



STUDENT ADMINISTRATIVE COUNCIL

fsu
FANSHAW
STUDENT
UNION
www.fsu.ca

**YOUR FSU EMPIRE
NEEDS YOU**

SAC

RECRUITMENT

**AND FSU EXECUTIVE ELECTION:
VP OF ATHLETICS AND RESIDENCE LIFE**

NOMINATIONS

Opens:

Mon. Aug. 27th at 9 am

Closes:

Fri. Sept. 14th at 4 pm

VOTING

Opens:

Tues. Sept. 25th at 9 am

Closes:

Wed. Sept. 26th at 4 pm

Fanshawe College Student Union
S.A.C. Nomination Forms

Name: _____ **Program:** _____
Address: _____ **Student #:** _____
_____ **Email:** _____
Phone #: _____

DIVISION REPRESENTATIVES
Please select the division you will represent

- | | |
|--|---|
| <input type="checkbox"/> School of Design | <input type="checkbox"/> School of Human Services |
| <input type="checkbox"/> School of Contemporary Media | <input type="checkbox"/> School of Language & Liberal Studies |
| <input type="checkbox"/> School of Business | <input type="checkbox"/> School of Health Sciences & Nursing |
| <input type="checkbox"/> School of Information Technology | <input type="checkbox"/> School of Tourism & Hospitality |
| <input type="checkbox"/> School of Building Technology & School of Applied
Science & Technology | <input type="checkbox"/> School of Transportation Technology |
-

We, the undersigned, do hereby accept and nominate the said person as a candidate for the above position in the upcoming election. **(Student numbers must be included.)**

- | | |
|-----------|-----------|
| 1. _____ | 11. _____ |
| 2. _____ | 12. _____ |
| 3. _____ | 13. _____ |
| 4. _____ | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

I hereby accept this nomination and agree to conduct a fair campaign and abide by the Student Code of Conduct, Respectful College Community, and Election Policies as outlined by the FSU.*

Signature of Candidate

*These policies can be found at:

<http://www.fanshawec.ca/about-us/corporate-information/college-policies/student-code-conduct>
<http://www.fanshawec.ca/about-us/corporate-information/college-policies/policies-procedures-z#1b46>

STUDENT RECORDS NOMINATIONS

I, THE UNDERSIGNED, DO AUTHORIZE THE STUDENT UNION CHIEF RETURNING OFFICER OR DESIGNATED REPRESENTATIVE TO GAIN ACCESS TO MY STUDENT RECORDS FOR PURPOSES RELATING TO THE STUDENT UNION NOMINATIONS AND ELECTIONS.

PRINT NAME

SIGNATURE

STUDENT NUMBER

DATE

CHIEF RETURNING OFFICER AND/OR
DESIGNATED REPRESENTATIVE

SAC/Executive Elections 2012

Photo Release Form

I, _____ give Fanshawe Student Union permission to use this
(please print name)

picture of me for the purposes of the Fanshawe Student Union SAC/Executive Elections 2012. It will be used for the newspaper, the website, the online voting webpage and any other FSU election materials.

Signature of Candidate

SAC/Executive Election Schedule - 2012

- Nominations Open:* Monday, August 27th, 2012 @ 9:00 a.m.
- Nominations Close:* Friday, September 14th, 2012 @ 4:00 p.m.
- All Candidate Meeting:* Friday, September 14th, 2012 @ 4:00 p.m.
- Campaigning Begins:* Tuesday, September 18th, 2012 @ 9:00 a.m.
- Campaigning Ends:* Wednesday, September 26th, 2012 @ 4:00 p.m.
- Voting:* Tuesday, September 25th, 2012 from 9:00 a.m. until Wednesday, September 26th, 2012 @ 4:00 p.m.
- Poster Removal:* Wednesday, September 26th, 2012 @ 4:00 p.m.
- Receipts Due:* Wednesday, October 3rd, 2012 @ 4:00 p.m.
- Fines Paid by:* Wednesday, October 3rd, 2012

Bio/Election Comments/Picture

- Will appear in the September 24th, 2012 issue of Interrobang.
- Deadline September 18th, 2012 at noon
- Will also be posted on the Web/online voting page and the FSU website
- Email to Erika Faust at efaust@fanshawec.ca
- Pictures can be taken between 9:00 a.m. and 1:00 p.m. before September 17th, 2012 in SC 1012 – contact Erika Faust at efaust@fanshawec.ca

Fanshawe Student Union SAC/Executive Elections 2012

This document outlines the guidelines to be followed during the FSU SAC/Executive Elections 2012/2013

To be eligible to run:

- 2.6.2 each candidate shall be a full-time student of Fanshawe College of Applied Arts and Technology according to by-law 1.4.1, and registered in the area he/she shall represent if elected;
- 2.6.3 all candidates must be entering a year which will not involve a co-op or placement during an academic semester that will not consume more than 2 day/week or 4 weeks/semester;
- 2.6.4 all candidates must agree to allow the CRO to view their academic standing from their last semester in order to ensure eligibility of the candidate; and agree to allow the CRO to view their Fanshawe College Student Code of Conduct history as filed with the College. The CRO may exclude a candidate based on their offence history. The CRO will consider the severity of the offence; impact on the safety and security of the campus community and determine if the offence materially affects the candidate's ability to fulfill the responsibilities of the position;

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- All candidates must submit a nomination form, complete with the required number of signatures, on or before **Friday, September 14th, 2012 at 4:00 p.m.**
 - All candidates are **required** to attend a meeting on **Friday, September 14th, 2012 at 4:00 p.m. in the Boardroom (SC 2016).**

Campaigning Information

- Campaigning for the election begins on **Tuesday, September 18th at 9:00 a.m.** and ends on **Wednesday, September 26th at 4:00 p.m.** **Any and all campaign posters may be displayed throughout the College on BRICK WALLS ONLY.** Materials displayed on any other surfaces are not acceptable and will be removed. Only **masking tape** should be used to display posters.
- All posters and tape must be removed from the College walls by **Wednesday, September 26th at 4:00 p.m.** *(All candidates are required to meet in Forwell Hall at this time to help take down all campaign posters – if you are unavailable to help you must send someone in your place; you will be charged back the expenses if you or a designate do not show up to help.)*
- All campaigning rules apply to social media outlets (ie: Facebook, Twitter, Websites etc.)

Posters

- If you would like a poster made by the Publications department (SC 1012) you must ask at least 3 days in advance. The Publications department charges \$15.00/hour (most posters can be designed within one hour) for laying up artwork. The Publications designs posters; it is up to the candidate to have them printed in mass.
- Posters can not be larger than 11 x 17 and they must be placed at least 12 inches from any other poster. Posters must be in good taste and not be obscene or offensive. **(Please refer to the Respect Policy)**
- Candidates must not use any sign, slogan, logo or emblem, which could be confused with those of another person or party inside the College. Candidates who in any way deface or remove other candidates' posters or flyers will be subject to the sanctions listed below.
- There is a limit of 100 posters for SAC candidates and 250 posters for Executive candidates. Posters and flyers must be printed at Reprographics.

Publications

- Each candidate will be allowed to write a brief biography/election comment to be used on the website www.fsu.ca, the online voting page and the Interrobang newspaper. You may also have your picture with this Bio. You must submit your Bio to the Interrobang office (SC 1012) by no later than **Tuesday, September 18, 2012 by 12:00 p.m.** You must have your picture taken when you submit your Bio. All information must be typed and double-spaced. All information will be printed exactly as it is received. All candidates are required to limit their comments to 250 words. Comments are preferred by email (efaust@fanshawec.ca) with your name and position sought.
- Candidates may also place ads in the Interrobang. Please see the advertisement rate information sheet in your candidate's package. You must speak to Mark Ritchie or Sara Varley in SC 1012 for your advertisement. (m_ritchie3@fanshawec.ca, svarley@fanshawec.ca)

Limits

Campaigning in the Residences is limited to the following:

- Each candidate will be allowed to give the front desk staff at Residence **24 posters**. The staff will post each one beside the elevators in Residence as well as at Kestrel Court.
- Each candidate may have the opportunity to book space in the Residence conference room or the lounge to talk to Residence students. This must be booked in advance with Erika Gringhuis in R Residence (519-452-4430 ext. 5000).

