

# 2019/20 Annual Report of Student Conduct Responses

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Dean of Students' Portfolio  
July 1, 2019 - June 30, 2020

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# Introduction

This report covers responses to student conduct across the Dean of Students' portfolio for the 2019/20 academic year. It is organized by relevant policy, including the *Residence Community Standards*, *Residence Agreement* (i.e. rental contract), *Code of Student Behaviour*, *Sexual Violence Policy*, and the *GFC Protocol for Urgent Cases of Disruptive, Threatening or Violent Behaviour*.

Units within the Dean of Students' portfolio also work closely with Helping Individuals At Risk (HIAR) to provide the necessary supports to students whose behaviour causes concern but may not constitute misconduct. This report details only those incidents addressed within the Dean of Students' portfolio.

2019/20 marks the first year that the portfolio has recorded incidents in Symplicity Advocate. Implementation and training were undertaken in stages over summer and fall 2019. As a result of the new data management system recording data differently, this report will not include a year over year comparison. For data from previous years, the 2018/19 Dean of Students portfolio Student Conduct Report is available from University Governance.

## Residence Community Standards Policy

[Policy Link](#)

**Focus:** Restorative Justice

**Administered by:** Residence Life

The *Residence Community Standards Policy* addresses both resident misconduct and resident conflict restoratively. Only students in residence are subject to this policy, which provides a framework to recognize and prevent unacceptable behaviour in the Residence community and resolve the issues in a positive and constructive way. Rather than defining offences, the framework focuses on the effects of misconduct on the community. In doing so, allows residents to identify and repair harms, and build trust in the community.

Restorative responses include Community Resolutions (a restorative conversation between staff and responsible student), Restorative Meetings (facilitated discussion between a harmed person and a responsible student), and Restorative Conferences (facilitated discussion with multiple parties, including those harmed, responsible student(s) and relevant community members). The desired outcome, a Restorative Agreement, is highly personalized and specific to the needs of those directly involved.

Engaging with the Restorative Justice (RJ) program is voluntary. If for any reason RJ is not available or appropriate, the University will use one of the other available processes to resolve the issue (*Code of Student Behaviour* and/or *Breach of Residence Agreement*) without prejudice. When a Restorative Agreement is reached and fulfilled, the matter is considered to be closed and no other University process is applied. If a student fails to meet the agreed repairs, they are considered in breach of their Residence Agreement.

### Potential outcomes:

Restorative Agreement or no Restorative Agreement

For the 2019/2020 academic year:	
Students Involved in a Community Resolution	1628
Apology Letter	2
Behavioural Agreement	0
Restitution	0

*Note: No Restorative Meetings or Restorative Conferences were held in 2019/20*

# Breach of Residence Agreement

**Focus:** Breach of contract

**Administered by:** Residence Services

The Residence Agreement is the rental contract between the student (as tenant) and the University (as landlord). It lays out the terms of the rental, including rent, payment, maintenance, and behaviour. Evictions under the Breach of Residence Agreement can be behaviourally-based, or can be a result of other factors.

A behaviour that leads to a Breach of Residence Agreement may also be addressed under the *Code of Student Behaviour* and/or the *Protocol for Urgent Cases of Disruptive, Threatening, or Violent Conduct*.

**Potential outcomes:**

Letter of expectations, letter of conditions, revoked visiting privileges, relocation, temporary restrictions, probationary status or eviction

**Notable Trends in Residence:**

1. Substance use resulted in a number of incidents in 2019/20: 303 incidents were identified as being related to alcohol consumption and 108 records related to cannabis.
2. Residence Life staff recorded 39 cases of interpersonal violence and 26 cases involving sexual violence.
3. Due to the COVID-19 pandemic, Residence Services requested that students move home before March 24 if they were able. The sudden shutdown resulted in a number of incidents being closed without outcomes for the students involved.
4. Due to the smaller resident population and restrictions on gatherings and guests at the end of the year, incident numbers dropped significantly in late-March and April.

