

Dalhousie University
Code of Student Conduct Annual Report to Senate
May 2007 – April 2008

1. Overview

Dalhousie's Code of Student Conduct (approved by Senate, February 28, 2005) establishes norms of acceptable behaviour for students, while on campus or engaged in university events and activities. When a student is perceived to violate these norms, any individual can submit a complaint to the Vice-President, Student Services. The Code makes provision for an investigation of the complaint and, where appropriate, an informal resolution. When an informal resolution is not possible or appropriate, the complaint is referred to the Senate Discipline Committee.

In addition to those cases for which a Code of Student Conduct complaint was received in 2007-2008, there also were many other student behaviour-related issues brought to the attention of Student Services. These, too, were investigated and pursued in an effort to resolve matters informally in the best interest of all concerned.

II. Handling of Complaints in 2007- 2008

The Office of the Vice President Student Services receives information from individuals regarding possible infractions to the Code of Student Conduct and is responsible for investigating these infractions. Up until December 2007, Lloyd Fraser (Professor, Continuing Education) was cross-appointed to a part-time role in Student Services as Manager, Student Relations and was the Vice President's designate regarding Code of Student Conduct infractions. In January 2008, Marc Braithwaite, Executive Director – Student Wellness was designated by the Vice President with the responsibility to investigate the Code of Student Conduct complaints and, similar to his predecessor, actively sought informal resolutions before referring cases to the Senate Discipline Committee. Wherever appropriate, such informal resolutions are based on principles of restorative justice—helping offenders to see clearly what they have done and providing them with an opportunity to make amends.

III. Summary of Cases

During the period February 2007 to June 30, 2008 seventeen Code of Student Conduct complaints were received involving eighteen students. These included complaints against persons, complaints involving false information and identification, complaints of unauthorized use of university facilities, equipment or services, and finally, one complaint related to theft of property. All but four of these complaints were resolved either informally or through existing administrative processes designed to manage such complaints as they occur. It is worth noting that some complaints received were referred to and administered by way of other University polices including the Policy on Sexual Harassment, the Residence Discipline Policy, the Academic Discipline Process, and finally, investigations carried-out by the Office of the Ombudsperson.

A. Six Complaints Received Against Persons

One (1) Complaint: *"No student shall assault another person sexually, or threaten any other person with sexual assault or commit an act of sexual harassment toward another person."*

Although the infraction falls within the Code of Student Conduct, this case has been investigated through the Sexual Harassment Policy and in conjunction with the Office of Human Rights, Equity and Harassment.

Resolution: Investigation has been completed and a report will be sent to Office of Human Rights, Equity and Harassment where the complaint was originally filed.

One (1) Complaint: *"No student shall otherwise assault another person, threaten any other person with bodily harm, or cause any other person to fear bodily harm."*

In this case, a student was involved in a physical altercation with a Dalhousie Security Officer.

Resolution: The student was subsequently banned from campus under the Protection of Property Act. In the event that the student applies for admission, a notation has been placed on his file with the Registrar's Office indicating that the Vice-President, Student Services, should be advised and consulted.

Four (4) Complaints: *"No student shall engage in unwelcome or persistent conduct that the student knows, or ought to reasonably know, would cause another person to feel demeaned, intimidated or harassed."*

1. Security Services received a request from the CKDU Board of Directors to have an individual banned from the Student Union Building under the Protection of Property Act due to concern for CKDU members' personal safety.

Resolution: On February 13, 2008, Security Services issued a ban from the Student Union Building under the Protection of Property Act.

2. Inappropriate/rude e-mail to his Economics professor.

Resolution: Student apologized to the professor, in the presence of the Chairperson of the department. All parties satisfied with resolution.

3. Domestic relations dispute between two Dalhousie students engaging in unwelcome and persistent conduct that caused other student to feel demeaned, intimidated and harassed.

Resolution: Student signed a behaviour contract.

4. Concern by members of the Faculty of Architecture and Planning that the student exhibited erratic behaviour indicative of psychiatric problems.

Resolution: Student withdrew from her classes and returned to her home in Hong Kong.

B. Seven Complaints Involving False Information and Identification

Two (2) Complaints: *“No student shall forge, alter or misuse any document, record or instrument of identification. “*

In both cases, student falsified Dalhousie Parking Permits.

1. Resolution: Student was charged by HRM Police and since that time the student has been referred by the Provincial Crown Prosecutor’s Office to Adult Diversion. The Executive Director – Student Wellness is working with the student and the Adult Diversion Program to arrive at a suitable community service related resolution.

2. Resolution: After mutual agreement between the student and the investigator, the investigation has been suspended until the student returns to campus in September.

Five (5) Complaints: *“No student shall knowingly furnish false information to any person regarding his or her standing, status or academic record at Dalhousie University.”*

In four of the five complaints, students allegedly falsified transcripts when using the PlacePro database as a means to gaining employment through the student cooperative education programs. Resolutions for these first four (4) complaints are outlined below.

