

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

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

**Item**

Proposed by	Deborah Eerkes, Director, SCA
Presenter	André Costopoulos, Dean of Students

**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) with the annual statistics of SCA for the 2016-17 academic year.
Timeline/Implementation Date	N/A
Supplementary Notes and context	This annual report will be provided to General Faculties Council at the meeting of November 27, 2017 as an information item.

**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 CLRC (October 26, 2017)</li> <li>• GFC Executive Committee (November 20, 2017)</li> <li>• GFC (November 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>• GFC CLRC (October 26, 2017)</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 over academic affairs (Section 31), including authority concerning student discipline.</p> <p>2. <b>GFC Campus Law Review Committee (CLRC) Terms of Reference: Section 3 – Mandate of the Committee (A and B)</b> states that GFC CLRC is “[t]o review, from time to time, the Code of Student Behaviour and student discipline procedures.”, and “[t]o review, from time to time, the Code of Applicant Behaviour.”</p> <p>4. <b>GFC Terms of Reference (GFC Procedures/GFC Agendas/Reports):</b> “Reports not requiring action by GFC will be discussed by the Executive Committee (with committee chairs in attendance[, as appropriate,]) 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</p>

Item No. 15C

	<p>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.” (Section 4.a.)</p> <p>Annual reports are made available to GFC online (GFC, February 24, 2003, Minute 14).</p>
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Attachments

1. Student Conduct and Accountability Statistical Report

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



# STUDENT CONDUCT AND ACCOUNTABILITY (SCA)

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## STATISTICAL REPORT 2016/17 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 2016/17 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 46 decisions in the 2016/17 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, 2016, and June 30, 2017.

The matters before the Discipline Officers are complex, often involving legal or procedural considerations. Investigations take on average 25.25 hours to complete, although the time required ranged from 7 hours for the simplest decision to 85 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 46 case files for the 2016/17 academic year showed a significant decrease from the previous year. 1 of those cases was a student appeal, and did not involve charges against a student. The complexity and seriousness of the offences is reflected in the sanctions imposed in the remaining 45 cases, including 5

expulsions, 3 exclusions, 14 suspensions, 28 orders of conduct probation, 1 suspension of services, 1 order of restitution and one case in which no additional sanctions were imposed. Charges were dismissed in 5 cases.

