

2023-24

Non-Academic Misconduct Annual Report

INTRODUCTION

Queen's University students are expected to adhere to, and promote, the University's values of respect, responsibility, truth, freedom, and wellbeing in all aspects of university life. These values are fundamental to fostering a caring community, with mutual respect and concern for the wellbeing of others.

Non-Academic Misconduct (NAM) refers to behaviours outside of academic expectations that contradict institutional values, and violate the behavioural expectations outlined in the [*Student Code of Conduct*](#), and supporting policies.

The NAM system supports student development through response to, and resolution of, incidents of misconduct. It relies on the work of many campus partners to coordinate support, assess risk, and address incidents through trauma-informed and restorative accountability processes.

This report provides a summary of these activities between May 1, 2023, and August 31, 2024.

The report outlines the NAM system and its key stakeholders. It reflects the current student conduct landscape at Queen's, identifying trends that will guide future priorities and processes.



THE NON-ACADEMIC MISCONDUCT SYSTEM: AN OVERVIEW

Policies

Primary → [Student Code of Conduct \("Code"\)](#)

Other

- [Policy on Sexual Misconduct and Sexual Violence Involving Students \("SV Policy"\)](#)
- [Harassment and Discrimination Prevention and Response Policy \("H&D Policy"\)](#)
- [Residence Contract](#) (for students living in Residence)
- [Athletics & Recreation Non-Academic Misconduct Policy \("A&R NAM Policy"\)](#) (for student-athletes, students participating in intramural sports, etc.)

Responding to NAM

Step 1: Reporting

Alleged breaches of these policies and standards can be reported to:

- Campus Security and Emergency Services
- Residence Conduct & Support
- Athletics & Recreation
- Vice-Principal (Culture, Equity and Inclusion)



Step 2: Referral

- Non-Academic Misconduct Intake Office (NAMIO) assesses, and triages reports based on incident type and severity
- Cases are referred to the appropriate NAM Investigation Unit:
 - **Category 1 Violations:**
 - Residence Conduct
 - Athletics & Recreation
 - Authorized Agent (AMS Judicial Affairs Office)
 - **Category 2 Violations:**
 - Student Conduct Office



Step 3: Investigation, Case Management and Resolution

- Procedurally fair processes
- Trauma-informed and culturally sensitive approaches
- Determinations made on a standard of "balance of probabilities"
- Sanctions imposed specific to the context of the incident and the students involved, with a focus on educational and restorative

At any step of the process, the incident could be diverted to an alternative university process, including Support Services' CARE Coordinator or the Assessment and Care Team.

2023-24: NAM IN NUMBERS

Non-Academic Misconduct Cases (all policies)

During the reporting period **1,082** cases of Non-Academic Misconduct were reported, involving **895** student respondents. Some cases had no identifiable respondents, many had multiple respondents, and some respondents were involved in multiple cases.

- The majority of incidents (**95%**) occurred in Residence, where first-year students live in community and are under the supervision of Dons, Residence Life Coordinators, and other Residence Management staff.
- Athletics & Recreation (A&R) investigated one (1) case under the A&R NAM Policy, involving one (1) respondent.
- No cases fell within the scope of the Authorized Agent (Alma Mater Society Judicial Affairs Office (AMS-JAO)) to resolve; however, the Student Conduct Office (SCO) worked closely with the AMS-JAO on both training and development of resources to promote positive citizenship and the University’s values among students.

In comparison to the previous reporting period, **NAM cases declined 11%** overall, while the number of **student respondents** involved in NAM **declined 22%**.

87 of the total 1,082 NAM cases were referred to the SCO for case management and investigation. These cases involved **209** student-respondents.

There has been a noted increase in the complexity of serious NAM (Category 2)* cases, owing to the number of students involved as witness or impacted by the behaviours, the level of distress experienced by the students involved, intersecting code expectations (eg. cases involving multiple codes) and the severity of the misconduct.

