

<b>Policy Name:</b>	Student Rights and Responsibilities Policy
<b>Originating Department:</b>	Vice President (Students and Enrolment)
<b>Approval Authority:</b>	Senior Management Committee
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<b>Contact:</b>	Vice-President (Students & Enrolment)

## I. INTRODUCTION

Carleton University is a community of faculty, staff, students and associated professionals who are engaged in and/or support teaching, learning and research within an environment of education, work and living.

As mandated in Carleton's Human Rights Policy, the University requires tolerance, civil conduct, and respect for the rights of others. It endeavours to provide a safe environment, conducive to personal and intellectual growth, which is not only free of discrimination, injustice and violence but is also characterized by understanding, respect, peace, tolerance, trust, openness and fairness.

Carleton University is also committed to the protection of the health, safety and wellbeing of all members of the University community. As such, the University will take all precautions reasonable to provide and maintain a learning and working environment that is free of violence and harassment as required by the Occupational Health and Safety Act, all applicable policies and law.

Membership in the University community entails certain rights and responsibilities, including an obligation to deal ethically and fairly with other members and to not discriminate or harass. All members of the University community share responsibility for ensuring that the University's educational, work and living environments respect these commitments. The University will take reasonable steps to ensure that students are aware of their rights and responsibilities.

In consultation with its student constituencies, the University has developed provisions through this policy to safeguard the educational, work and living environment of students and other members of the Carleton community, and to address student conduct that jeopardizes the orderly functioning of the institution, and/or the health, safety, human rights or property of its members.

The purpose of the Student Rights and Responsibilities Policy is articulated below. Misconduct is described under the Offences section of this Policy.

## II. PURPOSE

The goal of the Student Rights and Responsibilities Policy (hereinafter "the Policy") is to ensure transparency and consistency in expectations for conduct, as well as the address of and remedies for misconduct that are corrective, not punitive. This remedial approach seeks to impose penalties that are no greater than necessary to remedy the misconduct and to make clear that inappropriate

conduct will not be tolerated. The primary objective is to ensure that appropriate student behaviour is maintained in a diversified educational environment.

The Policy will:

- Identify student rights and responsibilities.
- Identify behaviour that is considered non-academic student misconduct.
- Ensure transparency, consistency and predictability in policies and procedures.
- Identify the process by which student non-academic misconduct will be addressed and the avenues of appeal.
- Ensure all members of the University have access to the Student Rights and Responsibilities Policy.

### **III SCOPE**

This Policy applies to the conduct of students while on Carleton University premises or when acting as delegates or designated representatives of Carleton University, members of a class, student participants at a University-sponsored event off campus, and students who are at their place of work while on a University co-op placement. This policy also applies to exchange students studying at Carleton University. Further, this policy applies to students who are enrolled in classes and who engage in prohibited, abusive and/or inappropriate behaviour on the internet towards another member of the Carleton community.

The University reserves the right to take necessary and appropriate action to protect the safety and welfare of the campus community and the University's learning, living or work environment. This may include taking necessary and appropriate action in cases where a student is accused of serious conduct on or off campus or interacting through social or other electronic media, and there is a clear nexus to the University community regardless of where the conduct occurred or is alleged to have occurred.

### **IV PRINCIPLES**

The University is committed to promoting a safe environment for working, living, learning and studying. Section 3 of the Carleton University Act 1952 states, "The objects and purposes of the University include the intellectual, social, moral, and physical development of its members, and the betterment of its community; however, the University has no general responsibility for the moral or social behaviour of its students."

The best knowledge of a community resides with its members, who are thereby best placed to decide what conduct is appropriate or inappropriate to their diverse environment. For that reason, this Policy reflects the collective contributions of all constituencies of the Carleton University community. The application of the Policy includes input, through formal venues, of representatives from those constituencies.

University decision-making is bound by the principles of procedural fairness. The University is committed to ensuring that allegations of student non-academic misconduct are dealt with fairly. This requires clear communication of prohibited conduct, notice of allegations, notice of procedures, an opportunity to be heard, notice of reasons for any decision, and a right to appeal those decisions, all in accordance with this Policy.

## V DEFINITIONS

**Advisor** is a person who supports a student required to appear for a hearing to provide advice, guidance and/or moral support to the student, 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 considered to be a party at the hearing.

**Vice-President (Students and Enrolment)** VP (SE) is designated by the University President as responsible for the overall administration of this Policy.

**Carleton University Resolution Board (CURB)** is the committee described in Appendix "D" to this policy. It is the final committee to which students may appeal decisions made pursuant to this policy. The CURB is chaired by the AVP (SE) and consists of four members; one faculty member, one staff member, one student, and the chairperson. Appeal hearings through CURB are arranged through the Office of the Vice-President, (Students and Enrolment).

**Community Service** is voluntary service, agreed to by the recipient of the service, which will be performed as all or part of a sanction imposed. If possible, the service will be related to the incident. Its purpose is constructive, allowing the student to give back to the community, rather than punitive.

**Director, Student Affairs** (the Director), means an individual who will receive, review and hear allegations of misconduct, make determinations and/or recommendations under this policy independently and provide guidance to the Peer Conduct Board and ensure the full implementation of this Policy and its procedural elements.

**Fine** means a monetary fine, assigned as a sanction. Fines will be determined by the Director, Student Affairs, the Peer Conduct Board, and/or members of CURB. Individual fines will not exceed \$500.00. Funds collected through fines will be remitted to the Student Activities Fund and used to support student initiatives.

**Guest** means a person on campus as the result of an invitation by a student, and/or a person who is being treated as a guest by a student host on University premises.

**Harassment** means engagement in conduct (including innuendo) which may or may not be based on Human Rights grounds 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 (*excerpt from the Carleton University Statement on Conduct and Human Rights*).

**Hazing** means any act which endangers, or could reasonably be seen to endanger the mental 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.

**Hearing/Interview** means a proceeding at which evidence and arguments may be presented on the matter at issue to be decided by a person or body having decision-making authority. Procedural options are dependent on the severity and complexity of the issue at hand and may include verbal notice and response, written notice and written response, oral hearing, or formal panel. Hearings will generally be closed to members of the community, unless a student specifically requests an

open hearing. In cases wherein intimate, personal or other matters will be disclosed, and there would be an impact to the individual parties involved, hearings will be closed.

**Instructor** means any individual employed by the university to teach. Student misconduct does not include offences committed by instructors who are also students, where the offence arises in the course of their employment. Misconduct by a student does not include breaches of the students' employment contract for the purposes of this policy.

**Misconduct** means actions by a student that are in violation of their responsibilities under this Policy and actions that constitute a defined offence under this Policy.

**Offence** means a form of misconduct identified in the list of offences in the Student Rights and Responsibilities Policy.

**Peer Conduct Board is the committee described in Appendix "B" to this policy and** provides an opportunity for student involvement in the judicial process. Peer Conduct Board (PCB) members have the authority to recommend any sanction under the Student Rights and Responsibilities policy except trespass, suspension and expulsion.

**Policy** is defined as the written regulations of the University as found in, but not limited to, this Policy, the Residence Contract, and Carleton University policies available on-line through the Board of Governors Office.

**Restitution** means reimbursement for damage or misappropriation of property.

Smoke or Smoking is means inhaling, exhaling, burning, vaping, or carrying a lighted cigarette, cigar, pipe or other apparatus used to smoke tobacco, cannabis or any other materials. Until such time as scientific evidence proves otherwise, electronic cigarettes (e-cigarettes) will be included in the definition, and their use is not permitted

**Student at Risk Evaluation Team (SARET)** is a committee made up of university administrators who are responsible for evaluating and directing responses to students who may be at risk of harm to themselves or the community or are otherwise incapable of functioning academically.

**Student** means:

- a) a person who is currently registered in a course of study approved by Senate;
- b) a person engaged in any academic work which leads to the recording and/or issuance of a mark, grade or statement of performance by the appropriate authority of the University or another institution, including those institutions who are hosting Carleton students on international exchange;
- c) a person who is entitled to a valid student card who is between sessions and who is entitled to use University facilities, and/or is participating in the intensive language programs and/or bridging or transition programs under the Centre for Initiatives in Education.

**Student Host** means a student who has a guest on University premises.

**Support Services** include, but are not limited to, Equity Services and the Centre for Indigenous Initiatives, the Academic Advising Centre, Paul Menton Centre, the University Ombuds Office, Office of the Registrar, Health and Counselling Services, Department of University Safety, Awards Office, Housing & Conference Services, the Student Experience Office, University Services, Carleton

University Students' Association (CUSA), Graduate Students Association (GSA), and any other administrative office that provides direct support to students.

**University** refers to Carleton University and all its holdings and premises, including those leased or rented, or otherwise under its control.

**University Official/Officer of the University** means an employee of the University acting in the consistent, normal and legitimate course of their duties. Except in unique circumstances, the duty of the preservation and/or protection of members of the University community and its property, facilities and reputation will be the responsibility of representatives of the Department of University Safety.

