Interpretation

The table of contents, margin notes and index are not part of the Regulations; they are merely aids in the use of the Regulations.
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INTRODUCTION

Law Faculty Council Mission Statement

The mission of the Faculty of Law is to provide service to the community, to educate prospective lawyers and others seeking a thorough understanding of the law and the legal system, and to promote the acquisition of legal knowledge and the advancement of legal scholarship, in an environment based on equality, support, respect and recognition for the unique and diverse contributions of all its members.

It is part of the Faculty’s mission to provide service to Canadian society, recognizing and reflecting its diversity, its international context and its changing nature over time. We seek to meet society’s needs for access to justice, for public understanding of the law and the legal system, for improvement of the legal system itself and for legal services, through our efforts to generate and disseminate knowledge of the law and about the law, to prepare students to contribute responsibly to the betterment of society in their use of the theory and practice of law, and to support public legal education.

Also part of the Faculty’s mission is to provide our students with a legal education which will give them both the necessary foundations for a career in law (in legal practice or other legal services or pursuits) and the capacity to serve social needs. To this end, we seek to instill in our students a thorough understanding of the theory and practice of law and the legal system and the skills to use this knowledge in Alberta and elsewhere.

In addition, it is part of the Faculty’s mission to contribute to the advancement of legal knowledge. Our study of law and the legal system includes the discovery, generation, critical analysis, transmission and preservation of knowledge of and about the theory, practice and reform of law. To this end, we strive for excellence in our research, publication, scholarship, teaching and law reform work. Within the university setting, such work is important to the advancement of knowledge that is part of our responsibility; in addition, the Faculty recognizes the importance of this work to our ability to achieve our goals of service to the community and the education of our students.

To fulfil this mission, we are committed to fostering within the Faculty an environment based on principles of equality, accessibility, mutual support and inclusion, which recognizes and respects the unique and diverse contributions of all the members of the Law Faculty community.

LFC 4 Oct 9
PART I – LAW FACULTY COUNCIL

A. GENERAL
1. Statement of Principles of Equality and Respect

Principles regarding Admissions
1.1 The Faculty endorses the following principles regarding Admissions:
   i. The Faculty supports the use of recruitment efforts by the Administration to encourage female applicants, persons with disabilities and persons of visible minorities.
   ii. The Admissions Committee is encouraged, where the admissions process involves subjective decision-making, to consider issues of disadvantage and to attempt to improve access to law school to women, persons with disabilities and visible minorities.
   iii. The Admissions Committee is encouraged to review the size and nature of all special admission categories, with a view to expansion to include other categories related to disadvantage such as persons with disabilities or visible minorities.

LFC 7 Feb 95
(LFC 12 May 92)

Principles regarding Curriculum
1.2 The Faculty endorses the following principles regarding Curriculum:
   i. Each member of faculty is encouraged to review his or her courses to ensure that issues of sexism, racism and other forms of discrimination are treated sensitively and to consider the inclusion of materials examining the topic from the perspective of race, gender and disadvantage.
   ii. Instructors of Professional Responsibility are encouraged to include a component concerning women in the practice of law.
   iii. The Faculty of Law should make efforts to offer courses that explore matters of race, gender, and disadvantage and highlight inequalities in the law.

LFC 7 Feb 95
(LFC 12 May 92)

Principles regarding Faculty Committees
1.3 The Faculty endorses the following principles regarding Faculty of Law Committees:
   i. The Administration should attempt to achieve equal representation of male and female members of major committees such as Student Appeals and Admissions.

LFC 7 Feb 95
(LFC 12 May 92)

Principles regarding Education and Awareness
1.4 The Faculty endorses the following principles regarding Education and Awareness:
   i. The faculty endorses the use of gender neutral and inclusive language, and will seek to encourage its use by ensuring that style guides are available at the reserve desk of the Law Library and that publicity is given to this fact.
   ii. The Administration is encouraged to conduct on a regular basis seminars on legal education and the promotion of equality and respect in the classroom and in course materials.
   iii. The faculty supports the efforts of the Speakers’ Committee to invite legal scholars to speak on matters of gender, race and disadvantage.

LFC 7 Feb 95
(LFC 12 May 92)

Promoting equality and respect amongst students
1.5 The Faculty encourages and supports the efforts of student leaders in promoting equality and respect for their fellow students.
2. Composition

Post-secondary Learning Act

2.1 For each faculty of a University there shall be a faculty council.

\[s. 27(1) \text{ Post-secondary Learning Act, SA 2000 c. P-19.5}\]

Composition of the Law Faculty Council

2.2 The composition of the Law Faculty Council shall be as follows:

Ex officio:
- Dean (as Chair)*
- President
- One (1) Associate Dean**
- All full time continuing academic staff in Category A1.0 of the Faculty
- The Recorder

Additional Members:
- Registrar or Registrar’s Representative
- Director of the Alberta Law Reform Institute
- One (1) representative - The Law Society of Alberta
- One (1) representative - Sessional Instructors
- Six (6) undergraduate students - two (2) from each year
- One (1) graduate student
- Vice-President (Academic) of the Law Students’ Association

\[s.28(3)(a) \text{ Post-Secondary Learning Act, S.A. 2000 c. P-19.5}\]

GFC §55.5.8
GFC §55.1.2
LFC 2 Dec 97
(LFC 7 Feb 95)
(LFC 6 Feb 79)
(LFC 1 Apr 75)
(LFC 24 Jul 74)
GFC appoints representative to Faculty Council
2.3 When by statute, a body has regulatory powers in respect of a profession for which a Faculty offers a program of study, General Faculties Council shall appoint to the Faculty Council of that Faculty a representative of that body nominated by that body.

s. 28(4) Post-secondary Learning Act, SA 2003, c. P-19.5
GFC § 55.1.1(4)

External Council positions approved by GFC Exec
2.4 The Executive Committee of General Faculties Council may approve the positions of external members on Faculty Councils on behalf of General Faculties Council.

GFC §55.1.2(1)

Members on leave not on Council
2.5 Faculty Members on leave should not sit on Councils or committees of faculties.

GFC §55.1.2(2)

LFC has Law Society alternate
2.6 There may be an alternate for the Law Society Representative on the Law Faculty Council.

Exec 10 Jul 72

LFC has Sessional Instructors alternate
2.6.1 There may be an alternate for the Sessional Instructors Representative on the Law Faculty Council.

LFC 4 Oct 05

Undergraduate law student alternates
2.6.2 There may be alternates for the Undergraduate Law student representatives on Law Faculty Council.

LFC 6 Oct 09

Note: See Annex E

Registrar includes delegate
2.7 Where a Faculty Council composition states that the Registrar is a member of the Council, the Registrar or delegate may attend.

GFC §55.1.2(5)

GFC interprets staff to be full time and continuing academic staff
2.8 Section 55 of the GFC Policy Manual regarding membership on Faculty Councils was interpreted by General Faculties Council on November 28, 1988 in relation to the definition of “full-time academic staff” used in the Post-secondary Learning Act, as follows:

At the University of Alberta, for the purpose of serving on Faculty Councils, “full-time academic staff” is interpreted to mean all continuing academic staff (Category A1.0).

GFC §55.1.2(6)

[See GFC Policy Manual s. 55.1.2 for A1.0 definition.]

RECORDER
Assistant Dean responsible for agendas, minutes, etc.
2.9 The Assistant Dean is the designated recorder of the Law Faculty Council and that person shall be responsible for recording and circulating the minutes, making up and circulating the agenda, circulating supporting materials, and other duties associated with Law Faculty Council procedures. Minutes and Agendas shall be circulated to Law Student Representatives.

LFC 7 Feb 95
(LFC 24 Jul 74)
3. Powers of Law Faculty Council

Powers of Faculty Council

3.1 Subject to the control of the General Faculties Council, a Faculty Council is empowered to:

   i. Determine the programs of study in any branch of learning for instruction in which the Faculty is established;
   
   ii. Appoint the examiners for examinations in the Faculty, conduct the examinations and determine the results thereof;
   
   iii. Provide for the admission of students to the Faculty, subject to the admissions standards and policies determined by General Faculties Council;
   
   iv. Determine the condition under which a student must withdraw from or may continue his or her program of study in the Faculty;
   
   v. Authorize the granting of degrees “in course” to persons in any branch of learning for instruction in which the Faculty is established.

s. 29(1) Post-secondary Learning Act, SA 2000, c. P-19.5
GFC §55.2
(Exec 15 Feb 67)

Faculty Council empowered to deal with special final exams

3.2 Subject to challenge by General Faculties Council, the Executive Committee has accorded to Faculty Councils the authority to deal with special arrangements regarding final examinations.
GFC §55.2

4. Procedures

Ordinary Meetings

4.1.1 Law Faculty Council ordinary meetings shall be held on the following dates:

   (a) the first Tuesday of October;
   
   (b) the third Tuesday of November;
   
   (c) the first Tuesday of February;
   
   (d) the third Tuesday of March; and
   
   (e) in the last two weeks of May, on a date specified in the Notice of Meeting.

4.1.2 Ordinary meetings shall commence at 12:15 p.m.

4.2.1 Specials meetings may be called, with specific and limited agendas, when important matters arise for decision either between ordinary meetings or at times when pressure of business would not allow them to be adequately disposed of at ordinary meetings.

4.2.2 Special meetings may be called by the Dean or by resolution of Law Faculty Council.

4.2.3 Provisions governing ordinary meetings shall apply mutatis mutandis to special meetings.

Quorum for LFC is 50%+1 but is waived for summer meetings

4.3 The quorum of both ordinary and special Law Faculty Council meetings shall be 50% plus one of the members of Law Faculty Council. In the summer (i.e., the months of May through August) the members of the Faculty Council who are available shall have the power to deal with matters that arise.
Attendance requirement for LFC members
4.4 All full-time Faculty Members shall be advised that attendance at and participation in Law Faculty Council are obligations which they owe to the faculty by virtue of their employment at the University.

LFC 7 Feb 95
(LFC 24 Jul 74)

LFC members shall give notice of absence with reasons
4.5 Law Faculty Council members proposing to absent themselves from any meeting shall, where practicable, give notice in writing at least one week prior to the meeting with a brief explanation of the reasons for absence to the Recorder of Law Faculty Council.

LFC 7 Feb 95
(LFC 24 Jul 74)

Written notice to members one week prior to meeting
4.6 One week prior to each Law Faculty Council meeting, whether ordinary or special, written notice shall be sent to each Law Faculty Council member. In the case of special meetings, when circumstances make it impossible to give one week’s notice, this rule may be waived at the meeting concerned, with the approval of 2/3 of the members of Law Faculty Council present.

LFC 7 Feb 95
Agendas given prior to meetings and notice posted for students

4.7 Notice of Meeting shall be circulated one week prior to each Law Faculty Council meeting together with an Agenda in the form prescribed in Section 4.8. A copy of the Notice and Agenda shall be posted on the student notice board for the information of the student body.

Order of Business for regular LFC meetings

4.8 The business at regular monthly meetings of the Law Faculty Council shall be conducted in the following order:
   i. Apologies for absence;
   ii. Reading Minutes of Previous Meeting (and their approval);
   iii. Reports of Standing Committees;
   iv. Reports of Special Committees and individuals delegated responsibility to carry out Law Faculty Council business since the last regular meeting;
   v. Unfinished business:
      a) business pending and undisposed of at the previous adjournment;
      b) general orders that were on the calendar for the previous meeting and were not disposed of;
      c) matters postponed to the current meeting that have not been disposed of;
   vi. New Business;
   vii. Informal Business:
      a) all matters intended to be raised for discussion at Law Faculty Council meetings without the placing of a related motion before it shall be considered to be Informal Business;
      b) Informal Business to be discussed at any particular meeting of the Law Faculty Council need not be set out in writing and circulated with the agenda, however, the person wishing to raise any such matter may do so;
      c) discussion of each item of Informal Business on the Agenda of each meeting of Law Faculty Council shall be allowed to continue for no more than five (5) minutes, subject to an extension of time being allowed by the Chair.

Substantive Motions to be in writing and circulated with the agenda

4.9 All substantive motions not arising out of reports of Law Faculty Council shall be made in writing, in the form set out in Annex A.1 or in like form, and such motions shall form part of the Agenda and be circulated with the Agenda.
Motions to amend or add to current policy

4.10 Where a motion proposes an addition or amendment to existing policy, there must be attached to the motion a two-column document which sets out existing policy on the left-hand side and the proposed policy on the right-hand side, in the form set out in Annex A.2.

Substantive Motions accompanied by supporting material for circulation

4.11 All substantive motions for inclusion on the Agenda shall be accompanied by supporting material and items shall not be placed upon the Agenda unless adequately supported and explained in writing. The supporting materials shall be circulated to members of Law Faculty Council at least one (1) week prior to the meeting at which the matters to which they relate are to be discussed.

Robert's Rules of Order used

4.12 Law Faculty Council shall adopt the revised Robert's Rules of Order as the authority for the resolution of any questions of procedure that may arise during meetings of the Council.

Regular Meetings to end at 1:45 pm

4.13 Unless otherwise agreed by a majority vote of Council at the commencement of the meeting, regular meetings will terminate at 1:45 p.m.

Debate stopped at 1:40 pm and vote to put the question

4.14 If a question is still under debate at 1:40 p.m., the Chair shall stop the debate and call for a vote on whether the assembly is ready to put the question.

2/3 majority required to put the question

4.15 If the vote is in the affirmative, by 2/3 majority, the question will then be put without further debate.

If vote fails question tabled

4.16 If the vote is in the negative, the question will automatically be tabled until the next meeting at which time the debate will resume.

Motion to adjourn possible at any time

4.17 A motion to adjourn may be put forth at any time during a meeting (either regular or special) and is non-debatable.

Permitted form of amendment to modify but not contradict

4.18 An amendment may modify but shall not contradict the intention of a main motion.
Motions in affirmative

4.19 Motions shall be in an affirmative rather than a negative form.

LFC 7 Feb 95
(LFC 24 Jul 74)

Elected Chair

4.20.1 The members of Law Faculty Council shall elect a Chair, through the following procedures:

i. pending election of a Chair or in the absence of an elected Chair, and subject to the Dean’s discretion, the Vice Dean or other Dean’s delegate shall chair Law Faculty Council;

ii. nominations for the Chair position shall be solicited prior to the May Law Faculty Council meeting;

iii. nominees shall be members of the full-time continuing academic staff of the Faculty and shall be tenured with the rank of either “Associate Professor” or “Professor”;

iv. notice of the nominees shall be provided for the May Law Faculty Council meeting;

v. at the May Law Faculty Council meeting, ballots shall be distributed, completed by members, and counted by the Vice Dean and Recorder;

vi. if only one nominee comes forward before the date set for the close of nominations prior to the May Law Faculty Council meeting, the nominee shall be deemed to be elected by acclamation and declared the elected Chair and Law Faculty Council shall be so advised at the May Law Faculty Council meeting; in this case, paragraphs (iv) - (vi) shall not apply;

vii. Law Faculty Council shall invite the Dean to delegate the authority and responsibility of chairing Law Faculty Council meetings to the elected Chair;

ix. the term of the elected Chair shall be from the first Tuesday in October to and including the first date of the May Law Faculty Council meeting in the following year.

LFC 5 Feb 08
(LFC 28 Nov 06)
Challenge of the Chair voted by simple majority
4.20.2 If and when a ruling of the Chair is contested by a member of the assembly, the Chair’s ruling may be sustained or overruled by a simple majority of the members present.  

Chair not to speak on motion unless vacates position
4.21 The Chair shall not speak to motions except to clarify issues, unless he/she removes him/herself from the Chair. Notice of such desire to participate in the debate must be given immediately after the order of business is raised. The Chair’s nominee shall assume the Chair.  

Chair cannot break ties, tie vote is a failed motion
4.22 The Chair shall have a single vote. The Chair shall not have the right to break ties. A tied vote shall result in failure of a motion.  

Format for content of minutes of LFC meetings
4.23 Minutes of Law Faculty Council meetings shall be printed in the following format:  
i. The kind of meeting (regular or special);  
ii. The name of the assembly;  
iii. The date, time and location of the meeting;  
iv. The fact of the presence of the regular Chair or, in the Chair’s absence, the name of a substitute;  
v. Members present, members absent;  
vi. Whether the minutes of the previous meeting were approved, or the reading dispensed with;  
vii. All the main motions:  
a) names of mover and seconder;  
b) number of members for/against/abstained;  
viii. Time of adjournment.  

Amendment to rules by written motion and 2/3’s majority
4.24 The rules shall be amended only upon the presentation of a duly circulated written motion and only by a 2/3 majority of Law Faculty Council.
5. Policy Manual
Policy Manual approved by LFC and issued to members and student groups

5.1 The Vice Dean shall maintain a manual comprised of a consolidation of all policy decisions currently in force. This manual shall be available on the Faculty website.

6. Committees

6.1 Two types of committees to assist LFC

LFC may ask specific members to act

6.2 Law Faculty Council may request individual members (particularly the Dean) to investigate matters of specific concern.

Progress reports to be given for investigative matters

6.3 Progress reports shall be presented by individuals requested to investigate matters of specific concern during the reports of special committees on the Agenda. Such reports would usually be oral in format and the substance of such reports shall be recorded in the minutes.

6.4 Selection of Committee Members

6.4.1 The Vice Dean is responsible for obtaining the selection of members for all committees of Law Faculty Council, whether by elections, appointments, or nominations from students or other groups.

Confirmation by Law Faculty Council

6.4.2 After the selection process is complete, the Vice Dean shall present to Law Faculty Council for confirmation a list of selected committee members, indicating each member’s status on the committee (as chair, interim chair, faculty member, student member, non-academic staff member, member ex officio, non-voting member, etc.).

6.4.3 Law Faculty Council may confirm, amend, or reject all or any part of the list of selected committee members on the grounds of ineligibility of proposed members, procedural irregularities during the selection process, or other errors, and may require the Vice Dean to repeat all or part of the selection process.
6.5 Selection of Faculty Members for Committees

Notice of positions for faculty members

6.5.1 Whenever it becomes necessary to select one or more faculty members for one or more committees of Law Faculty Council, the Vice Dean shall give notice of the positions to be filled to all faculty members and invite them to stand for those positions.

Election of faculty members

6.5.2 If the number of faculty members who apply to be members of a committee of Law Faculty Council exceeds the number of positions on that committee allocated to faculty members, the Vice Dean shall conduct an election of faculty members to those positions.

Conduct of elections

6.5.3 Elections of faculty members to committees of Law Faculty Council shall be by secret ballot only and not by e-mail, facsimile, proxy, or any other means.

Eligibility to vote

6.5.4 Only faculty members are eligible to vote in elections of faculty members to committees of Law Faculty Council.

Conduct of elections

6.5.5 Faculty members on leave from the faculty are entitled to vote in elections of faculty members to committees of Law Faculty Council and to receive ballot-papers and notices of committee positions available.
6. **Selection of Student and Other Members for Committees**

**Student members**

6.6.1 The Law Students’ Association shall nominate JD students to be student members on committees of Law Faculty Council and present those nominations to the Vice Dean.

LFC 5 Feb 08  
(LFC 5 Apr 05)

6.6.2 Members of committees of Law Faculty Council, other than faculty members and JD student members, shall be elected in accordance with university and Law Faculty Council policies applicable to each committee. Subject to those policies, the Vice Dean shall determine the methods of selecting those committee members.

LFC 5 Feb 08  
(LFC 5 Apr 05)

7. **Standing Committees**

**Terms of service on standing committees**

7.1.1 A single term of service on a standing committee is 12 months, except for the chair of the Faculty Evaluation Committee who serves for a term of 36 months.

LFC 3 May 05  
(LFC 7 May 95)  
(LFC 24 Jul 74)

7.1.2 Terms of service on standing committees begin on July 1 and end on June 30.

LFC 23 May 12  
(LFC 3 May 05)  
(LFC 5 Nov 96)

**Resignation from standing committees**

7.1.3 Members of standing committees may resign from the committee before their terms of service are complete by giving written notice of resignation to the chair of the committee and the Vice Dean.

LFC 5 Feb 08  
(LFC 3 May 05)

**Eligibility to serve on standing committees**

7.1.4 After 36 months of service on a standing committee (that is, three consecutive 12-month terms or one 36-month term), a faculty member is ineligible to be a member of that committee for the next 24 months.

LFC 3 May 05

7.1.5 An Associate Dean or the Vice Dean of the Faculty of Law shall not be a member of a standing committee of Law Faculty Council if the Dean is a member of that committee, but may be a member of a committee in the Dean’s place as the Dean’s designate.

LFC 3 May 05

7.1.6 No standing committee of Law Faculty Council shall have more than one Associate Dean or Vice Dean of the Faculty of Law as a member at any one time.

LFC 3 May 05

**Selection of faculty members for existing standing committees**
7.1.7 The annual selection of faculty members for existing standing committees for each new term shall take place in April and the list of proposed committee members shall be submitted to Law Faculty Council for confirmation in May before the new term begins on July 1.

Selection of student members for existing standing committees

7.1.8 The annual selection of J.D. student members for existing standing committees for each new term should take place no later than three weeks after studies begins on September 1 and the list of proposed committee members should be submitted to Law Faculty Council for confirmation no later than October. If possible, confirmation should take place in May before the new committee term begins on July 1.

Selection of other members for existing standing committees

7.1.9 The Vice Dean shall determine when members of existing standing committees, other than faculty members and J.D. student members, are selected and when their names should be submitted to Law Faculty Council for confirmation. If possible, confirmation should take place in May before the new term begins on July 1.

Selection of replacement members for existing standing committees

7.1.10 If a member of a standing committee ceases to be a member of the committee before her or his term ends, the remaining members of the committee shall determine in consultation with the Vice Dean whether it is necessary or advisable to replace that member for the remainder of the term.

If a replacement is sought, he or she should be selected and confirmed by Law Faculty Council soon after the vacancy arises.

Selection of members for new standing committees

7.1.11 The selection and Law Faculty Council's confirmation of members for a new standing committee should take place soon after it is created.
Standing committees shall report to LFC
7.2 The Chair of each standing committee shall submit a report of the committee’s activities annually at the October meeting of Law Faculty Council.

Admissions Committee
Composition
7.3.1 The Admissions Committee shall be composed of:
   i. Four (4) Faculty Members
   ii. One (1) student
   iii. Director of Academic and Cultural Support – Ex officio (non-voting)
   iv. Senate representative - Ex officio (non-voting)
   v. Registrar’s Office representative - Ex officio (non-voting)

The Faculty Members on the Committee shall be elected annually by a vote of the Faculty Members. The student representative on the Committee shall be elected by the students in the Law Faculty to serve for a one (1) year term.

Mandate
7.3.2 In accordance with Part III of these Regulations, the mandate of the Admissions Committee shall be the admission, re-admission, transfer and granting leaves of absence of students to the Faculty of Law in accordance with the policy guidelines approved by Law Faculty Council.

