will be held accountable by the University and may be subject to consequences which may include disciplinary action up to and including suspension or termination, pursuant to the Student Conduct Policy (S 10.05) for students, or the applicable collective agreement, employment contract or relevant policy for employees.

10.2 The University will provide a Complainant who initiates a process under section 8.5.2 with the outcome of the Report that was made.
11.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

11.1 The legal and other University Policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:

11.1.1 University Act, R.S.B.C. 1996, c. 468
11.1.2 Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165
11.1.3 Sexual Violence and Misconduct Policy Act, S.B.C. 2016, c. 23
11.1.4 Student Conduct Policy (S 10.05)
11.1.5 Human Rights (GP 18)
11.1.6 Bullying and Harassment Policy (GP 47)
11.1.7 Response to Violence and Threatening Behaviour (GP 25)
11.1.8 Fair Use of Information and Communications Technology (GP 24)
11.1.9 Conflict of Interest and Conflict of Commitment Policy (GP 37)
11.1.10 SFU’s Information Policies (I 10)
11.1.11 Residence and Housing Handbook and Residence licence agreement
11.1.12 Employee collective agreements and relevant human resources policies.

12.0 ACCESS TO INFORMATION AND PROTECTION OF PRIVACY

12.1 The information and records made and received to administer this policy are subject to the access to information and protection of privacy provisions of British Columbia’s Freedom of Information and Protection of Privacy Act and the University’s Information Policy series.

12.2 To the extent possible, the information and records will be treated in a confidential manner, in compliance with the Act and with applicable University’s policies, including the Student Conduct Policy (S 10.05) and its related procedures, and with the relevant collective agreement.

12.3 A University employee who receives a Disclosure or a Report or who is involved in addressing or investigating it must:

12.3.1 make every reasonable effort to protect personal information and maintain confidentiality;
12.3.2 collect the minimum information about individuals that relates directly to and is necessary to respond to a Disclosure or Report, which is considered to be supplied in confidence;

12.3.3 use the information about individuals only for the purposes of, or those consistent with, addressing the situation, investigating, or taking action;

12.3.4 limit disclosure of information about individuals to those within the University who need to know to perform their duties; and

12.3.5 disclose personal information in all other circumstances only as permitted under the Freedom of Information and Protection of Privacy Act.

12.4 The University may disclose personal information where appropriate, including where:

12.4.1 it determines compelling circumstances exist that affect any person’s health or safety;

12.4.2 a law authorizes or requires its disclosure;

12.4.3 it is needed to prepare or obtain legal advice for the University;

12.4.4 it complies with a subpoena, a warrant or an order issued by a court, person, or body in Canada with jurisdiction to compel the production of information;

12.4.5 it uses the information for the purpose for which it was obtained or compiled or for a use consistent with that purpose (for example, where it is necessary to fulfill its duty of procedural fairness);

12.4.6 an employee needs the information to perform their employment duties; or

12.4.7 it is to a law enforcement agency in Canada to assist in a specific investigation.

13.0 MULTIPLE PROCEEDINGS

13.1 If criminal, civil, or administrative proceedings are commenced in respect of allegations of Sexualized Violence, the University reserves the right to proceed with, defer or suspend its own processes. The University will make a reasonable effort to inform the Survivor of its intentions in relation to university processes.

14.0 RETENTION AND DISPOSAL OF RECORDS

14.1 Information and records made and received to administer this policy are evidence of the University’s actions to respond to Sexualized Violence education, reduction and prevention, support, and investigation. Information and records must be retained and disposed of in accordance with a records retention schedule approved by the University Archivist.
15.0 POLICY MONITORING, EVALUATING, REVIEW, AND REPORTING

15.1 The Sexual Violence Support and Prevention Office will undertake a systematic approach to monitoring and evaluating this policy and its associated procedures and practices to ensure that they are responsive to evolving needs and the evolving environment. This includes but is not limited to:

15.1.1 Reporting annually through the President to the Board of Governors on the implementation of this policy;

15.1.2 Periodic reviews of the University’s training and educational initiatives related to Sexualized Violence; and

15.1.3 Reviewing this policy at least once every three years, in consultation with students and other members of the University Community.

16.0 POLICY AUTHORITY

16.1 This policy is administered under the authority of the Vice-President, Academic and Provost.

17.0 INTERPRETATION

17.1 Questions of interpretation and application of this policy or its procedures, including but not limited to matters relating to the scope and jurisdiction of this policy or its procedures, shall be referred to the Vice-President, Academic and Provost and the Office of the General Counsel, who will jointly make a decision, which will be final.

18.0 PROCEDURES AND OTHER ASSOCIATED DOCUMENTS

18.1 Appendix A contains the definitions applicable to this policy and its procedures.

18.2 Appendix B contains the Guidelines for Investigations by External Investigators.

18.3 The procedures for this policy are: Sexualized Violence Procedures.
APPENDIX A - DEFINITIONS - SEXUALIZED VIOLENCE

Date: February 29, 2024
Number: GP-44

Date of Last Review/Revision: April 20, 2021
Mandated Review: April 20, 2024

Policy Authority: Vice-President, Academic and Provost
Parent Policy: Sexualized Violence (GP-44)

1.0 PURPOSE

1.1 The definitions in this Appendix define the words used in the Sexualized Violence policy and its procedures.

2.0 DEFINITIONS

2.1 Complainant means a Survivor who makes a Report and initiates an internal process through the Sexual Violence Support and Prevention Office pursuant to section 8.5 of the policy.

2.2 Concessions means the provision by the University of reasonable and appropriate academic, workplace or other measures that:

2.2.1 are provided to a member of the University Community affected by Sexualized Violence;

2.2.2 are designed to meet that person’s needs resulting from an incident of Sexualized Violence; and

2.2.3 do not infringe on the rights of others.

Examples of academic concession in teaching or evaluation procedures may include changing a tutorial section, project group or supervisor, providing an extension on an assignment, deferring an exam, authorizing withdrawal from a class without penalty or allowing continuing studies from home. An example of other concessions may include changing residence rooms.

2.3 Consent means clear, ongoing, and voluntary agreement to engage in sexual activities. Consent is informed, freely given, and actively communicated as demonstrated by words or conduct objectively assessed. For clarity, Consent:

GP-44
April 20, 2021
Page 1 of 3

#QW7KXBW90D1XC5v1
2.3.1 is a freely given “yes”; 
2.3.2 cannot be given by someone who is incapacitated, including for example a person who is asleep or unconscious or who is incapacitated by alcohol or drugs; 
2.3.3 can never be obtained through threats, coercion, or other pressure tactics; 
2.3.4 can be revoked at any time, regardless of whether other sexual activities or agreements have taken place; 
2.3.5 cannot be obtained if someone abuses a position of trust, power, or authority over another person; and 
2.3.6 cannot be assumed from previous consent to the same or similar activities.

2.4 Constituency Organization means the Administrative and Professional Staff Association (APSA), Canadian Union of Public Employees (CUPE 3338), Poly Party, Simon Fraser Student Society (SFSS), Graduate Student Society (GSS), Simon Fraser University Faculty Association (SFUFA), and the Teaching Support Staff Union (TSSU).

2.5 Disclosure occurs when a Survivor tells the Sexual Violence Support and Prevention Office or a member of the University Community that they have experienced Sexualized Violence. This is not the same as a Report under section 8 of the policy, which is intended to initiate a process.

2.6 Report means a Survivor telling the Sexual Violence Support and Prevention Office about an incident of Sexualized Violence with the intention of initiating a process. This is not the same as a Disclosure, under section 7 of the policy, which does not initiate a formal reporting process. A Survivor who makes a Report and initiates an internal process through the Sexual Violence Support and Prevention Office will be referred to in that process as the Complainant.