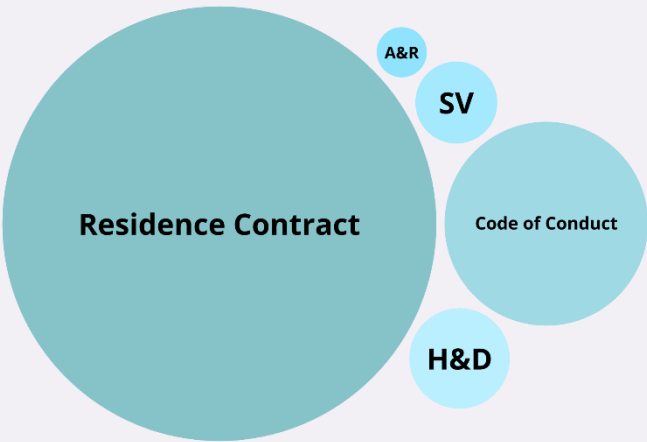
**Category 2 NAM comprises incidents that are considered more serious and includes cases under the Policy on Sexual Misconduct and Sexual Violence Involving Students (the “SV Policy”) and the Harassment and Discrimination Prevention and Response Policy (the “H&D Policy”).*

NAM Investigations	2023-2024	2022-2023
Investigating Unit	Cases (Respondents)	Cases (Respondents)
Athletics & Recreation	1 (1)	3(3)
Residence Conduct	994 (685)	1099 (903)
Student Conduct Office	87 (209)	106 (229)
Authorized Agent (AMS JAO)	0 (0)	4(11)
Total	1082 (895)	1212 (1146)

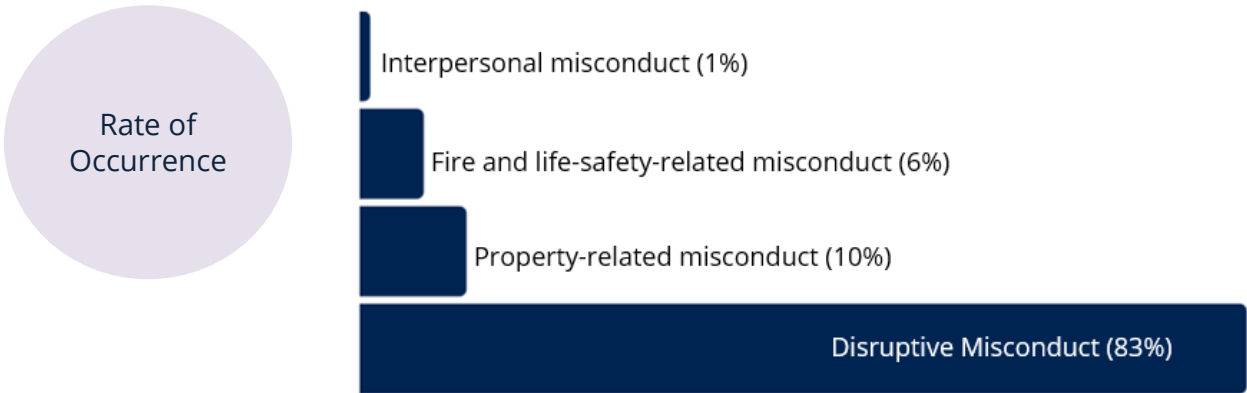
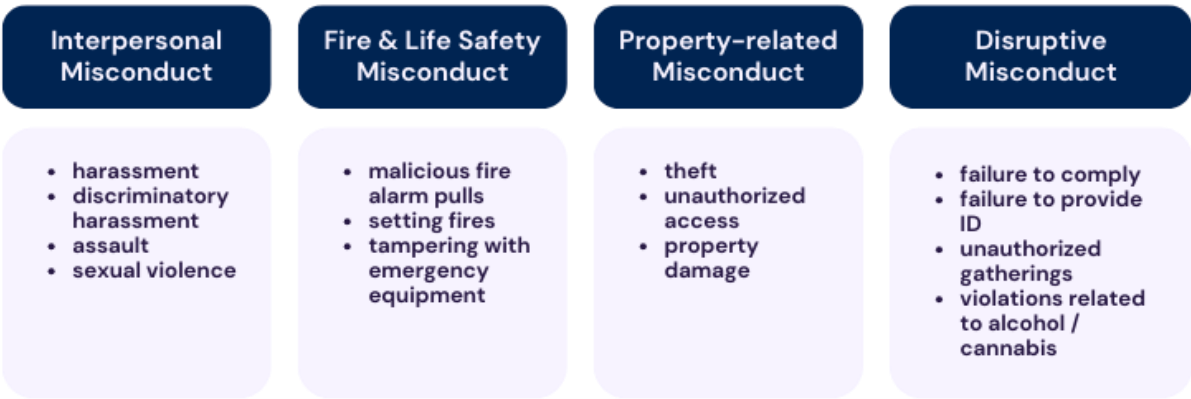
NAM Findings