NOTE: For Admission rules, see Part III, and s. 20 below.

Reserved
7.4 LFC 4 Oct 05

Curriculum Committee
Composition
7.5.1 The Curriculum Committee shall be composed of:
   i. Four (4) Faculty Members
   ii. Four (4) upper-year students
   iii. Director of Legal Writing and Research – Ex officio
   iv. Director of Academic and Cultural Support - Ex officio
Mandate

7.5.2 The mandate of the Curriculum Committee is to:

i. provide a forum for the discussion and on-going review of curriculum matters;
ii. consider proposals submitted to it for changes to the curriculum;
iii. initiate studies on curriculum matters where necessary and appropriate; and
iv. make recommendations to Law Faculty Council on curriculum matters.

7.6 Equality and Respect Committee

Composition

7.6.1 The Equality and Respect Committee ("ERC") shall be composed of:

i. Two (2) Faculty Members
ii. One (1) First Year student and two (2) Upper Year students
iii. Student Life Coordinator
iv. One (1) representative chosen from the Support Staff
v. One (1) Bencher of The Law Society of Alberta appointed by the Law Society of Alberta.

7.6.2 The Faculty, Student and Staff positions shall be determined by acclamation, and if necessary, by election by LFC.

7.6.3 The Benchers’ representative on the ERC shall be determined by the Benchers.

Mandate

7.6.4 The mandate of the ERC is to promote and support an open and inclusive environment in the Faculty of Law in which all individuals are treated fairly and with respect and dignity. The ERC will not investigate or deal with complaints. The ERC’s role in the Faculty of Law is four-fold:

i. Commitment. To demonstrate to students, staff, faculty and the public the Faculty of Law’s commitment to fair treatment, respect and dignity, and to encourage an equity-sensitive teaching, learning and scholarly environment.
ii. Resource. To act as a resource for LFC committees, faculty, staff and students regarding issues of equality and respect.
iii. Liaison. To act as a liaison between the Faculty of Law and the University, the Bar and the public on issues of equality and respect.
iv. Information. To maintain awareness of issues of equality and respect, and, from time to time on a voluntary basis, to make information available to faculty, staff and students.
7.7 Faculty Evaluation Committee

Composition
7.7.1 The composition of FEC shall be:
   i. The Dean
   ii. A tenured staff member from the Faculty elected by Faculty Council as Chair
   iii. At least three (3) other tenured staff members from the Faculty elected by Faculty Council. Faculty Council shall determine the number of, and terms of office of, elected members as well as the term of office of the Chair.
   iv. An external University faculty member appointed from President's Review Committee (PRC).

Mandate
7.7.2 The FEC shall be authorized to:
   i. Draft standards of performance of staff members in the Faculty;
   ii. Consider and decide on recommendations regarding probation and tenure;
   iii. Consider and decide on recommendations for increments;
   iv. Determine procedures governing applications for promotion and granting of tenure;
   v. Consider and decide on applications for promotion to professor;
   vi. Advise the Dean on applications for sabbaticals, and
   vii. Carry out such procedural rulings as are required of it under this Article.

Faculty Agreement, Articles 9 & 13
7.8 Graduate Studies Committee

Composition
7.8.1 The Graduate Studies Committee shall be composed of:
   i. Three (3) Faculty Members
   ii. Associate Dean (Graduate Studies) as Chair

Mandate
7.8.2 The mandate of the Graduate Studies Committee is:
   i. to administer the LLM and PhD programs, including recruitment, admissions, financial assistance, monitoring of student progress, supervision and final examination arrangements;
   ii. to administer the admission and supervision of visiting graduate students; and
   iii. to administer the admission and supervision of post-doctoral visitors.

7.9 Prizes and Awards Committee

Composition
7.9.1 The Prizes and Awards Committee shall be composed of:
   i. Dean or Dean’s designate - Chair
   ii. Four (4) Faculty Members

Mandate
7.9.2 The mandate of the Prizes and Awards Committee is to make all decisions regarding the awarding of scholarships, bursaries, prizes and awards. The decisions of the Committee shall be provided to the Law Faculty Council Marks meeting for information purposes only.

7.10 Advisory Selection Committee

Composition
7.10.1 The Advisory Selection Committee shall be composed of:
   i. Dean or an Associate Dean or the Vice Dean - Chair
   ii. Four (4) Faculty Members one of whom may be non-tenured
   iii. One (1) regular full-time Faculty Member outside the faculty
   iv. One (1) JD student selected annually by the Law Students Association.

Mandate
7.10.2 The mandate of the Advisory Selection Committee is to advise the Dean with respect to the recruitment and hiring of faculty to enhance the employment opportunities for the following designated groups:
   i. Aboriginal people
   ii. people with disabilities
   iii. members of visible minorities
   iv. women

Quorum for Staff Selection Committee
7.10.3 The absence of the student representative at meetings of the Staff Selection Committee will not be counted toward the determination of quorum.

NOTE: See also s. 12 below.

7.11 Student Appeals Committee
Composition
7.11.1 The Student Appeals Committee shall be composed of:
   i. Dean or designate - Chair
   ii. Four (4) Faculty Members and Two (2) alternate Faculty Members
   iii. Two (2) students and One (1) alternate student

Each elected or appointed member of the Student Appeals Committee will serve for a period of one (1) year but may be re-elected or re-appointed for a further year or years.

Mandate
7.11.2 In accordance with Part V of these Regulations, and subject to the exceptions noted in Section 39.8, the Student Appeals Committee shall hear and decide all appeals concerning the academic standing of students in the Faculty of Law.

7.12 Visiting Speakers Committee
Composition
7.12.1 The Visiting Speakers Committee shall be composed of:
   i. Three (3) Faculty Members
   ii. Two (2) students
   iii. Director of Academic and Cultural Support - Ex officio (non-voting)

Mandate
7.12.2 The mandate of the Visiting Speakers Committee is to establish a Visiting Speakers Program at the Faculty and to identify and attract funding and speakers to participate in the program.
8. Special Committees
LFC appoints Special Committees
8.1.1 Special committees may be created by Faculty Council for the investigation of a specific concern or issue.  
LFC 5 Apr 05  
(LFC 7 Feb 95)  
(LFC 24 Jul 74, Report)

Selection of members for new Special Committees
8.1.2 The selection and Law Faculty Council’s confirmation of members for a new special committee should take place soon after it is created.  
LFC 5 Apr 05

Selection of replacement members for Special Committees
8.1.3 If a member of a special committee ceases to be a member of the committee before her or his term ends, the remaining members of the committee shall determine in consultation with the Vice Dean whether it is necessary or advisable to replace that member for the remainder of the term.

If a replacement is sought, he or she should be selected and confirmed by Law Faculty Council soon after the vacancy arises.  
LFC 5 Feb 08  
(LFC 3 May 05)

Terms of service on Special Committees
8.2.1 A single term of service on a special committee begins when the appointment to the committee is confirmed by Law Faculty Council and ends when the committee ceases to exist.  
LFC 3 May 05  
(LFC 7 Feb 95)  
(LFC 24 Jul 74)

8.2.2 A special committee ceases to exist when its final report has been received by Law Faculty Council.  
LFC 3 May 05

Resignation from Special Committees
8.2.3 Members of special committees may resign from the committee before their terms of service are complete by giving written notice of resignation to the chair of the committee and the Vice Dean.  
LFC 5 Feb 08  
(LFC 3 May 05)

Special Committees shall report to LFC
8.3 The Chair of each special committee shall submit a report of the committee’s activities to Law Faculty Council at least once every 12 months during the course of its existence.  
LFC 3 May 05  
(LFC 7 Feb 95)  
(LFC 24 Jul 74)

Final report submitted
8.4 At the end of its deliberations, a special committee shall submit a report to Law Faculty Council. A special committee ceases to exist when its final report has been received by Law Faculty Council.  
LFC 3 May 05  
(LFC 7 Feb 95)  
(LFC 24 Jul 74)

8.5 Reserved
8.6 Record of Special Committees
From July 1, 2005, the Vice Dean shall maintain a current record and archive of all special committees of Law Faculty Council, which contains the following information about each committee:

i. date of creation;
ii. mandate;
iii. list of members, identifying the chair and the status of each member;
iv. date final report received by Law Faculty Council.

9. Committee Procedures

Default rules
9.1 Subject to any university or other Law Faculty Council policies regarding the governance of specific committees, the following default rules shall apply to committees of Law Faculty Council.

Chairs shall be faculty members
9.1.1 The chair of a committee of Law Faculty Council shall be a faculty member.

Interim chairs of existing standing committees
9.1.2 Once faculty members are selected in April for the next term of service on existing standing committees beginning July 1, the Vice Dean shall appoint one member-elect of each committee to be its interim chair beginning July 1, using the following criteria:

i. first choice is the current chair of the committee;
ii. second choice is the most senior faculty member who is currently a member of the committee;
iii. third choice is the most senior faculty member.

When the names of committee members are submitted to Law Faculty Council for confirmation in May, the Vice Dean shall indicate which member of each committee has been appointed as interim chair.

Interim chairs of new committees
9.1.3 Once the faculty members are selected for a new special or standing committee, the Vice Dean shall appoint the most senior faculty member of that committee to be its interim chair. When the names of committee members are submitted to LFC for confirmation, the Vice Dean shall indicate which member of the committee has been appointed as interim chair.

First meeting
9.1.4 The interim chair of a committee shall call the first meeting of the new term or the new committee within a reasonable period of time. At that first meeting, the committee shall select one of its members to be the chair.

LFC 3 May 05

Responsibilities of the chair

9.1.5 The chair of a committee is responsible for calling all meetings of the committee and shall prepare and submit the committee’s annual report to Law Faculty Council in the prescribed manner.

LFC 3 May 05

Chair votes only to break a tie

9.1.6 At committee meetings, the chair will vote only to break a tie.

LFC 3 May 05
REPORTS
Committee reports
9.2 Annual or final reports of standing or special committees of Law Faculty Council shall be made in writing and submitted to Law Faculty Council in the following manner.

Circulation
9.2.1 Committee Reports shall be circulated at least one (1) week prior to the meeting at which they are to be discussed along with the agenda for that meeting.

Headings
9.2.2 Each committee report shall bear one of the following headings as appropriate:
   i. Annual Report of Standing Committee
   ii. Special Report of Standing Committee
   iii. Final Report of Standing Committee
   iv. Annual Report of Special Committee
   v. Special Report of Special Committee
   vi. Final Report of Special Committee

Contents
9.2.3 Committee reports shall contain the following information:
   i. The name of the committee;
   ii. The names of the members who served on the committee during the term covered by the report, indicating the chair (and former interim chair if a different person) and the status of each member (eg., faculty member, JD student member, ex officio, non-voting);
   iii. The dates and attendance of members at the meetings of the committee;
   iv. A summary of the committee’s activities.
   v. A list of the committee’s recommendations, if any.

Special Committees
9.2.4 In addition to the information above, reports of special committees shall also contain the following:
   i. the date the committee was created;
   ii. the mandate of the committee.

Changes to LFC policy
9.2.5 If a report recommends changing Law Faculty Council policy, it shall be accompanied by motions to amend the Law Faculty Council Policy Manual, made in writing in the prescribed manner.

Other reports
9.2.6 In addition to an annual or final report made in writing, a standing or special committee may make other reports to Law Faculty Council orally or in writing. If Law Faculty Council receives an oral report from a committee, the substance of the report shall be recorded in the minutes of the meeting.

Discussion of reports
When a committee report is submitted to Law Faculty Council, the chair who prepared the report shall attend the Law Faculty Council meeting at which the report is discussed or have a faculty member, who served on the committee during the term covered by the report, attend that meeting on the chair’s behalf.

LFC 3 May 05

**QUORUM**

**Majority of members required for a meeting**

A quorum of the committee, a simple majority of members, shall be required for a meeting to be convened.

LFC 7 Feb 95
(LFC 24 Jul 74)

**Majority vote for matters going to LFC report**

All significant matters dealt with by a committee shall be voted on by its members. The committee’s report shall contain only those matters that have been agreed on by a majority vote at a meeting of which each member has been notified and at which a quorum is present.

LFC 7 Feb 95
(LFC 24 Jul 74)

**PART II – TEACHING AND STAFF ADMINISTRATION**

**A. GENERAL**

**10. Definition of “Staff” and “Staff Member”**

**AS DEFINED BY THE POST-SECONDARY LEARNING ACT**

**Category or individual designated by the Board of Governors**

“Academic Staff Member”, “academic staff” and “member of the academic staff” means an employee of the Board of Governors who, as a member of a category of employees or individually, has been designated as an academic staff member by the board.

s. 1(c), Post-secondary Learning Act, SA 2003, c. P-19.5

**Board’s powers**

10.2.1 The board shall

i. manage and operate the public post-secondary institution in accordance with its mandate

ii. develop, manage and operate, alone or in cooperation with any person or organization, programs, services and facilities for the educational or cultural advancement of the people of Alberta

iii. establish admission requirements for students of the public post-secondary institution other than students in apprenticeship programs under the Apprenticeship and Industry Training Act

iv. make and publish rules
   a) respecting the enrolment of students to take courses, programs of study or training provided by the board, and
   b) governing the taking of courses, programs of study or training provided by the board.

10.2.2 The board of a public post-secondary institution other than Banff Centre may, after consultation with the academic staff association of the public post-secondary institution, do one or more of the following:

i. designate categories of employees as academic staff members of the public post-secondary institution

ii. designate individual employees as academic staff members of the public post-secondary institution

iii. change a designation made under clause 10.1.1(i) and (ii) or under sections 5(2) or 42(2).

s. 60(1)(2) Post-secondary Learning Act, SA 2003, c. P-19.5

**AS DEFINED BY THE BOARD OF GOVERNORS**

Academic staff are those in AAS:UA agreements
10.3 Having consulted with representatives of the AAS:UA, and in compliance with Section 60(2) of the Post-secondary Learning Act, the Board of Governors designated as academic staff for the purposes of the Post-secondary Learning Act, those staff members covered by the four Board/AAS:UA Agreements as they apply to faculty, librarians, administrative and professional officers and faculty service officers. The Board of Governors has agreed that the following groups of staff would be formally designated as “academic staff for the purpose of The Post-secondary Learning Act.”

i. Regular Full-Time Faculty

ii. Administrative and Professional Officers

iii. Professional Librarians

iv. Faculty Service Officers

v. Special Full-Time Faculty

vi. Regular Part-Time Continuing Faculty

[For further information consult the Board/AAS:UA Agreements and GFC Policy Manual.]

11. Employment Policies

BOG and GFC adopts the policy statement

11.1 The Board of Governors and General Faculties Council have adopted the following policy statement (Section 48.1 GFC Policy Manual) with respect to the employment of staff by the University. General Faculties Council has adopted rules and regulations which serve to effect the policy statement (Sections 48.2 - 48.4); these are set out below, following the policy statement.

BASIC PRINCIPLES

Merit

11.2 Employment decisions shall be made on the basis of merit.
Equity in Employment - no discrimination

11.3 In accordance with the provisions of the Alberta Bill of Rights, the Human Rights, Citizenship and Multiculturalism Act and the Canadian Charter of Rights and Freedoms, the University of Alberta is committed to the principle of equity in employment. Every individual is entitled to be considered without discrimination and in particular, without discrimination because of race, religious beliefs, colour, sex, physical disability, marital status, age, ancestry or place of origin. This principle encompasses such matters as selection and hiring practices, recommendations and decisions regarding remuneration, tenure, promotion, classification, workload, assignment of duties, and access to fringe benefits.

GFC §48.1(2)

Graduates considered

11.4 Graduates of the University of Alberta shall not be excluded from competition for positions within the University.

GFC §48.1(3)

Family of staff considered

11.5 Members of the immediate family of staff members may apply for, and shall be considered in competition for, positions on the University staff. All opportunities and benefits normally accruing to a position on staff will obtain where such an appointment is made.

GFC §48.1(4)

Employee not involved in decision if family member is

11.6 In order to ensure that these principles are observed and are seen to be observed, no University employee shall be involved in an employment decision involving a member of that employee’s family or involving a person with whom that employee has a close personal relationship; exceptions to this rule may be made by the appropriate Vice-President where special circumstances apply.

GFC §48.1(5)

Commitment

11.7 The University is committed to the amelioration of conditions of disadvantaged individuals or groups within the system.

GFC §48.1(6)

GUIDELINES FOR EMPLOYMENT

Advertisement through media

11.8 All regular full-time staff vacancies shall be advertised through appropriate media. Internal candidates must be given consideration.

GFC §48.2.1(1)

Disadvantaged groups informed

11.9 Wherever possible attempts must be made to ensure that the “pools of eligibles” from disadvantaged groups have been informed.

GFC §48.2.1(2)
Statement included in all advertising
11.10 All advertising must contain the statement: “The University of Alberta hires on the basis of merit. We are committed to the principle of equity in employment. We welcome diversity and encourage applications from all qualified women and men, including persons with disabilities, members of visible minorities, and Aboriginal persons.”

Full-time position procedures
11.11 For all regular full-time academic positions the following procedures apply.
   i. Faculty: Advertisement in University Affairs and/or CAUT Bulletin and such other publications as the Dean deems desirable.
   ii. APO:
       a) Advertisement in Folio. Other publications may also be used and such advertisements may appear simultaneously with but not prior to advertising in Folio. (During the summer months – when Folio does not publish regularly – APOs will be apprised of a competition for a vacant APO position through a campus mail-out with such mail-out to be before or simultaneous to any other advertising.)
       b) All vacant APO positions will be advertised as per (i) above.

Non-application of procedure
11.12 This provision does not apply in instances wherein incumbent’s position is reclassified/converted from support staff to APO.

Waiver of procedure
11.13 This provision may be waived by the Vice-President (Academic) and Provost when an APO whose current position has been declared redundant is, by mutual consent, to be appointed to the position. The appointing officer’s decision to advertise the position is not appealable.

Librarian positions
   i. Librarians I and II: Advertisement in Folio and at least one of the following publications: University Affairs, CAUT Bulletin, Feliciter, and such other publications as the Chief Librarian deems desirable.
   ii. Other Librarians: Advertisement in Folio and at least one of the following publications: University Affairs, CAUT Bulletin, Feliciter, and such other publications as the Chief Librarian deems desirable.

Faculty Service Officer
   i. Faculty Service Officer: Advertisement in Folio and at least one of the following publications: University Affairs, CAUT Bulletin, Feliciter, and such other publications as the Dean deems desirable.
Administrative positions generally
11.14 Administrative positions (e.g., President, Vice-Presidents, Deans, Department Chairs): Advertisement in Folio and such other publications as the Search/Selection Committee deems desirable. When a Selection Committee decides that an administrative position can be filled by a colleague already in the academic unit it may proceed to do so without advertising the position, except in Folio as indicated above.

Exceptions to advertising
11.15 Except in the case of APOs, appointment to regular full-time academic staff positions may be made without advertising of the vacancies under the following circumstances:
   i. If a classification system applies to the vacant position and where internal promotion is contemplated; and
   ii. If the Vice-President (Academic) and Provost waives the advertising requirement. In this case, the Vice-President (Academic) and Provost shall report these actions annually to General Faculties Council.

Temporary or P/T positions
11.16 Advertising of temporary and part-time academic staff positions shall be at the discretion of the Assistant Dean.

12. Staff Selection
   Appointment of Faculty, librarians and FSOs
12.1 Full-time faculty, professional librarians and faculty service officers shall be appointed to the staff by the authorized appointing officer normally on the advice of an Advisory Selection Committee.

Other staff appointments
12.2 Selection Procedures for the appointment of other types of staff shall be at the discretion of the authorized appointing officer who may, or may not, utilize an ad hoc Advisory Selection Committee in the appointment process.

Selection by outside bodies
12.3 Where selection of academic personnel rests with bodies outside the University certain procedures must be followed. Normally, an Advisory Selection Committee is struck before nomination is made and an appointment is finalized.

ADVISORY SELECTION COMMITTEE
   Law Faculty Committee
12.4 Each non-departmentalized Faculty shall have an Advisory Selection Committee. The duty of such a Committee is to advise the Dean on the matter of appointments to the regular full-time faculty. The Faculty of Law Advisory Selection Committee shall be comprised of:
   i. The Dean, as Chair;
   ii. Four (4) Faculty Members selected by the Faculty Council;
   iii. One (1) Faculty Member outside of the faculty selected by the Faculty Council according to procedure approved by it.

Use of Advisory Selection Committee
12.5 Advisory Selection Committees must be used in the following cases of appointment of regular full-time faculty:
i. Appointment at the rank of full professor in which case the decision with respect to tenure must also be considered;

ii. Other faculty with tenure on first appointment.

**Waiver of Advisory Selection Committee**

12.6 An Advisory Selection Committee shall be used in the appointment of regular full-time faculty at the ranks of associate professor, assistant professor and lecturer unless the use of such a committee is waived, as follows:

i. In the appointment of associate professors, waiver by the Vice-President (Academic) on the recommendation of the Dean; and

ii. In the appointment of assistant professors and lecturers, waiver by the Dean.

As indicated in Section 12.5 above, no waiver is permitted at these ranks when appointment with tenure is contemplated.

**Advisory Committee used**

12.7 Normally, an Advisory Committee shall be used in the nomination and/or appointment to the academic staff where the final selection rests with a body outside the University.

**Composition of Faculty Advisory Committee - FSO Appointments**

12.8 Unless otherwise determined by the Faculty Council, each Faculty shall have an Advisory Selection Committee to advise the Dean on appointments of Faculty Service Officers. The composition of such a committee shall be:

i. The Dean, or designate, as Chair;

ii. The Department Chair, if any; and

iii. Such other members as the Dean and Department Chair, if any, may consider necessary.

**Current employee given priority**

12.9 All things being equal, qualified candidates for an APO position currently employed by the University should be given priority in consideration for vacant positions.

**Student applications**

12.10 Candidates for an APO position should not be registered students studying in the same department as that in which they will be employed as staff; exceptions to this rule may be made with the approval of the Vice-President (Academic) and of the Dean of Graduate Studies and Research. (See Clause 5.10 APO Agreement.)

**Faculty sets procedures**

12.11 Procedures to be followed by Advisory Selection Committees shall be established by the appropriate Faculty Council or by the Library Council, as the case may be.

**MEASURES TO PREVENT DISCRIMINATION IN APPOINTMENTS**

**Mandate to increase employment opportunities**

12.12 The Advisory Selection Committee is given the mandate to increase the employment opportunities for the following designated groups:

i. Aboriginal people;

ii. People with disabilities;

iii. Members of visible minorities;
iv. Women.

Methods
12.13 The following methods are to be employed to pursue the goal of employment equity:
   i. Increase the pool of candidates with appropriate educational qualifications;
   ii. Aggressively recruit candidates when jobs are available;
   iii. Work to remove artificial barriers to employment;
   iv. Create a campus community in which all individuals are treated with equality and respect, and can reach their full potential.

