

Senate Committee on Academic Development

Report to Senate - Meeting of March 19, 2013

Report to Senate on Recommended Procedures Concerning the Temporary Suspension of Admissions to Academic Programs

The following recommended procedures concerning the temporary suspension of admissions to an Academic Program and/or Plan ¹(see footnote for definitions) were drafted in response to a motion passed at Senate on 25 November 2011:

Moved by Senator Campbell, seconded by Senator El Rahimy, that Senate direct the Senate Committee on Academic Development (SCAD) to outline, for consideration by Senate a procedure for the suspension of admissions to an academic program, paying due attention both to the question of the appropriate governance bodies that should be involved and to consultation with faculty members and students in the program.

Although conflicting legal opinions on governance and decanal authority do not leave the issue free of doubt, SCAD has proceeded on the assumption that authority to temporarily suspend admissions to an academic Program/Plan rests with the Dean(s)².

¹**Degree Plan:** an approved set of courses required to focus in an area of study. The depth of focus may vary according to Plan type. At least one, but possibly more than one Plan, is required to obtain a degree. Examples of Plans would include a Major in Geological Engineering, a Specialization in Life Sciences or a PhD Graduate in English. In departmentalized faculties (e.g. Arts and Science, Engineering and Applied Science), undergraduate students are usually admitted to Plans following completion of their first year of study. A Plan usually defines between 25-75% of the courses required for an undergraduate degree Program.

Degree Program: an approved set of courses leading to a degree. A degree Program will require one or more Plans, together with other requirements, such as electives, minimum academic performance standards and (for most graduate Programs) a thesis requirement. Examples of Programs would include the BSc (Hons), BSc (Eng), or the PhD degrees. Students are admitted to undergraduate Programs from high school or by transfer from other faculties or postsecondary institutions. It is important to note that a degree Program (upper case 'p') is distinct from the more general concept of an academic program (lower case 'p').

² This assumption was confirmed by the Honourable Frank Iacobucci in his legal opinion dated November 12, 2012: "Returning to Question #2(b), in my opinion it is likely that a court, in the absence of a specific direction from the Senate that decisions involving the suspension of enrolment into an academic program must be made by the Senate, would not find it to be unlawful for an authorized delegate of the Senate to make such a decision".

However, if admissions to a Program/Plan are temporarily suspended, then it is in the overall best interest of the University, and particularly of its students, that the procedures followed be as transparent and consistent as possible across Faculties and Schools.

Analysis and Discussion

The decision to temporarily suspend admissions to an academic Program/Plan is not one that is undertaken lightly. In order to ensure that such a significant decision is in the overall best interest of all stakeholders, it is important that whenever possible, all of the relevant issues surrounding a proposed temporary suspension have been considered at both the level of the affected Academic Unit(s) and the level of the Faculty/School.

Discussions that have ultimately led to a decision to temporarily suspend admissions to various Programs/Plans at Queen's have been initiated by faculty members and departments/academic units themselves as well as by more senior academic administrators. Often a decision has been reached by consensus or mutual consent. Factors that led to the initiation of such discussions are extremely varied, not infrequently complex, and have originated from both academic and resource (including financial) concerns. These concerns have arisen from issues both internal to the University (e.g. outcome of an internal academic review (IAR)) and external to the University (e.g. Ontario Council of Graduate Studies (OCGS) appraisal or professional accreditation review). In some instances, the factors have been Program/Plan-specific while in others they have been more general.

Further, in some instances the factors were publicly and widely known, whereas in others they have been more confidential and/or sensitive in nature (e.g. they may have related, at least in part, to staffing and/or personnel issues). Thus, factors that have played a part in a decision to temporarily suspend admissions have been contained in reports from external reviewers of an academic Program/Plan and/or an accreditation report, sections of which contained advice and recommendations that are not disclosed publicly and are exempt under Section 13 (1) of the Freedom of Information and Protection of Privacy (FIPPA) Guidelines.

