TABLE OF CONTENTS

CODE OF STUDENT CONDUCT ......................................................3
Principles .................................................................................4
Authority ...............................................................................4
Legislation ..............................................................................4
Code of student conduct .......................................................4
Definitions ...............................................................................5
Rights and responsibilities .....................................................5
Process overview ....................................................................6
Appeal process .......................................................................6
INTRODUCTION ........................................................................7
DEFINITIONS ..........................................................................9
GLOSSARY OF TERMS .............................................................11
ACADEMIC MISCONDUCT......................................................13
Plagiarism and cheating ....................................................14
Academic misconduct procedures ......................................15
Reporting ...............................................................................15
Academic misconduct sanctions .......................................16
Academic misconduct incident FAQ ....................................17
NON-ACADEMIC MISCONDUCT ...........................................18
Standards of classroom behaviour ..................................20
Non-academic misconduct procedures ..............................21
Reporting ...............................................................................21
Non-academic misconduct sanctions ................................22
Non-academic misconduct incident FAQ .........................23
TIPS FOR INSTRUCTORS ....................................................25
Instructor/student meeting ...............................................26
TIPS FOR STUDENTS ..........................................................27
Rights and responsibilities .................................................28
Student/instructor meeting .................................................29
CASE STUDIES .................................................................30
Academic misconduct case studies ..................................31
Non-academic misconduct case studies ...........................33
BOARD HEARINGS .............................................................35
Board training ......................................................................36
Academic Misconduct Review Boards .............................36
Non-Academic Misconduct Review Boards .....................36
Outline of academic hearing procedures .......................36
Outline of non-academic hearing procedures ..................37
FRAMEWORK ........................................................................38
Structure ...............................................................................38
Jurisdiction .........................................................................38
Relationship to other University policies ........................38
Relationship to external agencies ....................................38
Application to off-campus conduct ................................38
Application to non-students ............................................38
Appointment .........................................................................38
Composition .........................................................................38
Roles and responsibilities ...............................................39
Chairperson of the board ..................................................39
Board members ...............................................................39
Complainant .......................................................................39
Respondent .........................................................................39
Attendant ............................................................................39
Witnesses .............................................................................39
Principles ............................................................................39
PRE-HEARING PREPARATIONS ...........................................40
Clarifying the mandate ......................................................40
Confirming the composition of the board .....................40
Framing the task ...............................................................40
Framing the issues ............................................................40
Establishing the rules .........................................................40
CONDUCTING THE HEARING ............................................41
Opening and closing remarks .........................................41
Order of presentation .........................................................41
Role of witnesses ..............................................................41
Role of attendants .............................................................41
Absent parties .....................................................................41
Time limits ...........................................................................41
Communications ...............................................................41
RENDERING THE DECISION .............................................42
Deliberating on the case ....................................................42
Deciding the issue ...............................................................42
Writing and communicating the decision ......................42
CODE OF STUDENT CONDUCT

- Principles
- Authority
- Legislation
- Code of Student Conduct
- Definitions
- Rights and responsibilities
- Process overview
- Appeal process
PRINCIPLES

Mount Royal's primary purpose for governing academic and other Mount Royal related behaviour is to promote the personal, educational and social development of students.

1. Mount Royal is committed to the principle of academic integrity, grounded in the belief in the fundamental values of honesty, trust, fairness, respect and responsibility in all academic work.

2. With the pursuit of learning comes the expectation that individuals will develop high standards of personal conduct. Consequently, we hold students accountable for violations of Mount Royal regulations using principles of restorative justice to ensure the orderly functioning of Mount Royal and to protect the Mount Royal community and its integrity.

3. The Code of Student Conduct (Code) is intended to establish for members of the Mount Royal community the general obligation to maintain the highest standards of academic honesty and to conduct themselves according to community standards of respectful and responsible behaviour.

4. Mount Royal values the rights and freedoms of the individual and protection against discrimination or harassment for each person. As such, students can expect the following rights, freedoms and values to be fostered and promoted.

   **Legal rights:** students enjoy the rights and freedoms recognized by law subject only to such restrictions on those rights and freedoms as are necessary to ensure the advancement of the community values inherent in this Code.

   **Freedom from discrimination:** discrimination at Mount Royal on the basis of race, ancestry, religious beliefs, physical disability, marital status, colour, place of origin, gender, mental disability, family status, source of income, age and sexual orientation is prohibited.

   **Freedom from harassment and sexual harassment:** Mount Royal’s Human Rights Policy strives to create an atmosphere intended to remain free from behaviour which is reasonably interpreted as unwelcome including, but not limited to, remarks, jokes or actions which demean another person and/or deny individuals their dignity and respect.

   **Positive academic environment:** Mount Royal students participate in an environment that supports intellectual inquiry as well as the exchange and examination of diverse ideas. These activities are to take place in an orderly manner in and outside of the classroom and in an environment that is protected through the governing documents of Mount Royal.

**Discipline:** students at Mount Royal can expect that contraventions of this Code and other relevant documents will be dealt with in a timely manner under the policies and procedures determined by the governing bodies of Mount Royal.

AUTHORITY

As established under the Post-Secondary Learning Act, ultimate authority for student discipline is vested in the Board of Governors of Mount Royal. The authority to administer this policy is delegated to the Provost and Vice-President, Academic.

LEGISLATION

Post-Secondary Learning Act (S.A. 2003)

**CODE OF STUDENT CONDUCT**

1. The Code of Student Conduct supersedes all other policies, rules or regulations to the extent of any overlap.

2. In the best interest of Mount Royal and the community, Mount Royal may require that the conduct of students be governed by policies, rules and regulations other than the Code of Student Conduct.

