

# **APPENDIX A. Annual Report of the Code of Student Conduct and Disciplinary Procedures (2020-21)**

**Submitted by  
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## **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 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 2020-2021 ACADEMIC YEAR**

This Annual Report includes all discipline cases formally addressed during the last academic year at McGill University. 420 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, 201**

**2020-2021 Detailed Analysis**

**ACADEMIC OFFENCES**

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

Two student cases were heard by the Committee on Student Discipline in 2020-21. Both cases were reprimands, one for Article 10, the other for Article 16. Three student cases were heard by the Committee on Student Discipline in 2019-20. 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. These cases include both undergraduate and graduate students.

## **ORDER TO CEASE AND DESIST COMMUNICATION**

Article 21(a) of the Code sets out conditions when a Disciplinary Officer may order a student to immediately cease and to desist communications with another member of the McGill community, for a maximum of 15 days. These include situations where a student's conduct gives reasonable grounds to believe that the student's continued communication constitutes a threat to the well-being of another member of the University community. This is not a sanction and is not the result of a disciplinary process, although a disciplinary process may follow. In 2020-21, no students (0) students were ordered to cease and desist communication for periods of varying duration under Article 21(a). This outlying number is most likely due to the reduced number of students on campus during the 2020-21 academic year of remote delivery. This compares to 4 students in 2019-20 and 5 students in 2018-19.

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

Article 21(b) of the Code provides conditions for the temporary 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. Such an exclusion has a maximum of 10 days but may be extended through approval of a subcommittee of the CSD. Again, this is not a sanction and is not the result of a disciplinary process, although a disciplinary process may follow. In 2020-21, 51 students were excluded for periods of varying duration from Student Housing. This outlying number is related to repeated violations of COVID-19 regulations in Residences. This compares to 6 students in 2019-20 and 11 students in 2018-19.

## **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 2020-21, 226 disciplinary clearance letters were prepared.

## COMMENTS BY THE OFFICE OF THE DEAN OF STUDENTS

Normally, since 2013-14, a typical academic year would see 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 much more towards non-academic cases. Also, as alluded to earlier in the report, while academic cases remained steady, they would have been higher without the “no contest” option necessitated by Disciplinary Officer workload issues. There were 223 formal academic discipline cases in 2020-21 compared with 243 in 2019-20 and 201 in 2018-19. The number of decisions involving plagiarism were lower than the year before (133 versus 165 in 2019-20) and the number of decisions involving cheating increased to 86 from 72 in 2019-20.

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 article of the code, as this ensures there is a fair process for students.

Of the cases in 2020-21, 292 were from Student Housing, 72 were from Arts, 37 were from Engineering, 32 from Science, 30 from Continuing Studies, and 23 from Graduate and Postdoctoral Studies. The remaining cases are distributed among the other Faculties/Schools. Normally 1 in every 5 of the cases involve graduate students, however last academic year skewed by repeated violations of COVID-19 regulations in undergraduate Residences and remote course delivery, about 5% of cases involved graduate students.

Exonerations, in which it is deemed there is a lack of clear, convincing, and reliable evidence, accounted for 29.7% of academic offence decisions and 10.7% 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 363 admonishments in the discipline process in 2020-21 compared to 226 in 2019-20. There were 13 reprimands in the discipline process in 2020-21 compared to two in both 2018-19 and 2019-20. Unlike admonishments, reprimands are an official disciplinary record, held by the Dean of Students Office (but this does not show up on a transcript). An official disciplinary record may impact the student’s eligibility for membership in certain professional organizations or government or civil service positions, or acceptance to certain academic institutions or programs. Thus, a reprimand is a potentially a much more serious outcome and thus is reserved for the most serious of cases. Disclosures of disciplinary records are done only with the consent of the student.

A total of 295 decisions of conduct probation for periods of varying duur or **1**

## 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.

The disciplinary process allows for the student to be accompanied by an advisor, who must be a member of the McGill community and not paid for the service. The Office of the Dean of Students would like to draw special attention to [Student Advocacy](#). This long-standing student run organization provides advisors specifically to assist students through the disciplinary process. The service provided by Student Advocacy is exemplary and many thanks to them for their continued dedication.

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, 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.







AREA	DISCIPLINARY OFFICERS
	Prof. Michael Hilke, Dept. of Physics Prof. Jérôme Vétois, Dept. of Mathematics & Statistics Prof. Rosalie Belanger-Rioux, Dept. of Mathematics & Statistics Prof. Bradley Siwick, Dept. of Chemistry
<b>Schulich School of Music</b>	Prof. Douglas McNabney, Associate Dean (Academic and Student Affairs)
<b>Residences</b>	Residence Life Managers (RLMs)  Lei Liang Warren Haydock Gillan Latour  Assistant Residence Life Managers (ARLMs)  Logan Kinghorn Karman Jeji  Other:  Lindsay O'Connell - Residence Life & Accommodations Manager at Macdonald Campus Andrew Persons - Assistant Manager, Athletics and Recreation Sonia Smith - Libraries