Fig. 1 Disposition of Decisions of the Discipline Officer

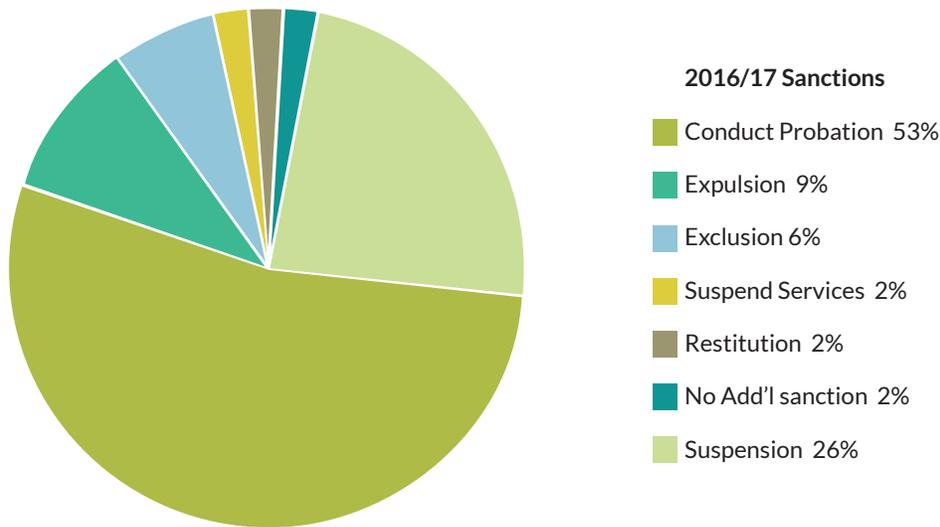
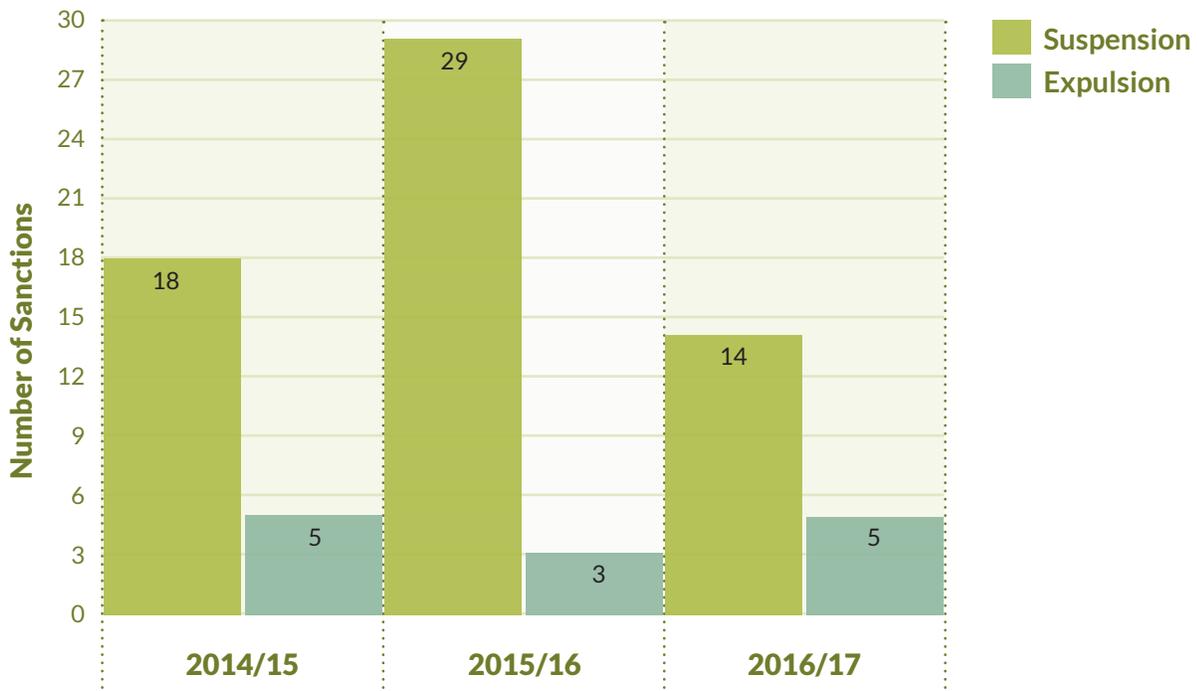


Fig. 2 Severe Sanctions - 3 year comparison



**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 (58) is greater than the number of cases (45).

DISCIPLINE OFFICER SANCTION*	NUMBER IMPOSED		
	2014/15	2015/16	2016/17
Expulsion	5	3	5
Suspension	18	29	14
Conduct Probation	27	45	28
Fine	2	3	0
Exclusion	7	9	3
Suspension University Resources	0	0	1
Restitution	2	2	1
Reprimand	0	0	0
Charges upheld; no additional sanctions	0	0	1
Charges dismissed; no sanction	4	3	5
<b>Total Sanctions</b>	<b>65</b>	<b>94</b>	<b>58</b>

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

Of the 45 cases involving charges, 1 was appealed to the University Appeal Board (UAB), and that appeal was denied.

## Case Type

Faculties submitted 19 of our 46 files in which students were charged with academic offences, while roughly 60% 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		
		2014/15	2015/16	2016/17
ACADEMIC	Agricultural, Life and Environmental Sciences	2	0	1
	Arts	6	10	8
	Augustana	0	2	0
	Business	1	6	1
	Engineering	1	1	1
	Extension	2	2	0
	Faculty of Graduate Studies and Research	3	1	3
	Nursing	0	0	1
	Pharmacy	0	0	1
	Science	3	1	3
NON-ACADEMIC	University of Alberta Protective Services	25	35	26
	Student - Appeal of Violation Notice	0	1	0
	Student - Appeal of UAPS decision not to proceed	N/A	2	1

Of the 19 cases of academic misconduct, 13 had prior offences and 1 had no record of prior offences but was 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 plays a role in non-academic offences: 25 out of 26 students who committed non-academic offences were male, 1 was female. Academic offences were roughly evenly split between the genders.

