Purpose:
To protect the safety and wellbeing of students, faculty and staff, from the real or potential threat of students or individuals that can have a negative impact on campus. This includes but is not limited to students who have been charged or associated with criminal acts on or off campus, or are associated with inappropriate risky behaviour.

The purpose of this policy is to limit campus access or set other restrictions for students and individuals that pose a risk to the University community. The University has an obligation to protect the community as a whole, which supersedes its responsibility to any individual. This remedial approach seeks to impose restrictions that are no greater than necessary to protect our campus community, and to make clear that inappropriate and/or dangerous conduct will not be tolerated.

The policy’s goal is to protect the integrity and safety of the University community and the regular function of University activities, the peaceful and safe enjoyment of University housing by residents and neighbours, and the freedom of members of the University to participate reasonably in the programs of the University and in activities in or on the University’s premises. Strict regulation of such activities by the University is otherwise neither necessary nor appropriate.

This policy supersedes section IX, subsection D of the Student Rights and Responsibilities (SRR) policy.

Scope:
This policy applies to students, and visitors or guests while on Carleton University premises or while off campus when the implications of such conduct pose a real or potential threat to the University community.

Roles and Responsibilities:
I. Mandated through the SRR policy, the Student-At-Risk Evaluation Team (SARET) is the committee that reviews an individual’s risk to the campus and short of permanent campus bans, sets out restrictions or limitations for students as is deemed necessary. SARET may issue temporary bans or academic suspensions, in the form of Registration Holds from Academic Studies. SARET provides recommendations to the President regarding the need for permanent campus bans. This committee includes the Associate Vice-President - Students and Enrolment (SE) and representatives from Health & Counselling Services, the Department of University Safety, the Department of Housing, Equity Services, Student Affairs and other representatives and expertise as is required.

II. Under this policy, the University President or his/her designate is responsible for making the final decision regarding permanent campus bans for students and other individuals who are deemed to be a risk to the University community.
Guidelines:
In those cases where the allegations of behaviour are serious and could constitute a significant personal safety threat to other students or members of the University community, SARET or the President or his/her designate may choose to bypass general non-academic misconduct procedures as outlined in the SRR policy and impose campus restrictions or a ban from entering University property.

Restrictions or bans may be instituted against a student charged with conduct that potentially violates one of the Criminal Code of Canada, civil law and/or the SRR policy and/or Carleton’s Human Rights Policy. University mandated restrictions may be carried out prior to, simultaneous with, or following civil or criminal proceedings off-campus at the discretion of SARET or the President. The conditions mandated by the University are in no way to be construed as indicative of guilt, and shall remain in place at the discretion of the University.

The University may impose additional conditions and/or restrictions in addition to any decision or requirement enacted by the courts. A lift of the charges or the bail conditions set by the courts does not nullify any condition set by the university.

Reasons for requiring a student or visitor ban include but are not limited to:
- Disruption of, or interference with, University activities, such as: causing a substantial disorder; bomb threats; creating dangerous situations (intentional or not); making or causing excessive noise; disrupting classes, events or examinations; proffering false identification or documentation; intentional misrepresentation; setting off false fire alarms; blocking exit routes.
- Serious misconduct occurring on University premises or conduct not on University premises but which has a real and substantial link to the University. This includes social media (Facebook, Twitter, e-mails, etc.); or off-campus behaviour that has implications that will or may adversely impact a University community member on campus from a safety/security of person perspective.
- Participation in or association with risky behaviour, on or off campus that can affect or potentially affect the safety and wellbeing of others on the University campus.

Factors to be considered when imposing a ban penalty include, but are not limited to:
- Conduct that threatens or endangers the health, safety or property of any person.
- Conduct that creates conditions that endanger the health, safety, property or well-being of any person.
- The severity of the offence, including its impact on others (Carleton University students, faculty or staff, members of the broader community).
- Whether the student admits guilt, accepts responsibility for his/her action and is amenable to educative remedies.
- Extenuating circumstances that may help explain the action taken by a student or visitor.
- Any aggravating factors.
- Any record of previous offences.
- When a student has been charged under the Criminal Code of Canada, the scheduling of criminal proceedings, depending on the nature and severity of the offence with which the student is charged.

