



## **Academic Concession Procedures (Updated July 21, 2020)**

The Peter A. Allard School of Law (“Allard Law”) at the University of British Columbia recognizes that students’ abilities to write examinations, meet assignment deadlines, or to participate in class activities may be seriously affected by unanticipated events or circumstances that interfere with their ability to accomplish academic work. To ensure that the process for consideration of all academic concession requests is both fair and efficient, the following procedures must be followed to request permission for academic concessions.

When assigning papers, assignments, or participation requirements, course instructors are expected to advise their students of the consequences of not meeting those requirements absent an approved academic concession granted through the following procedures. Students should refer to the [Mark Deductions for Late Assignments](#) policy, available online on the Allard Law website.

**Note: All references to “Allard Law Advisor” in this document means:**

- 1. Assistant Dean, Students (for JD students) or their delegate;**
- 2. Director, Graduate Professional Programs (for LLM Common Law and LLM in Taxation students) or their delegate; or**
- 3. Graduate Programme Advisor (for LLM and PhD students) or their delegate.**

**Note: When referring to the UBC Academic Concessions Policy, all references to Academic Advising Office refer to the student’s Allard Law Advisor as defined above.**

**Note: All references to “days” in this document include weekends and holidays.**

### **A. University Academic Concessions Policy**

Allard Law follows and complies with the university’s policies on [academic concessions](#) (Policy V-135) as well as related policies (referred to in the university’s academic concessions policy).

Students should review the [Academic Concessions information in the University Calendar](#) for detailed information on types of concessions, grounds for concessions, and requirements for supporting documentation.

Pursuant to the university policy, the following are the procedures and practices Allard Law uses to facilitate the submission and determination of academic concessions.

### **B. Academic Concession Requests**

At Allard Law, all requests for academic concession should be made to the student’s Allard Law Advisor. Instructors are not permitted to consider or grant concessions, and must direct students to the appropriate Allard Law Advisor. The Allard Law Advisor will review the concession request form, request additional information from the student if necessary, and refer the request to the Chair of the Academic Procedures Committee for a decision.

Students may make a request for an academic concession on one or more grounds: (1) conflicting responsibilities (2) medical circumstances, or (3) compassionate grounds. Requests for academic concessions will not be considered due to job interviews, conference attendance, court duties, volunteer commitments,

travel or vacation plans, work schedules or a failure to back-up work. Students are expected to plan their personal affairs around their academic responsibilities.

The following is the process for requesting and reviewing academic concessions with respect to exam deferrals, paper extensions, participation waivers and modifications of course assessments. Students requesting course withdrawals should refer to **Part 6 Course Withdrawals** below.

### 1. **Procedure for Requests**

- (1) **Requests for academic concessions should be made promptly** and must be made **no later than 3 days after the due date for an assignment or paper, or a missed class**. Barring exceptional circumstances, requests submitted more than 3 days after the due date or missed class, will not be considered. For clarity, days include weekends and holidays. Where a student has received an approved extension of the due date for an assignment or paper, any concession requests for further extensions of the due date must be made in advance of the approved extension due date.

**Effective March 18, 2020, and as an interim measure in response to changes in examination procedures due to the COVID-19 pandemic, requests for an academic concession with respect to an examination (such as a request to defer an exam) must be made in advance of the start time of the examination. Requests received after the start time of the examination will only be considered in exceptional circumstances.** Barring exceptional circumstances, requests submitted after an examination has begun, will not be considered. For clarity, days include weekends and holidays.