- NO candidates will be allowed to leave phone messages, campaign door-to-door, or put flyers in the mailboxes of either Residence.
- SAC Candidates must not spend more than \$100.00 on advertising for their campaign. Executive Candidates must not spend more than \$300.00 on advertising for their campaign. **DO NOT EXCEED THIS LIMIT!!**
- The CRO reserves the right to include fair market value (FMV) of any materials or advertisements that endorse or support a candidate. Where a candidate purchases goods or services at a discounted price or receives them as a donation – the FMV of the purchase will be included in determining a candidate's expenses.
- There is **NO** campaigning off campus, in the Out Back Shack, at varsity/intramural games or FSU sponsored events (i.e. pubs in Forwell Hall, movie nights, etc.). Candidates or representatives must not solicit votes **within sight** of the polling stations while voting is taking place. Candidates or arm's length parties may not influence a voter while he/she is in the process of voting.
- Candidates are responsible for activities of non-arms length parties (i.e. friends).
- Any employees or representatives of the FSU (Out Back Shack, Biz Booth, Executive Council, OASIS, etc) must not wear any paraphernalia supporting candidates while they are working or representing the FSU.

Reimbursement

- The Student Union will fully reimburse all expenses for all candidates who receive a minimum of 10% of the total votes. Candidates who receive less than 10% of the total vote will be reimbursed based on a sliding scale. Original receipts are required to be eligible for this reimbursement.
- All receipts are required by **Wednesday, October 3rd, 2012**. Only campaign expenses with valid, verifiable and corresponding receipts will be eligible for reimbursement. Any item deemed not to be an appropriate expense may be excluded from reimbursement. The CRO may, at any time, request from any candidate, original receipts.

General

- Voting will start on **Tuesday, September 25th at 9:00 a.m.** and will end on **Wednesday, September 26th at 4:00 p.m.** Voting will be done online at www.fanshaweonline.ca. Polling stations will be set up around the school for the awareness of the elections; however, no paper ballots will be cast. Keep in mind that you are not allowed to campaign near a polling station. A list of the polling station locations will be provided closer to the election.
- Any complaints to the Chief Returning Office must sent by email directly to jkerr@fanshawec.ca.
- Winners will be posted on the FSU website on **Wednesday, September 26th at 4:30 p.m.**

Sanctions

The CRO, where he/she finds there has been a violation, may:

1. Assign demerit point penalties and resulting fines against a candidate;
2. Assign multiple penalties where the violation encompasses more than one offence;
3. Disqualify a candidate from the election automatically or by accumulation of demerit points;
4. Reduce or eliminate a candidate's reimbursement;
5. Declare an election void.

Demerit Point System

Campaign Materials:

Displaying in an unauthorized area (i.e. not 12 inches apart, not on a brick wall, etc.)	1 point *
Pre/Post Campaign Materials	6 points **

**Up to a maximum of ten points per location*

***The first poster will receive 6 points and each additional poster shall receive 1 point*

Campaigning:

Failure to submit campaign receipts or exceeding the campaign spending limits	4 points
Same violation in multiple areas	4 points
Improper distribution of campaign materials	8 points
Campaigning in an unauthorized area	10 points
Pre/Post Campaigning	10 points

Fair Play:

Unsanctioned use of FSU resources (Candidates may not use any service or tangible benefits conferred to them as a result of their holding any position within the FSU)	15 points
Gross misrepresentation of facts	15 points
Failure to comply with the spirit and purpose of the election	15 points

In addition to demerit points, candidates will be levied a monetary fine on a per point basis as follows:

Division Representatives	\$2.00 per point
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Maximum Penalty:

A candidate accruing greater than 100% of the allowable demerit point limit as follows will be disqualified:

Division Representatives	20 points
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If a winning candidate in any election is disqualified, the candidate who received the greatest amount of votes and who has not been disqualified shall be deemed the winner.

All candidates must pay fines by **Wednesday, October 3rd, 2012.**

Appeals of CRO Decisions or Election Results

Any candidate wishing to appeal a CRO decision or the election results must present a letter to the Board (SAC) no sooner than two days and no later than five days after the close of balloting; the letter must contain the appellant's name, student number, telephone number and address, as well as a detailed explanation of the reason(s) for challenging the results.

The Board (SAC) will appoint a committee of 3 members (not involved in the election) to hear the appeal and recommend a decision.

Any questions concerning these procedures or any other problems should be directed to the CRO, Jason Kerr, via email. Please read all rules and regulations carefully. Pay attention to the dates outlined in this document to ensure an orderly campaign and election.



Jason Kerr, CRO

SAC/Executive Elections 2012

I _____ have read, understood and will abide by all the rules, regulations and policies in this document.

Signature

Date



Student Union SAC/Executive Election Special Advertising Rates

Candidates can advertise on the FSU website or in the Sept. 24th issue of the Interrobang at a discounted rate!

Size	Price
1/16 (4" w x 2.6" h)	\$30
1/8 (4" w x 5.25" h)	\$60
1/4 (6" w x 7" h)	\$120
Web Ad for 7 days	Starting at \$60

*Pricing applies to b&w ads only- colour is extra

See Sara or Mark in the Publications office (SC1012) to book your ad.

Deadline:

Sept. 24th Issue deadline- Sept. 18th @ 12 p.m.

NO EXCEPTIONS

SAC/Executive Elections 2012
Expenses Reimbursement Form

Name: _____

Position: _____

Receipt #	Explanation of Expense	Amount (\$)

TOTAL: \$ _____

Number your original receipts to correspond to the numbers on the chart above and attach all original receipts to this form. Write out your explanations and amounts on the chart above to clearly explain the reason for the expense. Total your receipts on the total line above and hand in with your signature.

Signature

FANSHAWE COLLEGE POLICY MANUAL

1. ADMINISTRATIVE POLICIES AND PROCEDURES SECTION B - HUMAN RESOURCES

TITLE:	RESPECTFUL COLLEGE COMMUNITY
POLICY NUMBER:	1-B-46
EFFECTIVE:	June 15, 2010 (SLC-10-04, May 26, 2010)
APPROVAL/REVIEW MEETING:	Dec. 13, 2006 (AC-06-04), April 4, 2007 (AC-06-07), Jan. 9, 2008 (AC-07-04)
NEXT REVIEW:	May 2011 <small>**Annual Review as per Legislative Requirement**</small>
DEPT./DIV./COMMITTEE RESPONSIBLE:	Human Resources
RESCINDED:	

1. PURPOSE

- 1.1. to provide every College community member with a respectful learning and working environment that demonstrates acceptable interpersonal conduct and is free from harassment;
- 1.2. to provide information to ensure all community members are aware of their rights and obligations under the Respectful College Community policy;
- 1.3. to communicate that every community member is expected to contribute to the development of a respectful environment by behaving in acceptable ways and discouraging offensive behaviour of others. Every person has the right and responsibility to communicate concerns and cooperate in efforts to resolve concerns; and
- 1.4. to establish procedures to ensure that complaints are dealt with in a fair and timely manner.

2. DEFINITIONS

- 2.1. Community Members
For the purposes of this Policy, community members include employees, students, members of committees established by the College, volunteers, contractors, individuals providing service or research, individuals or groups who rent/use College facilities, visitors, applicants and/or guests.
- 2.2. Harassment Means
Engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. It includes bullying/personal harassment that is known or ought reasonably to be known to be unwelcome and which could reasonably be regarded as intending to intimidate, offend, degrade or humiliate an individual and results in a harmful work/learning environment. Generally, a series of actions/behaviours is required to constitute harassment; however, a single act of sufficient severity may constitute harassment.

Harassment may occur verbally, in writing or on-line.

