

Student
Conduct and
Judicial Affairs

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Annual Report

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About the Office

The Office of Student Conduct and Judicial Affairs (SCJA) aims to educate students about the policies, rules, and regulations governing their student participation and hold students accountable for their behaviour. A fair and effective student conduct process emphasises responsibility, appropriate engagement, and student growth and development. In support of Langara's commitment to a safe, productive, and healthy learning environment, SCJA:

- Addresses violations of the Student Code of Conduct
- Addresses concerning student behaviour through the Behavioural Intervention Team
- Provides consultation, advice, and sanctioning follow-up
- Provides education to students, faculty, and staff to improve Langara's response to student behaviour
- Reviews, revises, and interprets policies pertaining to student responsibilities
- Maintains confidential student records

SCJA also oversees the operations of Langara's Behavioural Intervention Team (BIT) whose role is to identify, assess, and monitor students of concern by receiving and gathering information as it pertains to the student; undertaking an initial risk assessments based on the available information, and developing an action plan for the student which may include, recommendations for intervention and/or referral.

Year in Review - 2013

Case management

During 2013, SCJA addressed 69 conduct cases. Of those cases, the highest numbers of incidents were in the following categories: disruption (19), threats and intimidation (12), other concerning behaviour (12), alcohol or drug infractions (7) and harassment (5).

A disproportionate number of conduct cases involved males in the categories listed above, with an overall male to female infraction ratio of almost 5:1. This ratio suggests there may be opportunities to better support our male students.

As anticipated, the highest number of conduct cases came just before the end of each semester with March (11), June (9) and November (11) showing the greatest number of cases.

Like every modern post-secondary institution, Langara regards suspension as last resort when dealing with student misconduct. In support of this approach, SCJA addresses student misconduct through corrective interventions and a progressive approach to discipline. During 2013, sanctions have been relatively modest, with Verbal Warnings being most common (21) followed by Letters of Expectation (12) and Letter of Reprimand (6). A number of cases did not require sanctions but did required continued monitoring (14). One student was suspended for violating the Code of Conduct during 2013

Charts illustrating these statistics are found at the end of this report.

Education, training, consultation and coaching

An effective student conduct process requires efforts to improve incident reporting and to build capacity amongst those who regularly interact with students. The goal of these efforts is to ensure a consistent, fair, and effective response to student misconduct. Education and training initiatives targeted to faculty and staff have included workshops, webinars, and presentations covering such topics as managing difficult student behaviour, responding to students of concern, deescalating anger, and the role of the BIT.

During the course of 2013, SCJA presented at 18 department meetings, participated in 8 orientation sessions (student orientation, employee orientation, Bullying Awareness and BIT meet & greet), conducted or facilitated 7 formal workshops, and organized and hosted a two-day educational event for post-secondary student conduct administrators.

As part of the educational process, SCJA also developed two websites this year. The [Student Conduct and Judicial Affairs](#) website is located on Langara's Student Services web page. An intranet site entitled "Supporting Faculty Supporting Students" is located through: MyLangara > Employees (tab) > Student Conduct Support & Resources (left menu).

To enhance the College's response to student conduct matters, SCJA, in collaboration with a representative working group has been developing a revised Student Code of Conduct. The working group anticipates implementation of the new policy and procedures in 2014.

Throughout the year, SCJA has been available to consult with individual faculty and staff on a case-by-case basis and to guide, coach and support them in their approach to student behavioural concerns. Consultation has included guidance on handling difficult conversations, developing strategies for intervention, preparing appropriate correspondence and policy interpretation/application, among others.

Case Summaries

Student conduct management is a complex endeavor that requires a careful balancing of various interests. While statistics provide some information about the activities of SCJA, case examples illustrate the multifaceted nature of the work. The following pages offer case summaries for each of the main misconduct categories. These summaries attempt to illustrate the way in which the BIT and the associated service areas collaborate with SCJA to provide the most fitting response to student behavioural concerns.

Note: student names have been fabricated and no identifiers are included.

Disruption

Example 1 - Gunter

Gunter attended Langara on a funding grant from a third party. Not long after the semester start, the instructor and Program Coordinator reported to SCJA that several students had complained that Gunter was disrupting the learning environment by engaging in racist, homophobic and sexist behaviour, and was also behaving in a way that was exploitive and intimidating to other students. The instructor was finding it increasingly difficult to manage the various student concerns and found that Gunter's behaviour was interfering with her ability to teach.

