

Student
Conduct and
Judicial Affairs

2015

Annual Report

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Student Conduct and Judicial Affairs

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Overview

Now in its third year of operation, the Office of Student Conduct and Judicial Affairs (SCJA) continues to hold students accountable for their behaviour, address violations of the Student Code of Conduct, intervene and manage situations involving complex student behaviour, and provide day-to-day support and guidance to faculty and staff on both academic and non-academic misconduct. The Office also continues to provide education and training to members of the community on a range of student conduct issues, and has contributed to the redevelopment of various College policies.

As the following pages will demonstrate, behavioural concerns and misconduct incidents have increased over the last year, with a significant increase in reported incidents of academic misconduct.

As in previous years, behavioural concerns can be complex, requiring a more multifaceted intervention than a simple application of the Student Code of Conduct. Many of these concerns have been mental health-related. In addition to statistical information, this report provided some case examples to give a flavor of the kind of concerns addressed by the Office of Student Conduct & Judicial Affairs.

An increase in academic misconduct incidents has been experienced across the College. Faculty frequently report academic misconduct of such severity that a student's work may be ungradable. Several College departments have come together to develop solutions to these situations. While the volume remains high, SCJA has taken steps to simplify the response process, enabling faculty to more easily respond to the volume, while maintaining compliance with College policy.

A new feature of the SCJA Annual Report, is to provide information on decisions made by the Academic Conduct Appeal Panel. Appeal decisions have been included to help guide faculty in addressing some of the academic misconduct issues that arise.

Academic Misconduct Incidents

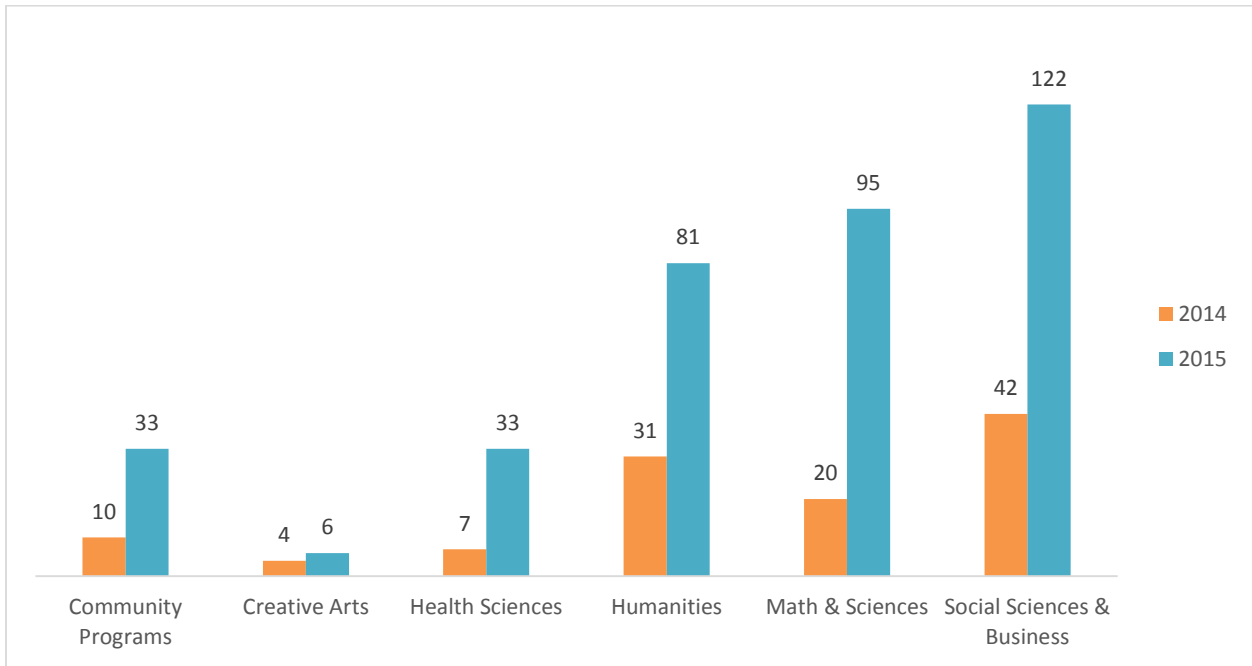
Academic misconduct takes many forms. Common examples of cheating during 2015 were large-scale cutting and pasting from other sources, copying from another student's exam or allowing another student to copy from an exam, failing to cite correctly on a paper, handing in someone else work as the student's own, unauthorized collaboration on assignments, and using cheat notes during an exam.

The following charts have included data from both 2014 and 2015 for comparison purposes.

