

# Memorandum

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**TO:** Board of Governors

**FROM:** Professor Christopher Buddle, Dean of Students

**SUBJECT:** Annual Report of the Committee on Student Discipline

**DATE:** February 2, 2017

**DOCUMENT #:** GD16-40

**ACTION REQUIRED:**  INFORMATION  APPROVAL/DECISION

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**ISSUE & EXPECTED OUTCOME** The Annual Report of the Committee on Student Discipline (2015-2016) is presented to the Board of Governors for information in accordance with the *Code of Student Conduct and Disciplinary Procedures*.

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**BACKGROUND & RATIONALE** The Annual Report of the Committee on Student Discipline (CSD) provides an overview of the CSD's activities in 2015-2016. The CSD convenes to consider disciplinary cases and is overseen by the Office of the Dean of Students.

During the year, CSD met to discuss various cases referred by Disciplinary Officers. The Annual Report includes all discipline cases formally addressed during the last academic year at the University. Over the course of the year, all new members of CSD were also invited to participate in an orientation session. In addition, information sessions were provided for Disciplinary Officers new to their roles.

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**ALIGNMENT WITH MISSION AND STRATEGIC PRIORITIES** In collaboration with the Enrolment and Student Affairs Advisory Committee (ESAAC) and the ESAAC Subcommittee on Academic Integrity, 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 ([www.mcgill.ca/secretariat/policies/students](http://www.mcgill.ca/secretariat/policies/students)).

The Annual Report aims to support the CSD's objectives and to inform members of the Board of Governors and the wider McGill community of decisions taken by the CSD.

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**COMPLIANCE WITH UNIVERSITY POLICY** Article 89 of the *Code of Student Conduct and Disciplinary Procedures* states:

*An annual report of the activities of the CSD 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.*

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	The Report has been reviewed by Disciplinary Officers, the Committee on Student Discipline, and was presented to Senate on November 23, 2016.
<b>COMPLIANCE WITH LEGISLATION/ EXTERNAL REGULATIONS</b>	There are no legislative requirements associated with the Report.
<b>RISK FACTORS</b>	Allegations of student misconduct, including academic and non-academic offences, which are not properly addressed, could have reputational or societal consequences.
<b>SUSTAINABILITY CONSIDERATIONS</b>	N/A
<b>IMPACT OF DECISION AND NEXT STEPS</b>	The report is presented annually to the University's governance bodies.
<b>MOTION OR RESOLUTION FOR APPROVAL</b>	The report is presented for information.
<b>APPENDICES</b>	Appendix A: Annual Report of the Committee on Student Discipline

**APPENDIX A. REPORT OF  
THE COMMITTEE ON STUDENT DISCIPLINE  
ANNUAL REPORT 2015-2016**

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](https://www.mcgill.ca/secretariat/files/secretariat/code_-_student_-_conduct-discipline-procedures_april_2013_final_revised_3.pdf)).

This annual report includes all discipline cases formally addressed last academic year at McGill University. CSD hearings comprise 1.7% of this total. 272 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 2013-2016**

	1 September 2013 to 31 August 2014			1 September 2014 to 31 August 2015			1 September 2015 to 31 August 2016		
	Total	Academic	Non-Academic	Total	Academic	Non-Academic	Total	Academic	Non-Academic
<i>Total Number of Cases</i>	276	203	73	240	183	57	286	218	68
<i>Adjudicated by the DO</i>	271	202	69	228	175	53	281	215	66
<i>Adjudicated by CSD</i>	5	1	4	12	8	4	5	3	2
<i>Cases In Progress*</i>	23	19	4	16	8	8	10	7	3

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

## **DETAILS FOR 2015-2016**

### **ACADEMIC OFFENCES**

For the range of Articles in the *Code* addressing academic offences, including various combinations, please refer to Appendix B. In 2015-16, the majority of the decisions (82%) were plagiarism while 15% were cheating; these are similar to past years.

### **NON-ACADEMIC OFFENCES**

For the range of Articles in the *Code* addressing non-academic offences, including various combinations, please refer to Appendix C. In 2015-16, 56 or 66% of the decisions were in cases for Article 10 (Physical Abuses, Harassment and Dangerous Activity). This compares to 37 cases or approximately 56% in 2014-15 and 45 cases or approximately 58% in 2013-14.

