

Proposed procedures

The Code of Student Behaviour establishes certain offences, and penalties for those offences. Most serious, and of greatest concern to the university community are the academic offences — "cheating, plagiarism, fraud, deceit or other forms of academic dishonesty." These offences are prohibited by Section 5 of the Code of Student Behaviour.

The Campus Law Review Committee has been charged by General Faculties Council with making recommendations with respect to (1) the procedures involved for taking disciplinary action when offences of an academic nature have been alleged, and (2) the composition of panels which hear such cases. The following is a proposed Code of Procedure dealing with the question of academic offences. Significant departures from the present procedures are commented upon in the explanatory notes following the various sections of the proposed procedures.

All persons having an interest in this matter or wishing to discuss it are invited to contact any one of the Committee members within the next 3 weeks. All written or oral comments will be relayed to the Chairman.

Chairman - Professor M. M. Litman - elected member G.F.C., 425 Law Centre, Phone 5538.

- Ms. M. McCaughan - *ex officio* officer responsible for implementing G.F.C. Discipline, Law and Order Procedures. 3rd Floor, University Hall, ph. 4957.

- Shirley Armstrong - Residences Representative, Room 021, McKenzie Hall, ph. 439-8069.

- Elaine David - Students Union Representative, Faculty of Law, Ph. 439-

2594.

- Professor B. Elman - elected member G.F.C., 451 Law Centre - ph. 5028.

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- David Norwood - designee Vice-President Finance & Administration, 3rd Floor, University Hall, ph. 4730.

Procedures for Dealing with Offences Under Regulation 5(1) of the Code of Student Behaviour.

1. Any student or member of the academic staff believing that a student is guilty of academic dishonesty as defined by S.5(1) of the Code of Student Behaviour, may initiate proceedings against that student.

Note: *This provision is more limiting than the comparable provision in the proposed procedures for University Disciplinary Panels and the University Appeal Board. Those procedures in Section 2(a), provide that "any person" may initiate proceedings. It was thought that in respect to "academic offences" only those who have a direct connection with the academic well-being of the university community ought to have the standing to initiate these relatively serious proceedings. This would not, however, preclude others from taking steps that would lead to formal proceedings being initiated by students or academic staff.*

2. (1) Where the alleged offence relates to a particular course or program of study, the matter shall be considered by the instructor or supervisor of that course or program.

2. (2) Where the instructor or supervisor believes that an offence has been

committed he may impose one of the following sanctions:

- (a) Reprimand
- (b) Additional work
- (c) Discounting work for the purpose of course or program credit.
- (d) Grade reduction to
 - (i) lower pass level
 - (ii) conditional pass level
 - (iii) failure level

2. (3) Any instructor or supervisor who imposes a sanction under Section 2(2) may also *recommend* the imposition of one of the following more severe sanctions:

- (a) Suspension from
 - (i) the honours program
 - (ii) faculty
- (b) Expulsion from
 - (i) the honours program
 - (ii) faculty
- (c) Suspension from the University.
- (d) Expulsion from the University.

2. (4) Where an instructor imposes a sanction under Section 2(2) and/or recommends a sanction under Section 2(3) he shall file with the faculty in which the student is registered a statement in writing setting out

(a) the particulars of the time and place of the offence, and

(b) a brief summary of the conduct alleged to have been committed by the student, and

(c) a brief statement detailing the sanction imposed under Section 2(2) and/or recommended under Section 2(3).

2. (5) (a) An instructor or supervisor may impose and/or recommend a sanction not listed in Sections 2(2) or 2(3) with the approval of the University Officer responsible for the implementation of the Disciplinary, Law and Order

Procedures.

(b) Approval under sub-section shall be given where the sanction recommended is within the spirit and intent of Sections 2(2) or 2(3).

2. (6) Where an instructor has recommended a sanction under Section 2(3) the Dean or his delegate shall review the recommendation.