Examples of harassment include, but are not limited to, the following:

- Bullying/personal harassment
- Vexatious conduct intended to intimidate, degrade, or humiliate an individual
- Vexatious conduct that negatively affects an individual's dignity
- berating/belittling an individual
- unwarranted criticism
- undermining or deliberately impeding a person's work
- spreading malicious rumours, gossip or innuendo that is not true
- yelling or using profanity
- taunting and teasing where the intention is to humiliate and embarrass
- conduct which creates an intimidating, offensive or hostile environment
- insulting language
- unwelcome name calling and hurtful pranks
- phone calls, letters or emails which are abusive or offensive
- abuse of authority
- physical gestures intended to intimidate, offend, degrade or humiliate an individual
- display of offensive material either in hardcopy or electronic form which is intended to intimidate or humiliate an individual
- use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging, personal Web sites, social networking sites and online personal polling Web sites, to create, post, display, transmit, or distribute messages or other materials which are intended to intimidate or humiliate an individual

2.3 Violence Means

- a) The exercise of physical force by a person against a person that causes or could cause physical injury to the person,
- b) An attempt by a person to exercise physical force against a person that could cause physical injury to the person,
- c) A statement or behaviour that it is reasonable for a person to interpret as a threat to exercise physical force against the person that could cause physical injury to the person.

**Incidents of "violence" will be dealt with under policy 1-D-05: Safe College Campus.

2.4 Reprisals/Retaliation

Adverse action against an individual for invoking this Policy or for participating/cooperating in an investigation under this Policy or for associating with someone who has invoked this Policy or participated in the Policy's procedures.

2.5 Vexatious or Bad Faith Complaint

A complaint where a complainant makes allegations knowing them to be false or submits a complaint for a purely malicious or vindictive purpose.

2.6 What is NOT

Exercising appropriate supervisory, instructional and evaluation responsibilities, including conducting performance appraisals, enforcing standards, and taking corrective/discipline action is not contrary to this Policy.

3. THE POLICY

The College is committed to fostering a respectful college community. The College will not tolerate any harassment or other unacceptable conduct as defined in this Policy. In the event that a breach of this Policy is alleged, the college will respond promptly in accordance with Appendix A and every effort will be made to achieve a fair and timely resolution.

3.1. Scope of Policy

This Policy applies to all community members. All College activities and functions are covered by this Policy. Employment, educational, or business dealings taking place on College premises as well as off-campus activities that take place under the auspices of the College, are covered by this Policy.

3.2. Complaints Against Students

Where a student is alleged to have contravened this Policy, the complaint will be dealt with in accordance with the Student Code of Conduct.

3.3. Responsibilities

3.3.1. *Community Members*

Community members are responsible for ensuring that their working and/or learning environment is free from harassment by refraining from any comment/conduct that is in contravention of this Policy. In addition, community members are responsible for reporting incidents of apparent violations of this Policy to the Policy Coordinator and, when necessary, cooperating in the investigation and/or resolution of complaints pursuant to this Policy.

3.3.2. *Management and Other Employees*

Managers and supervisors have a duty to act immediately on observations or allegations of breaches of this Policy.

Employees and others responsible for directing the activities of students have a duty to act immediately on observations or allegations of breaches of this Policy.

Employees and others responsible for directing the activities of students have a responsibility to be familiar with this Policy and its procedures and to inform staff and students about its existence.

3.3.3. *Policy Coordinator (the “Coordinator”)*

The College shall designate a Policy Coordinator. The Coordinator, reporting to the Director, Human Resources, may access the President as appropriate, and will be responsible for administering the Respectful

College Community Policy. In the event that the Coordinator has a direct involvement with a complaint which is made under this Policy (as a complainant, respondent or witness), the College President or her/his designate shall appoint a suitable alternate for the purposes of dealing with the complaint. In the event that a member of the Human Resources Department has a direct involvement with a complaint which is made under this Policy (as a complainant, respondent or witness), the College President or her/his designate will appoint a suitable alternate for the purposes of dealing with the complaint.

3.3.4. *Human Resources*

- 3.3.4.1. Human Resources will facilitate a review at least annually of this Policy to enhance its effectiveness.
- 3.3.4.2. Human Resources will facilitate training for employees in respect of this Policy.
- 3.3.4.3. This Policy will be posted electronically as well as in visible and accessible locations on the College's campuses.
- 3.3.4.4. Human Resources shall be responsible for the costs associated with administrating this Policy and complaint procedure, and the cost of mediators and investigators.
- 3.3.4.5. Annual Monitoring Report

Human Resources will provide an annual report to Senior Leadership Council summarizing the frequency and types of complaints under this policy, with comparative trend information where possible. Information provided will take into account the need to ensure confidentiality where appropriate.

3.4. Multiple Proceedings

- 3.4.1. Where the subject matter of a complaint is more appropriately dealt with under another College policy (e.g. the Harassment and Discrimination Prevention Policy and Complaint Procedure, Safe College Campus Policy, Student Code of Conduct, Student Complaints and Concerns), the Coordinator may exercise her/his discretion not to deal with the complaint under this Policy and suggest that it be dealt with and decided under another appropriate Policy. The Coordinator may assist the individual in contacting the Administrator of the appropriate Policy.
- 3.4.2. Where the circumstances which have given rise to a complaint are also the subject matter of another procedure (e.g. the Harassment and Discrimination Prevention Policy and Complaint Procedure, Safe College Campus Policy, Student Concerns and Complaints) the Coordinator will work with the Administrator responsible for the application of the other Policy to determine under which policy the matter shall be dealt with first.

3.4.3. Where criminal proceedings are initiated against a respondent based on the allegations in a complaint that fall within the scope of this Policy, the College will conduct its own independent investigation, if possible, into the allegations and make its own determination in accordance with this Policy.

3.5. Reprisal or Retaliation

Substantiated incidents of reprisal or retaliation are contrary to this Policy and will result in disciplinary actions or sanctions.

3.6. Vexatious or Bad Faith

Vexatious or bad faith complaints are contrary to this Policy and will result in disciplinary actions or sanctions.

3.7. Redress and Sanctions

Where a complaint has been substantiated or where it has been determined that the complainant filed a complaint that was vexatious or made in bad faith, appropriate corrective or disciplinary action will be taken by the College. Such action may include but is not limited to: an apology, counselling, education/training, warning, suspension without pay, leave without pay, demotion, transfer, termination of employment.

3.8. Recourse to Grievance Procedure

Nothing in this Policy is intended to prevent a complainant from using the grievance procedure available in the collective agreement, if applicable.

4. REFERENCES

Freedom of Information and Protection of Privacy Act

College Policies:

1-B-09	Harassment and Discrimination Prevention
1-D-04	Anonymous Communications
1-D-05	Safe College Campus
1-I-15	Residence Policy
1-K-01	Acceptable Use of College Computing Resources and Infrastructure (<i>formerly 1-F-08</i>)
2-G-01	Student Code of Conduct
2-G-02	Student Appeal of a Grade or Other Academic Decision
2-G-03	Student Concerns and Complaints
2-G-04	Academic Offences

5. APPENDICES

- 5.1 Appendix A: Complaint Procedure
- 5.2 Appendix B: Complaint Form

APPENDIX A

FANSHAWE COLLEGE RESPECTFUL COLLEGE COMMUNITY

Complaint Procedure

The Parties

The parties to a Complaint are: (i) the Complainant: an individual who makes a complaint pursuant to this Policy and (ii) the Respondent: an individual who is named in a complaint made pursuant to this Policy as a person responsible for the alleged comment or conduct that is contrary to this Policy.

Time Limits

Complaints must be filed within six months of the last incidents giving rise to the complaint. In extenuating circumstances, a complaint filed beyond the six-month limitation may be considered. All other time limits prescribed in this procedure may be extended with the agreement in writing of the parties or by the Coordinator where reasonable circumstances exist for extending the time limits. In these circumstances the parties will be advised of the reasons and notified of the duration of the extension.