- a. In the case of requests based on religious grounds, or for First Nations, Métis, or Inuit students of Canada, a cultural observance, the request should be made by the last day to add a course for the term (or session in the case of a full-year course) in which the course will take place (see the UBC Academic Calendar at <http://www.calendar.ubc.ca/vancouver/>).
  - b. Allard Law encourages students to notify their Allard Law Advisor promptly of any circumstances which may/will give rise to a request for academic concession.
  - c. In circumstances where the student cannot obtain documentation in time to make a prompt application, the student must notify their Allard Law Advisor of the difficulty and make submissions according to the Allard Law Advisor's instructions.
  - d. Where the student wishes to rely on previously submitted documentation in their file, it is the student's responsibility to request that their Allard Law Advisor attach those documents at the time of submission of the current request. Students must ensure that their request includes all documents and information upon which they wish to rely.
- (2) **The student will complete the Academic Concession Request form (or other request process as advised by their Allard Law Advisor)** and submit it to the student's Allard Law Advisor, along with all supporting documentation (as required and as outlined in this policy and on the Allard Law website). Materials not attached to the request form and other materials provided after the submission of the request form may not be considered.
  - (3) Students should clearly state the grounds for the concession and the anticipated duration of the conflict and or hindrance to academic work.
  - (4) In compliance with UBC's [Policy 73](#), if the Centre for Accessibility determines a student requires an academic concession for reasons related to a disability, the Centre will notify Allard Law of

such requirement in writing. Allard Law will then determine what academic concession is to be granted to the student pursuant to these Procedures.

- a. Students who are registered with the Centre for Accessibility, and who are making an academic concession request due to the reasons for which they are registered with the Centre, must complete an Allard Law Academic Concession Request form including the reasons section, but are not required to reveal personal health details, nor are they required to provide supporting health documentation to Allard Law.
- (5) Requests for academic concession with respect to exam deferrals, paper extensions, participation waivers and modifications of course assessments **will be reviewed by the Chair of the Academic Procedures Committee**, or designate. Oral submissions will not be considered or accepted.
- (6) The Allard Law Advisor will inform the student about the result of the academic concession decision, and provide information about deadlines and next steps.
- (7) The Allard Law Advisor will communicate the decision of the academic concession request, by email, to the student. The Advisor will also inform the student if further information or documentation is required in order to render a decision.

## **2. Supporting Documentation**

The law school follows [the University's policies for supporting documentation](#). Regardless of whether or not supporting documentation is required, students making an academic concession request should clearly state the grounds for the concession and the anticipated duration of the conflict or hinderance to academic work.

### **(1) Self-Declaration**

- The law school has developed a number of self-declarations which may replace the need for specific supporting documentation in some circumstances.
- Information about the use of the self-declarations is outlined on the Allard Law website, and students with questions about using a self-declaration should speak to their Allard Law Advisor.
- The law school reserves the right to request supporting documentation and will require it in the event of repeated academic concession requests.
- Submission of a self-declaration does not ensure the granting of the academic concession request.

### **(2) Supporting Documentation**

- Supporting documentation should normally be provided in support of requests for academic concessions on the grounds of conflicting responsibilities (as defined in [Policy V-135](#))
- In the case of an academic concession for care of a family member or for a religious or cultural observance, documentation is not required.
- The law school recognizes that circumstances may arise (e.g. incidents of sexualized violence) where documentation is unavailable or not appropriate and not otherwise covered by a self-declaration. Students with questions about documentation requirements should contact their Allard Law Advisor in advance of making an academic concession application.

### **(3) Medical Documentation**

In cases where medical documentation is required, the law school may request:

- a note or letter on official letterhead from a qualified healthcare provider such as a doctor, counselor, psychologist etc. The note or letter must include the following information:

- Date the healthcare provider saw the student;
- Duration of illness or impairment;
- Comments on the effect of the illness/impairment on the student's ability to attend class, complete the assignment or sit the examination in question; and
- Signature of healthcare provider.

If the illness or impairment is longer than indicated on the first note/letter, a further note/letter satisfying the above conditions may be required.

Students should consult their Allard Law Advisor if they are unsure of the documentation to submit with their request.

### **3. Deferred Examinations**

In cases of examinations deferred until a later date, a different examination will be employed from that used for the rest of the class, unless permission to the contrary is given by the Academic Procedures Committee.

The law school maintains set deferred examination periods. The dates for the deferred examination periods are set in advance of the academic year, and are on the Academic Concession Request Form. Students must write their deferred exams during these examination periods.

