



Memorandum

Office of the Dean of Students
Brown Student Services Building, Suite 4100
3600 McTavish Street
Tel.: 514-398-4990 | Fax: 514-398-3857

TO: Senate

FROM: Professor Jane Everett, Dean of Students

SUBJECT: Proposed Revisions to the *Code of Student Conduct and Disciplinary Procedures*

DATE: 21 March 2012

DOCUMENT #: D11-50

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE: Proposed revisions to the *Code of Student Conduct and Disciplinary Procedures* (hereafter the *Code*).

BACKGROUND & RATIONALE:

These revisions will aim to facilitate understanding of and confidence in the *Code* by making it easier to consult and use and by revisiting certain Articles that are currently sources of frustration, malaise or confusion.

Students and staff have expressed dissatisfaction with a number of features of the *Code*, a few of which are enumerated here by way of examples:

- There is no explicit provision for consulting evidence prior to a Disciplinary Interview (something students have requested)
- There is no explicit provision for allowing disclosure of outcomes of academic cases to complainants (something instructors have requested)
- The *Code*'s definition of plagiarism is atypical (students, Disciplinary Officers and instructors find it problematic, albeit usually for different reasons)
- The *Code* is not a particularly user-friendly document; it can be intimidating to contemplate and frustrating to consult or work with. Although it has been amended 18 times since initially being approved in May 1981, none of these amendments has involved its structure or material organisation.

N.B. Although it is likely that the community will wish to review the Articles of the *Code* that deal with disruption, demonstrations and similar matters, I am recommending to Senate that discussion of those particular Articles be delayed until Dean Manfredi has submitted his report (Fall 2012), as it may inform the discussion. This does not mean that the other changes cannot be discussed and approved before then.

MOTION OR RESOLUTION FOR APPROVAL: N/A

**PRIOR
CONSULTATION:**

The proposed revisions have been discussed at various stages of their development over the course of the last four years, with small work groups looking at specific elements of the *Code* (Academic Offences, Non-Academic Offences, Residence Offences) and larger groups (Disciplinary Officers and the Committee on Student Discipline) also looking at the *Code* as a whole.

A recent draft has also been circulated to the executives of SSMU and PGSS, to members of the Student Advocacy Program and to the Provost, Deputy Provost and Associate Provosts.

An ‘umbrella group’ will shepherd it through the formal consultation stages on its way to Senate.

NEXT STEPS:

Formal consultation with the Faculties and the student associations will be done via the Enrolment and Student Affairs Advisory Committee (ESAAC), the Senate Committee on Enrolment and Student Affairs (CESA) and the Academic Policy Committee (APC).

A draft of the *Code* showing proposed revisions will be circulated for Senate’s consideration and ultimate approval.

Should Senate approve revisions, the revised *Code* will need to be translated to French.

APPENDICES:

Appendix A: Overview of revisions to the *Code of Student Conduct and Disciplinary Procedures*

Overview of revisions to the
Code of Student Conduct and Disciplinary Procedures

The proposed changes are the result of preliminary discussions; their purpose is to facilitate and promote further consultation and discussion. They involve both the content and the structure/format of the *Code*¹.

Content

- Substantive changes or additions to Articles 4, 5, 15, 20, 21, 30, 35, 49, 84 and 91(d) of the *Code* are being proposed. The definitions of some offences have been modified, for example, or explicit guidance as to the interpretation and application of certain sanctions and procedures has been added.

Structure/Format

- The format of the headings for the various sections, sub-sections, and other parts has been modified; the proposed presentation is intended to make it easier to understand the relationships between the various sections, sub-sections, etc.
- Because of the substantial reorganisation of certain sections and the moving of some Articles, most of the Articles will have to be renumbered.
- In the current *Code*, only Articles 1-19 and 83-91 have titles; tentative titles have been proposed for the remaining Articles, a change that is meant to make it easier to navigate the *Code*.
- The word ‘Dean’ has been replaced by ‘Disciplinary Officer’ where appropriate²; the current usage creates confusion and makes the *Code* less accessible.
- A few Articles have been ‘merged’ or split; and a few have been deleted because they have become superfluous as a result of other changes, such as the reorganisation of material or the elimination of redundant passages or the replacement of the word ‘Dean’ by ‘Disciplinary Officer’.
- Some changes are in fact updates; they reflect changes to reporting lines at the University, the creation of new policies or new titles for existing policies, etc.

A draft of the revised *Code* will be circulated to ESAAC members, for discussion with their constituents.

I would be happy to meet with any members of the McGill community (individuals or groups) who wish to discuss the changes.

¹ A link to a .pdf of the current *Code* can be found on the Secretariat website at <http://www.mcgill.ca/secretariat/policies/students/handbook-student-rights-and-responsibilitiesle-recueil-des-droits-et-obligations-d>

² Deans are technically Disciplinary Officers, but invariably delegate this responsibility to one or more of their staff members, who are the ‘real’ DOs. The *Code* does not currently acknowledge this reality.