Note: The incident numbers mentioned below should not be interpreted as reflecting all academic misconduct occurring on campus. Not all faculty members report incidents of academic misconduct, and some departments have devised procedures for addressing incidents within the department.

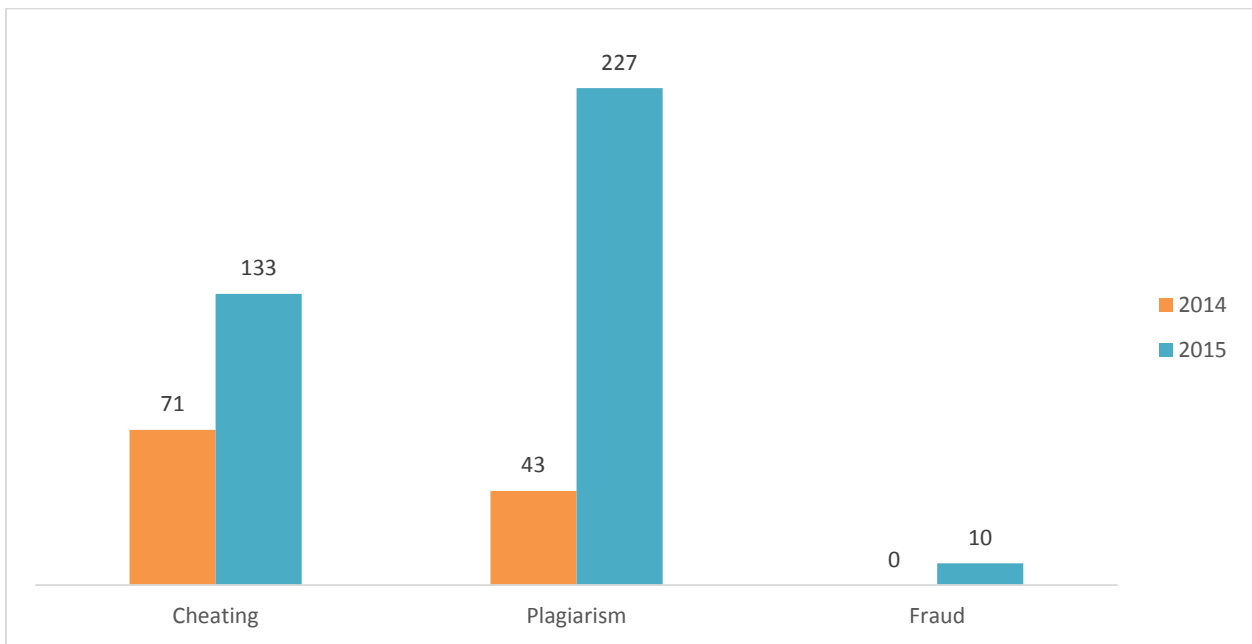
Incident numbers

In 2015, all Divisions saw a significant increase over the previous year in reported incidents of Academic misconduct (370 vs 114).