Of the 895 student-respondents in NAM cases, **80% were found responsible** for at least one NAM violation. The total number of student-respondents involved in NAM represents 2.5% of the overall student population, which is consistent with previous years' data.

A total of **1,826 NAM violations** were recorded. The vast majority involved misconduct contrary to the Residence Contract (**1,692**), followed by **116** violations of the Code, **9** violations of the H&D Policy, **6** violations of the SV Policy, and **3** violations of the A&R NAM Policy.



When looking at the cumulative NAM findings (i.e. across all five NAM policies), four themes of misconduct emerge, as follows:



Respondent Demographics (Code, H&D, SV)

Demographics

Certain groups of students are overrepresented with respect to findings of responsibility.

Male students were responsible for **85%** of violations, while representing only **39%** of the Queen’s student population, according to 2023-24 enrolment data.

87% students who were found responsible were enrolled as domestic (Canadian) students. International students represented **13%** of student-respondents, while representing **9%** of total enrolment.

72% of students found responsible for violations were in their first year of study at Queen’s. Many cases are related to Residence, which houses primarily first-year students.

Respondents (Responsible) by Faculty/School

Faculty/School	2023-2024	2022-2023
	% of Respondents/ (% of Enrolment)	% of Respondents/ (% of Enrolment)
Faculty of Arts and Science	53 (46)	53 (47)
Smith Engineering	26 (12)	26 (12)
Smith School of Business	7 (7)	17 (7)
Graduate Studies (SGSPA)	2 (14)	3 (19)
Faculty of Health Sciences	4 (11)	1 (10)
Faculty of Education	8 (2)	-

Note that % of Enrolment does not add up to 100, because some faculties/schools had no respondents in the system.

The following sections of this report break down the total NAM cases, and provide additional detail, by policy.

Student Code of Conduct

The Code is a behavioural contract that is accepted by all students when they register for a Queen’s course or program of study. The Code sets out the University’s expectations for student behaviour. Non-academic misconduct that takes place on University property, online, and in limited circumstances, off-campus falls within the scope of the Code.

