

Memorandum

Office of the Dean of Students
Suite 2100, Brown Building
3600 McTavish Street, McGill
Tel: 514-398-4990

TO: Board of Governors
FROM: Professor Christopher M. Buddle, Dean of Students
SUBJECT: Annual Report of the Committee on Student Discipline (CSD)
DATE: February 14, 2019
DOCUMENT #: GD18-39
ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE & EXPECTED OUTCOME The annual report of the Committee on Student Discipline (CSD) is presented to the Board of Governors, for information.

BACKGROUND & RATIONALE The [Code of Student Conduct and Disciplinary Procedures](#) is an important policy at McGill, governing our students' responsibilities, and outlining the fair process should a student be alleged to have violated an academic or non-academic offence. Activities under this policy during the 2017-2018 academic year are summarized in the annual report.

In addition to what is reported, all Disciplinary Officers and members of the CSD were invited to participate in orientation and training sessions. During the year, Disciplinary Officers met to discuss common issues and concerns. In collaboration with relevant stakeholders and committees, the Office of the Dean of Students (which administers the CSD) continues to work to increase awareness of and respect for academic integrity. Orientation sessions for students and new faculty will continue to emphasize the values underlying the Charter of Students' Rights, the Code of Student Conduct and Disciplinary Procedures and other policies.

ALIGNMENT WITH MISSION AND STRATEGIC PRIORITIES Careful attention to students' responsibilities is central to our University's mission, and our goal of maintaining a respectful teaching and learning environment, and one that upholds principles of academic integrity.

COMPLIANCE WITH UNIVERSITY POLICY The report is presented to the Board of Governors in accordance with the Code of Student Conduct and Disciplinary Procedures, which states:

An annual report of the activities under the Code of Student Conduct and Disciplinary Procedures shall be prepared by the Dean of Students and presented to Senate and to the Board for information. No mention shall be made of the names of the parties nor of any information which might lead to their identification.

Pursuant to the Code of Student Conduct and Disciplinary Procedures, the Dean of Students hereby submits the 2017-2018 Annual Report of the

	Committee on Student Discipline for information.
COMPLIANCE WITH LEGISLATION/ EXTERNAL REGULATIONS	This report is not subject to external legislation or external regulations.
RISK FACTORS	There are no known risk factors associated with this report.
SUSTAINABILITY CONSIDERATIONS	There are no known sustainability considerations associated with the report.
IMPACT OF DECISION AND NEXT STEPS	N/A
MOTION OR RESOLUTION FOR APPROVAL	N/A
APPENDICES	Appendix A: Report to Senate of the Committee on Student Discipline, with supporting appendices

APPENDIX A. REPORT TO SENATE OF THE COMMITTEE ON STUDENT DISCIPLINE ANNUAL REPORT 2017-2018

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

Overview

The [Code of Student Conduct and Disciplinary Procedures](#) (the “Code”) is an important policy at McGill: it outlines the responsibilities of students for both academic and non-academic matters. It is a policy that contains definitions about misconduct, but also details a full disciplinary process, and an appeal process. The Code ensures students’ rights to a fair process are maintained and it is a frequently used policy at McGill.

The mandate of the Committee on Student Discipline (CSD), its role, and membership, are embedded within the Code. The committee is a tribunal rather than a policy committee; it functions when convened to consider disciplinary cases brought to its attention. 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 and by Disciplinary Officers (DOs). 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 are followed and respected.

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.

The Disciplinary Process

Any allegation of a possible academic violation of the Code of Student Conduct and Disciplinary Procedures is normally forwarded directly to the appropriate Disciplinary Officer. Non-academic offences are first reported to the Office of the Dean of Students and subsequently assigned to a Disciplinary Officer. 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 if so, assign 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. CSD also meets when a student on conduct probation after a disposition is alleged to have violated the same article of the Code as the previous case, or when a student appeals a decision by a Disciplinary Officer after a disciplinary interview. 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 and training 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.

