

Residence Standards

Academic Year 2020-2021



Housing and Residence
Life Services
CARLETON UNIVERSITY

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Land Acknowledgement:

Carleton University is situated within the unceded territories of the Algonquin people. For generations Algonquin people have lived in the region now known as Ottawa and in the surrounding area. Today, Algonquin culture and traditions are celebrated and influence the culture at Carleton University. In the spirit of truth and reconciliation, we encourage you to learn about the people whose territory you are now living in and to reflect on how you can be appreciative and respectful in your time here.

Introduction:

The well-being of the Residence community rests on the balance of the community's ability to respect the needs of the individual, and the individual's ability to respect the needs of the community. We are committed to developing and maintaining a diverse and inclusive environment, wherein the dignity of all members of the Residence Community is respected. Accordingly, it is essential and expected that all members of the Residence Community conduct themselves, whether online virtually or in-person, in a manner that is consistent with Carleton University's policies and the Residence Standards outlined in this document.

This will be achieved through opportunities for intentional interactions and establishing respectful relationships all while working toward shared values to better the communities in which you live. Residence Life Staff work with residents to facilitate skill development in areas including personal development, positive relationships and community engagement. This is best achieved when every individual values their rights and the accompanying responsibilities shared by all. The following guiding principles describe your rights, privileges, and accompanying responsibilities as a resident within the Residence community.

Residence Student Conduct Philosophy:

Our residence student conduct program embodies a 360-degree approach to student conduct that incorporates accountability, support, and positive contributions to the community into one comprehensive approach. Through engagement and reflection, this process provides residents with the opportunity to be accountable to their community and to contribute to the high standards and expectations of living in Residence. This philosophy is supported by Carleton University Residence's commitment to every individual's equality in relation to their dignity and worth. Each individual will be provided with equal rights and opportunities without discrimination or harassment. Association or behaviour related to harassment, bullying, sexual assault, hazing, or violence will not be tolerated.

Community Living:

All members of a community are responsible for taking reasonable measures to ensure the health, safety, security, and well-being of themselves and others. This includes, but is not limited to, supporting an environment free of disruptive, harmful, or threatening behaviour and reporting suspicious activities such as unaccompanied strangers in Residence spaces. A resident who perceives any possibility that a person may be in danger or pose a risk should immediately contact Campus Safety Services. All members of the Residence community have the responsibility to report Residence Standards violations to a Residence Staff member.

***Note:** The community living parameters described above also apply to any online virtual community conduct while living in the residence community.

Limits of Support:

When a resident exhibits unacceptable behaviour and/or mental health needs, beyond the scope and expertise of what may reasonably be provided by the Department of Housing and Residence Life Services, appropriate action may be taken, and/or accommodation may be made, in consultation with the resident and other relevant Student Service departments, including the Vice-President (Students and Enrolment) and the Student At Risk Evaluation Team (SARET). Where the behaviour and/or needs cannot be accommodated because it is deemed that continued occupancy could place the individual or other residents at unacceptable risk, the Department of Housing and Residence Life Services may take action that can include, but will not be limited to:

- Suspension from the Residence;
- Termination of the Residence Agreement and/or restriction of future applications to live in Residence.

Relocation, suspension, termination, or restriction of Application will only occur when other accommodations have been unsuccessful or where the severity of the behaviour demands immediate response, as determined by the University. Suspension or Termination will be implemented only after a review and referral process is completed for each case by the Department of Housing and Residence Life Services.

Disclosure of Information:

Staff who work in the Department of Housing and Residence Life Services are restricted from providing any information regarding Residents to third parties (including parents and/or guardians). Room numbers, addresses, phone numbers, account balances, student conduct history, grades, confirmation of occupancy, etc., are all considered private information under the Freedom of Information and Protection of Privacy Act (FIPPA), and cannot be released without a resident's written permission. FIPPA applies to all students, regardless of their age status as a minor.