**University Sponsored Event** means an event sanctioned or supported by Carleton University on University premises or elsewhere in the course of activities sponsored by the University. This may include academic field trips, varsity sport competitions, off-campus lectures, plays or speakers which form part of the academic course of study, or other events sponsored by a University official acting in their University capacity.

**Vexatious Complaint** is one instituted maliciously and without probable cause, or one not based on factual grounds but with the intention of the complainant to be vindictive, as can reasonably be determined.

## VI STUDENTS RIGHTS AND RESPONSIBILITIES

The University upholds and will take reasonable steps to ensure that students, as members of the University community, are aware of their rights and responsibilities, as follows:

### 1. Participation in University and Student Associations

Students may participate in the formulation and application of institutional policy affecting academic, extra-curricular, student union and government affairs through formal channels developed for this purpose. Students further have the right to be members of and participate in their student associations.

### 2. Freedom of Discussion

The traditional privileges of freedom of inquiry and freedom of expression which are enjoyed by members of a university community are reflected in the concept of academic freedom. These can be assured only if all members of the community share the responsibility of granting these freedoms to others and accept the obligation of a standard of behaviour which respects the rights of others. Students may think, speak, write, create, study, learn, pursue social, cultural and other interests and associate together for these purposes subject to the principles of mutual respect for the dignity, worth and rights of others as outlined by the *Ontario Human Rights Code* and the "Carleton University Statement on Conduct and Human Rights", which appears in Carleton's omnibus Human Rights Policy.

### 3. Assembly

Peaceful assemblies, demonstrations and lawful picketing are allowed within established laws.

### 4. Confidentiality

The importance of confidentiality of each student's academic and disciplinary University record is recognized and will be protected in accordance with legislative and policy obligations.

### 5. Right to Fair Process

Carleton has a number of judicial or restorative processes administered by various units on campus (e.g., Equity Services, Residence Life, and Athletics). Frequently, these offices address similar issues and work collaboratively to resolve on campus disagreements or complaints. Regardless of the process, every student who has been accused of non-academic misconduct has the right to a hearing, if desired. The University will make available to every student an impartial process to hear allegations of misconduct brought against them. Every student who is alleged to have committed a non-academic offence has a right to know the case against them, and to present a defence.

In particular, every student has a right:

- to be promptly informed in writing of the nature of the charge;
- to be treated with procedural fairness and natural justice;
- to refuse to answer questions in a hearing or official meeting related to the misconduct process, with the understanding that with this refusal an adverse inference may be drawn;
- to know, respond and seek clarification of evidence presented by witnesses; and,
- to seek advice from and be accompanied by an advisor from the Carleton community, including the University Ombudsperson, if desired, when appearing before a decision-maker.

#### **6. Individual responsibility and accountability**

Section 3 of the Carleton University Act 1952 states, “The objects and purposes of the University include the intellectual, social, moral, and physical development of its members, and the betterment of its community; however, the University has no general responsibility for the moral or social behaviour of its students.”

Students are expected to be individually responsible for their actions whether acting individually or in a group. Students are considered by the University to have an obligation to make legal and responsible decisions concerning their conduct and to model and convey the University’s expectations of conduct to their guests.

In the exercise of its authority and responsibility, the University treats students as free to organize their own personal lives, behaviours and associations subject only to:

- University policies and regulations, municipal bylaws, and provincial and federal legislation, including the Criminal Code of Canada;
- The peaceful and safe enjoyment of the University campus and facilities, including the peaceful and safe enjoyment of its residences; and
- The freedom of members of the University community to participate reasonably in the University and its activities.

(Note: This section is not to be used to subvert #3 in the preceding “Students Rights and Responsibilities” section.)

#### **7. Right to Representation**

Students have the irrevocable right to having an Advisor present during any inquiries or hearings as a result of this policy. Students bear the full obligation of finding, arranging for and ensuring the presence of the Advisor at such inquiries or hearings.

### **VII STUDENT NON-ACADEMIC MISCONDUCT OFFENCES**

For the purposes of this policy, forms of student non-academic misconduct have been divided into two general categories. It is recognized that the line between Category 1 and Category 2 Offences is not absolute, and will be defined on a case by case basis. Category 1 Offences are generally

considered less serious than those in Category 2. Offences in each category will be accorded defined sanctions within that level as appropriate to the conduct. Sanctions can be varied in exceptional circumstances. Students who aid or abet another student in the commission of an infraction of this Policy will also be held liable for their actions.

**Students are encouraged to seek advice from the Ombudsperson in all matters related to non-academic misconduct**, and may be accompanied by the Ombudsperson or other advisor (as defined in section V) to any hearing related to non-academic misconduct.

**Category 1 Offences** include damage to property, facilities, and/or non-compliance with any university rule, regulation or policy.

**Category 2 Offences** are those which jeopardize the health, safety and/or security of members of the university community, and/or arise from repeated offences in Category 1 which have been referred for address by the university official involved.

Non-academic misconduct is outlined in the following list of offences. Any of the following activities constitute an offence under this Policy and as such are subject to the procedures and sanctions outlined. The following list of offences is not exhaustive. Where an act takes place and there are no established violation criteria, the Director of Student Affairs, at his/her discretion, shall utilize the judicial framework in this Policy to identify appropriate remedies.

The activity meriting sanction may also be subject to criminal prosecution or civil action, notwithstanding and in addition to this Policy.

#### **A) CATEGORY 1 OFFENCES**

Depending on the specific conduct, a Category 1 Offence may be determined, upon the review of the facts, to be a Category 2 Offence.

##### **1. Disruption**

No student shall:

- engage in disruptive conduct affecting any activity or service of the University or its members [excerpt from "Offences of Misconduct" , Part 1, "Statement on Conduct and Human Rights", Carleton Human Rights Policy]

***This offence shall not be used to interfere with the rights described in #2 and #3 of the section, "Student Rights and Responsibilities", appearing earlier in this Policy.***

##### **2. Unauthorized Entry and/or Presence**

No student shall:

- enter into or remain in any private University premises without proper authority, or remain in any premises when asked to leave by an officer of the University.
- knowingly invite or admit a guest who has been trespassed or banned from the area or facility.

##### **3. Damage and Destruction of Property (under \$500.00)**

No student shall:

- misappropriate, destroy or otherwise damage University property;
- misappropriate, destroy or otherwise damage any property not the person's own on University property;

- deface the inside or outside of any building or property of the University.

#### **4. Unauthorized Use of Facilities, Equipment, Materials or Services**

No student shall:

- use any facility, equipment, material or service contrary to express instruction or without proper authority;
- obtain any University equipment, material or service by fraudulent means or by providing false information.

#### **5. Misuse of University Equipment or Supplies**

No student shall:

- without proper authority where required, make, alter, use, receive or possess University supplies. University supplies include but are not limited to equipment, keys, records, permits, letterhead, stationary and envelopes.

#### **6. Misuse of Library or Computer Resources**

No student shall:

- remove books, equipment or other library material from the university libraries without proper authorization;
- mutilate or deface library books or material;
- purposefully misplace library books or material or in any way deprive others of access to library resources;
- abuse any University computer or computer related facility or software, alter or remove computer files or software without proper authorization, purposefully misplace, or deprive others of access to such computer resources;
- use computer equipment on campus to download, distribute or send offensive, discriminatory, and/or harassing material.
- Misuse or utilize bookable space for purposes which are not academic in nature without the permission of library staff.

#### **7. Failure to comply**

No student shall:

- fail to comply with directions of University officials acting in the legitimate performance of their duties.
- fail to comply with applicable federal or provincial statutory responsibilities as may be in force from time to time

#### **8. Failure to Identify**

No student shall:

- fail to identify himself or herself to representatives of University Safety, exam proctors, or other University officials where such information is relevant to the legitimate pursuit of their duties.

#### **9. Mischief**

No student shall:

- obstruct, interrupt or interfere with the lawful use, enjoyment or operation of university property or



- obstruct, interrupt or interfere with any person in the lawful use, enjoyment or operation of university property.
- engage in behaviour that is contrary to the reasonable expectations of the university community, including but not limited to behaviours such as public urination, public nudity, or the active disruption of sanctioned events on campus.

## **B) CATEGORY 2 OFFENCES**

### **1. Verbal/Physical Abuses, Threatening Behaviour and Dangerous Activity**

No student shall:

- verbally, whether in writing or orally, threaten harm to any member of the University community;
- physically abuse, threaten or cause any other member of the University community to reasonably fear physical abuse;
- create a condition which endangers or threatens the safety or personal information or privacy of themselves or others.

***NOTE: Such conduct directed at Officers of the Department of University Safety in the active pursuit of their duties may merit greater sanctions than those which might otherwise be imposed.***

### **2. Inciting Violence**

No student shall, on University premises or off-campus, individually or with a group, or in connection with a demonstration including picketing or a rally:

- use words which threaten violence or physical abuse to any group or individual;
- use words in a situation of clear and imminent danger which incites, or is intended to incite, others to behaviour which (would) result(s) in misconduct as outlined in this section.

