

**APPENDIX A. REPORT TO SENATE OF
THE COMMITTEE ON STUDENT DISCIPLINE
ANNUAL REPORT 2016-2017**

**Submitted by Christopher Buddle, Dean of Students
& Glenn Zabowski, Associate Dean of Students**

The Committee on Student Discipline (CSD) is a tribunal rather than a policy committee; it functions when convened to consider disciplinary cases. The policies administered by CSD are normally brought to Senate, after appropriate consultations by the Dean of Students. The business of the Committee is conducted by the Office of the Dean of Students. The Dean and Associate Dean of Students are not themselves Disciplinary Officers (DOs), but are fully engaged in ensuring that the processes for the *Code of Student Conduct and Disciplinary Procedures* (the Code) are respected - <https://www.mcgill.ca/secretariat/files/secretariat/code-student-conduct-discipline-procedures-april-2013-final-revised-3.pdf>.

The Dean of each Faculty, of the Libraries and of Graduate and Postdoctoral Studies, the Executive Director of Athletics and Recreation and the Directors of Student Housing & Hospitality are officially appointed as Disciplinary Officers. The Faculty Deans routinely deputize one or more members of their staff to act as Disciplinary Officers. Student Housing & Hospitality deputize Residence Life Managers (RLMs), for overseeing non-academic offences that occur in Residence halls.

A Disciplinary Officer will be forwarded any allegation of a possible academic or non-academic violation of the Code of Student Conduct and Disciplinary Procedures (although non-academic offences are first reported to the Office of the Dean of Students). The Disciplinary Officer will investigate the allegation and call the student to a disciplinary interview if warranted, after which the Disciplinary Officer will decide upon whether there is a finding of responsibility and possible sanctions.

At any time during the process a Disciplinary Officer or student may decide to send a case to the Committee on Student Discipline where they would present the case; in this situation the committee would decide upon a finding of responsibility and sanctions. A Disciplinary Officer can cede a case to another Disciplinary Officer if they feel there is a conflict of interest or if they feel their handling of the case would be inappropriate for any reason.

The Disciplinary Officer's job is challenging since each student's situation is unique and must be treated as such. Regular meetings of all the Disciplinary Officers help ensure that there is a common understanding of how the Code should be interpreted and what constitutes appropriate sanctions. The Office of the Dean of Students serves as a resource to students and to Disciplinary Officers regarding matters related to the Code. The Office of the Dean of Students has also ensured a set of Disciplinary Officers receive additional training, and these individuals will oversee cases involving sexual violence.

This Annual Report includes all discipline cases formally addressed during the last academic year at McGill University. CSD hearings comprise 2.1% of this total. 186 students participated in the discipline process last academic year. Some students were involved in more than one case. More than one article of the Code may be cited in some cases. The undergraduate and graduate student breakdown is not provided in order to protect the confidentiality of outcomes.

Statistical Overview of Disciplinary Cases for Sept. 1, 2014 to Aug. 31, 2017

	1 September 2014 to 31 August 2015			1 September 2015 to 31 August 2016			1 September 2016 to 31 August 2017		
	Total	Academic	Non-Academic	Total	Academic	Non-Academic	Total	Academic	Non-Academic
Total Number of Cases	240	183	57	286	218	68	192	149	43
Adjudicated by the DO	228	175	53	281	215	66	188	148	40
Adjudicated by CSD	12	8	4	5	3	2	4	1	3
Cases in Progress*	16	8	8	10	7	3	15	10	5

*Cases not closed are carried over to the following academic year.

DETAILS FOR 2016-2017

ACADEMIC OFFENCES

For the range of articles in the Code addressing academic offences, please refer to Appendix B. In 2016-17, the majority of the decisions (68.9%) were plagiarism while 26.4% of the decisions were cheating; these figures are similar to past years (a 3 to 1 ratio).