Under FIPPA it should be noted that in circumstances where the Department of Housing and Residence Life Services staff have extraordinary concern(s) about a student's wellness and where the student is unable to make informed decisions and/or there is a legitimate concern about a student's safety or the safety of the broader community, the University can elect to contact a student's parents/guardian/emergency contact without their consent. Support in making the appropriate decisions regarding when to contact a third party without a student's consent will typically be done in consultation with the University's Student At-Risk Evaluation Team (SARET) and with the Vice-President (Students and Enrolment).

Definitions:

Behaviour Contract: A set of behavioral conditions and restrictions, laid out in a contract to support a student's well-being and/or continued stay in residence. This document establishes conditions that help support a change to a student's behaviour and positively contribute to the Residence community.

Discrimination: A practice or action, whether intentional or not, and based upon prohibited grounds of discrimination under the Ontario Human Rights Code that imposes burdens, obligations or disadvantages on an individual or group that are not imposed on others, or that withholds or limits access to opportunities, benefits and advantages available to others.

Guest: Any person not holding a current Residence Agreement who has been invited into the Residence community by a host who is a current resident.

Harassment: Conduct that is abusive, demeaning, threatening, vexatious or intimidating or involves the misuse of authority or power that exceeds the bounds of freedom of expression or academic freedom.

Hazing: Any act that endangers, or could reasonably be seen to endanger the mental and/or physical health or safety of a student for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.

Private Areas: Any residence bedroom, suite, pod, or bathroom (excluding communal or visitor bathrooms).

Restitution: A monetary reimbursement to recover the loss or damage of Residence property as a result of an accident or incident.

Restricted Areas: Rooftops, ledges, balconies, basements, custodial rooms, electrical or IT rooms, elevator shafts and maintenance areas.

Sanction: Outcome(s) from the residence conduct process.

Service Animal: As defined by the *Accessibility for Ontarians with Disabilities Act (AODA)*: Any guide dog, signal dog or other animal individually trained and certified to assist a person with a disability. An animal is a service animal if the resident has a letter from a certified health professional verifying that the animal is required for reasons relating to their disability and the animal has the requisite training and certified.

Roles:

Advisor: A person who provides support to a student required to appear for a hearing through advice, guidance and/or moral support. The advisor is arranged by the student. For the purpose of this policy, the advisor may be the Ombudsperson, a representative from CUSA, RRRRA, GSA, or another student. The Advisor may also accompany the student to the hearing. The Advisor is not a party at the hearing and may not speak or act on behalf of the student.

Appellant: The student appealing a decision.

Assistant Director, Residence Life Services: Oversees Residence Life Staff, student staff and day to day operations of the Department of Housing and Residence Life Services.

Campus Safety Officer / Special Constable: Professional staff employed by Campus Safety Services who share the responsibility for safety and security of students. Many are Special Constables (peace officers), who have many of the same authorities as a police officer, but on campus.

Community Advisor: An upper year student staff who is a support and resource to students and student staff in their Residence community. They meet with students for violations of the Residence Standards, meet with positive contributors to the community as well as run educational workshops for students.

Community Manager: Community Managers are professional staff members who live in the Residence community and are responsible for a safe, healthy, and positive living environment for Residence students that promotes academic and personal success. They supervise the student staff and are a part of the 24-hour on call rotation.

Community Developer: A support and resource to students and student staff in their Residence community. They oversee all residence-wide initiatives and connect our Residence community with campus partners.

Carleton University Resolution Board (CURB): A board comprised of faculty, staff and students who hear appeals of the decisions of the Director of Housing and Residence Life Services.

Director, Housing and Residence Life: The Director, Housing and Residence Life oversees all aspects of Housing and Residence Life departmental operations.

Residence Fellow: Residence Fellows are upper year students living in the community and are the first contact and resource for their Residents. They develop a community that is conducive to learning, personal development, healthy relationships and community engagement.

Residence Manager: Residence Managers are professional staff members who live in the Residence community and are responsible for a safe, healthy, and positive living environment for Residence students that promotes academic and personal success. They supervise the student staff assigned to their communities and are a part of the 24-hour on call rotation.