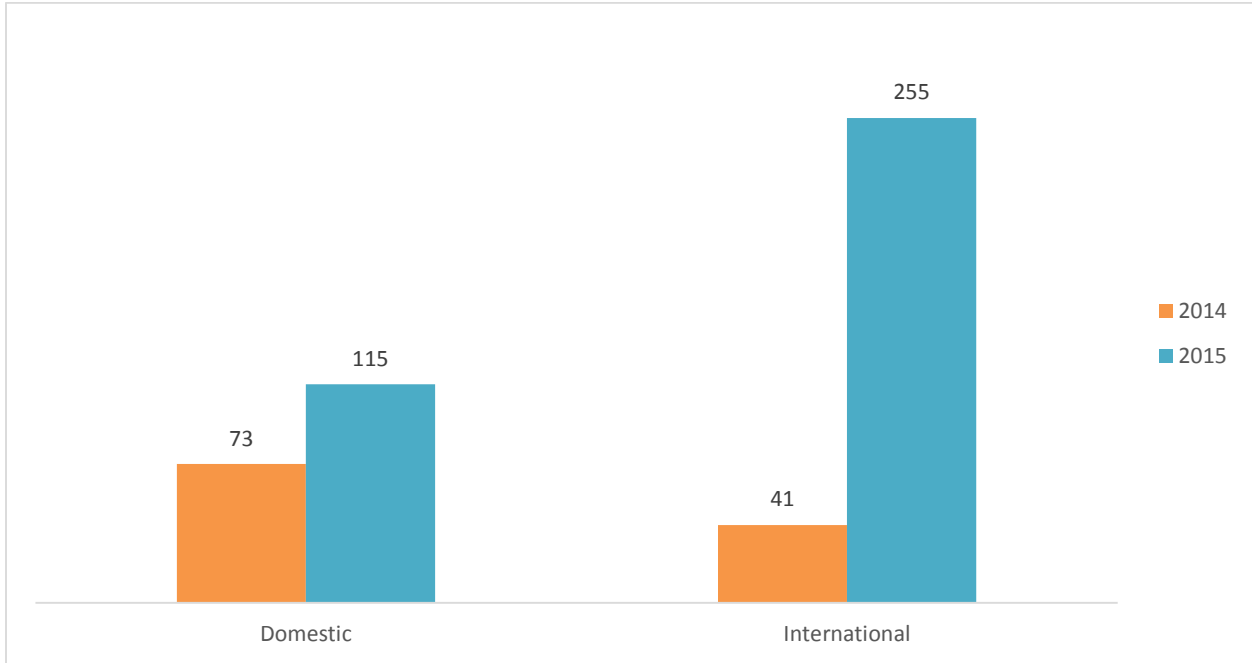
Incident Types

Most reported incidents involved concerns regarding plagiarism (227), followed by cheating (133) and a small number related to fraud (10).



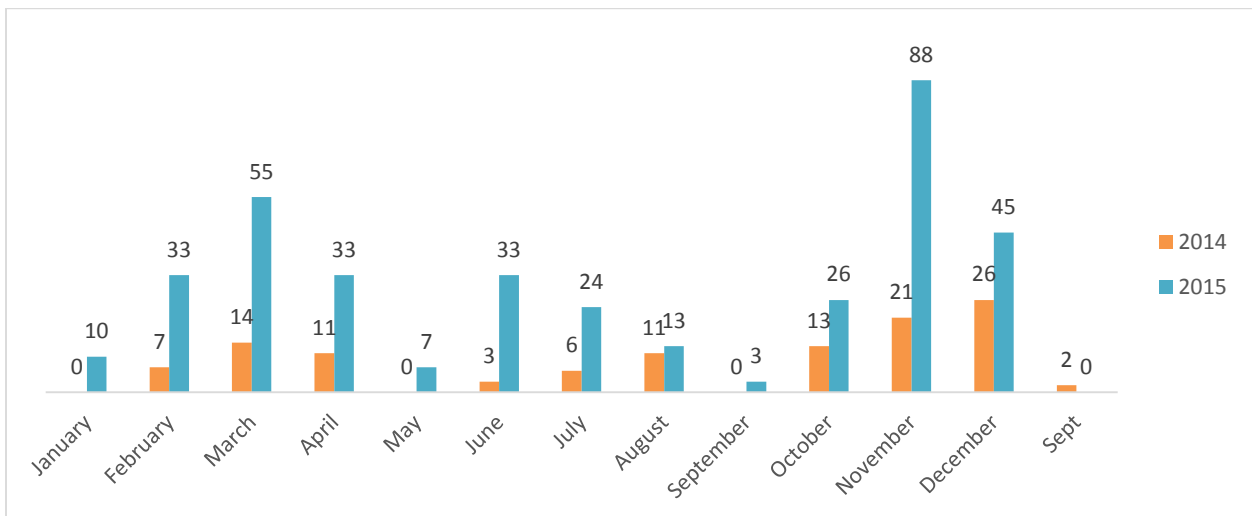
Student Status

In 2015, international students made up the greater number of students reported to have engaged in academic misconduct (255 international and 115 domestic), a reversal of what was reported last year.