NON-ACADEMIC OFFENCES

For the range of Articles in the Code addressing non-academic offences, please refer to Appendix C. In 2016-17, 25 or 44% of the decisions were for Article 10 (Physical Abuses, Harassment and Dangerous Activity). This compares to 56 decisions or approximately 66% in 2015-16 and 37 decisions or approximately 56% in 2014-15. Article 10 is usually the most common allegation for non-academic offenses. Article 11 (Unauthorized or Fraudulent Use of University Resources, Equipment or Services) was the second most used article addressing non-academic offenses with 11 decisions (19.3%).

CASES REFERRED TO THE COMMITTEE ON STUDENT DISCIPLINE

CSD meets when a case is referred by the Disciplinary Officer, when a full hearing is requested by the student, or when a student on conduct probation after a disposition is alleged to have violated the same article of the Code as the previous case. Four student cases were heard by the Committee on Student Discipline in 2016-17, 2 carrying over from 2015-16. Five CSD hearings are pending and will be included in the 2017-18 annual report. Cases still pending generally result from the non-availability of the students after spring and summer exam sessions or due to off-campus semesters. In the last two academic years, there has been a higher proportion of students appealing DO dispositions. The Articles addressed at CSD are found in Appendix D. The undergraduate and graduate student breakdown is not provided in order to protect the confidentiality of outcomes.

ORDER TO CEASE AND DESIST COMMUNICATION

Where a student's conduct gives rise to reasonable grounds to believe that the student's continued communication with a member or members of the University community constitutes a threat to the well-being of a member or members of the University community, under Article 21(a) of the Code, the Disciplinary Officer may order the student to immediately cease and to desist from such communications for a maximum of 10 days. In 2016-17, 4 students were ordered to cease and desist communication for periods of varying duration.

EXCLUSION FROM CAMPUS AND/OR RESIDENCES & STUDENT HOUSING

Article 21(b) & 21(c) of the Code provides conditions for exclusion of a student from an area of campus or from the University for reasons of maintaining good order or for the safety of others. In 2016-17, 4 students were excluded for periods of varying duration from an area of campus or from the University.

DISCIPLINARY CLEARANCES

The Office of the Dean of Students keeps the University's official records related to student discipline. Any request for a disciplinary status report (disciplinary clearance) must come from the student to the Dean of Students. In 2016-17, 309 disciplinary clearance letters were prepared.

COMMENTS BY THE DEAN OF STUDENTS AND ASSOCIATE DEAN OF STUDENTS

The total number of cases went down last academic year after going up the year before, and after going down for four straight years previously. In 2016-17, the total number of cases was 32.9% lower (192 in 2016-17 vs. 286 in 2015-16), and has not been this low since the 2005-06 academic year when there were 186 cases. There was a 31.7% decrease in academic cases (149 vs. 218 cases) and a 36.8% decrease in non-academic cases (43 vs. 68 cases). There are always fluctuations yearly in the number of cases, although it is clear that the 2016-2017 year does represent a very low number of cases. The reasons are not known, but perhaps efforts to communicate about the Code of Conduct have been successful, or perhaps informal resolutions to disputes are being used. It is also possible that allegations of violations of the Code are being underreported. It is essential that the community uses the Code of Conduct when there is a possible violation of an academic or non-academic offence, as this ensures there is a fair process for students.

Some students participated in the discipline process on more than one occasion and as part of the disciplinary process, a decision is made for each article cited.

Exonerations, in which it is deemed there is a lack of clear, convincing and reliable evidence, accounted for 25.5% of academic offence decisions and 23.3% of non-academic decisions; these are similar to past years. It is typical that the number of exonerations for academic offense decisions are higher as these cases are sometimes less clear than non-academic decisions.

Of the 192 cases in 2016-17, 46 were from Engineering, 40 from Arts, 26 from Residences, 23 from Science, and 16 from Agricultural and Environmental Sciences. The remaining 41 cases are distributed among five other Faculties and Schools.