Factors that have influenced decisions to temporarily suspend admissions to an academic Program or Plan are not necessarily mutually exclusive and may include (but are not limited to) one or more of the following:

- loss (or impending or anticipated loss) of professional accreditation
- poor or diminished quality of academic offerings (e.g. impending negative report from IAR or OCGS review; now Cyclical Program Review and Quality Council Appraisal)
- low enrolment that might jeopardize the academic quality of the Program/Plan or be considered a poorly justified expenditure of scarce resources
- inadequate applicant pool and yield to fill enrolment targets
- loss (or unavailability) of faculty or facilities that results in a compromised ability or inability to deliver a Program/Plan of the high quality desired

- loss (or unavailability) of faculty that results in breach of workload agreements if available faculty are required to take on extra workload to allow a Program/Plan to be offered of the high quality desired
- uniqueness of Program/Plan offered by Queen's
- diminished relevance of the Program/Plan in relation to changes in the academic discipline
- lack of compatibility with the strategic direction of the Academic Unit/Faculty/University
- scope and duration of the possible impact (e.g. whether the suspension affects an academic Plan or an entire academic Program)

Motion

that Senate approve the *Recommended Procedures Concerning the Temporary Suspension of Admissions to Academic Programs.*

Respectfully submitted,



Laeque K. Daneshmend, PhD, DIC
Chair, Senate Committee on Academic Development

Committee Members:

L. Anstey, PhD'15, Education
M. Baird, Chemistry
L. Daneshmend, Deputy Provost (Chair)
J. Emrich, Faculty of Law
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Recommended Procedures Concerning the Temporary Suspension of Admissions to Academic Programs

Recommended Procedures for Decision Making

In considering a decision to temporarily suspend admissions to an academic Program or Plan, the relevant Dean(s) has a critical leadership role to play. The underlying factors giving rise to the concerns about a specific academic Program will dictate the urgency of the situation. Some of the recommended procedures in the decision making process below may not be appropriate in all situations, particularly those involving a privacy issue, sensitive or confidential staffing and/or personnel issues and/or issues related to a Section 13(1) FIPPA exemption. Consequently, it is not intended that the recommendations are to be followed in a prescriptive inflexible manner.

Before the decision is finalized, it is recommended that the Dean(s):

1. Ensures that there are opportunities for affected individuals and groups to provide input into the decision.
2. Ensures that alternatives to temporarily suspending admissions to the Program/Plan have been explored and explains, to the extent possible, the feasibility (or lack of feasibility) of these alternatives.
3. Conducts an analysis of the anticipated effect, if any, a temporary suspension might have on other academic and non-academic units and/or Programs/Plans at Queen's.
4. Conducts an analysis of the anticipated impact, if any, a temporary suspension might have on the equity goals of the Academic Unit/Faculty/University, and steps that will be taken to ensure that, to the extent possible, these goals continue to be met.
5. Develops a communication plan regarding his/her decision in consultation with the Provost, including a media release if appropriate.
6. Conveys his/her decision, and when possible, the reasons for it, to: students, staff and faculty most closely affiliated with the Program/Plan; the broader academic community; and the relevant Faculty Board(s) or equivalent.

Recommended Procedures Following a Decision to Temporarily Suspend Admissions

Once a decision is made to temporarily suspend admissions, it is imperative that there is a well-articulated plan in place that will ensure that students currently enrolled in the affected Program/Plan will be able to meet graduation requirements. Every effort must be made to communicate this plan in a timely fashion to the students, staff, faculty, and academic administrators affected by the decision to temporarily suspend admissions.

If admissions to a Program/Plan are temporarily suspended, it is recommended that the suspension be time-limited (for up to 2 years) and the Dean (or Deans) should provide an interim report to Faculty Board (or equivalent body) after the first year, and each year thereafter. At the end of the initial specified time of temporary suspension, it is further recommended that the Dean (or Deans) should advise the Provost and Senate (with reasons) of his/her further decision regarding the temporary suspension which may be one of the following:

- a. to extend the temporary suspension by a further 2 years (maximum).
- b. to lift the temporary suspension and resume admissions to the original Program/Plan
- c. to lift the temporary suspension and resume admissions to a revised/restructured Program/Plan [note: restructuring/revision may involve major modifications to a Program/Plan which, as defined by QUQAPs, will require approval by SCAD and Senate. Additional approvals by COU Quality Council] (and an external accreditation body in the case of a professional Program) may also be necessary].
- d. to consider closure of the Program/Plan according to existing protocols

If options a, b or c above are to be followed, timing of the decision should take into consideration, to the extent possible, provincial application deadlines (e.g. OUAC) (particularly in the case of direct-entry Programs) and publication deadlines for recruitment materials.