### **3. Harassment**

No student shall:

- harass a person or a group (see definitions).

### **4. Possession, Use or Distribution of False Identification, Documentation or University Branding**

No student shall:

- Possess, distribute or use false Identification or altered identification.
- Possess, produce, distribute, alter or use falsified official university, medical, or employment documentation.
- Possess, utilize, produce, alter any official Carleton University branding, including but not limited to the university crest, logo, flag, coat of arms.

### **5. False or Vexatious Charges**

No student shall:

- Knowingly bring a false or vexatious charge against any member of the University community.

### **6. Misconduct Related to the Use of Alcohol/Drugs**

No student shall:

- be impaired and disorderly in public on University premises;
- be in possession of, furnish to anyone, or consume, controlled substances;
- be in possession of, or consume alcoholic beverages, except when properly in attendance at a licensed campus pub or event, or as permitted under the Residence Contract and/or the University Alcohol Policy;
- be in possession of or consume alcohol anywhere on University premises if under the age of (nineteen) 19 years;
- furnish alcoholic beverages to any person under the age of 19 (nineteen);
- possess cannabis if under the age of nineteen (19);
- smoke cannabis in public places, vehicles, workplaces on the Carleton University Campus including but not limited to buildings, garages and residences or consume cannabis in any areas prohibited by the Smoke-Free Ontario Act and any other applicable law;
- sell cannabis, other than an authorized Ontario cannabis retailer under the Cannabis Licence Act;
- distribute cannabis that is sold, or that is intended to be sold, other than an authorized Ontario cannabis retailer;
- purchase cannabis except from an authorized Ontario cannabis retailer;
- cultivate, propagate, or harvest, or offer to cultivate, propagate or harvest cannabis on University premises;
- otherwise violate the University Alcohol and Cannabis Use Policy, the Tobacco Smoking and Consumption of Cannabis Policy, the Residence Contract or any applicable law.

***NOTE: Intoxication is never grounds for leniency. Rather, consumption of substances are subject to sanction, notwithstanding and in addition to sanctions imposed for student non-academic misconduct associated with the consumption of substances.***

#### **7. Hazing**

No student shall:

- engage in “hazing” (see definitions)

#### **8. Theft, or Unauthorized Possession**

No student shall:

- possess University property or the property of any member of the University community without the permission of the rightful owner;
- use, possess, or distribute firearms, explosives, other weapons or dangerous chemicals on University premises.

#### **9. Abuse of the Student Rights and Responsibilities Policy and Procedures**

No student shall:

- knowingly (on an objective standard) falsify, distort, or otherwise misrepresent information at any point in the application of this Policy;
- disrupt or interfere with the orderly conduct of a student non-academic misconduct hearing;

- knowingly falsify an incident report on another student;
- attempt to discourage an individual's proper participation in, or use of the student non-academic misconduct process;
- attempt to influence the impartiality of a member of the Peer Conduct Board and/or CURB prior to, and/or during the student non-academic misconduct process;
- harass (verbally or physically) and/or intimidate or attempt to intimidate a member of a Peer Conduct Board and/or CURB prior to, during, and/or after a student non-academic misconduct process;
- influence or attempt to influence another person to abuse the Carleton University Student Rights and Responsibilities Policy or knowingly violate conditions of confidentiality imposed by the Director, the Peer Conduct Board or the CURB.

#### **10. Damage and Destruction of Property (over \$500.00)**

No student shall:

- misappropriate, destroy or otherwise damage University property;
- misappropriate, destroy or otherwise damage any property not the person's own on University property;
- deface the inside or outside of any building or property of the University.

#### **11. Abuse of Carleton's Gambling Policy:**

No student shall:

- engage in activities that are prohibited under the University's Gambling Policy. This includes any and all gambling activities or events that take place on University property outside of University-approved charity events.

#### **12. Abuse or Misuse of Copyright Materials:**

No student shall:

- distribute, sell or otherwise profit from copyrighted materials that are protected legally in Canada

### **VIII PROCEDURES FOR ADDRESSING STUDENT NON-ACADEMIC MISCONDUCT**

#### **A) RESIDENCE OFFENCE PROCEDURES**

Any breaches of the Residence Contract are handled in the first case by the Department of Housing and Conference Services in accordance with its disciplinary procedures and sanctions. Appeals of decisions of the Director, Housing and Conference Services, shall be dealt with in accordance with the appeal processes set out in this Policy.

#### **B) CARLETON CO-OPERATIVE EDUCATION PROCEDURES**

Any breaches of the Co-op Participation Agreement (Appendix A) are handled in the first case by Carleton's Co-operative Education Office in accordance with the Agreement's procedures. In instances where a Co-op student's behaviour or conduct in the workplace exceeds the provisions outlined in the Co-op Participation Agreement, the Director, Career Development and Co-operative Education may refer the student to the Director, Student Affairs, where the student's alleged behaviour will be addressed under the provisions of this Policy.

#### **C) EQUITY SERVICES**

Any breaches of Carleton's Human Rights Policy are handled in the first case by the Office of Equity Services in accordance with its procedures. In cases where there is overlap between the Student Rights and Responsibilities Policy and the Human Rights Policy, Student Affairs

and Equity services will work together to agree on a process that is the most appropriate and fair for the involved parties. In such matters, the University Secretary may be consulted to determine the most appropriate course of action.

#### **D) ATHLETE CODE OF CONDUCT**

Any breaches of the Athlete Code of Conduct are handled in the first case by the Department of Recreation and Athletics in accordance with its procedures and sanctions. The Athlete Code of Conduct contains clear language regarding its applicability in relation to the Student Rights and Responsibilities Policy.

#### **E) GENERAL PROVISIONS**

Any student reported for alleged misconduct is subject to formal procedures under this Policy regardless of concurrent action or inaction of civil or criminal authorities. Misconduct by a student may constitute a violation of one or more University policies including but not limited to those related to residence, human rights, alcohol use and use of information technology services.

Where there are questions about the application of this Policy and/or related policies, they shall be determined by the Director in consultation with the administrators of the other policies.

Any member of the Carleton community may file a complaint concerning an offence under this Policy with the Director within 30 calendar days of the incident in question. This time period for filing notice of an alleged offence may be extended at the discretion of the Director or the VP (SE). According to provincial legislation, human rights related complaints must be made within a one year period. Complaints of this nature must be submitted to the Office of Equity Services.

Students are encouraged to seek advice from the Ombudsperson or an Advisor in all matters related to non-academic misconduct, and may be accompanied by the Ombudsperson or an Advisor to any hearing related to non-academic misconduct. Students will also be provided with the names of trained peer helpers to act as advisors.

Every Student who has allegedly been involved in misconduct and invited to an interview or a hearing shall be provided with:

- a proposed date of the hearing/interview, including notice of the right to reschedule the hearing within reasonable time frames;
- a written notice of the alleged offence;
- a verbal summary of pertinent evidence and particulars regarding the alleged offence (which may include summaries of DUS reports), or written summaries at the student's request;
- a copy of or access to this Policy and Procedures, as well as specific copies of or access to other policies which are being cited to address the misconduct that has been alleged.

#### **F) PROCEDURES FOR ADDRESSING CATEGORY 1 OFFENCES**

A Category 1 Offence (see definition) is referred to the Director by the University official/designate in whose jurisdiction the incident has occurred, or by the Department of University Safety normally within five (5) working days\* of the offence/incident.

The Director, within ten (10) working days\*, may:

- dismiss the matter and provide formal notification to the university official and the student of the decision; or
- refer the case to the Peer Conduct Board for a hearing; or

- arrange to interview the student and, if satisfied that the offence has been committed, impose any of the offence sanctions listed below (including an exceptional sanction). The student may arrange to have an Advisor attend the interview.

All decisions of the Director will be communicated in writing to the student and the referring university official/designate, within fifteen (15) working days\*.

Where the student decides not to appear at a scheduled interview, a decision will be made in the absence of the student based on the information that is available at the time.

Students who have grounds for believing that they have been treated unfairly in the application of the sanction by the Director may appeal to the CURB through the Office of the VP (SE) within ten (10) working days\* of the imposition of the sanction. Students who have grounds for believing that they have been treated unfairly in the application of the sanction by the Peer Conduct Board may appeal to the Director within ten (10) working days\* of the imposition of the sanction.

The Peer Conduct Board will follow the same judicial steps taken by the Director when conducting a judicial hearing.

A designate of the VP (SE) will serve as an impartial advisor to the Peer Conduct Board and will provide written notification to the referring official/designate and the student of the Peer Conduct Board's decision within ten (10) working days\* following the completion of each student hearing.

Where the student decides not to appear at a scheduled interview, a decision will be made in the absence of the student.

Students who have grounds for believing that they have been treated unfairly in the application of the sanction by the Peer Conduct Board, may appeal to the Director within ten (10) working days\* of the imposition of the determined sanction.