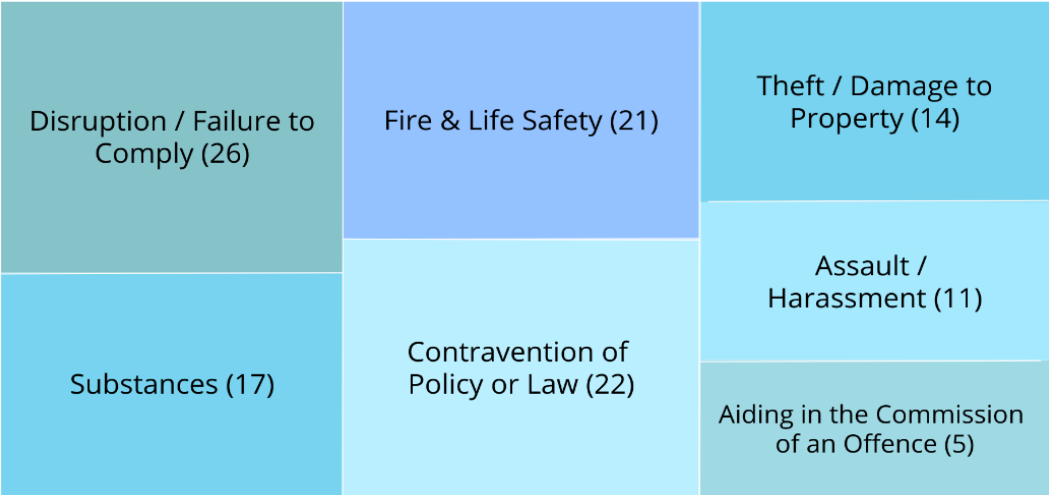
During this reporting period, all allegations of NAM under the Code were addressed by the Student Conduct Office.

59

- 172 Respondents
- 116 Violations Recorded
- 202 Outcomes (i.e., sanctions issued)

CASES

Code Violations:

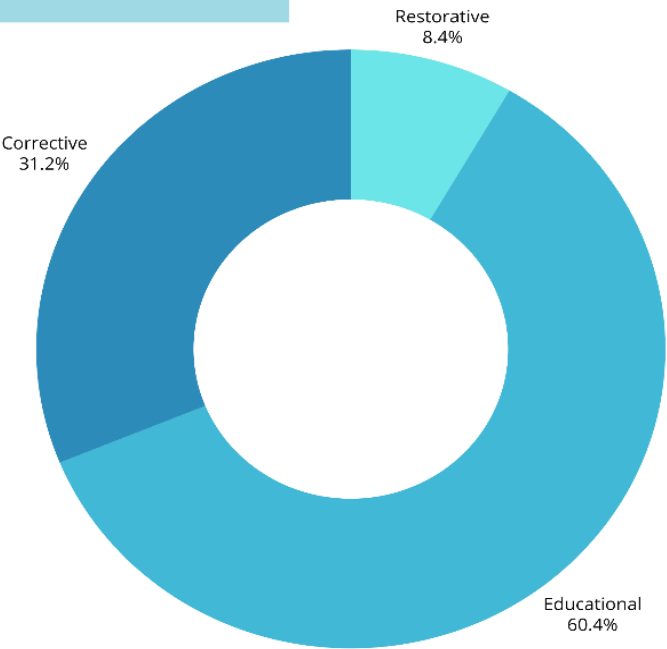


Outcomes (i.e., Sanctions):

Restorative (8.4%): community service, apology, community project

Corrective (31.2%): no contact, loss of privilege, suspension, notice of prohibition, behavioural agreement

Educational (60.4%): workshop, seminar, webinar, meetings with SCO or campus partners, reflective assignments



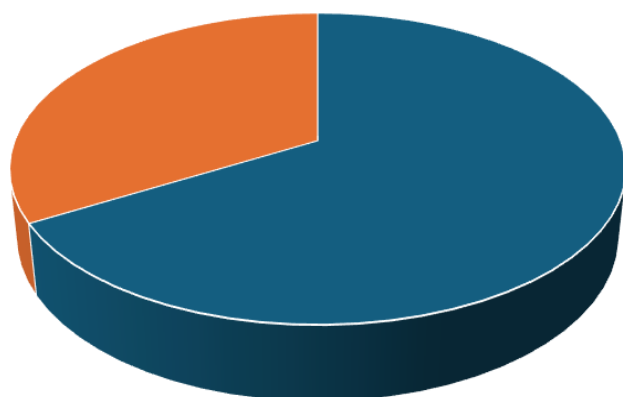
Policy on Sexual Misconduct and Sexual Violence Involving Students

The *Policy on Sexual Misconduct and Sexual Violence Involving Students* (SV Policy)¹ defines and prohibits sexual violence and sets out how disclosures and complaints of sexual violence are responded to by the University. When complaints involve a student-respondent, the Vice-Principal (Culture Equity and Inclusion)² refers the matter to the Student Conduct Office for investigation. If the Respondent is both a student and an employee, the Student Conduct Office may conduct the investigation jointly with Faculty Relations or Human Resources, as applicable.