Assistance for the Parties

- (i.) Individuals involved in the complaint process at any stage, while not required, may seek assistance/support from, and/or be accompanied by, another person of his/her choice (for example a trusted friend, a union representative, a member of the executive of the Student Union, as applicable).
- (ii.) When another person will be attending any step of the process with a party to a complaint, that party must advise the Coordinator, in writing, at least 3 days in advance of any meeting, of the identity of the person. The other person will not be permitted to speak or advocate on behalf of the party, subject to any applicable collective agreement. In the event that a party chooses to retain legal counsel, or another paid advisor, to attend with him/her, the party shall be solely responsible for the cost incurred.
- (iii.) Where appropriate, the Coordinator will provide complainants, respondents and others affected by the investigation with information regarding counselling services available through the College or through outside agencies.

Interim Measures

In certain situations, such as where the safety of an individual or the community may be at risk, it may be necessary to take immediate measures to address the circumstances. Such interim measures may include involving the College's campus security and/or the police, relocating the respondent or placing him/her on a non-disciplinary suspension with pay pending the outcome of the investigation. The implementation of interim measures may mean that the certain aspects of this procedure, including confidentiality, will be set aside.

Confidentiality

- (i.) Confidentiality with respect to complaints will be maintained to the greatest extent possible, having regard to the circumstances giving rise to the complaint and subject to the College's obligation to conduct a thorough investigation.
- (ii.) A complainant is not entitled to complete confidentiality or anonymity. The respondent will be informed of the identity of the complainant.
- (iii.) Parties and witnesses are expected to keep information discussed confidential (aside from discussing the information with her/his personal advisor and close family members/partner). Unwarranted breaches of confidentiality will result in disciplinary action or sanctions.
- (iv.) Confidentiality with respect to the findings of an investigation will be maintained, except to the extent necessary to implement and/or defend the corrective and/or disciplinary action taken, or as required by law.
- (v.) Where corrective or disciplinary action is taken against either the complainant or the respondent, the other party will be advised that action has been taken, but will not be provided with the particulars of that action.
- (vi.) Documentation regarding corrective or disciplinary action taken will be maintained by the College.
- (vii.) Subject to the provisions of the *Freedom of Information and Protection of Privacy Act*, and as required by law, documentation and records pertaining to a complaint will be held in strict confidence in files maintained by the Coordinator.

Stages of the Complaint Process

The following process will apply to complaints made pursuant to this Policy. Where the complainant so desires, a complaint may be withdrawn at any time during the process described below. Depending on the circumstances, the College may continue to act on an issue arising in a complaint even when it has been formally withdrawn.

1. Stage One – Individual Action – OPTIONAL

As an initial step, the complainant may advise the respondent(s) that her or his actions are unwelcome and ask the respondent to stop. Confronting the respondent(s) is not required under the Policy. If the complainant chooses to raise the matter with the respondent(s), she or he should describe the behaviour that is unwelcome clearly and directly as well as its impact, and should ask the respondent(s) to stop. The complainant may also consider writing a letter to the respondent(s) regarding the unwelcome behaviour or conduct or have a trusted friend communicate with the respondent(s). A detailed record of any discussions with the respondent(s) or copy of any correspondence provided to the individual should be retained by the complainant.

2. Stage Two – Informal Resolution

- 2.1. If the complainant does not wish to approach the respondent(s), or if after speaking with the respondent(s), the offensive behaviour continues, the complainant should contact the Coordinator, or the complainant's immediate supervisor, another manager, union steward, faculty member, staff member, or college counsellor who will direct the complaint to the Coordinator. Once contact is made, the complainant will be provided with a copy of this Policy and Procedure and will provide the Coordinator with the following information:
 - the name of the respondent(s)
 - the nature of the complaint setting out the alleged conduct
 - the time and date of the incident(s) giving rise to the complaint;
 - the names of any witnesses to the incident (s) given rise to the complaint; and
 - the resolution the complainant is seeking
- 2.2. The Coordinator will advise the complainant whether, based on the information provided, the complaint falls within the jurisdiction of the Policy.
- 2.3. Where, based on the information provided, an informal resolution is appropriate, the Coordinator, may recommend an appropriate informal dispute resolution mechanism which, if successful, will effectively resolve the complaint in a timely and fair manner. This dispute resolution mechanism may take the form of the Coordinator meeting with the parties to act as an informal mediator, arranging for another individual to assist in the resolution of the complaint or suggesting other such actions as may be appropriate in the circumstances. If the complainant and respondent are agreeable, such a mechanism will be pursued.

3. Stage Three – Formal Written Complaint/Investigation

- 3.1. Failing informal resolution of the complaint, the complainant may submit a written and signed formal complaint to the Coordinator.
- 3.2. On receipt of a written complaint, the Coordinator shall:
 - (a) Within ten (10) College business days of receipt of the complaint, meet with the complainant to clarify the details of her/his complaint, if necessary.
 - (b) Within ten (10) College business days of that meeting, the Coordinator shall advise the complainant if the complaint will be pursued under this Policy and if not, the reasons for not pursuing the complaint or suggesting a more appropriate forum.
 - (c) Within ten (10) College business days of the Coordinator advising the complainant that the complaint will be pursued under this Policy, the Coordinator shall inform the respondent in writing of the complaint, provide a copy of the complaint and this Policy and procedure and advise the respondent to provide a written response to the allegations within ten (10) College business days.

- (d) Within ten (10) College business days of the Coordinator receiving the respondent's response, the Coordinator shall meet with the respondent to clarify the details of her/his response, if necessary.
- (e) Within ten (10) College business days of the Coordinator having received all submissions and clarifications, the Coordinator will identify the steps to be taken to resolve the matter.
- (f) If the Coordinator deems formal mediation appropriate, it will be offered to the complainant and the respondent. If the complainant and respondent both consent, the College will arrange for a mediator. If a mediated settlement is reached, the terms of the settlement shall be reduced to writing and be signed by the complainant, respondent and the mediator. If the settlement requires any action on the part of the College, the settlement will require the agreement of the Director of Human Resources or designate. Discussions between the parties at mediation will be treated as discussions carried out with a view to affecting a settlement and will be treated as privileged to the full extent permitted by law.
- (g) If mediation is not pursued or is unsuccessful, the Coordinator shall appoint an investigator and shall notify the parties of the identity of the investigator.
- (h) The investigator shall commence the investigation within ten (10) College business days of the date of the appointment. Any objections to the appointed investigator may be made by the parties within two (2) College business days of notification of appointment. Only objections based on substantive issues such as conflict of interest or bias against a party will be considered.
- (i) The investigator shall commence within ten (10) College business days of the date of the appointment. The Investigator will:
 - (i.) interview the complainant and the respondent and obtain signed statements;
 - (ii.) interview the witnesses suggested by the parties and obtain signed statements;
 - (iii.) interview other witnesses who may provide relevant information for the investigation and obtain signed statements;
 - (iv.) gather written, electronic or other evidence;
 - (v.) submit, within forty-five (45) College business days from his/her appointment, a written investigation report containing a concise summary of the findings of the investigation to the Coordinator.

If required, the investigator may request an extension of this time frame. The Coordinator will advise the parties if additional time to complete the investigation and the report has been granted.

4. Stage Four – Investigation Report/Summary of Findings/Disposition

4.1. Disposition Meeting

Within ten (10) College business days of receiving the investigator's report, the Coordinator will forward a copy of the investigation report to the Director of Human Resources or designate and will arrange a meeting with the Director of Human Resources or designate, and anyone else who the Coordinator determines will add value to the process. The purpose of the meeting will be to determine what action, if any, the College will take to bring closure to the Complaint.

4.2. Written Notification

Within five (5) College business days following the meeting, the Director of Human Resources or designate will provide the complainant and the respondent with a written summary of the investigator's finding. Each party will be advised what action, if any, that relates directly to that party, the College will be taking to bring closure to the Complaint.

4.3. Redress and Sanctions

Where a complaint has been substantiated or where it has been determined that the complainant filed a complaint that was vexatious or made in bad faith, appropriate corrective or disciplinary action will be taken by the College. Such action may include but is not limited to: an apology, counselling, warning, education/training, suspension without pay, leave without pay, demotion, transfer, termination of employment.