### **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 from the previous case. Five student cases were heard by the Committee on Student Discipline in 2015-16, 1 carrying over from 2014-15. Four CSD hearings are pending and will be included in the 2016-17 annual report. Cases still in progress generally result from the non-availability of the students after spring and summer exam sessions or due to off-campus semesters. 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 2015-16, 10 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 2015-16, 11 students were excluded for periods of varying duration in any form.

### **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 2015-16, 337 disciplinary clearance letters were prepared.

## **COMMENTS BY THE ASSOCIATE DEAN OF STUDENTS**

The total number of cases went up last academic year after going down for four straight years previously. In 2015-16, the total number of cases was 19.2% higher (286 vs. 240 in 2014-15), and overall similar to the number of cases from 2013-14. It is typical that there is normal variation from year to year and there were some cases in which several students were involved, and this in part may have contributed to an increase. There was a 19.1% increase in academic cases (218 vs. 183 cases) and a 19.3% increase in non-academic cases (68 vs. 57 cases). Some students participated in the discipline process on more than one occasion.

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 31.3% of academic offence decisions and 19.3% of non-academic decisions; these are similar to past years.

Of the 286 cases in 2015-16, 78 were from Engineering, 51 from Science, 50 from Residences, 33 from Arts, 22 from Graduate and Postdoctoral Studies, 18 from Education and 15 from Agricultural and Environmental Sciences. The remaining 19 cases are distributed among five other Faculties and Schools.

The number of cases involving plagiarism were about the same as last year with two less cases than the year before (188 in 2014-15 versus 186 in 2015-16). The number of cases involving cheating increased from 30 in 2014-15 to 35 (or by 16.7%) in 2015-16.

There were 219 admonishments in the discipline process in 2015-16 compared to 205 in 2014-15. There were eight reprimands in the discipline process in 2015-16 compared to nine in 2014-15.

157 decisions of conduct probation for periods of varying duration were made. “Conduct probation” means a penalty whereby a student is officially advised that any allegation of a further violation 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 of Student Conduct and Disciplinary Procedures to balance the rights of complainants, persons under allegation and the wider community, 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 severe mental illness and the often-debated 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**

<b>Article – Decision*</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>Totals</b>
Exonerated	57	12	1	0	<b>70</b>
Admonished	126	22	1	3	<b>152</b>
Reprimand	1	0	0	1	<b>2</b>
<b>TOTALS</b>	<b>184</b>	<b>34</b>	<b>2</b>	<b>4</b>	<b>224 decisions</b>

*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**

<b>Article – Decision*</b>	<b>5</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>15</b>	<b>Totals</b>
Exonerated	0	0	0	3	11	0	2	<b>16</b>
Admonished	2	5	7	2	43	6	1	<b>66</b>
Reprimand	0	1	0	0	2	0	0	<b>3</b>
<b>TOTALS</b>	<b>2</b>	<b>6</b>	<b>7</b>	<b>5</b>	<b>56</b>	<b>6</b>	<b>3</b>	<b>85 decisions</b>

*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 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)**

<b>Article – Decision*</b>	<b>10</b>	<b>11</b>	<b>16</b>	<b>17</b>	<b>Totals</b>
Exonerated	1	0	1	0	<b>2</b>
Admonished	0	0	0	1	<b>1</b>
Reprimand	1	1	1	0	<b>3</b>
<b>TOTALS</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>6 decisions</b>