In response to the reported concerns, Gunter met with the Program Coordinator and SCJA to discuss a possible violation of the Code of Conduct. Gunter acknowledged that conflict existed between himself and his classmates and that he made inappropriate remarks due to his sense of humour, but felt that the reported concerns were exaggerated. On further discussion, Gunter confirmed that his behaviour was unlikely to change and suggested that the program may not be the best “fit” for him. Gunter was offered the option to withdraw from the program or remain in the program and be subject to the terms of the Code of Conduct. Gunter agreed to withdraw and appropriate arrangements were made with the funder. Because the situation had a profound impact on the other students, SCJA met with the class to answer procedural questions and provide closure.

Example 2 - Ravi

Ravi attended Langara for the first time during the spring semester. At the time of his registration, he was not aware of restrictions that applied to his enrollment in the student health and dental plan. In order to obtain clarity, Ravi approached the LSU who assured him he was eligible and recommended he contact Student Accounts to address his concerns. When Ravi approached Student Accounts, he received information about the restrictions on his eligibility. In response to what he believed was obstruction by Student Accounts, Ravi became highly agitated and aggressive and attempted to force his way into a staff area. Safety and Security attended and notified the VPD. The matter was referred to SCJA for attention.

In discussion with SCJA, Ravi was of the opinion that as a fee-paying customer, he was entitled to make demands regarding service. He was of the opinion that his actions were acceptable in light of what he believed to be misinformation. He denied that he threatened or intimidated the staff and denied that he attempted to forcibly enter a staff area. In response to Ravi’s denials the matter was investigated and it was determined that Ravi violated the Code of Conduct. Ravi was issued a Letter of Reprimand with conditions. Conditions included no direct communication with Student Accounts, and completion of a reflection paper showing how he could have better handled the situation. Ravi complied with the conditions and no further incidents have been reported.

Example 3 - Clarence

During the spring semester, Clarence came to the attention of SCJA on notification from his Department Chair and instructor that he had behaved in a persistent and aggressive manner during discussions over a mark. In response to the incident, Clarence met with SCJA. Clarence confirmed the incidents and expressed the opinion that he needed to be insistent to get what he wanted. After some discussion, Clarence agreed that his approach may not have been effective but denied that he was aggressive. He was issued a Letter of Expectation outlining the College’s expectations around student behaviour and conditions to better manage disputes with his instructors.

During the fall term, Clarence again came to the attention of SCJA following a disruptive incident in a hallway where he yelled at fellow students and threw a coffee cup and some papers. In meeting with SCJA, Clarence confirmed the incident and agreed that yelling and throwing things was not appropriate, but felt it was justified in the circumstances. After much discussion, Clarence acknowledged that continued aggressive and disruptive behaviour could adversely affect his academic participation. He revealed that he had a disability that affected his behaviour and disclosed that he and his specialist were working on an improved treatment plan. Clarence was issued a Formal Warning for the misconduct with conditions. Conditions included a requirement to attend counselling to improve his anger management, follow-up with SCJA and a requirement to provide documentation confirming both his attendance at counselling and his ongoing treatment.

Example 4 - Roger

Mid-way through the summer semester, the Department Chair was in contact with SCJA to report unusual and disruptive in-class behaviour by Roger. Throughout the term, Roger had been frequently late for class, often disrupting the class on his arrival; did not take notes; made in-class comments that were off-topic and tangential, and did not complete course work. The matter came to a head when, following repeated instructor requests to stop using his cell phone in class, the instructor asked Roger to leave. Roger became hostile and agitated. He yelled at the instructor, accused him of being a racist, told the instructor he would “get him” and spat in a garbage can on leaving the class.

As a result of the incident, Roger was required to meet with SCJA, the Chair and the instructor to discuss the matter. During the meeting Roger presented as opinionated but highly confused. He acknowledged his inappropriate behaviour and his poor academic participation, but seemed fixated on the cell phone issue and disinterested in his academic progress. He acknowledged he was having difficulties with the course material, and stated that he had a cognitive disability but declined offers of support. Roger was given a verbal warning for the misconduct and subsequently withdrew from the course.

