

**OUTLINE OF ISSUE**  
**Advice, Discussion, Information Item**

Agenda Title: **Student Conduct and Accountability Annual Statistical Report**

**Item**

Proposed by	Deborah Eerkes, Director, SCA
Presenter	Deborah Eerkes, Director, SCA

**Details**

Responsibility	Provost and Vice-President (Academic)
The Purpose of the item is (please be specific)	To provide the GFC Campus Law Review Committee (CLRC), the GFC Executive Committee, and the Board Learning and Discovery Committee (BLDC) with the annual statistics of Student Conduct and Accountability for the 2015-16 academic year.
Timeline/Implementation Date	N/A
Supplementary Notes and context	

**Engagement and Routing** (Include meeting dates)

Participation: (parties who have seen the proposal and in what capacity)	<u><b>Those who have been informed:</b></u> <ul style="list-style-type: none"> <li>• Michael Peterson, Appeals and Compliance Officer</li> <li>• GFC Campus Law Review Committee – November 24, 2016</li> <li>• GFC Executive Committee – December 5, 2016</li> <li>• General Faculties Council – January 30, 2016 (for information)</li> <li>• Board Learning and Discovery Committee – February 27, 2017</li> </ul>
	<u><b>Those who have been consulted:</b></u> <ul style="list-style-type: none"> <li>•</li> </ul>
	<u><b>Those who are actively participating:</b></u> <ul style="list-style-type: none"> <li>•</li> </ul>

**Alignment/Compliance**

Alignment with Guiding Documents	Institutional Strategic Plan - <i>For the Public Good</i> , Comprehensive Institutional Plan
Compliance with Legislation, Policy and/or Procedure Relevant to the Proposal (please quote legislation and include identifying section numbers)	<p>1. <b>Post-Secondary Learning Act (PSLA):</b> The <i>Post-Secondary Learning Act (PSLA)</i> gives GFC responsibility, subject to the authority of the Board of Governors, over academic affairs (Section 26(1)) and “general supervision of student affairs” (Section 31), including authority concerning “student discipline”.</p> <p>2. <b>GFC Campus Law Review Committee</b> Terms of Reference: “5. Reporting Requirements Discipline Cases: [...] The Appeals Coordinator on behalf of the Campus Law Review Committee will submit annually to GFC in the fall, statistical information on discipline cases [...] As far as is practical, comparative information from the most recent reporting period will be included.</p> <p>3. <b>GFC Executive Committee</b> Terms of Reference: “5. Agendas of General Faculties Council</p>

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GFC has delegated to the Executive Committee the authority to decide which items are placed on a GFC Agenda, and the order in which those agenda items appear on each GFC agenda.”

**4. General Faculties Council Terms of Reference:**

“4a. Reports not requiring action by GFC will be discussed by the Executive Committee (with committee chairs in attendance) and placed on the GFC agenda for information. If a GFC member has a question about a report, or feels that the report should be discussed by GFC, the GFC member should notify the Secretary to GFC, in writing, two business days or more before GFC meets so that the committee chair can be invited to attend. Such reports will be discussed as the last of the standing items.”

**5. Board Learning and Discovery Committee (BLDC) Terms of Reference/Mandate of the Committee (Section 3):** “Except as provided in paragraph 4 hereof and in the Board’s General Committee Terms of Reference, the Committee shall, in accordance with the Committee’s responsibilities with powers granted under the Post-Secondary Learning Act, monitor, evaluate, advise and make decisions on behalf of the Board with respect to matters concerning the teaching and research affairs of the University, including proposals coming from the administration and from General Faculties Council (the “GFC”), and shall consider future educational expectations and challenges to be faced by the University. The Committee shall also include any other matter delegated to the Committee by the Board.

Without limiting the generality of the foregoing the Committee shall: [...]

e. review and approve the Code of Student Behaviour, the Code of Applicant Behaviour and the Practicum Intervention Policy;

[...]

g. undertake studies and review academic matters that pertain to the quality of the educational experience at the University;

h. monitor educational and research trends, community expectations and demands;

[...]

j. ensure that the academic teaching and research activities at the University are administered and undertaken in a manner consistent with the vision and mission of the University;

k. consider future educational expectations and challenges to be faced by the University [...]