Advertisement of positions
12.14 The advertisement for positions should indicate that the Faculty of Law is dedicated to diversifying its composition and name the four designated categories in Section 12.12. The advertisements should encourage members of these groups to apply and invite them to state that they are members of such a group in their application if they so desire.

Interpretation
12.15 In interpreting Section 12.12, when candidates are equal, gender can be used as the deciding factor.

Recognition of women as a disadvantaged group
12.16 Recognizing the desire of the University to prevent discrimination and in compliance with federal and provincial legislation the General Faculties Council reaffirms the commitment of the University to non-discrimination in employment decisions. Because women comprise the largest group of disadvantaged, the rules and regulations which follow will from time to time make specific requirements with respect to the employment of women. Accordingly, the following steps shall be taken whenever an academic staff vacancy occurs:

Committee to solicit additional applicants
   i. It is anticipated that there will be instances when none, or very few, of the qualified applicants are women. In some instances none, or very few, of the qualified applicants will be men. In such cases, as early in the work of selection committees as possible, they are expected to seek qualified applicants from the under-represented sex through appropriate sources capable of providing data on the pool of available qualified persons (chairs of relevant departments; professional organizations; individuals from the under-represented sex within the profession or discipline; individuals from the under-represented sex, members of academic staff in the unit and in related units with the University).

Consideration of all applicants
   ii. Pre-Selection Committees (where they exist) and Advisory Selection Committees must give careful and detailed consideration to all qualified applicants regardless of race, religious beliefs, colour, sex, physical disability, marital status, age, ancestry or place of origin.

Information not required in interview
   iii. Pre-Selection Committees (where they exist) and Advisory Selection Committees, when interviewing candidates for a vacant staff position, may not request information of religious beliefs, political affiliations, family or marital status, age, ancestry or place of origin or physical disability which could lead to discriminatory action.
Report of the Committee to the Dean

12.17 The evaluation of applicants must be based on objective job-related criteria.

i. Pre-Selection Committees (where they exist) and Advisory Selection Committees are required to report to the Dean on:
   a) the pool of available qualified persons;
   b) sources consulted in the determination of this pool;
   c) the number of applications received;
   d) the qualifications and sex of all applicants if known;
   e) the criteria used in determining the short list;
   f) the number of persons short listed, including a reference to the qualifications and sex of the persons of the short list;
   g) an explanation as to why the short list contains no members of the under-represented sex (if that is the case);
   h) résumés of the most qualified persons of the under-represented sex;
   i) the criteria used in the final selection.

Dean forwards report

ii. Upon submitting the academic appointment form to HR and the Provost, the Dean will forward the above information for each appointment.

If waiver of Committee

iii. Where the use of a Selection Committee has been waived the Dean is expected to provide the same information as above.

Canadian citizenship is preferred

12.18 No person who is not a Canadian citizen shall be appointed to the Faculty unless Law Faculty Council is satisfied that no equally qualified Canadian is available.

CONTRACTUAL AGREEMENTS

Contracts to reflect hiring policies

12.19 Where existing University contracts conflict with this policy statement, such contracts shall prevail, but as they are renegotiated, reviewed or reconsidered, the University shall encourage the inclusion in such contracts of the policies herein adopted to the end that they conform to these policies.

B. FACULTY AND ADMINISTRATION

13. Faculty Evaluation

Faculty Evaluation

13.1 Article 13 of the University Faculty Agreement provides for the evaluation of the performance of a staff member for purposes of decisions concerning tenure, promotion and merit increments.

Categories of review

13.2 The review of a staff member's performance shall be based on consideration of the performance of the responsibilities of the staff member as outlined in Article 7 of the Agreement.
Standards and procedures for the evaluation of candidates for tenure, promotion and merit increments

13.3 The standards and procedures for the assessment of the performance of a staff member for the purposes of decisions concerning tenure, promotion and merit increments are contained in Annex D which forms an integral part of this Policy Manual.

Entry into force of Annex D

13.4 The “Standards and Procedures for the Evaluation of Candidates for Tenure, Promotion and Merit Increments” in Annex D will enter into force on July 1, 2006 for:

i. Tenure-track and tenured staff members hired on or after July 1, 2006; and

ii. Tenure-track and tenured staff members hired prior to July 1, 2006 with respect to the procedures for awarding tenure, merit increments and promotion to full professor.

Teaching Evaluation

13.6 Teaching evaluations must be conducted in accordance with GFC Policy regarding Teaching Evaluation and Universal Student Ratings of Instruction.

Record and Acknowledgment of Service

13.7 The Vice Dean shall submit to Law Faculty Council at its ordinary meeting in October a list of the administrative service performed by each faculty member during the previous term of service (1 July to 30 June), including service to committees of Law Faculty Council, other committees within the faculty, committees elsewhere in the university, and other organizations outside the university. A faculty member’s service to organizations outside the university shall not be reported to Law Faculty Council unless requested by the faculty member.

Credit for Supervision

13.8 i. A Faculty Member shall receive one teaching hour credit for supervising an upper year moot team for the complete moot season.
ii. A Faculty Member shall receive one teaching hour credit for supervising or co-supervising a master’s student (thesis-based) of the University of Alberta who completes his or her program.

iii. A Faculty Member shall receive two teaching hour credits for supervising or co-supervising a doctoral student of the University of Alberta who completes his or her program.

iv. The Vice Dean shall maintain a log of credit hours earned and used under this section.

v. Each Faculty Member’s teaching credits shall be banked until 3 credit hours have been accumulated, at which time, or as soon as reasonably possible thereafter, the Faculty Member shall be granted teaching relief from a 3-credit hour course.

vi. This section is effective as of July 1, 2001, for supervision of master’s students (thesis-based) and is effective as of September 1, 2009, for supervision of doctoral students.

14. Professor Emeritus

14.1 The title of Professor Emeritus recognizes meritorious service to the University of Alberta by an individual professor retiring from the university. Individuals must meet the eligibility criteria for the award. It is a title that is taken very seriously and one that recognizes the value the individual has earned due to their record of teaching, research and community service with the university.

14.2 The Governors of the University have established the policies and procedures relating to Professors Emeriti, which have been published in University of Alberta Policies and Procedures Online (UA APPOL).

15. Honorary Professorships

HONORARY PROFESSOR

Criteria

15.1 The criteria for an Honorary Professor shall be:

i. Continuing connection with the Faculty of Law;

ii. Bestowed only occasionally;

iii. Senior distinguished scholars;

iv. Ten (10) year term appointment.
Nomination by Committee

15.2 To appoint an Honorary Professor, the Dean shall consider persons nominated in consultation with the Staff Selection Committee, and subsequently present recommendations for the approval of Law Faculty Council.

Existing Honorary Professors

15.3 Existing Honorary Professors would remain unchanged.

PROFESSORIAL ASSOCIATES

Criteria

15.4 The criteria for a Professorial Associate shall be:

i. Institutional connection with the Faculty of Law;

ii. A required personal professional contribution to the Faculty of Law;

iii. Appointment contemporaneous with maintenance of institutional appointment and with continuing ability to provide a professional contribution to the Faculty of Law;

iv. Maximum of three (3) individuals from any one institution.

Nomination by Committee

15.5 To appoint a Professorial Associate, the Dean shall consider persons nominated in consultation with the Selection Committee, and subsequently present recommendations for the approval of Law Faculty Council.

RESEARCH ASSOCIATES

Criteria

15.6 The criteria for a Research Associate shall be:

i. Full-time devotion to legal research which is available to the Faculty of Law.

Nomination by Committee

15.7 To appoint a Research Associate, the Dean shall consider persons nominated in consultation with the Advisory Selection Committee, and subsequently present recommendations for the approval of Law Faculty Council.

16. Academic Officers

Academic Officers

16.1 There shall be the following academic officers:

i. the Dean

ii. the Vice Dean

iii. the Associate Dean (Research and Graduate Studies)

iv. such other officers as appointed by the Dean

Dean’s duties
16.2  
i. The board of a university shall appoint a dean for each faculty of the university.
ii. A dean of a faculty
   a. is the chief executive officer of that faculty
   b. has general supervision over and direction of the academic work and instructional
      staff of the faculty and of the officers and employees employed in connection with that work, and
   c. has the other powers, duties and functions that are assigned to the dean by the president.
iii. The president may appoint a member of the instructional staff of a faculty who shall act as dean in
     the event of the absence or inability to act of the dean of the faculty or during any vacancy in the office
     of a dean.
iv. A dean may delegate any of the dean’s powers, duties and functions as the dean considers
    appropriate and may prescribe conditions governing the exercise or performance of any delegated
    power, duty or function, including the power of subdelegation.

   s. 21(1), Post-secondary Learning Act, SA 2003, c. P-19.5

Dean’s term
16.3  The term of appointment of the Dean shall be no more than five (5) years, but may be renewed by the
      Selection Committee.

   GFC §103.1.2 & 103.1.3

Vice Dean’s duties
16.4  The duties of the Vice Dean shall include:
   i. Primary responsibility for internal administration, except for staff selection and Faculty evaluation;
   ii. assuming the duties and responsibilities of the former office of Associate Dean (Academic) and in
       particular assuming the duties and responsibilities of the Dean in the latter’s absence;
   iii. working with the Dean on budget preparations, staff recruitment, course allocation, etc.;
   iv. encouraging teaching excellence;
   v. curriculum and timetable development;
   vi. student services;
   vii. Faculty Awards Committee;
   viii. Information Technology;
   ix. Career Services;

   LFC 20 Nov 07
   (LFC 6 May 03)
   (LFC 25 May 98)
   (LFC 7 Feb 95)
   (LFC 24 Jul 74)

Associate Dean (Graduate Studies) duties
16.5  There may be an Associate Dean (Graduate Studies) whose primary duties shall include:
   i. Responsibility for the LL.M program;
   ii. Responsibility for the Ph.D. program.

   LFC 20 Nov 07
   (LFC 25 May 98)

Associate Dean (Research) duties
16.6  There may be an Associate Dean (Research) whose primary duties shall include:
   i. The encouragement of scholarly research in the Faculty;
   ii. Exploring sources of funding for research within the Faculty;
   iii. Administration of research funds;
   iv. Supervision of the Research Facilitator.

   LFC 20 Nov 07
   (LFC 25 May 98)

Terms of Vice Dean and Associate Deans
16.7 The Dean shall, after consultation, appoint the Vice Dean, the Associate Dean (Graduate Studies) and the Associate Dean (Research) for terms not exceeding three years, but all such appointments may be renewed by the Dean.

LFC 20 Nov 07

17. Administrative Officers
Assistant Dean's duties
17.1 There shall be an Assistant Dean whose primary duties shall include:
   i. Compile and prepare faculty budgets, control expenditures and issue statistical reports at regular intervals;
   ii. Prepare annual financial reports;
   iii. Develop and recommend policies on the acquisition and use of office equipment;
   iv. Schedule and administer final examinations;
   v. Appraise the efficiency of current administrative methods; detect the need for modification; and propose such changes as are necessary to produce more satisfactory results;
   vi. Develop and maintain liaison with such University administrative offices as is required in the performance of his or her duties;
   vii. Plan training of non-academic staff as required;
   viii. Serve on specialized committees as appointed;
   ix. Serve as Recorder to Law Faculty Council and select Faculty committees.

LFC 7 Feb 95
(LFC 24 Jul 74)

18. Adjunct Academic Staff
General
18.1 Appointments to Adjunct Academic Staff shall be made by the Dean or designates and are subject to procedures which may be established by each Faculty. The nature and extent of the Adjunct Academic Staff member's involvement in a department's teaching and research programs shall be decided by mutual agreement between the appointee, the Department Chair or Dean, in the case of non-departmentalized faculties. Adjunct Academic Staff are bound by the rules and regulations of the University.

GFC §18.1

Title
18.2 Appointees shall be accorded the title of either "Assistant Adjunct Professor", "Associate Adjunct Professor" or "Adjunct Professor".

GFC §18.1

Associate Faculty appointments, terms, conditions and procedures
18.3 Terms and conditions of appointments of “Associate Faculty”, as well as selection, appointment and review procedures must comply with GFC policy.

GFC §18.1

Responsibility of employer, not University
18.4 The tenure, salary, pension plan and other fringe and economic benefits of the appointee shall continue to be borne by the appointee’s employer and no part thereof shall be the responsibility of the University.

GFC §18.1

No remuneration required
18.5 Adjunct academic appointments benefit both the department and the appointee and there is no remuneration attached to the appointment.

GFC §18.1
Providing resources: Responsibility of the Department

18.6 Departments making adjunct academic appointments do so knowing that any resources required to support the work of the Adjunct Academic Staff member are the responsibility of the department. In certain cases, departments may deem it appropriate to make available to the appointee other University resources or services. Privileges extended to Adjunct Academic Staff include issuance of a ONECard (which provides access to the library, entitlement to a secondary computing ID and access to the physical education facilities upon payment of an annual user fee), as well as eligibility for parking privileges and membership in the Faculty Club.

GFC §18.1

Duties agreed on

18.7 The appointee may assume such undergraduate and graduate supervision and teaching as may be agreed upon.

GFC §18.1
Listed in the Calendar
18.8 The appointee shall be listed in the University Calendars with appropriate rank assigned by the Faculty in which appointments are made.

Evaluation/Review
18.9 Faculties having adjunct academic appointments shall establish performance criteria for the assessment of appointees that maintain the spirit of the criteria for the position while maintaining cognizance of the special nature of the form of appointment as well as any expectations articulated in the letter of appointment.

Form of evaluation
18.10 Evaluation of an appointee shall be based on the written set of goals and expectations established between the individual and the Department Chair.

Mandatory evaluation upon completion
18.11 As a part of acknowledging the contribution of Adjunct Academic Staff, a review must be conducted at the completion of the period of appointment. Annual reviews are encouraged.

Termination
18.12 Appointments shall terminate upon the appointees leaving the service of their employer or upon the request of the employer or on a Resolution to that effect by General Faculties Council.

Bound by rules and privileges of Faculty
18.13 As far as practicable and without giving to or imposing upon an appointee the rights, privileges or duties held exclusively by full-time faculty pursuant to the Post-Secondary Learning Act or the Board-AAS:UA Agreement (Faculty), an appointee shall be bound by and enjoy the rules and privileges as they apply to the faculty of the University.

Hiring procedures same as regular staff
18.14 Appointments to the Associate Faculty shall be made subject to the same procedures that govern regular faculty appointments.

Letter of appointment
18.15 Each appointee shall receive a letter of appointment which sets out the goals and expectations which have been mutually agreed upon by the appointee and the Department Chair and which have the consent of the Dean or designate. The goals and expectations should reflect the needs of the department as defined by its overall objectives, and the professional needs of the individual. Also included in the letter of appointment shall be the term of appointment, the procedures for evaluation and reappointment, an indication of any perquisites available to the appointee, and a listing of all relevant University policies and regulations applicable to the appointee’s involvement at the University of Alberta. See Annex A.3 for a sample letter.

FACULTY RELATIONSHIP WITH OUTSIDE INSTITUTIONS
Institutes in the Faculty
18.16 The Faculty encourages the establishment of institutes in the Law Centre, provided that they are a benefit to the Law Faculty. Examples of benefits envisaged are academic expertise of the institute involved, the institute’s ability to attract qualified individuals, the availability of institute facilities to the Faculty.

Criteria for establishment
18.17 Institutions can provide a benefit in the form of, but not limited to, the following:
   i. Provide research assistantships or funds therefore;
   ii. Provide library acquisition or funds therefore;
   iii. Provide funds for computer related projects;
   iv. Provide funds for release time of full-time Faculty Members of the Faculty of Law;
   v. Provide professorial assistance.

Space limitation
18.18 All institutions that are of benefit to the Law Faculty should be entitled to space in the Law Centre, if such space is available.

Faculty participation in institutes
18.19 No teaching reductions of Faculty Members should be allowed in connection with institutional duties, without financial compensation to the Faculty.

PART III – ADMISSIONS

A. GENERAL PROVISIONS
19. Definitions
Applicant
19.1 Regular Applicant: A person who:
   i. Has submitted a University of Alberta Application for Admission or its equivalent; or
   ii. Has submitted any documents intended to support an application for admission to the University of Alberta; or
   iii. Sits a University of Alberta sponsored or administered exam, the successful completion of which is considered an admission requirement; or
   iv. Displays an intention to seek admission or readmission to the University of Alberta at any time following the commission of one or more of the offences listed in GFC regulations.

Aboriginal applicant
19.2 Aboriginal Applicant:
   For the purpose of application and admission to the University of Alberta, and in accordance with the Constitution Act, 1982, Part II, Section 35(2), an Aboriginal applicant is an Indian, Inuit or Métis person of Canada, or a person who is accepted by one of the Aboriginal peoples of Canada as a member of their community.

Application Procedure/Deadline
19.3 The Application for Admission to the J.D. program is available from the web at www.registrar.ualberta.ca. The application must be submitted on or before November 1 of the year proceeding the year in which admission is sought. All additional supporting documentation must be provided to the Faculty of Law on or before February 1 of the year in which admission is sought. Documentation should be submitted directly to the Faculty of Law at:

Admissions Office
Room 128, Law Centre
University of Alberta, T6G 2H5

Cal. §15.8.4

Tuition Deposit
19.4 Successful applicants must confirm their intention to register by submitting two non-refundable tuition deposits of $500 within the time specified. These deposits will be credited toward payment of tuition on registration in September.

LFC 18 Mar 14
Cal. §15.8.4

Application Documentation
19.5 The following documents are required to complete an application.

(1) Transcripts: Two official transcripts of all post-secondary education are required. These transcripts must be complete and indicate any degree received. All transcripts must bear the seal of the issuing institution and the original signature of the issuing officer. Photocopies and transcripts without these marks of validity will not be accepted.

(2) Personal Statement: All applicants must complete a personal statement that complies with the formatting requirements established by the Admissions Committee. For details, see the Faculty of Law website www.law.ualberta.ca.

(3) LSAT: The December test date is the last LSAT that can be written by applicants seeking admission in the following September. [See Calendar, §15.8.1(4).] The Admissions Office will obtain LSAT scores directly from Law Services for all applicants who have active files with Law Services in Newton, Pennsylvania.

(4) Applicants who wish to be considered in the Aboriginal Applicant category must also submit a resume and two letters of reference.

LFC 17 Mar 15
(LFC 7 Feb 12)
Cal. §15.8.5

B. THE ADMISSIONS COMMITTEE

20. Purpose and Function

Duties of the Admissions Committee

20.1 Acting on the delegated authority of the General Faculties Council and the Faculty Council, each Admissions Committee shall:

Interpret and apply admissions criteria
i. Interpret and apply the established admission requirements and regulations in order to select and admit the best-qualified applicants from the total number of applicants who are eligible for admission.

GFC §11.6.2.1
(LFC 4 Nov 97)

Review admission criteria
ii. Review regularly the criteria for admission to undergraduate quota programs, and recommend changes to admissions policy in accordance with relevant faculty policy, goals and objectives.
LAW FACULTY COUNCIL POLICY MANUAL

GFC §11.6.2.1 (LFC 4 Nov 97)

Fair consideration of applicant
   iii. Ensure the fair and equitable consideration of each applicant.

GFC §11.6.2.1 (LFC 4 Nov 97)

Report annually
   iv. Report annually to its faculty on the outcome of its selection process.

GFC §11.6.2.1 (LFC 4 Nov 97)

Powers delegated including transfer and leave of absence granting

20.2 The function of admission, re-admission, transfer and granting leaves of absence of students to the Faculty of Law at the University of Alberta is delegated to the Admissions Committee by Law Faculty Council to be carried out in accordance with the policy guidelines approved by Law Faculty Council.

LFC 4 Nov 97

COMPOSITION

Members

20.3 The Admissions Committee shall be composed of the following members:
   i. Four (4) Faculty Members
   ii. One (1) student
   iii. Director of Academic and Cultural Support - Ex officio (non-voting)
   iv. Senate representative - Ex officio (non-voting)
   v. Registrar’s Office representative - Ex officio (non-voting)

GFC §11.6.2.2
LFC 17 Mar 09
(LFC 24 May 01)
(LFC 4 Nov 97)
(LFC 7 Feb 95)

Student member has complete access

20.4 The student representative for the Admissions Committee shall be allowed full and complete access and participation in all meetings of the Admissions Committee, including the selection meetings.

LFC 7 Feb 95
(LFC 4 Nov 75)

C. ADMISSIONS CRITERIA

21. Criteria

Additional Requirements

21.1 In addition to the academic requirements for admission approved by General Faculties Council for each faculty, General Faculties Council authorizes each faculty to establish such other reasonable criteria for admission of applicants as the faculty may consider appropriate to its programs of study, subject to the approval of General Faculties Council.

GFC §11.4

Amending residency requirements for admission

21.2 In order to meet the needs of the community that the University serves, individual faculties may establish internal program targets with regard to the citizenship and residence of undergraduate students. Such targets shall be established with the approval of the Vice-President (Academic) and Provost.

GFC §50.6(1)
Categories of applicants considered for Law

21.3.1 The Admissions Committee will consider the candidates for admission to the Faculty of Law in the following categories:
   i. Regular Applicants;
   ii. Special Applicants:
       a) Aboriginal Applicants;

21.3.2 The Dean or Dean's delegates will consider the candidates for admission to the Faculty of Law in the category of:
   i) National Committee on Accreditation students (NCA Students), as defined in Section 21.23.

Regular Applicant

21.4 To be considered for admission to the J.D. program a Regular Applicant must
   i. Present proof of having received, with standing satisfactory to the Committee, a degree from the University of Alberta, or a degree from a university recognized by the University of Alberta; or
   ii. Present proof of having completed, with standing satisfactory to the Committee, at least the first three (3) years (90 credit hours) of a program leading to a degree at the University of Alberta, or from a university recognized by the University of Alberta.

Committee determines category of applicant

21.5 It is the sole prerogative of the Committee to determine the category of the applicant. Accordingly, prospective applicants should carefully read the descriptions set out.

APPORTIONMENT OF PLACES TO VARIOUS CATEGORIES

Quota

21.6 Admission into the Faculty of Law is limited to 175-185 incoming students annually. Because the number of candidates who meet the minimum requirements for admission far exceeds the quota, it should be understood that eligibility does not guarantee admission. Admission is determined on a competitive basis.