   - Student members of Mount Royal with special responsibilities established by Mount Royal (e.g., student athletes, students participating in international exchanges) may also necessarily be governed by additional policies.

   - While those policies may govern additional behaviours and resulting sanctions, all associated processes must be congruent with governing legislation and institutional policies which address the fundamental rights afforded to a student member of the Mount Royal community.

   - As a clear sense of academic honesty is fundamental to good scholarship, and as high standards of personal conduct contribute to a positive learning environment, faculty members have the general responsibility to foster acceptable standards of academic conduct and personal conduct.

3. Mount Royal reserves the right to apply the Code to off-campus conduct which occurs during a Mount Royal sponsored activity and which has a real and substantial link to Mount Royal. The intent is to discourage conduct that is prejudicial or likely to be prejudicial to the interests or the reputation of Mount Royal.

4. No person is eligible to be a member of an Academic or Non-Academic Misconduct Review or Appeal Board until he/she has participated in a board development process. In all instances, board members will be appointed by the Office of Student Conduct.
DEFINITIONS

1. **Academic misconduct** broadly defined is the giving, taking or presenting of information or material that unethically or dishonestly aids an individual or group in the determination of academic merit. Common examples include, but are not limited to, plagiarism and cheating.

For greater clarity, plagiarism occurs when an individual submits:

- the words, ideas, images or data of any other person as his/her own in any academic work which is a component of a course or program of study at Mount Royal; or
- information or data which have been altered or contrived in any way that is intended to mislead, and/or work which includes misleading references to material or references that do not accurately reflect the sources used by the individual.

Cheating occurs when a student or group of students dishonestly attempt to gain an unfair advantage over other students.

2. **Classroom** in the context of this policy is to be interpreted broadly and inclusively. That is, a classroom includes, but is not restricted to, labs, off-campus experiential learning environments, the Mount Royal library, performances, etc.

3. **Decision** in the context of a board hearing outcome refers to the determination of whether or not a student has committed an act of academic or non-academic misconduct and/or the sanction that has been applied.

4. **Mount Royal sponsored activity** means any activity on or off campus which is initiated, sanctioned or supervised by Mount Royal.

5. **Non-academic misconduct** broadly defined, is any behaviour or pattern of behaviour that:

- Adversely affects the learning of others, Mount Royal, or its educational mission.
- Violates established civil and criminal statutes.
- Threatens the safety or well-being of members of the Mount Royal community.
- Violates the ethical standards set by a professional association.

6. **Real and substantial link** refers to the inferred connection a reasonable person would make between student conduct and the integrity of Mount Royal.

7. **Reasonable** means moderate and fair in the circumstances.

8. **Restorative justice** is a philosophy, based on a set of principles and values, which focuses on the outcomes of a judicial or quasi-judicial process. Generally, these outcomes stipulate that:

- an individual’s complaint is acknowledged and heard;
- safe communities are created; and
- individuals are held accountable for their behaviour.

RIGHTS AND RESPONSIBILITIES

**Student rights**

1. To have classroom standards for both academic misconduct and non-academic misconduct communicated in a clear and unambiguous manner.

2. To have consequences for an alleged breach of academic misconduct or non-academic misconduct communicated in a clear and unambiguous manner.

3. To expect classroom standards to be applied consistently and equitably.

4. To be presumed not to have committed academic misconduct or non-academic misconduct until impartial and unbiased decision-makers have established, on a balance of probabilities, that his/her commission of the misconduct has occurred.

5. To have his/her case adjudicated within a reasonable time. This includes, but is not restricted to, sufficient notice of the allegation, relevant and reasonable disclosure of the case of the complainant, reasonable notice of the time, place and nature of any hearing, reasonable opportunity to respond to any allegations and to be advised in writing of the decision, its basis and any sanctions arrived at under this Code.

6. As appropriate, to be informed of, and have access to, the services of the Students’ Association of Mount Royal University (SAMRU). This includes having a designated SAMRU representative accompany him/her to a hearing or appeal, if requested.

7. In the case of students for whom SAMRU representation is not mandated (e.g., credit-free students), to choose an individual to accompany him/her.

8. To choose whether or not to provide evidence and/or to be a witness in the case against him/herself.

9. In any hearing to present evidence, to call his/her own witnesses and to personally question any witnesses called.

10. To have access to appeal procedures under this Code.

**Student responsibilities**

1. To uphold the values attached to academic integrity and develop academic skills and practices as necessary.

2. To be aware of classroom standards for both academic and non-academic conduct.

3. To familiarize themselves with this Code and govern themselves in accordance with it and all other policies, rules and regulations of Mount Royal.
**PROCESS OVERVIEW**

**Procedures**

1. Consistent with student responsibilities, a student unsure of academic standards should consult with the faculty member responsible before presenting his/her work.

2. The general processes for reporting academic misconduct and non-academic misconduct are represented in the diagrams below and to the right.

**Timelines**

1. Consistent with student rights, the Office of Student Conduct has established timelines to ensure an expeditious process.

2. The Office of Student Conduct or Board Chair can, with good cause, extend the timelines for any step of the process. Good cause in this context is normally related to the absence of decision makers due to final examinations, vacations or inter-sessions.

**Sanctions**

A student who has been found to have committed an act of academic misconduct or non-academic misconduct under this Code shall receive a sanction. All sanctions result in the creation of a student disciplinary file.

**APPEAL PROCESS**

Either party can appeal the decision rendered by an Academic or Non-Academic Review Board to an Appeal Board on the following grounds:

- alleged bias of the Review Board or one of its members;
- alleged failure by the Review Board to comply with the principles of natural justice or procedural fairness; or
- substantial new evidence unavailable to the Review Board.