Residence Peer Conduct Board: A board comprised of students with the responsibility of meeting with Residents and deciding outcomes for incidents in contradiction of the Residence Standards.

Residence Student Conduct Coordinator: The Residence Student Conduct Coordinator is responsible for effectively administering all aspects of student conduct within the Residence community.

Student Safety Patrollers: Upper year students who are members of Campus Safety Services and share the responsibility for safety and security of students.

Policies

Fundamental Standard:

All Residents and guests are responsible for upholding and abiding by municipal, provincial and federal laws, the Ontario and Canadian Human Rights Codes, all municipal by-laws of Ottawa and Carleton University Policies in addition to the Residence Standards.

COVID-19

All Residents are expected to comply with the emergency orders, policies, rules, laws, and regulations set out by Carleton University, the City of Ottawa, Ottawa Public Health, the Government of Ontario, and the Government of Canada in response to COVID-19, irrespective of whether the Resident believes they have contracted COVID-19.

Those in quarantine are expected to abide by the *Quarantine Act* S.C. 2005, c. 20 which may result in further follow up from Canadian Border Services Agency (CBSA) and/or Public Health Officials. Failure to comply with quarantine requirements may result in penalties, such as fines, being imposed.

All Residents must immediately isolate themselves and advise their Residence fellows (by phone or email) if they are experiencing any symptoms. Residents are required to follow any directives, including any requirements to get tested, sharing test results and isolating themselves.

Alcohol:

The Department of Housing and Residence Life supports responsibility and safe practices in the use of alcohol by students who are 19 years of age or older and make the choice to consume alcohol. The following Residence Standards exist to promote responsible consumption and discourage high-risk activities related to alcohol. In addition, these policies exist to reinforce provincial and federal laws regarding alcohol consumption and ultimately to ensure the safety of Residents and their guests.

Cannabis:

Adherence to University Alcohol and Cannabis Use Policy

- Carleton University does not permit students, staff, or members of the public to use cannabis on University property, including, but not limited to: public spaces, buildings, garages and/or residences.
- In addition, no person shall purchase, sell, cultivate, or distribute cannabis on University property, other than an authorized retailer under the *Cannabis License Act* with the express permission of the University.

Residence Specific Considerations

The Department of Housing and Residence Life supports responsibility and safe practices in the use of cannabis by students who are 19 years of age or older and make the choice to consume. The following Residence Standards exist to promote responsible consumption and discourage high-risk activities related to cannabis. In addition, these policies exist to reinforce provincial and federal laws regarding cannabis possession and consumption and ultimately to ensure the safety of Residents and their guests.

Controlled or Illegal Substances:

- In accordance with Federal law, possession, use, distribution or being under the influence of illegal drugs and/or use of medication for purposes other than those for which they were prescribed is not permitted in Residence.
- Evidence includes, but is not limited to, drug traces, illicit drug paraphernalia, or the smell of controlled substances. As a member of the Residence community, it is your responsibility to report any instances of inappropriate behaviour related to illegal or controlled substances.

Damages/Vandalism:

- You have the responsibility to report damages/vandalism to Residence Staff. If you are responsible for the damage, please contact your Residence Fellow immediately. Should there be something in your room that requires repair, please submit a work order by logging into eRezLife, locating the "Work Order" section or follow this link: https://carleton.erezlife.com/app/one.php?manager=incidentView&form_type_id=10168

Note: *The submission of a work order is considered written permission for Facilities Staff to enter your room to make appropriate repairs.*

- When the individual(s) involved in or responsible for damages or vandalism can be identified, they will be responsible for any applicable sanctions or repair charges.
- When the individual(s) involved in or responsible for damages or vandalism cannot be identified and repairs or cleaning are required, the charges will be billed equally to all residents in the room, section, floor as applicable. The minimum charge is \$10.