Attachments

1. Student Conduct and Accountability Statistical Report 2015/16 Academic year (pages 1 - 8)

Prepared by: Deborah Eerkes, Director, SCA, deerkes@ualberta.ca



# STUDENT CONDUCT AND ACCOUNTABILITY (SCA)

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## STATISTICAL REPORT 2015/16 ACADEMIC YEAR

[www.ualberta.ca/studentconduct](http://www.ualberta.ca/studentconduct)



**UNIVERSITY OF ALBERTA**  
STUDENT CONDUCT  
AND ACCOUNTABILITY

# MANDATE

Student Conduct and Accountability (SCA) is mandated to deal with issues around the Code of Student Behaviour. Approaching the Code in terms of awareness, prevention and student discipline, SCA strives to ensure that students understand the expectations placed upon them by the Code and are able to participate freely and fully in the university community.

When students are alleged to have engaged in behaviour that violates the Code of Student Behaviour, one of the two Discipline Officers in SCA is assigned to make a decision according to the procedures set out in the Code. Faculty Deans (or designate) make recommendations for severe sanctions in academic misconduct cases, while University of Alberta Protective Services (UAPS) or Unit Directors

make recommendations for charges and sanctions in non-academic misconduct cases. The Discipline Officer meets with the student alleged to have committed the misconduct, investigates the complaint if the facts are in dispute, and makes a finding on whether the student violated the Code. If the student is found responsible, the Discipline Officer decides what sanctions are warranted, using the recommendation from the complainant as a starting point.

Throughout the 2015/16 academic year, Deborah Eerkes and Chris Hackett were the two Discipline Officers under the Code of Student Behaviour.

# DISCIPLINE CASES

The two Discipline Officers completed a total of 61 decisions in the 2015/16 academic year. In order to align the numbers with those collected by the Appeals and Compliance Officer, the decisions counted in this report include those in which the appeal deadline falls between July 1, 2015, and June 30, 2016.

The matters before the Discipline Officers are complex, often involving legal or procedural considerations. Investigations take on average 23.5 hours to complete, although the time required ranged from 7 hours for the simplest decision to 177 hours for the most complex. The majority of the cases fell within the 15-30 hour range.

Most academic violations are handled solely at the Faculty level with Intermediate Sanctions under the Code. Appropriately, only the most egregious cases are referred to SCA with recommendations for Severe Sanctions. These cases tend to be more complex in nature and often involve prior offences. Because the statistics cited herein apply strictly to Student Conduct and Accountability, any trends identified in terms of academic misconduct must not be generalized to the entire University. For a total number of academic offences that did not involve a referral to the Discipline Officer, please refer to the Appeals Coordinator's report from University Governance.

UAPS investigates allegations of non-academic misconduct, and of those that fall under the Code of Student Behaviour, sends recommendations for charges and sanctions to the Discipline Officer. In addition, Unit Directors can recommend charges and sanctions to the Discipline Officer for allegations of Inappropriate Use of University Property and Resources relating to their own units.

Finally, the Discipline Officers are responsible to make decisions in two kinds of appeals:

1. Students can appeal a UAPS Violation Notice to the Discipline Officer when they are disputing the facts. The Discipline Officer can uphold or deny the appeal, or vary the fine on the Violation Notice.
2. The second type of appeal relates to complaints made to UAPS in which the Director decides not to recommend charges under the Code. The complainant can appeal to the Discipline Officer, who makes a decision on whether it was reasonable not to lay charges under the Code, or whether an investigation should proceed. In the latter case, the Discipline Officer will initiate an investigation, make a finding and render a decision. This is a change to procedure in the Code of Student Behaviour that took effect in September 2015, and significantly simplifies the process.

# TRENDS

## Disposition

The 61 case files for the 2015/16 academic year showed an overall increase of 38% over the previous year. Three of those cases were student appeals, and did not involve charges against students. The complexity and seriousness of the offences is reflected in the sanctions imposed in the remaining 58 cases, including 3 expulsions, 9 exclusions, 29 suspensions, 45 orders of conduct probation, 3 fines, and 2 orders of restitution.