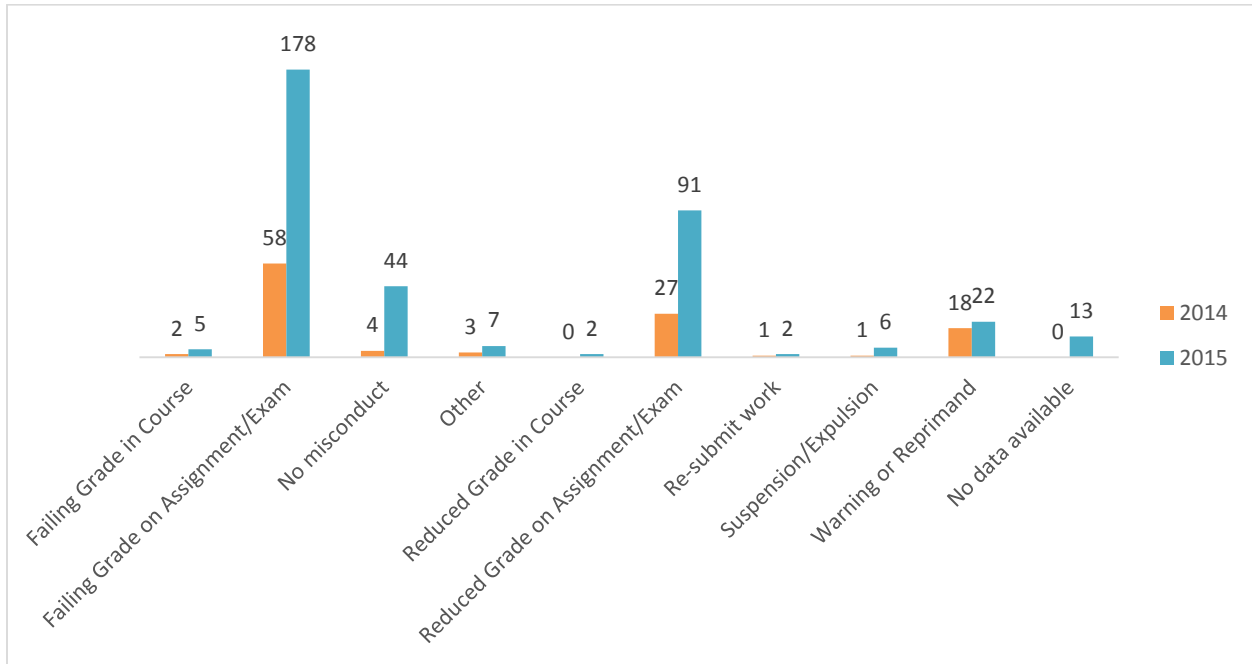
Monthly Distribution

Unsurprisingly, incidents occurred most frequently mid to late semester, with November recording 88 incidents and March showing 55. There were 45-recorded incidents in December and February, April and June all recorded 33 incidents.



Penalties

Following investigation, faculty determined that misconduct occurred in 326 of the 370 reported incidents in 2015. Like last year, the most common penalties for academic misconduct were a failed or reduced grade on the assignment or exam (178 and 91 respectively). The College suspended six students in 2015 for violations of both the Academic Conduct policy and the Student Code of Conduct.



Recidivism

The majority of reported incidents were first infractions (297). Repeated incidents were comparatively rare, with twenty-eight second infractions and two third infractions on the record.

Appeals

Of those instances where students were found to have engaged in academic misconduct, 25 students requested an appeal. In 15 of these cases, the concerns were resolved informally without requiring a formal appeal. Six requests were declined for failing to meet the grounds for an appeal, and four went before an Appeal Panel. The Panel upheld the original decision in one case, and substituted a lesser or no penalty in the other two (one appeal was undecided at the time of this writing).

Academic Conduct Appeal Panel Decisions

The following will provide a sense of how the Academic Conduct Panel considers issues coming to their attention.

Case 1

The instructor determined that the student cheated by paraphrasing materials or ideas of others without identifying the sources in the assignment. The instructor imposed the penalty of a zero on the assignment. The student appealed the decision claiming that the material properly cited the

source in an earlier sentence, and that the mistake was human error and unintended. The Panel decided that the nature of the infraction warranted a lesser penalty and imposed a marks reduction of 10%.

Case 2

The instructor determined that the student cheated by violating the procedures prescribed to protect the integrity of a test; specifically that the student wrote notes on her hand. The instructor imposed the penalty of a zero on the exam. The student appealed claiming that, although she had writing on her hand, it was illegible and unrelated to the exam. The Panel decided on the balance of probabilities that the evidence was sufficiently compelling to determine that the integrity of the exam was compromised and that misconduct did occur. The Panel upheld the original decision.

Case 3

The instructor determined that the student plagiarized by having his tutor help him write an essay that the student subsequently memorized to use for an in-class essay. The instructor imposed the penalty of a zero on the essay. The student appealed, asserting that his actions did not constitute plagiarism. The Panel accepted that the student's preparation for the in-class essay (specifically, working with a tutor to discuss the topic and formulate an effective draft in advance) was reasonable given the parameters of the assignment, and decided, on the balance of probabilities that there was insufficient evidence to establish that academic misconduct occurred. The previous penalty was revoked.