---

**Academic misconduct process (overview)**

1. Identify a potential incident of academic misconduct.
2. Report the incident to the Office of Student Conduct.
3. Participate in a board hearing (if required).

**Non-academic misconduct process (overview)**

1. Identify a potential incident of non-academic misconduct.
2. Report the incident to the Office of Student Conduct.
3. Participate in a board hearing (if required).
INTRODUCTION
The University has a responsibility to define standards of student behavior and to provide reasonable expectations for student discipline with regard to conduct that jeopardizes the functioning of academic and non-academic activities. It is also the obligation of the University to protect the safety, rights and/or property of its members or visitors. To this end, the University implemented the Code of Student Conduct (Code) policy in September 2003.

As established under the University’s Act, ultimate authority for student discipline is vested in the Board of Governors of Mount Royal. It may be delegated to University administrators, faculty members, students, committees and organizations as set forth in this guide, or in other policies, rules or regulations adopted by the Board.

This guide includes examples of sanctions (consequences or remedies) that can be applied as well as the structure and operation of the University's system for adjudicating student misconduct cases.

The University may also require that the conduct of students be governed, in the best interest of the University and community, by policies, rules and regulations other than the Code of Student Conduct. Student members of the University with special responsibilities established by Mount Royal (e.g. student athletes, students participating in international exchanges) may also be governed by additional policies. In each case, those policies may govern additional behaviours and be administered through processes, and with resulting sanctions, other than those outlined in this guide. Any misconduct review process followed will not encroach on the fundamental rights afforded to a student in the Mount Royal community. The Code of Student Conduct shall supersede all other policies, rules or regulations to the extent of any overlap.

Students may be accountable to both external authorities and to the University for acts which constitute violations of law and the Code. Action under the Code will normally proceed regardless of other pending administrative, civil or criminal proceedings arising out of the same or other events, and shall not be subject to challenge on the ground of the outcome or ongoing nature of those proceedings.

Mount Royal reserves the right to apply the Code to off-campus conduct that has a real and substantial link to the University and where:

1. the conduct gives rise to a reasonable belief that the individual(s) poses a substantial danger to himself/herself or others in the University community;
2. the conduct gives rise to a reasonable belief that the presence of the individual could seriously disrupt, or adversely, affect the University; or
3. the conduct is prejudicial or likely to be prejudicial to the interests or to the reputation of the University.

It is the responsibility of all students to familiarize themselves with the Code and all other policies, rules and regulations of the University.
DEFINITIONS
When used in this guide, the following terms have been specifically defined.

**Administration or staff** – any person who holds a current non-faculty appointment with the University.

**Attendant** – an individual(s), including those accessed through the Students’ Association of Mount Royal University, selected by the student under investigation for academic misconduct or non-academic misconduct to consult with, accompany or assist the student at any meeting, conference, informal procedure, formal hearing, or appeal related to the investigation or allegation. Without permission of the presiding board or University official(s), the attendant shall not question witnesses or make submissions during any hearing or appeal.

**Balance of probabilities** – the standard achieved where the evidence as a whole shows that the fact sought to be proved is more probable than not.

**Business day** – any day, exclusive of Saturday or Sunday, which is not listed as a holiday in the Mount Royal Calendar.

**Chair** – the faculty member responsible for the administration of an academic program or department.

**Chairperson of the board** – the person responsible for presiding over the proceedings of the Academic Misconduct Board, the Non-Academic Misconduct Review Board, or the respective appeal boards.

**Classroom** – is to be interpreted broadly. A classroom includes, but is not restricted to, labs, off-campus experiential learning environments, the Mount Royal University library, performances, etc.

**Complainant** – any member of the University community who alleges that a student has committed an act of misconduct and who initiates a procedure under the Code.

**Credential** – any degree, diploma or certificate awarded by the University.

**Dean and Director** – those officials or their equivalents responsible for the Faculties, Centres and Schools and relevant administrative units of the University.

**Distribution** – any form of sale, exchange or transfer of any kind.

**Exclusion** – the act of prohibiting an individual, during the course of the judicial process, from accessing any service or facility at Mount Royal for a prescribed period as directed by the Provost and Vice President, Academic, or designate.

**Faculty member** – any full or part-time faculty member who holds a current academic appointment within the University.

**Instructor** – a credit or credit-free University member who provides instruction for any course to which an allegation of academic or non-academic misconduct is related.

**Member of the University community** – any student, faculty, administrative or staff member of the University, member of the public serving in a recognized capacity for the University, guardian of an underage student acting on behalf of the student in the University community, and employee of an agency contracted by the University.

**Negligently** – in a manner that fails to exercise the care or prudence that would be exercised by a reasonable person in the circumstances.

**Notice** – a written notice delivered to the student or to his/her residence by any reasonable means.

**Provost and Vice President, Academic or designate** – the official or the individual(s) to whom the Provost and Vice-President has assigned any one or more of his/her responsibilities under the Code.

**Reasonable** – moderate and fair in the circumstances.

**Recklessly** – without regard for or with indifference to the consequences.

**Record** – the collection of documents, tapes, discs or other such recordings that are considered by a board in a hearing along with any decision arising out of that hearing.

**Respondent** – any student against whom an allegation of misconduct has been made under the Code.

**Shall** – is used in the imperative sense throughout.

**Student(s)** – any person(s) for whom the University maintains an affiliation as a learner in the educational community.

**University and institution** – Mount Royal and all of its Faculties, Centres, Schools, Departments, Divisions, programs and services.

**University premises** – buildings or grounds owned, leased, operated, controlled or supervised by the University.

**University sponsored activity** – any activity on or off campus which is initiated, aided, authorized or supervised by the University.
GLOSSARY OF TERMS
GLOSSARY OF TERMS

Board – any one of the four boards (including the two appeal boards created under the Code of Student Conduct).