Roger returned to Langara the following term. By mid-semester, his instructor contacted SCJA to report that several students had voiced concerns about Roger’s disruptive and possibly harassing behaviour during group work. In response to the concerns, Roger was required to meet with SCJA, the Program Coordinator and the instructor. During the meeting, it became apparent that the pattern of poor academic performance exhibited the previous term had recurred. Roger again appeared disinterested in his academic progress, and again declined any referral to Langara support service. Roger denied that he had engaged in disruptive or harassing behaviour and instead, alleged it was he who had been harassed.

As a result of Roger’s claims, the matter was investigated and it was found that Roger had not engaged in disruptive behaviour as defined in the Code of Conduct and no harassment was found. What emerged was evidence of interpersonal conflict within the student group, discomfort with Roger’s atypical social skills and dissatisfaction with his lack of academic contribution. To address the conflict and enable the students to re-focus on their academic objective, SCJA mediated the concerns between Roger and the student group. The conflict was addressed and the parties were satisfied with the outcome. Despite efforts by his instructor and Program Coordinator to facilitate Roger’s course completion, he failed the course for academic reasons.

Threats and intimidation

Example 5 - Mark

Mark was angered when Jane confronted him in front of classmates regarding comments he made in class. It was Jane’s opinion that Mark’s comments were sexist and told him so. Mark disagreed and to express his point, made a derogatory comment to Jane. Jane was angered by the remark and forcefully closed Mark’s lap top. When Jane closed his laptop, Mark became highly agitated, yelled and swore at Jane and forcefully pushed her. The matter was referred to SCJA who met with Mark to discuss the possible Code of Conduct violation. During the meeting, Mark was hostile and belligerent. He asserted that it was his right to take whatever action was necessary to protect his belongings (laptop). Due to Mark’s hostility during the meeting, Security was called and Mark was temporarily removed from campus pending the outcome of an investigation.

The investigation confirmed that Mark had violated the Code of Conduct. Mark received a Letter of Reprimand with conditions. Conditions included a formal written apology to Jane; attendance at counselling to discuss strategies to better manage aggression; a restriction on further contact with Jane and a change in class schedule. Mark complied with all conditions and no further incidents were reported. Because the incident had occurred in public (in the classroom), SCJA met with the class to provide closure on the incident and answer any procedural questions the students had. Although Jane was of the opinion that Mark should have been expelled from school and that students who make sexist comments should be punished, she was satisfied that action was taken and that she did not have to interact with Mark. Jane was also coached as to her own conduct during the incident.

Example 6 - James

James made romantic overtures toward Grace that she rebuffed. In retaliation, James directed Grace to a blog he had written, claiming that it was about her. Grace became alarmed by the content of the blog and contacted Safety and Security out of concerns for her safety. Safety and Security facilitated Grace's report to the VPD. Safety and Security referred the matter to SCJA and SCJA met with Grace to obtain more information. Grace provided SCJA with a copy of the blog and related text messages from James. The blog was written as a story and contained suggestions of rape, luring and lewd comments.

In response to the incident, James was required to meet with SCJA. James reported that the blog was not originally about Grace but arose from work done as part of a writing club. He indicated that he felt betrayed by Grace's rejection of him and that he sent her the blog information saying it was about her in order to hurt her. During the interview, James tended to contradict himself and his claims did not appear entirely credible. After some discussion, James accepted that sending the information to Grace was inappropriate and threatening.

James was issued a Formal Warning with conditions that included no further contact with Grace; a time-limited restriction on participating in the writing club, and a requirement to attend a counselling assessment. To ensure Grace's comfort in the learning environment, James was also required complete to independently the course he and Grace shared. SCJA worked with the instructor to facilitate this separation of the parties. James complied with the conditions and no further incident was reported. Grace later reported she was satisfied with the outcome.

Example 7 - Edmund

An instructor contacted SCJA to report that Edmund was disrupting her class and had behaved in a hostile and aggressive manner when discussing a mark. SCJA and the student met to clarify expected classroom behaviour and to set out conditions for future interactions. Edmund agreed to the conditions but continued to engage in antagonistic and somewhat bizarre interactions with his instructor. A second instructor reported that Edmund had behaved in an aggressive and somewhat threatening and bizarre manner toward him. In response to the reported behaviour, Edmund was required to meet with SCJA to discuss the situation. In discussion, Edmund denied he was aggressive or threatening and indicated that he enjoyed provoking his instructors. Due to the nature of reported concerns, combined with Edmund's assertions during his meeting with SCJA, Edmund was temporarily removed from campus pending the outcome of an investigation.