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Cc: senators-l@lists.queensu.ca
Subject: SCAD Motion re Suspension of Admissions
Date: March-18-13 11:36:44 AM
Attachments: [Comments and Motions re SCAD Proposal for Suspensions \(Mar 2013\).doc](#)

Dear Dr. Daneshmend and Members of
SCAD:

We write you in reference to SCAD's motion to approve the "Recommended Procedures Concerning the Temporary Suspension of Admissions to Academic Programs" (March Agenda, item II.3).

Given the importance of this motion and given that Senate did not have advance notice of it in February, we hope that the vote to approve it might be deferred until the April meeting of Senate.

In any case, we send you a file including motions to amend the draft Procedures, together with comments. We hope that you might accept at least some of these motions as friendly amendments.

Sincerely,

Terry Bridges, Student Senator for the School of Graduate Studies
Mark Jones, Faculty Senator for Arts and Science
Jordan Morelli, Faculty Senator for Arts and Science

Motions to Amend SCAD's Proposed
"Recommended Procedures Concerning the Temporary Suspension of Admissions
to Academic Programs" (Senate Agenda, Mar. 2013, pp. 36-37) (with Comments)

1. Moved, that the word "recommended" be removed throughout, especially from the title, the sub-headings, and line 4 of the preamble.

Rationale: The mandate is a Senate Motion directing SCAD to draft "a procedure," not mere "recommendations" or "recommended procedures." The term "recommended" would make this a "recommendations" rather than a "procedures" document.

2. Moved, that the following paragraph be inserted as the beginning of the preamble (i.e., before "In considering..."):

Senate recognizes that the decision to temporarily suspend admission to academic programs is best made by the relevant Dean(s) in consultation with her/his/their respective Faculty Board(s) (or equivalent(s)) and Senate, and subject to any policies or requirements the affected Faculty or Faculties may have, or may institute, to govern their decision-making process. Therefore Senate delegates its authority *pro tempore* to the relevant Dean(s) to make final decisions concerning temporary suspensions of admissions to academic programs, subject to the following procedure.

Rationale: Makes explicit Senate's delegation of academic decision-making powers and its rights to resume them in this matter.¹

3. Moved, that the last two sentences of the preamble be revised as follows:

From:

Some of the recommended procedures in the decision making process below may not be appropriate in all situations, particularly those involving a privacy issue, sensitive or confidential staffing and/or personnel issues and/or issues related to a Section 13(1) FIPPA exemption. Consequently, it is not intended that the recommendations are to be followed in a prescriptive inflexible manner.

To:

Some parts of the procedure provided below may not be appropriate in situations requiring confidentiality regarding personnel or staffing or Section 13(1) FIPPA exemption; insofar (and only insofar) as such considerations render a measure provided below inappropriate, that measure shall not apply. In such a case the Dean(s) shall clearly indicate that some factors in the decision have been withheld for the sake of confidentiality.

Rationale: provides more precisely for exceptions to the procedure, and provides for notification in cases of confidentiality.

¹ See Justice Frank Iacobucci: "The Senate's delegation of the exercise of its authority to others within the University does not, as a matter of law, derogate from the Senate's authority over academic matters as set out in the *Royal Charter*. The Senate retains the legal authority to require any decisions falling within the Senate's jurisdiction to be brought back to the Senate for consideration and approval. At the same time, however, it is not unlawful for a body or person (such as a Faculty Board or Dean), that has received delegated decision-making authority from the Senate, to exercise that authority without seeking the approval of the Senate" (Opinion "re The Senate's Role in Queen's University Governance," Nov. 2012, pp. 11-12).

3b. [Should Motion 3 not pass]: Moved, that the final sentence of the preamble (“Consequently, it is not intended that the recommendations are to be followed in a prescriptive manner”) be deleted.

Rationale: “A procedure” should be regulatory rather than advisory.

4. Moved, that the sentence following the preamble, “Before the decision is finalized, it is recommended that the Dean(s):” be revised to read: “**In considering a proposal to suspend admissions to an academic Program or Plan**, the Dean(s) **shall:**” and that the forms of the ensuing verbs be revised accordingly, e.g., from “ensures” to “ensure.”

Rationale: (1) The current wording, “Before the decision is finalized,” would place emphasis only on final preparations for implementing the decision to suspend; the procedure should address the decision-making process as a whole. (2) The procedure should be regulatory rather than “recommended.”