First year seats awarded

21.7 The places in first year law shall be filled as far as possible as follows:

Maximum 10% Aboriginal
   i. Not more than ten (10%) per cent of the places shall be allotted to Aboriginal Applicants provided however:

First considered as regular applicants
   ii. Regular applicants who also meet the requirements of Aboriginal Applicants shall first be considered as regular applicants and if they fail to gain admission under this category, then they shall be considered under the category Aboriginal Applicants.
Grade point average weighed with LSAT

21.8 In measuring potential, the Admissions Committee shall rely primarily on the undergraduate grade point average and the performance of the Law School Admission Test (the “LSAT”). These two factors will be used to create a Prediction Indicator to rank the regular applicants.
   i. The grade point average is determined by reference to the Applicant’s most recent sixty (60) units of course weight of study in university credit courses, as defined by section 21.10, provided those units of course weight are completed by February 1 in the year in which admission is sought. The grade point average and the LSAT will be used to create a Prediction Indicator to rank the regular Applicants;
   ii. Where an Applicant has successfully completed at least sixty (60) units of university credit courses at the time of submitting an application, and possesses a reported LSAT score, the Committee may assess the student's Prediction Indicator for the purpose of extending an offer of admission before the Applicant's file is complete;
   iii. In a limited number of cases, for the purpose of distinguishing between Applicants with similar or identical Prediction Indicators, the Committee may consider a broader range of factors beyond the Prediction Indicator, including exceptional circumstances that adversely affected particular grades or academic performance and/or LSAT score(s), but do not pose an ongoing issue in terms of the Applicant's ability to succeed in law school, the difficulty and quality of the pre-law academic program, employment experience, extra-curricular and community activities, and physical, cultural and economic factors.

No application by student failing in last three years from a law faculty

21.9 Notwithstanding anything contained herein, the Admissions Committee shall not entertain any application for admission, readmission or transfer to the Law Faculty from any applicant who has been required to withdraw from the Law Faculty or from any other faculty or school of law within three (3) academic years prior to the year in which application for enrolment is submitted.

GRADE POINT AVERAGE

21.10 In assessing the grade point average of applicants, the last sixty (60) units of course weight of acceptable academic courses leading to a university degree shall be used to compute the grade point average provided however:

   i. An applicant's GPA will be calculated on all university transferable coursework completed in the most recent four terms of study if they contain a minimum of 60 units. If those four terms contain less than 60 units, all work in the next most recent term(s) will be included in the calculation until the minimum total of 60 is reached. Fall/Winter courses are considered Winter courses in these calculations.

Applicant lacking units

   i. An applicant's GPA will be calculated on all university transferable coursework completed in the most recent four terms of study if they contain a minimum of 60 units. If those four terms contain less than 60 units, all work in the next most recent term(s) will be included in the calculation until the minimum total of 60 is reached. Fall/Winter courses are considered Winter courses in these calculations.

No consideration for non-degree courses
ii. The committee will not consider any year of study or course or courses which cannot be credited toward a degree, or toward a university diploma approved by the Committee.

Grade conversion
21.11 Grades of all applicants from universities other than the University of Alberta will be converted, insofar as possible, to the grading scale in use at the University of Alberta, for the purpose of competitive evaluation. Effective 1 September 2003, the University of Alberta will use a letter grading system with a four-point scale of numerical equivalents for calculating grade point averages.

University Conversion Guide used
21.12 The University of Alberta Conversion Guide shall be adopted as the standard guide for all Faculties converting grades from other universities to University of Alberta equivalents.

If sessional grade point averages used
21.13 Where sessional grade point averages are used to determine entry into a quota program, they should be calculated only to the first decimal place.

LAW SCHOOL ADMISSION TEST (LSAT)
LSAT compulsory
21.14 The LSAT is compulsory for all Applicants (except applicants for admission as NCA Students), as defined in Section 21.23. Test scores are used to supplement a candidate’s pre-law academic record.

Two LSAT scores averaged
21.15 The Committee normally averages scores where the Applicant has taken the LSAT on more than one occasion. The Committee may, however, not take into account a particular LSAT score where the Applicant establishes to the satisfaction of the Committee that the score was adversely affected by exceptional circumstances. However, candidates are cautioned not to sit the LSAT if they are ill.

LSAT written within last five years
21.16 At least one LSAT that may be relied upon by the Committee must have been written within the last five (5) years prior to admission.

Last acceptable writing date
21.17 The last acceptable LSAT writing date for September admission is December of the previous year.

ENGLISH LANGUAGE PROFICIENCY REQUIREMENT
English a requisite to admission
21.18 Regardless of country of origin or citizenship status, all Applicants will be required to demonstrate proficiency in the English language prior to admission in accordance with University regulations regarding English language proficiency.
REGULAR APPLICANTS

Prediction Indicator

21.19 Applicants with the highest Prediction Indicator as determined by the Admissions Committee shall be given first priority in admission.  

LFC 4 Nov 97  
(LFC 7 Feb 95)  
(LFC Jan 79)

Non-degree Applicants

21.20 The Committee will consider applications from Applicants who demonstrate outstanding academic ability, without a degree, who will, prior to or in the Winter session preceding the September in which admission is sought, have completed not less than two (2) years, or equivalent of a full program of studies that would be accepted for credit towards any degree at the University of Alberta. Outstanding academic ability is defined as:

i. A minimum grade point average of 3.7 or the equivalent over the two (2) years of study; and

ii. Normally, a LSAT score which places the Applicant in the 90th percentile of those who have taken the LSAT test.

Cal. §15.7.2  
(LFC 7 May 02)  
(LFC 4 Nov 97)  
(LFC 7 Feb 95)  
(LFC 1 Oct 91)

ABORIGINAL APPLICANTS

Definition of Aboriginal Applicants

21.21 For the purpose of application and admission to the University of Alberta, and in accordance with the Constitution Act, 1982, Part II, Section 35(2), an Aboriginal Applicant is an Indian, Inuit or Métis person of Canada, or a person who is accepted by one of the Aboriginal peoples of Canada as a member of their community. Refer to Section 14.1.2 of the Calendar (or Section 11.9.2 GFC 2001) for further details regarding proof of Aboriginal identity.

GFC §11.9.1

LFC 17 Nov 15

Aboriginal applicants admitted under guidelines

21.22 The Law Faculty recognizes that Aboriginal Applicants have traditionally been under-represented in the legal field and in order to assist more Aboriginal students to obtain a legal training the Admissions Committee shall admit Aboriginal Applicants in accordance with the following guidelines:

LFC 4 Nov 97  
(LFC 7 Feb 95)  
(LFC Jan 79)

Minimum requirement: two years university

i. Aboriginal Applicants normally must have a minimum of two (2) years leading towards any degree or equivalent acceptable to a university in Alberta, completed prior to or in the Winter session preceding the September in which admission is sought (i.e., by April 30). Consideration may be given to Applicants with a minimum of one (1) year leading to a degree or equivalent, if they exhibit evidence of past achievements in non-academic areas indicative of an ability to succeed in law school;

LFC 4 Nov 97  
(LFC 7 Feb 95)  
(LFC Jan 79)

 Applicant is reasonably able to complete degree
ii. In the opinion of the Admissions Committee the Applicant has a reasonable chance of completing the studies required leading to a law degree;

LFC 4 Nov 97
(LFC 7 Feb 95)
(LFC Jan 79)

Other matters

iii. The Committee may make an offer conditional upon successful completion of the Program of Legal Studies for Native Students offered at the University of Saskatchewan.

LFC 4 Nov 97
(LFC 7 Feb 95)

iv. Students admitted to the University of Alberta, Faculty of Law, who have received a grade of “satisfactory” in the Property course at the Native Law Centre shall be treated as having satisfied the requirement for completion of Property Law.

LFC 18 Mar 14
(LFC 5 Feb 08)
(LFC 4 Nov 97)
(LFC 13 Sep 94)

v. The LSAT must be written as outlined in Section 15.7.1(4) of the Calendar.

Cal. §15.7.3(1)(c)

NCA Students

21.23 NCA Students are permitted to register in one or more courses which are not being taken for credit toward a degree or diploma at this or another institution. To be considered for admission as an NCA Student, applicants must normally have received a Law degree from an accredited post-secondary institution, equivalent to a Canadian JD or LLB degree, must meet English Language proficiency requirements as specified in the University Calendar, and must provide documentation setting out their assigned requirements as assessed by Canada’s National Committee on Accreditation.

LFC 3 Feb 15

D. TRANSFER APPLICANTS

22. From Common Law Schools in Canada

Transfer status determined by Vice Dean

22.1 A transfer applicant is one who has been accepted as a student in any other Common Law Faculty of Law or Law School in Canada. Transfer credit will be determined by the Vice Dean upon admission of the student.

LFC 5 Feb 08
(LFC 7 Feb 95)
(LFC Jan 79)

Incomplete first year student requesting transfer

22.2 An applicant who has not successfully completed one (1) full year of law studies shall be dealt with as a new applicant into first year law and in addition, shall submit in writing the reason why the transfer is requested.

LFC 7 Feb 95
(LFC Jan 79)

2nd year transfer applicant must submit materials

22.3 An applicant requesting transfer into second year law shall submit the same material as is required of all applicants into first year law and in addition, shall submit in writing the reason why the transfer is requested.
FROM LAW SCHOOLS OTHER THAN CANADIAN COMMON LAW SCHOOLS
Admissions may grant advanced standing to applicant

22.4 In the case of a transfer applicant attending a law school outside of Canada or a Civil Law School within Canada, the Admissions Committee has jurisdiction to grant advanced standing in the appropriate case. (No more than one (1) year will be granted.)

Moot requirement

22.5 Every student who transfers into the Faculty on or after September 1, 1981 must complete a moot prior to graduation. This applies only to students graduating with a University of Alberta J.D. degree and does not apply to letter of permission students.

LETTER OF PERMISSION STUDENTS

3rd year transfer applicant

22.6 An applicant who wishes to attend third year law as a letter of permission student shall only be considered if:

Submits materials
i. The applicant furnishes the information required of all first year applicants.

Submit letter of permission
ii. The applicant furnishes a letter of permission from the law school currently attended undertaking to grant the applicant a degree from that law school upon the applicant successfully completing the third year of studies at this Law Faculty.

E. QUOTA

23. General

First year student quota to make a total of 500 students

23.1 A quota shall be imposed upon enrolment in first year of the Law program. Enrolment in first year law will typically range from 175-185 students and will be subject to the University limit on maximum enrolment in the J.D. programme currently set at 525 students, or such other number as determined by the University from time to time.

Admissions, re-admissions and transfer students included in 525 student maximum

23.2 The Admissions Committee shall admit, re-admit, accept transfer students and grant leaves of absence in accordance with the criteria applicable from time to time provided however, the total enrolment in first, second and third years of Law shall be as close as possible to 525 students or the applicable Law Faculty quota should this differ from the foregoing figure.
F. PROCEDURES
24. Deadlines and Documentation

Deadline for application November 1
24.1 Application for admission to the J.D. program must be made on or before the 1st day of November of the year preceding the year in which the applicant seeks admission. The application form may be obtained from the Office of the Registrar or from the Faculty of Law and must be complete and forwarded with the required supporting documentation to the Office of the Registrar on or before the 1st day of November in the year preceding the year in which the applicant seeks admission.

LFC 10 Sept 96

No applications after deadlines
24.2 Applications not submitted within the above deadline shall not be considered for the following academic year.

LFC 7 Feb 95

Proper forms required
24.3 Applications shall be submitted on current application forms and provide all the information requested.

LFC 7 Feb 95

DOCUMENTATION

Required documentation for admission
24.4 The following documents are required to complete an application and must be received by February 1st of the year in which the applicant is seeking admission:

Transcripts
i. Transcripts: Two (2) official transcripts of all post-secondary education are required. These transcripts must be complete and indicate any degree received. All transcripts must bear the seal of the issuing institution and the original signature of the issuing officer. Photocopies and transcripts without these marks of validity will not be accepted. (The Admission Committee will accept an official letter stating that the student has completed the requirements for his/her degree).

Cal. §15.7.5(1)
LFC 7 Feb 95

Personal Statement
ii. Personal Statement: A completed personal statement that complies with the formatting requirements established by the Admissions Committee.

LFC 17 Mar 15
Cal. §15.7.5(2)
(LFC 4 Nov 97)

LSAT score
iii. LSAT: The LSAT is compulsory for all Applicants. Test scores will be used to supplement a candidate’s pre-law academic record. The last acceptable LSAT writing date for September admission is December of the previous year. LSAT scores for all Applicants will be obtained by the Faculty of Law Admissions Office directly from Law School Admission Services, Newtown, Pennsylvania.

Cal. §15.7.5(3)
(LFC 4 Nov 97)
(LFC 7 Feb 95)
iv. Applicants who wish to be considered in the Aboriginal Applicant category must also submit a resume
and two letters of reference attesting to their ability to succeed in the study of law

LFC 17 Mar 15

NOTIFICATION
All applicants notified and acceptance confirmed
24.5 All applicants will be notified by letter regarding admission or non-admission. Successful applicants are
required to confirm their intention to register by submitting a non-refundable deposit in an amount determined
by the Faculty and the University within the time specified in the letter of acceptance. The deposit will be
credited toward payment of tuition upon registration in September.

Cal. §15.7.4
(LFC 4 Nov 97)

25. Appeals

No admission Appeals
25.1 There shall be no appeal to Law Faculty Council from a decision of the Admissions Committee.

GFC §11.6.3
(LFC 7 Feb 95)

G. STUDENT LEAVE OF ABSENCE
26. Regular Leaves

Notice requirement
26.1.1 After completing 1st year of Law, students have a maximum of three years to obtain the 92 credits needed to
graduate and may within this limitation suspend their legal studies for periods of time.

Note: Section 22.1 of the University Calendar provides that "students who, for any reason, fail to maintain any
registration in a program for 12 or more consecutive months will be required to reapply and be readmitted to
the program in order to resume their registration". Re-application must be done by November 1 of the year
prior to resumption of studies.

LFC 18 Mar 14
(LFC 2 Nov 04)

26.1.2 Subject to section 26.2.1 and 26.2.2, students must, in writing, notify the Vice Dean of their intent to suspend
their studies, specifying the period of time they intend to be absent and the reasons for suspending their
studies.

LFC 5 Feb 08
(LFC 5 Oct 04)

COMPASSIONATE LEAVES OF ABSENCE
Compassionate leave granted to first year students for cause
26.2.1 A first year student who discontinues or wishes to discontinue studies because of serious illness, death,
injury in the family, or other cause acceptable to the Admissions Committee, and may, at any time, apply for
a compassionate leave of absence and, upon satisfactory proof thereof, the Admissions Committee may
grant such upon such terms as it considers equitable.

Compassionate leave granted to upper year students for cause
26.2.2 An upper year student may apply for a compassionate leave of absence under the same terms and
conditions set out in section 26.2.1 if, absent the grant of such a leave, the student would be unable to obtain
the 92 credits in four years necessary to graduate.
H. PART-TIME PROGRAM

27. Admissions Criteria

Places available

27.1 Notwithstanding any other regulation, each academic year the Faculty of Law shall provide up to 5% of the available positions for entering J.D. students to the part-time program. The full-time student quota will be decreased by one (1) full-time position for each two (2) part-time positions that are filled.

LFC 7 May 02
(LFC 7 Feb 95)
(LFC 7 Apr 92)

Admission requirements

27.2.1 Applicants who are admitted to the Faculty of Law under any admission category may apply to the Committee for admission to the part-time J.D. program.

27.2.2 To be considered for admission to the part-time program applicants must:
   i. Have been admitted through the admissions process pertaining to full-time students;
   ii. Demonstrate in writing to the satisfaction of the Committee special circumstances to justify admission to the part-time program within one or more of the following categories:
      a) exceptional family obligations requiring care for dependents or continued employment;
      b) personal or family health problems;
      c) physical or learning disability;
      d) employment commitments, financial hardship or other personal disadvantage that do not come within subparagraphs (a) to (c).

Cal. §15.7.6(1)&(2)
(LFC 7 Apr 92)

Length of program

27.3 Part-time students are required to complete the requirements of the J.D. degree within a maximum of six (6) years.

Cal. §15.7.6(6)
(LFC 7 Apr 92)

Course load and sequence

27.4.1 The required units of course weight and sequence of courses for part-time students are as follows:
   i. In the first year of Year 1, part-time students must complete LAW 401, FOUNDATIONS TO LAW; LAW 405, LEGAL RESEARCH AND WRITING; and two (2) Year 1 ★ 5 courses.
   ii. In the second year of Year 1, part-time students must complete the remaining three (3) Year 1 ★ 5 courses and must register in a minimum of ★ 6 per term.

Cal. §96.1(2)
(LFC 24 May 01)
(LFC 7 Feb 95)
(LFC 7 Apr 92)

27.4.2 To the extent possible, the academic and administrative regulations and policies apply to part-time students as to full-time students.
Application procedures
27.5 An applicant who has been admitted into first year who wishes to apply to the part-time program must apply in writing to the Committee before July 1 in the year in which the applicant has been admitted to full-time studies, or, if the applicant accepts an offer of admission made after July 1, within five (5) working days of having been informed of their admission.

Transfer to full-time program
27.6 Part-time students may transfer to full-time studies. Further if the circumstances justifying their admission to the part-time program change so that they would no longer be entitled to be admitted into the program, part-time students shall be required to transfer to the full-time program.

Re-examination privileges
27.7 Entitlement to re-examination privileges shall be assessed annually, but part-time students shall be entitled to the same number of re-examination privileges as full-time students (normally one every second year).

PART IV – ACADEMIC MATTERS

A. ACADEMIC SCHEDULE
28. Terms and Classes
28.1.1 The Academic Schedule at the Faculty of Law shall provide for two (2) terms as follows:

Fall term is 15 weeks
i. Fall term shall consist of fifteen (15) full weeks including instruction, examinations, statutory holidays and one (1) day with no classes scheduled, and shall end on/before December 22.

Winter term is 15 weeks
ii. Winter term shall consist of fifteen (15) full weeks including thirteen (13) weeks of instruction, a five (5) day mid-term break (Reading Week), statutory holidays and examinations. There shall be a minimum of twenty-three (23) working days between the last day of the winter term final examinations and convocation.

28.1.2 In addition, the academic schedule may provide for spring and summer courses.

Four calendar days prior to start of exams
28.2 In the fall and winter term there shall be a study break of at least four (4) calendar days between the end of term and the start of examinations. Sixty-three (63) instructional days shall be retained in each such term.
28.3 Students may not officially withdraw from a course after the Withdrawal Deadline. All students registered in a course after the Withdrawal Deadline will be assigned a final grade by the instructor, based on course work completed.

Faculty may waive
28.4 Faculties shall have discretionary authority to waive their own course withdrawal deadlines in exceptional circumstances such as illness or domestic affliction.

Deadline for course withdrawal
28.5 The deadlines for withdrawal from Law courses shall be set each academic year by the Dean or the Dean’s delegate.

Deadline waived
28.6 The Dean, or the Dean’s delegate for this purpose, may waive the deadlines in exceptional circumstances.

Student must complete Notice of Withdrawal forms
28.7 A student who wishes to withdraw from the University should report at once to the appropriate office in order to complete Notice of Withdrawal forms. A student who withdraws without completing such forms will not be eligible for any refund of fees; nor from exemption from fees in the event that the student has not paid them.

CANCELLING CLASSES
Classes cancelled by the faculty
28.8 Authority for cancelling classes, where at least eighty (80%) per cent of the students are registered in the faculty, shall be delegated to Faculty Councils.

Career Day
28.9 Classes may be cancelled on the last or second last Friday of September or the first or second Friday of October of each year to afford students the opportunity of attending an Annual Career Day.

MAKE-UP CLASSES
If possible make up class held before cancelled class date
28.10 If circumstances dictate that a class must be cancelled, and if the event which precipitates the cancellation is known beforehand, the class should be made up prior to the cancellation taking place. If the event which precipitates the cancellation is not known beforehand, the cancelled class should be made up as soon as conveniently possible after the cancellation.

No make-up classes two weeks prior to commencement of final examinations
28.11 No make-up classes shall occur during the two (2) weeks immediately prior to the commencement of final examinations in the Fall and Winter terms.

Scheduling of make-up classes
28.12 Tuesdays and Thursdays between 12:00 noon and 2:00 p.m. (when not otherwise being used for Law Faculty Council) shall be set aside for the scheduling of make-up classes and organized student activities. If the scheduling of a make-up class during this time is not feasible, with the consent of the instructor, the make-up class may be scheduled on a Friday afternoon. No other time shall be used for the scheduling of make-up classes except by majority agreement of students in a regularly-scheduled class when the instructor calls for a vote respecting the proposed make-up time.

LFC 17 Mar 09
(LFC 7 Feb 95)
(LFC 3 Dec 74)

Class cancelled for student activity
28.13 When classes are cancelled for Careers Day or other student activities, or where classes are cancelled pursuant to a resolution of General Faculties Council, instructors may at their discretion, hold a make-up class.

LFC 7 Feb 95
(LFC 5 Feb 91)

B. EVALUATION PROCESS
29. Method of Evaluation

Instructor advises Dean
29.1 Every instructor shall advise the Dean as to the method of evaluation in the courses taught by the instructor. The information must be provided within a reasonable time prior to course registration materials being distributed.

LFC 4 Apr 95

Instructors’ duty to announce course requirements, evaluation procedures and grading methods at beginning of course and obligations regarding exams and exam returns
29.2a. At the beginning of each course, instructors are required by GFC to provide a course outline which must include the following:

1) a statement of the course objectives and general content
2) a list of the required textbooks and other major course materials
3) a list of any other course fees as described in the ‘Student Instructional Support Fees Policy’ and their associated costs
4) an indication of how and when students have access to the instructor
5) the distribution weight between term work and final examination
6) identification of all course activities worth 10% or more of the overall course mark
7) whether marks are given for class participation and other in-class activities as well as the weight of such participation
8) dates of any examination and course assignments with a weight of 10% or more of the overall course mark
9) the manner in which the official University grading system is to be implemented in that particular course or section, i.e., whether a particular distribution is to be used to determine grades, or whether there are absolute measures or marks which will determine them, or whether combination of the two will be used. Instructors should refer to the University of Alberta Marking and Grading Guidelines.
10) and indication of how students will be given access to past or representative evaluative course material.

b. Every course outline should contain the following statement: “Policy about course outlines can be found in §23.4(2) of the University Calendar.”

c. Every course outline should contain the following statement: “The University of Alberta is committed to the highest standards of academic integrity and honesty. Students are expected to be familiar with these standards regarding academic honesty and to uphold the policies of the University in this respect. Students
are particularly urged to familiarize themselves with the provisions of the Code of Student Behaviour (online at [www.uofaweb.ualberta.ca/secretariat/studentappeals.cfm](http://www.uofaweb.ualberta.ca/secretariat/studentappeals.cfm)) and avoid any behaviour which could potentially result in suspicions of cheating, plagiarism, misrepresentation of facts, participation in an offence. Academic dishonesty is a serious offence and can result in suspension or expulsion from the University.”

d. Nothing in any course outline, syllabus or course web-site may override or contravene any Calendar regulation or GFC policy. In resolving any discrepancy, GFC policy and Calendar regulations will take precedence.

e. Instructors may indicate in the course outline the date, time, and place on which the deferred examination for the course will occur, should one be required. See §23.5.6 of the Calendar.

f. Instructors should discuss with the class their expectations with respect to academic honesty issues and outline both permitted and prohibited behaviour.

g. Instructors must follow copyright regulations as established by the University from time to time in duplication of course material.

h. Instructors should allow students a reasonable time in which to complete an assignment, bearing in mind its weight.

i. Instructors should mark and return to students with reasonable dispatch all term examinations and, provided the students submit them by the due date, all course projects, and assignments, essays, etc.

j. All projects, assignments, essays, etc. should be returned on or by the last day of classes in the course, with the exception of a final major assignment (which may be due on the last day of classes), which should be returned by the date of the scheduled final examination or, in non-examination courses, by the last day of the examination period.

k. Upon request, instructors are required to provide the method which was used to translate final and, where appropriate, term marks into grades.