APPENDIX B

**FANSHAWE COLLEGE
RESPECTFUL COLLEGE COMMUNITY
COMPLAINT FORM
- Part I-**

Complainant's Name

Confidential Information – will not be shared

Address:
Telephone:

Student ___ Staff ___
Faculty ___ Other ___
Department/Program:
Campus:

Respondent's Name

Confidential Information – will not be shared

Address:
Telephone:

Student ___ Staff ___
Faculty ___ Other ___
Department/Program:
Campus:

**FANSHAWE COLLEGE
RESPECTFUL COLLEGE COMMUNITY
COMPLAINT FORM
- Part II -**

Nature of Complaint

In your own words, please indicate the details of your complaint. If you would like to provide a more detailed description, please attach to this form.

Please describe what actions, if any, that you have taken to try to resolve this problem.

What resolution are you seeking?

Signature of complainant:

Date:

Please note that this document and any attachments to it that you provide in the course of filing a complaint will be held in confidence by the College. The complaint form and its attachments will be disclosed to the respondent named in the complaint and to the investigator and mediators appointed to assist with the resolution of this complaint, as outlined in the policy procedures. Your signature confirms that you have been made aware and give permission for the above use of this information.

FANSHAWE COLLEGE POLICY MANUAL

2. ACADEMIC POLICIES AND PROCEDURES SECTION G – STUDENT RIGHTS AND RESPONSIBILITIES

TITLE:	Student Code of Conduct
POLICY NUMBER:	2-G-01
EFFECTIVE:	January 1, 2011 (Nov. 17, 2010 - CC-10-03)
APPROVAL/REVIEW MEETING:	Oct. 12, 1990 (CC-90-02), Dec. 4, 1996 (SA-96-03), May 28, 1997 (CC-96-08), Dec. 16, 1998 (CC-98-04), Sept. 1, 2003 (CC-02-04), Aug. 1, 2008 (CC-07-05)
NEXT REVIEW:	November 2015
DEPT./DIV./COMMITTEE RESPONSIBLE:	Office of the Registrar/College Council
RESCINDED:	

1. PURPOSE

The purpose of the Student Code of Conduct is to define the general standard of conduct expected of students, to provide examples of conduct that may be subject to disciplinary action by the College, to set out the disciplinary sanctions that may be imposed, and to describe the disciplinary procedures that the College will follow.

2. DEFINITIONS

Appeals Committee

“Appeals Committee” means a Committee constituted to hear the second level (final) Appeal from a decision.

Behavioural Contract

“Behavioural Contract” is a written agreement between the student and the Code of Conduct Administrator (CCA).

Business Day

A "business day" includes any day of the week, except Saturday, Sunday, or Statutory Holidays and any holiday as defined in the Academic Calendar.

Campus Chair

The Academic Manager responsible for a Regional Campus Operation (James N. Allan Campus, Oxford County Campus and St. Thomas/Elgin Campus).

Code

"Code" means the Fanshawe College Student Code of Conduct.

Code of Conduct Administrator (CCA)

The “Code of Conduct Administrator” is appointed by the Registrar of the College, and is responsible for administering the Student Code of Conduct.

Conduct Probation

"Conduct Probation" is an order issued to a student containing specific terms and conditions.

College

"College" means The Fanshawe College of Applied Arts and Technology.

College Campus

"College Campus" means any real property, including the grounds, buildings, structures, and facilities, which is owned or leased/licensed, operated, and/or used under the aegis of the College.

College Community

"College Community" includes employees, students, members of the Board of Governors, members of committees established by the College, volunteers, contractors, individuals providing service or research, individuals who use/rent College facilities, visitors, applicants, and/or guests.

College Official

"College Official" includes Deans, Chairs, Directors, Managers, the CCA, faculty, and other staff responsible for directing the activities of students, and members and/or agents of Campus Security Services, or their designated representative of any of the foregoing.

Complainant

"Complainant" includes any member of the College Community who has reason to believe that a Student has committed an offence and who makes a complaint or initiates a procedure under this Code.

Conduct Report

"Conduct Report" refers to the form that sets out the decision with respect to a complaint under this Code.

Encumbrance

An "Encumbrance" is a notation on a student's Academic Record which may result in the withholding of student's grades or other indicators of academic attainment, which may also include the withholding of transcripts, and denial or termination of registration, until the CCA is provided with satisfactory evidence that the condition giving rise to the encumbrance has been complied with, satisfied, or no longer applies, or that arrangements satisfactory to the College have been made to comply with or satisfy the condition.

Expulsion

"Expulsion" is an order which immediately terminates any contractual relationship with the College and terminates all College activities.

Meeting

Meeting refers to a meeting conducted between the CCA and the student accused of violating the Policy and gives the student an opportunity to present evidence that explains event or disputes the allegation(s).

Interim Suspension

“Interim Suspension” may be imposed on a student pending an investigation of a complaint of misconduct.

Local address

"Local address" includes any other addresses for a student that are recorded in the College's registration records in respect of which there are reasonable grounds to believe that correspondence sent to that address will come to the attention of or be forwarded to the student in a timely fashion.

Longer term Suspension

A “Longer term Suspension” is an order requiring a student to withdraw from enrolled courses.

Major Misconduct

"Major Misconduct" is conduct which breaches the Students' express or implied obligations as set out in the Student Code of Conduct, and is also threatening, aggressive, harassing, violent, or harmful, or potentially harmful to property or individuals. It also includes recurring minor misconduct

Minor Misconduct

"Minor Misconduct" is conduct which breaches the Students' express or implied obligations as set out in the Student Code of Conduct, which is not deemed to be major misconduct.

Office of the Registrar

The “Office of the Registrar” is the College department which is vested with the custody of Students’ permanent Academic records and Conduct Reports and supporting documentation issued under this Code.

Oral Warning/Temporary Dismissal

An “Oral Warning/Temporary Dismissal” may be issued to a student for disruption of College activities, including instruction activities.

Permanent/home address

"Permanent or home address" means the address recorded in the College's registration records as the address for the student.

Prohibition

“Prohibition” is an order which prohibits former students from participating in all College activities.

Restitution Order

A “Restitution Order” is an order requiring a student to make compensation.

Student

For the purposes of this policy, a "Student" is an individual who has accepted admission to a course or program at the college and remains an active student until that person has completed, successfully or unsuccessfully, the course or has graduated from the program. Notwithstanding the foregoing, where a complaint has been made against an individual for behaviour that is alleged to have occurred while the individual was an active student, the individual will be deemed to be a student for the purposes of the Code of Conduct only until the complaint and appeal processes have been completed.

Short –term Suspension

“Short-term Suspension” is a suspension of 1 to 5 business days.

Violation Notice

“Violation Notice” is a written Notice that may be completed, given to a student, and filed with the CCA in relation to any minor conduct that is reasonably perceived by a College Official to be contrary to this Code.

Written Warning

“Written Warning” is a notice issued by the CCA.

3. THE POLICY

3.1. Scope of Code

- 3.1.1. In the exercise of its disciplinary authority and responsibility, the College treats students as free to organize their own personal lives, behaviour, and associations, subject to all local, municipal, provincial, and federal laws, and the policies of the College, including this Code of Conduct.
- 3.1.2. The Code applies to student conduct from admission to a course or program until that person has completed the course or graduated from the program, even though the conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrolment.
- 3.1.3. Nothing in this Code shall be construed to limit freedom of expression as provided by law, provided such activities are orderly, do not disrupt College operations, and do not unreasonably interfere with the right of other members of the College Community to use and enjoy the College’s learning and working environment and Facilities.
- 3.1.4. Whenever appropriate, the College encourages informal resolution of minor misconduct.
- 3.1.5. Professional organizations and associations affiliated with specific college programs may have standards of behaviour or a specific code of ethics which students may be responsible to understand and comply with. Any violations of the foregoing standards will be dealt with in accordance with the professional organization or association. Where breach of the foregoing standards is also a breach of this Code of Conduct, the student may be subject to disciplinary sanctions under this Code as determined by the CCA.