5. Moved, that item 2 (on p. 1) be revised as follows:

From:

Ensures that alternatives to temporarily suspending admissions to the Program/Plan have been explored and explains, to the extent possible, the feasibility (or lack of feasibility) of these alternatives.

To:

Ensure that alternatives to temporarily suspending admissions to the Program/Plan have been explored and explain **to the affected individuals and groups, including Faculty Board(s) or equivalent(s) and Senate**, the feasibility (or lack of feasibility) of these alternatives.

Rationale: removes the vague and unnecessary “to the extent possible” and stipulates the addressees, including Senate.

6. Moved, that item 6 (p. 1) be revised as follows:

From:

Conveys his/her decision, and when possible, the reasons for it, to: students, staff and faculty most closely affiliated with the Program/Plan; the broader academic community; and the relevant Faculty Board(s) or equivalent.

To:

Convey his/her/**their** decision, **and the reasons** for it, to: students, staff, and faculty most closely affiliated with the Program/Plan; the broader academic community; and the relevant Faculty Board(s) or equivalent(s) **and Senate**.

Rationale: Removes “when possible,” which goes without saying (exceptions are provided for in connection with confidentiality, above); adds Senate to those to be advised of the decision.

7. Moved, that “This shall be done prior to the decision coming into effect wherever possible.” be inserted as the last sentence of item 6 (p. 1).

8. Moved, that the first paragraph of the “Procedures Following a Decision” (p. 2) be revised as follows:

From:

Once a decision is made to temporarily suspend admissions, it is imperative that there is a well-articulated plan in place that will ensure that students currently enrolled in the affected Program/Plan will be able to meet graduation requirements. Every effort must be made to communicate this plan in a timely

fashion to the students, staff, faculty, and academic administrators affected by the decision to temporarily suspend admissions.

To:

Before a decision is made to temporarily suspend admissions, it is imperative that there **be a well articulated plan to** ensure that students currently enrolled in the affected Program/Plan **can** meet graduation requirements. **As soon as the decision is announced**, this plan **should be communicated** to students, staff, faculty, and academic administrators affected by the decision to temporarily suspend admissions.

Rationale: corrects grammar and style; also, clarifies the timing of the planning and its announcement. (The plan should be made in advance to ensure feasibility, and should be communicated immediately upon the announcement of the decision to prevent undue distress.)

9. Moved, that the second paragraph on p. 2 be revised as follows:

From:

If admissions to a Program/Plan are temporarily suspended, it is recommended that the suspension be time-limited (for up to 2 years) and the Dean (or Deans) should provide an interim report to Faculty Board (or equivalent body) after the first year, and each year thereafter. At the end of the initial specified time of temporary suspension, it is further recommended that the Dean (or Deans) should advise the Provost and Senate (with reasons) of his/her further decision regarding the temporary suspension which may be one of the following:

To:

Temporary suspensions of admissions shall be time-limited (for up to 2 years) and the Dean (or Deans) **shall** provide an interim report to Faculty Board (or equivalent body) after the first year and each year thereafter. **At least six months before** the end of the initial specified time of temporary suspension, **the Dean (or Deans) shall** advise the Provost and Senate (with reasons) of his/her/**their** further **intentions** regarding the temporary suspension which may be one of the following:

Rationale: (1) The “if” clause is superfluous, given the section-heading. (2) “Recommended” is removed on the rationale given above. (3) It is critical that the Dean(s) inform the Provost and Senate *before* finalizing such a decision in order to allow for input and discussion.

10. Moved, that the “existing protocols” referred to in item (d) (p. 2) be identified.

Comments

SCAD’s “Recommended Procedures Concerning the Temporary Suspension of Admissions to Academic Programs” responds to a Motion passed in Senate in January 2012 (not Nov. 2011), which tasked SCAD with outlining “a procedure for the suspension of admissions.”

SCAD presented an earlier draft in May 2012; Susan Cole (then Chair of SCAD) invited “written input” and noted that “Input and discussion [would] continue in the fall, with a November target to present the report to Senate” (Senate Minutes, May 2012, p. 9). QUFA sent SCAD a detailed [response](#) and a suggested revision in August 2012. But

there has been no substantive discussion of this matter in Senate since then, and SCAD makes no reference to its “input” in its prefatory Report; nor is it clear that it has taken QUFA’s concerns into account.