For further procedural details regarding the Peer Conduct Board see Appendix "B". For further procedural details regarding appeals see Sec. X below.

#### **G) PROCEDURES FOR ADDRESSING CATEGORY 2 OFFENCES**

A Category 2 Offence (see definition) is referred to the Director by the University official/designate in whose jurisdiction the incident has occurred, or by the Department of University Safety normally within five (5) working days\* of the offence/incident.

The Director, within ten (10) working days\*, may:

- dismiss the matter and provide formal notification to the university official and the student of the decision; or
- refer the case to the Peer Conduct Board for a hearing; or
- arrange to interview the student and, if satisfied that the offence has been committed, impose any of the offence sanctions listed below (including an exceptional sanction). The student may arrange to have an Advisor attend the interview.

All decisions of the Director will be communicated in writing to the student and the referring university official/designate, within fifteen (15) working days\*.

Where the student decides not to appear at a scheduled interview, a decision will be made in the absence of the student.

Students who have grounds for believing that they have been treated unfairly in the application of the sanction by the Peer Conduct Board or the Director may appeal to the CURB through the Office of the AVP (SE) within ten (10) working days\* of the imposition of the sanction.

For further procedural details regarding appeals see Sec. X below.

***\* Timeframes are subject to extension only as the result of exceptional circumstances, such as absence from the office for holidays or illness, family emergency, scheduled examinations, religious obligations, etc.***

## **IX SANCTIONS FOR NON-ACADEMIC MISCONDUCT**

### **A) CATEGORY 1 OFFENCE SANCTIONS**

The Peer Conduct Board or the Director may apply any one or any combination of the following sanctions if, after hearing the student's response to the allegation, he or she is satisfied that non-academic misconduct occurred:

- Exclusion from University facilities and/or computing services of the facility/department or unit related to the incident for 24 - 48 hours (excluding weekends). *\*For clarification, the exclusion continues through weekends. Weekends are not considered in hours of exclusion.*
- Exclusion from any food service, licensed facilities, or residence facility on campus related to the incident for a definite period of time.
- A verbal and/or written apology.
- A fine, not to exceed \$65.00 (see table for fining guidelines); funds to be remitted to the Student Activities Fund. *\*\* Note that educational sanctions are generally applied first; fines will typically be applied for non-compliance of educational sanctions that are applied in the first instance.*
- A period of cumulative community service to the University community not to exceed a total of ten (10) hours, not necessarily served consecutively. If a student wishes, an equivalent monetary fine (see attached table) may be chosen. This fine will be contributed to the Student Activities Fund. If a student is assigned community service but does not complete that service within thirty (30) days, the alternate fine will automatically be applied and the community service sanction will be considered complete.
- Restitution for all damages. (The student will be provided with a clear outline of costs in arriving at this sum on request.) A payment plan may be negotiated with the Director of the facility, or the Director, Student Affairs.
- Completion of an educational program or project unrelated to actual academic obligations.
- Department of University Safety may charge students who violate the Unauthorized Entry and/or Presence provision in this Policy with trespass under the *Trespass to Property Act*.

### **B) CATEGORY 2 OFFENCE SANCTIONS**

The Director, and/or the Peer Conduct Board, may apply any one or any combination of the following sanctions:

- A letter of reprimand which will be maintained by Director.

- Exclusion from any food service, licensed facilities on campus, and/or residence facility related to the incident for a specified or unspecified period.
- A verbal /or written apology.
- A fine, not to exceed \$500.00 (see table for fining guidelines); funds to be remitted to the Student Activities Fund. *\*\* Note that educational sanctions are generally applied first, however the University may resort to fines in the first instance depending on circumstances of the violation.*
- A period of cumulative community service to the University community not to exceed a total of 25 (twenty five) hours, not necessarily served consecutively. If a student wishes, an equivalent monetary fine (see attached table) may be chosen. This fine will be contributed to the Student Activities Fund. If a student is assigned community service but does not complete that service within thirty (30) days, the alternate fine will automatically be applied and the community service sanction will be considered complete.
- Restitution for all damages. (The student will be provided with a clear outline of costs in arriving at this sum on request.) A payment plan may be negotiated with the Director, Student Affairs where requested.
- Completion of an educational program or project unrelated to actual academic obligations.
- Suspension from extra-curricular activities of the University community for a specified period time not to exceed one year (e.g. Athletics). Where the suspension is from a CUSA club or society normally attended, the student's name and notice of the set period of the suspension will be provided to the Club or Society Co-ordinator of CUSA.
- A behavioural contract that sets out expected behaviours, limitations, and obligations (e.g., regular counselling sessions) for the student.

The Director may also issue the following sanctions. The Peer Conduct Board may recommend the following sanction to the Director:

- an exceptional sanction including the recommendation of an immediate or post-dated suspension from academic studies as per the university's Student and Visitor Ban From Campus Policy;
- exclusion from facilities of the University (in whole or in part) for a specified or unspecified period of time;

### C) FINING GUIDELINES

As every situation involves unique circumstances, fines assigned as sanctions will be determined by the Peer Conduct Board, the Director, or the CURB on a case-by-case basis. Generally, fines will not be applied in the first instance, but rather for non-compliance of an educational sanction. In exceptional cases involving Category 2 offences or repeated violations of this policy, the Peer Conduct Board may recommend a fine in lieu of educational sanction to the Director. The following will be used as general guidelines in determining an appropriate fine.

Type of Offence	Minimum Fine	Maximum Fine	Community Service in lieu of fine
Category 1	\$25.00	\$65.00	3 – 10 hours
Category 2	\$50.00	\$500.00	5 – 25 hours
Appeal of residence financial penalty/sanction.	N/A	\$500.00	N/A

#### **D) UNIVERSITY TEMPORARY SUSPENSION AND TRESPASS SANCTIONS**

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

- a student's behaviour affects other members of the community's use and enjoyment of University privileges and facilities;
- there are reasonable grounds to believe that the safety of the community is endangered;
- there is a high potential of physical danger posed by the student's continued presence;
- damage to University property is likely;
- the continued presence of the student would be disruptive.

***NOTE: This section will not be used to interfere with Section 6 of this Policy***

As per the university's Student and Visitor Ban from Campus Policy, the Student At-Risk Evaluation Team (SARET) or the President may apply a temporary or permanent University-wide suspension and trespass sanction. In cases where there is a real and present danger or high potential to cause harm posed by a student and the President is not available and/or the SARET cannot be immediately convened, two members of SARET may impose a temporary suspension and trespass sanction whereby the student may be excluded from the University and/or residence precinct. The members of SARET will provide a full report to the SARET without delay. For operational purposes, the Director of University Safety or his/her designate can issue temporary 48-hour campus trespass notices to students and non-students. SARET's mandate and authorization is outlined within the Student At-Risk Protocol (Appendix C).

Pending convening of a hearing in residence, and in cases where there is a real and present danger or high potential to cause harm posed by a student in residence, the Director of Housing and Conference Services may impose a temporary suspension and trespass sanction whereby the student may be excluded from residence. The Director of Housing and Conference Services will provide a full report to the SARET and Director, DUS without delay.

Upon imposition of such temporary sanction, further actions, including the involuntary withdrawal of a student on a permanent basis, will be taken as per the procedures outlined within the University's Student and Visitor Ban from Campus Policy.

#### **E) INTERNAL PROCESS AND CRIMINAL AND CIVIL ACTIONS**

Except in cases where there is real and present danger or a high potential of real harm posed by the student, University Safety will provide a full report of the incident to the VP (SE) and the Director for the purpose of discussing the matter and ensuring that it is dealt with in the most appropriate manner before taking action, including prior to any decision to contact Ottawa Police Services.

The Director, in consultation with the VP (SE) and the Director, Department of University Safety will determine if the matter may be independently subject to University sanction under this Policy, notwithstanding and in addition to criminal prosecution and/or civil action. The AVP (SE) will make a final determination where necessary.

Nothing in this Policy prevents any member of the University community from proceeding with criminal or civil actions independent of any University action.

### **X STUDENT APPEALS**



Students are encouraged to seek advice from an Advisor in all matters related to non-academic misconduct, and may be accompanied by an Advisor to any hearing related to non-academic misconduct.

#### **A) APPEAL OF PCB DECISIONS**

Students may appeal in writing the decision of sanction including the grounds of the appeal, to the Director where the sanction has been imposed by the Peer Conduct Board within ten (10) working days\* of the imposition of the initial sanction.

The grounds for appeal are:

- relevant evidence that emerges which was not available at the time of the original decision; or
- there was clear evidence of bias in the hearing or original decision; or
- the non-academic misconduct procedures were not followed and the outcome of the case might have been substantially affected by this failure; or
- the severity of the sanction imposed reasonably exceeds the nature of the offence for reasons identified by the appellant; or
- 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 designated hearing officer 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: Mere dissatisfaction with the sanction imposed does not constitute grounds for an appeal.***

Within ten (10) working days\* of receiving an appeal, the Director shall contact the student to confirm that an appeal has been received. If the grounds identified for the appeal are accepted then a hearing will be established.

