



# Memorandum

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**TO:** Senate  
**FROM:** Mr. Glenn Zabowski, Associate Dean of Students (Interim Dean of Students, January 2020 – October 2020)  
**SUBJECT:** Annual Report of the Code of Student Conduct and Disciplinary Procedures (2019-20)  
**DATE:** November 18, 2020  
**DOCUMENT #:** D20-21  
**ACTION REQUIRED:**  INFORMATION  APPROVAL/DECISION

**ISSUE** The Annual Report of the Code of Student Conduct and Disciplinary Procedures is presented to Senate for information.

**BACKGROUND & RATIONALE** In accordance with article 6.3.12 of the Statutes of McGill University, the Senate shall exercise general disciplinary authority over the student body of the University and may delegate authority to make and enforce student disciplinary regulations to University bodies and officers of its choosing.

Article 88 of the [Code of Student Conduct and Disciplinary Procedures](#) provides that 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 that might lead to their identification.

As such, the Dean of Students hereby submits the 2019-20 Annual Report of the Code of Student Conduct and Disciplinary Procedures for information. Over the 2019-2020 academic year, all new Disciplinary Officers and members of the Committee on Student Discipline (CSD) were invited to participate in an orientation session. During the year, Disciplinary Officers and members of the CSD met to discuss common issues and concerns.

In collaboration with the Office of the Dean of Students, Disciplinary Officers and members of the CSD will continue 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.

**PRIOR CONSULTATION** Disciplinary Officers and members of the CSD.

**SUSTAINABILITY  
CONSIDERATIONS** N/A

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**IMPACT OF  
DECISION AND  
NEXT STEPS** The report will be presented to the Board of Governors on January 13<sup>th</sup>, 2021 for information.

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**MOTION OR  
RESOLUTION  
FOR APPROVAL** This item is presented for information.

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**APPENDICES** Appendix A: Annual Report of the Code of Student Conduct and Disciplinary Procedures (2019-20).

Appendix B: Allegations of Academic Offences Adjudicated by Disciplinary Officers.

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

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

Appendix E: 2019-20 Disciplinary Officers.

Appendix F: CSD Composition for 2019-20.

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## **APPENDIX A. Annual Report of the Code of Student Conduct and Disciplinary Procedures (2019-20)**

**Submitted by  
Glenn Zabowski, Interim 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 also 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 CSD 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, but are fully engaged in ensuring that the processes for the Code are followed and respected.

The Dean of each Faculty and School, of the Libraries and of Graduate and Postdoctoral Studies, the Executive Director of Athletics and Recreation and the Senior Director 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 deputizes Residence Life Managers (RLMs), to oversee non-academic offences that occur in the 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 and members of the CSD 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, to Disciplinary Officers and to members of the CSD regarding matters related to the Code.

## **AGGREGATE CASE STATISTICS FOR THE 2019-2020 ACADEMIC YEAR**

This Annual Report includes all discipline cases formally addressed during the last academic year at McGill University. 250 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.

### **Statistical Overview of Disciplinary Cases for Sept. 1, 2017 to Aug. 31, 2020\***

	<b>1 September 2017 to 31 August 2018</b>			<b>1 September 2018 to 31 August 2019</b>			<b>1 September 2019 to 31 August 2020</b>		
	<b>Total</b>	<b>Academic</b>	<b>Non-Academic</b>	<b>Total</b>	<b>Academic</b>	<b>Non-Academic</b>	<b>Total</b>	<b>Academic</b>	<b>Non-Academic</b>
<b>Total Number of Cases</b>	264	202	62	222	201	21	261	243	18
<b>Adjudicated by the DO</b>	257	198	59	220	200	20	258	242	16
<b>Adjudicated by CSD</b>	7	4	3	2	1	1	3	1	2

\*Cases not closed in a current year are always carried over to the following academic year. Cases still pending generally result from the non-availability of the students after spring and summer exam sessions or due to off-campus semesters.

## **2019-2020 Detailed Analysis**

### **ACADEMIC OFFENCES (Adjudicated by Disciplinary Officers)**

For the range of articles in the Code addressing academic offences, please refer to Appendix B. In 2019-20, the majority of the decisions (66%) were plagiarism while 28.8% of the decisions were cheating; these figures are similar to past years where there has been a ratio of approximately 2 or 3 to 1.

### **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 2019-20, 13 or 76.5% of the decisions were for Article 10 (Physical Abuses, Harassment and Dangerous Activity). This compares to 13 decisions or approximately 52% in 2018-19 and 32 decisions or approximately 42.7% in 2017-18. Article 10 is usually the most common allegation for non-academic offenses.