Aggregate Case Statistics for the 2017-2018 Academic Year

This Annual Report includes all discipline cases formally addressed during the last academic year at McGill University. CSD hearings comprise 2.6% of this total. 252 students participated in the discipline process last academic year. Some students were involved in more than one case and others were involved in interim orders (exclusion / cease & desist communication) which did not result in a disposed case. More than one article of the Code may be cited for 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, 2015 to Aug. 31, 2018

	1 September 2015 to 31 August 2016			1 September 2016 to 31 August 2017			1 September 2017 to 31 August 2018		
	Total	Academic	Non-Academic	Total	Academic	Non-Academic	Total	Academic	Non-Academic
Total Number of Cases	286	218	68	192	149	43	264	202	62
Adjudicated by the DO	281	215	66	188	148	40	257	198	59
Adjudicated by CSD	5	3	2	4	1	3	7	4	3
Cases in Progress*	10	7	3	15	10	5	5	4	1

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

2017-2018 Case Details

ACADEMIC OFFENCES (Adjudicated by Disciplinary Officers)

For the range of articles in the Code addressing academic offences, please refer to Appendix B. In 2017-18, the majority of the decisions (72.5%) were plagiarism while 20.8% of the decisions were cheating; these figures are similar to past years (approximately a 3 to 1 ratio).

NON-ACADEMIC OFFENCES (Adjudicated by Disciplinary Officers)

For the range of Articles in the Code addressing non-academic offences, please refer to Appendix C. In 2017-18, 32 or 42.7% of the decisions were for Article 10 (Physical Abuses, Harassment and Dangerous Activity). This compares to 25 decisions or approximately 44% in 2016-17 and 56 decisions or approximately 66% in 2015-16. 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 17 decisions (22.7%).

CASES REFERRED TO THE COMMITTEE ON STUDENT DISCIPLINE

Seven student cases were heard by the Committee on Student Discipline in 2017-18, 1 carrying over from 2016-17. Four student cases were heard by the Committee on Student Discipline in 2016-17. Two CSD hearings are pending and will be included in the 2018-19 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, although some eventually withdraw their cases before CSD is convened. 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 2017-18, 5 students were ordered to cease and desist communication for periods of varying duration. This compares to 4 students in 2016-17 and 10 students in 2015-16.

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 2017-18, 11 students were excluded for periods of varying duration from an area of campus or from the University. This compares to 4 students in 2016-17 and 11 students in 2015-16.

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 2017-18, 199 disciplinary clearance letters were prepared.

COMMENTS BY THE DEAN 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. After dropping to 192 cases 2016-17 (the lowest since 2005-06) the total number of cases returned to more typical levels at 264 cases. There were 286 cases in 2015-16, 240 cases in 2014-15, and 276 cases in 2013-14. There was a 35.6% increase in academic cases (202 vs. 149 cases) and a 44.2% decrease in non-academic cases (62 vs. 43 cases). There are always fluctuations yearly in the number of cases, and once again the 2017-18 numbers seem similar to the numbers in the years prior to 2016-17. 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.

Exonerations, in which it is deemed there is a lack of clear, convincing and reliable evidence, accounted for 32.5% of academic offence decisions and 15.6% of non-academic decisions; these are similar to past years. It is typical that the number of exonerations for academic offence decisions are higher as these cases are sometimes less clear than non-academic decisions. Usually about one third of all decisions result in an exoneration.

Of the 252 students in 2017-18, 41 were from Arts, 39 from Residences, 31 from Engineering, 27 from Nursing, 21 from Education, 19 from Management, 17 from Science, and 16 from GPS. The remaining 41 students are distributed among five other Faculties and Schools.

The number of decisions involving plagiarism were higher than the year before (152 in 2017-18 versus 102 in 2016-17). The number of decisions involving cheating increased slightly from 40 in 2016-17 to 44 in 2017-18.

There were 198 admonishments in the discipline process in 2017-18 compared to 153 in 2016-17.

There were ten reprimands in the discipline process in 2017-18 compared to four in 2016-17, and eight in 2015-16. Reprimands are an official disciplinary record, held by the Office of the Dean of Students. Disclosures of disciplinary records are done only with the consent of the student.

138 decisions of conduct probation for periods of varying duration were made (compared to 127 in 2016-17). "Conduct probation" means a sanction 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 sanction, 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 to maintain order and assure the principles of academic integrity are respected. This also includes the application of the Code to balance the rights of complainants, persons under allegation and the wider community of McGill University.