The Director can uphold the sanction, remove the sanction or adjust the sanction(s). , The decision of the Director upon appeal will be final.

The decision will be relayed to the student in writing within five (5) days\* of the hearing, unless the decision can be made at the time of the hearing.

***\* Timeframes: Timeframes are subject to extension only as the result of exceptional circumstances, such as absence from the office for holidays or illness, family emergency, scheduled examinations, religious obligations, etc.***

#### **B) APPEAL OF DECISIONS BY DIRECTOR, STUDENT AFFAIRS**

Students may appeal in writing the decision of sanction of the Director, including the grounds of the appeal, to the CURB through the Office of the AVP (SE) within ten (10) working days\* of the imposition of the sanction.

The grounds for appeal are:

- relevant evidence that emerges which was not available at the time of the original decision;
- there was clear evidence of bias in the hearing or original decision; or
- the non-academic misconduct procedures were not followed and the outcome of the case might have been substantially affected by this failure; or

- the severity of the sanction imposed reasonably exceeds the nature of the offence for reasons identified by the appellant; or
- the student provides evidence that (a) an emergency or unforeseeable circumstance occurred preventing her/his participation in the hearing and that(b) s/he/the group was prohibited from providing a minimum of 24 hours' notice to the Office of the Director, Student Affairs 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: Mere dissatisfaction with the sanction imposed does not constitute grounds for an appeal.***

Within ten (10) working days\* of receiving an appeal, the VP (SE) shall convene a Carleton University Resolution Board meeting and notify the student(s) in writing as to whether the CURB will hear the appeal. If the grounds for the appeal are accepted and a hearing is established, the student will be notified of the hearing date, and whether that hearing will be considering in-person or in-writing submissions.

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(s) 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.

For further procedural details regarding CURB see Appendix "D".

***\* Timeframes: Timeframes are subject to extension only as the result of exceptional circumstances, such as absence from the office for holidays or illness, family emergency, scheduled examinations, religious obligations, etc.***

### **C) APPEAL OF SANCTIONS IN RESIDENCE**

Residence students have the right to appeal penalties and/or administrative decisions taken against them by the Department of Housing and Conference Services through its enforcement of the Residence Contract and application of Residence regulations.

A Residence student 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, not later than seven (7) days from the date on which the penalty was assessed or administrative action taken.

If necessary, a meeting between the Director of Housing and Conference Services 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 (as defined in section V) should the appellant wish to have assistance in presenting his/her 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 Contract.

In the case of termination of Residence Contract, 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. This appeal shall be filed through the Office of the AVP (SE) within five ten (10) working days\* of receiving the Director of Housing and Residence Life's decision.

The grounds for appeal are:

- relevant evidence that emerges which was not available at the time of the original decision;
- there was clear evidence of bias in the hearing or original decision; or
- the non-academic misconduct procedures were not followed and the outcome of the case might have been substantially affected by this failure; or
- the severity of the sanction imposed reasonably exceeds the nature of the offence for reasons identified by the appellant; or
- 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: Mere dissatisfaction with the sanction imposed does not constitute grounds for an appeal.**

Within ten (10) working days\* of receiving an appeal, the AVP (SE) 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 residence and which requires the immediate termination of the resident's Residence Contract, the decision to terminate the Residence Contract taken by the Director of Housing and Residence Life can be appealed in writing to CURB through the Office of the AVP (SE).

CURB may uphold the recommendation and apply the sanction to the student, or apply a lesser 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 contract.

## **XI ADMINISTRATION OF THE STUDENT RIGHTS AND RESPONSIBILITIES POLICY**

### **A) AUTHORITY AND AMENDMENTS**

Amendments to the Student Rights and Responsibilities Policy must be recommended to the Director, who oversees in the administration and implementation of the Policy and changes must be authorized by the VP (SE). The Policy will be reviewed after twelve (12) months and every two (2) years thereafter and will include input from students, staff and faculty who are involved in the administration of the Policy.

### **B) PEER CONDUCT BOARD**

There will be a group of sixteen (16) volunteer Peer Conduct Board members selected each year. Candidates will be in good academic and judicial standing. All PCB members receive the same

training and will be split into two (2) separate boards. Each board will normally be composed of eight (8) students and will meet every two weeks. It is necessary to have at least three (3) board members in order for a case to be heard, unless the student agrees otherwise. There will be two (2) students selected to serve as chairperson of each of the Peer Conduct Boards. The role of Peer Conduct Board chairperson will be a paid position.

A delegate of the VP (SE) (excluding the Director) serves as advisor and administrator to the Peer Conduct Board.

**C) CARLETON UNIVERSITY RESOLUTION BOARD HEARINGS**

The Carleton University Resolution Board hearings will be the final appeal authority for students who are found in-violation of this policy. The AVP (SE) will serve as Chairperson of CURB and will call meetings as necessary.

The Executive Assistant of the VP (SE) will serve as administrator for all CURB hearings.

**D) STUDENT NON-ACADEMIC MISCONDUCT RECORDS**

Records of charges and sanctions, other than suspension or expulsion, will not be placed in student academic records. Records of all decisions, including charges and sanctions, will be maintained as part of the confidential records maintained by the Director for a period of up to five years after the student graduates or ceases to be a student. Reports and statistics compiled by the Director on the nature and number of cases and outcomes, including sanctions, will not include identification of individual students.

**Related Polices:**

- Workplace Harassment Prevention Policy
- Workplace Violence Prevention Policy
- Carleton University Statement on Conduct and Human Rights
- Sexual Violence Policy
- Student and Visitor Ban From Campus Policy

**APPENDIX "A"**  
**CO-OP PARTICIPATION AGREEMENT**

**SCOPE**

The Co-op Participation Agreement applies to all students actively participating in co-operative education program activities. This applies to COOP 1000, job search activities and while on a co-op work term. Students who do not adhere to the co-op participation agreement will be subject to sanctions as identified in the academic integrity policy and the student's rights and responsibilities policy depending upon the infraction.

**1. CONDITIONS OF PARTICIPATION IN CO-OPERATIVE EDUCATION**

**1.a. Eligibility**

***I am*** legally eligible to work in Canada.

*(Note: If I am at Carleton on a study permit, I agree to complete any forms required to request a co-op work permit and accept the terms of the work permit.)*

***I understand that*** certain employers will require confirmation of my Canadian citizenship and I authorize the Co-operative Education Office to confirm my Canadian citizenship to co-op employers when requested.

***I authorize*** the Co-operative Education Office to make use of my personal data from university student records, including: mailing address, degree program, current year of study, CGPA and immigration status for the purpose of determining my eligibility to participate in the co-operative education program.

***I understand that*** I must meet all academic requirements as outlined in the Undergraduate Calendar or the Graduate Calendar in order to maintain participation eligibility.

***I acknowledge that*** I will not be eligible for participation in the co-operative education program if my CGPA should drop below the required minimum CGPA.

***I understand that*** I must continue to be enrolled full-time in my honours program. (Exception for students enrolled in the Computer Science Major program. Graduate students must be full-time.)

***I agree*** to participate in the job posting and interview process, work term visits, and other activities as required to maintain my eligibility for the co-operative education program.

***I understand that*** any infractions will be reported to the Chair or Head of my department/school.

***I acknowledge that*** I am not eligible for a co-op work term after my last academic term.

***I understand that*** if I do not receive a rating of satisfactory on my work term report or if I choose not to submit a work term report I will no longer be eligible for the co-op option of my program.

***I understand that*** the Manager, Co-operative Education will review my status if I fail to comply with any of the conditions in this document, and that the maximum penalty for failing to comply is my withdrawal from the co-op option of my degree program.

**1.b. Graduation with Co-op Designation**

*I understand that* I must complete all required work terms and meet all the requirements of co-op before graduating to receive the co-op designation on my degree.

*I understand that* I must graduate with an honours degree to receive the co-op designation on my degree. (Exception for students enrolled in the Computer Science Major program and for Graduate students).

**2. WHILE ON A WORK TERM**

**2.a. Communication**

*I agree* to check my Carleton email account regularly for important notices from the Co-operative Education Office while on a work term.

*I agree* to use my Carleton email account as the primary method for communication with the Co-operative Education Office.

*I will* maintain contact with my Co-op Student Advisor while on a co-op work term.

**2.b. Employer Rules and Regulations**

*I agree* to abide by rules, regulations, and policies set by the co-operative education program and my employers.

*I agree* to abide by ethical and legal guidelines, including but not limited to those concerning use of computers.

**2.c. Courses**

*I acknowledge and understand that* I may not take more than a 0.5 credit course during work terms.

*I acknowledge and understand that* the 0.5 credit course taken on a work term must be scheduled outside of regular working hours.

**2.d. Conditions of Work**

*I understand that* I am required to work the hours that will allow for the greatest level of learning and productivity with my employer.

*I will* start and end my work term on the dates specified as the beginning and ending of term.