2.7 Respondent means a member or members of the University Community against whom a Report has been made pursuant to this policy.

2.8 Responsible Office means the University administrative office designated in section 8.5.2 of the Sexualized Violence Policy, responsible for overseeing and managing the University’s response to Reports and for providing advice and support to Supervisors. The Responsible Office is determined by the Respondent’s affiliation to the University within the context of the incident(s) described in the Report. The Responsible Office is:

2.8.1 Faculty Relations, for Reports about members of the SFUFA bargaining unit;
2.8.2 Human Resources/Labour Relations, for Reports about employees who are members of the APSA, CUPE, Poly Party, and TSSU employee groups;
2.8.3 Human Resources/Labour Relations, for Reports about excluded employees and members of the senior administration, including Deans and Associate Deans, but excluding the University’s Executive;
2.8.4 Office of Student Support, Rights, and Responsibilities, for Reports about Students;
2.8.5 Office of the General Counsel, for Reports about members of the University’s Executive, or about members of the University Community whose affiliation with the University does not fall within sections 2.8.1 to 2.8.4.
2.9 **Retaliation** means an adverse action or threatened action, direct or indirect, taken or made through any means, against a person who invoked this policy or its procedures in good faith, or against a person who participated or cooperated in good faith in a University process addressing a Report. Retaliation is prohibited conduct.

2.10 **Sexualized Violence** is an umbrella term that encompasses a broad range of behaviour. It means a sexual act or an act targeting a person’s sexuality, gender identity or gender expression that is committed, threatened, or attempted against a person without the person’s Consent. Such behaviour may or may not involve physical contact. It includes but is not limited to: sexual assault, sexual exploitation, sexual harassment, stalking, indecent exposure, voyeurism, stealing, and the distribution of sexually explicit photographs or videos of a person without their Consent.

2.11 **Student** includes any of the following: an undergraduate who is enrolled at the University for one or more of the last three terms and is eligible to continue in a program of study; a graduate student who is enrolled at the University in the current term and is eligible to continue; a graduate student who is on leave and eligible to enrol at the University when the leave ends; a visiting or exchange or special audit student who has been formally admitted to the University for the purposes of taking courses or to take part in an approved research term; a graduate student who is enrolled in courses at the University as a qualifying student; or a person enrolled at the University in a non-credit program or course.

2.12 **Supervisor** means the person designated by the University under this policy and responsible for, among other things, determining whether the policy was violated and whether disciplinary sanctions will be imposed.

2.13 **Survivor** means a member of the University Community who identifies as someone who has experienced Sexualized Violence. The University recognizes that an individual may not wish to use the term Survivor and will therefore respect an individual’s preferred term, such as Complainant, Victim, or Discloser, in its interactions with that person. A Survivor can access confidential assistance and support, referrals, and information from the Sexual Violence Support and Prevention Office and can request accommodation as defined in the policy, regardless of where or when the Sexualized Violence occurred, or the parties involved.

2.14 **University (or SFU)** means Simon Fraser University.

2.15 **University Community** means all students and employees of the University and all people who have a status at the University mandated by legislation, other University policies, or agreement including research assistants, post-doctoral fellows, members of Senate and the Board of Governors, volunteers, visiting and emeritus faculty, and visiting researchers.
SEXUALIZED VIOLENCE PROCEDURES

Policy Authority: Vice-President, Academic and Provost

Parent Policy: Sexualized Violence (GP 44)

1.0 PURPOSE

1.1 These procedures establish the processes that will be followed to respond, informally or formally, to a Report of Sexualized Violence made under the Sexualized Violence Policy (GP 44).

2.0 DEFINITIONS

2.1 See Appendix A to the Sexualized Violence Policy (GP 44) for definitions of words used in the policy and in these procedures.

3.0 GENERAL PRINCIPLES

3.1 The University will respond to a Report in an objective, fair, and timely manner. Individuals exercising their authority and discretion under these procedures will do so in conformity with the principles of procedural fairness and in accordance with relevant collective agreements or other applicable University policy or procedure, including notice requirements, timelines, and other related process issues.

3.2 The University will take steps, as needed, to address the safety and well-being of the Complainant.

3.3 A Complainant or Respondent may be accompanied by a support person and/or a representative of their Constituency Organization throughout the process under these procedures.

3.4 In responding to a Report, and when appropriate, efforts at problem-solving and informal resolution will be made first.
3.5 In all cases, efforts will be made to mitigate the impact of a substantiated Report, such as mandating corrective action(s), implementing actions to reduce the opportunity for recurrence, and taking steps to restore a respectful working and learning environment.

4.0 IMMINENT RISK - CONTACT POLICE AND CAMPUS PUBLIC SAFETY

4.1 Any member of the University Community who believes they are being impacted by Sexualized Violence and who have concerns about active or imminent acts or threats of violence, or concerns about safety, security, or emergency, should immediately contact the police and inform Campus Public Safety.

5.0 HOW TO REPORT SEXUALIZED VIOLENCE

5.1 A Survivor who has experienced Sexualized Violence by another member of the University Community may choose to Report the Sexualized Violence to the Sexual Violence Support and Prevention Office with the intention of initiating a process under section 8.5 of the policy. A Report is not the same as a Disclosure under section 7 of the policy. A Disclosure normally does not initiate an investigation or other process.

5.2 A Survivor may make a Report to the Sexual Violence Support and Prevention Office alone or with assistance of a support person of their choice.

5.3 Reporting Sexualized Violence to the University will follow the details outlined in section 8.0 of the policy.

6.0 ANONYMOUS ALLIGATIONS OF SEXUALIZED VIOLENCE

6.1 The University’s ability to act upon an anonymous allegation of Sexualized Violence is very limited. The University will consider anonymous allegations to determine whether there is evidence of a significant risk to the health or safety of members of the University Community; to identify the need for education and training in impacted areas, and; to identify behavioural patterns and organizational culture issues that require addressing from unit or departmental leadership.

7.0 UNIVERSITY’S PROCESS FOR RESPONDING TO A REPORT ABOUT A STUDENT’S CONDUCT

7.1 Where the Report is about a Respondent who is a Student, the Student Conduct Policy (S 10.05) will apply and the Office of Student Support, Rights and Responsibilities will respond to the Report in accordance with the processes and procedures under the Student Conduct Policy (S 10.05).

7.2 If it is determined that Sexualized Violence has occurred, the Respondent will be held accountable and any corrective measures or disciplinary sanctions will be imposed pursuant to the Student Conduct Policy (S 10.05).

8.0 UNIVERSITY’S PROCESS FOR RESPONDING TO A REPORT ABOUT OTHERS
8.1 Where a Report is about the conduct of a person who is not a Student and not a University employee, the Responsible Office will respond to it in a manner that is generally analogous with the following procedures.

9.0 UNIVERSITY’S PROCESS FOR RESPONDING TO A REPORT ABOUT AN EMPLOYEE’S CONDUCT

9.1 Where the Report is about the conduct of an employee of the University, the Responsible Office will respond to the Report in accordance with any relevant collective agreement or other applicable University policy or procedure, including notice requirements, timelines, and other related process issues.

9.2 Where the Report is about an employee of the University, the Responsible Office will:

  9.2.1 acknowledge receipt of the Report;
  
  9.2.2 access the risk to the Complainant, the Respondent, or other members of the University Community, with reference to the Response to Violence and Threatening Behaviour Policy (GP 25);
  
  9.2.3 access the Report, to determine whether the alleged conduct appears to meet the definition of Sexualized Violence;
  
  9.2.4 inform the office responsible for the Complainant (based on the Complainant’s affiliation with the University) that a Report has been received and will consult or involve that office in addressing the matter, as appropriate; and
  
  9.2.5 directly, or through the office responsible for the Complainant:
    
    a inform the Complainant of their right to be accompanied by a support person and to have a member of the Constituency Organization present throughout all processes in these procedures; and
    
    b meet with the Complainant about the Report.
  
