

OFFICE OF STUDENT JUDICIAL AFFAIRS (OSJA)

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ANNUAL REPORT 2009 - 2010



UNIVERSITY OF
ALBERTA

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Office of Student Judicial Affairs Mandate

The Office of Student Judicial Affairs (OSJA) is mandated to deal with issues around the Code of Student Behaviour. Approaching the Code in terms of awareness, prevention and student discipline, the OSJA strives to ensure that students understand the expectations placed upon them by the Code and are able to participate freely and fully in the university community.



The OSJA is responsible for engaging in prevention activities, most notably the Truth In Education (TIE) academic integrity program. Activities include presentations to classes, departments, and other groups as requested, annual production of the *Academic Integrity Handbook for Instructors and TAs* and maintaining an academic integrity website, found at www.ualberta.ca/tie.

When students do engage in behaviour that violates the Code of Student Behaviour, one of the two Discipline Officers in the OSJA investigates the allegations and makes decisions according to the procedures set out in the Code. Faculty Associate Deans (mostly academic offences) and Campus Security Services or Unit Directors (non-academic offences) refer files with recommendations for sanctions. The Discipline Officer meets with the accused student(s), investigates the complaint if the facts are in dispute, then makes a decision on whether the student violated the Code and, if so, what sanctions are warranted, using the recommendation from the Complainant as a starting point.

Organization

Throughout the 2009/10 academic year, Deborah Eerkes was the Director of the Office of Student Judicial Affairs. In this position she administers the office, runs the preventative programs and is one of the two Discipline Officers. She was seconded part-time into Residence Services to review the residence discipline system and rewrite the Residence Community Standards policy and procedures. Chris Hackett was seconded into the OSJA as full-time Discipline Officer for the year. He also took over the academic integrity programming. Theresa Everest provided part time administrative assistance until February 2010.

Discipline Cases

The attached charts reflect the number of cases completed in the Discipline Office between July 1, 2009 and June 30, 2010. The number is calculated based on the completion date of the discipline decision. Note that the statistics reported in this document reflect only the cases referred to the OSJA and do not provide total numbers for Code of Student Behaviour violations.

Over the year, the two Discipline Officers rendered a total of 63 discipline decisions. Sanctions imposed included 2 written reprimands, 18 fines, 4 suspensions of University services, 9 students were required to pay restitution, 40 students were placed on conduct probation by the Discipline Officer, 15 students were suspended, 9 students were excluded and 6 were expelled. Charges were dismissed in four (4) cases. It was decided that the sanctions imposed by the Complainant before referring to the OSJA were sufficient in two (2) other cases and no further sanctions were applied. Of those 63 cases, six (6) were appealed to the University Appeal Board (UAB); three of those appeals were denied, one was varied and two others are pending.

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Trends

The OSJA completed a total of 63 case files for the 2009/10 academic year, a 31% decrease from the previous year, but the same number as 2007/08. While the numbers may be lower, this only tells part of the story; a smaller number of more complex cases can consume as much or more time as a larger number of simple cases. Many of the cases this year were complex and procedurally difficult, intersecting with criminal and other processes. Faculties submitted approximately one fifth of our case files, and the remaining four fifths came from Campus Security Services (CSS) and Residence Services.

The vast majority of academic cases are handled at the Faculty level and OSJA does not become involved. Appropriately, only the most egregious cases are referred to the OSJA with recommendations for severe sanctions. These cases tended to be more complex in nature and often involved second offences. Because the statistics cited herein apply strictly to the Office of Student Judicial Affairs, any trends identified in terms of academic misconduct must not be generalized to the entire University. At the writing of this report, it was not known how many students were charged with academic offences in 2009/10 that did not involve a referral to the Office of Student Judicial Affairs.

Gender seems to play a role in non-academic offences: 45 out of 48 students who committed non-academic offences were male, three were female. Academic offences were more closely matched between males (8) and females (5).

Of the 63 cases in the Office of Student Judicial Affairs, students in their first year of study were more likely than other students to commit offences under the Code. Nineteen (19) first-year students, 11 second-year students, 9 third-year students, 9 fourth-year students, 2 fifth-year students, and 7 graduate students were referred to the Office of Student Judicial Affairs last year. In addition, 6 other students who were in Open Studies, after degree programs or the Faculty of Extension, or were a Student Group, were required to meet with a Discipline Officer.