Fire Safety:

- You have the responsibility to evacuate the building at the time of a fire alarm. All residents, including those in quarantine, must immediately evacuate in a safe and orderly manner, with the exception of those who require assistance to do so. You will be given approval once it is safe to return inside by authorized personnel. If you require assistance immediately, call Campus Safety Services.

Fire Safety Equipment & Fires:

- Discharging, tampering with, or operating any fire prevention, detection or lifesaving equipment for any purpose other than the control of fire is strictly prohibited.
- The misuse of fire prevention and safety equipment is a serious violation of the Residence Standards outlined in this document and can result in you being suspended and/or the termination of your Residence Agreement, and/or criminal or regulatory prosecution. *Such equipment includes, but is not limited to:*
 - Fire extinguishers
 - Pull stations
 - Alarms
 - Heat or smoke detectors
 - Sprinkler heads
- You have the responsibility to exercise the utmost care while living in Residence. Any negligent or intentional fires started by any person can lead to a Resident's immediate eviction and/or liability for damages.

Note: *Open flames, smoke, or vapor are not permitted inside or within 10 meters of any residence building. This includes, but is not limited to, candles, incense, cigarettes, vaporizers, hookahs, and e-cigarettes.*

Guests:

Guests privileges in response to COVID-19 have been restricted. Until otherwise directed by Housing and Residence Life Services, **no overnight guests, and no off-campus guests, are permitted in Residence.**

Students in quarantine may not have anyone in their room other than authorized personnel.

Noise:

- All Residents within our community have the right to an environment that is conducive to sleep and study.
- Additionally, all members of the community have the right to request that excessive or unreasonable noise is minimized to a non-disruptive level.
- In keeping with this, all members of our community have a responsibility to ensure that noise is kept at a level that does not have a significant impact on the Residence community.
- At all times, including the exterior and common areas of the buildings, it is expected that noise will be kept to a level that contributes to an environment that is conducive to sleep and study.

Note: *Volume should be limited to a level in which it cannot be heard clearly outside of a residence room, pod, or suite. These noise level expectations are in effect at all times within the Residence Community.*

Animals in Residence:

- No pets of any kind are permitted in residence.
- Carleton University Residence is a high-density living environment with more than 3,600 beds. It is an animal-free community, as a number of our residents have allergies, a fear of animals, or are averse to sharing living spaces with them. Furthermore, the welfare of animals in Residence rooms can be of concern.
- The Department of Housing and Residence Life Services will consider and provide reasonable accommodations for Service Animals as may be required by the *Accessibility for Ontarians with Disability Act, 2005* (AODA). **Please note:** Housing and Residence Life Services is not able to accommodate requests for Emotional Support Animals (ESA). The Department will only consider accommodation for verified Service Animals as defined in the AODA.
- Residents seeking accommodation for a Service Animal must complete the application process outlined on the Housing and Residence Life website: <https://housing.carleton.ca/> and can contact Manager of Accommodation Services karen.haarbosch@carleton.ca for more information. **Please note:** this process only applies to Residence-specific accommodations. Requests for accommodation outside of Residence must be coordinated through the Paul Menton Centre

<https://carleton.ca/pmc/> and are subject to University policies governing the presence of animals on campus.

- In unique situations, where the presence of a Service Animal presents significant risk to another resident, the University will attempt to meet the needs of both residents in their situations to the extent possible and to devise an accommodation plan that enables both residents to access service and goods accordingly. Depending on the circumstances, in order to accommodate the individuals, individuals may be required to relocate to different parts of the community.