Limited Access to Campus (Director, Student Affairs):
Under this policy, the Director, Student Affairs can mandate limitations to a student’s access to campus in the form of a Behavioural Contract. A Behavioural Contract will be used to limit or deny specific privileges to ensure the safety of a particular student or members of the broader community. Any such restrictions may affect a student’s participation in campus life but will permit the student to complete their academic studies.
Limitations within Behavioural Contracts may include:

i. Loss of privileges of University services or spaces. This may include but is not limited to the University library, athletics, campus pubs, or parking on campus.

ii. Limitation to the amount of time a student may be on campus to attend classes and the university library.

iii. Limitations regarding entrance into the University’s residence buildings.

Behavioural Contracts can be appealed to the Carleton University Resolution Board (CURB) within 10 days of their imposition. See the Student Rights and Responsibilities policy for information regarding CURB.

Temporary Bans (SARET):
SARET may temporarily ban¹ (formerly known as a Notice of Trespass) a student’s access to University property and attending classes (on campus and online) for up to one full term or 5 months in the case of the Spring/Summer Term and/or until the student has provided documentation demonstrating they are not a threat to themselves or the community. The submission of such documentation is at the discretion of SARET and may include a threat risk assessment or a medical assessment by an approved medical professional. Notwithstanding the results of any ban and subsequent assessment, the student may still be held accountable for the past behaviours under the Student Rights and Responsibility Policy or other applicable University policies. Letters of Permission will not be issued to a student during the period a Temporary Ban is in effect.

Students will have to pay the costs related to completing a threat or medical assessment or other costs associated with the review of reintegrating back into the University community.

Where a temporary ban is to exceed 1 full term or 5 months in the case of the Spring/Summer term, SARET must refer the matter to the President for a permanent decision. The institution of a Temporary Ban from campus may include the current term and the following term depending on the time such a decision is made within academic calendar and the nature of the situation. Where possible, students can be permitted to complete an academic term where accommodations can be made which ensure the safety of the community and the student. SARET will use its discretion in this matter.

Temporary Bans will be lifted following a period of one full academic term and/or following the submission of requested risk assessment or medical documentation. In the event SARET wants to extend a Temporary Ban, or a student has not provided documentation that satisfactorily addresses the concerns of the university, SARET will refer the student’s case to the President for a Full Campus Ban. For operational purposes, the Director of University Safety or his/her designate can ban a student or visitor from campus for a 48-hour period.

Full Campus Ban (University President):
A Full Campus Ban (formerly known as a Notice of Trespass) will be issued by the President or his/her designate without the ability to enroll in online courses or secure Letters of Permission to enrol in courses at another post-secondary institution. As per Temporary Bans issued by SARET, Full Campus Bans deny the

¹ For the purpose of this policy, Temporary Bans issued by SARET and Full Campus Bans issued by the President deny the affected student access to all University lands, equipment, facilities, services, activities, programs, meetings or events or those held by, on, or any such activities that are in association with the University. Banned students who come onto campus can be subject to arrest under the province’s Trespass to Property Act R.S.O 1990.
affected student any and all access to University property. They can only be lifted as per steps outlined in the Protocol for Lifting a Ban (see below).

Notwithstanding the results of any ban and subsequent assessment, the student may still be held accountable for the past behaviours under the Student Rights and Responsibility Policy or other applicable University policies.

Temporary reprieves of Full Campus Bans will not be permitted. Individuals violating a Full Campus Ban can be subject to arrest under the Province’s Trespass to Property Act R.S.O 1990.

A student may not graduate while under a Full Campus Ban from the University, nor will the University verify that degree requirements have been met until the end of the ban.

**PROTOCOLS:**

**Protocol for Instituting a Ban:**

I. Information has been received by the University that the student has committed an offence, been involved in an offence, there is a strong indication that the student poses a danger to the University community, or the student’s behaviour impedes the learning or work of others on campus;

II. The information is delivered to the Office of the Associate Vice-President - Students and Enrolment. This information may include reports provided by external agencies such as but not limited to, Campus Safety, the police, or the courts.

