

OSJA ANNUAL REPORT
2011/12

OFFICE OF STUDENT
JUDICIAL AFFAIRS (OSJA)

<http://www.osja.ualberta.ca>



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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.tie.ualberta.ca.

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 University of Alberta Protective Services or Unit Directors (non-academic offences) refer files with recommendations for sanctions. The Discipline Officer meets with the accused student, 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 2011/12 academic year, Deborah Eerkes was the Director of the Office of Student Judicial Affairs. In this position she administers the office, oversees the preventative programs and is one of the two Discipline Officers. Chris Hackett was Discipline Officer and Academic Integrity program coordinator.

Discipline Cases

The attached charts reflect the number of cases completed in the Discipline Office between July 1, 2011 and June 30, 2012. 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 67 discipline decisions. Sanctions imposed included 10 written reprimands, 2 fines, 2 suspension of University services, 9 students were required to pay restitution, 49 students were placed on conduct probation by the Discipline Officer, 16 students were suspended, 3 students were excluded and 5 were expelled. Charges were dismissed in three (3) cases. Of those 67 cases, four (4) were appealed to the University Appeal Board (UAB); three of those appeals were varied, one is still pending.

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Trends

The OSJA completed a total of 67 case files for the 2011/12 academic year, a slight increase from the previous year. Faculties submitted approximately 33% of our case files, and the remaining 67% came from University of Alberta Protective Services.

The 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 2011/12 that did not involve a referral to the Office of Student Judicial Affairs.

Gender seems to play a role in non-academic offences: 40 out of 45 students who committed non-academic offences were male, five were female. There was virtually no gender difference in academic offences, where females committed 10 and males committed 11 of the academic offences .

Of the 67 cases in the Office of Student Judicial Affairs, a student's year in the program seemed much less relevant this year than in previous years. Fourteen (14) first-year students, 13 second-year students, 13 third-year students, 13 fourth-year students, 2 fifth-year students, and 8 graduate students were referred to the Office of Student Judicial Affairs last year. In addition, 2 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 (21), violation of safety or dignity (15), damage to property (7), unauthorized use of facilities, equipment, materials, services or resources (10), breach of rules external to the Code (32), misrepresentation of facts (2) retaliation (1), charges under the Regulations Pertaining to Special Events, Use of University Resources and the Provision of Alcohol (8) and participation in an offence (3). In addition, a total of 29 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 fourth year. Of the 67 cases, 7 were directly related to alcohol (that is, violations of the Alberta Liquor and Gaming Act) and 14 were indirectly related to alcohol, meaning that students reported committing the offence while intoxicated. An additional 5 cases involved illegal drug possession or use.

Breaking laws external to the Code of Student Behaviour is also a violation of the Code where a tangible link can be drawn to the University or University Activities. In the 11/12 academic year, the OSJA adjudicated 31 cases with 42 charges of breach of external rules. External rules ranged from the Criminal Code of Canada (28), Controlled Substances Act (5), Alberta Gaming and Liquor Act (7). Criminal Code violations included mischief, fraud, theft, assault, disturbing the peace, obstructing justice, identity fraud, break & enter, public nudity, possession of stolen property and uttering threats. Ten (10) of the charges of Breach of Rules External to the Code were dismissed by the Discipline Officer.

On a related note, the number of students suspended or expelled for purely non-academic offences dropped to 1 this year, compared to 2 last year and 7 in 2009/10. Sanctions with academic repercussions, such as suspension or expulsion, are reserved for only the most severe non-academic cases in which the safety of the community is compromised.

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 2011/12, the OSJA distributed 5,402 of these handbooks to professors, sessionals and teaching assistants in every academic unit.

Residence Community Standards – D. Eerkes and C. Hackett spent much of the year working with Residence Services implementing, training and reviewing the first year of the Residence Community Standards.

Restorative Justice “Train the Trainers” – A team of trainers from various units of the University of Alberta was assembled and underwent three days of intensive training with Dr. David Karp and Duke Fisher. That team then designed and delivered the training to Residence Services staff in preparation for the implementation of the new policy. As the kick-off to this training, a public symposium on Restorative Justice was held and attended by over 100 members of the RJ community.

Presentations – D. Eerkes and C. Hackett gave a total of 48 presentations to students on academic integrity, hazing, restorative justice, the Code of Student Behaviour and Student-Supervisor Conflict this year. Presentations on campus included the International Centre, FGSR, Lister, Faculty of Nursing, Rehabilitation Medicine, Department of Biological Sciences, English and Film Studies classes, Linguistics, and the Faculty of Engineering (both at U of A and the Grant MacEwan Engineering transfer program).

Staff Training – D. Eerkes and C. Hackett worked with Residence Services to design and deliver training to student and professional staff on restorative justice. In addition, D. Eerkes provided specialized training on the Code of Student Behaviour to University of Alberta Protective Services (with the Office of General Counsel), student services personnel (Best Practices Learning Circles) and Student Legal Services.

Academic Discipline Meeting – The two Discipline Officers organized and 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 meeting provides a forum for open communication between those involved in academic discipline and to address procedural issues that arise in our work. The focus of this meeting was to discuss the Academic Integrity Task Force Report.