Room Entry:

Privacy is an important component to living in a community; however, there may be certain circumstances where entry into a resident's room is required as per the following:

- a. Law enforcement officers in the performance of their duties.
- b. Authorized personnel to ensure the health and safety of residents and to ensure all regulations and policies are maintained. These circumstances include, but are not limited to:
 - i. Believing a student to be in the room, but no longer physically or mentally capable of response.
 - ii. Reducing or preventing damage including, but not limited to, during a flood or after a pipe has burst.
 - iii. Verifying evacuation during a fire alarm or emergency.
 - iv. Sounding of an alarm within the room when the resident is not present.
 - v. Authorized personnel attending to make repairs. A report by the resident or by Facilities or Residence Staff of a damaged or broken item constitutes permission to enter the room or apartment to assess or make the repair.
 - vi. Authorized personnel performing inspections for caretaking, safety, and security, for preventive maintenance or for regular maintenance of buildings. Notice for such entry will be posted 24 hours in advance.
 - vii. Authorized personnel when there is a reasonable belief that a violation of Residence Standards, University policies, municipal bylaws, or applicable laws has or is being committed.

Outside of the circumstances listed above, anyone wishing to enter another resident's room must have written permission and must be in the presence of a Department of Housing and Residence Life Services staff member. Entry into the room will be through the use of a set of Department of Housing and Residence Life Services issued master keys.

Theft:

- In Residence, you are entitled to a reasonable amount of privacy and security of your possessions.
- You have the responsibility to take all necessary means to maintain the security of your community and possessions, including upholding the integrity of all floor and building entry points to your community and locking up valuables.
- Theft is not welcome in our community and is treated seriously within our student conduct process. The Department of Housing and Residence Life Services, in partnership with the Campus Safety Services addresses all concerns related to the integrity of our building access points.
- Students must play their part in maintaining the safety of our community, including reporting any suspicious behaviour to Campus Safety Services.

Unacceptable Behaviour: Discrimination, Bullying, Hazing, Violence, Harassment & Pranks:

- You have the right to a community based on mutual respect and acceptance, free from intimidation, harassment, or discrimination. The following section of this document highlights several Residence Standards expectations and violations related to unacceptable behavior. The following applies to both online virtual and in-person conduct and is not an exhaustive list.
- Housing and Residence Life Services reserves the right to address any behaviour that contravenes this document, University policies, including, but not limited to, the Student Rights and Responsibility policy, municipal bylaws, or provincial or federal legislation including, but not limited to, the Criminal Code of Canada. Violations will be addressed using the conduct processes outlined below at the University's sole discretion.
- Harassment is understood as engagement in behavior (including innuendo) by an individual or group who knows or ought to know the behaviour is unwelcome/unwanted by others. Harassing behavior may also occur online through chat/discussion groups, text, or social media (e.g. Twitter, Facebook, Instagram).
- You have the right to be safe from bodily harm, the threat of bodily harm or any form of threat or emotional harm, including, but not limited to, verbal, electronic messages, written messages, and graffiti.
- The University will not tolerate violence or the threat of violence.

Note: *It is expected that all employees of the University will be treated with respect at all times. Many of these employees live within the Residence community, and attempts to harass, intimidate, or threaten staff will not be tolerated.*

Weapons and Other Prohibited Items:

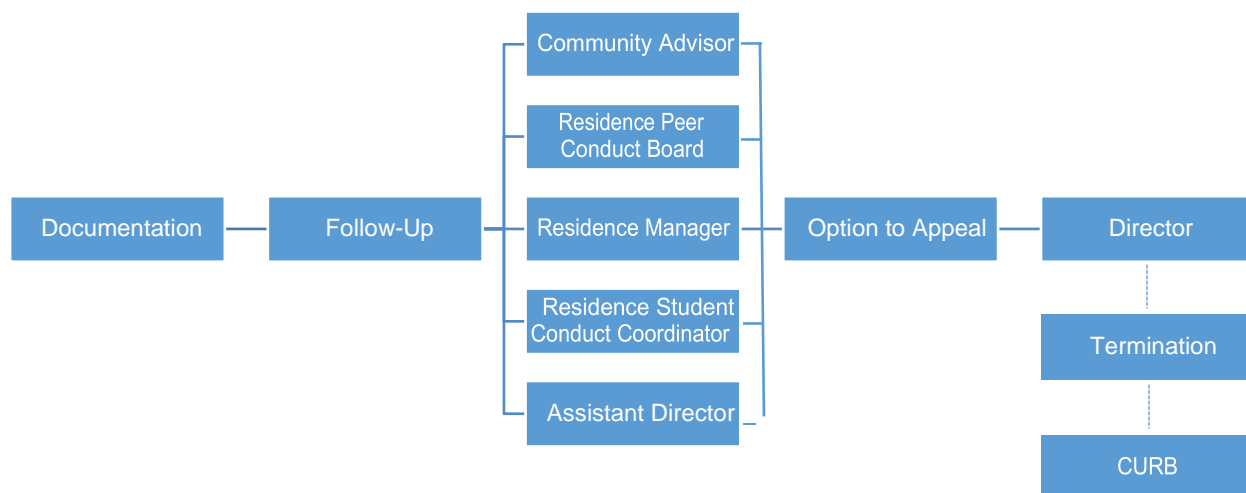
- Weapons and anything that may resemble a weapon are not allowed in Residence.
- Any items related to stolen property or the commission of a criminal offence are prohibited.
- Subwoofers are not permitted in Residence for any reason. The University reserves the right to require the removal of this equipment from the community in order to minimize impact on the Residence community.
- The use or possession of explosive or flammable material is not permitted in residence buildings. This may include, but is not limited to, items related to open flames, firecrackers, fireworks, lighter fuel, butane torches, and propane/gasoline tanks or other fire hazards.
- Accessories that promote or facilitate the swift or excessive consumption of alcohol or that may be used to brew/make alcohol are not permitted within the Residence community.
- Paraphernalia or equipment for the purpose of cultivation or processing of cannabis is not permitted within the Residence community.
- Appliances with an open heating element are not permitted in residence, with the exception of those with an automatic shut off. All appropriate appliances must be CSA approved and should be plugged directly into the wall without the use of an extension cord.

The above items are prohibited for possession or use on Residence by the Department of Housing and Residence Life Services and may be confiscated by Campus Safety Services.

Unauthorized Entry and Key / Access Cards:

- You have the right to a reasonable amount of privacy and security in your personal space. You, in turn, have a responsibility to respect the personal space and security of others. In keeping with this, it is an expectation that residents and guests do not enter or remain in residence rooms that are not their own without the permission of the occupant(s).
- In addition, it is an expectation that residents refrain from entering any restricted premises (including rooftops, maintenance rooms, and offices) without proper authority.
- To respect this principle of safety and security, it is an expectation that keys and access cards are only possessed and used by residents to whom they are assigned, and must not be shared, loaned, or copied for any reason.

Process for Alleged Violations/Decision Making:



Our student-centered conduct approach requires engagement from you in the process. Residence Life Staff and Campus Safety Services are responsible for submitting documentation of behavior suspected to be in violation of our Residence Standards and Policies. If you are involved in a situation you will be contacted by e-mail from a member of the Residence Life Staff to have a follow-up conversation about what has occurred. All attempts are made to execute this process in a timely and efficient manner.

You will be made aware of the alleged behaviour, and given an opportunity to respond, as well as discuss your involvement and responsibility. The focus of the conversation will be on the harms caused by the behaviour and the impact on the community. You will then have an opportunity to be a part of the decision-making process related to outcomes and next steps to determine how to best repair the harms to the community. You are afforded these basic elements of due process also including the right to an advisor, and the right to appeal.

Burden and Standard of Proof:

At each stage of the student conduct process prior to an appeal, the responsibility of establishing that there has been a violation of the Residence Standards (burden of proof) will be with the University. For an appeal, the burden of proof is with the Appellant. The standard of proof for decision-makers is a balance of probabilities. This means that in order for a fact to be established, or responsibility to be assigned to an individual, the evidence must show that it is more likely than not the alleged conduct occurred.

Outcomes/Sanctions/Workshops:

The follow-up to a situation will look different based on the details of the circumstances and the individuals involved. As noted in the Student Conduct Philosophy, a developmental and educational approach will be taken, focusing on student reflection, whenever possible. Possible outcomes may have different themes including community impact and engagement, education, restoring harms, or positively rebuilding relationships. You have the right to be a part of this process as outlined previously and you have the responsibility to engage with Residence Life

Staff to explore appropriate outcomes to situations in which you were involved.