Code – refers in all instances to the Code of Student Conduct, the University's official policy on academic and non-academic misconduct.

Days – refers in all instances to business days, exclusive of weekends, statutory holidays and days during which the University is officially closed.

Guide – refers in all instances to the Student Conduct Guide, the University’s procedural guidelines for implementing the Code.

OSC – Office of Student Conduct.

SAMRU – Students’ Association of Mount Royal University.

Unaffiliated – an individual or a board who does not have a material interest in the case being heard.
ACADEMIC MISCONDUCT

- Plagiarism and cheating
- Procedures
- Reporting
- Sanctions
- Frequently asked questions
Mount Royal is committed to academic integrity, which is grounded in a belief in five fundamental values: honesty, trust, fairness, respect and responsibility. From these values flow principles of behaviour that enable academic communities to translate ideals into action (Center for Academic Integrity). The University expects that faculty members, instructors and students will honour these principles in maintaining the academic standards and intellectual integrity of the University community.

Academic misconduct broadly defined is the giving, taking or presenting of information or material that unethically or dishonestly aids an individual or group in the determination of academic merit. Common examples include, but are not limited to, plagiarism and cheating.

Instructors must ensure that all reasonable measures are taken to inform students of the specific requirements of their courses regarding academic integrity and that they model and enforce clear and fair standards of academic integrity. All members of the University community share the responsibility and authority to challenge and make known to the appropriate officials acts of apparent misconduct.

If a student is in doubt regarding any matter relating to standards of academic integrity on an assignment or in a course, he/she should consult with the faculty member responsible before presenting the work.

PLAGIARISM AND CHEATING

Plagiarism refers to a form of academic misconduct occurring when an individual purports that a piece of work has been authored by him/herself when indeed the work has been created by another individual. In particular, students are expressly prohibited from submitting:

- the words, ideas, images or data of any other person as a student's own in any academic work which is a component of a course or program of study at the University;
- information or data which have been altered or contrived in any way that is intended to mislead; and
- work which includes misleading references to material or references that do not accurately reflect the sources used by the student.

Cheating is yet another form of academic misconduct which violates the intellectual agreement between the University and its students and deprives students of the right to be assessed fairly and honestly. It undermines the very foundation of the educational enterprise because it debases learning itself and compromises the standards by which academic progress is measured and credentials awarded.

In particular, students are expressly prohibited from:

- possessing through any means, at any time or in any manner not prescribed by an instructor, a copy or copies of any materials, in whole or in part, intended to be used as an instrument of academic evaluation in advance of its administration;
- obtaining or attempting to obtain information from another student or unauthorized source (e.g. notes, crib sheets) during an examination or other assignment;
- without the instructor’s prior permission, collaborating with another, knowingly assisting another or knowingly receiving the assistance of another in writing an examination or in satisfying any other course requirement(s). This includes working together on a lab or computer program when the instructor requires that the task be performed independently;
- completing assignments, tests or examinations for another student or obtaining unauthorized assistance on any assignment, test or examination; submitting material for academic evaluation which has been procured in whole or in part from other sources, including the Internet or other agencies or individuals, except where the material has been fully and properly attributed to those sources;
- permitting another person to substitute for one's self in an activity related to academic evaluation or to substitute for another in a similar situation;
- misrepresenting information, in whole or in part, on a record, report, paper, examination or other course requirement to be submitted or in the possession of any instructor;
- altering grades or answers and submitting an assignment or test to be re-graded;
- altering or forging a document related to academic status or progress;
- submitting all or a substantial portion of academic work for which previous credit has been, or is in the process of being, obtained in another course without the prior approval of the course instructor;
- willfully damaging the academic work of another student;
- failing to comply with a specific condition of academic integrity which has been clearly announced in a particular course; and
- assisting others to cheat or plagiarize;
REPORTING

If an instructor believes there is cause to suspect an incident of academic misconduct with respect to a student and his/her participation in a respective class, that instructor is encouraged to confer with his/her Chair, or equivalent, as necessary and desirable at any point during the proceedings.

If a member of the University community, not serving as the respective instructor in a case of alleged academic misconduct, in good faith believes a case of academic misconduct may have or has occurred, that member shall report his/her belief to the instructor, or the Office of Student Conduct (OSC). The incident in question should be documented in detail with the use of the Academic Misconduct report.

1. The instructor shall investigate thoroughly the alleged misconduct and establish a reasonable level of certainty that an act of academic misconduct incident has occurred before proceeding.

2. The instructor may confer with the student (see Tips for Instructors, page 32 and Tips for Students, page 35). The instructor and student may wish to have an attendant present at an informal meeting.

3. If a resolution can be reached on the occurrence of an incident, the instructor and student shall record their understanding of the incident and agreed upon sanction, and forward all records to the OSC. Academic Misconduct forms are available at mtroyal.ca/codeofstudentconduct.

4. The OSC shall review the record and review for previous incidents on the student record.
   - If no record of previous academic misconduct is established, the record shall be maintained by the OSC, and the instructor and student shall receive official correspondence via mail.
   - If a record of previous academic misconduct is established, the record of the incident and proposed sanction shall be forwarded to the Academic Misconduct Board for review. The sanction agreed upon by the student and instructor shall be void and is not binding upon the Academic Misconduct Board.

5. If a resolution can be reached on the occurrence of an incident of academic misconduct but no agreement can be reached on the appropriate sanction, the incident shall be turned over to the Academic Misconduct Board to determine the sanction.