*Article 10 (Physical Abuses, Harassment and Dangerous Activity)*

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

*Article 16 (Plagiarism)*

*Article 17 (Cheating)*

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

**APPENDIX E. 2015-2016 DISCIPLINARY OFFICERS**

<b>AREA</b>	<b>DISCIPLINARY OFFICERS &amp; ASSOCIATE DEANS</b>
<b>Faculty of Agricultural and Environmental Sciences</b>	Prof. Chris Buddle, Associate Dean, (Student Affairs)
<b>Faculty of Arts</b>	Prof. Lucyna Lach, Associate Dean (Student Affairs)
<b>Athletics</b>	Mr. Philip Quintal, Associate Director, Department of Athletics
<b>School of Continuing Studies</b>	Dr. James Archibald, Director (Translation & Written Communication)
<b>Faculty of Dentistry</b>	Dr. Jocelyne Feine, Associate Dean
<b>Faculty of Education</b>	Prof. Fiona Benson, Director, Office of Student Teaching, Undergraduate Programs, Director, MA in Teaching & Learning
<b>Faculty of Engineering</b>	Prof. Mohamed Meguid, Associate Dean, Student Affairs Prof. Dennis Giannacopoulos, Electrical and Computer Engineering Prof. Frank Ferrie, Associate Director, Centre for Réparti, Intelligent Machines Prof. Frank Mucciardi, Mining and Materials Engineering
<b>Graduate and Postdoctoral Studies</b>	Dr. Jean-Jacques Lebrun, Associate Dean Prof. Robin Beech, Associate Dean Prof. France Bouthillier, Associate Dean
<b>Faculty of Law</b>	Prof. Hoi Kong, Associate Dean (Academic)
<b>Libraries</b>	Ms. Carole Urbain, Senior Director, Academic Affairs
<b>Desautels Faculty of Management</b>	Mr. Larry Goldsman, Faculty Lecturer & Advisor – Major in Accounting



<b>AREA</b>	<b>DISCIPLINARY OFFICERS &amp; ASSOCIATE DEANS</b>
<b>Faculty of Medicine</b>	<p><b>As of January 2016:</b> Dr. Beth-Ann M. Cummings, Associate Dean (Undergraduate Medical Education)</p> <p><b>Prior to Jan 2016:</b> Dr. Robert Primavesi, Associate Dean (Undergraduate Medical Education)</p> <p>Dr. Armand Aalamian, Associate Dean (Postgraduate Medical Education &amp; Professional Affairs)</p>
<b>Faculty of Religious Studies</b>	Prof. Ian Henderson
<b>Faculty of Science</b>	<p>Ms. Nicole Allard, Director, Advising Services</p> <p><b><u>Backup:</u></b> Mr. Pete Barry, Chief Academic Advisor</p>
<b>Ingram School of Nursing</b>	Dr. Anita Gagnon, Interim Director
<b>School of Physical and Occupational Therapy</b>	Dr. Annette Majnemer, Associate Dean and Director
<b>Schulich School of Music</b>	Prof. Jacqueline Leclair, Associate Dean (Academic and Student Affairs)

<b>AREA</b>	<b>DISCIPLINARY OFFICERS &amp; ASSOCIATE DEANS</b>
<b>Residences</b>	<p>Janice Johnson: All Residences</p> <p>Ria Rombough: Grad Housing</p> <p>Erin Schwabe-Fry: MORE; Douglas; McConnell</p> <p>Samantha Goldberg: Molson; Gardner</p> <p>Emily Yee Clare: New Residence Hall; La Citadelle</p> <p>Cora-Lee Conway: Carrefour Sherbrooke; Royal Victoria College</p> <p>Dan Hallen: Solin Hall</p> <p>Lindsay O'Connell: Macdonald Campus Housing</p>

## APPENDIX F. CSD COMPOSITION IN 2015-2016

The Dean of Students – Professor Andre Costopoulos

The Associate Dean of Students – Glenn Zabowski

Chair, Vice-Chair and eight other members of the academic staff:

Professor Richard Leask (Chemical Engineering, ENGINEERING) – 2018 (*Chair*)

Professor Fiona Benson (Integrated Studies, EDUCATION) – 2016 (*Vice-Chair*)

Professor Antonia Arnaert (NURSING) – 2018

Professor Jocelyne Feine (DENTISTRY) – 2017

Professor David Ragsdale (Neurology, MEDICINE) – 2018

Professor Benjamin Simpson (Food Science, FAES) – 2016

Professor Ingrid Sladeczek (Educational and Counseling Psychology, EDUCATION) – 2016

Professor Jason Tanny (Pharmacology, MEDICINE) - 2016

Professor Lyle Whyte (Natural Resource Sciences, FAES) – 2016

Professor Emine Sarigollu (International Management, MANAGEMENT) - 2017

Two assessors, selected from the teaching staff of the Faculty of Law:

Professor Ram Jakhu – 2016

Professor Richard Janda – 2018

Five SSMU students:

Allen Chen

Marie-Liesse Hocquet

Lillian Fradin

Marta Kolbuszewska

Geoffrey Nicholson

Three PGSS students:

Karim Bouayad-Gervais

Ashley Chin

Bradley Por

Two Macdonald Campus:

Mathieu Rouleau

Anthea Pinto

Continuing Studies:

Negar Nowtash

Rami M'Rad