*I acknowledge that* I must obtain approval from the Co-op Program Administrator before attempting to vary these dates.

*I will not* ask employers for vacations during work terms.

*I will* inform my Co-op Student Advisor as soon as possible of any situation, including illness, which necessitates my absence from work for more than three days.

*I understand that* I may have to delay graduation to meet my work term requirements if I am approved to leave a work term early due to extenuating circumstances such as a death in my immediate family or a serious health issue.

*I will* honour my commitment to the employer upon accepting any approved position.

### 3. DURING THE JOB SEARCH PROCESS

#### 3.a. Disclosure of Information

*I will* allow the Co-operative Education Office to review my academic record, monitor my academic performance and obtain a record of my courses.

*I authorize* the Co-operative Education Office to disclose any information related to my marks to employers.

#### 3.b. Use of Technology

*I agree to* check Co-op Services on myCareer regularly for notices, job postings and interview schedules.

*I agree to* check my Carleton email account regularly for messages from the Co-operative Education Office, and list this email address on my résumé.

*I understand that* I must obtain a work term position approved by the Co-operative Education Office.

*I agree to* consult the co-op website regularly for instructions on participating in the co-operative education program.

#### 3.c. Applications

*I will* use an approved résumé when applying to co-op employers.

*I will not* provide false or misleading information in my application documents.

*I understand that* it is my responsibility to submit an updated resume which includes correct availability information.

*I understand that* it is my responsibility to include a grades page with my resume every time I apply to a co-op work term position.

#### 3.d. Job postings and Work Term Positions

*I understand that* the Co-operative Education Office will obtain and post positions and help me conduct a job search.

*I understand that* there is no guarantee that I will obtain an approvable position or that positions will meet my expectations.

*I understand that* I must apply actively to job postings each work term until I have secured employment. *I acknowledge that* the Co-operative Education Office reserves the right to limit the types of jobs to which I may apply to those related to my academic field of study.

#### 3.e. Interviews

*I agree to* be available for interviews during the job search process and to attend interviews for all positions to which I have applied.

*I will* provide employers with factual and accurate information during interviews.

### **3.f. Release of Identity**

*I authorize* the Co-operative Education Office to share content from co-op student file to relevant staff members of the Co-operative Education Office as necessary to my participation in the program.

*I authorize* the co-operative education program staff members to post my name or student identification number on internal bulletin boards and myCo-op when notifying me about interviews, appointments, employment results, and other information related to co-op.

### **3.g. Acceptance of a Co-op Work Term**

*I acknowledge that* once I have accepted an approved position, all conditions apply whether I obtained the position through my own efforts or through a referral from the co-operative education program.

*I acknowledge and understand that* I will be registered in a work term report course, and pay the associated fee, for all co-op work terms regardless of how I obtained the position and even if I have completed the required number of work terms to obtain my designation.

*I understand* that only **one** job offer may be declined per job search term.

*I understand* that once I've accepted a job, I can no longer search for a job for that term.

## **4. WORK TERM EVALUATION**

### **4.a. Work Term Reports**

*I understand that* I must meet the deadline for submitting my work term report, and I must achieve a rating of "satisfactory."

*I understand that* if my report has been rated 'unsatisfactory,' I must submit a revised report.

### **4.b. Performance Evaluation**

*I understand that* the performance standards expected of me are no less than those that are expected of other employees.

*I understand that* I am responsible for conducting myself in a professional manner while on a co-op work term.

*I authorize* the Co-operative Education Office to release information from my previous performance evaluations to prospective employers at their request, including overall ratings of my performance.

*I recognize that* the Manager, Co-operative Education will review my status if I quit or receive an unsatisfactory employer evaluation or if my employer dismisses me, and that the maximum penalty in these situations is my withdrawal from the co-op option.

*I understand that* I may be withdrawn from co-op even if I have completed the minimum number of weeks required for a work term before being dismissed by my employer.

## **5. FINANCIAL CONSIDERATIONS**

### **5.a. Salary**

*I understand that* the co-operative education program cannot guarantee the accuracy of salary information it receives from employers.



**5.b. Co-op Fees**

*I agree to* pay the co-op fees according to the schedule on the website.

*I understand that* the Business Office will bill me for interest charges if I fail to meet these deadlines.

*I understand that* if I choose or am required to withdraw from co-op for contravening co-op policies, no portion of my co-op fee will be refunded.

*I understand that* co-op fees are not placement fees, and are payable according to the fee payment schedule.

**5.c. Scholarships**

*I understand that* I am responsible for communicating with the Awards Office with regard to the status of my scholarship while I am participating in the co-operative education program.

**6. OTHER**

**6.a. Exchanges**

*I understand that* participating in co-op may limit my ability to participate in international academic exchanges. The duration and timing of my work terms cannot be varied to accommodate international academic exchanges where the dates of terms differ from those at Carleton University. I am not eligible to begin a work term after an international academic term unless I have confirmed employment before my departure.

*I understand that* participating in an international academic exchange may require a leave of absence from the Co-op Option and may delay my graduation.

**6.b. For Students with a Disability**

*I understand that* it is my responsibility to inform my employers of any accommodations I need as a result of my disability.

**6.c. Accommodation**

*I understand that* I am responsible for obtaining accommodation if I need to relocate for a co-op position.

**6.d. Work/Study Patterns**

*I acknowledge that* altering my work study pattern requires approval from the Co-op Program Administrator.

*I acknowledge that* if I choose to alter my work study pattern, it is my responsibility to check with my academic department to ensure that I will be able to obtain the credits that I require.

**6.e. Confidentiality and Employer Contacts**

***I agree*** to use discretion and maintain confidentiality when discussing my co-op employers, their organizations and their customers or clients with anyone other than Carleton University co-op staff members.

***I understand that*** I must obtain permission from my Co-op Student Advisor before contacting any employer that I met through an affiliation with the co-operative education program.

***I will not*** help anyone obtain access to co-op employers or co-op job postings.

***I will not*** attempt to obtain employment with a Carleton co-op employer outside of the co-operative education program.

***I will not*** refer anyone directly to participating co-op employers for any type of positions that might have an impact on opportunities for co-op students.

#### **6.f. Liability**

***I acknowledge that*** it is ultimately my responsibility to obtain work term positions.

***I agree that*** the university will not be held liable if I do not obtain an approvable position.

***I agree that*** the university will not be held liable for any agreements established or breached with my employer, including salary and benefits.

***I agree that*** the university will not be held liable for any expense, personal injury, or loss or damage of personal property arising while seeking employment or from my employment during a work term.

#### **6.g. Terms**

If you do not understand all the terms of participation, please ask a Co-op student Advisor to clarify before signing this form.

The co-op website contains the most current, official version of this admission agreement.

### **7. STUDENTS IN VIOLATION OF CO-OP PARTICIPATION AGREEMENT**

#### **7.a. Process for Review of Student Co-op Participation Eligibility**

1. Interview with the student conducted by the Manager, Co-operative Education.
2. Interview by the Manager, Co-operative Education with all other relevant parties which may include but are not limited to, the student's supervisor, the representative of the organization and co-operative education program employees.
3. A second interview with the student may be required for clarification of any items brought forward as a result of the interviews with the other relevant parties.
4. Within 10 business day after the second interview, the student will receive a written decision by the Director, Co-op and Career Services.

#### **7.b. Sanctions for Violations of the Co-op Participation Agreement**

Violations of the Co-op Participation Agreement may result in one of the following sanctions:

- Mandatory attendance in a series of career counseling sessions conducted by the Co-op Career Counselor;
- UNS grade for the term report and deregistration from the co-operative education program.

#### **7.c. Appeals**

A sanction imposed under the Co-op Participation Agreement may be appealed in writing to the Vice President, Students and Enrolment within 10 (ten) days of receiving the written decision by the Director, Co-op and Career Services

The grounds for appeal include but are not limited to the following:

- Relevant evidence that emerges which was not available at the time of the original decision; or
- Clear evidence of bias in the original decision; or
- The severity of the sanction imposed reasonably exceeds the nature of the offence for reasons identified by the appellant.

Appellants will be notified, in writing, within 10 (ten) days if the appeal has been accepted. If grounds for appeal are accepted, a meeting will be scheduled with the Director, Co-op and Career Services.

## 8. ACCEPTANCE OF CO-OP PARTICIPATION AGREEMENT

*I have read the co-op participation agreement requirements, understand them, and agree to meet the conditions.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### PLEASE PRINT THE FOLLOWING INFORMATION:

Name: \_\_\_\_\_

Student ID number: \_\_\_\_\_

Academic Program: \_\_\_\_\_

Home number: \_\_\_\_\_

Cell Number: \_\_\_\_\_

## **APPENDIX “B”**

### **PEER CONDUCT BOARD: OPERATING PROCEDURES**

#### **1. Purpose**

The purpose of the Peer Conduct Boards (PCB) is to offer an opportunity for student involvement in the processes outlined in the Student Rights and Responsibilities Policy.