For the 2019/2020 academic year:	
Letter of Expectations	30
Letter of Conditions	8
Revoked Visiting Privileges	10
Unit Relocation	1
Temporary Restriction	1
Probationary Status	5
Eviction	4

# Augustana Community Standards

[Policy Link](#)

**Focus:** Student Non-academic misconduct in residence at Augustana Campus  
**Administered by:** Augustana Residence Life

**Preamble:**

“The purpose of the Residence Community Standards (Community Standards) is to supplement the *Code [of Student Behaviour]* and Guidelines with specific reference to the rights and responsibilities to be shared by all residents in order to maintain a high standard of cooperative living, tolerance and compromise.”

**Potential outcomes:**

Fine, suspension of computer account, disconnection of network services, restitution, emergency suspension from residence, exclusion, disciplinary probation, or eviction

For the 2019/2020 academic year:	
File notation	5
Restorative outcome	17
Official warning	2

**Notes:**

1. There were a total of 7 unique incidents in Augustana Residence in the reporting period, involving 22 students.
2. Augustana Residence fully implemented Restorative Justice in 2019/20. Training for the 20/21 year has been adjusted to address issues that arose with implementation this year.
3. Students were very stressed when asked to leave residence due to COVID-19. Camrose appeared to students to be a safe space and their resistance was significant. In particular, international students claimed the eviction orders were contrary to positive EDI support. Ultimately, approximately 70 students remained on Campus for the balance of the year. No community standards violations were reported, however, Residence staff received anecdotal reports of students not abiding by Alberta Health guidelines.

# Code of Student Behaviour

**Focus:** Student academic and non-academic misconduct  
**Administered by:** Student Conduct & Accountability (SCA)

**Preamble:**

The *Code of Student Behaviour* addresses misconduct as defined under the *Code*. It applies to all Students (also as defined under the *Code*). In order for a Student to be sanctioned under the *Code*, a number of conditions must be met:

1. The University must have jurisdiction to act (i.e. there is a “real and substantial link” between the misconduct and “the University, University Activities, the University Community, or University-related Functions.”)
2. It must be established, on a balance of probabilities, that the Student under allegation committed the misconduct at issue; and
3. The misconduct must meet the definition of at least one offence under the *Code*.

The offences are broadly defined to encompass a variety of behaviours. Because the differences can be significant, the *Code* also defines available sanctions, ranging from a written Reprimand through Expulsion. The Discipline Officers, located in SCA, are responsible to ensure that the severity of the sanction(s) is proportionate and commensurate with the misconduct, taking into account any aggravating or mitigating factors in each case.

Behaviours that lead to *Code of Student Behaviour* charges can also lead to Breach of Residence Agreement and/or *Protocol for Urgent Cases of Disruptive, Threatening, or Violent Conduct*.

Complaints of non-academic misconduct are investigated by UAPS and referred to SCA with recommendations for charges and sanctions.

Academic misconduct complaints start with a report from a course instructor to the Dean (or delegate) of the Faculty in which the course is offered. The Dean makes the initial finding and imposes Minor and/or Intermediate Sanctions. They may recommend Severe Sanctions to the Discipline Officer when warranted.

Any single case can involve multiple offences and/or multiple sanctions.

**Potential outcomes:**

Sanctions as defined in the *Code*, including Conduct Probation, Exclusion (partial or total; time-limited or indefinite) Expulsion, Fine, Reprimand, Restitution, Suspension for up to three years and Suspension of specified University Services and Resources (essential or non-essential; time-limited or indefinite).