6. If no resolution can be reached in discussions between the instructor and the respective student, the incident shall be referred to the Academic Misconduct Board.
A student who has been found to have committed academic misconduct under the Code should receive a sanction from those listed below. Prior to making a decision regarding a sanction, there is a reasonable expectation that the instructor, or if applicable, the Academic Misconduct Board or Academic Misconduct Appeal Board will have considered all relevant details regarding the incident. If unusual or special circumstances exist, a sanction appropriate to the circumstances should be chosen, and participants are encouraged to access the Case Studies section (page 38) or to contact the OSC to discuss precedents. Without limiting the discretion of the aforementioned, the following guidelines may be considered with respect to choosing an appropriate sanction:

- whether there has been a previous finding of academic misconduct;
- the severity of the violation;
- whether there are multiple allegations;
- a disability that relates to the misconduct;
- cultural factors;
- age factors;
- language factors; and
- personal circumstances of the student.

Sanctions will vary commensurate with the violation, and as violations have several degrees of severity, so must the sanctions imposed. A less severe sanction may be appropriate where for example there has been no previous finding of misconduct and it has been determined that though a student has submitted work deemed to be plagiarized, it was driven by ignorance, not intent to deceive.

A more severe sanction or a major sanction or both may be appropriate where there has been a previous finding of misconduct or there are multiple allegations of misconduct, depending on the factors listed and the other relevant circumstances.

Warning/admonition – written notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.

Grade reduction – a reduction in grade or a failing grade for any particular aspect of a student evaluation with which the academic misconduct was associated. If a grade reduction results in a failing grade for the course, this does not amount to a “Failing Grade with a Transcript Notation.”

Failing grade with transcript notation – student receives a failing grade for a course in which he/she was involved in academic misconduct, with a notation on the student’s transcript that states that the failing grade was received as a result of a finding of academic misconduct.

Suspension of credential – temporary suspension of a credential pending satisfying prescribed conditions, or a course of action agreed to with an instructor or recommended by a board.

MAJOR SANCTIONS

Rescission of credential – a credential previously granted by Mount Royal is rescinded. After a period approved by the Provost and Vice President, Academic, the student may apply to be readmitted into the University. All courses obtained in the pursuit of the respective credential are lost and there will be a restriction placed on internal transfer of all credits obtained at Mount Royal. Credentials attained at Mount Royal for which the incident(s) of academic misconduct had no direct impact in the view of the academic conduct board and senior official are retained.

Suspension – a student may be prohibited from accessing any or all of the University premises or any or all University services for a prescribed period of time or until prescribed conditions have been satisfied. After the applicable period of time has passed and/or all conditions have been met, a student may reapply to the University during the normal University intake process. The suspension of an individual shall be recorded on his/her Mount Royal transcript for a period recommended by the conduct board and approved by the Provost and Vice President, Academic in accordance with polices established by the University.

Expulsion – a student may be permanently prohibited from accessing any University premise or University service. The expulsion of an individual shall be recorded on his/her Mount Royal transcript for a period approved by the Provost and Vice President, Academic in accordance with policies established by the University.
### ACADEMIC MISCONDUCT INCIDENT FAQ

Anyone requiring further information or advice about this process should contact the Office of Student Conduct (OSC).

#### STEP 1 – IDENTIFYING A POTENTIAL INCIDENT

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Instructor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>Can anyone report an incident or does it have to be an instructor?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Normally, a potential incident is identified by an instructor. If the person reporting an incident is not an instructor, he/she should contact the OSC which, in turn, will notify the relevant instructor.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>How does an instructor know if the potential incident should be reported or if it is a classroom management issue?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>There is no simple answer to this. Generally, the instructor has the responsibility of ensuring that the ‘rules of classroom engagement’ are clear, in writing and consistently applied. If that has occurred, then a breach of those rules likely constitutes academic misconduct. If the rules have not been made clear, then the first incident provides the opportunity to do so.</td>
</tr>
</tbody>
</table>

#### STEP 2 – ESTABLISHING IF THERE ARE REASONABLE GROUNDS TO REPORT AN INCIDENT

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Instructor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>Immediately</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>What are reasonable grounds?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Policy defines reasonable as “…moderate and fair in the circumstances”. Suspicion must be supported by evidence.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>Can/should an instructor confer with others about the incident?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes. An instructor should feel free to discuss the incident and potential sanction with his/her Chair or the OSC as he/she sees fit.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>What if the instructor establishes that there are no reasonable grounds to report the alleged incident?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No further action is required.</td>
</tr>
</tbody>
</table>

#### STEP 3 – REPORTING THE INCIDENT

<table>
<thead>
<tr>
<th>Procedure</th>
<th>1. Complete, sign and date <strong>Section A</strong> of the Academic Misconduct Report.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2. Meet with the student to go over the report and obtain his/her signature in <strong>Section B</strong>.</td>
</tr>
<tr>
<td></td>
<td>3. Send the completed report and any documentation that supports the claim to the OSC.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Instructor and student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>Within ten days of the alleged incident (whenever possible)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>Where is the Academic Misconduct Report?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>mtroyal.ca/codeofstudentconduct</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>Why does the student have to sign the Academic Misconduct Report?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This action acknowledges that the instructor has spoken to the student about the alleged incident and the student has been given the opportunity to state formally whether he agrees or disagrees with the instructor’s version of events and possible sanction.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>Does the student’s signature signal agreement?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Not necessarily. The report allows for agreement or disagreement with the described incident and/or the sanction.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>What if a student refuses to sign the report?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The OSC will endeavour to have the student sign the report but in the event a signature cannot be obtained, the assumption is that the student disagrees with both the instructor’s version of the incident and the sanction.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>What if the instructor simply wants to deal with the alleged incident in-house?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The primary purpose of the Code of Student Conduct is to educate students about their responsibilities to contribute to maintaining principles of academic integrity. This obligation extends to faculty members as well. The Code exists as a vehicle to ensure this responsibility is extended beyond the individual classroom and is evenly applied across the institution.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAQ</th>
<th>Can the student bring someone to the instructor student meeting?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes. The student has the option of bringing an attendant. However, the attendant is not entitled to participate in the meeting nor act as an advocate for the student.</td>
</tr>
</tbody>
</table>
### STEP 4 – ASSESSING PRIOR INCIDENTS

| Process | The OSC determines whether there has been a reported prior incident. Depending on that determination, the OSC will contact both student and instructor about the next steps (if applicable). |
| Responsibility | Office of Student Conduct |
| Timeline | Within **five working days** of the receipt of the Academic Misconduct Report |

