

**Dalhousie University**  
**Code of Student Conduct Annual Report to Senate**  
**May 2008 – April 2009**

**I. 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 2008-2009, 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 2008- 2009**

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. In January 2008, Marc Braithwaite, Executive Director – Student Wellness Services was designated by the Vice President with the responsibility to investigate the Code of Student Conduct complaints and 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 May 2008 to April 2009 twelve Code of Student Conduct complaints were received involving twenty-two students and 5 staff and/or faculty. These complaints included offences against persons and offences involving false information and identification. As outlined in the code of Student Conduct, "Whenever possible and appropriate, reason and informal measures shall be used to resolve issues of individual behaviour before resort is made to formal disciplinary procedures." All but one 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 Academic Discipline Process.

#### ***A. Eight complaints involving offences against persons***

1. One complaint received through the Office of Human Rights, Equity and Harassment where the complaint was originally filed. The complainant alleged that another student assaulted the complainant sexually, or threatened the complainant with sexual assault or committed an act of sexual harassment toward the complainant person. An investigation report was submitted to the Office of the Vice President Student Services and no further action was required under the Code of Student Conduct.

2. One complaint received by a student alleging that a second student engaged in a course of vexatious conduct, harassment or discrimination that was directed at the complainant by the respondent based on sexual orientation. The respondent formally apologized to the complainant and the respondent withdrew from the Dalhousie student program, which both participated in at the time of the offence.

3. Two unrelated complaints were received alleging the complainant was assaulted by a student (respondent), threatened the complainant with bodily harm, and caused the complainant to fear bodily harm. In the first case, an agreement that the respondent voluntarily withdraws from the University for a period of time was part of an informal disposition of a complaint to the satisfaction of the complainant. The respondent is required to contact the Office of the Vice President Student Services should the respondent decide to resume their studies at Dalhousie University. In the second case, an agreement that the respondent withdraw from the University residence program for a period of time was part of an informal disposition of a complaint to the satisfaction of the complainant.

4. Three complaints were received from Dalhousie University employees alleging unwelcome or persistent conduct that the student knew, or ought to reasonably have known, or would cause another person to feel demeaned, intimidated or harassed. In two of these cases, the respondents formally apologized to the complainants and as part of the informal disposition of the complaint the respondents withdrew from Dalhousie University to the satisfaction of the complainants. In a third case, the respondent formally apologized to the complainant (to the satisfaction of the complainant) and agreed to a ban from the premises where the complainant is employed at Dalhousie University.

5. One complaint received from a faculty member alleging that a student created a condition that unnecessarily endangered the health and/or safety of other persons. The matter was resolved to the satisfaction of the complainant after the complainant was presented with additional information including a more accurate account of the original circumstances and events.

#### ***B. Four complaints involving false information and identification***

1. One complaint received alleging that a student forged, altered or misused a document, record or instrument of identification. This case was referred back to the Academic Integrity Officer where an academic penalty was imposed.

2. Two separate complaints received alleging two students knowingly furnished false information to persons regarding his or her standing, status or academic

record at Dalhousie University. In the first case, an earlier academic penalty led to the student respondent being unable to continue their academic program and has since withdrawn from the University. The investigation regarding this complaint was suspended indefinitely to the satisfaction of the complainant. In the second case, this matter will be referred back to the Academic Integrity Officer and/or the Senate Discipline Committee for hearings and resolution.

3. One complaint received alleging that five students knowingly furnished false information to a person or office acting on behalf of the University. The investigator determined that the complaint did not have merit; however, this matter was referred back to the complainant by the investigator who requested more information to support the complaint. The complaint has since been withdrawn.

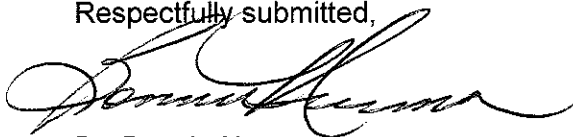
#### IV. Observations

The Code of Student Conduct investigation and the informal resolution procedures continue to be, in most cases, effect instruments resulting in satisfactory outcomes for complainants and respondents. As presented above, offences against persons continue to be the more common occurrence of all Code of Student Conduct infractions by students. Student Services has sought-out new opportunities to engage students through student leadership forums and new student orientation as a means of transmitting Dalhousie University's student behaviour expectations as outlined in the Code of Student Conduct policy. Furthermore, Student Services will continue to improve the administration of the Code of Student Conduct investigation and reporting process so that complaints can be responded to, investigated and resolved in a timelier manner.

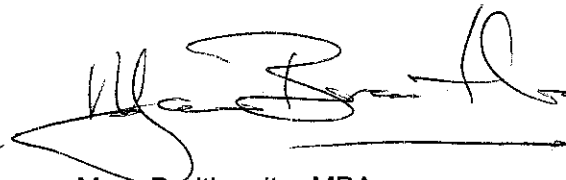
By monitoring Security Services Incident Reports, Student Services has been able to play a more active role by encouraging Security Services and students named in incident reports to utilize the Code of Student Conduct process as a means of resolving disputes and/or infractions. This has applied mainly to offences against persons where students and staff need the most support and assistance.

As the University community (students, faculty and staff) becomes increasingly aware of the Code of Student Conduct, the number of complaints received by the Office of the Vice President Student Services has decreased compared to the previous year. This may be a result of Student Services personnel increasing the awareness of the Code of Student Conduct as one means of reducing such complaints; however, in a majority of the complaints investigated, respondents to complaints (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.

Respectfully submitted,



Dr. Bonnie Neuman  
Vice-President, Student Services



Marc Braithwaite, MBA  
Executive Director – Student Wellness