Examination dates

29.3 The dates of any examination and course assignments with a weight of ten (10%) per cent or more should be indicated on the course outline.

GFC §61.6

30. Examinations

Multi-section common exams

30.1 Instructors in multi-sectioned courses will use common examinations or common questions in their exams wherever possible.

LFC 7 Feb 95
(LFC 21 Sep 76)

Examinations reviewed prior to issuing

30.2 Every examination, except a common examination, which comprises part of a student’s final grade must be reviewed by a person chosen by the instructor or if necessary appointed by the Vice Dean.
Exam review criteria

30.3 The reviewer should assess the following:
   i. Intelligibility of the examination;
   ii. Fairness of the examination in terms of length and course coverage;
   iii. Suitability of the examination to levels of understanding and knowledge demanded;
   iv. Appropriateness of the examining technique.

Problem with exam

30.4 If a reviewer identifies a problem in relation to the examination, there shall be a consultation between the instructor and reviewer. If the problem is not resolved, the Vice Dean will serve as arbitrator.

SCHEDULES AND TIMING

Schedule of Exams

30.5 Regular examinations in the Faculty of Law will be scheduled as follows:
   1st Term Finals and Full-Year Mid-Terms: December
   1st Term Deferred: before or during Reading Week
   Re-examination Exception for 3rd Year Students: before or during Reading Week
   2nd Term Finals and Full-Year Finals: April
   2nd Term Deferred, Full-Year Deferred and regular Re-examinations: June

Special re-examination

30.6 A student may be granted a special re-examination or a special deferred examination at times other than those specified in 30.5.

Final exams held during exam period

30.7 All examinations held under normal examination conditions which count for the final grade should be held in the regular examination period.

Departing from the examination schedule

30.8 Normally there shall be no departure from the official examination schedule. To re-schedule a final examination, the instructor(s) and/or students may petition the Faculty Council for permission to depart from the official Final Examination Schedule providing justified reasons can be established.
100% consent required
30.9 No re-scheduling shall be considered for approval unless the instructor(s) of the class concerned and every student registered for credit in that class have given their written consent.

Consent forms
30.10 Consent shall take the form of either written letters or signed and dated forms made available from the Dean’s office.

Notices of consent to the Dean
30.11 These notices of consent shall be conveyed to the Dean of the Faculty on an individual basis at least one (1) month prior to the new dates being requested. If and when unanimous consent is received from the class, this fact shall be communicated to both the instructor involved and the Faculty Council.

Initiator’s responsibility
30.12 It is the responsibility of the instructor or those members of the class who have initiated the request for a change and not the Dean to ensure that all members of the class have been informed of the need to submit written consent for a change of the examination date.

One month notice absolute requirement
30.13 The one (1) month deadline for notices of consent for a departure from the official Final Examination Schedule noted in 30.11 shall be rigidly enforced.

Dean can be authorized to approve
30.14 The Faculty Council may delegate to the Dean the responsibility of granting or refusing permission to depart from the official Examination Schedule.

Special requirements of exam
30.15 Prior to or in the last class, the instructor(s) shall advise students of any special requirements with respect to the writing of their exam.

Exam cover page posted
30.16 One (1) week before the commencement of each set of examinations, the Vice Dean shall provide a notice to students indicating the general examination rules of the University of Alberta.

Exam location
30.17 Examinations shall be conducted only in centres within the Province of Alberta except with the permission of the Registrar.
STUDENT MISCONDUCT

Exam Cheating

30.18 Where an invigilator discovers a student that is not complying with the examination rules, procedures or regulations, the invigilator shall:
   i. Pick up the student’s examination paper and other materials;
   ii. Direct the student to leave the examination room; and
   iii. Report the matter to the Dean as soon as possible.

Students in law are governed by the Code of Student Behaviour as set out in the General Faculty Council Policy Manual, section 30.

DEBARMENT

Student cannot be debarred

30.19 Where a final examination has been scheduled, students registered in the course may not be debarred from writing that final examination.

Lecture attendance NOT required

30.20 Since presence at lectures, participation in classroom discussions and projects, and the completion of assignments are important components of most courses, students will serve their interests best by regular attendance. Those who choose not to attend must assume whatever risks are involved.

Missed term exams worth 20% or more

30.22 To apply for an excused absence where the cause is incapacitating illness, a student must present supporting documentation pertaining to the absence to the Vice Dean within two (2) working days following the missed term exam.

Missed term exams worth less than 20%

30.23 Instructors cannot require a University of Alberta Medical Statement Form. Students must seek an excused absence from the course instructor within two (2) working days following the term exam missed.

Student excused from mid-term

30.24 If a student is absent from a mid-term examination for a valid excuse, the instructor will have the option to:

Option to set make-up
   i. Set a make-up mid-term examination for the excused student, to be written within forty-five (45) days of the missed exam; or

Option to add weight to final
   ii. Add the percentage weight of the mid-term to the assigned weight of the final examination.
Student not excused
30.25 If the student has an unexcused absence from a mid-term examination or a make-up mid-term examination, the raw score assigned for that portion of the grade will be zero.

DEFERRED FINAL EXAMINATIONS
Grounds for a deferred exam
30.26 A student may apply to the Vice Dean for deferral of a final examination or examinations for reasons of:
   i. Illness
   ii. Domestic affliction
   iii. Religious reasons
   iv. Other compelling reasons

Applying prior to scheduled exam
30.27.1 To apply for a deferred examination under section 30.26 prior to the scheduled examination the student must:
   i. Apply to the Vice Dean for permission to defer; and
   ii. Provide any substantiating documentation which pertains to the reason for absence, including a University of Alberta Medical Statement Form which may be downloaded from the online section of www.registrar.ualberta.ca and is available at University Health Centre.

Illness during exam
Illness/affliction during the exam
30.28 If a student has become ill or receives notice of domestic affliction during the course of an examination the student should hand in the unfinished paper and request that it be cancelled.

Ill student to Health Services
30.29 In the case of illness, the student must then go directly to University Health Services for a medical certificate to support an application for cancellation of the exam and a deferred examination. In cases other than illness, adequate documentation must be provided.

Vice Dean notified
30.30 The Vice Dean must be notified in writing of the circumstances within two (2) working days of the unfinished examination and the student will make application for a deferred examination.
Vice Dean's discretion
30.31 At the discretion of the Vice Dean, the decision may be to grant a deferred final examination which will carry with it no re-examination privilege in case of failure.

Exam not cancelled
30.32 A request for cancellation of an examination paper after the fact will not be entertained.

APPLICATION AFTER THE EXAM
Student must see Vice Dean within two days
30.33 If the student has already missed the scheduled examination before applying for a deferred examination, the student must make application to the Vice Dean within two (2) working days of the missed examination. Exceptions will be made for the student who is unable to comply having regard to the circumstances underlying the absence.

Final exam missed for medical reasons
30.34 If the student missed the examination because of medical reasons, the student will provide supporting documentation pertaining to the absence to the Vice Dean within two (2) working days of the missed exam.

Final exam missed due to negligence
30.35 A deferred final examination may be granted at the discretion of the Vice Dean when a student has missed a final examination through negligence, e.g., misreading timetable. If a deferred examination is granted in such an instance, it shall be without re-examination privileges.

Absent without excuse
30.36 If a student is absent from a final examination without a permissible excuse, the final grade will be computed using “0” as the raw score for the final examination.

Grade of “0” for failure to write exams or turn in any assignment without justification
30.37 Where a student is absent from a term or final exam without an acceptable excuse, a final grade will be computed using a raw score of “0” for the missed exam. If a student has failed to submit a term paper or has.
failed to perform any other assignment without a reasonable excuse, the grade assigned to the student for the term exam, term paper or other required assignment is “0”.  

SCHEDULING OF DEFERRED EXAMS

Scheduling of deferred exam
30.38 For a Fall term course, the student and instructor will schedule a time for the deferred examination by mutual agreement as soon as possible but not later than the end of Reading Week.

Cal. §23.5.6
Cal. §25.4(5)
LFC 7 Feb 95

If unable to schedule deferred
30.39 If the student and instructor do not reach agreement on the scheduling of the Fall term deferred examination it will be scheduled by the Vice-Dean’s Office.

LFC 18 Mar 14
(Cal. §23.5.6(3))
(LFC 7 Feb 95)

2nd term or full year deferred
30.40 For a Winter term or full year course the deferred final examination will normally be written in June.

Cal. §23.5.6(3)
(LFC 7 Feb 95)

Confirmation of time and location
30.41 The student and instructor will contact the Vice Dean to confirm the time and location of the deferred examination.

LFC 18 Mar 14
(Cal. §23.5.6(3))
(LFC 7 Feb 95)

Student MUST make application
30.42 In all cases where a deferred final examination has been granted by the Vice Dean the student will complete and return an application form for a deferred examination available from the Vice Dean and pay the appropriate fee.

LFC 18 Mar 14
(Cal. §23.5.6)
(LFC 5 Feb 08)
(LFC 7 Feb 95)

Failure to write deferred with cause
30.43 Students who have been granted a deferred final examination but who have not written the examination within the specified date, with justifiable cause, may make arrangements with the Vice Dean for an alternative date for a special deferred examination.

Cal. §23.5.6(6)
(LFC 5 Feb 08)
(LFC 7 Feb 95)
Special deferred deadline
30.44 A special deferred examination granted under section 30.43 must be written no later than the end of July.
Cal. §23.5.6(6)

Failure to write special deferred
30.45 If a student who has been granted a deferred examination does not write by the last special deferred examination date applicable, the privilege will be withdrawn and a final grade in the course will be assigned.
Cal. §23.5.6(6)
(LFC 7 Feb 95)

DEADLINE FOR TERM WORK
Submission of written work
30.46 All written work in a course shall be due and submitted in final form to the instructor no later than the last day of classes, or any earlier date set by the instructor, unless the instructor has authorized an extension in those circumstances where the grade of incomplete would be appropriate.
LFC 7 Feb 95
(Cons. 86 27.6.4)
(LFC 10 Jun 80)

Incomplete grade
30.47 The grade of “incomplete” (IN) is normally awarded when an undergraduate student is prevented by illness, domestic affliction or other extreme circumstance from submitting an assignment by the end of term. When a grade of IN is awarded, the student is required to submit the assignment within ten (10) days after the end of the final examination period of the term of the course. At the request of the Department Chair concerned, the student’s Dean may grant an extension of time to a maximum of four (4) months after the end of the term. If the assignment is not submitted by the prescribed deadline, the Registrar will record a grade of “NC” or a grade of “F” plus a remark of “1”, as appropriate. Before finalizing the student’s grade the Office of the Registrar and Student Awards will give thirty (30) days written notice to the student’s Faculty and to the Department in which the course is offered.
Cal.§23.5.3(6)
(LFC 7 Feb 95)

REAPPRAISALS
Application for reappraisal
30.48 If a student believes that a mistake has been made in the marking of an examination the student may apply for a reappraisal.
Cal. §23.5.4(2)

Fee and application to the Faculty
30.49 Applications for reappraisal are made to the Vice Dean’s office prior to the deadline specified in the Academic Schedule and a fee is paid for each reappraisal requested.
Cal. §23.5.4.(2)
LFC 5 Feb 08

Final Examinations only
30.50 The privilege of having papers reappraised applies only to final examinations. (Refer to s. 39 of this Manual for appeal procedure.)
Cal. §23.5.4(2)

Concurrent re-examination application
30.51 Students who are awaiting the outcome of a reappraisal should still make application for re-examination or if necessary apply to the Students Appeal Committee by the prescribed deadline if applicable.
Specify reappraisal to raise/lower
30.52 A request for a reappraisal should include a request to raise or lower the grade. If a student fails to specify, it will be assumed that the intent is to have the grade raised.

Cal. §23.5.4(2)

Fee returned
30.53 If a reappraisal is successful, the fee paid will be returned to the student.

Cal. §23.5.4(2)

Maximum of 4 per year
30.54 Each student in Law shall be entitled to apply for a maximum of four (4) reappraisals in any one (1) academic year, two (2) per term.

Cal. §23.5.4(2)
(LFC 7 Feb 95)
(LFC 5 Oct 76)

Original grade replaced
30.55 If a grade is changed through reappraisal, the new grade, whether higher or lower than the original, will replace the original as the student's official grade in the course.

Cal. §23.5.4(2)

REAPPRAISAL PROCEDURE

Fall term
30.56 Fall term courses shall be reappraised at the end of the Fall term.

LFC 7 Feb 95
(LFC 1 Feb 77)
(LFC 2 Nov 76)

Winter term
30.57 Winter term and full session courses shall be reappraised at the end of the Winter term.

LFC 7 Feb 95
(LFC 1 Feb 77)
(LFC 2 Nov 76)

Faculty arranges reappraisal
30.58 The Faculty, upon receiving notification from the Registrar of a reappraisal, shall make arrangements for the reappraisal as soon as possible after the prescribed deadline for reappraisal applications has expired.

LFC 7 Feb 95
(LFC 1 Feb 77)
(LFC 2 Nov 76)

Reappraiser not original marker
30.59 The Vice Dean will arrange for a reappraiser for each course affected. The reappraiser appointed shall not be or include the original examiner but shall, in the opinion of the Vice Dean or Dean, have an appropriate degree of expertise in the area of law involved.
Sample available to reappraiser
30.60 All of the examination answer booklets in the relevant course shall be made available to the reappraiser in order that a sample may be made for the purpose of verifying the standards applied.

Reappraiser consults original marker
30.61 The reappraiser shall consult with the original marker as to the following:
   i. The content of the course and the degree of emphasis placed on the various parts;
   ii. The original marker’s method of evaluation;
   iii. The marking scheme used for the material reappraised;
   iv. Any other relevant matters with respect to the course and examination in general.

Additional evidence
30.61.1 The reappraiser shall consider
   i. The marks assigned by the original marker for answers given in the examination being reappraised;
   ii. The marks assigned by the original marker for answers given in the examinations used as a sample under s. 30.60;
   iii. Any comments written by the original marker on the examination being reappraised.

No consultation on paper reappraised
30.62 The reappraiser shall not consult the original marker with specific reference to the particular exam(s) being reappraised.

Consultation ensured
30.63 The Dean or Vice Dean will ensure that the consultation takes place as prescribed.

Anonymity in process
30.64 The rules as to anonymity which are applied to grading in the first instance shall also to the extent possible be applied to the reappraisal process.
Reapraiser’s duty
30.65 The reapraiser shall determine whether the original marker made a significant error in the marking of the examination being reappraised and assign the grade that the reapraiser considers appropriate for the examination being reappraised, with particular regard to the matters referred to in ss. 30.61 and 30.61.1. The reapraiser shall then return the examination being reappraised to the office of the Vice Dean, with an indication of the grade awarded by the reapraiser.

Reconciliation of original and reappraised grade
30.66 In the event of a difference of opinion between the original marker and the reapraiser, as to the grade which is merited, the reapraiser and the original marker should consult with a view to resolving the difference. If the difference of opinion persists after the consultation, or if consultation is not reasonably possible, the matter shall be referred to the Vice Dean for resolution.

RE-EXAMINATIONS
Conditions for being considered
30.67 Students may be considered for a re-examination provided the following conditions are met:
   i. The course was failed; and
   ii. The weight of the final examination is forty (40%) per cent or greater, as originally scheduled for the class as a whole; and
   iii. The student achieved a session grade point average of 2.0 inclusive of the failed course.

Re-examination mark
30.68 The mark received for the re-examination replaces the original final examination mark and is used in computing the final grade in the course, which shall be expressed in accordance with the 4-point alpha-numeric grading system.

Weight of re-examination
30.69 The percentage of the final grade allotted to the re-examination shall be the same as the percentage of the final grade allotted to the student’s final examination in the course.

Number of re-exams allowed
30.70  Re-examination may be granted in one course only, regardless of the units of course weight, in a session. Re-examinations may be granted in courses to a total of twelve (12) units of course weight while the student is enrolled in a faculty.

Cal. §23.5.5(5)
(LFC 7 Feb 95)

PROCEDURES FOR RE-EXAMINATION
Procedure
30.71  Students who wish to apply for a re-examination should:
   i.  Ensure that they meet the eligibility criteria noted above;
   ii.  Complete an application form by May 30 for general re-examinations and by February 1 for third year students seeking to write an early re-examination described in 30.73;
   iii. Have the application for re-examination approved by the Dean or Dean’s delegate of the Faculty.

Cal. §23.5.5(7)
LFC 7 Feb 95

Re-examination in June
30.72  Subject to 30.73, regular re-examinations for Law students shall be taken only in June.

LFC 7 Feb 95
(LFC 15 Jan 91)
(LFC 6 Mar 79)
(LFC 21 Sep 76)

3rd Year student failing a Fall term course excepted from general re-exam rule
30.73  Where a student fails one course in the Fall term of their final year, that student may write one re-examination at a time before June, where that student maintains a grade point average of no less than 2.0, calculated on the basis of the final grades obtained in that term; the rules governing the times for setting deferred examinations shall apply mutatis mutandis to re-examinations written in accordance with this section.

Cal. §23.5.5 Notes (3)(b)
(LFC 1 Apr 03)
(LFC 7 Feb 95)
(LFC 15 Jan 91)

Special re-exam granted
30.74  Special re-examinations may be granted to students who are prevented from writing during the regular re-examination period.

LFC 7 Feb 95

Date for special re-exam
30.75  Special re-examinations granted under 30.74 shall be written in mid-July.

LFC 7 Feb 95

REVIEW AND RELEASE OF EXAM PAPERS
Review of final examination papers
30.76  Departments subscribing to the belief that there is educational value in permitting students to see their final examination papers after they have been marked, may arrange for this to be done.

Cal. §25.5.3(5)
(LFC 7 Feb 95)

Review after grade approval
30.77  Final examination papers will be kept secure until after Law Faculty Council has approved the grades.

LFC 7 Feb 95
(LFC 5 Oct 82)

View only
30.78 Students may peruse their papers in the Administrative Officer's office or in a designated area but will not be allowed to remove them.

LFC 7 Feb 95
(LFC 5 Oct 82)

View with instructor
30.79 If a student wishes to review the paper with the instructor, the paper will be picked up by the instructor and returned to the Administrative Officer when finished.

LFC 7 Feb 95
(LFC 5 Oct 82)

Instructors reviewing outside Law Centre
30.80 In cases where the discussion is to take place outside the Law Centre, a duplicate will be provided for the instructor and the original kept by the Administrative Officer.

LFC 7 Feb 95
(LFC 5 Oct 82)

Instructors review papers
30.81 Instructors are encouraged to review examination papers if requested to do so.

LFC 7 Feb 95
(LFC 5 Oct 82)

Papers returned to students except failing papers
30.82 All research papers submitted in paper courses may be returned to students following approval of grades by Law Faculty Council, except those with failing grades. A copy of a paper with a failing grade may be given to the student but the original will be kept until August 31.

LFC 7 Feb 95
(LFC 5 Oct 82)

Exams destroyed September 1
30.83 All examination papers will be destroyed after August 31 in each year.

LFC 7 Feb 95
(LFC 5 Oct 82)

EVALUATIVE COURSE MATERIAL

Collection of exams for archives
30.84.1 Instructors shall provide access to the following evaluative course materials for courses for which they are responsible:
(a) past final examination questions;
(b) any past evaluative course material which accounts for 30% or greater of a student’s course grade; or
(c) representative evaluative course material if actual examination questions are not provided.

LFC 16 Mar 10
(GFC §52.8.2)

30.84.2 Representative evaluative course material shall give a fair representation of the length, nature and level of difficulty of an actual examination in a course.

LFC 16 Mar 10

30.84.3 Instructors shall provide at least one set of materials for each category of materials relevant to their courses. The number of samples provided and the retention period for samples provided shall be at the discretion of the instructor.

LFC 16 Mar 10

30.84.4 Access shall be provided as early as is practical in the term in which the courses are offered.
30.84.5 Access to evaluative course materials shall be by
(a) electronic publication on a website maintained by an instructor,
(b) electronic publication on a website maintained by the Faculty of Law, or
(c) making copies of the materials available through
   (i) the Faculty of Law Distribution Centre or
   (ii) the Faculty of Law Library,
such that every student registered in a course will have equal access to the materials.

30.84.6 Instructors may be exempted from the requirement to provide access to
   (i) past final examination questions or
   (ii) any past evaluative course material which accounts for 30% or greater of a student’s course grade only if the evaluative material to be exempted is neither permitted to leave the classroom nor made available to students in any manner outside of the classroom; and Law Faculty Council approves the exemption. The exemption may be for the whole, part or parts of an examination or other past evaluative course material.

30.84.7 Grounds for exemption may include, but are not limited to, the following:
   (a) the course, instructor, or pattern of examination for the course has significant changes;
   (b) the examination questions cannot be varied readily;
   (c) the examination questions are multiple choice questions;
   (d) the course will not be offered either again or in the same format.

30.84.8 Instructors exempted from the requirement to provide access to
   (i) past final examination questions or
   (ii) any evaluative course material which accounts for 30% or greater of a student’s course grade may be exempted from the requirement to provide access to representative evaluative course material only if the instructor proposes and shall institute measures reasonably equivalent to the provision of access to representative evaluative course material; and Law Faculty Council approves the exemption.

30.84.9 This section is effective October 6, 2010.

Definition
30.88 Evaluative course material shall be considered to be any final examination paper, any mid-term examination paper and any other examination paper which counts towards a student’s course grade.

Exemption from Student Union Exam Registry
30.89 The Faculty of Law is exempt from Students’ Union Exam Registry policy.

Model answers submitted by professors
30.90 Law Faculty Council requests that instructors submit, to the appropriate technology officer, model answers to examination questions along with the previous year’s examinations for placement on the Exam Online Reserve site on the Faculty of Law website.
31. Grading

Uniform Regulations

31.1 Note from the University Secretariat: The General Faculties Council regulations concerning the grading system are contained in the Calendar and may not be changed without General Faculties Council approval. GFC §61

University Grading System

31.2 Grading in Undergraduate Courses

<table>
<thead>
<tr>
<th>Descriptor</th>
<th>Letter Grade</th>
<th>Grade Point Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excellent</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td></td>
<td>A-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.7</td>
<td></td>
</tr>
<tr>
<td>Good</td>
<td>B</td>
<td>3.3</td>
</tr>
<tr>
<td></td>
<td>B-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.7</td>
<td></td>
</tr>
<tr>
<td>Satisfactory</td>
<td>C</td>
<td>2.3</td>
</tr>
<tr>
<td></td>
<td>C-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.7</td>
<td></td>
</tr>
<tr>
<td>Poor</td>
<td>D</td>
<td>1.3</td>
</tr>
</tbody>
</table>

1.3 Minimal Pass | D | 1.0 |
1.3 Failure      | F [or F(4)] * | 0.0 |

* Note: F(4) denotes eligibility of a student to apply for a reexamination in a course.