- 3.1.6. This Code applies to:
- 3.1.6.1. All Conduct that occurs on the College Campus
 - 3.1.6.2. Off-campus conduct at a College sanctioned event or when the Student is acting as a designated representative of the College or a student organization, club, or team, or under the direct or indirect supervision of the College. See policy 2-B-12 Mobile Learning, Tours and Field Trips
 - 3.1.6.3. Off-campus conduct which adversely affects the rights of a member of the college community to use and enjoy the College's learning and working environment and facilities or conduct which could adversely affect the health and safety of a member of the College Community.
- 3.1.7. Any Student who engages in misconduct either directly, indirectly or as an accomplice is subject to the disciplinary sanctions of this Code, regardless of the action or inaction of civil authorities. Nothing in this Code precludes the College from referring an incident to the appropriate law enforcement agency, including Campus Security Services before, during, or after disciplinary action is taken by the College under this Code.
- 3.1.8. All Students are also subject to all local, municipal, provincial, and federal laws, and/or civil proceedings notwithstanding, and in addition to, disciplinary action taken by the College.

Multiple Proceedings

- 3.1.9. Where the circumstances giving rise to the complaint are also the subject matter of another College Policy (e.g. an appeal under the Student Appeals of a Grade or other Academic Decision Policy 2-G-02) or Codes from affiliated organizations such as the Ontario College Athletic Association (OCAA) or the Residence, the CCA will work with the administrator responsible for the other Policy or Code to determine under which Policy or Code the matter shall be dealt with first.
- 3.1.10. Where the subject matter of the complaint is more appropriately dealt with under another College Policy or Code, the CCA may exercise his/her discretion not to deal with the complaint and recommends that it be dealt with and decided under the other Policy or Code.

3.2. Responsibilities:

3.2.1. Students

The College encourages Students to set for themselves the highest standards of behaviour both on and off campus. Specifically students are responsible for:

- Ensuring that their conduct aligns with this Code.
- Not jeopardizing the good order and proper functioning of the College's programs, activities and services or the interests and/or objectives of the college.

- Not endangering the health, safety, rights, or property of the College or College Community members.

Breach of these responsibilities may result in disciplinary sanctions.

3.2.2. Code of Conduct Administrator (CCA)

The CCA is responsible for administering the Student Code of Conduct including:

- Communication of findings.
- Determination of sanctions.
- Communication and application of sanctions.
- Informing students of their right to appeal and that appropriate supports are available from the Fanshawe Student Union to assist with student appeals.
- Management of student discipline records.
- Provision of education and awareness.
- Trend analysis.
- Preparation of an Annual report to be presented to College Council and to the College/Student Union meeting of all off-campus infractions of the Student Code of Conduct.
- Preparation of Other Reports as required.
- Liaison with students and staff regarding student behavioural issues.

The CCA shall compile all findings of misconduct and report annually to the Vice-President-Student Support. The report shall not include any personal identifiers.

3.2.3. Campus Security Services

Campus Security Services is responsible for:

- The management of minor violations.
- Assistance with resolving immediate misconduct.
- Investigation of all violations.
- Preparing an investigation report for the Coordinator, and
- Assistance with the enforcement of sanctions.

3.2.4. Community Members

Community Members are responsible for:

- Reporting incidents of apparent violations of this Policy to a College Official.
- Cooperating in the investigation, and/or resolution of complaints pursuant to this Policy.

3.2.5. Campus Chair

The Campus Chair may at the discretion of Campus Security Services be delegated some of the responsibilities of the Campus Security Services in this policy such as:

- Assigning minor violation notices.
- Assisting with investigation of violations, and
- Assisting with enforcement of sanctions.

3.2.6. Management and Other Employees

Managers and supervisors have a duty to:

- Act immediately on observations or allegations of breaches of this Code.

Employees and others responsible for directing the activities of students have a duty to:

- Act immediately on observations or allegations of breaches of this Code.

Employees and others responsible for directing the activities of students have a responsibility:

- To be familiar with this Code and its procedures and to inform staff and students about its existence.

3.3. Student Rights

- 3.3.1. In common with all other individuals in Ontario, Students enjoy rights under both the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms. That enjoyment is subject to such limits contained therein. In the latter case, it should be noted that the Charter of Rights and Freedoms guarantees the rights and freedoms set out therein, but such rights are subject to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. Such reasonable limits may include legal rights of property owners or rights of individuals to peaceful enjoyment of premises. The extent of a right or a freedom may reasonably vary with the circumstances so that an exercise of a right which may be appropriate in a public place may not be appropriate in an educational institution.
- 3.3.2. Students have a right to have College rules and regulations, and in particular this Code, adhered to by all Students. Students have a right to expect all other members of the College Community to meet the standard of acceptable behaviour outlined in this Code. In addition, Students may question, seek, review, or require an explanation of College regulations without fear of repercussion.
- 3.3.3. Students shall have certain procedural rights as set out herein. The procedural rights include giving the student an opportunity to respond to the allegations against her/him.

3.4. Examples of Prohibited Conduct

Without limiting the scope of the Student's responsibilities set out in 3.2, the following list sets out specific examples of prohibited conduct. This list is not meant to be exhaustive.

3.4.1. Disruption

Disruption or obstruction, by action, threat, written material, or by any means whatsoever, of any College activities, or other authorized activities on or in the facilities of the College; preventing any person from carrying on his or her legitimate activities, whether or not it involves speaking or associating with others.

3.4.2. Misconduct against persons and dangerous activity,

Misconduct against persons includes, but is not limited to:

- 3.4.2.1. assault, harassment, intimidation, threats, stalking, bullying, and coercion;
- 3.4.2.2. conduct that threatens or endangers the health or safety of any person;
- 3.4.2.3. disorderly or indecent conduct;
- 3.4.2.4. creating a condition that endangers the health, safety or well-being or any person; and
- 3.4.2.5. coercing, enticing, or inciting a person to commit an act that is humiliating or demeaning to that person or to others.
- 3.4.2.6. The use of information and communication technologies such as e-mail, cell phone, and pager text messages, instant messaging, personal Web sites, social networking sites, and online personal polling Web sites, to support harassing or hostile behaviour by an individual or group, or that is intended or has the potential to harm others, (e.g. cyber-bullying); and
- 3.4.2.7. Any unauthorized use of electronic or other devices to make or disseminate an audio or video record of any person without his/her prior knowledge, or without his/her consent when such a recording is likely to cause injury or distress.

3.4.3. Misconduct Involving Property

Misconduct involving real or personal property of the College or any member of the College Community, including but not limited to the following:

- 3.4.3.1. Entry and/or presence on any facilities of the College contrary to College regulations, or without express or implied authority, or contrary to an express instruction or direction from an authorized College Official including unauthorized entry into residence rooms of others.
- 3.4.3.2. Misappropriation, damage, unauthorized possession, defacement, and/or destruction of facilities or property of the College or the property of others;