**Total cases in 2019/20:**

- 19 Academic
- 14 Non-academic

Offences <sup>1</sup> considered:		
Plagiarism		9
Cheating <i>11 total</i>	Unauthorized Source	8
	Misrepresentation	1
	Editorial Assistance	1
	Resubmission	0
	Fabrication	1
Misuse of Confidential Materials		1
Misrepresentation of Facts for academic advantage		3
Violations of Safety or Dignity <i>16 total</i>	Physical/sexual contact	2
	Physical abuse/threats	4
	Creating a condition	8
	Harassment/Sexual harassment	2
	Verbal/written threats	0
Damage to Property		7
Unauthorized use		2
Breach of Rules External to the <i>Code</i>		2

<sup>1</sup> See the *Code of Student Behaviour* for complete definitions of Offences.

Academic Misconduct Faculty Referrals for Severe Sanctions:	
Faculty of Agriculture, Life and Environmental Sciences	2
Faculty of Arts	8
Alberta School of Business	1
Faculty of Engineering	3
Faculty of Pharmacy and Pharmaceutical Sciences	2
Faculty of Science	1
Faculty of Graduate Studies and Research	2

**Notable trends:**

1. Case numbers rose by 18% over 2018/19.
2. Academic misconduct was up from 13 cases in 2018/19, while non-academic misconduct remained stable (14 this year as compared to 13 in 2018/19).
3. Two of the 14 non-academic cases constituted sexual violence, as defined in the *Sexual Violence Policy*.
4. Nine of the students found to have committed an academic offence had a prior academic misconduct finding under the *Code*. None of the students with non-academic misconduct cases had a previous offence.
5. Three of the non-academic cases were related to alcohol, with the student reporting that the offence occurred while they were intoxicated.

Sanctions:	
Intermediate sanctions:	
Conduct Probation Conditions <sup>2</sup>	28
Grade Reduction, Grade of F or NC in a course	2
Transcript Notation 8 or 9	2
Restitution	2
Severe Sanctions:	
Expulsion	1
Suspension	13
Exclusion	2
Rescission of Degree	1

<sup>2</sup> A single order of Conduct Probation can include one or more conditions.

# Protocol for Urgent Cases of Disruptive, Threatening, or Violent Conduct (Protocol 91)

[Policy Link](#)

**Focus:** Safety of the University Community

**Administered by:** Office of the Dean of Students

## **Preamble:**

The primary purpose of *Protocol 91* is to protect and ensure the safety of the University community. It provides a means by which the University can respond to serious incidents and imminent threats in a timely manner. While it applies to all members of the University Community, a team led by the Vice-Provost and Dean of Students addresses cases in which the *Protocol 91* is invoked for students.

It primarily considers the safety of individuals and/or the community and is not disciplinary. It does not result in findings of responsibility or sanctions. UAPS performs threat or risk assessments which form the basis for decisions and measures taken. When a *Protocol* stems from behaviour that could also be considered misconduct, UAPS may investigate and proceed with charges under the *Code*.

## **Potential outcomes:**

Highly personalized responses, including exclusion from University facilities and activities (full or partial), other conditions as necessary to address safety concerns.

## **Notes:**

1. Responses to imminent threats, disruptions or violence must be timely, preferably coming within a day or two of the University becoming aware of an incident or any other concern. Each response is tailored to ensure that it is appropriate and proportionate to the incident at hand, given the information available at the time.
2. Of the 7 *Protocols* this academic year, all involved either threats or harm to others, including physical assault, harassment/stalking and other threatening behaviour (to persons or buildings).
3. The Dean of Students may impose multiple conditions, all of which are tailored to the specific situation at hand, including measures to ensure safety, change of behaviour and/or realignment with educational goals.
4. Five of the *Protocols* began with exclusions from Residences or campus. However, the conditions were reconsidered as each situation evolved. In addition, 2 cases with exclusions from campus from the 2017/18 academic year were amended and the students were allowed to return to campus, with conditions.
5. The number of *Protocols* was down 50% this year from a total of 14 in the 2018/19 academic year.