Relocation:

A resident may be transferred to another room and/or building; for example, when their behaviour is disruptive to their community but does not warrant eviction from residence. This relocation is a mandatory and permanent change of room assignment within the Residence community. The intent of relocation is to allow the student a fresh start in a new environment. Normally 24 hours are allowed to complete the relocation, however, this time period may be shortened if warranted, as determined by the Director, Housing and Residence Life Services. A room relocation under these circumstances will be accompanied by a restriction upon that student from entering their original residence building, floor, and/or room.

Temporary Suspension:

The University reserves the right to bypass general procedures where immediate action is required because:

- A student's behaviour affects other residents of the community's use and enjoyment of their Residence privileges and facilities;
- There are reasonable grounds to believe that the safety of the Residence community is endangered;
- There is a high potential of physical danger posed by the student's continued presence;
- Damage to Residence property is likely; or
- The continued presence of the student would be disruptive.

Pending convening of a hearing, and in cases where there is a real and present danger or high potential to cause harm posed by a Resident, the Director, Housing and Residence Life Services or delegate, may impose a temporary suspension whereby the student may be removed from Residence, or take other interim measures as may be deemed appropriate.

Termination of Residence Agreement:

A Resident who has their Residence Agreement terminated must leave Residence within a time period determined by the University. The time period will reflect the seriousness of the violation, and the University's assessment of the risk to students and property within Residence.

Termination of the Residence Agreement can result from individual violations of the Residence Standards and may also result from less serious, but repeated violations. Students whose Residence Agreement has been terminated for violation of the Residence Standards will not be eligible for readmission to Residence in the future. Termination from Residence is also accompanied by a restriction from being in the Residence community. The Resident will receive a

letter outlining the reason(s) for the eviction as well as any conditions related to their removal from Residence, including appeal information.

Denial of Readmission:

Denial of readmission to Residence can be levied in cases. This sanction will be communicated in writing to the Resident, indicating the reason for the sanction and the period of time for which it will be in effect.

Appeals:

Residents have the right to appeal penalties and/or administrative decisions taken against them by the Department of Housing and Residence Life Services through its enforcement of the Residence Standards and application of Residence regulations. A Resident who is the subject of such a penalty or administrative decision may appeal by forwarding their written statement of appeal to the Director of Housing and Residence Life, no later than **seven (7) calendar days** from the date on which the outcome was assigned or administrative action taken.

If necessary, a meeting between the Director of Housing and Residence Life and the Appellant may be arranged to discuss and clarify the points of the appeal. Such a meeting may be attended by another Carleton University Residence student, or an Advisor should the Appellant wish to have assistance in presenting their appeal. The decision of an appeal heard by the Director, Housing and Residence Life will be final, except in the case of termination of Residence Agreement.

Appeals must be submitted, in writing, no later than **seven (7) calendar days** from the date on which the decision was made. The appeal may only be made on one or more of the following grounds:

1. New relevant evidence that was not available at the time of the original decision;
2. There is clear evidence of the decision-maker's bias in the hearing or original decision;
3. The non-academic misconduct procedures were not followed and the outcome of the case was substantially affected by this failure; or
4. The severity of the sanction imposed unreasonably exceeds the nature of the offence.

Filing an appeal will not stay or delay the imposition of any sanction, measure, or penalty imposed by the original process, unless otherwise decided by the Director, Housing and Residence Life or designate.

An appeal submitted that is not based on the above grounds will not be heard.

Note: *Mere dissatisfaction with the sanction imposed does not constitute grounds for an appeal.*

Appeal Process

- 1.1 The appeal is submitted by the Appellant to the Director, Housing and Residence Life, including an explanation of the grounds for appeal and any supporting facts or

reasons.