Grading in Graduate Courses

<table>
<thead>
<tr>
<th>Descriptor</th>
<th>Letter Grade</th>
<th>Grade Point Value</th>
</tr>
</thead>
<tbody>
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<td>A</td>
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<td></td>
<td>1.7</td>
<td></td>
</tr>
<tr>
<td>Poor</td>
<td>D</td>
<td>1.3</td>
</tr>
</tbody>
</table>

1.3 Minimal Pass | D | 1.0 |
1.3 Failure      | F [or F(4)] * | 0.0 |
31.3 Effective 1 September 2003 the University of Alberta will implement a letter grading system with a four-point scale of numerical equivalents for calculating grade point averages. Letter grading scales are more commonly applied throughout North America.

Grades reflect judgments of student achievement made by instructors. These judgments are based on a combination of absolute achievement and relative performance in class. The instructor should mark in terms of raw scores, rank the assignments in order of merit, and, with due attention to the verbal descriptors of the various grades, assign an appropriate letter grade to each assignment.

Cal. §23.4

Advanced Degree grade point average requirement
31.4 For students registered in the Faculty of Graduate Studies and Research the normal passing grade is C+.

Cal. §183.8.1

INSTRUCTORS’ AUTHORITY
Instructor responsible for grade determination
31.5 It is the initial responsibility of the instructor or the delegate of the Dean to determine final grades in a course. The Faculty Council through which the course is offered has the ultimate responsibility to determine examination and final grades.

GFC §52.2
(LFC 7 Feb 95)

Students notified as to process
31.6 Instructors are required to announce at the beginning of a course the manner in which the official University grading system is to be implemented in that particular course or section, i.e., whether a particular distribution is to be used to determine grades, or whether there are absolute measures or marks which will determine them, or whether a combination of the two will be used. Instructors should refer to the University of Alberta Marking and Grading Guidelines.

Cal. §23.4(2)

GRADING STANDARDS
Instructors made familiar with distribution
31.7 At the beginning of each academic year, the Dean shall bring the matter of grade distribution to the attention of all instructors to familiarize them with the necessity of the distribution scheme and adherence to it.

LFC 7 Feb 95
(LFC 10 Jun 80)

Initial allocation according to recommended distribution
31.8 Instructors are to allocate grades according to the recommended distributions or class average ranges, and then determine whether the resulting distribution fairly reflects the performance of the class.

LFC 7 Feb 95
(LFC 14 Sep 76)

Instructor may submit a deviant distribution
31.9 Where an instructor determines that a distribution different from the recommended distribution is appropriate, the instructor shall submit the different distribution to the Vice Dean.
Deviant distribution must be justified by the instructor

31.10 The Vice Dean shall require an instructor who submits grades which do not comply with the suggested distribution to justify the deviant grades. It is an acceptable justification if the class performance was unusually good or bad. This must be established by the instructor. The onus of proving this is heavy and must be discharged to the Vice Dean’s satisfaction.

Other justifications

31.11 Section 31.12 does not preclude other justifications for deviation deemed acceptable by the Vice Dean.

No reasonable justification

31.12 Where the grades submitted deviate from the suggested distribution and no reasonable justification for deviation has been provided, the Vice Dean shall take such steps as may be required to make the grades fall within the suggested distribution; including submitting the papers to other instructors for reappraisal and changing the grades.

LFC approves marks report

31.13 Law Faculty Council Marks Meeting shall consider the Grade Distribution Report and if they deem it appropriate, approve the report presented to it by the Vice Dean.

LFC has final approval

31.14 Law Faculty Council shall have final approval of grades.

Grade distribution for classes of 25 or less students or non-exam courses

31.15 Where a course has twenty-five (25) or less students, or examination is not the primary method of evaluation, the class average is to be between “2.3” and “3.3”.

Grade distribution for first year classes of 26 or more students
31.16 Where a first year course has more than twenty-five (25) students and examinations are the primary means of evaluation the course average must fall between “2.7” and “3.0”. In addition, the number of students receiving a failing grade (F) must not exceed five (5%) per cent of the class, and the number of students receiving grades of “F”, “D”, and “D+” must not exceed fifteen (15%) per cent of the class.

31.17 Where an upper year course has more than twenty-five (25) students and examinations are the primary means of evaluation, the course average must fall between “2.9” and “3.2”. In addition, the number of students receiving a failing grade (F) must not exceed five (5%) per cent of the class, and the number of students receiving grades of “F”, “D”, and “D+” must not exceed ten (10%) per cent of the class.

Primary means of evaluation defined
31.18 “Primary” as used in 31.18-31.20 inclusive, shall mean at least seventy (70%) per cent of the total grade.

Graduate students excluded
31.19 When graduate students (LL.M. and Ph.D.) enrol in J.D. courses, they shall be excluded from the class average and grade distribution requirements of LFC Policy sections 31.15 to 31.17, and instructors shall grade such students on the basis of Faculty of Graduate Studies and Research requirements and guidelines.

Grade distribution for classes of five or less students
31.20 For classes of five (5) students or less no distribution is recommended.

Graduate students excluded
31.21 Exchange students may be graded on a credit/non-credit basis at the discretion of the instructor to accommodate language, cultural, or juridical differences. Any decision in this regard is subject to the prior approval of the Vice Dean.

Letter grades awarded to exchange students
31.22 Exchange students enrolled in J.D. courses and awarded grades shall be excluded from class averages and grade distribution requirements of LFC policy.

ANONYMOUS MARKING OF EXAMINATIONS
Exams marked anonymously
31.23 All examinations shall be marked anonymously.

Assistant Dean responsible
31.24 The Assistant Dean is responsible for ensuring that the anonymity of the students is maintained.
MARKING
Instructor to mark exams
31.25 All examinations and assignments shall be marked only by the instructor(s) or by persons expressly authorized by the Dean to mark them.

Instructor going on leave
31.26 No instructor going away or going on leave is allowed to take examination papers for marking unless permission has been granted by the Dean. If an instructor applies for leave before the end of a term, it will only be granted on condition that the Dean arranges for the papers to be marked in the usual way.

Marking is first priority
31.27 Instructors should mark and return to students with reasonable dispatch all term examinations and, provided the students submit them by the due date, all course projects, papers, essays, etc.

GRADE POINT AVERAGES
Grade point average system instituted
31.28 The grade point average system shall be applied to all students enrolling in first year commencing with 1980/81 academic year.

Grade point average common to all faculties
31.29 The grade point average system is common to all Faculties. This is a sessional grade point average only and is reported on transcripts and year-end Statements of Results.

Grade point average based on full session (year)
31.30 The grade point average for any session shall be based on the final grades in all courses taken during that session. The grade point average for any period is based on the final grades, including failing grades in all courses taken during a specific period.

If deferred no grade point average calculated
31.31 When a student has a deferred, incomplete or a missing grade, the grade point average is not computed until a final grade is reported.

Mark replaces original mark
31.32 A re-examination mark or a deferred examination mark replaces the original final examination mark. The revised final grade is included in the computation of the grade point average.

IN5 counted as “0”
31.33 Grades of IN5 are counted as numeric grades of “0.00” in the computation of any grade point average.

Grade point average Fractions rounded up or down
31.34 Any grade point average is rounded to the nearest decimal place using standard rounding rules – that is, it is rounded up with a value of “5” or greater in the first non-significant place and rounded down with a value of “4” or less in the first non-significant place.
OTHER GRADE POINT AVERAGES
Averages used
31.35 Faculties may use a variety of different averages for various decisions regarding academic standing, promotions, and graduation, as long as these have been approved by the General Faculties Council.

PASS/FAIL AND CREDIT/NO CREDIT COURSES
LFC to approve different grading
31.36 Courses may be graded on a Pass/Fail or Credit/No Credit basis upon specific approval of the Law Faculty Council.

Non-numeric grades
31.37 Grades of CR and NC are not included in the computation of any grade point average.

RANKING OF STUDENTS
Students ranked for prizes only
31.38 Ranking of students shall be only for the purposes of awarding prizes. All decisions regarding the awarding of prizes shall be conclusively determined by the Prizes and Awards Committee. The decisions of the Committee shall be provided to the Law Faculty Council Marks meetings for informational purposes only.

Instructor picks top 3
31.39 For the purposes of awarding prizes and awards, each instructor must hand in with the grades of each course or section, a ranking of the top three (3) students in the order of scholastic merit.

Students may tie
31.40 The instructor may indicate a tie between students who have attained the same mark in the course or section.

Admissions prepares list
31.41 The Admissions and Student Records Office shall prepare a list of all courses, the top three (3) students as provided by the instructor, each student’s mark in the course and their grade point average.

Release of final grades
31.42 Only the Registrar’s Office is authorized to issue official statements of results or transcripts. An official statement of final grades in courses for a session is provided to each student by the Office of the Registrar.

Deadline for posting of grades
31.43 For the Faculties of Dentistry, Law, and Medicine grades should be posted no later than the third day of classes in the Winter term (for Fall term courses) or May 31 (for Winter term or full session courses).

CHANGE OF GRADE
Instructor can alter grade only with LFC approval

31.45 After a grade has been submitted online and approved, no instructor shall alter a grade awarded to a student except with the permission of Law Faculty Council; subject to correction of errors in calculation arising thereafter.

PROCEDURES FOR REGISTERING COMPLAINTS ABOUT MARKING, GRADING AND RELATED ISSUES

Process for registering complaints

31.46 Where the above marking and grading guidelines have not been followed or where students have concerns about the instructor's teaching, the student should make the concern known to the appropriate individual in the following sequence:

1) Instructor
2) Vice Dean
3) Dean of the Faculty

Student Advisers available

31.47 A student needing advice on these matters should see the student advisers in the Office of the Dean of Students.

Procedure does not constitute an appeal

31.48 These procedures do not constitute a mechanism for appeals and grievances regarding the academic standing or individual grades of a student. This informal process is meant to precede and to avoid formal appeal, but does not preclude formal appeal to the Faculty Council. (For student academic standing appeals procedures see Part V.)

C. COURSE REQUIREMENTS AND OPTIONS

32. Prerequisite and Co-requisite Requirements

Faculty may cancel registration in course where prerequisite not met

32.1 Students registering in courses for which a prerequisite is listed must meet the prerequisite requirements. A grade of “D” is the minimum grade acceptable in a course which is to be used as a prerequisite. A Faculty may cancel the registrations of students in courses offered by the Faculty who do not meet the prerequisite requirements as stated in the course descriptions in this calendar.

Credit may be withheld if prerequisite not met

32.2 Degree credit may be withheld for courses with prerequisite requirements if the prerequisite requirements have not been met or have not been waived in writing.

Equivalent courses may satisfy prerequisite
32.3 Where a prerequisite is stated, it is understood that equivalent courses may be used to satisfy the requirement. In addition, the prerequisite requirements may be waived with the written approval of the Department that offers the course.

GFC §37.7.1

If unsure consult Faculty
32.4 Students who are unsure that they meet the prerequisite requirements in a course, or who wish to obtain permission to have a prerequisite waived, should consult the Department offering the course.

GFC §37.7.1

CO-REQUISITE COURSE REQUIREMENTS
Minimum grade of D in the co-requisite course or waiver of requirement
32.5 Students registering in courses for which a co-requisite is listed must also register in the co-requisite course or have previously passed the co-requisite course with a minimum grade of “D”. Departments may cancel the registrations of students in courses offered by the departments who do not meet the co-requisite requirements as stated in the course description of this Calendar. Degree credit may be withheld for courses with co-requisite requirements if the co-requisite requirements have not been met or have not been waived in writing.

GFC §37.7.2
(LFC 1 Apr 03)

Co-requisite equivalent may satisfy
32.6 Where a co-requisite is stated, it is understood that equivalent courses may be used to satisfy the requirements. In addition, the co-requisite requirements may be waived with the written approval of the Department that offers the course.

GFC §37.7.2

Students should inquire to determine if meet co-requisite requirements
32.7 Students who are unsure that they meet the co-requisite requirements in a course, or who wish to obtain permission to have a co-requisite waived, should consult the department offering the course.

GFC §37.7.2

Course with co-requisite requirement must be met or waived
32.8 Courses with co-requisite requirements may only be used for degree credit if the co-requisite requirements have been met or waived in writing. A grade of “D” is the minimum grade acceptable in a course used as a co-requisite.

GFC §37.7.2
(LFC 1 Apr 03)

33. Written Work Requirement
Degree requirement
33.1 No student shall be awarded the degree of Juris Doctor unless the student has satisfied the written work requirement.

LFC 7 Feb 95
(LFC 19 Jan 80)

2nd or 3rd year option
33.2 Students may elect to satisfy the written work requirement at any time during the upper years of the J.D. program when appropriate courses are offered.

LFC 7 Feb 95
(LFC 19 Jan 80)

Satisfaction of requirement
33.3 A student may elect to satisfy the written work requirement by either:
   i. Obtaining a minimum grade of “C” in Law 526 (Research Paper for Upper Year Students); or
ii. By submitting a paper in an upper year course in which such paper constitutes no less than sixty (60%) per cent of the final grade and such paper is, in the opinion of the instructor of the course, deserving of a minimum grade of "C".

LFC 7 May 02
(LFC 19 Jan 80)

**Paper submitted which does not meet requirements**

33.4 Any paper submitted in satisfaction of the written work requirement which does not meet the standards set out in 33.3 shall be returned to the student, who shall not be given credit for satisfying the written work requirement until a satisfactory paper is re-submitted on or before a date to be set by the instructor.

LFC 7 Feb 95
(LFC 19 Jan 80)

**Sufficient number of courses must be available each year**

33.5 The Dean shall act to ensure that, in each year a sufficient number of courses are available to students wishing to satisfy the written work requirement in that year.

*Note:* in clarification of the above, if there is not a sufficient number of courses in which a paper constitutes no less than sixty (60%) per cent of the final grade, the Dean will give the necessary direction.

LFC 7 Feb 95
(LFC 19 Jan 80)

**Course Credit Options**

**OUT-OF-FACULTY COURSES**

**Out of faculty courses**

34.1 Students wishing to take optional courses in other faculties of the University of Alberta, for credit toward the degree of J.D., must have prior approval of the Vice Dean. Outside optional courses will not exceed a total of three (3) credit hours in the entire J.D. program.

LFC 5 Feb 08
(LFC 7 Feb 95)
(LFC 1 Apr 75)

**Combined Program exception**

34.2 Students in a combined program will not be allowed any additional hours through 34.1 as credit towards their J.D.

LFC 7 Feb 95
(LFC 2 Apr 85)

**Deadline for approval**

34.3 The deadline for Law students to obtain Out-of-Faculty course approval is two (2) days before the Registration Add/Drop deadline for each term.

LFC 7 Feb 95

**Spring/Summer Session**

34.4 The Vice Dean has the discretion to approve an Out-of-Faculty course selection which is offered during any of the academic semesters, including Spring and Summer session.

LFC 5 Feb 08
(LFC 5 Mar 96)

**Out-of-University Courses**

34.5 The Vice Dean has the discretion to approve an Out-of-University Law course taken by upper year students for credit towards their J.D. degree, on the following conditions:

i. That the course credit be to a maximum of six (6) credits;

ii. That the Out-of-University courses be taken as an alternative but not in addition to an Out-of-Faculty course;

iii. That approval for the courses be obtained from the Vice Dean in advance of registering in the courses.
Additional Jurisprudence and Legal History Courses

34.6  
   i. Students are required to take one section of Jurisprudence or Legal History in their upper years.
   ii. The Vice Dean is empowered to permit students to take up to three additional sections of Jurisprudence or Legal History during their upper years on being satisfied that the content of such additional sections are substantively different from each other.
   iii. No prerequisite is required for any section of Jurisprudence or Legal History.

34.7  - Reserved

35. FACULTY MENTOR PROGRAM
35.1 The Faculty shall administer a Faculty Mentor Program for first year J.D. students. Each first year student shall be assigned a faculty mentor, who will offer opportunities for academic and curriculum counselling.

D. PROMOTION AND GRADUATION
36. General

Minimum grade point average
36.1 The Faculty operates under a minimum grade point average system which requires that a minimum grade point average of 2.0 is required for promotion for all years. Any student failing to obtain a 2.0 average in an academic year [subject to any successful appeal] is required to withdraw from the Faculty. Any student with a 2.0 average or better receives credit for each course in which a passing grade is obtained and receives no credit in a course or courses in which a failing grade is obtained.

92 credit hours required for J.D.
36.2 In order to graduate, a student must accumulate a total of not less than ninety-two (92) credit hours to qualify for the degree of Juris Doctor.

32 hours for first year
36.3 In the first year of Law, students are required to take a program of required courses totalling thirty-two (32) credit hours.

60 hours between 2nd and 3rd year
36.4 In the upper years, students must accumulate not less than sixty (60) credit hours to graduate.

Maximum credit hours per term
36.5 Upper year students may take a course load of no more than 15 hours in each of the fall and winter terms and no more than 6 credit hours in each of the spring and summer terms. The Dean or Dean’s delegate may permit a student to register for more than the prescribed maximum units of course weight in an academic year.

LFC 20 Nov 07
(Cal. §96.1(6)(a))
(LFC Feb 99)
(LFC 7 Feb 95)
(LFC 22 May 70)
(Curriculum Committee Report 3 Dec 02)

Must complete requirements in 3 years after completing 1st year

36.6 After completing 1st year of Law, students have a maximum of three years to obtain the 92 credits needed to graduate.

LFC 18 Mar 14
(Cal. §96.1(6)(b))

Note: Section 22.1 of the University Calendar provides that “students who, for any reason, fail to maintain any registration in a program for 12 or more consecutive months will be required to reapply and be readmitted to the program in order to resume their registration”. Re-application must be done by November 1 of the year prior to resumption of studies.

Student who obtains a grade point average of 2.0+ but does not have requisite hours

36.7 Any student with a grade point average of “2.0” or greater shall receive credit for each course in which a passing grade was obtained and shall receive no credit in a course, or courses, in which a failing grade was obtained. Any compulsory course failed shall be repeated and any non-compulsory course failed may be repeated.

LFC 1 Apr 03
(LFC 7 Feb 95)

GRANTING OF DEGREE
GFC delegates to Faculties conferring degrees

36.8.1 The responsibility of General Faculties Council relating to the granting of Degrees shall be delegated to the individual Faculty Councils and the responsibility to make provision for the conferring of Degrees shall be delegated to the President.

GFC 57.2.2(f)

36.8.2 Law Faculty Council shall continue to approve the graduands list, promotions to the next year of the program and the conferring of degrees.

LFC 7 Feb 95

Authority for Dean to Sign Convocation List

36.8.3 If the deadline for submission of the signed Convocant List to the Convocation office is prior to the date of the Law Faculty Council Marks Approval meeting,

i. the Dean of Law is authorized to sign the Convocant List prior to this meeting, and

ii. the Convocant List shall be presented to Law Faculty Council for information purposes at this meeting.

LFC 6 Apr 04

Full time attendance

36.9 Except for those students admitted to the Part Time Program, to be eligible for the J.D. degree a student must be in full time attendance at the Faculty for the equivalent of three (3) academic years.
Viva voce exam
36.10 All students seeking the degree of J.D. may be required by the Faculty to pass a viva voce examination at the end of their last year. Such an examination would be of general character covering the work of the three (3) years of the Law program.

Parchments printed in English
36.11 The parchments for the degree of Juris Doctor will be printed in English effective June, 1999.

LETTERS OF PERMISSION
36.12 In special circumstances a student may be granted letters of permission by the Dean or the Dean’s delegate to attend another law school or law schools for a maximum of two terms (and a maximum of 30 credits) in the upper years of the student’s J.D. program. Students in the M.B.A./J.D. combined program may obtain letters of permission to attend another law school or law schools after completing no less than one and one half (1½) years of the Law studies portion of the program.

DEGREES WITH DISTINCTION
3.5+ Grade point average over last two years earns degree With Distinction
36.13 The University shall adopt one grade of “distinction” to be based on a grade-point average of 3.5 or higher over the last two years of the program.

Graduates of all programs except honours and graduate programs with grade point averages of 3.5 or higher over the final 2 years shall graduate “with distinction” at the discretion of the Faculty concerned.

Students who have taken part of their work at other universities may be granted a degree “with distinction” at the discretion of the Faculty concerned.

FIRST CLASS STANDING
3.5+ Grade point average for year earns first class standing
36.14 First class standing in a given year shall be awarded to any student who obtains a grade point average of not less than “3.5” while enrolled in a full, normal academic course load in that year; the definition of a full normal academic course load shall be left to the faculty concerned.

DEAN’S LIST
Dean’s List comprised of top 10%
36.15 The Dean’s List shall be comprised of the top ten (10%) per cent of students in each year who are enrolled in a normal full course load and have attained a minimum grade point average of “3.5”, including ties.
36.16 The Dean’s list shall be published and displayed annually on the website of the Faculty.

CREDIT BY CHALLENGE
No credit by challenge
36.17 Law Faculty Council does not adopt credit by challenge.

AEGROTAT STANDING
Aegrotat standing
36.18 Aegrotat standing may be granted, in special circumstances, on the grounds of illness to deserving students who have completed at least one year at the University of Alberta in the faculty in which they are currently registered. Any student wishing to take advantage of this privilege should apply without delay to the dean of the faculty concerned. Any other student absent from a final examination because of illness may apply for permission to write the regular deferred examination.

Cal. §23.4(7) re EXEC 9 Nov 92

E. DEGREES
37. Curriculum Requirements

JURIS DOCTOR
First year required courses
37.1 The required courses for students in first year are:
   i. Law 401: Foundations to Law
   ii. Law 405: Legal Research & Writing
   iii. Law 410: Contracts
   iv. Law 420: Criminal Law and Procedure
   v. Law 430: Torts
   vi. Law 435: Constitutional Law and History
   vii. Law 440: Property Law

Cal. §96.1 & 211.125
   (LFC 12 Apr 88)
   (LFC 1 Dec 87)
   (LFC 5 Feb 80)
   (LFC 26 Oct 71)

Note: For required courses for part-time students see Cal. §96.1(2) and LFC Policy Manual s.27.4.

Moot requirement
37.2 Students in first year are required to successfully complete an oral exercise which may take the form of a moot or some other oral communication skills exercise.