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

		MALE	FEMALE
2014/15	Academic	13	6
	Non-Academic	20	5
2015/16	Academic	13	10
	Non-Academic	22	13
2016/17	Academic	10	9
	Non-Academic	25	1

### Gender-Based Violence

Of the 18 charges of Violation of Safety or Dignity, 13 involved gender-based violence. The nature of the conduct included sexual harassment, threats of violence, creating a condition that threatens the safety or wellbeing of others, and sexual assault.

It must be understood that this number refers to only **complaints** made under the *Code of Student Behaviour* to University of Alberta Protective Services, which are investigated and forwarded to the Discipline Officer with recommendations for charges and sanctions. Thus, it represents a very specific part of the picture of sexual violence at the University of Alberta. *Code* charges can only be applied when 1) the person under allegation

is a Student as defined by the *Code*, and 2) there is a “real and substantial link” to the University.

In addition, many who experience sexual violence choose only to **disclose** (without making a complaint) or not to tell anyone. The *Sexual Violence Policy*, which came into effect in June 2017, has made clear that students, staff and faculty will have access to support by the University whether they disclose or make a complaint of sexual violence. Note that the incidents recorded in this reporting year occurred before the implementation of the *Sexual Violence Policy* and, therefore, are being reported using the definitions under the *Code*.

### International Students

International students figured prominently as well: overall, 44% of the students seeing a Discipline Officer in 2016/17 were international students. The offences for which they were being charged weighed more heavily toward serious academic offences (12) than non-academic offences (8).

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

	2014/15	2015/16	2016/17
Academic	11	10	12
Non-academic	12	16	8
Total International students	23	26	20

## 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 2016/17, 9 students brought advisors to their meetings with the Discipline Officer, all of them from

the Office of the Student Ombuds. Despite multiple reminders that they have the right to an Advisor of their choice, fully 78% of the students either declined to meet or attended their meetings without one.

## Year of Study

Of the 45 cases in which students were charged under the Code, those students in upper years were more likely to commit serious academic misconduct (either had a prior offence or committed a serious first offence). By contrast, non-academic offences were spread relatively evenly over the year, being most common in 2nd or 3rd year. In total, 6 first-year students, 7 second-year students, 11 third-year students, and 1 fourth-year students committed violations. In addition, 5 graduate students – 3 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
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>
2016/17	1	2	4
	2	1	6
	3	5	6
	4	7	4
	5	0	0
	Masters	1	1
	PhD	2	1
	N/A	1	4
	<b>TOTAL</b>	<b>19</b>	<b>26</b>

## Charges Considered

Charges recommended to the Discipline Officers included plagiarism, cheating, misuse of confidential materials, research and scholarship misconduct, inappropriate behaviour in a professional program, disruption, dissemination of malicious material, unfounded allegations, violation of safety or dignity, damage to property, unauthorized use of facilities, equipment,

materials, services or resources, misrepresentation of facts, and participation in an offence. Of the 75 charges considered, most were upheld; however, a total of 12 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**