Behavioural Misconduct Incidents

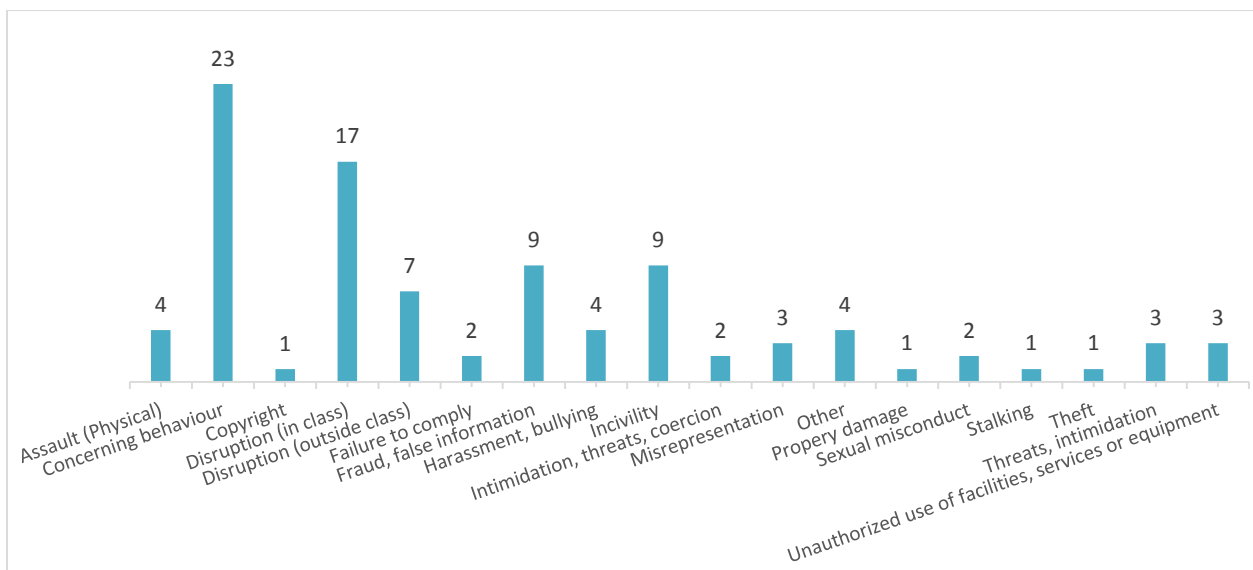
Incident numbers

During 2015, SCJA addressed 96 conduct incidents, an increase from 88 in 2014. In seven of those cases, investigation found that no violation occurred.

Incident types

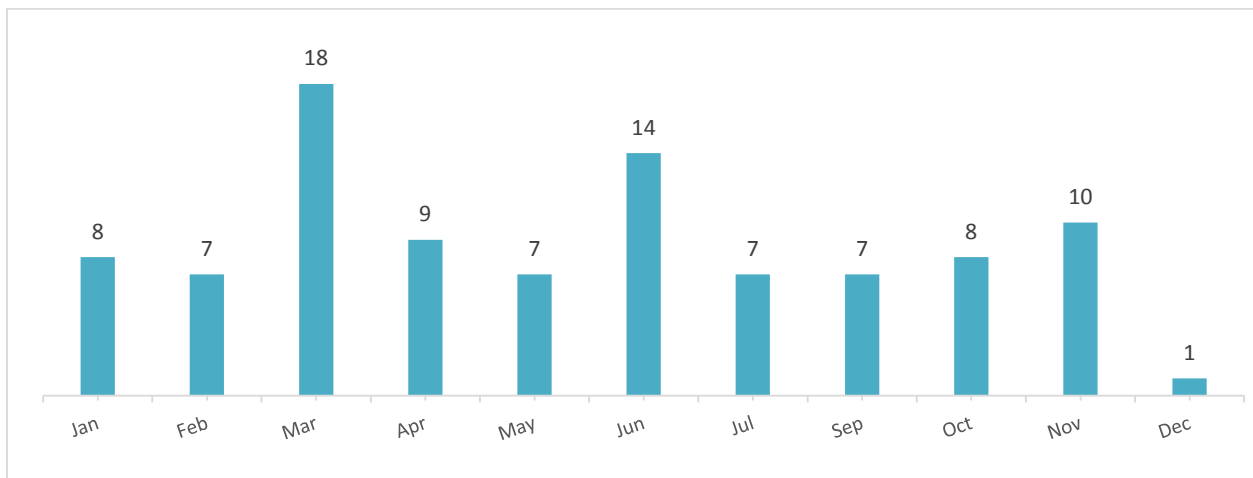
Where a conduct violation occurred, the most frequent incidents included disruptive behaviour (24), other concerning behaviour (23), incivility/harassment/bullying/intimidation/threats (18), and fraud/false information/misrepresentation (12).

There were a small number of incidents of physical assault (4), sexual misconduct (2), and misuse of facilities/services (3), among others.