  9.2.6 determine the Respondent’s Supervisor and inform the Respondent’s Supervisor that a Report has been received;
  
  9.2.7 provide advice, guidance, and support to the Respondent’s Supervisor in addressing the Report.
  
  9.2.8 directly, or through the Respondent’s Supervisor:
    
    a inform the Respondent that a Report has been received;
    
    b inform the Respondent’s Constituency Organization of the Report when required by a collective agreement;
    
    c inform the Respondent of their right to be accompanied by a support person and to have a member of their Constituency Organization present throughout all processes in these procedures; and
meet with the Respondent about the Report.

10.0 **INTERIM MEASURES**

10.1 It may be necessary to take interim measures to mitigate risk or to mitigate the impact of the Respondent’s alleged conduct while a Report is being considered, resolved, investigated, or determined. Such measures will be precautionary and are expressly non-disciplinary.

10.2 The Responsible Office may impose interim measures on the Respondent. Interim measures will be reassessed on a weekly basis.

10.3 Interim measures may include, but are not limited to, the following examples:

10.3.1 the exclusion of individual from all or any part of the University campuses;

10.3.2 limiting proximity or contact to specific individuals;

10.3.3 limiting participation in University activities;

10.3.4 limiting the use of the University's information and communication technology; or

10.3.5 requiring a person to meet regularly with designated members of the University Community.

11.0 **INFORMAL RESOLUTION OF A REPORT**

11.1 When appropriate, directly or through the Respondent’s Supervisor, the Responsible Office will work collaboratively with the Complainant, the Respondent, and as relevant, their respective managers or Supervisors, Constituency Organizations, or others, to determine an informal resolution to the Report.

11.2 An informal resolution process does not result in a determination of whether the policy has been breached. Taking into account the safety, comfort, and well-being of the Complainant, the focus of an informal resolution process is to find an acceptable resolution of the Report. Examples of internal University processes for informal resolution are:

11.2.1 an apology;

11.2.2 an educational conversation with the Respondent;

11.2.3 the Complainant communicating to the Respondent that the Respondent’s behaviour is unacceptable;

11.2.4 a facilitated conversation between the Complainant and the Respondent; or

11.2.5 mediation.

11.3 If no resolution is reached through informal resolution process, or where such processes are not appropriate, the Responsible Office may initiate an investigation.
12.0 INVESTIGATION OF A REPORT

12.1 The Responsible Office will determine whether and how to investigate the Report, including whether to investigate it internally or whether the investigation will be undertaken by an external investigator. The Responsible Office will communicate its decision to both the Complainant and the Respondent in writing, with reasons.

12.2 Where more than one Report has been made about a Respondent, the Responsible Office may decide that the Report will be investigated together.

12.3 All investigations of an employee of the University under these procedures must:

12.3.1 be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances;

12.3.2 be objective, and be fair and impartial to both the Complainant and the Respondent when evaluating the allegations;

12.3.3 comply with all relevant provisions in any applicable collective agreement or policy, including notice, timelines, and other process requirements;

12.3.4 be sensitive to the interests of all parties involved and maintain confidentiality to the extent possible under the circumstances; and

12.3.5 be focused on finding facts and evidence, which includes interviewing the Complainant, the Respondent, witnesses, and such other persons as the investigator determines might have relevant information, as well as obtaining and reviewing any documents that the investigator considers may contain relevant information.

12.4 Upon the conclusion of an investigation, the investigator will prepare a written report ("Investigator’s Report") in a manner that facilitates compliance with the access to information and protection of privacy provisions of the Freedom of Information and Protection of Privacy Act ("FIPPA").

12.5 The investigator will submit the Investigator’s Report to the Responsible Office for the Respondent.

12.6 The Responsible Office will provide the Investigator’s Report to both the Complainant and the Respondent (redacted as required for FIPPA compliance).

12.7 Where an external investigator conducts the investigation, the Guidelines in Appendix C will apply.

13.0 DECISION AND CORRECTIVE MEASURES

13.1 When the Respondent is an employee of the University:

13.1.1 The Responsible Office will provide the Investigator’s Report to the Respondent’s Supervisor.

13.1.2 The Respondent’s Supervisor will read and consider the Investigator’s Report.
13.1.3 If the Investigator has not been directed to do so, the Respondent’s Supervisor will determine whether the Policy has been violated and if so, whether disciplinary measures will be imposed.

13.1.4 The Respondent’s Supervisor will determine the appropriate corrective measures or disciplinary sanctions applicable to the Respondent.

13.1.5 Where the Respondent is covered by a collective agreement or other relevant employment policy, any discipline will be determined and imposed consistent with the terms of that agreement or policy.

13.2 Examples of disciplinary sanctions include but are not limited to:

13.2.1 Letter of apology;

13.2.2 Mandated education or counselling;

13.2.3 Restriction on contact;

13.2.4 Restriction related to accessing buildings or parts of the University or certain activities;

13.2.5 Relocation in or eviction from University owned and/or operated housing;

13.2.6 Suspension from the University for a defined period or permanently;

13.2.7 Change of work assignment; or,

13.2.8 Suspension from work for a set time with or without pay.

14.0 RESTORATIVE MEASURES

14.1 In all cases where it is determined that a violation of the Sexualized Violence Policy (GP 44) has occurred, the University will make efforts to mitigate the impact of the incident(s) by taking actions and implementing measures to reduce the opportunity to recurrence and to restore a respectful working and learning environment.

15.0 RETALIATION

15.1 Retaliation is unacceptable and prohibited conduct that will be taken seriously by the University and may result in discipline. An allegation about Retaliation can be made at any time.

15.2 A Student who has concern about Retaliation may choose to contact the Sexual Violence Support and Prevention Office, the Office of Student Support, Rights and Responsibilities, the Ombudsperson, or their Constituency Organization for information, guidance, and support. Depending on the nature of the Retaliation, a Student may choose to report the Retaliation to the University by making a Report under the Sexualized Violence Policy (GP 44), the Bullying and Harassment Policy (GP 47), the Human Rights Policy (GP 18), the Student Conduct Policy (S 10.05) which will be referred to the appropriate Responsible Office for action.
15.3 A University employee who has a concern about Retaliation may choose to Disclose to their immediate manager or supervisor, or to the Sexual Violence Support and Prevention Office, or to their Constituency Organization, for information, guidance, and support. Depending upon the nature of the Retaliation, the employee may choose to report to the University by making a Report under the Report under the Sexualized Violence Policy (GP 44), the Bullying and Harassment Policy (GP 47), the Human Rights Policy (GP 18), the Student Conduct Policy (S 10.05) which will be referred to the appropriate Responsible Office for action.

15.4 Where a Report involving an allegation of Retaliation is received, the Responsible Office (as determined by the Respondent’s affiliation with the University) will normally respond to and manage it in the same way the Responsible Office responds to and manages other Reports made under these procedures.

15.5 The University reserves the right to address an allegation of Retaliation under any University policy, process, or collective agreement, or by any external process that the University deems relevant and appropriate to the circumstances.