**FAQ**

"If I knew that the student had a previous incident report on file with the OSC, I wouldn’t have reported this incident. I don’t want the student to be penalized. How can I find out if the student has a previous report on file before I file an incident report?"  

(actual question from an instructor)

The purpose of asking for instructors to report an incident is to ensure that the implementation of the Code goes beyond the classroom and is effective at the institutional level. While it may be a student’s first incident in a particular instructor’s class, it may not be the first incident within the institution. In fact, very few students are repeat offenders but if a student demonstrates a pattern of academic misconduct, it is appropriate that the sanctions escalate.
NON-ACADEMIC MISCONDUCT

- Standard of classroom behaviour
- Procedures
- Reporting
- Sanctions
- Frequently asked questions
Behaviour that is subject to disciplinary action under the Code includes violations of established civil and criminal statutes; conduct that threatens the safety or well-being of members of the University community; and any other behaviour that seriously and adversely affects the University or its educational mission.

Non-academic misconduct broadly defined, is any behaviour or pattern of behaviour that:

- adversely affects the learning of others, Mount Royal, or its educational mission;
- violates established civil and criminal statutes;
- threatens the safety or well-being of members of the Mount Royal community; and
- violates the ethical standards set by a professional association.

The procedures governing non-academic misconduct at Mount Royal reflect an environment that values personal integrity, peer adjudication, restorative measures, and due process and fairness to the student and the University community. These procedures protect the members of the University community by providing consistency for the student and guidelines for the faculty and staff; all inquiries regarding process should be directed to the Office of Student Conduct.

Examples of non-academic misconduct may include but are not limited to:

- disrupting a class in such a way that interferes with the formal process of the session or the learning of other students;
- use of force against any person or property or threat of such force;
- sexual assault or other sexual harassment;
- verbal assault, defamation, discrimination, retaliation or harassment towards others;
- dissemination of malicious material which creates a climate that hinders or prevents the full participation of another person or group in the life of the University;
- unauthorized entry into, unauthorized use of, or misuse of University property, including computers and data and voice communication networks;
- intentionally, negligently or recklessly endangering the wellbeing of any individual or intentionally, negligently or recklessly interfering with any University activity or University sponsored activity;
- use, possession or storage of any weapon, or an instrument or device that a reasonable person would believe is a weapon, dangerous chemical, fireworks, or explosive on University premises, whether or not a license to possess the same has been issued to the possessor;
- the distribution of alcohol, narcotics or dangerous drugs on University property or among members of the University community, if such distribution is illegal, or the possession of a sufficiently large quantity as to indicate an intention to distribute illegally;
- theft of University services or theft of, or intentional or careless damage to, University property, or property in the possession of, or owned by, a member of the University community, including the knowing possession of stolen property;
- the violation of the ethical code of one's intended profession by students in clinical courses, practicum, directed field studies or other settings related to their intended profession;
- violations of civil or criminal statutes where such violations have an adverse effect on the educational mission of the University;
- disorderly conduct on University premises or at University sponsored activities; and
- willful failure or refusal to appear before any University review board or designated University official; failure to comply with directives from University officials; and knowingly violating the terms of any sanctions imposed in accordance with this Code.

**STANDARDS OF CLASSROOM BEHAVIOUR**

The primary responsibility for managing the classroom environment rests with the individual instructor. Students who engage in any prohibited or unlawful behaviour that results in disruption of a class may be directed by the instructor to leave the class. If necessary, Security Services should be contacted to escort the student from the class and if applicable from the campus.
REPORTING

1. All incidents of alleged non-academic misconduct observed or experienced by a member of the Mount Royal community shall be referred to the Office of Student Conduct, or Security Services as necessary. These incidents may be referred by Security Services, students, employees, human rights services, student support centers, and visitors to the University. Each incident shall be documented through the use of the Non-Academic Misconduct Report available at mtroyal.ca/codeofstudentconduct.

2. If the incident necessitates an interim suspension, the Provost and Vice President, Academic or designate may exclude a student from University premises pending disciplinary proceedings. The interim suspension shall become immediately effective without prior notice whenever the Vice-President determines there is a reasonable basis to conclude that the continued presence of the student at the University poses a substantial and immediate threat to him/herself, to others, or to property. In such cases, a formal hearing need not be held.

3. The Manager of Security Services shall have the right to administer an interim suspension as that individual sees fit to protect the individual and the Mount Royal community. In the event the Manager of Security Services feels it necessary to administer an interim suspension, every effort shall be made to consult with the Provost and Vice-President, Academic or designate for approval.

4. The senior official, or designate, of the Office of Student Conduct may discuss the allegation of non-academic misconduct with the student to determine if the matter can be resolved by advising, mediation or counselling. If that official determines that an informal procedure is appropriate, he/she may arrange for the provision of those services. In the event that the matter is resolved by advising, mediation or counselling, records of the process and resolution shall be kept in the Office of Student Conduct and the Office of Student Conduct shall be responsible for monitoring compliance with the terms of the resolution.

