

Referred to SEEC

From: senate@queensu.ca
Sent: Thursday, September 09, 2010 3:28 PM
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Subject: Referral to SEEC
Attachments: USAB referral to Senate.docx; USAB Decision May 2010.doc

To: L. Notash (Chair, SEEC); Copy: J. Christie (Secretary, SEEC), N. Bala (Prof of Law and USAB Chair)

Attached is the Ruling of the University Student Appeal Board (USAB) received from the Board Chair, Prof. N. Bala, with a recommendation that it be referred to the Senate Educational Equity Committee (SEEC).

Please review the issues raised with respect to University policy and report back to the Senate with SEEC's conclusions and or recommendations, as appropriate. Senate procedures encourage Senate committees to consult with individuals or groups, as appropriate to the task at hand.

Thank you for your attention to this important matter that will be listed as a Matter Referred to SEEC on the September 23, 2010, Senate Agenda.

Georgina Moore,
Secretary of the Senate

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To: Queen's University Senate

From: Prof. Nicholas Bala, Chair, University Student Appeal Board (U.S.A.B.)

Date: May 21, 2010

Referral to Senate

We attach our Report on a student appeal to U.S.A.B. that addresses the question of how a department should deal with claims of a student that she was subject to discriminatory treatment that affected her instruction and evaluation.

In accordance with s. 19(c) of the Queen's University Senate Policy on Student Appeals, Rights and Discipline, we have directed that this Report be sent to Senate, and we recommend that the Senate refer this Report to the Educational Equity Committee to consider and decide whether any changes are required to University policies. We wish to emphasize that we are doing so because this case may raise systemic issues. While this case occurred in a specific department, similar issues may arise elsewhere in the University.

Complaints about discrimination or individual bias by instructors are not common at Queen's University, but any such complaints must be treated seriously, and in a manner that is fair to both students and faculty (or staff). The primary focus in dealing with discrimination and cultural sensitivity should be on preventive education and training for faculty and staff, early response and, if possible a mediated resolution that satisfies both the student and faculty member and avoids future problems. There is, however, also a need for fair, transparent and timely inquiry and decision-making.

The University has a Discrimination and Harassment Policy that addresses many situations in which issues of discrimination or harassment arise. There may, however, be some gaps in that policy, especially when students are alleging discrimination or individual bias that affects their evaluation or academic standing in individual courses. At least in some measure, some of these allegations may need to be addressed by academic decision-making bodies in the context of their particular discipline. These bodies are entitled to deference, but they need clear procedural guidance from the University.