- 3.4.3.3. Use of College facilities, equipment, or services contrary to express instruction or without proper authority;
 - 3.4.3.4. Misuse of College supplies and documents, including equipment, library and computer resources, keys, records, transcripts and permits;
 - 3.4.3.5. Use of College-owned, leased, or controlled computing equipment or facilities for purposes other than those for which the facilities have been provided or interference with the operations of such facilities;
 - 3.4.3.6. Tampering with emergency telephones, fire protection equipment, or emergency facilities (e.g., fire bells, fire extinguishers, fire hoses); disconnecting or blocking fire alarms; setting unauthorized fires, or raising a false fire alarm; blocking or wedging open fire and smoke doors on corridors or stairways;
 - 3.4.3.7. Obtaining, accessing, or disclosing all or any part of the confidential personal records pertaining to a member of the college community, or disclosing to others the content of such records, without that person's express consent.
 - 3.4.3.8. Using or permitting others to use College property, facilities, or resources to promote, engage in, or further an activity which contravenes any provision of the Criminal Code or any other local, municipal, provincial, or federal statutes
- 3.4.4. Acts of Dishonesty
Acts of dishonesty include but are not limited to the following:
- 3.4.4.1. Providing false information to any College official, office, or member of the teaching staff;
 - 3.4.4.2. Forgery, alteration, or misuse of any College document or record, or any instrument of identification.
Note: this provision does not supersede policy 2-G-04 Academic Offences.
- 3.4.5. Smoking, Alcohol and Drug Use
- 3.4.5.1. Smoking where smoking is prohibited;
 - 3.4.5.2. Illegal use, possession, or distribution of a controlled or restricted substance;
 - 3.4.5.3. Contravention of provincial liquor laws or the policies of the College governing the possession, distribution, and/or consumption of alcohol on the premises of the College;
 - 3.4.5.4. Entry upon premises of the College or involvement in any College activity in a state of intoxication or while under the influence of any substance prohibited by the Controlled Drugs and Substances Act.
- 3.4.6. Improper use of Dangerous Objects and Substances
Possession, display, use, or storage of firearms, other weapons, ammunition, and explosives, or replicas thereof, or of flammable solvents, bio-hazardous, volatile, or poisonous materials except in areas and for purposes expressly designated by authorized College Officials.

- 3.4.7. Failure to Comply
- 3.4.7.1. Failure to comply with directions of a College Official or law enforcement officer acting in the performance of his/her duties and/or failure to identify oneself to such persons when requested to do so.
- 3.4.7.2. Failure to comply with any sanction imposed by the College for misconduct under this Code.
- 3.4.8. Contravention of College Policies
Violation of published College of Policies and affiliated Codes including but not limited to those reference in section 3.2.1 of this policy.
- 3.4.9. Contravention of other Laws
Contravention of any provision of the Criminal Code or any other local, municipal, provincial, or federal statutes including without limiting the generality of the foregoing, all by-laws, regulations, and statutes.
- 3.4.10. Aiding or abetting
Aiding or encouraging others in the commission of an act prohibited under this Code, (including all municipal, provincial, or federal statutes), or attempting to commit an act prohibited under this Code.
- 3.4.11. Visitors
Failure to properly monitor the activities of a visitor whom the student invited to a College facility and/or failure to report misconduct by the visitor.
- 3.4.12. Abuse of process
Use of college policy or regulation for the purpose of harming another person in reputation or standing in the college.
- 3.5. Disciplinary Sanctions
The College may impose one or more of the following sanctions where a Student has been found to have breached the Code. Penalties imposed for misconduct will be appropriate to the nature and seriousness of the offence and will consider the student's offence history.
- 3.5.1. Oral Warning and/or Temporary Dismissal
- Disruption of College activities, including instructional activities.
 - May be dealt with by a College Official who may issue an oral warning, or
 - As appropriate, order a temporary dismissal of the student from the relevant area.
- Such temporary dismissals are for a period not exceeding one working day and shall be reported immediately to the Campus Security.

3.5.2. Violation Notice

In instances where the conduct in question or its effect is minor in nature, a Violation Notice:

- may be issued by a member or agent of Campus Security Services in lieu of or in addition to initiating any other proceedings under this Code.
- shall be given to the individual and a copy of the Violation Notice shall be filed with the CCA.
- may be considered in the review by the CCA of any subsequent incidents involving the student.

When a violation Notice has been issued, the student may request a hearing with the CCA if he/she disagrees with the Violation Notice.

Multiple violation notices may result in a more serious sanction.

3.5.3. Written Warning

A written warning is a notice issued by the CCA advising the student that:

- it has been determined that a violation of the Student Code of Conduct has occurred and that the incident has been documented.
- her/his conduct (act or omission) constituted a violation in contravention of the Code, and
- further incidents may result in Code sanctions.

3.5.4. Behavioural Contract

A behavioural contract:

- Is a written agreement between a Student and the CCA.
- Specifies conditions which must be met and adhered to by the Student to return to class, placement, or participation in a College approved activity.

Failure to meet the terms of the contract may result in suspension or expulsion of the Student.

3.5.5. Conduct Probation

Conduct Probation is an order that:

- is designed to permit the Student to attend classes, laboratories, and placements.
- is normally limited to Campus activities and
- may include specific terms and conditions

A Student who is on Conduct Probation is subject to suspension or expulsion if there are any further breaches of Code, other College Codes or Policies, or the Conduct Probation Order.

3.5.6. Restitution Order

A restitution order is an order requiring the Student to compensate the College, a member of the College Community, or any other affected party for loss or damage to property.

The Student's Academic Record is subject to an encumbrance until the CCA is provided with satisfactory evidence that order has been complied with or that arrangements satisfactory to the College have been made to comply with the Order.

3.5.7. Suspension

3.5.7.1. Short-term suspension

A Short-term suspension is:

- An order suspending the Student from participation in all or specified College activities, courses, or programs for the designated number of 1 to 5 business days.
- Furthermore, with the exception of residence students, and unless otherwise specified, no student shall be allowed to physically access the College Campus and any contravention thereof may lead to more severe sanctions being imposed.
- Residence students will have limited access to the Residence and food services.
- Electronic access to College on-line services will be continued during this period unless the alleged misconduct involves the misuse of such electronic services, in which case the student's access may be suspended at the discretion of the College.

3.5.7.2. Longer term Suspension

Longer Term Suspension is:

- An order requiring a Student to withdraw from an individual course or all courses in which the Student is enrolled and prohibits participation in any College activities or any combination of these for a period not less than the end of the current semester in which the Student is enrolled.
- This penalty will usually result in automatic failing (F) grades in affected courses in which the Student is registered, and no fees will be refunded for that semester.
- The opportunity to receive a "W" ("withdrawn") grade will also be forfeited. In some cases, the suspension may be deferred to the next semester and may extend up to one academic year.
- If the student is currently in Residence, the student will usually be removed from Residence with no refund of Residence fees for that semester.

3.5.8. Expulsion

Expulsion is an order that

- immediately terminates the Student's contractual relationship with the College.
- expels the Student from all College programs, courses, and activities.
- results in automatic failing (F) grades in all courses in which the Student is registered, and no fees will be refunded for that semester.
- Denies the student the opportunity to receive a "W" ("withdrawn")
- If the student is currently in Residence, the student will usually be removed from Residence with no refund of Residence fees for that semester.
- Is issued by the Registrar.
- Formal communication to the student of the expulsion, on the recommendation of the CCA and the student's Program Academic Manager, will be issued by the Registrar detailing the conditions of the expulsion.
- A Student who is expelled under this provision may reapply to the College as defined in policy 2-A-03 Admission of Students to College Applied Degree, Diploma, and Certificate programs.

3.5.9. Prohibition

Prohibition is an order:

- authorized by the Registrar, on the recommendation of the CCA and the Academic Program Manager of the former student.
- which prohibits former Students who breached the Code while they were Students, from participating in all College programs, courses and activities.

The duration of this sanction may be indefinite or for a specific period at the discretion of the Registrar dependant on the circumstances resulting in this sanction.

A former student who has been issued a Prohibition Order under this provision may reapply to the College as defined in policy 2-A-03 Admission of Students to College Applied Degree, Diploma, and Certificate programs.

3.5.10. No Trespass Notice

In situations where an expulsion, prohibition, suspension or interim suspension order is imposed, the person under this Code who imposed the sanction may also authorize the delivery of a notice under the Trespass to Property Act advising the student or former student that s/he must not trespass on College Property.

3.5.11 Conditions

Any sanction under this Code may be subject to the student satisfying such conditions as are reasonable in the circumstances. A student may also be required to satisfy such conditions as are reasonable in the circumstances prior to a decision at any level of the process being made on an appropriate sanction under this Code.

3.6. Confidentiality

- 3.6.1.1. Confidentiality with respect to complaints will be maintained to the greatest extent possible, having regard to the circumstances giving rise to the complaint and subject to the College's obligation to conduct a thorough investigation and subject to the requirements of the law.
- 3.6.1.2. Parties and witnesses are expected to keep information discussed confidential (aside from discussing the information with her/his personal advisor and close family members/partner). Unwarranted breaches of confidentiality will result in disciplinary action or sanctions.
- 3.6.1.3. Confidentiality with respect to the findings and the sanction will be maintained, except to the extent necessary to implement and/or defend, or as required by law.