5. In the event that the matter is not resolved by advising, mediation, or counselling, either because those procedures were not appropriate or not successful, or in the event that the student fails to comply with the terms of the resolution agreed to under those procedures, the senior official, or designate, of the Office of Student Conduct shall refer the matter to the Non-Academic Misconduct Review Board.
The sanction agreed upon through an informal process or imposed by the Non-Academic Misconduct Review Board or the Non-Academic Misconduct Appeal Board is at the discretion of the Office of Student Conduct, or designate, or the applicable board with reference to the facts of the case. Without limiting that discretion, the University has developed the following guidelines with respect to choosing an appropriate sanction.

Relevant factors include, but are not limited to:

- whether there has been a previous finding of non-academic misconduct with respect to the student;
- the severity of the misconduct;
- whether there are multiple allegations of misconduct;
- a disability that relates to the misconduct;
- cultural factors;
- age factors;
- language factors; and
- personal circumstances of the student.

Sanctions will vary commensurate with the violation and, as violations will have several degrees of severity, so must the sanctions imposed. A less severe sanction may be appropriate where there has been no previous finding of misconduct and the misconduct is not considered severe.

A more severe sanction, or a major sanction, or both may be appropriate where there has been a previous finding of misconduct or there are multiple allegations of misconduct, depending on the factors listed above and the other relevant circumstances.

A major sanction may be appropriate where the misconduct is grievous or repeated and, in particular, in the cases of physical or sexual aggression.

**Warning/admonition** – written notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.

**Community service** – prescribed service to the University community commensurate with and appropriate to the specific violation of the Code.

**Restitution** – monetary reimbursement for damage to, or destruction of, University property or property of a third party(s). A conduct hold will be placed on the student’s record until such time as the prescribed amount is paid in full.

**Conduct probation** – probation with the intent of restricting an individual from engaging in behaviours that through violations of the Code, while normally acceptable, have proved damaging to that individual. This may be assigned with the recommendation of counseling or rehabilitative programming.

**Restriction of privileges** – formal limitation imposed upon use of specific University facilities (i.e. gymnasium, computer labs, parking lots, contact with a specified person(s)) for a prescribed period.

**Encumbrance** – notation that results in the withholding of a student’s official grades or other indicators of academic achievement, withholding of official transcripts, denial or termination of registration until evidence of compliance with all imposed sanctions.

**MAJOR SANCTIONS**

**Suspension** – a student may be prohibited from accessing any or all of the University premises or any or all University services for a prescribed period of time or until the prescribed conditions are satisfied. After the applicable period of time has passed and/or the conditions have been met, the student may re-apply to the University for admission but will not necessarily be granted a place in his/her initial program of study. The suspension of an individual shall be recorded on his/her Mount Royal transcript for a period as established by the policies of the University.

**Expulsion** – permanent restriction from accessing any University premise or University service. The expulsion of an individual shall be recorded on his/her transcript for a period as established by the policies of the University.
## NON-ACADEMIC MISCONDUCT INCIDENT FAQ

Anyone requiring further information or advice about this process should contact the Office of Student Conduct (OSC).

### STEP 1 – IDENTIFYING A POTENTIAL INCIDENT

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Any member of the University community</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>Within ten days of the alleged incident (whenever possible)</td>
</tr>
</tbody>
</table>
| FAQ            | **What can be interpreted as non-academic misconduct?**  
According to policy, non-academic misconduct is broadly defined as any behaviour that:  
- adversely affects the learning of others, the University or its educational mission;  
- violates established civil and criminal statutes; and/or  
- threatens the safety or well-being of members of the University community. |

### STEP 2 – ESTABLISHING IF THERE ARE REASONABLE GROUNDS TO REPORT AN INCIDENT

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Any member of the University community</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>Within ten days of the alleged incident (whenever possible)</td>
</tr>
</tbody>
</table>
| FAQ            | **What are reasonable grounds?**  
Policy defines reasonable as “…moderate and fair in the circumstances”. Suspicion must be supported by evidence.  
**Can/should an instructor confer with others about the incident?**  
Yes. An instructor should feel free to discuss the incident and potential sanction with his/her Chair or the OSC as he/she sees fit. Other members of the University community should feel free to discuss their options with the OSC or others they feel can offer constructive advice.  
**What if the community/member establishes that there are no reasonable grounds to report the alleged incident?**  
No further action is required. |

### STEP 3 – REPORTING THE INCIDENT

| Procedure       | 1. Normally, if the alleged incident occurs during business hours, it should be reported to the OSC.  
2. Circumstances may dictate that the incident is first reported to Security Services, residence personnel or recreation staff.  
3. Regardless of who the first contact is, a completed, signed and dated Non-Academic Misconduct Report (Section A) is forwarded to the OSC with any documentation that supports the claim. |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsibility</td>
<td>Any member of the University community</td>
</tr>
<tr>
<td>Timeline</td>
<td>Within ten days of the alleged incident (whenever possible)</td>
</tr>
</tbody>
</table>
| FAQ             | **Where is the Non-Academic Misconduct Report?**  
mtroyal.ca/codeofstudentconduct  
**What if the individual simply wants to deal with the alleged incident in-house?**  
The primary purpose of the Code of Student Conduct is to educate students about their responsibilities in contributing to maintaining a safe and respectful learning environment. This obligation extends to faculty and staff as well. The Code exists as a vehicle to ensure this responsibility is extended beyond the individual classroom or situation and is evenly applied across the institution.  
**Can a student be cited under the Code for off-campus conduct?**  
Yes, but this provision is narrowly defined. Policy stipulates that there must be a “real and substantial link” between the student’s alleged misconduct and the integrity of the institution. In addition, the alleged misconduct can only be cited if it occurs during a University sponsored activity. |
## STEP 4 – DETERMINE IF IMMEDIATE ACTION IS REQUIRED

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Office of Student Conduct, Security Services, Provost (or designate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>Immediate, in the case of safety or security issues</td>
</tr>
</tbody>
</table>

### FAQ

**What happens to a student if immediate action is required?**

The Provost (or designate — usually the Manager of Security Services) temporarily excludes the individual from campus. The OSC will advise the student that a misconduct report has been filed and of the need for temporary exclusion from campus pending the next steps in the process (normally a hearing).