Further detailed information regarding the SV Policy, and related initiatives, is available in the **Sexual Violence Report, May 1, 2023, to April 30, 2024** presented to the Board of Trustees separately, in compliance with provincial reporting requirements.

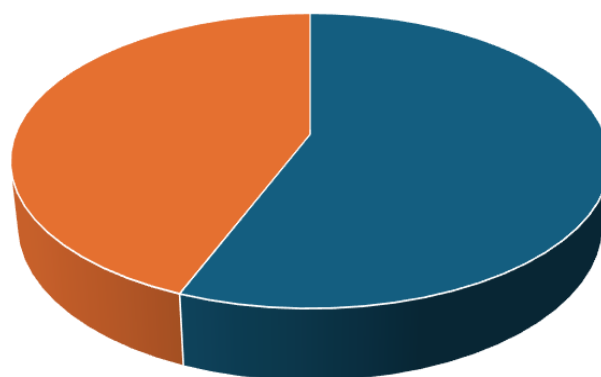
In this reporting period, **10** cases involving **10** individual student respondents, were referred to the Student Conduct Office. Three of these cases were suspended pending the outcome of external legal proceedings or the graduation of the respondent, and one case remains in progress. Among the remaining six cases, **5** respondents were found responsible for violations under the SV Policy. This represents a 50% reduction in overall cases, compared to the previous reporting period.

SV Policy Violations



■ Sexual Harassment (67%) ■ Sexual Assault (33%)

Outcomes/Sanctions Assigned: SV Policy Cases



■ Corrective (56%) ■ Educational (44%)

90% of respondents were undergraduate students, and **50%** were first year students at the time the incident was reported. Corrective sanctions imposed on students found responsible included no contact directives, loss of privilege, notices of prohibition, and requirement to withdraw, while educational sanctions required respondents to complete a series of educational seminars regarding consent, respect, and gender-based violence.

¹ Prior to Jan 2, 2024, *Policy on Sexual Violence Involving Queen's University Students*

² Prior to Jan 2, 2024, University Secretariat and Legal Counsel Office

Harassment and Discrimination Prevention and Response Policy

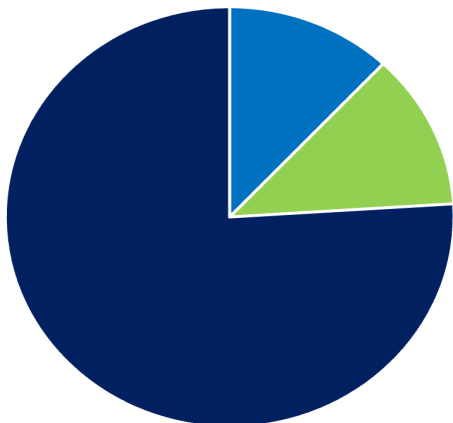
The *Harassment and Discrimination Prevention and Response Policy* (H&D Policy) applies to all members of the University community and prohibits harassment, discrimination, and reprisal.

Formal complaints and reports are submitted to, and assessed by, the Harassment and Discrimination Intake Assessment Team, chaired in 2023-2024 by the Vice-Principal (Culture, Equity and Inclusion). Cases involving students are referred to the Student Conduct Office for investigation under the Student Code of Conduct.

During this reporting period, **18** cases involving **27** student respondents were referred. Two of these cases were withdrawn by the impacted party, while one case was suspended due to the withdrawal of the student respondent from the University. At the time of reporting, one case remains open with an investigation ongoing. Among, the remaining cases, 9 students were found responsible, and 5 were found not responsible.