Charges included plagiarism (6), cheating (4), disruption (1), violation of safety or dignity (18), damage to property (11), unauthorized use of facilities, equipment, materials, services or resources (5), breach of rules external to the Code (66), failure to show identification (2), alcohol provision (1), discrimination (1), misrepresentation of facts (6) and participation in an offence (4). In addition, a total of 21 charges were dismissed, either because the student was found not to have committed the offence or the offence did not fall within the reach of the Code of Student Behaviour.

The OSJA tracked alcohol-related offences for the second year. Of the 63 cases, 6 were directly related to alcohol (for example, violations of the Alberta Liquor and Gaming Act) and 10 were indirectly related to alcohol, that is, students reported violating the Code while intoxicated. These numbers are significantly lower than last year when 8 charges were directly related to alcohol and 25 were indirectly related. An additional 8 cases involved illegal drug possession or use.

Violating laws external to the Code of Student Behaviour is also a violation of the Code. In the 09/10 academic year, the OSJA adjudicated 38 cases with 66 charges of breach of external rules. External rules ranged from the Criminal Code of Canada (55), Controlled Substances Act (8), Alberta Gaming and Liquor Act (5), the Traffic Safety Act (4), and internal University of Alberta policies external to the Code (6). Criminal Code violations included mischief, aiding and abetting, fraud, forgery theft, arson, assault, sexual assault, threats and voyeurism.

On a related note, the number of students suspended or expelled for purely non-academic offences rose to a total of 7 this year, compared to 2 last year and 3 in 2007/08. Sanctions with academic repercussions, such as

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suspension or expulsion, are reserved for only the most severe non-academic cases in which the safety of the community is at risk.

Cases referred by Residence Services decreased significantly this year to 3 from last year's 18 cases. In all cases received from Residence Services, the charge was Unauthorized Use of Facilities, levied against students who entered residence buildings despite having been placed on the Housing Exclusion List.

University Community and Beyond

Academic Integrity Handbook for Instructors and TAs – This Handbook was originally written in 2003 as a supplement to the Code of Student Behaviour and a guide to promoting academic integrity. In 2009/10, the OSJA distributed 5,312 of these handbooks to professors, sessionals and teaching assistants in every academic unit.

Academic Integrity Task Force – C. Hackett began the planning phase of implementing a follow up Academic Integrity Survey from the one conducted in 2003. He convened a task force of members of the university community, including students, professors, administrators, librarians and others. The survey will go live in October/November 2010. The task force expects to produce a report on student academic integrity at the University of Alberta, including recommendations for changes in policy and practice, by April 2011.

Residence Community Standards – D. Eerkes spent much of the year reviewing the existing community standards and consulting with key stakeholders regarding improvements to the residence discipline system. The result is a proposal for a new restorative justice program to be implemented in University of Alberta residences for the 2011 year. The proposal will make its way through the governance process in fall 2010.

CACUSS Conference 2010 – D. Eerkes sat on the Steering Committee for the 2010 CACUSS conference, hosted in Edmonton by six institutions: University of Alberta, MacEwan University, Concordia University College, Norquest College, NAIT and Yellowhead Tribal College. She also acted as liaison to the CACUSS Board. C. Hackett sat on the programming committee for the conference.

Presentations – D. Eerkes and C. Hackett gave a total of 36 presentations on academic integrity, the Code of Student Behaviour and Student-Supervisor Conflict this year. Presentations on campus included the International Centre, University Teaching Services, FGSR, Lister, Faculty of Nursing, Rehabilitation Medicine, Department of Biological Sciences, English and Film Studies classes, and the Faculty of Engineering (both at U of A and the Grant MacEwan Engineering transfer program).

Academic Integrity and the Faculty of Engineering – The two Discipline Officers worked with the faculty of Engineering on various projects over the year, including an academic integrity panel discussion, an Engineering Students' Association initiative to promote academic integrity within the faculty, and a video discussion designed as a prototype of an alternative delivery for the graduate student ethics requirement.

Academic Discipline Meeting – The two Discipline Officers participated in a meeting for the key stakeholders in academic discipline, including Associate Deans, the Dean of Students, the Student OmbudService and the Appeals Coordinator. The meetings provide a forum for open communication between those involved in academic discipline and to address procedural issues that arise in our work.