16.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

16.1 The legal and other University Policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:

16.1.1 University Act, R.S.B.C. 1996, c. 468

16.1.2 Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165


16.1.4 Student Conduct Policy (S 10.05)

16.1.5 Human Rights (GP 18)

16.1.6 Bullying and Harassment Policy (GP 47)

16.1.7 Response to Violence and Threatening Behaviour (GP 25)

16.1.8 Fair Use of Information and Communication Technology (GP 24)

16.1.9 Conflict of Interest and Conflict of Commitment Policy (GP 37)

16.1.10 SFU’s Information Policies (I 10)

16.1.11 Residence and Housing Handbook and Residence licence agreement

16.1.12 Collective agreements and human resources employment policies
The Senate Review Committee was empowered through Senate resolution S23-123 approved November 6, 2023. The Committee is required to report on a regular basis.

The Committee sent the survey described in our report #1 to Senate committees to determine the extent to which the work and membership of Senate committees aligns with the terms of reference of the committees and how the work and membership of the committees might change to enable them to be more effective in the work they do. As of June 20, 2024, we have received responses from most of the Senate committees; we anticipate the balance will respond by month’s end.

We will analyze the responses over the Summer and plan to make a presentation to Senate in September. We also wish to seek Senate’s input at the September meeting on a variety of issues to help guide our approach to these issues.
Action undertaken by SCUS on June 6, 2024, gives rise to the following recommendations:

**Motion**

That Senate approve a subsequent two-year extension of the Duolingo English Test pilot for the Spring 2025 through to Fall 2026 terms.
Simon Fraser University continues to accept the Duolingo English test (DET) on a pilot basis (Fall 2021 through to Fall 2026; including spring and summer terms) from students in countries where no other English proficiency test is available, in order to satisfy the English Language Requirement (ELR) for undergraduate admission.

Motion

That SCUS approve and recommend to Senate, a subsequent two-year extension of the Duolingo English Test pilot for the Spring 2025 through to Fall 2026 terms.

Background

In Fall 2020, Senate approved DET in response to the COVID-19 pandemic due to testing center closures worldwide; the pilot was extended in June 2023 to Fall 2024. Many institutions across Canada continue to allow students to use DET to satisfy their ELR (see Table 2). This proposal seeks to align the DET pilot period with SFU Graduate Studies, and the English language test requirements of comparator institutions.

DET is an online, English proficiency assessment for international students and recognized globally as a comparator to the IELTS and TOEFL iBT examinations. A study conducted by Cardwell et al. (2023) examined concordance of the DET with IELTS and TOEFL iBT. Results concluded that a DET score of 120 is comparable to a 6.5 overall IELTs and 87-92 overall TOEFL iBT examination score. SFU undergraduate admissions requires a minimum overall score of 125 for DET, 6.5 for IELTs and 88 for TOEFL.

Student Recruitment & Admissions intended to review first-year performance of students who used DET for admission in comparison to other ELR tests. Due to the small sample size depicted in Table 1, we are requesting for a further extension to the pilot for an additional two years in order to collect more data and more accurately estimate potential differences in student success. Table 1 has been updated to include the number of students who used the DET to satisfy ELR with scores above 125 (the minimum required score), and those who subsequently registered.

Table 1. DET Enrollment Snapshot

<table>
<thead>
<tr>
<th>Calendar Year¹</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admitted² Students with Scores of 125 or higher</td>
<td>119</td>
<td>171</td>
<td>134</td>
<td>130</td>
</tr>
<tr>
<td>Registered</td>
<td>12</td>
<td>20</td>
<td>34</td>
<td>4³</td>
</tr>
</tbody>
</table>

¹Calendar year: Spring – Fall

²Students with a minimum DET score of 125

³Number of students who subsequently registered
Admitted students are from High School and Transfer Pathways (excluding Fraser International College)

Spring and Summer terms only; Fall 2024 registration begins in July

Table 2. Environmental Scan of Canadian University Duolingo Requirements for Undergraduate Studies

<table>
<thead>
<tr>
<th>University</th>
<th>Minimum Score</th>
<th>Restrictions</th>
<th>Expiry</th>
</tr>
</thead>
<tbody>
<tr>
<td>SFU Graduate Studies</td>
<td>Overall: 130; no sub-score below 120</td>
<td>N/A</td>
<td>Fall 2026</td>
</tr>
<tr>
<td><strong>B.C. Universities:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University of British Columbia</td>
<td>Overall: 125</td>
<td>Only accept the Duolingo English Test from students in countries where no other English proficiency test is available.</td>
<td>Not specified</td>
</tr>
<tr>
<td>University of Victoria</td>
<td>N/A</td>
<td>Has not been accepted for admission.</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Alberta Universities:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University of Alberta</td>
<td>140 for Spoken English Proficiency; no sub-score below 120</td>
<td>N/A</td>
<td>Fall 2028</td>
</tr>
</tbody>
</table>
| University of Calgary           | Overall: 120
Nursing requires overall: 130
Education requires overall: 150 | N/A                                                                          | Not specified |
| **Ontario & Quebec Universities:** |                                       |                                                                               |             |
| McGill University               | Overall: 125; B.Ed. & B.Com require 130 | N/A                                                                          | Not specified |
| McMaster University             | Overall: 120                        | N/A                                                                          | Not specified |
| Queen’s University              | Overall: 120                        | N/A                                                                          | Not specified |
| University of Toronto           | Overall: 120                        | N/A                                                                          | Not specified |
| University of Waterloo          | Overall: 120; sub-score of 110 required for literacy and production | N/A                                                                          | Not specified |

Note: Table is not comprehensive and meant to be a sample of Canadian University requirements

Reference

Calendar Entry
https://www.sfu.ca/students/calendar/2024/summer/fees-and-regulations/admission/undergraduate-admission.html#english-language-admission

English Language Admission Requirement

[...]

- Obtain a satisfactory score on one of the following English language proficiency tests.
  - International English Language Testing System (IELTS) with a minimum score of 6.5 on the Academic Modules with no part less than 6.
  - TOEFL iBT (Test of English as a Foreign Language internet based test) with an overall score of 88 or better with a minimum score of 20 in each of the four components (listening, speaking, writing, reading).
  - Completion of Cambridge English Qualifications B2 First, C1 Advanced or C2 Proficiency with a minimum overall score of 176, with no part less than 169.
  - Canadian Academic English Language (CAEL) with an overall score of 70, with no part less than 60.
  - Pearson Test of English Academic (PTE Academic) with an overall score of 65, with no part less than 60.
  - Duolingo English Test (DET)* with an overall score of 125 or better. *Pilot for Fall 2021 through Fall 2024, Fall 2026; only accepted from students in countries where no other English proficiency test is available.
MEMORANDUM

ATTENTION: Senate
FROM: Peter Hall, Chair
Senate Committee on Undergraduate Studies
RE: Program Changes

DATE: June 7, 2024
PAGES: 1/2

For information:

Acting under delegated authority at its meeting of June 6, 2024 SCUS approved the following curriculum revisions effective Spring 2025.

a. Beedie School of Business (SCUS 24-62)

   (i) Upper division requirement changes to the:
       - Business Major
       - Business Honours

b. Faculty of Science (SCUS 24-64)

1. Department of Mathematics

   (i) Upper division requirement changes to the:
       - Applied Mathematics Major
       - Applied Mathematics Honours
       - Mathematics Major

   (ii) Requirement changes to the concentrations for the Mathematics Honours

Senators wishing to consult a more detailed report of curriculum revisions may do so on the Senate Docushare repository at https://docushare.sfu.ca/dsweb/View/Collection-12682.
MEMORANDUM

ATTENTION Senate

FROM Peter Hall, Chair

Senate Committee on Undergraduate Studies

RE: New Course Proposals

DATE June 7, 2024

PAGES 1/1

For information:

Acting under delegated authority at its meeting of June 6, 2024 SCUS approved the following curriculum revisions effective Spring 2025.

a. Faculty of Communication, Art and Technology

1. School of Interactive Art and Technology (SCUS 24-60)

   (i) New Course Proposal: IAT 238-3, Foundations for Designing Interactions

b. Faculty of Science

1. Department of Mathematics (SCUS 24-61)

   (i) New Course Proposal: MACM 476-3, Introduction to Quantum Algorithms

Senators wishing to consult a more detailed report of curriculum revisions may do so on the Senate Docushare repository at https://docushare.sfu.ca/dsweb/View/Collection-S.24-103.
MEMORANDUM

ATTENTION: Senate
FROM: Peter Hall, Chair
Senate Committee on Undergraduate Studies
RE: Course Changes (SCUS 24-59)

DATE: June 7, 2024
PAGES: 1/2

For information:

Acting under delegated authority at its meeting of June 6, 2024 SCUS approved the following curriculum revisions effective Spring 2025.

a. Faculty of Applied Sciences

1. School of Engineering Science
   (i) Description changes for ENSC 225 and 424

b. Faculty of Arts and Social Sciences

1. Department of World Languages and Literatures (SCUS 24-42, effective Fall 2024)
   (i) B-Hum designations for CHIN 100, CHIN 110, CHIN 191, GERM 100, GERM 110, ITAL 100, ITAL 110, JAPN 100, JAPN 110, SPAN 100, and SPAN 110

c. Faculty of Communication, Art and Technology

1. School of Communication
   (i) Description and prerequisite change for CMNS 395
   (ii) Units change for CMNS 497 and 498

2. School of Interactive Arts and Technology
   (i) Prerequisite change for IAT 333
d. Faculty of Environment

1. Department of Geography

   (i) B-Soc and B-Hum designations for GEOG 161

e. Faculty of Science

1. Department of Mathematics

   (i) Prerequisite and equivalent statement change for MATH 152
   (ii) Description changes for MATH 155
   (iii) Prerequisite change for MATH 251 and 469

Senators wishing to consult a more detailed report of curriculum revisions may do so on the Senate Docushare repository at https://docushare.sfu.ca/dsweb/View/Collection-12682.
For Approval: At its meeting on June 4, 2024, SGSC reviewed and approved the revision Graduate General Regulations 1.3.3 English Language Proficiency and 1.7.7c Laddering Credit. This gives rise to the following motion, effective Spring 2025:

Motion 1:
That Senate approve the revisions to Graduate General Regulation 1.3.3 English Language Proficiency

Motion 2:
That Senate approve the revisions to Graduate General Regulation 1.7.7c Laddering Credit

Senators wishing to consult a more detailed report of curriculum revisions may do so on the Senate Docushare repository at https://docushare.sfu.ca/dsweb/View/Collection-12682
MEMORANDUM

ATTENTION Mary O’Brien, Chair of Senate
DATE June 4, 2024

FROM Pamela Stern, Graduate Studies
Associate Dean, Policy and Curriculum

RE: Graduate General Regulation Revision:
GGR 1.3.3

Motion:
That SGSC approve the revisions of GGR 1.3.3 English Language Competence, effective Spring 2024.

Summary of Revisions:
SFU's English language proficiency (ELP) test score minima for IELTS, TOEFL, Cambridge English Qualifications and Duolingo are higher than those peer institutions. (See table 2 below.) We propose new ELP test score minima for these exams with the option for academic units to choose one of three options for test scores: the minimum scores, level 1 scores, or level 2 scores as outlined below. As has been the case until now, academic units that choose anything other than the full set of minimum scores must include this so that it can be included in the calendar.

Table 1: Proposed ELP test score levels

<table>
<thead>
<tr>
<th>ELP Test Score Level</th>
<th>Duolingo</th>
<th>IELTS (Academic only)</th>
<th>TOEFL iBT (including TOEFL iBT Home Edition)</th>
<th>Cambridge English Qualification</th>
<th>PTE</th>
<th>CAEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>minimum</td>
<td>125 (no subscore below 105*) (approved until 2026)</td>
<td>6.5 (min. 6.0 in each section)</td>
<td>90 (no subscore below 20)</td>
<td>180 (on C1 or C2 tests)</td>
<td>65 (no subscore below 60)</td>
<td>70 (no subscore below 60)</td>
</tr>
<tr>
<td>Level 1</td>
<td>130 (no subscore below 110)</td>
<td>7.0 (min. 6.5 in each section)</td>
<td>100</td>
<td>185</td>
<td>70</td>
<td>75</td>
</tr>
<tr>
<td>Level 2</td>
<td>135 (no subscore below 115)</td>
<td>7.5 (min. 7.0 in each section)</td>
<td>110</td>
<td>190</td>
<td>75</td>
<td>80</td>
</tr>
</tbody>
</table>

Background and Rationale:
As a result of Graduate Program Chairs sharing concerns around the high English language proficiency (ELP) test score requirements for applicants to SFU graduate credentials, Graduate Studies called for interested parties to
participate in an ELP working group. This group, which met three times during the Spring 2024 term, has representation from graduate programs and Faculties (Communications, FASS, Physics, Math, Earth Science), the Registrar’s Office and Graduate Studies. A main concern shared by working group participants was that high-quality applicants with English as an additional language cannot be admitted to SFU as a result of the high ELP minimum test score requirements.

The group requests that the relationship between ELP test scores and success in program\(^1\) be determined. Data from SFU students with IELTS or TOEFL exam scores were analyzed on a term-by-term basis between 2018 and 2023 for a total of 11,429 data points. The results indicate that there is no correlation between scores on the IELTS (table 3) and the TOEFL (table 4) and students’ CGPA in their SFU graduate programs. This means that students with higher IELTS and TOEFL scores did not receive higher CGPAs.

As a result of this work, the committee recommended the following:

1. That ELP test score minima be aligned with peer institutions.
2. That students must, without exception, have all ELP conditions cleared before they begin their programs.
   Although all admission conditions are to be met prior to students starting their first term of graduate work, some programs allow students to push their admission conditions to later terms. There are situations in which students are unable to meet the ELP requirements within the term when they are expected to do so.
   When these students are already in Canada, this causes a great deal of stress and hardship.
3. That solid supports be shared with English language learners who wish to develop their conversational English language skills and pedagogical skills.
   - Graduate Studies is working with the Research Commons to discuss options for greater participation in existing language supports (e.g., Conversation Partners Program, Talk and Connect consultations, Let’s Talk English Conversation Group, Academic Writing for Graduate Students) available to graduate students.
   - Graduate Studies is working with units across SFU to discuss pedagogy courses / microcredentials to be made available to graduate students.

While GGRs will not be developed to align with recommendations 2 and 3, Graduate Studies has engaged in work that will advance both of these recommendations.

**Next steps**

Once approved, the scores will be effective in Spring 2025 and may be used for Fall 2025 admissions.

All academic units will be contacted about updating their minima for the Spring 2025 calendar. Programs that do not respond to the request for updated information will default to the new minima.