Charges were dismissed in 3 cases. The marked increase in severe sanctions is indicative of the increase in serious incidents coming before the Discipline Officers. Of the 58 cases involving charges, 7 were appealed to the University Appeal Board (UAB); 3 were varied (charges upheld), 4 others were still pending at the writing of this report.

Fig. 1 Disposition of Decisions of the Discipline Officer

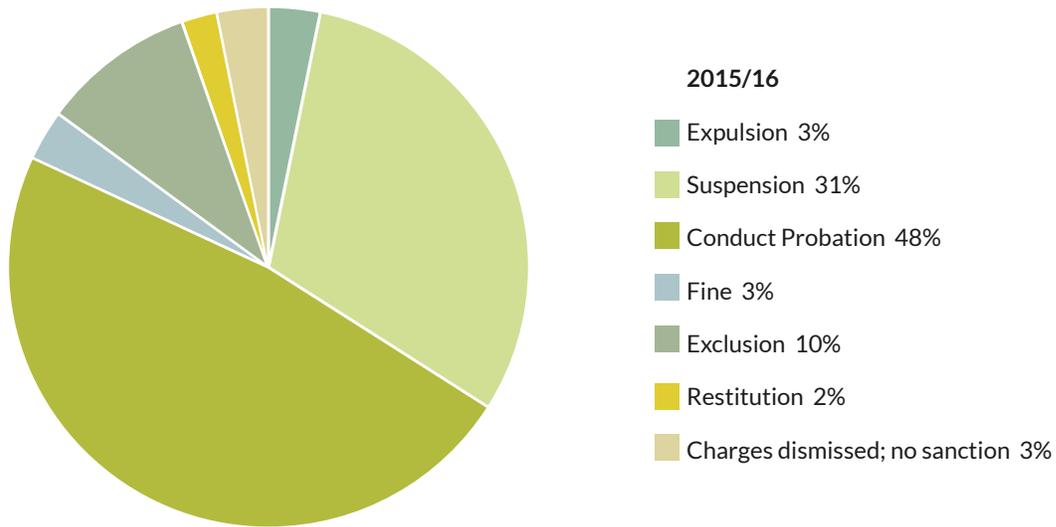
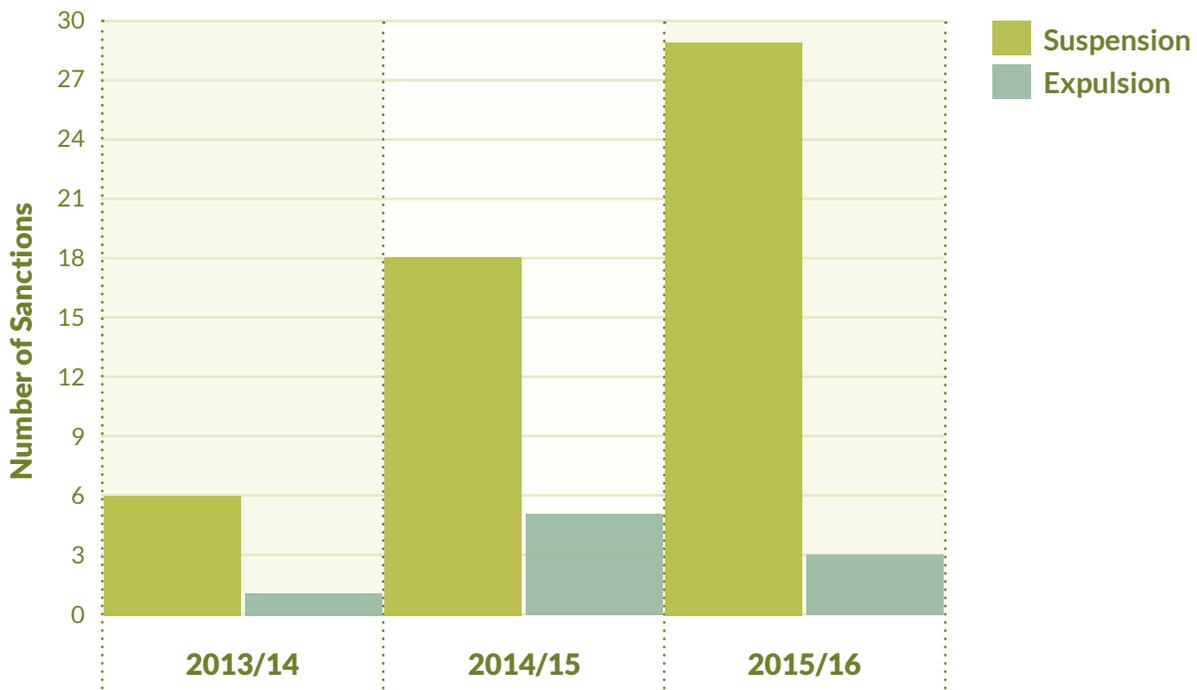