Hazed and Confused workshop – Following the development of a definition of Hazing for the Code of Student Behaviour, the two Discipline Officers organized and participated in a workshop focussed on preventing hazing and finding positive alternatives. Dr. Jay Johnson and Dave Westol brought academic and practical perspectives to this full-day workshop for students, staff and administrators. .

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.

Code of Student Behaviour review group – C. Hackett and D. Eerkes joined a group of key stakeholders in reviewing the Code of Student Behaviour and collaborating on updating and improving it. Meetings were held monthly and resulting proposals brought through the governance process.

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Coalition for Action on High Risk Drinking (CAHRD) – D. Eerkes co-Chaired the Coalition for Action on High Risk Drinking (CAHRD), which 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, called Check Yourself, for students to gauge their drinking habits in relation to social norms and personal harms was introduced in Fall 2009 and continued this past year. Topics discussed this year included late night bus service, party buses, and the alcohol policy review. In addition, the University of Alberta obtained the trademark for Check Yourself.

Residence Community Standards Review Committee – Both Discipline Officers sat on the committee assigned to review the first year of the Residence Community Standards policy. A final report is to be released in Fall 2012.

D. Eerkes and C. Hackett provided input and feedback to Risk Management on the development of an Alternate Reality Game designed to educate students on safety and appropriate behaviour.

University Student Services Leadership Team Working Groups – C. Hackett was a member of the International Student Experience Working Group, while D. Eerkes sat on the Staff Learning Working Group.

Information and Disclosure in Discipline processes – As a follow up to an initiative from 2008, a working group was convened to address questions of disclosure and privacy within disciplinary (Code of Student Behaviour) processes and after decisions under the Code have been completed. D. Eerkes chaired the group, which included representatives from the Information and Privacy Office, the Registrar’s Office, Academic Standards Committee, Faculty of Graduate Studies and Research, Protective Services, University Governance and General Counsel. A comprehensive suite of changes to the Code of Student Behaviour were proposed and adopted as a result of the working group’s discussions.

The OSJA consulted on the Harassment and Discrimination Policy Review, Alcohol policy, Student Groups policy, behavioural and safety issues in Lister, and Student Group discipline issues.

D. Eerkes worked with a group of provincial organizations to develop a set of Best Practices for Restorative Justice practitioners throughout Alberta. Participants included the Alberta Conflict Transformation Society (ACTS), Alberta Restorative Justice Association (ARJA), Mediation and Restorative Justice Centre (MRJC), and Alberta Justice, among others.

C. Hackett participated as a trainer at Guelph University’s inaugural Restorative Justice staff training.

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 'D Eerkes'.

Deborah Eerkes, Director

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2010/11 STATISTICS

1. Origin of Cases

Complainant	Number of Cases Completed		
	2011/12	2010/11	2009/10
Agricultural, Life and Environmental Sciences	2	2	1
Arts	5	0	4
Augustana	0	2	1
Business	2	1	0
Education	0	0	1
Engineering	4	2	1
FGSR	2	0	1
Medicine and Dentistry	1	0	0
Pharmacy	0	1	0
Physical Education and Recreation	0	0	1
Science	6	3	3
Registrar	0	2	0
Residence Services	0	0	3
University of Alberta Protective Services (Campus Security Services)	45	51	47
TOTAL	67	64	63

2. Charges under the Code Some cases contain multiple charges against a student, therefore the total number of charges (110) is higher than the number of cases (67).

Charge	2011/12	2010/11	2009/10
Plagiarism	6	5	6
Cheating	21	5	4
Misuse of Confidential Materials	0	0	0
Inappropriate Behaviour in Professional Program	3	0	0
Disruption	2	0	1
Discrimination	0	0	1
Dissemination of Malicious Material	0	4	0
Unfounded Allegations	0	0	0
Violations of Safety or Dignity	15	32	18
Retaliation	1	0	0
Damage to Property	7	16	11
Unauthorized Use of Facilities, Equip., Materials, Services or Resources	10	10	5
Alcohol Provision	0	1	1
Breach of Rules External	32	35	66
Identification	0	1	2
Misrepresentation of Facts	2	9	6
Participation in an Offence	3	3	4
Bribery	0	1	0
Student Groups Appendix 2 (Use of University Resources)	8	0	0
Charge Dismissed	29	15	21
Total Charges Upheld	110	107	125

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3. Disposition of Decisions of the Discipline Officer

Some cases result in multiple sanctions, therefore the total number of sanctions is greater than the number of cases.

SANCTION (In addition to sanctions already imposed by Deans and/or Unit Directors)	Number imposed		
	2011/12	2010/11	2009/10
Expulsion	5	1	6
Suspension	15	11	15
Conduct Probation	49	54	40
Fine	2	1	18
Exclusion	3	7	9
Suspension University Resources	2	1	4
Restitution	9	5	9
Reprimand	10	7	2
Charges upheld; no additional sanction	2	0	2
Charges dismissed; no sanction	3	5	4
Total Sanctions	101	87	120

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4. Case by Type and Gender

	Academic	Non-Academic	Both Academic & Non Academic	TOTAL
MALE	11	40	0	51
FEMALE	10	5	1	9
TOTAL	21	45	1	67

5. Discipline Officers

Discipline Officer	Number of Cases completed		
	11/12	10/11	09/10
Deborah Eerkes	38	39	26
Chris Hackett	29	25	37
Total Cases	67	64	63

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5. Case Type by Student Year of Program