The Peer Conduct Board shall:

- Provide an alternative to hearings conducted by the Director, Student Affairs or official/designate of a University department;
- Hear and recommend sanctions for non-academic misconduct matters in a professional manner;
- Recommend sanctions which are fair and educational;
- Balance and consider the needs and interests of the community with those of the individuals involved in non-academic misconduct;
- Consider each case without bias and recognize that consistency is not the same as uniformity in the application of this policy;
- Uphold the Student Rights and Responsibilities Policy in a fair and timely manner.

#### **2. Composition and Membership:**

- Peer Conduct Board members will be drawn from a roster of sixteen (16) undergraduate and graduate students.
- The position of PCB Chairperson will be a paid student position. Recommendations for two (2) chairpersons will be sent to the Director by the PCB selection roster for consideration.
- A delegate of the VP (SE) serves as advisor and administrator at all PCB hearings but does not vote.
- All students serving on the PCB must be in good academic and judicial standing.
- No member may continue on the Peer Conduct Board if found responsible for conduct which would constitute an offence under this Policy, or whose conduct would bring disrepute to the PCB.
- All members of the PCB must undergo specified training before being eligible to serve as a member of the Board.
- Peer Conduct Boards shall always sit with three (3) voting members to reach quorum.
- To avoid actual or perceived bias to the greatest extent possible, students who serve in executive roles of organizations that require general election of membership will not be permitted to serve on the Peer Conduct Board (i.e. executives from: The Rideau River Residence Association, the Carleton University Students' Association, the Graduate Student Association, the Carleton Academic Student Government).
- To avoid actual or perceived bias to the greatest extent possible, student employees of the Department of Housing and Residence Life who are also Peer Conduct Board members will not be permitted to sit in review of a matter that involves an infraction of the Residence Contract, or that involves a current residence student.

### 3. Selection of Peer Conduct Board Members

A selection committee for membership of the PCB will include:

- The Director, Student Affairs
- The Peer Conduct Board Advisor
- An outgoing PCB member (except in the first year of the Board's operation)

The selection committee will attempt to ensure that the Peer Conduct Board represents the diversity of the University community, as well as the academic disciplines to the extent possible.

### 4. Rights and Duties

- Ensuring the policies and procedures of the Student Rights and Responsibilities Policy are followed.
- Participating fully and impartially in PCB hearings.
- Ensuring confidentiality is maintained with regard to all hearings at all stages, with regard to all information. (Note: While a hearing may be public should a student request this, members of PCB must be sensitive to the perception of confidentiality in all cases and should, as a general rule, refrain from discussing any information obtained in the course of their work.).
- Modeling a standard of conduct which enhances the reputation of the PCB and gives credibility to the principles on which the Student Rights and Responsibilities Policy is founded.
- Members who are in a conflict of interest must recuse themselves from a hearing as soon as the conflict is known.
- As a general rule, hearings will be closed and will be kept in strictest confidence.
- Notes will be kept in the Office of the Director of all meetings and all correspondence related to the meeting, except those notes of the student and the student's Advisor.
- Where necessary, hearings will be adjourned to ensure that essential information can be obtained, and will be reconvened within one week for hearing by the same Board.

### 5. Procedures

Note: where the application of this Policy appears to conflict with other policies, the Director, in consultation with the administrators of the relevant policies shall determine resolution of the conflict.

- Hearings will be as informal as possible but will include:
  - Reasonable and proper notice as defined by this Policy to the parties involved of the nature and source of the alleged misconduct;
  - A hearing by an impartial body;
  - An opportunity for the parties to hear and answer any evidence used to substantiate the allegation;

- Hearings are closed to all persons other than Members of the PCB and the persons summoned or invited to appear before the board. The student who is alleged to have committed an offence may have an advisor (as defined in the Student Rights and Responsibilities Policy) present at the hearing; however, this individual is not permitted to represent or speak on behalf of the student. Legal representation is not permitted at this level of hearing.
- The case against the student may first be presented by the administrator who investigated and/or reported the incident. If the administrator is not available or does not wish to present the case, the Chairperson shall review the allegations to the student and provide the student with a copy of the report.
- Any party of the proceedings may call witnesses to provide information relevant to the case being heard. The VP (SE) designated non-student PCB Advisor may limit the number of witnesses or may limit cross-examination in situations where it is becoming repetitive or irrelevant.
- The final decision of a case is reached by on a consensus basis. In the event a consensus cannot be achieved, the participating members may vote. Participating members may not abstain from a vote. In the event of a tie vote the case will be referred to the Director, Student Affairs and he/she will rehear the evidence and decide on an outcome.
- PCB members will determine appropriate sanction(s), if necessary.
- The decision and sanctions, if applicable, will be communicated to the student in writing within ten (10) days.
- Hearings will be conducted in the absence of the student alleged to have committed the offence of misconduct where the student fails to appear at a scheduled hearing.
- Testimony before the PCB is in strict confidence.
- Rules of evidence required in civil and criminal hearings shall not apply. Evidence that is irrelevant shall be excluded.

## APPENDIX “C”

### STUDENT-AT-RISK PROTOCOL

#### I. PREAMBLE

The Students-At-Risk Protocol is an appendix to the Student Rights and Responsibilities Policy. Together, both documents establish a procedural framework that aims to facilitate and support a positive and safe educational and work environment.

The Student Rights and Responsibilities Policy is designed to set out the rights and responsibilities of students and the University in relation to alleged violations that take place on University property and in some off-campus situations. In particular, the Category 1 and 2 Offences outlined within the Student Rights and Responsibilities Policy provide clarity regarding what behaviour is appropriate and not appropriate and how these behaviours will be addressed within an established framework.

The Director of Student Affairs has overall leadership for the Student Rights and Responsibilities Policy, and both the Director and the Peer Conduct Board are provided the authority under the policy to assign sanctions for non-academic misconduct violations.

The Students-At-Risk Protocol sets out a framework for senior University officials and health professionals to interact in a team setting in order to rapidly and effectively identify and coordinate responses to a student’s behaviour that is outside to the scope of the Category 1 and 2 Offences outlined with the Student Rights and Responsibilities.

Specifically, this behaviour must have already been demonstrated, or have the potential to physically, emotionally, or psychologically harm the student that is exhibiting the behaviour, and/or members of the larger University community. It should be noted in certain circumstances, a student’s actions may be addressed by both the Student-At-Risk Protocol and the Student Rights and Responsibilities Policy or the Student and Visitor Ban from Campus Policy. However, it is anticipated that these situations will be exceptional.

Overall leadership for the Student-At-Risk Protocol is the responsibility of the Vice-President (VP) Students and Enrolment (SE).

#### II. SCOPE

Types of actions or behaviours that are to be considered within the framework of the Students-At-Risk Protocol include, but are not limited to:

- Students who disclose suicidal thoughts to one or more individuals, or who have demonstrated other signs of suicidality;
  - Students who carry out or threaten to carry out an act of self-harm;
  - Students who are exhibiting signs of a serious mental illness and whose behavior is putting themselves or other members of the University community at risk, or whose behavior has the potential or threatens to put themselves or other members of the University community at risk;
- and

- Students who make threats, or carry out actions that are perceived as threats, which if acted upon could seriously harm one or more members of the University community.

The Students-At-Risk Protocol is based on the latest best practices and research, is consistent with Ontario and federal privacy legislation, and positions Carleton University to be able to respond rapidly and appropriately in response to students that are at risk to harming themselves or others.

In no way is the Students-At-Risk Protocol intended to infringe upon a student's right to free speech or other inherent rights.

In addressing a student-at-risk, the University has the right and responsibility to make decisions to protect that student and/or other members of the University community from any of the behaviors described in this section.

### **III. GUIDING PRINCIPLES**

Carleton University is committed to the success of all students, including those with significant mental health issues. Towards this end, Carleton University will:

- Acknowledge but not stigmatize mental health problems;
- Make suicide prevention a priority;
- Encourage students to seek help or treatment that they may need and provide appropriate support and referrals;
- Ensure that personal information is kept confidential as stipulated by FIPPA and PHIPA;
- Allow students to continue their education as normally as possible by making reasonable accommodations; and
- Refrain from discrimination against students with mental illnesses, including punitive actions toward those in crisis.

### **IV. IDENTIFICATION AND ASSESSMENT:**

Students-at-risk will be identified through any number of individuals or organizations across the University community. Through the Student-At-Risk Protocol, the University has established a framework that facilitates the identification and coordination of students-at-risk through to the Student at Risk Evaluation Team (SARET).

While any individual (faculty member, student, administrative staff), or organization (e.g., Library Services, the Business Office, the Registrar's Office, Carleton Athletics) can initially identify a student who is potentially at-risk, the primary responsibility for the initial assessment of such a student is with those University departments that have the primary function of student and employee safety and/or health and wellness.