Fig. 2 Severe Sanctions - 3 year comparison



**Fig. 3 Disposition of Decisions of the Discipline Officer – 3 year comparison**

Note: Some cases result in multiple sanctions, therefore the total number of sanctions imposed (94) is greater than the number of cases (61).

DISCIPLINE OFFICER SANCTION*	NUMBER IMPOSED		
	2013/14	2014/15	2015/16
Expulsion	1	5	3
Suspension	6	18	29
Conduct Probation	24	27	45
Fine	1	2	3
Exclusion	3	7	9
Suspension University Resources	1	0	0
Restitution	2	2	2
Reprimand	3	0	0
Charges upheld; no additional sanction	0	0	0
Charges dismissed; no sanction	6	4	3
<b>Total Sanctions</b>	<b>47</b>	<b>65</b>	<b>94</b>

\* In addition to any sanctions imposed by Dean or Unit Director

## Case Type

Faculties submitted 26 of our 58 files in which students were charged with academic offences, while roughly 57% came

from University of Alberta Protective Services (non-academic misconduct). See Fig. 4 below for a three year comparison.

**Fig. 4 Origin of Cases**

	COMPLAINANT	NUMBER OF CASES COMPLETED		
		2013/14	2014/15	2015/16
ACADEMIC	Agricultural, Life and Environmental Sciences	0	2	0
	Arts	3	6	10
	Augustana	0	0	2
	Business	2	1	6
	Engineering	1	1	1
	Extension	0	2	2
	Faculty of Graduate Studies and Research	2	3	1
	Science	2	3	1
NON-ACADEMIC	University of Alberta Protective Services	31	25	35
	Student - Appeal of Violation Notice	2	0	1
	Student - Appeal of UAPS decision not to proceed	N/A	N/A	2

Of the 23 cases of academic misconduct, 16 had prior offences and 2 had no record of prior offences but were found to have committed multiple offences simultaneously. The remaining 5 violations were deemed sufficiently serious to warrant a severe sanction for a first offence.

### Gender

As is often the case, gender seems to play a role in non-academic offences: 22 out of 35 students who committed non-academic offences were male, 13 were female. While non-academic misconduct continues to be dominated by men, women seem to be closing the gender gap in this category.

Fig. 5 Case by Type and Gender (excluding student appeals)

		MALE	FEMALE
2013/14	Academic	6	3
	Non-Academic	22	7
2014/15	Academic	13	6
	Non-Academic	20	5
2015/16	Academic	13	10
	Non-Academic	22	13

### Gender-Based Violence

Of the 62 charges of Violation of Safety or Dignity, 12 involved gender-based violence. The nature of the conduct included sexual harassment, drugging, and sexual assault. In total there were approximately 41-45 alleged victims of these 12 students.

### International Students

International students figured prominently as well: overall, 43% of the students seeing a Discipline Officer in 2015/16 were international students. The offences for which they were being charged weighed more heavily toward non-academic offences (16) than serious academic offences (10).

Fig. 6 International students by case type – 3 year comparison

	2013/14	2014/15	2015/16
Academic	6	11	10
Non-academic	7	12	16
Total International students	13	23	26

## Advisors

Students are entitled to bring an Advisor of their choice with them to meetings and hearings throughout the Code of Student Behaviour process. In 2015/16, ten (10) students brought legal counsel<sup>1</sup> to their meetings with the Discipline Officer,

12 used the Office of the Student Ombuds and 1 brought another advisor. Despite numerous reminders that they have the right to an Advisor, fully 62% of the students attended their meetings without one.