The investigation determined that Edmund had violated the Code of Conduct. However the matter was complicated by Edmund's attendance on campus during the period of removal. Edmund was of the opinion that he could come on campus if he wished. Given Edmund's behaviour, and on the request of his parent who had recently become involved with the situation, Edmund was given the

opportunity to attend counselling and health services for assessment and support as an alternative to discipline. Edmund agreed to attend these services, but failed to do so. Before further action could be taken, Edmund made threatening statements about wishing to inflict violence on one of his instructors. Edmund and his parents met with SCJA and others to discuss the situation and Edmund made additional threatening statements.

As a result of Edmund's statements, he was immediately removed from campus pending further investigation and the VPD were notified. Edmund was apprehended by the VPD under the Mental Health Act and hospitalized. Faculty members knew of Edmund's threatening comments and became increasingly anxious for their safety. SCJA, Safety and Security and the academic representatives on the BIT worked in collaboration with the VPD to address faculty concerns. Investigation into the matter confirmed ongoing violations of the Code of Conduct and Edmund was suspended from the College.

Concerning behaviour

Example 8 - Madison

Safety and Security were called to the cafeteria to attend an altercation between Madison and a cafeteria employee where Madison became verbally aggressive, repeatedly kicked objects and threw her backpack in response to the price of a meal. Safety and Security were familiar with Madison, who had demonstrated odd or bizarre behaviour in the Library and hallways. The matter was referred to SCJA and Madison was required to attend a meeting to discuss the incident. Upon becoming aware of the situation, Madison's mother contacted SCJA to provide information as to how Madison's disability affected her social interactions and ability to manage conflict. With Madison's permission, her mother joined the discussion. Madison gained a better understanding of her responsibilities as a student and agreed to appropriate behaviour. Madison received a Verbal Warning for her misconduct, with conditions. She was also encouraged to consult with Disability Services, which she did. Madison declined to make use of the services on an on-going basis out of concerns around stigma. Both Madison and her mother expressed satisfaction with the handling of the matter and no further incidents were reported.

Example 9 - Kinsey

SCJA and Safety and Security were called to an incident where Kinsey was yelling, swearing and thrashing in a campus washroom. On meeting with Kinsey, she presented as highly agitated, inarticulate and volatile. After some conversation, Kinsey became sufficiently calm to reveal that she was under psychiatric care but had not attended her psychiatrist recently. She also indicated that she had been prescribed medications, but could not recall if she has taken them; had at least one period of hospitalization following apprehension by the police under the Mental Health Act; and had attempted suicide in the past. Efforts were made to move Kinsey to Langara Health Services but she refused to leave the washroom. The VPD were called and Kinsey was transported to hospital. Following the incident, SCJA notified Health Services who were able to reach out to Kinsey to resume her psychiatric care. Following her return to school, SCJA met with Kinsey. Her mental state was significantly improved. Langara's expectations for appropriate conduct on campus were outlined and Kinsey acknowledged that her current treatment regime was helping to better manage her anger and aggression. Kinsey was required to maintain a follow-up schedule with SCJA and confirm on-going treatment.

Example 10 - Justin

During an evening class, Justin attended with an open beer can in his hand. He proceeded to wander the classroom, screaming vitriolic abuse at his classmates and at one student in particular. In his

wandering, Justin's behaviour became bizarre and at one point, began licking the window. The instructor was able to remove Justin from the classroom. The Program Coordinator contacted the student's father (emergency contact) who came on site and took Justin to hospital. After a three day hospitalization, Justin was discharged with a recommended treatment plan. He was allowed to return to class providing there was no further disruption. Two weeks later, the Program Manager reported to SCJA that, the evening before, Justin had exhibited bizarre but not disruptive behaviour in class. SCJA was in immediate contact with Justin who, by his own admission, was experiencing psychosis. Arrangements were made for an immediate assessment at Langara Health Services who made arrangements for Justin's re-admission to hospital.

Faculty expressed considerable anxiety about Justin's potential return and requested that he be removed from the program. SCJA engaged in conversations with faculty to alleviate the concerns and clarify the College's obligations in the matter. Conversations also took place with the treating psychiatrist and Langara's Health Services to ensure an appropriate treatment plan following discharge and to confirm Justin's fitness to return within safe parameters.