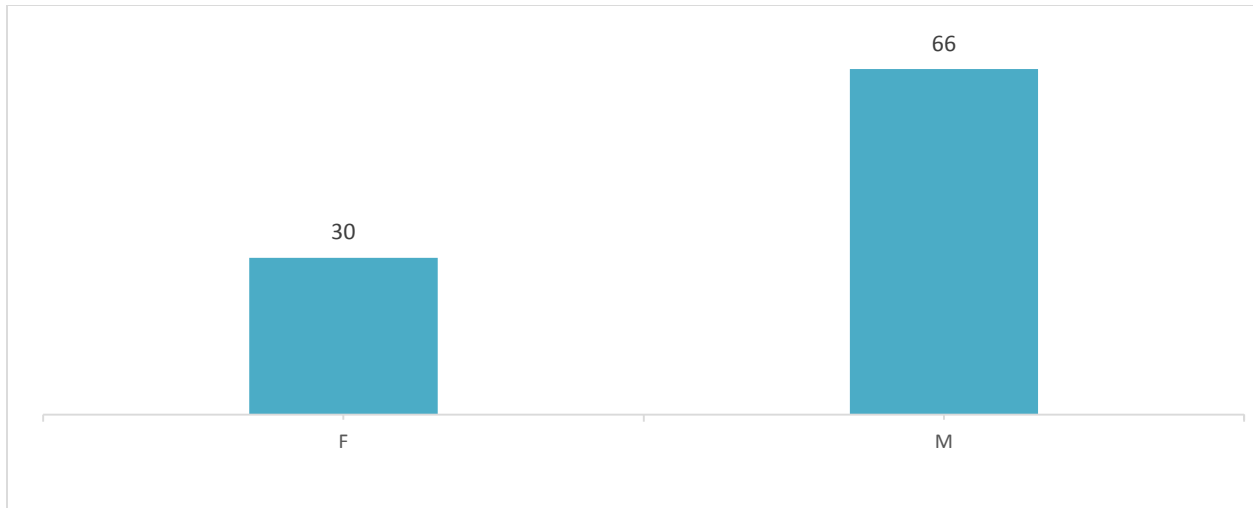
Monthly distribution

The highest number of conduct incidents arose in March (18), June (14), and November (10), and July (9), roughly mirroring academic cycle.



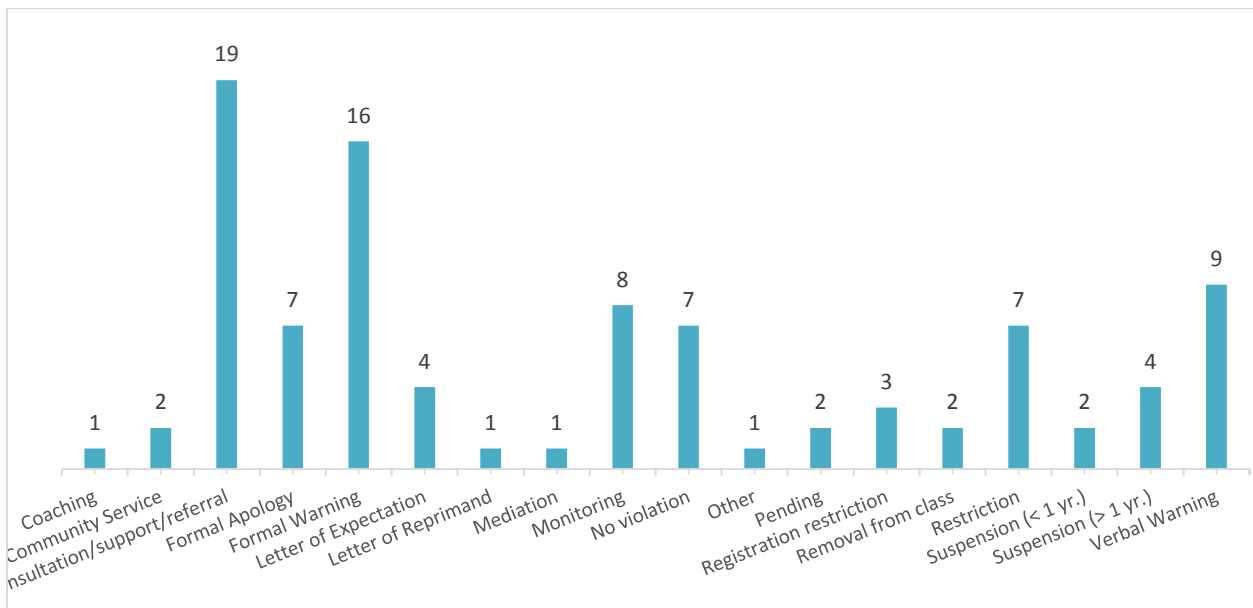
Gender distribution

Like the year before, males were more likely than females to engage in non-academic misconduct.