## Year of Study

Of the 58 cases in which students were charged under the Code, students in their second year were most likely to violate the Code of Student Behaviour, both in the academic and non-academic categories. Nine (9) first-year students, 23 second-year students, 2 third-year students, and 10 fourth-year students committed violations. In addition, 7 graduate students – 5 in Doctoral programs and 2 working toward Masters’ degrees – were referred to SCA last year. Five (5) other Students who were in the “N/A” category (Open Studies, After Degree programs or the Faculty of Extension), were required to meet with a Discipline Officer. See Figure 7 below for a three year comparison.

Fig. 7 Case Type by Student Year of Program (excluding student appeals)

		ACADEMIC	NON-ACADEMIC
2013/14	1	0	4
	2	1	9
	3	4	5
	4	1	1
	5	0	1
	Masters	0	2
	PhD	2	3
	N/A	1	7
	<b>TOTAL</b>	<b>9</b>	<b>32</b>
2014/15	1	2	7
	2	3	4
	3	2	1
	4	4	5
	5	0	0
	Masters	1	1
	PhD	3	4
	N/A	4	3
	<b>TOTAL</b>	<b>19</b>	<b>25</b>
2015/16	1	3	6
	2	7	16
	3	1	1
	4	4	6
	5	0	0
	Masters	4	3
	PhD	1	1
	N/A	3	2
	<b>TOTAL</b>	<b>23</b>	<b>35</b>

<sup>1</sup> 7 out of the 10 specialized in criminal law.

## Charges Considered

Charges recommended to the Discipline Officers included plagiarism, cheating, disruption, dissemination of malicious material, violation of safety or dignity, damage to property, unauthorized use of facilities, equipment, materials, services or resources, breach of rules external to the

Code, misrepresentation of facts, bribery, retaliation and participation in an offence. Most of those charges were upheld; however, a total of 11 charges were dismissed, either because the charge was not made out or the offence did not fall within the authority of the Code of Student Behaviour.

**Fig.8 Charges under the Code**

*Some cases contain multiple charges against a student, therefore the total number of charges considered (122) is higher than the number of cases (61).*

CHARGES CONSIDERED	2013/14	2014/15	2015/16
Plagiarism	4	10	20
Cheating	7	14	8
Misuse of Confidential Materials	0	10	1
Inappropriate Behaviour in Professional Program	0	0	0
Research and Scholarship Misconduct	1	1	0
Disruption	10	6	2
Discrimination	0	0	0
Dissemination of Malicious Material	2	1	2
Unfounded Allegations	0	0	0
Violations of Safety or Dignity	28	28	62
Hazing	5	0	0
Retaliation	0	0	1
Damage to Property	4	5	4
Unauthorized Use of Facilities, Equipment, Materials, Services or Resources	6	1	2
Alcohol Provision	1	0	1
Breach of Rules External	1	11	2
Identification	2	0	0
Misrepresentation of Facts	2	5	2
Participation in an Offence	8	1	13
Bribery	0	0	2
Student Groups Appendix 2 (Use of University Resources) <sup>2</sup>	0	N/A	N/A
<b>Total charges considered</b>	<b>81</b>	<b>93</b>	<b>122</b>
Charge Dismissed	20	20	11
<b>Total Charges Upheld</b>	<b>61</b>	<b>73</b>	<b>111</b>

<sup>2</sup> Student Groups are no longer subject to the Code of Student Behaviour as of February 2014.

## Alcohol and Drugs

Alcohol and drug related offences remained relatively steady this year over last year. Of the 58 cases involving charges against students, only one was directly related to alcohol (that is, violations like public intoxication or open alcohol, in which alcohol was the determining factor) and 7 were indirectly

related to alcohol (that is, students reported committing the offence while intoxicated, and therefore alcohol was a contributing factor only). Two additional incidents were related to drugs. See Fig. 7 below for a long-term comparison over the past 7 years.



## Mental Health

Always of concern is the intersection between mental health and conduct. While this is not normally tracked by SCA, 8 of the 61 students we met with this year self-reported mental health issues, ranging from life-altering addictions to diagnosed mental illnesses, for which they were being treated. There is

no way to know how many other students are struggling with mental health concerns, but it is important to continue working with UAPS, HIAR and the Dean of Students to ensure that these students have access to the assistance they need.