Faculty reported that students in the program were alarmed about Justin's possible return and cited the concerns of one student in particular. The parent of this student contacted SCJA to express concerns about Justin's behaviour and arrangements were made to address these concerns and facilitate this student's course completion. With Justin's permission, a meeting took place with his classmates to explain what had happened and to provide reasonable assurances.

Justin's father had become involved to support his son and advocate on behalf of his academic participation. Options for course completion were explored with Justin and his father. Justin was highly motivated to complete his program, understood Langara's expectation around classroom behaviour and understood the requirement to follow his treatment plan. Justin elected to return to school despite the academic challenges imposed by missed course work. Justin was provided coaching on how to manage the interpersonal aspects of his return. He return to school without incident following his discharge from hospital and graduated from the program.

Drug and alcohol use

Example 11 - Abdul

One evening, Safety and Security located Abdul consuming alcohol in an empty classroom. Safety and Security records showed that Abdul had engaged in similar behaviour approximately one year before and had been warned. Given that this was a second incident, the matter was referred to SCJA. In discussing the matter, Abdul acknowledged his intoxication and alcohol consumption on campus, but revealed that he was experiencing significant distress over that anniversary of the death of his wife and child. Abdul acknowledged that his drinking and grief response had alienated him from his family and that it was having an adverse impact on his academic progress. Abdul's behaviour was in violation of Langara's Code of Conduct but because of the circumstances, a tempered approach was warranted. SCJA outlined the College's expectations regarding alcohol use and intoxication on campus and Abdul was required to attend counselling to obtain support for his grief. In consultation with his instructors, Abdul was also allowed some leniency in meeting his academic requirements. During follow-up, Abdul confirmed that the counselling referral had been helpful and indicated an appreciation for the support Langara offered. No further incidents were reported.

Example 12 - Josh

Safety and Security located drug paraphernalia in a campus washroom and shortly afterwards, Josh was located in proximity to the washroom. When Safety and Security attempted to converse with

Josh, he exhibited signs of narcotic intoxication. A year earlier, Safety and Security found Josh unresponsive in a campus washroom surrounded by drug paraphernalia. Safety and Security notified SCJA in response to the recent incident. SCJA reviewed the previous incident files and met with Josh to discuss the matter. Josh denied that the drug paraphernalia was his and denied being under the influence of narcotics when approached by Safety and Security. He did acknowledge occasional heroin use and made vague references to obtaining assistance for his drug use. Due to the circumstantial nature of the information linking the drug paraphernalia to Josh, no action could be taken under the Code of Conduct. Josh was offered support through Langara's counselling services on a voluntary basis, which he declined. Josh completed the semester without further incident and has not returned to Langara.

Harassment

Example 13 - Brian

Lana approached Langara's Counselling Services with concerns about her safety following repeated offensive, obsessive and aggressive email messages from her former partner, student Brian. With the support of the Counsellor, Lana contacted Safety and Security who assisted her to make a complaint with the VPD. Information suggested that Brian had previous interactions with the VPD. The matter was referred to SCJA. SCJA met with Lana to obtain more information. Lana provided copies of email messages spanning several months. Lana also disclosed that she was a recent immigrant, considerably younger than Brian and ill-equipped to deal with the situation. Brian was required to meet with SCJA to address the behaviour as a possible Code of Conduct violation.

On meeting with SCJA, the Brian admitted the behaviour but attempted to justify it and attribute responsibility to Lana. After discussion, Brian recognized the impact any continued behaviour would have on his participation at Langara and agreed that the behaviour would stop. Brian was issued a Formal Warning with notification that any recurrence would result in further discipline. No further incidents arose. Lana continued to attend counselling and on follow-up, reported that her situation was much improved.

