



FOR INFORMATION

PUBLIC

OPEN SESSION

TO: University Affairs Board

SPONSOR: Sandy Welsh, Vice-Provost, Students
CONTACT INFO: Phone (416) 978-3870 / Email yp.students@utoronto.ca

PRESENTER: Same as above
CONTACT INFO:

DATE: November 13, 2023, for November 21, 2023

AGENDA ITEM: 4

ITEM IDENTIFICATION:

Annual Report on Cases of Non-Academic Discipline 2022-23

JURISDICTIONAL INFORMATION:

Section 5.6 of the Terms of Reference for the University Affairs Board provides that:

The Board receives, annually from its assessors, reports on matters within its areas of responsibility, (for example, but not limited to, trademark licensing, **non-academic discipline**, and submission of audited financial statements of student societies) including statements of current issues, opportunities and problems, and recommendations for changes in policies, plans or priorities that would address such issues.

Section F.5 of the *Code of Student Conduct* provides that:

Decisions of the Hearing Officer, including the name of the respondent, the offence, and the sanction, shall be reported to the Vice-President & Provost, who shall convey the information, anonymously and in statistical form, annually to the University Affairs Board.

GOVERNANCE PATH:

1. University Affairs Board [For Information] (November 21, 2023)

PREVIOUS ACTION TAKEN:

The previous report was presented to the University Affairs Board on November 22, 2022.

HIGHLIGHTS:

The *Code of Student Conduct*, together with other specific codes of conduct such as residence, athletics facilities, and library use codes, sets out expectations for student behaviour and prescribes processes for dealing with behaviour that is prohibited under the Code.

The *Code of Student Conduct* provides that decisions of Hearing Officers are conveyed to the University Affairs Board. For reporting purposes, the reporting year corresponds to the academic year - from July 1 - June 30. The data is collated based on the academic year in which a case is closed.

Code of Student Conduct cases may be concluded by a number of means; including an informal resolution, a hearing, the withdrawal of charges or addressing the matter under another code, policy, or guideline.

The University's Policy on Sexual Violence and Sexual Harassment outlines that where the respondent is a student, the matter may be referred to Hearing through the *Code of Student Conduct*. In such cases, the section of this report pertaining to Hearings will contain data should any Sexual Violence cases conclude by Hearing in the reporting year.

The information presented within this report relates to concluded Code of Student Conduct cases for the 2022-2023 academic year. The report provides statistics regarding types of offenses, divisional statistics, interim measures and conditions, concluded cases, and timeliness under the Code of Student Conduct.

FINANCIAL IMPLICATIONS:

There are no financial implications.

RECOMMENDATION:

For Information.

DOCUMENTATION PROVIDED:

Summary of Divisional Non-Academic Discipline Cases 2022-23

Summary of Non-Academic Discipline Cases

The information presented within this report relates to concluded *Code of Student Conduct (the “Code”)* cases for the 2018-2019 to 2022-2023 academic years (five years; July 1–June 30). The data presented in the report is categorized based on the date that the matter concluded.

This report provides information on cases that followed a formal path under the *Code*. It does not include complaints for which an informal resolution was reached prior to the initiation of an investigation. For example, two additional cases, not represented in this report, concluded pre-investigation by informal resolution with the Division Head in 2022-2023.

It is also important to note that various other *Code* cases have been initiated or remain ongoing during the 2022-2023 academic year that are not included in the data presented in the body of the report.¹

TABLE 1 – Type of Offenses & Total Cases²

Offense	2018-19	2019-20	2020-21	2021-22	2022-23
B.1 Offenses against persons	10	2	6	3	4
B.2 Disruption	1	4	2	0	0
B.3. Offenses involving property	1	1	1	1	1
B.4. Unauthorized Entry or Presence	0	0	0	0	1
B.5. Unauthorized use of University facilities, equipment, or services	4	1	0	3	2
B.6 False charges	0	0	0	0	0
B.7. Aiding in the Commission of an Offense	1	0	0	0	0
B.8. Refusal to comply with sanctions	0	0	0	0	0
B.9. Unauthorized Possession or Use of Firearms or Ammunition	0	0	0	0	1
Total Offenses (concluded cases) by Year	17	8	9	7	9
Total Cases (concluded) by Year	12	7	6	6	6

¹ As of June 30, 2023, there were fourteen cases (7 active; 7 stayed) at various stages of the investigation through resolution process. Five additional active *Code* cases were referred to Hearing during the reporting period (July 1, 2022 – June 30, 2023). Four *Code* cases that were referred to hearing during previous academic years remain active/stayed (not concluded) during the reporting time. In total, 23 cases, in a formal pathway under the *Code*, have been active/stayed during the reporting period. *Note: these numbers do not include Sexual Violence cases, see Table 4.*

² The numbers presented relate to the number of alleged offenses under the *Code* and do not correlate to the total number of cases. The total number of cases are included for reference. It is possible for a *Code of Student Conduct* case to involve more than one offense to be investigated as part of the allegations.