---

\(^1\) While measures such as time to completion may indicate success, current time to completion data are still affected by COVID-19. As a result, CGPA was the measure of success used in the current analyses.
<table>
<thead>
<tr>
<th>Institution</th>
<th>Duolingo&lt;sup&gt;1&lt;/sup&gt;</th>
<th>IELTS (Academic only)</th>
<th>TOEFL iBT (including TOEFL iBT Home Edition)</th>
<th>Paper-based TOEFL&lt;sup&gt;2&lt;/sup&gt;</th>
<th>Cambridge English Qualification</th>
<th>PTE</th>
<th>CAEL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SFU</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Graduate</td>
<td>130 (min. of 120 in each section) (approved until 2026)</td>
<td>7.0 (min. 6.5 in each section)</td>
<td>93 (no subscore below 20)</td>
<td>580 (and TWE 5)</td>
<td>193 (on C1 Advanced test) 200 (on C2 Proficiency test)</td>
<td>65 (no subscore below 60)</td>
<td>70 (no subscore below 60)</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>125</td>
<td>6.5 (min. 6.0 in each section) (IELTS One-skill Retake not allowed)</td>
<td>88 overall (no subscore below 20)</td>
<td>176 overall (no subscore below 169)</td>
<td>65 (no subscore below 60)</td>
<td>70 (no subscore below 60)</td>
<td></td>
</tr>
<tr>
<td><strong>UBC</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Graduate</td>
<td>NA</td>
<td>6.5 (min. 6.0 on each section)</td>
<td>90 (22 min. for reading and listening; 21 min. for listening and speaking)</td>
<td>Min. 55 for reading, listening and speaking and Test of Written English 4</td>
<td>NA</td>
<td>65 (no subscore below 60)</td>
<td>70 (60 required on speaking subtest)</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>125</td>
<td>6.5 (min. 6.0 in each section)</td>
<td>90 (22 min. for reading and listening; 21 min. for listening and speaking)</td>
<td>NA</td>
<td>180</td>
<td>65 (no subscore below 60)</td>
<td>70</td>
</tr>
<tr>
<td><strong>UVic</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Graduate</td>
<td>NA</td>
<td>6.5 (min. 6.0 on each section)</td>
<td>90 (no subscore below 20)</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>NA</td>
<td>6.5 (min. 6.0 on each section)</td>
<td>90 (no subscore below 20)</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td><strong>University of Alberta</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Graduate</td>
<td>120 (no subscore below 100) 140 in some programs (with no subscore below 120)</td>
<td>6.5 (min 6.0 on each section)</td>
<td>90 (no subscore below 21)</td>
<td>NA</td>
<td>NA</td>
<td>61 (no subscore below 60)</td>
<td>70 (min. 60 on each subscore)</td>
</tr>
</tbody>
</table>

<sup>1</sup> The paper-based TOEFL has been phased out.
<table>
<thead>
<tr>
<th>University of Toronto</th>
<th>Undergraduate</th>
<th>Graduation</th>
<th>Concordia</th>
<th>Undergraduate $^3$</th>
<th>Graduate minimum (e.g., Sociology, History, Kinesiology)</th>
<th>University of Calgary</th>
<th>Graduate level I (e.g., Education, English, Social Work, Law, Math, Chemistry, Computer Science)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>120 (no subscore below 100)</td>
<td>6.5 (min 6.0 on each section)</td>
<td>90 (no subscore below 21)</td>
<td>NA</td>
<td>180 (no subscore below 170)</td>
<td>61 (no subscore below 60)</td>
<td>70 (min. 60 on each subscore)</td>
</tr>
<tr>
<td></td>
<td>7.0 (min 6.5 on each section)</td>
<td>93 (with writing and speaking not below 22)</td>
<td>580 (and TWE 4-5)</td>
<td>185 (no subscore below 176)</td>
<td>NA</td>
<td>70 (min. 60 on each subscore)</td>
<td></td>
</tr>
<tr>
<td>University of Toronto</td>
<td>Undergraduate</td>
<td>Graduate</td>
<td></td>
<td></td>
<td>Graduate level 1 (e.g., Education, English, Social Work, Law, Math, Chemistry, Computer Science)</td>
<td></td>
<td>185 on C1 Advanced or C2 Proficiency Exam (approximate score)</td>
</tr>
<tr>
<td></td>
<td>120 (no subscore below 100)</td>
<td>6.5 (min 6.0 on each section)</td>
<td>89 (with min. 22 in speaking and writing)</td>
<td>NA</td>
<td>190 (no subscore below 165)</td>
<td>61 (with min. of 46 in speaking and writing)</td>
<td>70 (min. 50 on each subscore)</td>
</tr>
<tr>
<td></td>
<td>7.0</td>
<td>90 (combined min. of 34 for speaking and writing)</td>
<td>59</td>
<td>180 on C1 Advanced or C2 Proficiency exam</td>
<td>59</td>
<td>70 (min 60 in each section)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6.5-7.0, depending on program</td>
<td>85-95, depending on program</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>120 (no subscore below 90)</td>
<td>7.0</td>
<td>190 (no subscore below 165)</td>
<td>NA</td>
<td>190 (no subscore below 165)</td>
<td>61 (with min. of 46 in speaking and writing)</td>
<td>70 (min. 50 on each subscore)</td>
</tr>
<tr>
<td>Concordia</td>
<td>Undergraduate $^3$</td>
<td>120 (no subscore below 90)</td>
<td>7.0</td>
<td>90 (combined min. of 34 for speaking and writing)</td>
<td>NA</td>
<td>190 (no subscore below 165)</td>
<td>61 (with min. of 46 in speaking and writing)</td>
</tr>
<tr>
<td></td>
<td>125 (no subscore below 105)</td>
<td>6.5 (min 6.0 in each section)</td>
<td>86 (min 20 in each section)</td>
<td>NA</td>
<td>180 on C1 Advanced or C2 Proficiency exam</td>
<td>59</td>
<td>70 (min 60 in each section)</td>
</tr>
<tr>
<td></td>
<td>130 (no subscore below 110)</td>
<td>7.0</td>
<td>97</td>
<td>NA</td>
<td>185 on C1 Advanced or C2 Proficiency Exam (approximate score)</td>
<td>68</td>
<td>70 (70 in some sections – up to the program, 60 in all other)</td>
</tr>
</tbody>
</table>

$^3$ Concordia has two levels of test scores for undergraduate students. Students who achieve a higher level (listed above) are not required to take ESL courses. Those who achieve a lower level must take an English course.
<table>
<thead>
<tr>
<th>Level</th>
<th>Score 1</th>
<th>Score 2</th>
<th>Score 3</th>
<th>Score 4</th>
<th>Score 5</th>
<th>Score 6</th>
<th>Score 7</th>
<th>Score 8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduate level 2 (e.g., Political Science, Medicine)</td>
<td>135</td>
<td>7.5</td>
<td>105</td>
<td>NA</td>
<td>191 on C2 Proficiency Exam (approximate score)</td>
<td>75</td>
<td>70 (70 in each section)</td>
<td></td>
</tr>
<tr>
<td>Undergraduate (with higher scores in Education, Nursing, Medicine and some others)</td>
<td>120</td>
<td>6.5</td>
<td>86</td>
<td>560</td>
<td>180</td>
<td>60</td>
<td>70 (except Education and Nursing)</td>
<td></td>
</tr>
</tbody>
</table>
Table 3: CGPA-IELTS score (total and subskill) correlations

<table>
<thead>
<tr>
<th></th>
<th>CGPA</th>
<th>Overall IELTS</th>
<th>Listening</th>
<th>Writing</th>
<th>Speaking</th>
<th>Reading</th>
</tr>
</thead>
<tbody>
<tr>
<td>CGPA Overall</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IELTS</td>
<td>0.08</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Listening</td>
<td>0.03</td>
<td>0.76</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Writing</td>
<td>-0.04</td>
<td>0.62</td>
<td>0.41</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Speaking</td>
<td>0.03</td>
<td>0.61</td>
<td>0.33</td>
<td>0.42</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Reading</td>
<td>0.09</td>
<td>0.67</td>
<td>0.48</td>
<td>0.31</td>
<td>0.23</td>
<td>1</td>
</tr>
</tbody>
</table>