Sanctions

During 2015, sanctions have been relatively modest, with verbal and written warnings being most common (30). In 42 cases, the issues were more complex, requiring a variety of resolution methods, including liaison with health professionals, social service agencies and families, collaboration with Langara faculty and staff, on-going monitoring, coaching, community involvement and related referrals. In 12 additional cases, the behavioural concerns were sufficiently serious to require a restriction on attending classes or registering in upcoming courses until predefined conditions were met. As mentioned earlier in this reports, six students were suspended for serious violations of both the Student Code of Conduct and the Academic Conduct policy.



Appeals

During 2015, two students submitted appeals of sanctions imposed under the Student Code of Conduct. In both cases, the sanctions were partially modified to ease conditions for continuance and/or return to campus.

Behavioural Misconduct Examples

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, The following pages offer examples of the various concerns addressed by the Office of Student Conduct & Judicial Affairs. *Note: student names are fabricated and no identifiers are included.*

Tadeas

Tadeas registered for the first time in the spring semester. Soon after classes started, conflict arose between Tadeas and another student. Information revealed that both Tadeas and the other student had been enrolled at another institution, and Tadeas had been required to leave that institution because he had threatened the other student with what was later identified as a replica handgun. As the semester progressed, Tadeas behaved antagonistically toward his classmates, was hostile and defamatory toward the other student in particular, and failed to follow direction from his instructors and department chair. The matter was investigated and Tadeas was allowed to continue in the program providing he adhere to certain conditions. Tadeas failed to fulfill these obligations and was temporarily removed from the program pending a second investigation. The second investigation revealed that Tadeas had behaved in a way that was significantly disruptive to the learning environment, offensive and hostile toward several other students, failed to meet academic requirements and a continued to show disregard for departmental procedures. As a result of these concerns, Tadeas was again removed from classes with a requirement that he demonstrate his willingness and ability to adhere to College expectations prior to returning. Tadeas declined to cooperate and discontinued the program.

Marcus and others

In the summer semester, an anonymous informant provided information alleging that certain students were engaged in cheating on the Langara English Test. An extensive investigation uncovered evidence that a Langara student manufactured forged Langara ID cards and recruited non-students to sit the LET for Langara students, charging between \$700 and \$2000 for this “service”. The investigation also revealed five other students involved in this arrangement. The student who led the initiative was expelled from the College. Three of those involved received a two-year suspension, and two who had been cooperative, were suspended for 5 semesters.

Kagan

Kagan had been a student at Langara since 2007. He came to SCJA’s attention in late 2013 for several instances of disruptive and odd behaviour. After discussion, Kagan elected to withdraw from his courses. He returned to Langara in 2015. Not long into the spring semester, Kagan’s instructor reported concerns about his behaviour which included repeated talking during lectures, repeated use of a cell phone in class, leaving garbage in class, arguing with other students and failing to follow his instructor’s direction. Matters reach a head when Kagan began yelling at another student, disrupting the class and upsetting other students. Kagan was temporarily removed from class pending the outcome of an investigation. Not long after, security were called to an incident where Kagan was spraying perfume around a classroom and behaving oddly. In a separate incident, a female student complained that Kagan had behaved inappropriately toward her. The

investigation revealed similar concerns in another of Kagan's classes, and showed a long pattern of poor academic performance that included 32 course withdrawal over seven years, 4 instances of Academic Probation and one instance of Academic Suspension. During the period of temporary removal, Kagan attempted to return to class without authorization, sent repeated emails to his instructor and during the investigation interview, became belligerent and hostile. Kagan claimed he had a disability but declined to consult with Disability Services or provide independent verification of the disability. Kagan was restricted from returning to class, and arrangements were made to enable him to complete his course work from home. He was further restricted from returning to campus until he could provide documentation confirming that he had taken steps to address the behavioural concerns.

Azin

A faculty member reported that a female student had contacted her to express concern that Azin engaged in unwelcome conduct of a sexual nature toward her and further, made threatening statements and gestures toward her. The incident occurred off campus during a College-sponsored event and involved alcohol consumption. Azin did not deny the incident, but claimed a lack of recall due to intoxication. Azin confirmed an alcohol-related problem for which he was receiving treatment. He gave permission to contact his treatment provider and his psychologist to confirm ongoing participation in the treatment program. Azin was restricted from taking classes with the female student the following semester, restricted from attending college-events during which alcohol was served, and restricted from further contact with the female student. Azin also agreed to make amends to the College by volunteering his time during convocation. Azin was fully cooperative and the female student was satisfied with the resolution.