Though QUFA expressed concern that the word “‘Recommended’ may suggest that the procedures are optional,” the prominence of this word has in fact increased in the new draft.

The hedging of procedures as merely “recommended” is not acceptable. What Senate mandated was a procedure, not a set of recommendations. The procedural steps enumerated 1-6 in the current SCAD draft should all be mandatory requirements, providing for exceptions in cases of confidentiality. They are not overly prescriptive, but merely provide for an appropriate level of consultation with relevant stakeholders. Why should these not be required, as opposed to “recommended”?

QUFA also expressed concern “that the proposed involvement of Faculty Boards and Senate is slighter than it should be.” But in the current document Senate is not mentioned until the end, under the “recommended procedures following a decision.” While Senate may delegate its decision-making authority to the Deans, it should not be cut out of all prior information / consultation on decisions that are properly under its authority. It should be specifically mentioned among those “groups” to be advised and allowed to advise at the beginning of the process (i.e., at step 1) and among those advised of the decision and its “reasons” at step 6. The Senate Motion of Jan. 2012 calls for a procedure that pays “due attention . . . to the question of the appropriate governance bodies that should be involved.” Another Senate Motion, passed in February 2013, provides that “until Senate has approved the Procedure . . . no suspensions of admissions . . . shall be made without prior consideration and approval by Senate” (Feb. Minutes, p. 7). This Motion is, among other things, an expression of Senate’s determination to retain some involvement in these decisions. It may delegate its *decision-making authority* in this matter to the Deans, but that does not necessitate that it be cut out of the advisory discussion.

Senate Committee on Academic Development

Report to Senate - Meeting of April 30, 2013

Response to *Comments and Motions* to Amend SCAD's proposed "Recommended Procedures Concerning the Temporary Suspension of Admissions to Academic Programs" submitted by Senators Bridges, Jones and Morelli

Introduction

At its meeting of April 9, 2013 SCAD considered the *Comments and Motions re: SCAD Proposal for Suspensions* submitted by Senators Bridges, Jones and Morelli on March 18, 2013. A copy of the Senators' submission is attached.

Context

To ensure that the historical record of SCAD's deliberations and extensive work on this referral is accurately reflected, members of SCAD take issue with the implication in the *Comments* from Senators Bridges, Jones and Morelli that SCAD did not adequately consider QUFA's submissions to SCAD on this matter (i.e. the comment "*nor is it clear that it has taken QUFA's concerns into account*"). SCAD did consider QUFA's submissions, in great depth, at several meetings including a special SCAD meeting which was held on October 15th 2012.

More recently, there was considerable communication between SCAD and QUFA on this matter:

- On January 30th, 2013 the Chair of SCAD emailed the penultimate draft of the SCAD document on suspension of admissions to both Senator Jones and Senator Young (the President of QUFA), asking for their input.
- On January 31st, 2013 the Chair of SCAD met with Senators Jones and Young.

Simply because SCAD's Motion is not aligned with the views expressed in QUFA's submission, this should not be interpreted as SCAD having been remiss in its duties. SCAD's membership has performed its duties diligently and conscientiously on this important issue.

Analysis and Discussion

Over the course of its deliberations SCAD has maintained that the decision to temporarily suspend admissions to an academic program is a very complex one and that ultimately the Dean is best positioned to make this difficult decision. SCAD has also

maintained that, in the best interests of the University (and in particular of students), procedures associated with such decision-making, and the resulting actions, should be as transparent and consistent as possible across all Faculties and Schools.

Upon careful review of the ten proposed amendments put forward by Senators Bridges, Jones and Morelli, SCAD concluded that:

- Motions 3, 6 and 7 could be considered “friendly” as they do not change the original spirit and intent of the document.
- SCAD, collectively, does not support Motions 1, 2, 4, 5, 8, 9 and 10 on the grounds that they substantially alters CAD’s original intent in its proposed *Recommended Procedures*.

SCAD’s *Recommended Procedures* are a result of many months of thorough and meticulous deliberations. SCAD has strived to present to Senate a document that, if adopted, will help the University navigate more effectively through difficult and often polarizing decisions to temporarily suspend admissions to an academic program.

Respectfully submitted,



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