Table 4: CGPA-TOEFL score (total and subskill) correlations

<table>
<thead>
<tr>
<th></th>
<th>CGPA</th>
<th>Overall TOEFL</th>
<th>Listening</th>
<th>Writing</th>
<th>Speaking</th>
<th>Reading</th>
</tr>
</thead>
<tbody>
<tr>
<td>CGPA Overall</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOEFL</td>
<td>0.15</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Listening</td>
<td>0.10</td>
<td>0.76</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Writing</td>
<td>0.10</td>
<td>0.72</td>
<td>0.33</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Speaking</td>
<td>0.10</td>
<td>0.68</td>
<td>0.37</td>
<td>0.40</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Reading</td>
<td>0.13</td>
<td>0.71</td>
<td>0.47</td>
<td>0.35</td>
<td>0.22</td>
<td>1</td>
</tr>
</tbody>
</table>
General Graduate Regulations Change 1.3.3 English Language Competence

Summary of change:

SFU’s English language proficiency (ELP) test score minima for IELTS, TOEFL, Cambridge English Qualifications and Duolingo are higher than those peer institutions. (See table 2 below.) We propose new ELP test score minima for these exams with the option for academic units to choose one of three options for test scores: the minimum scores, level 1 scores, or level 2 scores as outlined below. As has been the case until now, academic units that choose anything other than the full set of minimum scores must include this so that it can be included in the calendar.

Rationale for change:

As a result of Graduate Program Chairs sharing concerns around the high English language proficiency (ELP) test score requirements for applicants to SFU graduate credentials, Graduate Studies called for interested parties to participate in an ELP working group. This group, which met three times during the Spring 2024 term, has representation from graduate programs and Faculties (Communications, FASS, Physics, Math, Earth Science), the Registrar’s Office and Graduate Studies. A main concern shared by working group participants was that high-quality applicants with English as an additional language cannot be admitted to SFU as a result of the high ELP minimum test score requirements.

The group requests that the relationship between ELP test scores and success in program be determined. Data from SFU students with IELTS or TOEFL exam scores were analyzed on a term-by-term basis between 2018 and 2023 for a total of 11,429 data points. The results indicate that there is no correlation between scores on the IELTS (table 3) and the TOEFL (table 4) and students’ CGPA in their SFU graduate programs. This means that students with higher IELTS and TOEFL scores did not receive higher CGPAs.

As a result of this work, the committee recommended the following:
1. That ELP test score minima be aligned with peer institutions.
2. That students must, without exception, have all ELP conditions cleared before they begin their programs. Although all admission conditions are to be met prior to students starting their first term of graduate work, some programs allow students to push their admission conditions to later terms. There are situations in which students are unable to meet the ELP requirements within the term when they are expected to do so. When these students are already in Canada, this causes a great deal of stress and hardship.
3. That solid supports be in place for English language learners to develop their academic language proficiency, conversational English language skills, and pedagogical skills.
   - Graduate Studies is working with the Research Commons and others to discuss a suite of language and pedagogy courses / microcredentials to be made available to graduate students.
   - Graduate Studies is also working with the Research Commons to determine whether additional conversation supports might be available to graduate students.
While GGRs will not be developed to align with recommendations 2 and 3, Graduate Studies has engaged in work that will advance both of these recommendations.

1 While measures such as time to completion may indicate success, current time to completion data are still affected by COVID-19. As a result, CGPA was the measure of success used in the current analyses.

Effective term and year: Spring 2024

Will this change impact current students? If yes, what is the plan for current students?
No.

<table>
<thead>
<tr>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.3.3 English Language Competence</strong></td>
<td><strong>1.3.3 English Language Competence</strong></td>
</tr>
<tr>
<td>[...]</td>
<td>[...]</td>
</tr>
<tr>
<td>All other international applicants will be required to achieve a minimum score on one of the following:</td>
<td>All other international applicants will be required to achieve a minimum score on one of the following:</td>
</tr>
<tr>
<td>• International English Language Test System (IELTS Academic, not the general test) 7.0 overall with a minimum of 6.5 in each section</td>
<td>• International English Language Test System (IELTS Academic, not the general test) 6.5 overall with a minimum of 6.0 in each section</td>
</tr>
<tr>
<td>• Test of English as a Foreign Language (TOEFL) 93 or better is achieved with a minimum of 20 in each section</td>
<td>• Test of English as a Foreign Language (TOEFL) 90 or better is achieved with a minimum of 20 in each section</td>
</tr>
<tr>
<td>• Canadian Academic English Language Assessment (CAEL) overall 70, with a minimum of 60 in each section</td>
<td>• Canadian Academic English Language Assessment (CAEL) overall 70, with a minimum of 60 in each section</td>
</tr>
<tr>
<td>• Pearson Test of English – Academic (PTE) 65 overall score, with a minimum of 60 in each section</td>
<td>• Pearson Test of English – Academic (PTE) 65 overall score, with a minimum of 60 in each section</td>
</tr>
<tr>
<td>• Cambridge English Qualifications: C1 Advanced with a minimum score of</td>
<td>• Cambridge English Qualifications: C1 Advanced or C2 Proficiency with a minimum score of 180</td>
</tr>
<tr>
<td>193, or C2 Proficiency with a minimum score of 200</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>• Provisionally through the Fall 2026 admission cycle: Duolingo English Test (DET) 130 overall with a minimum of 120 in each section.</td>
<td></td>
</tr>
</tbody>
</table>

| • Provisionally through the Fall 2026 admission cycle: Duolingo English Test (DET) **125** overall with a minimum of **105** in each section. |
MEMORANDUM

ATTENTION: Mary O’Brien, Chair of Senate Graduate Studies Committee (SGSC)
FROM: Pamela Stern, Graduate Studies Associate Dean, Curriculum and Policy
RE: New Graduate General Regulation:
GGR 1.7.7c Laddering Credit

DATE: May 28, 2024

Motion:
That SGSC approve the addition of GGR 1.7.7c Laddering Credit effective Spring 2024.

Summary and Rationale:
The current Graduate General Regulations define Transfer Credit (GGR 1.7.7a) and Advanced Credit (GGR 1.7.7b). Under each option, there are specific conditions for when the credit is eligible to be applied to a graduate credential. The two existing types of credit no longer meet the needs of graduate education; a landscape analysis and review of institutions offering graduate programs across Canada shows that more institutions are offering an alternative type of credit that supports different pathways and access to graduate studies. Additionally, within SFU, graduate programs are asking for greater flexibility, accessibility, and options for their students, which will also create an opportunity to recruit students who might not otherwise be able to consider graduate educational options.

There are different names for these options, but laddering and stacking are two common terms when referring to these sorts of pathways that allow students to eventually earn a Master’s credential by applying credits completed in an earlier credential or through combining credentials in a recognized way.

