



TO: Senate

FROM: Ian Clarke, Student Senator

SUBJECT: Question Regarding the Disciplinary Hearing Process

MEETING DATE: November 16, 2011

PREAMBLE: On October 14th, two students were served with a notice for an alleged violation of Article 5(a) and 6 of the Code of Student Conduct and Disciplinary Procedures for their participation in a student demonstration on campus. After a private hearing on October 28th, the charges were dropped due to a clear lack of evidence; one of the students had not even attended the event.

A disciplinary hearing places a student in an extremely stressful situation and should only be used where there is clear evidence of an offence. The negative impact of a hearing is amplified when it is served in a discretionary and arbitrary manner. At best, students may be confused and worried about academic repercussions. They must also take time out of their busy schedule to prepare for and attend the hearing. At worst, students could feel intimidated, alienated and potentially harassed by the McGill administration. The amount of stress caused by an unsubstantiated claim is unacceptable, especially if we are a part of a university which endeavours to foster a welcoming and safe environment for all students. To quote the Principal Task Force on Diversity, Excellence and Community Engagement:

*“Our policies reflect and support our diversity through hiring, promotion and recognition, **with the goal of creating and sustaining a spirit of inclusivity, openness, and respect that extends throughout the University, an intellectually-diverse community, in which everyone can fully participate and where diverse opinions, methodologies, and ideologies are welcome.**”*

[emphasis added]

While the context in which the disciplinary hearing arised may have aggravated the issue, it has shed light upon an opportunity to reexamine the student disciplinary process. An institution of certain checks & balances could reinforce the process' integrity as the aforementioned case leaves the impression of a one-step process from the submission of a security report to the notice of a private hearing.

QUESTION:

Will the McGill Administration undertake a review of the current disciplinary procedure in order to ensure such misuses does not reoccur?

What forms of recourse do students have if they have been negatively impacted by the disciplinary procedure in a similar way?
