



Student Conduct and Accountability

2021-22

ANNUAL REPORT OF **STUDENT CONDUCT RESPONSES**

Dean of Students' Portfolio
July 1, 2021 to June 30, 2022



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Territorial Acknowledgement

The University of Alberta, its buildings, labs, and research stations are primarily located on the traditional territory of Cree, Blackfoot, Métis, Nakota Sioux, Iroquois, Dene, and Ojibway/Saulteaux/Anishinaabe nations; lands that are now known as part of Treaties 6, 7, and 8 and homeland of the Métis. The University of Alberta respects the sovereignty, lands, histories, languages, knowledge systems, and cultures of First Nations, Métis and Inuit nations.

Introduction

This report covers responses to student conduct across the Dean of Students' portfolio for the 2021-22 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.

The 2021-22 academic year at the University of Alberta continued to be affected by the pandemic. Classes were delivered both in person and online. Many University services were also provided virtually. As a result of the hybrid landscape and a low population density physically on campus, we continued to see lower numbers of non-academic cases of misconduct. Meanwhile, academic cases remained steady due to some students embracing new and innovative ways of challenging academic integrity as they adapted to virtual environments and the many temptations that technology and corporate interests made available.

For data from previous years, the 2020-21 Dean of Students portfolio Student Conduct Report is available from University Governance. This report should be read alongside the annual reports of the Office of the Student Ombuds and the Appeals and Compliance Officer for a more comprehensive picture of student misconduct (that is, discipline under the Code of Student Behaviour and Code of Applicant Behaviour).

Residence Community Standards Policy

Focus: Restorative Practices

Administered by: Residence Life (North Campus and Augustana)

[Residence Community Standards Policy](#)

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 misconduct, the framework focuses on the effects of behaviour on individuals and the community. 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 Restorative Practices (RP) is voluntary. If for any reason RP 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: Community Resolution or Actions decided in a Restorative Agreement (including apologies).

Update to policy: The Community Standards Policy underwent review and revision during the 2021-2022 academic year. The new policy is linked above, which took effect August 2022. The numbers below reflect the previous policy. Augustana Residence now uses the same Residence Community Standards Policy as North Campus residences.

NORTH CAMPUS

For the 2021-22 academic year:

During the academic year (August 1, 2021- April 30, 2022) 49% of residents who interacted with the residence conduct process never had another documented violation. Of those single incident residents (n: 594), 418 (70%) of those situations were resolved in the moment with a Community Resolution.

OUTCOME	
COMMUNITY RESOLUTION	1153
COMMUNITY RESOLUTION WITH PROFESSIONAL STAFF DURING FOLLOW UP MEETING	81
APOLOGY	20
COMMUNITY PROJECT	3
RESTITUTION	3
OTHER ACTIONS AS DECIDED IN RESTORATIVE MEETING/CONFERENCE	15

As part of Residence Services continuous improvement, residents who are identified as a responsible party through our processes receive an invitation to complete a survey to provide feedback on their experience. Residents who completed the survey in Fall 2021 or Winter 2022 and reported their interaction with the process as a Community Resolution in the moment with a student staff shared the following about their experience:

- 68% reported as a result of the conduct process, they understand the harm and/or potential harm their behavior had on the community
- 75% reported they are unlikely or very unlikely to repeat the behaviour.

This serves as evidence that restorative conversations in the moment are effective in creating a commitment for future behaviour that residents adhere to.

AUGUSTANA CAMPUS

For the 2021-22 academic year:

Administered by: Augustana Residence Life

Note: Damage charges, unit relocation, and COVID-19 Written Warnings are outcomes under a breach of Augustana's [Residence Agreement](#).

OUTCOME	
COMMUNITY RESOLUTION - NOISE	8
COMMUNITY RESOLUTION - ALCOHOL	5
DAMAGE CHARGES (VANDALISM)	1
UNIT RELOCATION	1
COVID-19 WRITTEN WARNING	1

Breach of Residence Agreement

Focus: Breach of contract

Administered by: Residence Services

[Breach of Residence Agreement](#)

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 (including temporary restrictions), revoked visiting privileges, damage charges, relocation, probationary status and/or eviction.

Temporary outcome used for both 2020-2021 and 2021-2022: COVID-19 Written Warning

Notable trends in residence across both Residence Community Standards Policy and Breach of Residence Agreement:

1. 1487 total documented incidents, with many involving multiple students. Each resident responsible receives their own outcome as listed in this report.
2. Wide majority of incidents were related to excessive noise/violations of quiet hours. 1294 of the outcomes listed (restorative or not) were provided to residents where excessive noise was an aspect of the incident. For comparison, the next most numerous violation was open alcohol in a common area with 211 responsible outcomes.
3. Residence continued to use COVID-19 Safety Expectations during the 2021-2022 academic year with some adjustments in response from the previous year. These expectations changed throughout the year in response to provincial and university guidance.

OUTCOME	
LETTER OF EXPECTATIONS	400
LETTER OF CONDITIONS	20
ALCOHOL CONDITIONS	3
REVOKED VISITING PRIVILEGES	20
DAMAGE CHARGES	5
UNIT RELOCATION	12
PROBATIONARY STATUS	32
EVICTION	10
COVID-19 WRITTEN WARNING	42

Code of Student Behaviour

Focus: Student academic and non-academic misconduct

Administered by: Student Conduct & Accountability (SCA)

[Code of Student Behaviour](#)

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*.

Types of misconduct 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 seriousness of the misconduct, taking into account the totality of circumstances in each case.