Recommendations:
To align with the evolving practice across other Canadian institutions and to better serve our graduate programs, develop a new type of credit, laddering credit, and definition for laddered pathways.
Other Canadian Institutions with Laddering Policies:

<table>
<thead>
<tr>
<th>Institution</th>
<th>Policy for Laddering Credit/Pathway?</th>
<th>Currently Offers Approved or Existing Laddered Pathways at a Graduate Level</th>
<th>Link to Policy</th>
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<td>Yes - Refer to AC1135, POLICY FOR THE ESTABLISHMENT OF MICRO-CERTIFICATE, CERTIFICATE AND DIPLOMA PROGRAMS</td>
<td>Yes</td>
<td><a href="https://www.uvic.ca/universitysecretary/assets/docs/policies/ac1135.pdf">https://www.uvic.ca/universitysecretary/assets/docs/policies/ac1135.pdf</a></td>
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<td>Yes. Refer to Senate Policy V-128 (not found in academic calendar).</td>
<td>Yes</td>
<td><a href="https://senate.ubc.ca/files/va_v_128_academic_credit_certification_programs_2023_2023-15-1.pdf#~:text=Laddering%20shall%20mean%20the%20application%2C%20in%20a%20Course%20of%20Study.">https://senate.ubc.ca/files/va_v_128_academic_credit_certification_programs_2023_2023-15-1.pdf#~:text=Laddering%20shall%20mean%20the%20application%2C%20in%20a%20Course%20of%20Study.</a></td>
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<td><a href="https://calendar.ualberta.ca/content.php?catooid=44&amp;navoid=13568#laddering">https://calendar.ualberta.ca/content.php?catooid=44&amp;navoid=13568#laddering</a></td>
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GGR 1.7.7c Laddering Credit

A student may have completed courses as part of a previous credential that are eligible to be applied to their current credential. Two types of approved laddered pathways are recognized: internal laddered pathways and approved external laddering credit pathways.

Internal laddered pathways:
An internal laddered pathway allows for students who have completed an approved SFU graduate certificate or diploma to progress into a subsequent diploma or master’s program and carry forward the credits from their previously completed credential. As the courses and their unit-values are already reflected on the transcript, no additional credit is awarded; however, students receive recognition for each completed credential including a separate parchment. Please refer to the list of current recognized laddered pathways at SFU.

In the case of unrecognized laddered pathways, individual students who have completed an SFU certificate or diploma may apply to have those credits recognized as laddering. Approval must be provided by the Dean and Vice-Provost of Graduate Studies.

External laddering credit:
A student may be eligible to receive credit for courses completed as part of a credential at an institution outside SFU under the following conditions:

a) A partnership agreement, transfer pathway, or memorandum of understanding has been formally established and approved by the appropriate SFU approval body.

b) The courses must have been completed within three years of starting the Simon Fraser University graduate credential.

c) The minimum grade required must be equivalent to a B, although the grade achieved will not be included in the calculation of the cumulative grade point average. Cases where the grading basis is pass/fail or equivalent will be considered but must be approved in advance as part of the partnership agreement, transfer pathway or memorandum of understanding by the appropriate office(s).

d) Application for laddering credit must be approved by the graduate program committee and the Dean and Vice-Provost of graduate studies, before admission.

Recognized Laddered Pathways at SFU:
- GDBA to MBA programs
- Graduate Diploma in Education (GDE) to MEd EP
- Mitacs Skills Training to i2I (Graduate Certificate in Science and Technology Commercialization) 3-year pilot
MEMORANDUM

ATTENTION: Senate
FROM: Mary O’Brien,
Chair of Senate Graduate Studies Committee (SGSC)
RE: New Courses

DATE: June 20, 2024

For information:
Acting under delegated authority at its meeting of June 4, 2024, SGSC approved the following new courses, effective Spring 2025:

Faculty of Environment
Department of Geography
1) New Course: GEOG 608 Fundamentals of Undergraduate Teaching and Learning in Geography

Faculty of Health Science
1) New Course: HSCI 838 Child Health Policy

GRAD courses
1) New Course: GRAD 720 Methods in Dialogue, Facilitation and Conflict Engagement

Senators wishing to consult a more detailed report of curriculum revisions may do so on the Senate Docushare repository at https://docushare.sfu.ca/dsweb/View/Collection-12682
MEMORANDUM

ATTENTION: Senate
FROM: Mary O’Brien, Chair of Senate Graduate Studies Committee (SGSC)
RE: Course Changes

DATE: June 20, 2024

For information:
Acting under delegated authority at its meeting of June 4, 2024, SGSC approved the following course changes, effective Fall 2025:

Beedie School of Business
1) Course Change (Units): BUS 703
2) Course Change (Units): BUS 730

Senators wishing to consult a more detailed report of curriculum revisions may do so on the Senate Docushare repository at https://docushare.sfu.ca/dsweb/View/Collection-12682
To: Senate

From: Kris Nordgren, Secretary
Senate Nominating Committee

Date: June 21, 2024

Subject: Senate Committee Elections

This is a summary of the nominations received and outstanding vacancies for Senate committees.

All nominations must be received by the Senate Office from the Nominating Committee in time to be included in the documentation sent out for the next Senate meeting. Senators will be informed that further nominations may be made by individual members of Senate. Any such nominations must reach the Committee Secretary the Friday before the meeting of Senate, and no further nominations will be accepted after this time. The Committee Secretary will provide members of Senate at the Senate meeting with such further nominations as may have been received. Oral nominations during the meeting of Senate will not then be allowed.

If only one nomination is received for a position, the position will be elected by acclamation. If more than one nomination is received for a position online voting will be held during the week following the Senate meeting on Monday, July 8, 2024. An email will be sent to all Senators with information about the candidates and a link to the online voting system. Voting will be permitted for 48 hours and election results will be released within three days of the end of voting.

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<th>COMMITTEE</th>
<th>POSITION</th>
<th>TERM (from June 1, 2024)</th>
<th>NOMINATIONS RECEIVED (after June Senate Elections)</th>
<th>CANDIDATES ELECTED (from June Senate Meeting)</th>
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<td>Undergraduate Student (Alternate)</td>
<td>1 year</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vice-Chair of Senate</td>
<td>Senator</td>
<td>1 year</td>
<td>Abhi Parmar</td>
<td></td>
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</tbody>
</table>

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* SCIA Faculty members: *In the event that the Faculty Member is unable to attend, the Faculty Dean is authorized to appoint an alternate replacement.*

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Committee Name</th>
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<tbody>
<tr>
<td>CC</td>
<td>Calendar Committee</td>
</tr>
<tr>
<td>DQAC</td>
<td>Diverse Qualifications Adjudication Committee</td>
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<tr>
<td>ESC</td>
<td>Electoral Standing Committee</td>
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<tr>
<td>REB</td>
<td>Research Ethics Board</td>
</tr>
<tr>
<td>SAB</td>
<td>Senate Appeals Board</td>
</tr>
<tr>
<td>SCAR</td>
<td>Senate Committee on Agenda and Rules</td>
</tr>
<tr>
<td>SCCS</td>
<td>Senate Committee on Continuing Studies</td>
</tr>
<tr>
<td>SCEMP</td>
<td>Senate Committee on Enrolment Management and Planning</td>
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<tr>
<td>SCIA</td>
<td>Senate Committee on International Activities</td>
</tr>
<tr>
<td>SCODA</td>
<td>Senate Committee on Disciplinary Appeals</td>
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<tr>
<td>SCUH</td>
<td>Senate Committee on University Honours</td>
</tr>
<tr>
<td>SCUP</td>
<td>Senate Committee on University Priorities</td>
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<tr>
<td>SCUS</td>
<td>Senate Committee on Undergraduate Studies</td>
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<tr>
<td>SCUTL</td>
<td>Senate Committee on University Teaching and Learning</td>
</tr>
<tr>
<td>SGAAC</td>
<td>Senate Graduate Awards Adjudication Committee</td>
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<tr>
<td>SGSC</td>
<td>Senate Graduate Studies Committee</td>
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<tr>
<td>SLC/LPAC</td>
<td>Senate Library Committee/Library Penalties Appeal Committee</td>
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<tr>
<td>SNC</td>
<td>Senate Nominating Committee</td>
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<tr>
<td>SPCSAB</td>
<td>Senate Policy Committee on Scholarships, Awards &amp; Bursaries</td>
</tr>
<tr>
<td>SUAAC</td>
<td>Senate Undergraduate Awards Adjudication Committee</td>
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</tbody>
</table>