Campus Law Review Committee (CLRC) – The Discipline Officer holds an Ex Officio position on CLRC, working closely with other CLRC members to propose policy updates and changes.

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External professional activities – D. Eerkes completed her term as Past President of Canadian Academic Integrity and Student Judicial Affairs (CAISJA), a Division under the Canadian Association of College and University Student Services (CACUSS). She also sits on the Advisory Board for the Center for Academic Integrity, where the University of Alberta has been an active member since 2001. C. Hackett will be continuing in his role as Secretary/Treasurer for CAISJA.

Internal partnerships – D. Eerkes organized and participated in an initiative to address high-risk drinking among students. The group, entitled the Coalition for Action on High Risk Drinking (CAHRD), involves representatives from the Dean of Students' Office, Campus Security Services, University Health Centre, Residence Services, the Alcohol Policy Review Committee, the Student OmbudService, Risk Management, the Students' Union, and the Addictions and Mental Health Research Lab, with input from Responsible Hospitality Edmonton and Alberta Health Services (formerly the Alberta Addictions and Drug Abuse Commission). A self-assessment tool for students to gauge their drinking habits in relation to social norms and personal harms was introduced in Fall 2009. Information gathered in that survey was analyzed by Dr. Cam Wild of the Addictions and Mental Health Research Lab in the School of Public Health. The final research report is posted on www.ualberta.ca/checkyourself.



The OSJA looks forward to continued collaboration with other units within the University. The more we can forge ties with the University community, the stronger our prevention network will become.

Respectfully submitted,

A handwritten signature in black ink that reads 'Deerkes'.

Deborah Eerkes
Director

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2009/10 Statistics

1. Origin of Cases

Complainant	Number of Cases Completed		
	2009/10	2008/09	2007/08
Agricultural, Life and Environmental Sciences	1		
Arts	4	11	12
Augustana	1	1	
Business			2
Education	1	2	7
Engineering	1	2	13
FGSR	1		1
Native Studies			1
Physical Education and Recreation	1	1	
Science	3	5	9
Residence Services	3	18	2
Campus Security Services	47	43	16
TOTAL	63	83	63

2. Charges under the Code Some cases contain multiple charges against a student, therefore the total number of charges (120) is higher than the number of cases (63).

Charge	2009/10	2008/09	2007/08
Plagiarism	6	15	24
Cheating	4	10	14
Misuse of Confidential Materials	0	0	5
Inappropriate Behaviour in Professional Program	0	0	1
Disruption	1	3	2
Discrimination	1	0	0
Dissemination of Malicious Material	0	0	0
Unfounded Allegations	0	0	1
Violations of Safety or Dignity	18	15	8
Damage to Property	11	4	13
Unauthorized Use of Facilities, Equip., Materials, Services or Resources	5	21	6
Alcohol Provision	1	0	0
Breach of Rules External	66	38	14
Identification	2	4	1
Misrepresentation of Facts	6	6	10
Participation in an Offence	4	0	4
Bribery	0	0	0
Charge Dismissed	21	4	9
Total Charges Upheld	125	116	94

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3. Disposition of Decisions of the Discipline Officer

SANCTION (In addition to sanctions already imposed by Deans and/or Unit Directors)*	Number imposed			
	2009/10	2008/09	2007/08	
Expulsion	6	2	4	*Some cases result in multiple sanctions, therefore the total number of sanctions is greater than the number of cases.
Suspension	15	21	33	
Conduct Probation	40	52	35	
Fine	18	30	2	
Exclusion	9	0	0	
Suspension University Resources	4	0	0	
Restitution	9	4	11	
Reprimand	2	3	4	
Charges upheld; no additional sanction	2	2	3	
Charges dismissed; no sanction	4	4	3	
Total Sanctions	120	118	95	

4. Case by Type and Gender

5. Discipline Officers

	Academic	Non-Academic	TOTAL
MALE	8	45	53
FEMALE	5	4	9
GROUP	0	1	1
TOTAL	13	49	63

Discipline Officer	Number of Cases completed		
	09/10	08/09	07/08
Deborah Eerkes	26	47	33
Chris Hackett	37	-	-
George Buck	0	36	30
Total Cases	63	83	63

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5. Case Type by Student Year of Program