3.7. Protection From Reprisals

In order to protect individuals who make use of this Policy or participate in proceedings as part of the appeals procedure, the College prohibits reprisal or threat of reprisal against these individuals. Individuals who violate these provisions shall be subject to discipline or other corrective action.

4. REFERENCES

- [1-B-09](#) Harassment and Discrimination Prevention
- [1-B-46](#) Respectful College Community
- [1-D-03](#) Corporate Health and Safety
- [1-D-05](#) Safe College Campus
- [1-F-01](#) Use and Sale of Tobacco Products on College Property
- [1-F-05](#) Parking and Traffic
- [2-A-08](#) Confidentiality of Student Information
- [2-A-09](#) Accommodation of Applicants and Students with Disabilities
- [2-B-12](#) Mobile Learning, Tours and Field Trips
- [2-C-06](#) Academic Withdrawal and Termination
- [2-E-01](#) Student Fees
- [2-G-02](#) Student Appeal of a Decision Affecting Academic Standing or Progression
- [2-G-03](#) Student Concerns and Complaints
- [2-G-04](#) Academic Offences
- [2-I-01](#) London Campus Library Policy, Part I – Print Materials
- [2-J-03](#) Complaint Policy for the Ombuds Office

5. APPENDICES

Appendix 1 – Complaint Process

APPENDIX 1 COMPLAINT PROCEDURE

1. Complaint Procedure

1.1.1. The Parties

The parties to a Complaint are:

- i) The Complainant: an individual who makes a complaint pursuant to this Code and
- ii) the Student: an individual named in a complaint who is alleged to have violated this Code.

1.1.2. Time Limits

Complaints should be made as soon as possible but within 20 business days after the circumstances giving rise to the complaint. In extenuating circumstances, a complaint filed beyond the 20 business day limitation may be considered. All other time limits prescribed in this procedure may be extended with the agreement in writing of the parties or by the CCA where reasonable circumstances exist for extending the time limits. In these circumstances, the parties will be advised of the reasons and notified of the duration of the extension.

1.1.3. Assistance for the Parties

- 1.1.3.1. Individuals involved in the complaint process at any stage, while not required, may seek assistance/support from and/or be accompanied by another person of her/his choice (for example a trusted friend or a member of the executive of the Student Administrative Council).
- 1.1.3.2. The role of the support person is to act as a resource and provide support/advice to the party. The support person will not be permitted to speak or advocate on behalf of the party. In the event that a party chooses to retain legal counsel, or another paid advisor, as her/his support person, the party shall be solely responsible for the cost incurred.
- 1.1.3.3. Where appropriate, the CCA will provide complainants, students, and others affected by the investigation with information regarding counselling services available through the College or through outside agencies.

1.1.4. Interim Suspension

The CCA or Campus Security Services may impose an interim suspension on a student pending an investigation of a complaint of misconduct. The CCA or Campus Security Services will consult with the academic manager of the program in which the student is registered and with any other relevant stakeholders. Interim Suspension may be imposed where:

- it is reasonably necessary to ensure the safety and/or well-being of members of the College Community or to ensure the preservation of property of the College or a member of the College Community; or
 - it is reasonably necessary to ensure the student's physical or emotional safety and/or well-being; or
 - there are reasonable grounds to suspect that the student poses a threat to, disruption of, and/or interference with the normal operations of the College or the rights of members of the College Community to use and enjoy the College's learning and working environment and facilities.
- During a period of interim suspension, a student may be denied physical access to specified College facilities, (including classes), and/or any other College activities or privileges for which the Student might otherwise be eligible, as the CCA may determine to be appropriate. Electronic access to College on-line services will be continued during this period unless the alleged misconduct involves the misuse of such electronic services, in which case the student's access may be suspended at the discretion of the College).

1.1.5. Stages of the Complaint Process

The following process will apply to complaints made pursuant to this Code. Where the complainant so desires, a complaint may withdraw at any time during the process described below. Where circumstances warrant, the College may continue to act on an issue arising in a complaint even when it has been formally withdrawn.

1.1.5.1. Precipitating Event

When a student breaches or is suspected of breaching the Code, the College Official who observes, suspects, or has a report of the breach shall take appropriate action.

In the case of minor misconduct, a temporary dismissal or violation notice may be issued by the College Official.

1.1.5.2. Complaint Procedure

Any person may notify a College Official of an alleged violation of the Code and he or she will notify the Campus Security Services.

Where appropriate, informal resolution of the complaint is encouraged.

Where informal resolution is not appropriate or does not resolve the matter, Campus Security will conduct an investigation.

1.1.5.3. Investigation

Campus Security Services will investigate the alleged violation. In conducting the investigation, Campus Security will interview the complainant, any witness, and the student, giving the student an opportunity to respond to the allegations against him/her.

Campus Security will complete an investigation report setting out the findings of the investigation as soon as possible and forward it to the CCA.

Campus Security Services will inform both the Chair and the CCA when an investigation has been initiated.

1.1.5.4. Meeting

The CCA will advise the student, within 5 business days of receiving the Investigative report, of the allegations against him or her in writing and provide the student with an opportunity to respond to the allegations either as a written submission or at a meeting with the CCA.

For purposes of a violation notice, a student may request a meeting within 5 business days of receiving the notice from Campus Security Services.

If the student does not provide a written submission in response to the allegations or does not meet with the CCA after having been given a reasonable opportunity to do so, the CCA will proceed to dispose of the complaint without such a response or meeting.

If the student raises new facts or other issues that may be relevant to the resolution of the matter, the CCA may undertake further investigation into the newly raised issues. In an appropriate case, the CCA may refer the matter back to Campus Security Services to conduct further investigations and to issue a revised investigation report. The CCA is under no obligation to issue a decision under section 1.1.5.5 until any newly raised fact or other issue has been investigated and resolved to the satisfaction of the CCA.

1.1.5.5. Finding

The CCA will review the information from the investigative report provided by Campus Security Services and conduct any additional enquiries as necessary. Based on this information, the CCA will make a decision as to the guilt or innocence of the student.

In determining if there has been a violation of the Code, the decision will be based on a balance of probabilities, meaning the evidence shows it is more likely than not the alleged violation occurred.

1.1.5.6. Sanction

Where there has been a finding that the student's conduct violated the Code, the CCA may impose an appropriate sanction or sanction(s) as soon as possible, having regard to all the relevant circumstances including, but not limited to, the seriousness of the offence, the impact of the misconduct on the College, the College Community or any individual specifically affected by the misconduct, prior violations of the Code or other College Codes or Policies, and the impact of the penalty on the student's education.

While considering possible sanctions, the CCA will consult and possibly involve the appropriate Dean and may consult with other relevant stakeholders in determining the appropriate sanction(s).

The CCA may direct that a sanction commence at the beginning of the Student's next term if a Student's registration at the College is interrupted for any reason.

The decision of the CCA, with brief reasons for the decision, shall be communicated in writing to the student by way of a Conduct Report. The Conduct Report shall include a brief description of any referral to the Registrar under this section, along with the result of the referral.

Where the CCA is of the view that expulsion or prohibition is the appropriate sanction, the CCA shall inform the Registrar in writing of the proposed sanction, including the reasons why the CCA has determined it would be appropriate. The CCA shall also provide the Registrar with a copy of the investigative report. If the Registrar agrees that expulsion or prohibition is the appropriate sanction, the Registrar shall impose the sanction on the student. If the Registrar does not agree that expulsion or prohibition is appropriate, the Registrar shall remit the matter to the CCA who shall decide upon a lesser sanction. In coming to his or her decision, the Registrar may, in his or her sole discretion, choose to meet with the student prior to issuing a decision.

The student may appeal the decision of the CCA or Registrar, as the case may be.