In the case of a request based on religious grounds, or for First Nations, Métis, or Inuit students of Canada, a cultural observance, made by the last day to add a course for the term (or session for full-year courses), the Director, Student Academic Services will determine an alternate date during the regular examinations period for the student to take the exam. The student will be required to sign a confidentiality undertaking.

### **4. First-Year December Examinations**

First-year December exams are mandatory. If a student experiences a circumstance that makes them unable to sit for a December 1L practice exam, the student should request an exam waiver as an academic concession request. Exam deferrals are not available for December practice exams. If the exam waiver is granted, the student's April exam in that course will be worth 100% of their final grade.

For first-year courses where the December exam counts towards the final mark in the course, an exam waiver is not available. If a student experiences a circumstance that makes them unable to sit for this exam, the student should request an exam deferral.

### **5. Participation Waivers**

Students are expected to attend class regularly and to participate. However, circumstances may arise such that a student misses an occasional class for personal or other reasons. Instructors with attendance policies impacting a student's mark in a course are encouraged to have a policy which anticipates that a student may require an unexcused absence. Students who miss classes beyond those permitted by the instructor or who miss a graded participation component (e.g. a class presentation or an assigned speaking requirement) should consult with their Allard Law Advisor to discuss requesting an academic concession within 3 days of the missed class.

### **6. Course Withdrawals**

Withdrawal from a course after the last date to drop with a W is available as an academic concession and only in exceptional circumstances. Students requesting a late withdrawal should do so promptly and are expected to provide supporting documentation. Late withdrawals are not available if the student has completed the final assessments in the course. Students should consult with their Allard Law Advisor to discuss the possibility of late withdrawal.

### **C. Requests for Reconsideration or Appeal**

#### **1. Requesting Reconsideration of the Chair's Decision**

Requests for reconsideration of a decision by the Chair of the Academic Procedures Committee, or designate, may be made only where the student has additional documentation or information which was not available to the student at the time of the original request. Requests for Reconsideration must:

- be in the form of a letter to the Chair of the Academic Procedures Committee;
- be submitted within 14 days of the date of the original decision, to the student's Allard Law Advisor; and
- explain why such additional information was not available to the student at the time of the original request.

Reconsideration decisions will be communicated, by e-mail, to the student by the Allard Law Advisor. Students should not contact the Chair of the Academic Procedures Committee directly.

#### **2. Appealing the Decision of the Chair or the Allard Law Advisor**

Appeals of the Chair's original decision or decision on reconsideration, as well as appeals of a decision of the Allard Law Advisor, should first be made in writing, through the student's Allard Law Advisor to the Associate Dean, Academic Affairs (for JD students) or the Associate Dean, Graduate Studies and Research (for Graduate students). The Associate Dean will not consider initial requests for reconsideration which should go to the Chair in the first instance. Students do not need to seek a reconsideration of the Chair's Decision before they submit an appeal of the Chair's Decision. Appeals must be made within 14 days of the date of the original decision.

An appeal must:

- be in writing;
- state the reasons for request; and
- include any further materials which the student wishes the Associate Dean to consider.

If the student wishes to make oral submissions, the written material must state why a decision should not be based on the written record alone.

The Associate Dean will normally proceed by considering the written material provided. If oral submissions are permitted, then the Associate Dean will determine whether other persons should be invited to attend the hearing, or whether the hearing should be postponed to permit investigation.

If oral submissions are permitted, the Associate Dean may communicate the results of the appeal to the student at the time of the hearing. Otherwise, the results of the appeal will be communicated to the student in writing by the student's Allard Law Advisor.

### **3. Further Appeals**

Students may appeal the decision of the Associate Dean to the Dean of Law. Appeals to the Dean should be made directly to the Dean as soon as reasonably possible, and should include a full record of the request and appeal process (which can be obtained from the student's Allard Law Advisor).

Students wishing to appeal a decision of the Dean may be eligible to appeal to the Committee on Appeals of Academic Standing, a standing committee of the University Senate which reviews all appeals to the Senate. Please see the [Policies and Regulations for Senate Appeals on Academic Standing](#) for information about appeals, including timelines.