Cal. §96.1

Incorporating Perspectives into first year program
37.3 Instructors are encouraged to incorporate in all first-year courses different perspectives such as Aboriginal Peoples, Women and the Law, Poverty, and Disability.

Cal. §96.1
   LFC 4 Nov 03
   (LFC 2 Jun 03)
   (LFC 7 May 02)
   (LFC 2 Feb 99)
   (LFC 7 Feb 95)
   (LFC 12 May 92)

Upper Year required courses
37.4 The required courses for upper year students are:
   i. Law 450: Administrative Law
   ii. Law 451: Corporations Law
   iii. Law 453: Evidence
   iv. and one of the following courses:
      a) Law 486: Jurisprudence
      b) Law 496: Legal History
   v. Law 452: Civil Procedure
   vi. Law 456: Professional Responsibility

MBA-J.D. JOINT PROGRAM
37.5 The Faculty of Law and the Faculty of Business offer a program of joint study that permits students to earn both the J.D. and MBA degrees in four years. The rules respecting
   (a) entrance requirements,
   (b) program requirements,
   (c) residency requirements, and
   (d) program length
   are set out in the University Calendar.

PH.D. DEGREE
37.6 The Faculty of Law offers the degree of Ph.D. The rules respecting
   (a) entrance requirements,
   (b) program requirements,
   (c) residency requirements, and
   (d) program length
   are set out in the University Calendar.

MASTER OF LAWS DEGREE
37.7 The Faculty of Law offers the degree of Master of laws. The rules respecting
   (a) entrance requirements,
   (b) program requirements,
   (c) residency requirements, and
   (d) program length are set out in the University Calendar.

Thesis
37.8 i. All candidates must submit and successfully defend a thesis on a topic selected in consultation with the candidate’s supervisor and as approved by the Associate Dean (Graduate Studies);
   ii. The thesis shall be a substantial piece of research of 24,000 to 33,000 words (80 to 100 pages), exclusive of tables of cases or statutes and bibliography. Deviation from the length requirements may be approved by the Associate Dean (Graduate Students) on application by the candidate with the support of the supervisor, effective for new students September 2005;
iii. The thesis should reveal that the candidate is able to work in a scholarly manner and is acquainted with the principle works published on the subject of the thesis. The thesis should be an original contribution to the literature. The candidate’s objective should be toward the production of work of publishable quality.

Completion of course work
37.9 All formal requirements of the program, with the exception of the thesis, must be completed by the end of the candidate’s year in residence. In exceptional circumstances, the Associate Dean (Graduate Studies) may extend the time for the candidate to complete the requirements.

Failure to complete course requirements
37.10 Failure to satisfy any of the pre-thesis requirements of the program will result in a direction that the student be withdrawn from the program unless the Graduate Studies Committee, in its discretion, permits otherwise.

RULES APPLICABLE TO PH.D. AND LL.M. PROGRAMS
Minimum grade requirements
37.12 The minimum passing grade in a course of a student registered in the Faculty of Graduate Studies and Research is C+.

Supervision
37.14 Where possible, Faculty members supervising a graduate student for the first time will be partnered with a Faculty member who has experience supervising graduate students. If a Supervisor believes that graduate research is worthy of publication, the supervisor will encourage and explore options for publication with his or her graduate student.

Research ethics
37.15 All graduate students will receive instruction regarding research ethics and General Faculty Council Policy on research involving human participants.

Application of academic regulations
37.16 All other academic regulations, where appropriate, apply mutatis mutandis to LL.M. candidates.
F. ESTABLISHING COURSES AS REGULARLY OFFERED

38. General

Adding courses to University Calendar
38.1 Whenever a Seminar on Specialized Legal Topics (Law 599), a specialized version of Jurisprudence (Law 486), or a specialized version of Legal History (Law 496) becomes established as a regularly offered course, it should be added to the University Calendar as a separate course (with its own course number, name, and description). The decision to add such a course to the University Calendar shall be made by the Vice Dean in consultation with the instructor(s) of that course. The requirement that students in the J.D. program successfully complete Jurisprudence or Legal History may be satisfied by successful completion of a specialized version of either subject.

LFC 5 Feb 08
(LFC 6 May 03)

PART V – APPEALS

A. APPEALS

39. General

FACULTY COMMITTEE
Standing Committee
39.1 The Student Appeals Committee shall be a Standing Committee of Law Faculty Council.

LFC 7 Feb 95
(LFC 11 Apr 74)

Student may appeal
39.2 A student adversely affected by these regulations or their application shall have a right of appeal to the Student Appeals Committee in accordance with the Faculty’s Academic Appeals Procedure.

Cal. §106.1(9)
(LFC 3 May 07)
(LFC 10 Mar 87)

Limitations on Jurisdiction
39.3 The Student Appeals Committee and the Academic Appeals Committee of General Faculties Council have limitations on their jurisdictions.

LFC 7 Feb 95
(LFC 10 Mar 87)

Quorum
39.4 No appeal shall be heard in the absence of a quorum of the Committee which shall consist of the Chairperson and at least one (1) student and three (3) Faculty Members.

LFC 7 Feb 95
(LFC 10 Mar 87)

Alternate used if quorum
39.5 The Chairperson by using alternate members shall ensure a full Committee is present.

LFC 7 Feb 95
(LFC 10 Mar 87)

JURISDICTION
Appeals re: academic standing heard
39.6 Subject to 39.8, the Student Appeals Committee has jurisdiction to hear and decide only appeals concerning the academic standing of students in the Faculty of Law. The term "academic standing" means continuation in a program, graduation and the requirement for a student to withdraw.

Non-jurisdiction areas
39.7 The Students Appeal Committee shall have no jurisdiction to hear an appeal about:
   i. Individual marks or grades;
   ii. A decision to refuse admission to the Faculty;
      iii. A decision about the granting or withholding of credit for courses taken in other law schools or in any faculty of the University of Alberta while the appellant is a student of the Faculty of Law;
   iv. Discipline.

No rehearing of same matter
39.8 The Student Appeals Committee shall hear only one (1) appeal by a student against any particular decision regarding the student.

GROUNDS FOR APPEAL
Student establishes adverse circumstance
39.9 The student must establish to the satisfaction of the Student Appeals Committee that (1) the student's academic performance was adversely affected by some unusual or extraordinary circumstances or set of circumstances and (2) either those circumstances have substantially changed, or the student has taken reasonable steps to ensure those circumstances will no longer have an adverse effect on their academic performance.

Circumstance a question of fact
39.10 When considering whether circumstances are unusual or extraordinary the Student Appeals Committee may have regard to: whether those circumstances were reasonably within the control of the student to prevent or rectify; the timeliness of the student’s response to the situation; resources available to assist the student; and any other factor that the Student Appeals Committee considers relevant.

PROCEDURES
Notice of Appeal
39.11 Every appeal shall be commenced by the delivery of a written Notice of Appeal to the Vice Dean.
Student provides grounds and relief requested
39.12 The Notice of Appeal shall be signed by the student and shall set forth the decision being appealed, the nature of the grounds of appeal, the relief requested, telephone number, and a mailing address to which correspondence and notices may be sent.

Deadline for commencement
39.13 A student shall commence the appeal on or before June 15 in the academic year in which the decision being appealed was made.

Deferred exam deadline for commencement
39.14 An appeal as to academic standing which results from a mark given on a deferred examination written in June shall be commenced on or before July 15 in that year.

Exception to deadline for commencement
39.15 The Student Appeals Committee may permit a student to commence an appeal after the deadline in such circumstances in which it would be just to do so.

Appeals scheduled by Chair
39.16 Appeals shall be heard at such time or times as the Chair of the Student Appeals Committee may determine.

Reasonable notice to Appellant
39.17 Each student who appeals shall be given reasonable notice of the time and place at which the appeal will be heard and of the names of the members of the Student Appeals Committee.

Appellant may challenge Committee members
39.18 At any time prior to the commencement of the hearing a student may challenge a member or members of the Student Appeals Committee and the member or members shall have the option of withdrawing from the Committee for that appeal or of contesting the challenge.

Committee adjudicates on disputed challenge
39.19 In the event that a challenge is contested, the student shall be required to state the reasons for the challenge and the member shall have an opportunity to respond to the reasons given. The Committee shall then adjudicate upon the challenge and shall either allow the challenge and ask that the member withdraw or disallow the challenge and require the student to proceed with the appeal before the full membership of the Committee.

Member shall withdraw
39.20 A member of the Student Appeals Committee shall withdraw at any time before the commencement of the hearing of an appeal if the member feels unable to hear and determine the appeal objectively, and shall not be required to state reasons for withdrawing.

LFC 7 Feb 95
(LFC 10 Mar 87)

Appeal held in camera
39.21 Each decision of the Student Appeals Committee shall be held in camera unless the student otherwise requests and a majority of the Committee are of the opinion that it would be in the best interests of the student to do so.

LFC 7 Feb 95
(LFC 10 Mar 87)

Allowed actions by the Appellant
39.22 A student who appears before the Student Appeals Committee may:
i. Make either oral or written submissions or both to the Committee;
ii. Call others to give evidence on his or her behalf;
iii. May submit documents which have been obtained from other persons; and
iv. Be represented or assisted by counsel or other persons.

LFC 7 Feb 95
(LFC 10 Mar 87)

Written submission in lieu of appearing
39.23 A student must advise the Vice Dean if the student does not wish to appear before the Committee. The student may file a written submission for the consideration of the Committee and may have counsel or other persons appear on behalf of the student.

LFC 5 Feb 08
(LFC 7 Feb 95)
(LFC 10 Mar 87)

Vice Dean present
39.24 The Vice Dean may represent the interests of the Faculty of Law at an appeal upon notifying the student that he or she will be present.

LFC 5 Feb 08
(LFC 7 Feb 95)
(LFC 10 Mar 87)

Instructor not counsel
39.25 An instructor in the Faculty may not act as counsel for a student.

LFC 7 Feb 95
(LFC 10 Mar 87)

Testimony unsworn
39.26 All testimony before the Student Appeals Committee shall be unsworn, and formal rules of evidence shall not apply.

LFC 7 Feb 95
(LFC 10 Mar 87)

Committee determines procedure
39.27 The hearings of the Student Appeals Committee shall be governed by such procedures as the Committee may determine.

LFC 7 Feb 95
(LFC 10 Mar 87)

Tape recording made
39.28 A tape recording shall be made of the hearing of the Student Appeals Committee.  
LFC 7 Feb 95
(LFC 10 Mar 87)

Annual report to LFC  
39.29 The Student Appeals Committee shall annually report to Law Faculty Council on the decisions made.  
LFC 7 Feb 95
(LFC 10 Apr 74)

REMEDIES  
Unfettered remedy  
39.30 The Student Appeals Committee of the Faculty of Law has the unfettered discretion to grant any remedy it deems fit.  
LFC 7 Feb 95
(LFC 28 May 75)

Probationary year remedy  
39.31 The Appeals Committee is empowered to direct a probationary year for any candidate that comes before it.  
LFC 7 Feb 95
(LFC 11 Apr 74)

APPEAL TO GFC  
Student may appeal decision  
39.32 A student aggrieved by a decision of the Student Appeals Committee shall have a further right of appeal to the Academic Appeals Committee of General Faculties Council provided, however, that any remedy granted on such further appeal shall not be inconsistent with the Law Faculty’s regulations as published in the University Calendar.

Note: See “Appeals & Grievances” Cal. §23.8 and sections 1, 52.2 & 113 of the GFC Policy Manual.  
Cal. §96.1(9)  
(LFC 7 Feb 95)
(LFC 10 Mar 87)

Responsibility of Vice Dean to inform student  
39.33 The Vice Dean is responsible, in the event of an unsuccessful appeal within the Faculty, for informing the student of the right to appeal to the General Faculties Council Academic Appeals Committee and for informing the student of the 21-calendar day deadline for lodging an appeal (see GFC Section 1.3.6.1). The Vice Dean is also responsible for informing the student of the name of the Appeals Coordinator (or delegate) and for informing the student of the existence of the Student OmbudService.  
LFC 18 Mar 14
(GFC 1.1.1)

40. Appealing Marks in Exams or Papers on the Ground of Procedural Error  
Paper or exam mark must be greater than 50%  
40.1 The following appeal procedure only applies to final marks in examinations or papers that account for 50% of the final mark or greater.  
LFC 4 Dec 01

Grounds for reappraisal  
40.2 A paper or exam may be appealed only on the ground of substantial unfairness caused by procedural error.  
LFC 4 Dec 01

Initiating the reappraisal  
40.3 The student is required to initiate the appeal of the mark by:  
i. filing a form prescribed by the Vice Dean at the Vice Dean’s office; and
ii. paying the prescribed fee; and

iii. initiating the process no later than 30 days after receiving the grade in question.

Reappraisal fee
40.4

i. The student shall pay a fee for the appeal process.

ii. The fee will be the same as the fee charged for final exam reappraisals as found in the University Calendar, Section 22.2.12.

iii. The fee charged will be refunded to the student if after the appeal the student's mark is raised by the Vice Dean.

Number of reappraisals allowed
40.5

Students may appeal one (1) paper and one (1) examination per term on the ground of procedural unfairness.

Authority of the Vice Dean
40.6

Subject to Section 40.9 of the LFC Policy Manual, the Vice Dean is authorized to hear and dispose of allegations of substantial unfairness caused by procedural errors on the part of instructors. This authority is expressly a delegation of Law Faculty Council's residual authority over grade appeals as expressed in Section 23.8.4 of the 2000/2001 University Calendar (and in GFC 30 April 1984).

Process to govern the Vice Dean's discretion
40.7

The following process will govern the Vice Dean's discretion regarding procedurally based appeals:

i. Upon timely filing of the prescribed form, the Vice Dean will meet first with the student to discuss informally the nature of the student's complaint and subsequently meet with the instructor.

ii. If, on basis of these discussions, the Vice Dean determines that there exists a prima facie case, he/she will require the student to submit in writing the facts on which the student's allegation of substantial unfairness on account of procedural error relies. The Vice Dean will share this submission with the instructor and require from the instructor a written reply.

iii. On the basis of these written submissions, the Vice Dean will dispose of the matter by informing both the student and instructor in writing his/her decision as regards to the final mark with reasons.

Remedies available to the Vice Dean
40.8

The Vice Dean may cause the appealed final mark to be higher or lower than, or the same as, the original mark.

Associate Dean (Graduate Studies) as alternate
40.9

If the mark in question was awarded by the Vice Dean in his/her capacity as instructor, or if for any other reason, he/she is unable to perform his/her function, the authority to dispose of the appeal will fall, subject to the foregoing conditions and procedures, to the Associate Dean (Graduate Studies).
No further appeals to the Faculty

40.10 The determination, as the case may be, of the Vice Dean or the Associate Dean (Graduate Studies) is final and binding and admits no further appeal to Law Faculty Council or to any other officer or committee of the Faculty.
ANNEX A

ANNEX A.1 – LAW FACULTY COUNCIL MOTION FORM

LAW FACULTY COUNCIL

MOTION FORM

Date submitted: ________________________________

Meeting date: ________________________________

WHEREAS:

________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________

WHEREAS:

________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________

AND IT IS HEREBY MOVED THAT:

________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________

MOVER: ________________________________ SECONDER: ________________________________
ANNEX A.2 – LAW FACULTY COUNCIL POLICY AMENDMENT FORM

LAW FACULTY COUNCIL
POLICY AMENDMENT FORM

Date submitted: 
Meeting date: 

<table>
<thead>
<tr>
<th>EXISTING POLICY</th>
<th>PROPOSED POLICY</th>
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</table>
I am pleased to confirm your appointment in the Faculty of <name> as a member of the Adjunct Academic Staff, effective <date>. The appointment, which is for a <period> year, renewable, term, involves no remuneration and may be terminated within the appointment period by mutual consent, or as initiated by the Department or yourself.

Adjunct academic staff appointments are listed in the University Calendar and are bound by the rules and regulations of the University of Alberta. These include policies about research, conflict of interest, professional misconduct, grading, discrimination, computing services, intellectual property, etc. All relevant policies and regulations are available for review in the Department’s general office. Please let me know if you wish to discuss any of these with me.

The specifics of each adjunct academic appointment are worked out with respect to the particular needs and circumstances of both the appointee and the Department. The goals and expectations for your appointment, on which we have mutually agreed, are as follows:

- . . .
- . . .
- . . .

Prior to the end of your appointment, we will evaluate, together, whether these goals and expectations have been met.

To support your work with us, the following will be made available to you: <list here departmental resources, ONECard (which provides access to the library, entitlement to a secondary computing ID and access to the physical education facilities upon payment of an annual user fee), eligibility for parking privileges, membership in the Faculty Club, etc.>.

We look forward to your association with our Faculty.

Sincerely,

<Dean of Faculty (or designate)>

cc: <(c/w Adjunct Academic Staff Appointment Form)>

Office of the Associate Vice President, Academic Administration

EXEC 06 Nov 00
ANNEX B

ANNEX B.1 – ARTICLE 8 (SUPPLEMENTARY PROFESSIONAL ACTIVITIES)

Board/AAS:UA Agreement Article 8 – Supplementary Professional Activities (SPA)

Scope and context of SPA
8.01 A staff member is a full-time employee and has a primary obligation to fulfil University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.

8.02 One means of accomplishing professional development may be through professional activity which is supplementary to the primary obligations to the University.

8.03 Such SPA shall represent an integral part of the responsibility to relate theory to practice, thereby enabling teaching and research to remain professionally relevant. Routine, repetitive and trivial SPA are discouraged.

Authorization of SPA
8.04 Subject to the provisions of this Article, a staff member may engage in SPA. SPA shall not prevent, hinder or unduly interfere with the staff member's primary responsibilities.

Required SPA
8.05 A Faculty Council may deem SPA, and the maintenance of a professional license, to be essential to the work of the Department and to the progress of a staff member's career. In such cases the Dean and Department Chair shall encourage SPA.

8.06 Where a Faculty Council has deemed SPA to be essential to the work of the Department, the Faculty Council shall recommend to the Board that such SPA be considered as part of the primary University responsibilities. The Board may approve such recommendations on such conditions as it deems appropriate, having regard to 8.11.

Definition of SPA
8.07 Without restricting the generality of the term SPA, this category shall include any of the following:
   a. employment in any capacity by another employer including the carrying out of teaching duties, e.g., summer session at another university;
   b. consulting;
   c. personal services contracts;
   d. private practice of the staff member's profession, e.g. medicine, dentistry, law, etc.

8.08 SPA may be categorized as major or minor in scope. Each Faculty Council shall decide what constitutes major SPA but all proposals to teach at another institution shall be considered major SPA.

Approval of SPA
8.09 A staff member shall obtain written approval of the Department Chair prior to undertaking major SPA. Prior to approving SPA, the Department Chair shall ensure that primary University responsibilities will be performed satisfactorily.

8.10 If there is a dispute with respect to a staff member’s SPA, the staff member shall have recourse to the Dean and the Vice-President (Academic) & Provost, in that order. The decision of the Vice-President (Academic) & Provost shall be final and binding.
Conditions

8.11 The authority and approval of SPA is subject to the following conditions:
   a. The staff member shall not compete unfairly with professionals outside the University.
   b. The SPA shall not infringe upon the University’s conflict of interest guidelines. *(GFC Policy Manual, Section 120.3 - Conflicts of Interest)*
   c. The SPA shall conform with regulations governing the use of University facilities and staff.
   d. The staff member shall indemnify and hold harmless the University from and against any loss, injury or damage which the University may or could suffer arising in any way out of or in relation to such activities. The staff member gives this covenant and makes this agreement notwithstanding that the University has participated in such activities by the provision of facilities, space, equipment, or administrative assistance, unless the said loss, injury or damage arises directly from a malfunction of the said facilities or equipment which is not caused by the user thereof; and notwithstanding that the University has participated in such SPA by the provision of students or postdoctoral fellows or the like; and withstanding that any formal contract with respect to those SPA has not been negotiated by or approved by the University.
   e. When engaged in SPA a staff member shall not use the name of the University in any way, except as the mailing address, nor shall the staff member hold himself or herself to be an agent of the University when engaged in SPA.

Reporting requirements

8.12 Each staff member shall submit an annual statement to the Department Chair and Dean on SPA in the previous year. The Department Chair shall submit his or her personal statement to the Dean. The Dean shall submit his or her personal statement to the Vice-President (Academic) & Provost.

8.13 SPA undertaken during sabbatical, assisted leave and secondment shall be reported in the annual statement. A Faculty Council may require that SPA undertaken under other types of leave shall also be included in the annual statement.

8.14 The period covered by the annual statement and the date on which it is to be submitted may vary from Faculty to Faculty with this decision being made, from time to time, by the Faculty Council.

8.15 The annual statement may be made in conjunction with the annual report of the staff member or it may be a separate statement. Each Faculty Council shall determine, from time to time, which is the appropriate method for that Faculty.

8.16 SPA shall be taken into account in the evaluation of a staff member’s performance for tenure, increments and promotion. The annual statement concerning SPA shall be available for information to FEC. With the concurrence of the Vice-President (Academic) & Provost, a Faculty Council may modify the application of this clause.

8.17 The following information shall be provided in the staff member’s annual statement on SPA:
   a. the category or type of client or affiliation;
   b. the nature of services performed;
   c. an estimate of the total time devoted to each SPA; and
   d. the names and nature of any continuing contractual arrangements with outside organizations.

   A Faculty Council may decide that the time of year, week or day when the SPA were undertaken is important. If so, such information shall be included in the report.

8.18 Each Faculty Council shall develop the format for the annual statement for that Faculty and submit to the Vice-President (Academic) & Provost for approval.
8.19 Decisions reached by a Faculty Council under this Article shall be conveyed, in writing, to the Vice-President (Academic) & Provost and the Association.

**Faculty regulations**

8.20 Each Faculty Council shall develop regulations with respect to SPA. The regulations and any amendments thereto shall be filed with the Vice-President (Academic) & Provost and the Association. The regulations shall include:

a. The definition of what constitutes major SPA.

b. The format for the annual statement of SPA; the determination of the time period covered by the report; the date by which the report is to be submitted; and whether the annual statement about SPA shall be included in the annual report.

c. Any modifications to the requirement that SPA be taken into account in the evaluation of a staff member's performance.

d. Whether the time of year, week or day when SPA is performed is important to its approval and reporting.

e. Whether the annual statement shall include information about remuneration received from SPA.

f. Regulations governing the use of University facilities and staff for SPA including arrangements to reimburse the University for such use.

g. What evidence shall be required to ensure the staff member has adequate personal liability insurance to indemnify the University against any claims.

h. Such additional terms and conditions the Faculty Council may consider necessary; such terms and conditions shall be in addition to and not in contradiction to this Article.
ANNEX B.2 – REGULATIONS REGARDING ARTICLE 8 OF THE BOARD/AAS:UA AGREEMENT

REGULATIONS
Regarding Article 8 of the Board/AAS:UA Agreement

1. Subject to Article 8 (Appendix A) and these regulations, a Faculty Member may engage in Supplementary Professional Activities as defined and permitted in Article 8 of the Board/AAS:UA Agreement (hereinafter referred to as “SPA”), provided that they do not interfere with the full discharge of the Faculty Member’s University duties.