The number of decisions involving plagiarism were less than the year before (102 in 2016-17 versus 186 in 2015-16). The number of decisions involving cheating increased slightly from 35 in 2015-16 to 40 in 2016-17.

There were 153 admonishments in the discipline process in 2016-17 compared to 219 in 2015-16.

There were four reprimands in the discipline process in 2016-17 compared to eight in 2015-16.

127 decisions of conduct probation for periods of varying duration were made (compared to 157 in 2015-16). "Conduct probation" means a penalty whereby a student is officially advised that any allegation of the same article of the Code, during a specified period of time, shall be referred to the CSD. As part of this penalty, one or more conditions reasonably related to the offence or offences may also be imposed. The most common sanction for academic cases is a grade of 0 or F for the course component in question.

CONCLUSION AND THANKS

Service as a Disciplinary Officer (Appendix E) and as a CSD member (Appendix F) demands an important investment of time by the staff and students appointed to these positions. Many thanks to all for their attention to detail and to approved procedures, and for the respectful environment maintained in all disciplinary matters. These are demanding roles that involve using a range of tools and strategies, including the application of the Code to balance the rights of complainants, persons under allegation and the wider community of McGill University, the maintenance of order and assuring that the principles of academic integrity are respected.

Many key issues in our community are played out through the discipline system, such as, the limits of freedom of expression, the accommodation of students with disabilities or severe mental illness, and the extent of the “McGill context” – i.e. where does McGill University have jurisdiction, and where does it not? Staff and students are on the frontline of these key debates and they make difficult decisions on a daily basis that can have consequences not only for individuals, but for our community as a whole. Much appreciation to all those involved

Appendix B: Allegations of Academic Offences Adjudicated by Disciplinary Officers

Article – Decision*	16	17	18	19	Totals
Exonerated	25	11	0	2	38
Admonished	75	28	1	3	107
Reprimand	2	0	0	1	3
TOTALS	102	39	1	6	148 decisions

Article 16 (Plagiarism)

Article 17 (Cheating)

Article 18 (Confidential Materials)

Article 19 (Misrepresentation of Facts)

**Some students have more than one case and/or more than one allegation per Article of the Code.*

Appendix C: Allegations of Non-Academic Offences Adjudicated by Disciplinary Officers

Article – Decision*	5	7	8	9	10	11	13	15	Totals
Exonerated	0	1	0	0	10	1	0	0	12
Admonished	4	2	8	4	15	10	1	1	45
Reprimand	0	0	0	0	0	0	0	0	0
TOTALS	4	3	8	4	25	11	1	1	57 decisions

Article 5 (Obstruction)

Article 7 (Unauthorized Entry and/or Presence)

Article 8 (Theft, Damage and Destruction of Property)

Article 9 (Possession of Stolen Property)

Article 10 (Physical Abuses, Harassment and Dangerous Activity)

Article 11 (Unauthorized or Fraudulent Use of University Resources, Equipment or Services)

Article 13 (Misuse of Library or Information Technology Resources)

Article 15 (Relationship with Civil Law and Authority)

**Some students have more than one case and/or more than one allegation per Article of the Code.*

Appendix D. Allegations Referred to the Committee on Student Discipline (CSD)

Article – Decision*	7	10	17	Totals
Exonerated	0	2	0	2
Admonished	0	0	1	1
Reprimand	1	0	0	1
TOTALS	1	2	1	4 decisions

Article 7 (Unauthorized Entry and/or Presence)

Article 10 (Physical Abuses, Harassment and Dangerous Activity)

Article 17 (Cheating)