Walden

Walden first came to the attention of SCJA in the fall of 2014 due to a report that he was banging his head on his steering wheel and purportedly using substances. Intervention directed Walden to support services and he was permitted to continue attending his program with a restriction on the use of substances on campus. In early 2015, concerns arose regarding Walden's odd and disruptive behaviour in class and in a practicum. Walden was temporarily restricted from attending class and the practicum pending the outcome of an investigation. Walden was also referred to his doctor for assistance. The investigation confirmed the misconduct. Walden was permitted to return to class on condition that he comply with certain conditions, including any treatment plan proposed by his physician. Walden returned, but later withdrew before completing his final practicum. In the fall of 2015, Walden showed an improvement in his health status and was given the opportunity to return to the program.

Salvatore

Salvatore had been a student since 2012. He came to the attention of SCJA following a complaint from one of the service areas that he was repeatedly writing offensive, critical and mildly threatening emails to staff. Intervention stopped the written communication and Salvatore was restricted from attending the service area for a time. Concerns recurred in 2015 when Salvatore did not want to complete an assignment for his course. Instead, he wrote a 65 page, handwritten document to his instructor showing tangential and grandiose thought processes, and containing offensive and threatening content. To ensure there was no potential risk of harm to self or others, Salvatore was temporarily restricted from attending class or communicating with his instructor pending a resolution to the matter. A threat assessment was undertaken and determined no immediate risk of harm to self or others, however, Salvatore did demonstrate a marked lack of insight regarding the impact of his behaviour on others, and an apparent belief that he was entitled to conduct himself as he wished. Salvatore was withdrawn from his course, given a partial refund

and continued to be restricted from contact with the instructor. Salvatore continues to write demanding and critical emails to College departments. He is not currently enrolled at the College.

Raynaud

Early in the fall semester, the Department Chair contacted SCJA because Raynaud was behaving in a seemingly irrational and argumentative way toward his instructors, and the instructors were becoming anxious regarding their welfare. Before SCJA could intervene, similar reports came from one of the service areas. Faculty and staff described Raynaud as confused about his registration, classes, and computer account. It was reported that he appeared to speak to himself, keep odd notes about people, believed other people were interfering with his student account, made excessive and odd demands of faculty and staff, and behaved in a rude and offensive manner. His behaviour and communication was described as agitated, aggressive, incoherent and nonsensical. Raynaud was temporarily restricted from attending campus pending the outcome of an investigation. During the investigation interview, Raynaud presented as confused, tangential and obstructive. Attempts were made to facilitate an appointment with Langara Health Services, but Raynaud declined the opportunity. Further attempts were made to facilitate a referral to external services, but Raynaud became argumentative, believing that College employees were government agents trying to harm him. As an alternative to disciplinary action, Raynaud was withdrawn from his courses with an option to return when he could demonstrate that he was fit. In response, Raynaud wrote a blog asserting that Langara and government agencies were conspiring against him, and made a complaint to the Ministry. Raynaud continues to leave odd and tangential voice messages complaining about Langara's collaboration with CSIS, among other things.

Jiang

A female student contacted campus security and SCJA reporting that Jiang was following her on and off campus, repeatedly texting her, approaching her when she was alone and touching her. The female student was concerned about her safety. Jiang met with SCJA and Security. He was initially dismissive about the concerns, believing that his actions were a reasonable demonstration of interest. After much discussion, Jiang began to understand the issues and agreed to participate in several coaching sessions. At the conclusion of coaching, Jiang prepared a reflection paper expressing regret for his actions and demonstrating a better understanding of appropriate boundaries and the notion of consent. He continued to be restricted from contact with the female student. The female student expressed satisfaction with the outcome.

Paul

Paul was reported to have disrupted class by dominating class discussion, and engaging in lengthy and off-topic commentary. Despite the instructor's repeated attempts to have Paul stop the behaviour, he became loud and argumentative. The matter was referred to SCJA when Paul noisily left the classroom, slamming the door behind him. During the investigation, information came to light that Paul had made threatening comments to a student while holding a sharp tool, had behaved oddly in one of the service areas, and exposed his buttocks to security personnel. Paul was required to meet with SCJA and the Department Chair to discuss the matter. He attended the meeting accompanied by his mother. Paul was argumentative and challenging throughout the meeting, often deflecting responsibility on to others. Paul reported that he had a mental disability and that this excused his behaviour. His mother asserted that the College was legally obliged to accommodate Paul's behaviour, and could not hold him accountable. After some discussion, Paul and his mother agreed that consultation at Langara's Health Services would be of benefit. Paul was subsequently given assistance to complete a medical withdrawal. Paul underwent a period of hospitalization and further treatment. He was cooperative in allowing consultation with his mental health professionals. His stability improved and he returned to campus in early 2016.