Example 14 - Liam

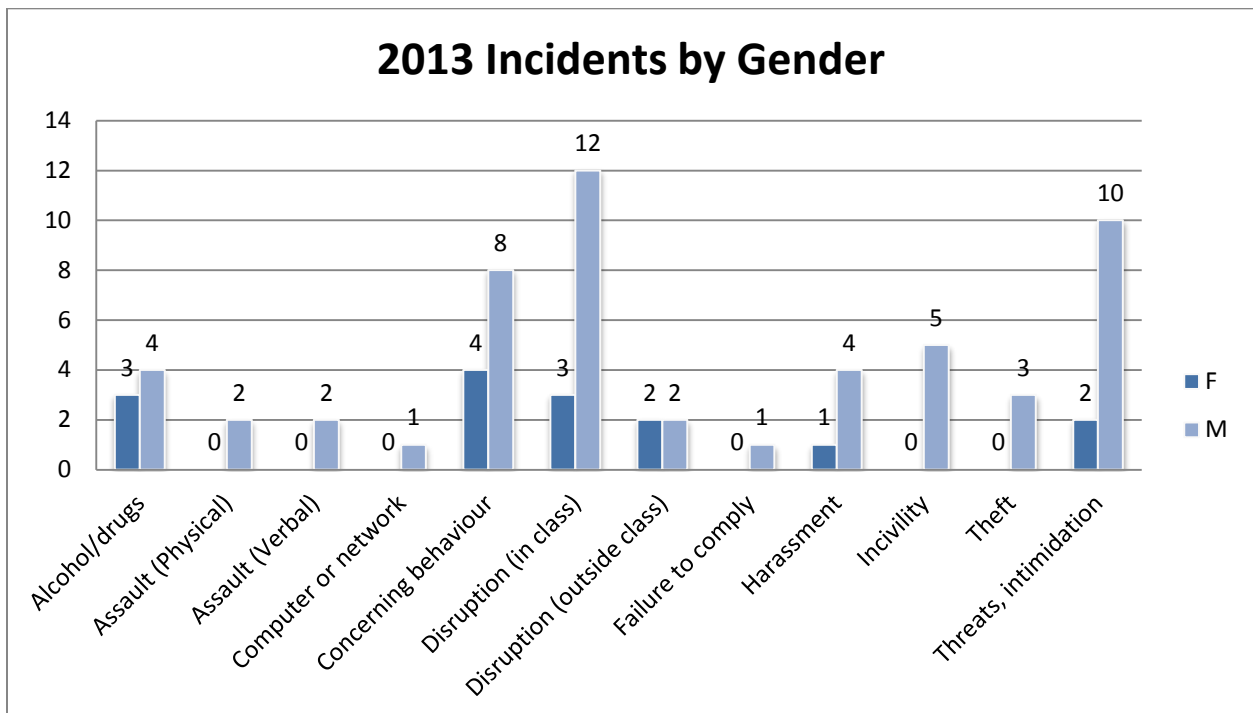
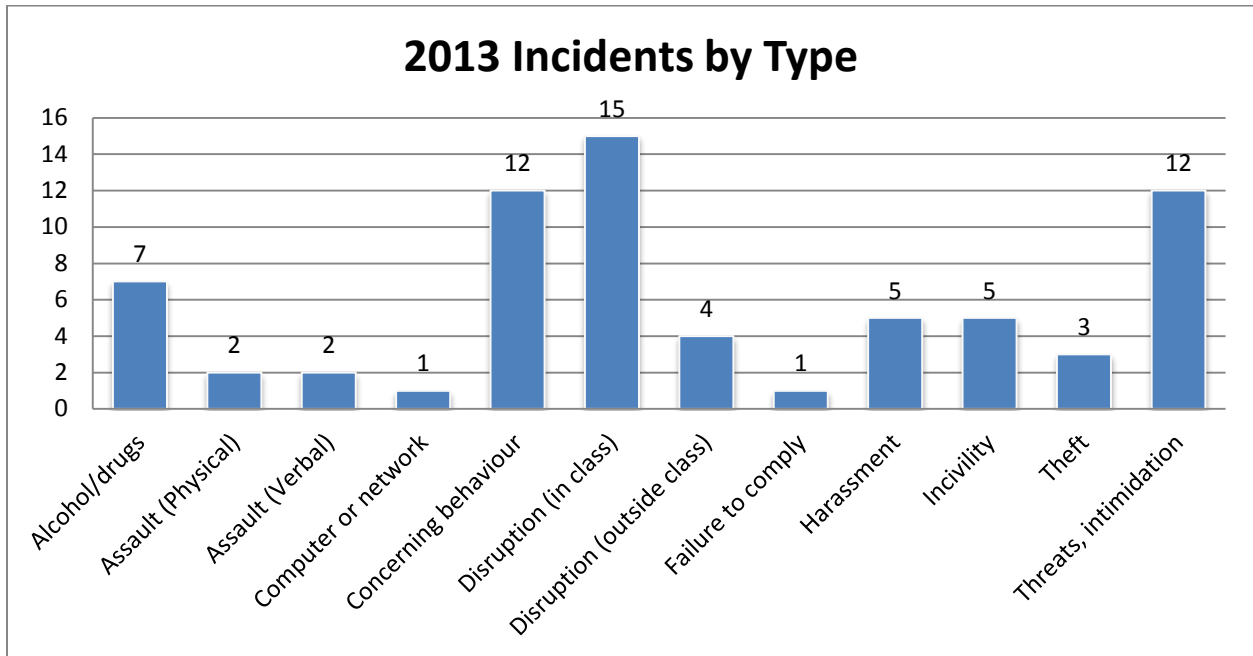
Students Alicia, Mary and Jill were having lunch in the cafeteria when they were approached Liam. Although not well known to the females students, they invited Liam to sit with them when he asked. After some conversation, Jill remarked that a comment Liam made was objectionable. Liam took issue with Jill's comment and entered into a loud, sexually explicit, and crude tirade against her. Jill and her friends were dismayed by Liam's aggressive and sexually offensive outburst.