APPENDIX E. 2016-2017 DISCIPLINARY OFFICERS

AREA	
Faculty of Agricultural and Environmental Sciences	Prof. Jim Fyles, Associate Dean (Student Affairs)
Faculty of Arts	Prof. Lucyna Lach, Associate Dean (Student Affairs)
Athletics	Mr. Philip Quintal, Associate Director, Department of Athletics
School of Continuing Studies	Dr. James Archibald, Director (Translation & Written Communication)
Faculty of Dentistry	Prof. Jocelyne Feine
Faculty of Education	Prof. Fiona Benson, Director, Office of Student Teaching, Undergraduate Programs, Director, MA in Teaching & Learning
Faculty of Engineering	Prof. David Frost, Associate Dean (Student Affairs) Prof. Dennis Giannacopoulos Prof. Frank Ferrie Prof. Srikar Vengallatore
Graduate and Postdoctoral Studies	Dr. Jean-Jacques Lebrun, Associate Dean Prof. Robin Beech, Associate Dean Patricia Kirkpatrick
Faculty of Law	Prof. Vrinda Narain, Associate Dean (Academic)
Libraries	Carole Urbain, Senior Director, Academic Affairs
Desautels Faculty of Management	Mr. Larry Goldsman, Faculty Lecturer & Advisor
Faculty of Medicine	Dr. Beth-Ann M. Cummings, Associate Dean (Undergraduate Medical Education)
	Dr. Armand Aalamian, Associate Dean (Postgraduate Medical Education & Professional Affairs)
Faculty of Science	Ms. Nicole Allard, Director, Advising Services <u>Backup</u> : Mr. Pete Barry, Chief Academic Advisor
Ingram School of Nursing	Dr. Anita Gagnon, Associate Dean and Director
School of Physical and Occupational Therapy	Dr. Annette Majnemer, Associate Dean and Director Dr. Laurie Snider
Schulich School of Music	Prof. Jacqueline Leclair, Associate Dean (Academic and Student Affairs)

<p>Residences (As of August 31, 2016)</p>	<p>Ria Rombough (began Jan. 2017) Janice Johnson (ended Dec. 2016)</p> <p>Cora-Lee Conway MORE Houses (Undergrad) Royal Victoria College Douglas Hall</p> <p>Avik (Jim) Ghoshdastidar Solin Hall</p> <p>Laura Glover Molson McConnell Gardner</p> <p>Lindsay O’Connell Laird Hall Eco Residence</p> <p>Ria Rombough Graduate Housing</p> <p>Luke Walker New Residence</p> <p>Kayin Queely Carrefour Sherbrooke La Citadelle</p>
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APPENDIX F. CSD COMPOSITION IN 2016-2017

NAME	FACULTY	TERM (end Aug. 31)
Student Members		
Nicholas Dunn	PGSS: Philosophy	2017
Patrick Theodore	PGSS: MBA	2017
Jenny Ann-Pura	PGSS: PHD Experimental Surgery	2017
Itai Gibli	SSMU: Arts	2017
Daniel Zackon	SSMU: Arts	2017
Ellen Chen	SSMU: Law	2017
Genevieve Favre-Savoie	SSMU: Law	2017
Allen Chen	SSMU: Dentistry	2017
Jamiey Kelly	MACES: Human Resources Management	2017
Karen Lam	Mac Campus: Nutritional Science	2017
Nihal Mandanna	Mac Campus Nutritional Science	2017
Chairs		
Richard Leask (Chair)	Engineering (Chemical)	2018
David Ragsdale (Vice-Chair)	Medicine	2018
Faculty		
Brett Meyer	Engineering (Electr&Comp)	2019
Gonzalo Cosa	Science (Chemistry)	2019
Michael Ngadi	Engineering (Bioresource)	2019
Miranda Hickman	Arts (English)	2019
Heather Goad	Arts (Linguistics)	2019
Jocelyne Feine	Dentistry	2017
Emine Sarigollu	Management	2017
Antonia Arnaert	Nursing	2018
Legal Assessors		
Richard Janda	Law	2018
Olga Stelmakh	Law	2019
Secretaries		
Glenn Zabowski Associate Dean of Students	Management	2018
Chris Buddle Dean of Students	Agricultural and Environmental Sciences	2021