III. The student’s information is presented to SARET for recommendation or where the matter is urgent and SARET cannot be fully constituted, a minimum of 2 members of SARET will decide on what actions are to be taken. At their earliest opportunity, these members must make a report to the full SARET in order to confirm the action taken.

IV. In the case of a Temporary Ban, the Chair of SARET will issue a letter to the student outlining the details of their Temporary Ban. The letter will include information indicating which restrictions have been mandated and what steps will be required to lift the ban. These steps may include the completion of a threat risk assessment, medical assessment or other evaluations. Such assessments will be at the expense of the student and at the discretion of SARET. The letter to the student will include information to lift the Temporary Ban (see the Protocol for Lifting a Ban).

V. In the case of a Full Campus Ban, SARET will make a recommendation to the President recommending that a permanent ban be issued. The President or their designate will be responsible for making the final decision on all Full Campus Bans.

VI. In confirming a Full Campus Ban, the President will issue a letter to the student outlining the details of their ban from campus and what steps will be required to lift the Full Campus Ban. These steps may include the completion of a threat risk assessment, medical assessment or other evaluations. Such assessments will be at the expense of the student and at the full discretion of the President.

VII. Deans and Associate Deans and others (as deemed appropriate by SARET) will be advised of student bans upon their execution.
Protocol for Lifting a Ban:

I. The appeal to lift a student or visitor ban must be submitted to the University Secretary.

II. The University Secretary may seek clarification and guidance from SARET upon receiving the student’s appeal request.

III. With the submission of the required assessments and/or other information, the University Secretary will convene the University Student Appeal Board (hereafter the “Appeal Board”) to hear and review the student’s appeal to remove or amend their ban. The University Secretary will Chair the Appeal Board. The Appeal Board will have a membership of two faculty members and two University staff members and will be selected at the discretion of the AVP Students and Enrolment. The University Secretary will vote on matters where Appeal Board members cannot resolve an appeal through consensus, or where members of the Board have split a vote. Quorum for the Appeal Board will be its membership, including the Chair. Appealing students will be given the opportunity to present their appeal orally and may bring a Support Person\(^2\) to their hearing with the Appeal Board. The Appeal Board may also request that a representative from SARET attend the hearing to present any information that SARET would like the Appeal Board to consider in its deliberations.

IV. When considering a student or visitor appeal, the Appeal Board may consult with any persons, groups or resources that are required in order to ensure the safety of the student and broader University community. At any time, the Appeal Board may request that more information be submitted by the banned student. Whereupon a student does not supply the requested information by the requested date given by the Appeal Board, the Board will reject the student’s appeal and the student will be required to wait a two year period before they can reapply to remove their ban.

V. If the Appeal Board determines that the banned student can return to campus, the University Secretary, on its behalf, will contact the student to negotiate the conditions of their return.

VI. If the Appeal Board is not satisfied that the student has fulfilled the requirements to remove their ban and/or determines that the student remains a risk and/or is not capable of resuming their studies, the student’s appeal will be denied and the student will be required to wait a two-year period before reapplying to the Board.

VII. If directed by the Appeal Board, the University Secretary may direct the Director of Student Affairs to develop a Behavioural Contract and establish any other requirements with the banned student in advance of the student’s return to campus.

VIII. Once the Behavioural Contract and other requirements have been completed and signed by appealing student, the University Secretary will confirm with the President’s Office or the Chair of the SARET (in the case of Temporary Ban) and a letter will be issued to the student confirming the student’s status and any conditions that are subject to the student’s return to campus.

\(^2\) A Support Person provides non-legal advice, guidance and/or moral support to the student during their appeal. For the purpose of this policy, the Support Person may be the University Ombudsperson, a representative from CUSA, RRRRA, GSA, or another student, a case worker, social worker, or parent(s). At the discretion of the Appeal Board, a student’s legal counsel may be permitted to attend a student’s appeal, but cannot play an active role while a student’s appeal hearing is in session.
IX. The AVP Students and Enrolment, Campus Safety and the Office of Student Affairs are to be copied on all decision letters issued to the banned student.

X. Deans and Associate Deans and others (as deemed appropriate by SARET) are to be advised of any bans that are lifted by the Appeal Board.

Associated Policies:
- Student Rights and Responsibilities Policy, including the SARET protocol.