### **CASES REFERRED TO THE COMMITTEE ON STUDENT DISCIPLINE**

Three student cases were heard by the Committee on Student Discipline in 2019-20. Two student cases were heard by the Committee on Student Discipline in 2018-19. In the last several academic years, there has been a higher proportion of students appealing DO dispositions, although many 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 15 days. In 2019-20, 4 students were ordered to cease and desist communication for periods of varying duration. This compares to 5 students in both 2018-19 and 2017-18.

### **EXCLUSION FROM CAMPUS AND/OR RESIDENCES & STUDENT HOUSING**

Article 21(b) 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 2019-20, 6 students were excluded for periods of varying duration from an area of campus or from the University. This compares to 11 students in 2018-19 and 11 students in 2017-18.

## **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 2019-20, 149 disciplinary clearance letters were prepared.

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

The 250 cases in 2019-20 is reflective of typical academic years since 2013-14 where there have been about 200-300 cases with a disposition. In part due to the COVID-19 pandemic and mainly remote course delivery, the distribution of cases has shifted towards more academic cases and less non-academic cases. There were 243 academic cases in 2019-20 compared with 202 in 2017-18 and 201 in 2018-19. The number of decisions involving plagiarism were higher than the year before (165 versus 141 in 2018-19) and the number of decisions involving cheating increased to 72 from 59 in 2018-19.

There was a noticeable decrease in non-academic cases (6.9% in 2019-20 vs. 9.5% in 2018-19) due in large part to much less students on campus and the Office of the Dean of Students working with campus partners towards informal resolutions to many solutions like personal disputes. There are always fluctuations yearly in the number of cases and 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.

Of the cases in 2019-20, 70 were from Engineering, 68 were from Arts, 45 from Graduate and Postdoctoral Studies, 20 from Continuing Studies, 18 from Science, 10 from Education. The remaining 30 cases are distributed among five other Faculties/Schools and Residences. Thus, 17.2% or approximately 1 in every 5 of the cases involved graduate students.

Exonerations, in which it is deemed there is a lack of clear, convincing and reliable evidence, accounted for 15.9% of academic offence decisions and 15% of non-academic decisions; these are similar to past years. Historically, about one in four or five of all decisions result in an exoneration, which is an encouraging sign of a fair and robust process.

There were 226 admonishments in the discipline process in 2019-20 compared to 156 in 2018-19. There were two reprimands in the discipline process in 2019-20 compared to two in 2018-19, and ten in 2017-18. Unlike admonishments, reprimands are an official disciplinary record, held by the Office of the Dean of Students thus are reserved for the most serious cases. Disclosures of disciplinary records are done only with the consent of the student.

A total of 182 decisions of conduct probation for periods of varying duration were made (compared to 77 in 2018-19). "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, academic integrity during remote course delivery, the limits of freedom of expression, new and changing technology, 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	16	22	1	1	<b>40</b>
Admonished	149	49	0	11	<b>209</b>
Reprimand	0	1	0	0	<b>1</b>
<b>TOTALS</b>	<b>165</b>	<b>72</b>	<b>1</b>	<b>12</b>	<b>250 decisions</b>

*Article 16 (Plagiarism)*

*Article 17 (Cheating)*

*Article 18 (Confidential and Copyrighted 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	8	10	Totals
Exonerated	0	0	1	<b>1</b>
Admonished	1	2	12	<b>15</b>
Reprimand	0	1	0	<b>1</b>
<b>TOTALS</b>	<b>1</b>	<b>3</b>	<b>13</b>	<b>17 decisions</b>

*Article 5 (Obstruction)*

*Article 8 (Theft, Damage and Destruction of Property)*

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

*\*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	19	Totals
Exonerated	2	0	0	<b>2</b>
Admonished	0	1	1	<b>2</b>
Reprimand	0	0	0	<b>0</b>
<b>TOTALS</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>4 decisions</b>