Note: a) *Where the instructor or supervisor concludes a Section 5(1) offence has been committed and imposes a Section 2(2) sanction and the student neither disputes the commission of the offence nor the severity of the sanction the matter will end at this point. A dispute as to either of these points will result in an appeal to the second level of consideration.*

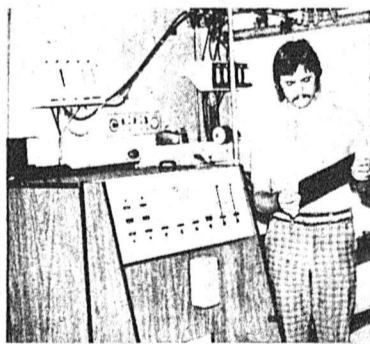
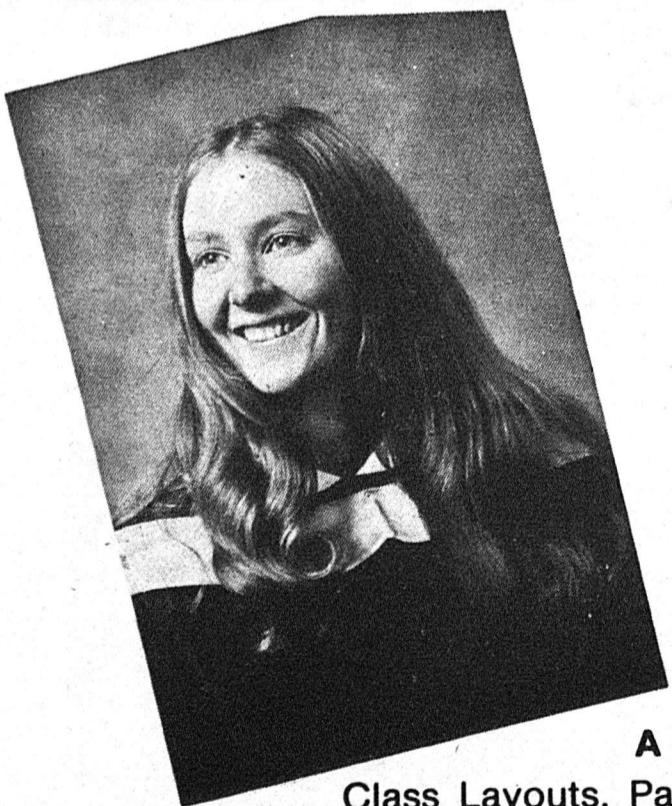
As well, should the instructor or supervisor recommend a Section 2(3) sanction there would be an automatic review of this recommendation at Faculty level.

b) *It will be noticed that the instructor, supervisor and faculty (see Section 3) are limited to advisory roles with respect to severe sanctions referred to in Section 2(3). It is felt that faculties and their members have a primary role to play in making academic judgments — judgments relating to the quality of work produced by students — but a lesser role in making disciplinary decisions. Disciplinary decisions are regarded as coming primarily within the jurisdiction of the University as a whole. That there is a limited and perhaps inherent disciplinary function created in university faculties and its members is recognized. This recognition is manifested in Section 2(2) which empowers an instructor to impose a variety of sanctions in cases*

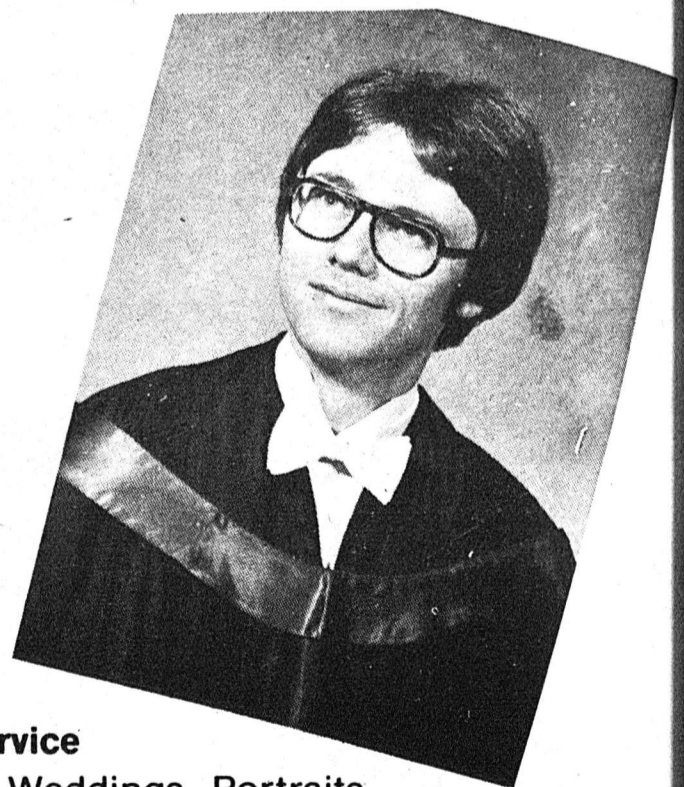
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