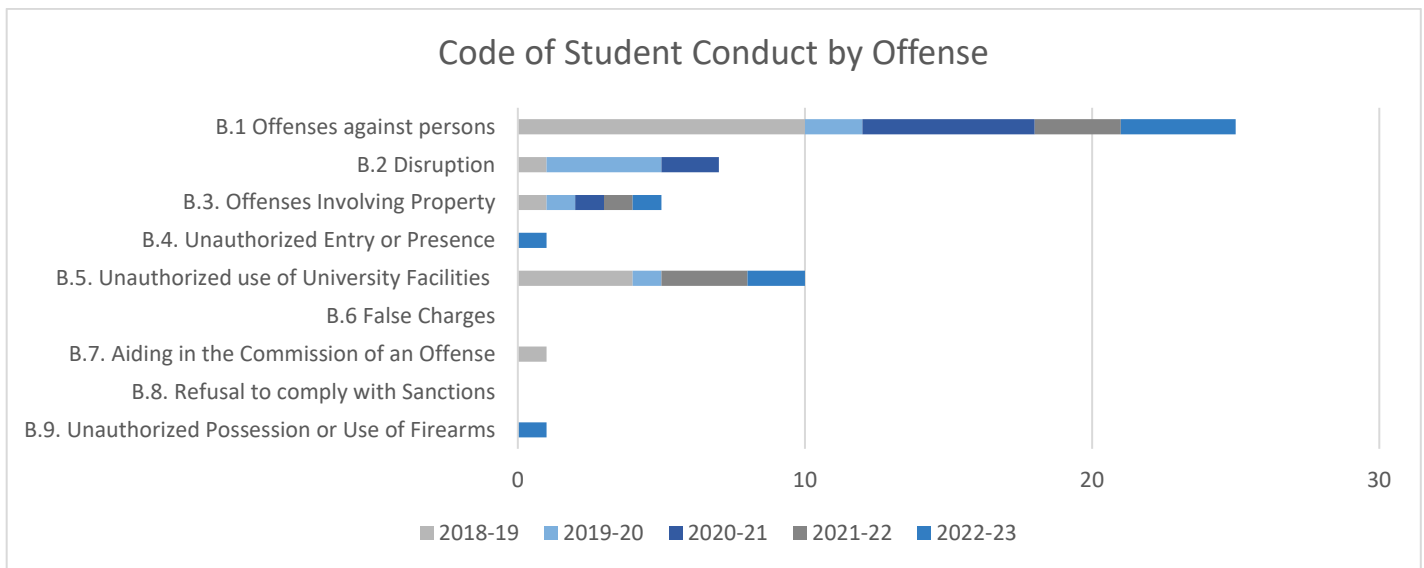


TABLE 2 - Cases by Division³

Division	2018-19	2019-20	2020-21	2021-22	2022-23
Faculty of Arts & Science					
<i>Innis College</i>	0	0	0	0	1
<i>New College</i>	0	1	1	0	0
<i>St. Michael's College</i>	0	0	0	0	1
<i>Trinity College</i>	0	0	1	0	0
<i>University College</i>	2	0	0	0	0
<i>Victoria College</i>	0	0	0	0	0
<i>Woodsworth College</i>	1	0	0	0	0
University of Toronto Mississauga	0	4	0	2	1
University of Toronto Scarborough	4	0	0	4	1
Faculty of Applied Science & Engineering	3	0	1	0	0
John H. Daniels Faculty of Architecture, Landscape & Design	0	0	0	0	0
Faculty of Dentistry	1	0	0	0	0
Faculty of Information*	n/a	0	0	0	0
Faculty of Kinesiology & Physical Education	0	0	0	0	0
Faculty of Law	0	0	0	0	0
Faculty of Medicine	0	0	0	0	0
Faculty of Music	0	0	0	0	0
Lawrence S. Bloomberg Faculty of Nursing	0	0	0	0	0
Leslie Dan Faculty of Pharmacy	0	0	0	0	0
School of Graduate Studies**	1	2	3	0	2
Transitional Year Program	0	0	0	0	0
Total	12	7	6	6	6

³ Statistics presented in this table reflect individual cases. There may be cases with more than one respondent. In most cases, the respondents are from different divisions or have different offenses associated with their cases and are reflected in the data individually.

* The Bachelor of Information program started in Fall 2019. Graduate student cases at the Faculty of Information are administered through the School of Graduate Studies (per note below).

** The School of Graduate Studies oversees the administration of the *Code* for Graduate Students in consultation with the home division.

Note: As described in Section B of the *Code of Student Conduct*, behaviour deemed to be offenses under the *Code* may be dealt with as “a failure to meet standards of professional conduct as required by a college, faculty or school” or such behaviour can be assigned to “a divisional disciplinary body”.

TABLE 3 - Cases Involving Interim Measures or Conditions

	2018-19	2019-20	2020-21	2021-22	2021-23 ⁴
Interim Measures	3	2	2	1	2
Interim Conditions	2	1	2	3	3

TABLE 4 – Hearings

NOTE: Sexual Violence cases which proceed to Hearing do so through the Code of Student Conduct process. Therefore, any case heard and concluded under the Sexual Violence & Sexual Harassment Policy will be reported here.

	2018-19	2019-20	2020-21	2021-22	2022-23 ⁵
Hearings	1	0	0	1	0

TABLE 5 – Time between Date of Offense and Case Conclusion

Year	Longer than 18 months	Within 18 Months	Within 12 months	Within 6 months
2018-19	1	3	2	6
2019-20	1	1	5	0
2020-21	2	0	3	1
2021-22	1	2	2	1
2022-23	2	1	0	3
Total	7	7	12	11

⁴ Of the 23 active/stayed cases (that did not conclude) during the 2022-2023 academic year, 13 involve interim measures and 10 involve conditions and 3 have neither. Note: Cases may involve both interim conditions and interim measures, or neither.

⁵ During the 2022-2023 academic year, three *Sexual Violence & Sexual Harassment Policy (SVSH Policy)* cases were referred to hearing under the *Code* by the Vice-Provost, Students; all three remain active. Two SVSH Policy cases that were referred to hearing in previous academic years also remain active; total of five *SVSH Policy* cases at hearing stage at the time of reporting. One SVSH Policy cases that was referred to hearing in 2021-2022 academic year was resolved by an agreement during the pre-hearing stage in 2022-2023. Additionally, as noted on page 1, nine cases referred to hearing by a Division Head under the *Code of Student Conduct* remain unresolved as of June 30, 2023.