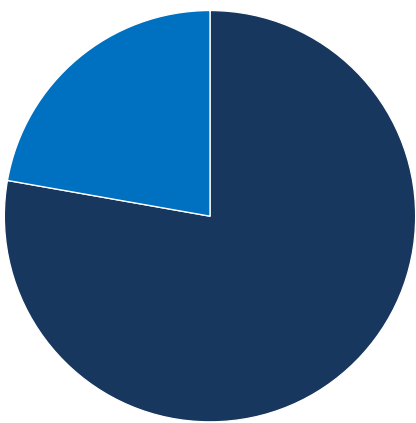
Code of Conduct Violations Related to the H&D Policy

2022-2023



76% – Harassment
12% – Discriminatory Harassment
12% – Harassment by Provocation or Incitement

2023-2024



22% – Harassment
78% – Discriminatory Harassment

The overall number of cases referred, and student-respondents, has remained consistent over the past two reporting periods. However, this past year, there was a notable increase in discriminatory harassment, which is harassment based on one or more grounds protected under the Ontario Human Rights Code (**35%** gender identity, **35%** sexual orientation, **30%** ethnic origin/citizenship).

Educational sanctions, consisting of webinars, seminars, and workshops, coupled with reflection assignments and follow up conversations with the Student Conduct Office, are the most common outcomes.

Consolidated Residence Contract and Community Standards

The Residence Conduct & Support Office (Residence Conduct) is an integral part of the NAM system, and works closely with both the NAMIO and the Student Conduct Office. Residence Conduct administers the Residence Contract, which sets out the community standards applicable to students living in Residence.

During the 2023-2024 reporting period, Residence Conduct investigated **994** NAM incidents under the Residence Contract, involving **685** student respondents. **90%** were found responsible, resulting in **1,692** violations of the Residence Contract being recorded.

Top five violations:

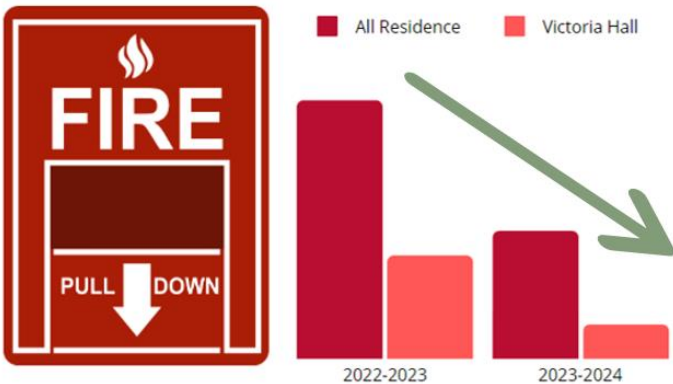
Residence Contract Violations	2023-2024	2022-2023	2021-2022
Alcohol	452	371	198
Noise	380	255	198
Guests	151	151	50
Failure to Cooperate	133	101	243
Parties	124	124	182

Residence Conduct saw a decrease in some forms of vandalism and mischief, compared to 2022-2023. Damage costs for Residence Life and Services decreased from **\$566,000** in 2022-2023 to **\$400,500** in 2023-2024.

Malicious fire alarm pulls, which are highly disruptive, and which have been prevalent in Residences in the past couple of years, have decreased significantly from **105** malicious pulls in 2022-2023, to **52** during this reporting period.

The reduction in malicious fire alarms is a positive outcome of the collaborative effort between Residence Life & Services, Campus Security & Emergency Services, Environmental Health & Safety, and the Student Conduct Office, to implement new educational initiatives and increased signage to deter this form of mischief.

These impactful proactive informational efforts occurred in parallel to the installation of security cameras in some residence buildings, with known hotspots prioritized. Victoria Hall was the site of the most malicious fire alarm pulls in previous years, and saw a marked decrease following the installation of cameras from **42** in 2022-2023 to **14** in 2023-2024.