- 1.2 The Director or designate reviews the appeal to determine if there are grounds for appeal.
- 1.3 The Appellant is notified of the determination if there are grounds for appeal.
 - a) If there are grounds, the Director or designate notifies the Appellant and sets up a meeting within **five (5) working days** or as soon as reasonably practicable at a mutually agreeable time.
 - b) If not, the Director or designate notifies the Appellant that there are no grounds for appeal and the appeal process is complete.
- 1.4 In the case of a) above, the Director or designate may contact the Respondent or any other relevant parties for subsequent questioning and clarification. The Director or designate may consider any evidence or argument introduced in the previous process or given at the original hearing.
- 1.5 Once the questioning is concluded, the Director or designate may reduce the sanction(s), sustain the original sanction(s), or impose new sanction(s).
- 1.6 The Director or designate will notify the Appellant in writing of the outcome within **five (5) working days** or as soon as reasonably practicable and will meet, in person, where possible.

Appeals of Termination of Residence Agreement – Carleton University Resolution Board:

In the case of termination of Residence Agreement, students may appeal in writing the decision of the Director of Housing and Residence Life, including the grounds for the appeal, to the Carleton University Resolution Board (CURB). This process is externally governed by the Student Rights and Responsibilities Policy (SSRP) and has been included in this document as it appears in the SSRP for the benefit of residents seeking information on appeals. In the event of a conflict between this document and the SSRP, the SSRP shall govern.

This appeal shall be filed through the Office of the Vice-President (Students and Enrolment) within **ten (10) working days** of receiving the Director of Housing and Residence Life's decision.

The grounds for appeal are:

1. Relevant evidence that emerges which was not available at the time of the original decision;
2. There was clear evidence of bias in the hearing or original decision; or
3. The non-academic misconduct procedures were not followed and the outcome of the case might have been substantially affected by this failure; or
4. The severity of the sanction imposed reasonably exceeds the nature of the offence for reasons identified by the Appellant; or

5. The student provides evidence that (a) an emergency or unforeseeable circumstance occurred preventing her/his participation in the hearing and that (b) s/he was prohibited from providing a minimum of 24 hours' notice to the Office of the Director, Housing and Residence Life or an appropriate designate such that the student was incapable of attending the interview or hearing.

***Note:** This ground for appeal requires compelling and convincing evidence. A simple assertion of inability to attend will rarely be acceptable.*

Note: *Dissatisfaction with the sanction imposed does not constitute grounds for an appeal.*

Within **ten (10) working days** of receiving an appeal, the Vice-President (Students and Enrolment) shall convene a Carleton University Resolution Board hearing and notify the student in writing of the date of the hearing. The Carleton University Resolution Board can uphold the sanction, remove the sanction or adjust the sanction(s). The decision will be relayed to the student in writing within **five (5) working days** of the hearing, unless the decision can be made at the time of the hearing. The decision of the CURB will be final.

In circumstances involving behaviour by a Residence student which is deemed by the Department of Housing and Residence Life to threaten the safety and well-being of that resident or others in the community, the Director of Housing and Residence Life may immediately terminate the resident's Residence Agreement. This decision can be appealed in writing to CURB through the Office of the Vice-President (Students and Enrolment). CURB may uphold the recommendation and apply the sanction to the student, or apply an alternate sanction. The decision will be relayed to the student in writing within **seven (7) working days** of the decision of the Director of Housing and Residence Life to terminate the Residence Agreement.

Related Policies:

<http://carleton.ca/secretariat/policies/>

<http://carleton.ca/equity/human-rights/policy/>

<http://carleton.ca/safety/>

<https://carleton.ca/studentaffairs/student-rights-andresponsibilities/>

<https://www.ontario.ca/laws/statute/90l19/>

<https://carleton.ca/studentaffairs/marijuana-use/>

<https://www.ontario.ca/page/cannabis-laws>

<https://www.ontario.ca/laws/statute/17s26>

<https://carleton.ca/studentssupport/svpolicy/>

<https://students.carleton.ca/services/sexual-assault-support-services/>