2. Major SPA includes proposals to teach at another institution and any SPA or series of SPA which potentially could a negative impact on a Faculty Member’s ability to discharge their primary responsibilities to the University, as a scholar, teacher and contributing member of the academy. Proposals to engage in major SPA shall be reported to the Dean prior to undertaking the SPA, for approval as provided in Article 8 and these Regulations.

3. In considering whether to approve major SPA the Dean may take into account the time of year, week, or day when the major SPA is to be performed.

4. There shall be an “Annual Statement of Professional Activities” which shall:
   (a) be in the form contained in Schedule “A” annexed hereto;
   (b) be filed with the Faculty Member’s Annual Report and shall cover the same period;
   (c) also be completed with respect to any period during which a Faculty Member is on any form of paid leave from the University;
   (d) be taken into account in the evaluation of a Faculty Member’s performance for tenure, increments and promotion as provided for by Article 8 and by “standards for the Evaluation of Candidates for Merit Increments, Promotion and Tenure” as approved by Law Faculty Council from time to time.

5. Pro bono, non-remunerated work is not to be included in the Annual Statement of Professional Activities. Faculty Members are encouraged, where opportune and appropriate, to undertake pro bono work.

6. Faculty Members undertaking professional activities are entitled to use the space, equipment and facilities normally provided to Faculty Members, without cost, except that they shall bear the cost of:
   (a) stationery;
   (b) postage or courier;
   (c) long distance telephone calls;
   (d) special telephone equipment;
   (e) photocopying;
   (f) faxing;
   (g) secretarial or clerical support;
   (h) any other expense which would normally be treated as a disbursement in a solicitor-client account.

7. Pursuant to Article 8, Faculty Members undertaking SPA agree to indemnify and hold harmless the University from resulting loss, injury or damage. Accordingly, if the Faculty Member is not a practising member of the Bar, then he or she should provide the Dean with whatever evidence the Dean considers sufficient to satisfy himself or herself that the staff member carrying out the SPA has adequate personal liability insurance to indemnify the University against any claims.
Schedule “A” to Regulations Regarding Article 8

FACULTY OF LAW
ANNUAL STATEMENT OF PROFESSIONAL ACTIVITIES

NAME OF FACULTY MEMBER: 

PERIOD COVERED BY THIS REPORT: to

<table>
<thead>
<tr>
<th>TYPE OF ACTIVITY</th>
<th>NATURE OF WORK</th>
<th>HOURS/YEARS</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Teaching elsewhere</td>
<td></td>
<td></td>
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<tr>
<td>(B) Professional practice</td>
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<td>(C) Other consulting</td>
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<td>(D) Commissioned research</td>
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<tr>
<td>(E) Other remunerated work</td>
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</table>

2. **SPECIFY** the names and nature of any continuing contractual arrangements with outside organizations:

Dated: ____________________________  Signed: ____________________________
ANNEX C – STANDARDS FOR EVALUATION OF CANDIDATES FOR MERIT INCREMENTS, PROMOTION AND TENURE (APPLICABLE ONLY TO APPLICATIONS FOR TENURE AND CONCURRENT DESIGNATION AS ASSOCIATE PROFESSOR BY STAFF MEMBERS HIRED BEFORE JULY 1, 2006)

October/2001

I. INTRODUCTION

Article 13 of the Faculty Agreement provides for Faculty evaluation. Articles 13.02, 13.03.1 and 13.06.1 provide as follows:

13.02 The review of a staff member’s performance shall be based on consideration of the performance of the responsibilities of the staff member as outlined in Article 7.

13.03.1 Draft standards of performance shall be prepared by FEC taking into account the requirements of the Agreement. The statement of standards shall be submitted to the Vice President (Academic) & Provost for review and advice. The Vice President (Academic) & Provost shall forward the statement of standards and the advice to the Faculty Council for approval or to FEC for reconsideration. The Faculty Council shall approve the standards or shall refer them back to FEC for revision.

13.06.1 The standards of performance shall enable FEC to evaluate academic performance across its full range. The standards shall be higher in the higher ranks and as progress through the ranks occurs. The standards may vary from Faculty to Faculty.

Articles 7.01 and 7.02 provide as follows:

7.01 A staff member shall be a scholar, active in teaching, in research and in service.

7.02 The responsibilities of a staff member include:

(a) participation in undergraduate and graduate teaching programs, including classroom teaching, supervision of graduate students and personal inter-actions with and advising students;
(b) participation in research, including both original research and reflective inquiry, and the dissemination of the results of research by means appropriate to the discipline; and
(c) provision of service to the discipline of the staff member; participation in the governance of the University, the Faculty and the Department; and dissemination of knowledge to the general public by making available the staff member’s expertise and knowledge of the discipline, all of which shall be carried out according to the standards of professional conduct expected of a staff member.

The purpose of the following statement is to comply with the directive imposed on the FEC and LFC by Article 13.03.1.

The following standards shall govern the FEC and should also serve to indicate to all Faculty Members what they must do to gain merit increments, promotion and tenure.

II. WEIGHTING OF CATEGORIES OF STAFF MEMBER’S PERFORMANCE
Article 7.01 lists three categories into which the performance of a staff member can be divided. These are:

1. Teaching
2. Research
3. Service

Professional conduct is a necessary element in teaching, research and service activities and should be considered under all three heads.

In assessing the performance of a Faculty Member, equal weight is to be attributed to his or her teaching performance, to his or her research and to his or her service. Over a period of time, a Faculty Member is required to perform satisfactorily in all three of the designated categories. A strength in one category may compensate for a weakness in another but there must be performance in all three categories.

III. TEACHING

The Faculty recognizes that the teaching of law is a major responsibility of the law teacher. In assessing a Faculty Member’s performance as a teacher his or her knowledge of the discipline and his or her ability to communicate that knowledge in an effective and professional manner to the students are important.

Evaluation of teaching performance can include, but is not limited to, the following:

(a) Course syllabi, problem assignments, examinations, and other course materials;
(b) Comments of identified colleagues and students to which the teacher has had an opportunity to respond;
(c) Student evaluations in a properly conducted survey;
(d) Evidence offered by the professor;
(e) Visitations by the Dean to any classes or seminars; and
(f) University and national awards.
IV. RESEARCH

An active research program is an essential part of the work of a law professor. Such research is not useful or valuable unless it is put in a form which is available to the public. A staff member may indicate that he or she has unpublished research or work in progress which should be considered, and the relevant committee may take such research or work in progress into account, but the onus is on the staff member to establish the existence of such research and the reasonable likelihood that it will be published. A staff member cannot rely on opinions, briefs or other litigation activities; arbitration arguments and awards; and other types of practice. The fact that the staff member is paid for a particular publication or research project is normally not relevant. Where a promotion or a tenure decision is to be made, the Dean should, where possible, have all publications of the staff member reviewed by reputable external reviewers.

The publications of a Faculty Member should normally demonstrate his or her sound knowledge of the discipline in question and degree of specialization. In conducting research and in the preparation and publication of scholarly work, the Faculty Member is expected to behave in an honourable and professional manner.

V. SERVICE

Service comprises contribution to the Faculty, the University, the public and to academic and professional bodies.

It is important that all full-time staff members be involved in administrative and committee work in order for the Faculty and the University to operate effectively. The question is not how many committees the staff member sits on, but rather what is the quality of his or her participation in the work of those committees.

Law professors have an obligation to the community and are expected to make a distinct contribution by undertaking public activities such as:

(a) Federal or provincial law reform agencies;
(b) Active participation in the affairs of UTS; CALT (including subsections); Canadian Bar Association (whether nationally or at the branch level and including sections); The Law Society of Alberta; Criminal Trial Lawyers’ Association; AAS:UA and other similar professional bodies;
(c) Editing law reports, books and other learned journals;
(d) Teaching Continuing Legal Education courses; and
(e) Teaching other courses outside of the Faculty.

In carrying out service to the Faculty, the University, the public and to the academic and professional bodies, the Faculty Member is expected to conduct him or herself in a professional manner.
ANNEX D – STANDARDS AND PROCEDURES FOR THE EVALUATION OF CANDIDATES FOR TENURE, PROMOTION AND MERIT INCREMENTS

I. CRITERIA

1. The following criteria are to be used in assessing the performance of a staff member for the purposes of decisions concerning tenure, promotion and merit increments.

2. A staff member shall be a scholar, active in teaching, in research, and in service. A staff member is required to perform satisfactorily in all three of these categories. A strength in one category may compensate for a weakness in another, but there must be performance in all three categories. In the earlier years of a staff member’s career, more weight will be given to teaching and research.

3. In assessing the performance of a staff member, appropriate weight will be given to the three categories of teaching, research and service. Where the staff member occupies a position such as a research professorship or an associate dean, the relative weighting given to the three categories shall reflect the requirements and expectations of the work involved in that position.

4. Professional conduct is a necessary element in teaching, research and service activities and should be considered under all three heads.

Evaluation of Teaching

5. Effective teaching is expected of all staff members and, except where a staff member has a reduced teaching assignment, performance as a teacher shall be of major importance in considering promotion, tenure and merit increments.

6. Evaluation of teaching shall be based on the effectiveness of the instructor, as indicated by command over subject matter, familiarity with recent developments in the field, preparedness, accessibility to students and influence over the intellectual and scholarly development of students.

7. The evaluation of a staff member as a teacher shall be broadly based, including course content, course design and performance in the classroom. Indicators of good teaching include:

   (a) the quality of teaching materials produced by the staff member, such as course syllabi, casebooks, textbooks and web-based materials;
   (b) organization and coverage of class materials;
   (c) innovation and creativity in teaching techniques, including computer-assisted learning;
   (d) teaching across a suitable range of courses;
   (e) versatility in teaching small enrollment as well as large enrollment classes;
   (f) student evaluations of teaching; and
   (g) teaching awards and nominations.

8. The evaluation of teaching may take into account statistical summaries of responses to student questionnaires, comprehensive reviews of student commentaries, review by peers, reviews by the administrative officials and reviews of teaching dossiers and other materials provided by the staff member.

9. Evaluation of teaching shall take into account teaching workload, including the number of courses, number of students taught, student contact hours, the method of assessing student performance, the development of new courses and the supervision of graduate students and directed research projects.
10. Staff members with reduced teaching loads are expected to compensate for this through increased research achievement or through extraordinary administrative activity.

**Evaluation of Research**

11. Competent research and scholarly work is expected of all staff members. An active research program is an essential part of the work of a staff member, and an integral part of this program is the communication of this knowledge through the publication of books, articles, commentaries and reviews and other public dissemination of scholarly work. The production of scholarly work should be evidenced on a regular basis throughout the staff member’s career. The importance of the research is to be assessed according to its originality and significance to the field. A strong factor relevant to the quality of the research is whether the scholarly work has undergone peer evaluation prior to publication or dissemination.

12. Although in the short-run, not all research leads to publication, the expectation is that staff members publish the results of research activity. This ensures the wide dissemination of knowledge, and provides an opportunity for colleagues and peers elsewhere to question, verify and assess the new analysis, arguments or insights.

13. In assessing the research performance of a staff member, the award of peer-reviewed research grants is an indicator of scholarly standing.

**Evaluation of Service**

14. Service comprises contribution to the faculty, the university, the public and to academic and professional bodies. It is important that all full-time staff members be involved in administrative and committee work in order for the faculty and the university to operate effectively. The question is not how many committees the staff member serves on, but rather what is the quality of his or her participation in the work of those committees.

15. Pursuant to Article 7.02.1(c) of the Faculty Agreement, the responsibilities of staff members include the provision of service to the discipline of the staff member and dissemination of knowledge to the general public by making available the staff member’s expertise and knowledge of the discipline, which may be met by activities such as:
   (a) service in aid of law reform;
   (b) active participation in professional bodies;
   (c) service as a peer reviewer of scholarly work;
   (d) teaching continuing legal education courses;
   (e) teaching other courses outside of the faculty;
   (f) public legal education; and
   (g) other service in the areas relating to his or her professional responsibility.

**II. TENURE**

16. The awarding of tenure requires a determination that the staff member will be able to sustain a career as a scholar, active in teaching, research and service. The staff member must have produced high quality research, be an effective teacher and have contributed to the faculty, university or larger community such that it can be reasonably anticipated that he or she has the potential to reach even greater achievements and recognition in the field so as to meet the scholarly standards expected of a Professor.

17. The award of tenure is justified only where it is shown that the staff member has research programs of clearly recognized promise and concrete scholarly achievements in the form of published research of a magnitude and quality that make it probable that there will be continuing significant contributions through a whole career.
18. Except where a staff member has a reduced teaching assignment, performance of a teacher shall be of major importance in the decision to award tenure.

19. The staff member’s history of merit increments is only one factor in the FEC’s tenure decision. New staff members without prior teaching experience can expect some tolerance in the early years of their appointment, but as the tenure decision approaches they are expected to be performing at a proficient standard.

20. Tenure is not the right of a staff member on completion of the probationary period but must be earned through effectiveness and competence in teaching, research and service.

21. Where a staff member, at the time of hiring, is working towards completion of a doctoral or other graduate degree, completion of the degree is required prior to a tenure decision unless otherwise specified in the initial contract.

III. PROCEDURES FOR AWARDING TENURE

22. In the last year of a second probationary appointment, the FEC Chair shall

(a) develop a confidential list of referees capable of judging the staff member’s scholarly activity. This list will be derived from the applicant’s recommendations and those of other staff members and such other names, if any, as the FEC Chair may select, and will not normally include individuals identified by the applicant as non-acceptable;
(b) write to a sufficient number of referees in order to obtain, in normal circumstances, a minimum of three confidential responses;
(c) invite staff members in the Faculty to provide confidential opinions as to the merits of the application;
(d) provide, upon receipt, copies of the responses and opinions submitted by referees and members of Faculty to the members of the FEC and the Dean.

23. Apart from the documentation required pursuant to paragraph 22, there are no specifications on the documentation to be provided in conjunction with a tenure decision. However, as a guide, a staff member should provide clean photocopies or off-prints of publications, and in all cases, a staff member should be reasonable in the volume of material provided.

24. Referees should be capable of independent objective assessment and normally they should be at the rank of Professor or overseas equivalent, but not co-authors or former graduate supervisors of the staff member.

25. The Dean shall meet with the staff member to discuss the case and provide summaries of external evaluations, and shall at least 2 months before the FEC meeting inform the staff member if the Dean intends to recommend tenure.

IV. PROMOTION TO PROFESSOR

26. In order to be promoted to the rank of Professor, the staff member must demonstrate a sustained level of high quality scholarship as evidenced by national or international recognition of his or her work so as to have achieved prominence in the scholarly discipline. He or she must have produced a substantial body of published scholarship of very high quality and with a significant impact on scholarly discipline. The staff member must be effective in teaching and have made a significant contribution of service to the faculty, university or broader community. The assessment of the individual’s performance is to be based on the individual’s entire record of performance.
V. PROCEDURES FOR APPLICATION FOR PROMOTION TO PROFESSOR

Application for Promotion to Professor

27. If a staff member wishes to be considered for promotion to the rank of Professor under Article 13.26 of the Faculty of Agreement, a letter of application shall be provided to the FEC chair, with a copy to the Dean on or before July 1 of the year in which application is made. The following minimum documentation must be provided to the FEC Chair, along with a copy of the letter of application:

(a) an up to date curriculum vitae, including a complete publication list;
(b) the names of at least four (4) referees capable of judging his or her scholarly activity;
(c) the names of individuals, if any, who would not be acceptable to the applicant to act as a referee, including the reasons for non-acceptability.

28. Apart from the documentation required pursuant to paragraph 27, there are no specifications on the documentation to be provided in conjunction with a staff member’s application for promotion. However, as a guide, a staff member should provide clean photocopies or off-prints of publications, and in all cases, a staff member should be reasonable in the volume of material provided in conjunction with an application.

29. Referees should be capable of independent objective assessment and normally they should be at the rank of Professor or overseas equivalent, but not co-authors or former graduate supervisors of the staff member.

30. A staff member may withdraw his or her application for consideration of promotion at any time prior to the decision of the FEC.

Responsibilities of FEC Chair and Dean

31. Upon receipt of an application for promotion to the rank of Professor, the FEC Chair shall

(a) develop a confidential list of referees capable of judging the staff member’s scholarly activity. This list will be derived from the applicant’s recommendations and those of other staff members and such other names, if any, as the FEC Chair may select, and will not normally include individuals identified by the applicant as non-acceptable;
(b) write to a sufficient number of referees in order to obtain, in normal circumstances, a minimum of three confidential responses;
(c) invite staff members in the Faculty to provide confidential opinions as to the merits of the application;
(d) provide, upon receipt, copies of the responses and opinions submitted by referees and members of Faculty to the members of the FEC and the Dean.

32. The Dean shall:

(a) meet with the applicant to discuss the application;
(b) assess the case for promotion, based upon the criteria provided in the Faculty of Law Standards for Evaluation and Promotion;
(c) inform the staff member, through the Dean’s submission to the FEC under Article 13.33 of the Faculty Agreement, at least one (1) month prior to the meeting of the FEC as to whether the Dean intends to support or oppose the application.

VI. CONTESTED CASES
33. Where the Dean decides to oppose the application, the FEC Chair shall advise the staff member of his or her right to appear before the FEC to contest the recommendation of the Dean.

34. At least ten (10) days before the hearing, the staff member shall advise the FEC Chair of the intention to appear or submit material or both. Should the staff member submit materials to the FEC Chair, they shall be copied to the Dean and shall contain:

(a) a statement in reply to the recommendation of the Dean;
(b) any written material relevant to the case; and
(c) a list of names of persons the staff member intends to call before the FEC.

35. At least five (5) days before the hearing, the Dean shall submit to the FEC Chair, with a copy to the staff member (subject to the provisions relating to confidentiality contained herein):

(a) a statement in reply to the staff member’s submission;
(b) any written material relevant to the case; and
(c) a list of the names of persons the Dean intends to call before the FEC;
(d) if the FEC Chair is of the opinion that any of the material is too bulky for cost effective reproduction, or is of no or marginal relevance to the case, the FEC Chair shall prepare a list of material, together with a short summary of the contents thereof, and shall forward such list and summary to the staff member, the Dean, and FEC. The original of the materials shall be held available in the FEC Chair’s office for examination at any reasonable time by the staff member or the Dean, and shall be available at the FEC hearing.

36. Hearings in contested cases shall be governed by the provisions of the Faculty Agreement, Articles 13.50 to 13.61, pertaining to FEC hearings in contested cases.

37. In the event the FEC declines to endorse an application for tenure or promotion which has been supported by the Dean, the procedure as set out in Articles 13.62 - 13.70 of the Faculty Agreement shall govern.

VII. CONFIDENTIALITY

38. In conjunction with tenure or promotion, confidential academic evaluations on the work of a staff member may be received by FEC. Such statements and material should not be provided to the staff member. Where the staff member has a right to appear before FEC, the FEC Chair shall prepare a summary of the confidential material so received and provide the staff member and the Dean with a copy thereof at least ten (10) days prior to the FEC hearing. The summary statement so prepared shall be in sufficient detail to enable the staff member to know the case he or she has to meet.

VIII. MERIT INCREMENTS

Completion of Annual Reports

39. A variation in reporting practices makes it more difficult for the Faculty Evaluation Committee to fairly assess the performance of staff members. In order to standardize the kinds of information reported on the annual reports submitted to the Dean, staff members should conform to the following guidelines.

40. Citation of published work should indicate the starting page and end page numbers of articles or chapters in books. If the article has been accepted for publication but page numbers are not yet available, indicate the total number of manuscript pages.
41. Attendance at public lectures or law school social events should not be reported unless the staff member is a speaker or commentator. Staff members may report participation at academic conferences, but should make it clear their capacity (e.g., presenter of major paper, commentator, moderator, attendee).

42. Staff members in their annual reports should not list cases or articles that have cited their work, but may choose to do so in respect of tenure or promotion applications.

43. Staff members should not submit copies of articles, books or supplementary materials unless specifically requested by the Dean or by the Chair of the Faculty Evaluation Committee. Staff members may include a brief teaching dossier with their annual report if they wish to do so.

**Merit Increment Awards**

44. In evaluating research, the work must be published or disseminated or accepted for publication or dissemination.

45. A merit increment must be earned through meritorious achievement and is in no sense an automatic right or based on years of service.

46. A wide range of performance qualities are subsumed under a increment award of one merit. In view of this, staff members who regularly fall within the upper range of performance that justifies an award of one merit may be accelerated by the occasional multiple increment. Equally, staff members who regularly fall within the lower range of performance that justifies an award of one merit may be slowed down with the occasional award of a half merit.

47. Awards of multiple increments are based on outstanding performance in the year under consideration. The standards of performance are higher in the higher ranks and as progress through the ranks occur.

48. The completion of a large scholarly project such as a monograph or treatise that has taken several years to complete may be such that the contribution of the staff member can be properly considered in the following year as well, particularly if the production of the work has been such that the staff member has not obtained multiple increments during the time when the work was being produced.
ANNEX E - APPOINTMENT OF ALTERNATES FOR STUDENT REPRESENTATIVES OF THE FACULTY LAW COUNCIL

Law Students’ Association Policy and Procedures
Appointment of Alternates for Student Representatives of the Law Faculty Council

Law Faculty Council Alternates
1.1.1 2.6.2 of the LFC Manual provides that there may be alternates for the Undergraduate Law Student Representatives on Law Faculty Council. The alternate must be appointed in accordance with the Law Students’ Association’s Policy and Procedures.

Notice of absence
1.2 Any Law Faculty Council Student Representative who will not be able to attend any meeting shall, where practicable, give notice to the LSA President in writing at least 72 hours prior to the meeting. The notice should provide a brief explanation of the reasons for the absence and shall recommend an alternate to attend the meeting in his or her absence.

1.2.2 For the purposes of 1.2, the notice of absence shall include the following information:
   a) The name of the alternate;
   b) The email address of the alternate; and
   c) The dates for which the alternate is appointed.

Recognition of Alternates
1.3 The President of the Law Students’ Association (LSA) may recognize such alternates, as long as the Student Representative provides notice as required in 1.2, or as is otherwise acceptable to the LSA President

1.3.2 The LSA President may seek input from the LSA executive on the proposed alternate if he/she has any concerns about confirming the alternate suggested by the Student Representative.

1.3.3 If the LSA President confirms the suggested alternate, he/she will contact the Assistant Dean and provide notice that an alternate will be attending the meeting in the place of the absent Student Representative.

Alternate Powers
1.4 An alternate recognized under this Policy shall have the same powers and privileges as an elected Student Representative in relation to the meeting for which he or she serves as an alternate.