Athletics & Recreation Non-Academic Misconduct Policy

The *Athletics & Recreation Non-Academic Misconduct Policy* (A&R NAM Policy) outlines the additional behavioural expectations for student-athletes (i.e. varsity team members, club members, intramural sport program participants), and is administered by Athletics & Recreation. Under the A&R NAM Policy, non-academic misconduct is divided into Minor and Major Infractions. Reports of non-academic misconduct involving a student-athlete in a sport-related context are managed by A&R staff; reports of major infractions are submitted to NAMIO for consideration under the Code.

In this reporting period, **1** case was investigated by A&R involving **1** student-athlete respondent, and the Student Conduct Office investigated **2** cases involving **5** student-athlete respondents. This number of cases is consistent with previous years. Many outcomes are educational or restorative, however, some unique outcomes under A&R NAM-P could have implications for playing time, and/or ongoing participation in Athletics or Recreation.

Queen's A&R is committed to creating a safe, positive, and healthy competitive and recreational environment for all program participants and visitors to its facilities. Safe Sport is a critical component of all levels of sports and A&R's holistic approach includes three pillars: education and training, reporting, and culture. In 2023-24, September was designated as the annual Safe Sport month at Queen's, and included training and resources for all staff, coaches and student-athletes. A Safe Sport Committee, established in 2022, provides ongoing guidance, and works to advance strategies and industry recommendations.

APPEALS

The Rules of Procedure for the Non-Academic Misconduct Appeal Panel (Rules of Procedure) help ensure procedural fairness in the NAM system, and set out guidelines for the NAM Appeal Process, including types of appeals, and the steps involved.

In the 2023-2024 reporting period, five (**5**) appeals were requested. One appeal was dismissed due to insufficient grounds for appeal, the remaining four involved appeals of immediate sanctions and thus were heard through an expedited process administered by an appointed Chairperson as decision-maker. Two appeals related to sanctions of removal from residence, while two related to sanctions of suspension from athletic teams.

- **4** sustained the original decision*
- **1** was dismissed without being heard due to lack of appealable grounds

**In some circumstances, outcomes (sanctions) were slightly modified to adjust timelines and/or access to some facilities/staff, based on information provided by students during the appeal.*

There were **15** appeals of decisions under the Residence Contract (excluding removals from Residence). Of these, **14** appeals were denied, and one (**1**) appeal was granted.

LOOKING FORWARD

This past year, the university experienced an overall decrease in student non-academic misconduct, but continued to see the trend of increased complexity in case management, involving overlapping policies and processes, as well as the increasing needs of students experiencing distress, due to mental health and/or substance use. Everyone involved in NAM works closely to ensure student wellbeing needs are addressed throughout processes, relying on close partnerships with Campus Security and Emergency Services, Student Care Support Services, Student Wellness Services, and others listed in this report.

Improvements in negative behaviours in Residence, related to damages and malicious fire alarms, are encouraging. So, too, are the decreased (zero) instances of University District Safety Initiative-related cases this past year. Strong partnerships with Kingston Police, City by-law, Campus Safety and Emergency Services, and Queen's Integrated Communications, continue to lead to improved outcomes, related to surrounding campus behaviour during peak times throughout the year.

Offices involved in NAM processes collaborate on an ongoing basis to continually adjust and improve procedures, in response to emerging trends, student needs, and to ensure alignment with university values. NAM partners also regularly participate in trainings and case reviews, to identify any emerging issues.

Regular reviews and revisions of NAM policies are conducted to ensure effectiveness, and responsiveness to the campus environment and post-secondary context. A particular focus in the upcoming year will be on streamlining referrals from the Harassment and Discrimination Intake and Assessment team, and updating staff training related to harassment and discrimination-related behaviours.

Student Conduct Office staff continue to provide overarching leadership across campus for student NAM, and are committed to maintaining a positive learning environment for all students.



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