Resolution 1: Senate Discipline Committee hearing January 25, 2008.

The Committee concluded that the student was not guilty as charged under the Code of Student Conduct as the majority of panel members were not convinced that the student had knowingly furnished false information to PlacePro.

Resolution 2: Senate Discipline Committee hearing March 4, 2008.

The Senate Discipline Committee concluded that the student be subject to no penalty on the grounds that the University representative bringing the allegation did not adequately address the crucial issue, that the student did or did not knowingly falsify his academic record.

Resolution 3: Senate Discipline Committee Hearing June 6, 2008.

Student received a one-year suspension from Dalhousie University effective January 1, 2008; and a notation was placed on his transcript for a period of one year, effective January 1, 2008, indicating that he has committed a Code of Student Conduct offence.

Resolution 4: Due to an unrelated academic infraction, student has received a one-year suspension from Dalhousie University effective May 1, 2008. This case has been forwarded to SDC for hearing.

Complaint 5: The Registrar's Office received confirmation from a student's previous university that his transcript submitted to the faculty in support of his application to the graduate studies program was altered.

Resolution: Senate Discipline Committee hearing March 28, 2008.

The Senate Discipline Committee concluded that the individual did not commit an academic offence. The Committee decided that the mistake was made in the translation process and that the student had not noticed it. A Code of Student Conduct sanction would not have applied because the student had withdrawn from Dalhousie in July, 2007.

C. Three Complaints of Unauthorized Use of University Facilities, Equipment or Services

One (1) Complaint: *"No student shall use any facility, equipment or service of the University, or enter or remain on any premises, to which he or she does not have legitimate access, or contrary to the expressed instruction of authorized persons."*

Students were discovered by Dalhousie Security attempting to break through a locked door in the Biology Department.

Resolution: Students signed a letter of agreement acknowledging the violation, wrote letters of apology to the Department of Earth Sciences and to the Chief of Security, and performed 15 hours of community service in January, 2008, as determined by the Chairperson of the Department of Earth Sciences.

Two (2) Complaints: *"No student shall use any University computing equipment, facility, network or system for any disruptive or unauthorized purpose, or in a manner that violates any law, Dalhousie University regulations, policies and procedures or in any way that is incompatible with the principles in the Guide to Responsible Computing. Examples of inappropriate use of computer equipment, facilities, networks and systems include, but are not limited to: displaying, transmitting, distributing or making available information that is discriminatory, obscene, abusive, derogatory, harassing or otherwise objectionable."*

1. Student used a Dalhousie University website which contained a collection of non-academic or research related content including nudity and various sexual acts distributed for the purposes of entertainment.

Resolution: Student signed a letter of agreement acknowledging inappropriate use of university computing services, lost privileges for his personal/student website hosted by Dalhousie University, and received a warning that any future offences under the Code of Student Conduct could result in University suspension or expulsion.

2. Inappropriate/offensive e-mail using University server.

Resolution: Investigation ongoing.

D. Other Complaints

One (1) Complaint: *“No student shall contravene any provision of the Criminal Code or any other federal, provincial or municipal statute on the premises of the University or in the course of the University's programs or services, or University-approved events or activities.”*

Exxon Mobile reported they were missing property items and outstanding reports from the student's Faculty of Engineering work term at the company.

Resolution: Case was closed because the student withdrew from the University on January 23, 2008. The Vice-President, Student Services, recommended that the Faculty reimburse Exxon Mobile the cost of the missing property items as a gesture of goodwill.

V. Observations

As the University community (faculty and staff) becomes increasingly aware of the Code of Student Conduct, it is foreseeable that complaints received by the Office of the Vice President Student Services could increase; notwithstanding, the Vice President is increasing the awareness of the Code of Student Conduct as one means of reducing such complaints. In a majority of the complaints investigated, students were unaware that a Code of Student Conduct existed and, subsequently, were unaware that their actions constituted an offence as outlined within the Code.

Furthermore, misuse of information technology continues as a common occurrence in relation to Code of Student Conduct infractions by students. In the same vein, continuous improvements to the University's information technology systems will be one solution in deterring individuals from fraudulently altering official University documents. For example:

The four complaints managed by the Student Disciplinary Committee of the Senate brought forth the need to improve both the technical infrastructure and the faculty-to-student communications regarding Academic Integrity. Enhanced awareness by faculty and administrators is needed as it relates to the practice of students uploading academic transcripts for use by future employers or other official programs requiring academic records. The Cooperative Education offices have since implemented new procedures to reduce the probability of error when students manage and transmit personal and academic information. The attached includes a letter from Anne-Marie Coolan and outlines the changes made in the student information for using when using the PlacePro data management system. It is yet to be determined if such procedural changes will reduce or eliminate the number of complaints regarding alleged policy infractions.

Respectfully submitted,

Dr. Bonnie Neuman
Vice-President, Student Services

Marc Braithwaite, MBA
Executive Director – Student Wellness