After reporting the incident to their instructor, the three students approached SCJA. In response to the report, Liam was required to meet with SCJA to discuss a possible violation of the Code of Conduct. Liam was not compliant with the request, citing an inability to attend a meeting due to his residence outside the lower mainland. To accommodate Liam, arrangements were made for a telephone interview. During the interview, Liam was hostile and denied all allegations, claiming the female students had fabricated the event.

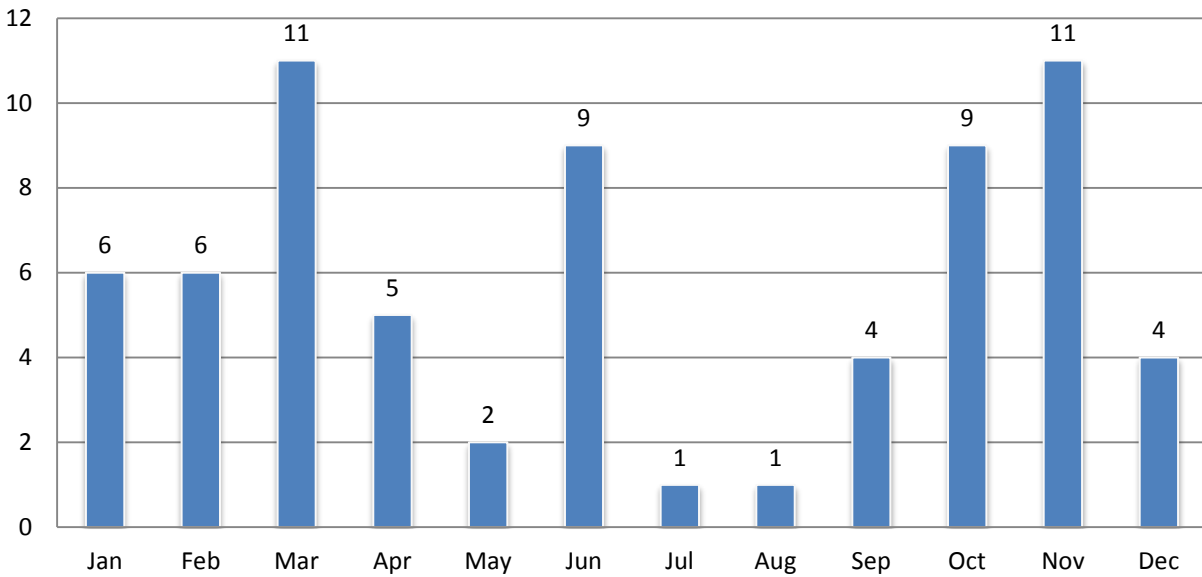
In response to Liam's denial, an investigation was undertaken which found that a Code of Conduct violation had occurred. During the investigation, information came to light that Liam had behaved aggressively toward a faculty member one year prior; had a mental health disability and substance use issue. Liam was issued a Letter of Reprimand for the incident with conditions restricting contact with the female students. Liam became hostile and aggressive regarding the decision but

did not appeal the matter. Safety and Security and the BIT were notified and have continued to monitor the student. No further incidents have arisen.

Charts



2013 Incidents by Month



2013 Sanctions

