

Residence Discipline Report 2007-2008

Summary of Actions

Date: September 2008

Introduction

In accordance with the *Guidelines for Handling Non-Academic Discipline at Queen's* (2003), a summary of actions from the Discipline Working Group (DWG) of the Senate Residence Committee (SRC) is submitted annually to the Senate. This report adheres to this requirement.

Queen's University Residences recognizes the importance of promoting and supporting students in making positive choices that do not conflict with other residents' pursuits of academic endeavours. It is for this reason that the Residence Discipline Process has implemented 'Community Standards' which are guidelines and behavioural expectations that residence students live by to ensure the safety and security of the residence community. Breaches of community standards are classified into three different levels, Level One, Level Two, and Level Three (see Appendix A).

Level One incidents are actions by an individual or individuals that interfere with another resident's peaceful use and enjoyment of his or her space in residence. Level Two incidents are actions by an individual or individuals that have a significant negative impact on another resident; actions that endanger the safety and security of the perpetrator or others in residence; actions that undermine the dignity of another individual; or actions which result in damage to University property. Level Three incidents include offences of a serious nature that are not expressly Level One or Level Two offences, or complex behaviour (e.g., behaviour that may not be disciplinary in nature and may or may not constitute an offence under the Residence Community Standards complicated by other significant factors) requiring the intervention of Residence Life and/or the University. For example, incidents involving violence, discrimination, harassment or weapons would qualify as a Level Three offence.

Level One incidents are handled by Discipline Facilitators in conjunction with Residence Life Coordinators, Level Two incidents are dealt with by the Peer Judicial Board, while Level Three incidents are resolved by the Director of Residence Life (or their designate), with other campus departments or organizations as necessary.

The Peer Judicial Board has authority to oversee matters of non-academic discipline arising from inappropriate behaviour of students living in Queen's University Residences. The Peer Judicial Board presides over cases involving Level Two incidents, repeat Level One incidents and appeals for Level One and Level Two cases. Please note that a second Level One offence is not considered a Level Two offence.

The Peer Judicial Board is composed of both volunteer Members-at-Large and Chairs who help to uphold Residence Community Standards. All Peer Judicial Board Members are students. Each week, members of the Peer Judicial Board convene for an informal peer judicial hearing to deliberate and render decisions on violations of community standards.

For the 2007-2008 year, there were 22 Members-at-Large and 3 Chairs who presided over cases that came before the Peer Judicial Board. The Peer Judicial Board met 23 times from September 26, 2007 through March 27, 2008 and deliberated on 121 cases. Please note that this number refers to the number of cases heard and does not represent the number of Level Two incidents (252 incidents). In other words, many single cases involved multiple Respondents.

Activities

During the 2007/2008 academic year, 1,821 non-academic, discipline-related cases were documented in residence:

- 1,537 Level One Incidents;
- 252 Level Two Incidents; and
- 32 Level Three Incidents.

It should be noted that the vast majority of the Level Three incidents were repeat offenders and were therefore classified as Level Three offences as a result of the discipline progression. Only five (5) Level Three offences were Level Three offences by nature.

Please note that most incidents involve more than one student. Therefore, the Peer Judicial Board presided over 121 cases (representing 252 incidents), including Level Two cases, repeat Level One cases, and appeals:

- 95 cases were settled informally and ratified by the Board;
- 22 cases were presented to the Board;
- 4 cases presented to the Board were appeals.

Appeals Committee

Respondents have the right to appeal Level One Offences and Peer Judicial Board decisions to an Appeals Committee. The Appeals Committee (comprised of two Members-at-Large and the Appeals Coordinator) discussed 15 cases, a decrease from the 25 cases for 2006-2007:

- the Appeals Committee granted 4 of the 15 appeals, referring them to the Peer Judicial Board; and,
- the Peer Judicial Board upheld the original decisions in 3 of the 4 appeal cases.

If denied by the Appeals Committee, a student has an opportunity to appeal to the judicial committees of the Alma Mater Society or the Society of Graduate and Professional Students, and/or the University Student Appeal Board. For the 2007-2008 year, the Alma Mater Society,

the Society of Graduate and Professional Students, and the University Student Appeal Board did not receive any inquiries.

Repeat Offenders

The 2007-2008 statistics were analyzed to measure the number of repeat offenders:

- 75.3% (1,371 incidents) of our students involved with the judicial system offended only once;
- 24.7% (450 incidents) of students involved with the judicial system offended more than once; and,
- 3.7% (68 incidents) of students involved with the judicial system were classified as high-end offender cases because they accumulated 4 or more offences.

Judicial Statistics

Appendix B contains judicial statistics for the 2007-2008 academic year. The document highlights various aspects of the Residence Judicial Program, such as overall trends, an examination of alcohol and illegal substances offences, a detailed look at assigned sanctions and an overview of various types of offences.

Issues Addressed this Past Year

The Discipline Working Group (DWG) of the Senate Residence Committee met several times over the academic year and summer to review and modify our disciplinary process, with a view to improving its efficacy. In order to address the challenges of the existing system, the DWG reviewed the following proposed changes to the judicial system for the 2008-2009 academic year:

- the implementation of educational sanctions at an earlier stage in the discipline process (3rd Level One offence);
- a revised bonds/fines process for students that will make the discipline process more efficient. Bonds are only applicable to Level Two offences;
- a continued assessment and review of the procedures concerning repeat offenders; and,
- a review of alcohol-related community standards violations and the corresponding sanctions.

The suggested changes are expected to be effective in reducing multiple offences by individuals, and would address other recommendations suggested by a variety of residence stakeholders. The DWG agreed that these changes are in keeping with the direction set by Senate, and has recommended that they be implemented this fall. The Senate Residence Committee has had an opportunity to review the suggested changes over the summer months. As such, they have approved they have voted in favour of the recommendations put forth by the DWG.

Additionally, the Residence Judicial Advisor, the Main Campus Residents' Council and the Jean Royce Hall Council worked together on the following tasks this summer:

- providing improved training for residence student staff and council;
- Peer Judicial Board
 - recruiting upper-year and first-year students to serve on the board;
 - upgrading training sessions in September for all volunteers;
 - increasing professional development and training opportunities for all volunteers; and
 - ensuring that the Peer Judicial Board will be operational by mid-September.
- Improved educational programming for incoming students on community standards, accountability for behaviour, the judicial process, etc.

Looking Ahead

In keeping with their mandate, the Discipline Working Group has been asked to:

- resume its annual review of the Residences' judicial procedures and sanctions;
- determine if existing sanctions appropriately reduce and discourage inappropriate behaviour, or if sanctions should be added, modified or removed;
- review the process pertaining to the number of allowable infractions before repeat offenders are referred to a higher level;
- review the appeal process to consider if there should be limits on the ability to appeal some sanctions; and,
- compare Queen's Residences' judicial system with other residence judicial processes and sanctions, to determine if Queen's sanctions are in keeping with other Canadian university practices.

It is anticipated that the tasks listed above will be undertaken in the upcoming fall months.

Respectfully submitted by:

Hailey Fazekas
Residence Judicial Advisor
Queen's University Residences

On behalf of the Discipline Working Group members:

Dr. Jason Laker - Associate Vice-Principal and Dean of Student Affairs
Harry Smith – Coordinator of Dispute Resolution Mechanisms
Sora-Jessica Cha – VP (Discipline), Main Campus Residents' Council
Garth Harris – VP Finance, Jean Royce Hall Council (proxy for the President of JRHC)
Jordan Palmer – Student Representative