For the 2019/2020 academic year:	
Total number of <i>Protocol 91</i>	7
Restrictions from campus	2
Other conditions	5



# Sexual Violence Policy

[Policy Link](#)

**Focus:** Support for those who have experienced sexual violence  
**Administered (for students) by:** Office of the Dean of Students

The *Sexual Violence Policy* was approved by GFC on June 23, 2017. It complements the existing disciplinary processes (the *Code* for students) by committing to support those who have experienced sexual violence. It distinguishes between a Disclosure (that is, disclosing and incident of sexual violence) and a Complaint (a disclosure for the purpose of initiating an investigation for charges/sanctions under University policy or collective agreements). It recognizes that making a Complaint is one of many options for those who have experienced sexual violence, and provides a range of other options, supports and resources.

Should a Complaint be made, it is routed through the relevant disciplinary process/policy. Under the *Sexual Violence Policy*, the Office of the Dean of Students can support those who have experienced sexual violence by offering Modifications (for those who have experienced sexual violence) or Interim Measures (non-disciplinary measures for the student under allegation). In addition, the Office of the Dean of Students provides support to the student named as having committed sexual violence, and works with them to identify potential voluntary measures they may be willing to undertake.

### **Potential outcomes:**

Modifications for those who have disclosed experiences of sexual violence, voluntary or interim measures for person named as having committed the sexual violence.

*Modifications* can be provided by any University unit (e.g. Residence Services, Faculties, individual professors, etc.). This report refers only to those modifications provided by the Office of the Dean of Students. Examples include: assistance with deferring exams or assignments, assistance changing classes or residence rooms.

*Interim measures* are non-disciplinary measures applied by the Dean of Students. Where the measures affect a student's program, every effort is made to accommodate the academic needs of those under conditions. Examples include: non-contact orders, or instructions on where or when to move through certain areas of campus.

Examples of *Voluntary measures*: agreement not to contact the person who disclosed, or agreement to avoid certain areas.

### For the 2019/2020 academic year:

Disclosures	49
Modifications	13
Interim Measures	15
Voluntary Measures	4
Safe House usage	33 unique users, ranging in 1-102 nights

### Notes:

1. The *Sexual Violence Policy* explicitly states that students can receive support and resources without making a Complaint under one of the University's disciplinary processes.
2. The numbers above reflect only Disclosures to the Office of the Dean of Students in which additional supports or modifications were sought. They are not indicative of the overall incidence of sexual violence in our community.
3. Disclosures to the DoS have risen by 26% over 2018/19.
4. Safe House is the university's emergency housing program that is jointly operated by the Dean of Students Office and Residence Services. Students are eligible for Safe House if they meet any of the following criteria: 1) are experiencing an immediate personal safety risk (i.e. emotional, physical, and/or sexual harm), 2) facing intolerable living conditions, or 3) are financially destitute. Safe House usage continues to increase year over year and demand slightly decreased after the transition to remote learning in March but has returned to steady use by August.

# Student Groups Procedure

**Focus:** Relationship between Student Groups and the University  
**Administered by:** Office of the Dean of Students

Student Groups that are recognized by the Dean of Students enjoy a number of benefits, including the ability to use University facilities, use of the institutional liquor license and permission for gaming events, use of the University's name and insignia, exclusive use of the Group's name on campus, ability to rent University space and equipment, and ability to solicit membership on campus. This is not a disciplinary procedure; student groups not recognized by the Dean of Students are free to exist and associate, however, they do not have access to the same benefits.

In exchange for these benefits, a Student Group is expected to live up to the responsibilities outlined in the Procedure. In terms of the conduct of the Group, the Dean of Students has the authority to deny, revoke, or temporarily suspend a Student Group's recognition when:

- Their stated objectives or activities or the manner of carrying out their activities expose the University to unacceptable risk, or warrant justifiable complaints under University policy or municipal, provincial, or federal law;
- They engage in hazing, create an unacceptable risk to persons, property or reputation; or
- The group tolerates, allows or encourages members or its executive to violate the *Code* when acting on behalf of or representing the Student Group.

***For the 2019/2020 academic year:***

No Student Group had its recognition revoked.

One group continues to serve a 3-year revocation period of their recognition