These departments include:

- Department of University Safety
- Student Affairs
- Health and Counselling Services
- Human Resources



- Equity Services
- Department of Housing and Residence Life

Upon being notified of a potential student-at-risk, or in instances where they interact with such a student directly, the above-mentioned departments are responsible for bringing the actions of the student to the attention of the SARET as per the following criteria:

- On as soon as possible basis where there is appearance of *high risk, severe or chronic* situation that may trigger the university's duty to warn and to take action to protect the student-at-risk and/or others.
- At the next regular SARET meeting where there is the appearance of *lower risk* situation, but there is a concern that the action or behaviour may be repeated and some form of response may be required.

Under no circumstances should this Protocol prevent or delay a University official from taking appropriate and immediate actions to address an emergency situation that is confronting them as individuals, or their place of business. Officials should first address the emergency situation using established protocols and training and then refer the student-at-risk according to this Protocol.

**Student-at-Risk Evaluation Team:** The SARET will be employed to provide a coordinated response to students-at-risk and will meet on a regular or as needed basis for this purpose. The SARET will include several professionals including representatives from the Department of University Safety, Student Affairs, Health and Counseling Services, Human Resources and Housing, and other University department's on an as needed basis.

Note that in certain circumstances, the ability to define the level of threat may be beyond the expertise of the SARET, or the professional staff at Health and Counseling Services. In this type of situation, a student may be required to undergo an assessment (medical or threat assessment) with specialists independent of the university.

## V. SARET RESPONSES

The SARET may take a range of preventative or supportive actions in response to a student-at-risk. When necessary, these actions are developed in consultation with health professionals outside of Carleton's Health and Counselling Services.

- 1) Actions that may be applied in lower risk situations include, but are not limited to:
  - Ongoing *monitoring* of the student's behaviour;
  - Referrals to optional/voluntary support services (e.g., counselling);
  - Referrals for assessment;
  - Behavioural contracts;

For the purpose of this Protocol, the term *monitoring* refers to efforts on the part of University Departments to continue to offer services to a student-at-risk, while providing pertinent information to the Director of Student Affairs or his/her delegate, so that the Director is well placed to support the student if necessary, and is able to accurately update the SARET.

- 2) Actions that may be applied in higher risk, severe or chronic situations may include, but are not limited to:

- Non-association/no contact directives;
- The suspension of student privileges (e.g., no access to athletic facilities);
- Limits to campus access (e.g., evening trespass);
- Mandatory assessment and/or treatment for a mental illness as per as per Ontario Mental Health Act (1990);
- A Registration Hold From Academic Studies from academic studies;

## VI. REGISTRATION HOLDS

In circumstances where a student is experiencing a mental illness or significant behavioural challenges and cannot meet academic standards even with accommodations and other supports, the VP (SE) on the recommendation of SARET, may impose a Registration Hold from Academic Studies. A Registration Hold may also be imposed if SARET determines that there is a significant risk that a student will harm him or herself and/or others. A Registration Hold from Academic Studies may be imposed when a student is enrolled in courses or may be applied to prevent a student from enrolling in new courses. Where SARET implements a Registration Hold from academic studies, it will communicate such actions to Registrar's Office and all other appropriate offices or departments across campus.

In cases where a student is to be banned from campus either temporarily or on a permanent basis and is no longer to be permitted to take classes at the university, SARET will employ the *Student and Visitor Ban from Campus Policy* to inform and guide its decisions and processes.

### Removal of Registration Holds From Academic Studies

- 1) Following the imposition of a Registration Hold from Academic Studies, SARET may require the student to provide the following information in order to assess, change or remove a student's Registration Hold:
  - Documentation (i.e., the Carleton University *Treating Physician Return to Campus Questionnaire – Appendix "B"*) from the student's physician, psychologist, or counsellor indicating that the student is complying with treatment and is able to resume their studies;
  - Current police records check and/or criminal matters and judicial matters check;
  - Letters of reference;
  - Evidence that all current outstanding disciplinary sanctions have been addressed;
  - A third party release that enables University officials to speak with the student's treating physician about their health status.
- 2) At any time during its review to remove a Registration Hold from Academic Studies, SARET may require the student to provide additional documentation from treating medical professional(s) or other individuals as required.
- 3) Upon determining that a student's Registration Hold from Academic Studies will be removed, the Director of Student Affairs, or a designate from SARET, will be responsible for monitoring the student's return to campus. In permitting a student to return to their studies, SARET may require the student to complete a Behavioral Contract or a similar type of agreement prior to returning to

their studies. The Director of Student Affairs or the SARET designate will be responsible for reporting the student's status to SARET on an ongoing basis.

**Financial Reimbursement – Registration Hold from Academic Studies:** In the event a student is withdrawn from their studies after the University's financial withdrawal date, financial reimbursement will be considered on a case-by-case basis by SARET.

## **VII. APPEALS OF SARET**

Appeals under the Student-At-Risk Protocol will be considered by the University Student Appeal Board (as per the *Student and Visitor Ban from Campus Policy*). An appeal must include the grounds of the appeal and must be submitted to the University Secretary within ten (10) working days of the notification of the condition(s) placed on the student by the SARET.

Appeals may be made in the following circumstances:

- Where evidence emerges that was not available to SARET at the time of its original deliberation;
- There was clear evidence of bias;
- The severity of the conditions placed on the student exceeds the nature of the behaviour for reasons identified by the student.

Within ten (10) working days of accepting an appeal, the University Secretary shall notify the student in writing of the University's decision. The University Secretary may or may not require an oral hearing in rendering his/her decision.

## **VIII. AUTHORITY**

Amendments to these procedures must be recommended to the VP (SE).

## APPENDIX “D”

### CARLETON UNIVERSITY RESOLUTION BOARD: COMPOSITION AND PROCEDURES

#### 1. Purpose

The Carleton University Resolution Board (CURB) is the appellate body for decisions of the Director of Student Affairs for decisions made under the Student Rights and Responsibilities (SRR) policy, and appeals of decisions made by the Director of Housing and Conference Services. The decision of the CURB is final.

#### 2. Composition and Membership

- CURB is chaired by the Vice-President Students and Enrolment (VP SE) and consists of four members; one faculty member, one staff member, one student, and the chairperson.
- The Executive Assistant of the VP-SE serves as the administrator at all CURB hearings but does not vote.
- The student member of the CURB must be in good academic and judicial standing.
- No member may continue on the CURB if found responsible for conduct which would constitute an offence under the SRR policy, or whose conduct would bring disrepute to the CURB.
- The CURB shall always sit with three (3) voting members to reach quorum.
- To avoid actual or perceived bias to the greatest extent possible, students who serve in **executive** roles of organizations that require general election of membership will not be permitted to serve on CURB (i.e. The Rideau River Residence Association Executive, the Carleton University Student Association, the Graduate Student Association, and the Carleton Academic Student Government).

#### 3. Selection for the CURB Roster

- The Office of the VP-SE will select CURB members based on recommendations received through a call for nominations via Today@Carleton, and through recommendations received by from the Clerk of Senate and student support offices, including the Office of Student Affairs.

#### 4. Rights and Duties

- Ensuring the policies and procedures of the Student Rights and Responsibilities Policy and the Residence Contact are followed.
- Participating fully and impartially in the CURB hearings.
- Ensuring confidentiality is maintained with regards to all hearings at all stages, with regard to all information. (Note: While a hearing may be public should a student request this, members of CURB must be sensitive to the perception of confidentiality in all cases and should, as a general rule, refrain from discussing any information obtained in the course of their work.).
- Members who are in a conflict of interest must recuse themselves from a CURB hearing as soon as the conflict is known.
- As a general rule, hearings will be closed and will be kept in strictest confidence.

- Notes will be kept in the Office of the VP-SE of all meetings and all correspondence related to the meeting, except those notes of the student and the student's Advisor.
- Where necessary, hearings will be adjourned to ensure that essential information can be obtained, and will be reconvened within one week.

## **5. Procedures**

Where the application of this SRR policy appears to conflict with other policies the VP-SE in consultation with the administrators of the relevant policies shall determine resolution of the conflict.

## **6. Conduct of Hearings**

Hearings will be as informal as possible but will follow the principles of procedural fairness including providing:

- Reasonable and proper notice as defined by this Policy to the parties involved of the nature and source of the alleged misconduct;
- A hearing (whether in person or through review of written submissions) by an impartial body;
- The opportunity for students to be accompanied by an Advisor (as defined in the Student Rights and Responsibilities Policy).

Notice to students that hearings will be conducted in their absence where the student fails to appear at a scheduled hearing. At the time of invitation to attend a hearing, students may negotiate a date for the hearing other than the date originally proposed, as long as the hearing may occur within reasonable time frames. Students will be provided with notification of the outcome of the hearing within five (5) days\*of the hearing where the decision cannot be immediately reached.

- The Chair of the CURB will seek to obtain consensus, but in the absence of consensus after careful deliberation, will call a vote and the decision of the majority will be adopted.
- Participating CURB members may not abstain from a vote.
- All decisions of the CURB will be considered unanimous.
- Rules of evidence required in civil and criminal hearings shall not apply. Evidence that is irrelevant shall be excluded.