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

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

*Article 19 (Misrepresentation of Facts)*



**APPENDIX E. 2019-2020 DISCIPLINARY OFFICERS**

<b>AREA</b>	<b>DISCIPLINARY OFFICERS</b>
<b>Faculty of Agricultural and Environmental Sciences</b>	Prof. Jim Fyles, Associate Dean (Student Affairs) – End Dec. 2019 Prof. Valérie Orsat, Associate Dean (Student Affairs) – Start Jan.2020
<b>Faculty of Arts</b>	Prof. Lucy Lach, Associate Dean (Student Affairs)
<b>Athletics</b>	Mr. Philip Quintal, Associate Director, Department of Athletics
<b>School of Continuing Studies</b>	Dr. Carmen Sicilia, Associate Dean (Academic) – Until Jan. 2020 Dr. Sue Laver, Interim Associate Dean (Academic), Director McGill Writing Centre
<b>Faculty of Dentistry</b>	Dr. Michel El-Hakim, Program Director
<b>Faculty of Education</b>	Prof. Lisa Starr, Director at Office of Internships and Student Affairs
<b>Faculty of Engineering</b>	Prof. David Frost, Associate Dean (Student Affairs) Prof. Dennis Giannacopoulos Prof. Frank Ferrie Prof. Srikar Vengallatore
<b>Graduate and Postdoctoral Studies</b>	Dr. Lorraine Chalifour, Associate Dean Prof. Robin Beech, Associate Dean Prof. France Bouthilier, Associate Dean
<b>Faculty of Law</b>	Prof. Rosalie Jukier, Associate Dean (Academic)
<b>Libraries</b>	Mr. Jeffry Archer, Associate Dean (User Services),
<b>Desautels Faculty of Management</b>	Mr. Larry Goldsman (Undergraduate Programs) Prof. Alfred Jaeger (Masters Programs)
<b>Medical Education Programs</b>	Dr. Beth-Ann M. Cummings, Associate Dean (Undergraduate Medical Education) – End Dec. 2019 Dr. Mélanie Mondou, Associate Dean (Undergraduate Medical Education) – Start Jan. 2020
	Dr. Armand Aalamian, Associate Dean (Postgraduate Medical Education)
	Mrs. Josée Bonneau, Director of the Master’s Program of the Ingram School of Nursing
	Dr. Laurie Snider, Associate Dean and Director, School of Physical and Occupational Therapy

AREA	DISCIPLINARY OFFICERS
<b>Faculty of Science</b>	Ms. Nicole Allard, Director, Advising Services <u>Backup</u> : Mr. Pete Barry, Chief Academic Advisor
<b>Schulich School of Music</b>	Prof. Douglas McNabney, Associate Dean (Academic and Student Affairs)
<b>Residences</b>	<p>Mr. Brent Madigan (Associate Director – Residence Life) – End Dec. 2019            Dr. Zita Prakapas (Associate Director – Residence Life) – Start Jan. 2020  <i>All Residences</i></p> <p>Mr. Warren Haydock: <i>Douglas &amp; McConnell Hall</i></p> <p>Mr. Avik (Jim) Ghoshdastidar: <i>Solin Hall, Royal Victoria College, &amp; University Hall</i></p> <p>Mr. Gerald (Gerry) Greco: <i>Molson &amp; Gardner</i></p> <p>Ms. Lindsay O’Connell: <i>Laird Hall &amp; Eco Residence</i></p> <p>Mr. Kayin Queeley: <i>New Residence Hall</i></p> <p>Ms. Kristin Robinson: <i>Carrefour Sherbrooke &amp; La Citadelle</i></p>

**APPENDIX F. CSD COMPOSITION IN 2019-2020**

<b>NAME</b>	<b>FACULTY</b>	<b>TERM (ending 31 Aug.)</b>
<b>Student Members (12)</b>		
Avinash Arvind Krishendeholl	SSMU: Music	2020
Jeremy Garneau	SSMU: Engineering	2020
Keerth Raveendra	SSMU: Science	2020
Lucille Xiang	SSMU: PT/OT	2020
Ann Dickie	SSMU: Arts	2020
Oana Stefanescu	PGSS: Law	2020
Kristi Kouchakji	PGSS: Arts	2020
Vacant	PGSS	2020
Misghana Kassa	MCSS: Life Sciences	2020
Olivier Levesque	MCSS: Environmental Biology	2020
Rod Louisa	MACES: Grad. Cert. in Leadership	2020
Nour El Darsa	MACES: Cert. Proficiency - French	2020
<b>Chairs</b>		
Richard Leask ( <b>Chair</b> )	Engineering (Chemical)	2021
Michael Hendricks ( <b>Vice-Chair</b> )	Science (Biology)	2020
<b>Faculty (8)</b>		
Hamid Etemad	Management	2020
Antonia Arnaert	Medicine (Nursing)	2021
Kathy Roulet	AES (School of Environment)	2021
Jason Carmichael	Arts (Sociology)	2021
Elsbeth Heaman	Arts (History & Classical Studies)	2022
Tamara Western	Science (Biology)	2022
James Martin	Medicine (Medicine)	2022
Michael Hoover	Education (ECP)	2022
<b>Assessors</b>		
Didem Dogar	Law	2020
Richard Janda	Law	2021
Ram Jakhu	Law	2022
<b>Secretaries</b>		
Christopher Buddle, Dean of Students (until December 31, 2019)		
Glenn Zabowski, Associate Dean of Students (until Dec. 31, 2019) / Interim Dean of Students (as of Jan. 1, 2020)		