Behaviours that lead to *Code of Student Behaviour* investigations 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 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. Where Severe Sanctions are warranted, the Dean makes a recommendation to the Discipline Officer. For comprehensive statistics on student misconduct (*Code of Student Behaviour* and *Code of Applicant Behaviour*), refer to the [Annual Report of the Appeals and Compliance Officer](#), University Governance.

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

Please note, 2022-2023 will see a dramatic change in the student conduct landscape once revisions to the Code of Student Behaviour and the Sexual Violence Policy are approved. In addition, work has begun on a new Academic Integrity policy suite that will replace the academic sections of the Code of Student Behaviour. How we as an institution address conduct will be significantly different, with opportunities coming from new tools and approaches to accountability. This report, as well as the reports for other years, will be an important tool in understanding the impact of those changes.

For the 2021-22 Academic Year:

VIOLATIONS CONSIDERED	
30.3.2(1) PLAGIARISM	12
30.3.2(2) CHEATING (TOTAL: 18)	
30.3.2(2) A CHEATING - UNAUTHORIZED SOURCE	12
30.3.2(2) B CHEATING - MISREPRESENTATION	1
30.3.2(2) C CHEATING - EDITORIAL ASSISTANCE	3
30.3.2(2) D CHEATING - RESUBMISSION	1
30.3.2(2) E CHEATING - FABRICATION	1
30.3.2(3) MISUSE OF CONFIDENTIAL MATERIALS	2
30.3.2(4) A RESEARCH AND SCHOLARSHIP MISCONDUCT	2
30.3.4(1) A DISRUPTION	0
30.3.4(6) VIOLATIONS OF SAFETY OR DIGNITY (TOTAL: 3)	
30.3.4(6) A SEXUAL OR PHYSICAL CONTACT	1
30.3.4(6) B PHYSICAL ABUSE OR THREATS	0
30.3.4(6) C CREATING A CONDITION	2
30.3.4(6) D HARASSMENT OR SEXUAL HARASSMENT	0
30.3.4(6) VERBAL OR WRITTEN THREATS	0
30.3.5(1) DAMAGE TO PROPERTY	0
30.3.5(2) UNAUTHORIZED USE	0
30.3.6(4) MISREPRESENTATION OF FACTS	2
30.3.6(5) PARTICIPATION IN AN OFFENCE	1
30.3.6(2) BREACH OF RULES EXTERNAL TO THE CODE	0

CASES	
TOTAL CASES	31
ACADEMIC CASES	29
NON-ACADEMIC CASES	2

* See the Code of Student Behaviour for complete definitions of Offences.

ACADEMIC MISCONDUCT FACULTY REFERRALS FOR SEVERE SANCTIONS	
FACULTY OF ARTS	15
ALBERTA SCHOOL OF BUSINESS	3
AUGUSTANA FACULTY	1
FACULTY OF ENGINEERING	6
FACULTY OF SCIENCE	1
FACULTY OF GRADUATE STUDIES AND RESEARCH	2
FACULTY OF AGRICULTURAL, LIFE AND ENVIRONMENTAL SCIENCES	1

SANCTIONS	
NO SANCTION	1
INTERMEDIATE SANCTIONS	
CONDUCT PROBATION CONDITION	25
SEVERE SANCTIONS	
SUSPENSION	20
EXPULSION	2
EXCLUSION	1

* A student can have one or more Conduct Probation conditions.

Notable trends:

1. Case numbers were steady (31 compared to 30 the prior year 2020-21).
2. Severe sanctions increased by 30% (7), whereas intermediate sanctions remained even. Although the percentage increase appears dramatic, the actual change is small and likely represents normal fluctuation from year to year based on specific cases.
3. Recommendations for Severe Sanctions from Deans for academic misconduct increased this year (29 this year and 20 last year).
4. Non-academic misconduct referred to SCA dropped significantly (2 cases this year compared to 10 in 2020/21 and 14 before that in 2019/20).
5. One of two non-academic cases constituted sexual violence, as defined in the Sexual Violence Policy.
6. Eight of the students found to have committed academic misconduct had a prior finding under the Code. None of the students with non-academic misconduct cases had a previous violation.
7. No students reported that their offence occurred while they were intoxicated or as a result of being intoxicated.

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

Focus: Safety of the University Community

Administered by: Office of the Dean of Students

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

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 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.

For the 2021-22 Academic Year:

PROTOCOL 91	
PROTOCOL 91 (TOTAL: 20)	
RESTRICTIONS FROM CAMPUS	9
OTHER CONDITIONS	11

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.
2. Of the 20 Protocols this academic year, all involved either threats or harm to others, including physical assault, sexual assault, or significant personal risks to safety.
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. Nine of the Protocols began with exclusions from Residences or campus. However, the conditions were reconsidered as each situation evolved. Of these, 5 were modified to allow the student to return to campus or residence, with conditions.
5. The number of Protocols was up 120% this year from a total of 9 in the 2020-21 academic year

Sexual Violence Policy

Focus: Support for those who have experienced sexual violence

Administered (for students) by: Office of the Dean of Students

[Sexual Violence Policy](#)

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 conditions, 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 2021-22 academic year:

SEXUAL VIOLENCE SUPPORT	
DISCLOSURES	65
MODIFICATIONS	28
INTERIM MEASURES	37
VOLUNTARY MEASURES	2
SAFE HOUSE USAGE	15

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 increased by 120% compared to the 2020/21 academic year. It was noted that as more students returned to in-person learning and living in residence there were increased numbers of students seeking assistance under the SVP to feel safe on campus.
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.

Student Groups Procedure

Focus: Relationship between Student Groups and the University

Administered by: Office of the Dean of Students

[Student Groups Procedure](#)

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 2021-22 academic year:

Student Group Procedure Complaint = 1 (complaint was withdrawn)

Number of groups that had their recognition temporarily suspended or revoked = 0