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 “University 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	46	16	0	4	66
Admonished	102	26	1	9	138
Reprimand	2	1	0	0	3
TOTALS	150	43	1	13	207 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	14	15	Totals
Exonerated	2	0	2	0	5	3	0	0	0	12
Admonished	4	3	11	0	23	14	1	1	0	57
Reprimand	0	0	1	0	4	0	1	0	0	6
TOTALS	6	3	14	0	32	17	2	1	0	75 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 14 (False Accusation)

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	10	11	16	17	19	Totals
Exonerated	0	0	1	0	2	3
Admonished	1	1	1	0	0	3
Reprimand	0	0	0	1	0	1
TOTALS	1	1	2	1	2	7 decisions

**One CSD case was an Article 21 (Exclusion) which was extended. There was thus no exoneration, admonishment or reprimand. Some students have more than one case and/or more than one allegation per Article of the Code.*

APPENDIX E. 2017-2018 DISCIPLINARY OFFICERS

AREA	DISCIPLINARY OFFICERS
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	Dr. Michel El-Hakim, Program Director
Faculty of Education	Prof. Fiona Benson, Director, Office of Student Teaching, Undergraduate Programs, Director (until July 2018) Prof. Lisa Starr, Director, Office of Student Teaching, Undergraduate Programs, Director (from July 2018)
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 Prof. France Bouthilier, Associate Dean
Faculty of Law	Prof. Vrinda Narain, Associate Dean (Academic)
Libraries	Mr. Jeffry Archer, Associate Dean (User Services),
Desautels Faculty of Management	Mr. Larry Goldsman (Undergraduate Programs) Prof. Steve Fortin (Masters Programs) Prof. Corey Phelps (Executive Programs)
Medical Education Programs	Dr. Beth-Ann M. Cummings, Associate Dean (Undergraduate Medical Education)
	Dr. Armand Aalamian, Associate Dean (Postgraduate Medical Education & Professional Affairs)
	Mrs. Josée Bonneau, Director of the Master's Program of the ISON
	Dr. Laurie Snider, Associate Dean and Director, School of Physical and Occupational Therapy

AREA	DISCIPLINARY OFFICERS
Faculty of Science	Ms. Nicole Allard, Director, Advising Services Backup: Mr. Pete Barry, Chief Academic Advisor
Schulich School of Music	Prof. John Mac Master, Associate Dean (Academic and Student Affairs)
Residences	<p>Ms. Ria Rombough (until Dec 2017): <i>All Residences</i></p> <p>Ms. Cora-Lee Conway: <i>Residence Life Team Leader, MORE Houses (Undergrad)</i></p> <p>Ms. Erin Schwabe-Fry: <i>Douglas & McConnel Hall</i></p> <p>Mr. Avik (Jim) Ghoshdastidar: <i>Solin Hall</i></p> <p>Ms. Melissa Garrido: <i>Molson & Gardner</i></p> <p>Ms. Lindsay O’Connell: <i>Laird Hall & Eco Residence</i></p> <p>Mr. Luke Walker: <i>New Residence</i></p> <p>Mr. Kayin Queely: <i>Carrefour Sherbrooke & La Citadelle</i></p>

APPENDIX F. CSD COMPOSITION IN 2017-2018

NAME	FACULTY	TERM (ending 31 Aug.)
Student Members (12)		
Camille Belanger	SSMU: Arts	2018
Ellen Chen	SSMU: Law	2018
Jad El-Tal	SSMU: Arts	2018
Caitlin Mehrotra	SSMU: Science	2018
Sebastien Oudin-Filipecki	SSMU: Arts	2018
Nicholas Dunn	PGSS: Philosophy	2018
Jenny Ann Pura	PGSS: Experimental Surgery	2018
Wajih Jawhar	PGSS: Human Genetics	2018
Nancy He	MCSS: Nutritional Sciences	2018
Pierce Dias-Carlson	MCSS: Bioresource Engineering	2018
Jamiey Kelly	MACES: Human Resources	2018
Nour El Darsa	MACES: English and French	2018
Chairs		
Richard Leask (Chair)	Engineering (Chemical)	2018
David Ragsdale (Vice-Chair)	Medicine	2018
Faculty (8)		
Brett Meyer	Engineering (Electr&Comp)	2019
Gonzalo Cosa	Science (Chemistry)	2019
Hamid Etemad	Management	2020
Miranda Hickman	Arts (English)	2019
Heather Goad	Arts (Linguistics)	2019
Michael Hendricks	Science (Biology)	2020
Sebastien Faucher	Agricultural and Environmental	2020
Antonia Arnaert	Nursing	2018
Assessors		
Richard Janda	Law	2018
Secretaries		
Christopher Buddle	Dean of Students	2021
Glenn Zabowski	Associate Dean of Students	2018