

**Dalhousie University
Code of Student Conduct
Annual Report to Senate (May 2009 – April 2010)**

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 2009-2010, there were nine (9) 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 2009- 2010

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. The Assistant Vice-President (Student Affairs) is designated by the Vice President (Student Services) with the responsibility to investigate the Code of Student Conduct complaints and actively pursues 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 2009 to April 2010 eight Code of Student Conduct complaints were received from four students Complainants and four staff Complainants involving twelve student Respondents. These complaints included offences against persons, offences involving property 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 eight complaints in 2009-2010 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 those outlined in the Residence Community Standards Guide.

A. Four complaints involving offences against persons

1. A complaint was received from the Dalhousie Student Union alleging that a Dalhousie student engaged in 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. The respondent formally apologized to the complainants and as part of the informal disposition of the complaint the respondent agreed to no longer participate in council meetings conducted by the Dalhousie Student Union. The respondent also agreed to participate in an educational session offered by Counselling and Psychological Services.

2. A complaint was received by a Dalhousie student alleging that a Dalhousie student engaged in a course of vexatious conduct, harassment or discrimination that was directed at the complainant by the respondent based on religious orientation. The respondent formally apologized to the complainant and as part of the informal disposition of the complaint the respondent withdrew from the Dalhousie Residence Life Program, which both participated in at the time of the offence. The respondent agreed to participate in an informal educational session, which was received well by the respondent.

3. A complaint was received from the department of Athletics & Recreational Services (Dalplex management) alleging that a Dalhousie student engaged in 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. The respondent formally apologized to the complainants and as part of the informal disposition of the complaint the respondent agreed to the terms of a restricted access agreement to the Dalplex facility for the remainder of that academic year.

4. A complaint was received from a member of the Residence Life Program management team alleging that a Dalhousie student created a condition that unnecessarily endangered the health and/or safety of other persons. The respondent formally apologized to the complainants and as part of the informal disposition of the complaint the respondent agreed to be relocated to another residence facility for the remainder of the academic year, participate in several educational sessions offered by Counseling and Psychological Services, and not return to the Residence Life Program for the 2010-2011 academic year.

B. Two complaints involving offenses against property.

1. A complaint was received from Dalhousie Security Services alleging that a Dalhousie student took without authorization, misused, destroyed, defaced or damaged the property of Dalhousie University, or property that is not her or his own, or information or intellectual property belonging to Dalhousie University or to any of its members. The respondent provided clear evidence, to the satisfaction of the both the investigator and the complainant, that the allegation was inaccurate and, therefore, the complaint was withdrawn by the complainant.

2. A complaint was received from a member of the Residence Life Program management team alleging that three Dalhousie students took without authorization, misused, destroyed, defaced or damaged the property of Dalhousie University, or property that was not her or his own, or information or intellectual property belonging to Dalhousie University or to any of its members. Although the respondents argued that authorization was provided to “relocate University property from one residence facility to another,” the respondents formally apologized to the complainant and as part of the informal disposition of the complaint the respondents agreed to no longer participate in the Residence Life Program and/or be employed by the department of Community Services (now Ancillary Services).

C. Two complaints involving false information and identification

1. A complaint was received from the department of Ancillary Services (DalCard Office) alleging that three Dalhousie students forged, altered or misused a document, record or instrument of identification and/or knowingly furnished false information to a person or office acting on behalf of the University. The respondents formally apologized to the complainant and as part of the informal disposition of the complaint the respondents agreed to financially compensate amounts owing to the DalCard Office as well as participate in twenty hours of community service each, which was successfully completed to the satisfaction of the complainant and the Office of Student Services.

2. A complaint received from the Engineering and Computer Science Co-operative education office alleging that a Dalhousie student knowingly furnished false information to a person or office acting on behalf of the University. The investigator determined that the complaint did have merit; however, the investigation was unable to proceed given that the respondent graduated from their academic program and is no longer a Dalhousie student. To be clear, the complaint was in no way related to violations of either academic matters and/or academic policies.

IV. Observations

The Code of Student Conduct investigation and the informal resolution procedures continue to be, in most cases, effective 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 the new student and parent orientation programs as a means of transmitting Dalhousie University’s student behaviour expectations as outlined in the Code of Student Conduct policy. Student Services continues to improve the administration of the

Code of Student Conduct investigation and reporting process so that complaints are responded to, investigated and resolved in a timely manner. Much of the success has been attributed to the addition of the Judicial Affairs Officer within the department of Student Affairs.

By monitoring Security Services Incident Reports and more recently the Student Information Database (SID) managed by Residence Life, Student Services has been able to play a more active role by encouraging both Security Services and Residence Life staff 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. Furthermore, with the new reorganization of the Residence Life Program now the responsibility of the Assistant Vice-President Student Affairs, there is improved administrative efficiencies between the Residence Community Standards and the Code of Student Conduct.

As the University community (students, faculty and staff) become 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 previous years. This may be a result of Student Services personnel increasing the awareness, again, during Orientation Programs (students and new staff and faculty), Residence Life staff training, improved communication with the Dalhousie Student Union as well as clubs and other student organizations. That said, with a majority of the complaints investigated, respondents to complaints (students) were either unaware or only slightly aware that a Code of Student Conduct existed and, subsequently, were not entirely aware that their actions constituted an offence as outlined within the Code. In the year ahead, Code of Student Conduct awareness campaigns are planned in conjunction with faculty and staff within the academic departments.

Respectfully submitted,

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