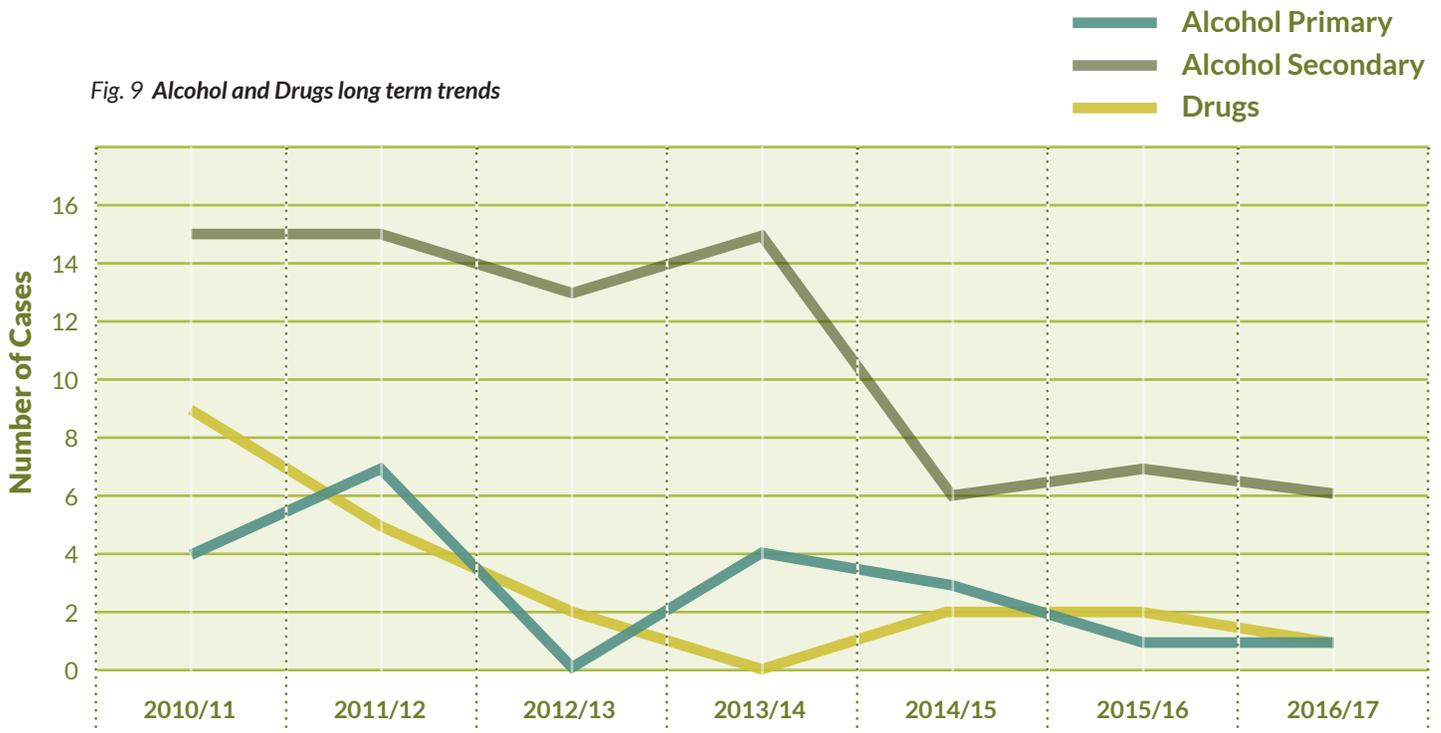
*Some cases contain multiple charges against a student, therefore the total number of charges considered (75) is higher than the number of cases (46).*

CHARGES CONSIDERED	2014/15	2015/16	2016/17
Plagiarism	10	20	8
Cheating	14	8	15
Misuse of Confidential Materials	10	1	1
Inappropriate Behaviour in Professional Program	0	0	4
Research and Scholarship Misconduct	1	0	1
Disruption	6	2	4
Discrimination	0	0	0
Dissemination of Malicious Material	1	2	1
Unfounded Allegations	0	0	2
Violations of Safety or Dignity	28	62	26
Hazing	0	0	0
Retaliation	0	1	0
Damage to Property	5	4	5
Unauthorized Use of Facilities, Equipment, Materials, Services or Resources	1	2	4
Alcohol Provision	0	1	0
Breach of Rules External	11	2	0
Identification	0	0	0
Misrepresentation of Facts	5	2	2
Participation in an Offence	1	13	2
Bribery	0	2	0
Total charges considered	93	122	75
Charge Dismissed	20	11	12
<b>Total Charges Upheld</b>	<b>73</b>	<b>111</b>	<b>63</b>

## Alcohol and Drugs

Alcohol and drug related offences have continued their downward trend. Of the 45 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 6 were indirectly related to alcohol (that is, students reported committing the offence while intoxicated, and therefore alcohol was a

contributing factor only). One additional incident was related to drugs. It should be noted that these offences may be addressed outside of the *Code of Student Behaviour* (e.g. through the Residence Community Standards, or UAPS Violation Notices) so these numbers may not reflect any trend other than the number of charges going through the Code. See Fig. 9 below for a long-term comparison.



## Mental Health

Always of concern is the intersection between mental health and conduct. While this cannot be accurately tracked by SCA, 13 of the 45 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.