## STEP 5 – ASSESS IF THERE ARE PRIOR INCIDENTS

<table>
<thead>
<tr>
<th>Process</th>
<th>If the need for action is not immediate, the OSC determines whether there has been a reported prior incident. Depending on that determination, the OSC will contact the student about the next steps (if applicable).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsibility</td>
<td>Office of Student Conduct</td>
</tr>
<tr>
<td>Timeline</td>
<td>Within five working days of the receipt of the Non-Academic Misconduct Report</td>
</tr>
</tbody>
</table>

### FAQ

**What happens next?**

If there are no prior incidents, the OSC will determine if an informal procedure (e.g., advising, counseling, mediation, etc.) is appropriate. If so, and if a resolution can be reached, this is documented and monitored through the OSC. If there are previous incidents on file, or if informal resolution fails, the OSC will convene a board hearing.
TIPS FOR INSTRUCTORS

- Instructor/student meeting
The way in which an instructor approaches academic integrity goes a long way toward shaping the type of behavior that takes place in the classroom. For example, those instructors who openly discuss integrity with their students and provide explicit information about what is and what isn’t allowed and continue to reinforce that discussion throughout the semester tend to have fewer issues with plagiarism or cheating.

- **Educate yourself** on institutional and department policies regarding academic integrity (plagiarism, cheating, acceptable formats of writing – APA, MLA, etc.). Discuss with colleagues what is considered acceptable and unacceptable (i.e. number of un-cited words, collaborative work, acceptable/unacceptable technologies in class, expectations during exams (including leaving the room), permitted tools, seating, etc.). Strive for reasonable and consistent approaches within your faculty and within your classrooms.

- **Communicate clear expectations** verbally and in writing either as an attachment to the course syllabus or as a stand alone handout to students at the beginning of every semester.

- **Dedicate a class to discussion of these expectations** and encourage students to participate, question and discuss.

- **Don’t assume** that students have adequate knowledge and understanding of academic integrity, most do not.

- **Be clear** regarding collaborative/group work. What is acceptable, or not, and to what extent (i.e. when does collaboration with colleagues become plagiarism or cheating?). Clear, concise instructions around this will assist in deterring incidents (i.e. students may work in pairs to do research but the assignment submission must be individual).

- **Be clear** regarding acceptable or unacceptable use of technology including phones, iPods, calculators or any electronic devices.

- **Provide resource info** for students including your available office hours, Student Learning Services, Library Services, OSC information, useful web sites, etc. This could be included on Blackboard.

- **Repeat, remind and review your expectations** with students prior to exams, dates of assignment submissions and presentations. Repeat these expectations often.

- **Include expectations** as the first page of an exam.

- **Make changes** to exams and assignments each semester.

- **Advise students** what possible consequences may be imposed if the expectations are not met or are breached.

- **Have students sign** an agreement of understanding.

### INSTRUCTOR/STUDENT MEETING

At all times protect the student’s right to confidentiality.

- Confidentially arrange a meeting at a reasonably agreed upon time, advising the student of the reason for the meeting (i.e. “I would like to discuss your recently submitted assignment”). Provide the student sufficient information about why you are requesting a meeting so he/she has time to prepare for the discussion.

- Students are often unable to meet immediately due to job or other course commitments. Be as flexible and accommodating as your schedule permits. Inform the student that they are welcome to bring an attendant from the Student Association or otherwise and, if applicable, your intent to have a colleague present (i.e. your Chairperson).

- Encourage the student to access and review the website at [mtroyal.ca/codeofstudentconduct](http://mtroyal.ca/codeofstudentconduct) and/or to contact the Student Association or the OSC before the meeting. Recommend that the student review Tips for Students (page 35).

- Although you may be disappointed with what you believe the student has done, treat the student with respect and professionalism. The education process continues.

- Confidentially meet with your student to discuss your findings or suspicions.

- Give the student an opportunity to respond; he/she may present a reasonable explanation or, alternatively, may take responsibility for the infraction.

- You may determine that in your opinion, the student has demonstrated poor judgment/lack of knowledge, however there is no basis to assume the student acted with ‘intent to deceive’. This is a good opportunity to provide the student with information and resources for improving subsequent work.

- If, after the meeting, you decide on a balance of probabilities that a violation has occurred and you have determined what you see as a reasonable and appropriate sanction for the offence, inform the student that you are obligated to report the infraction to the OSC and what your recommended sanction will be.
TIPS FOR STUDENTS

- Rights and responsibilities
- Student/instructor meeting
TIPS FOR STUDENTS

As well as outlining the academic and non-academic expectations of the student community, the Code of Student Conduct ensures all Mount Royal students are treated consistently and objectively when facing conduct concerns. The University has a responsibility to define standards of student behavior and to provide reasonable expectations for student discipline with regard to conduct that jeopardizes the functioning of academic and non-academic activities. It is also the obligation of the University to protect the safety, rights and/or property of its members or visitors.

With the pursuit of learning comes the expectation that individuals will develop high standards of personal conduct. Students have an obligation to make legal and responsible decisions concerning their conduct. The University has an expectation that students will uphold the values attached to academic integrity while conducting themselves as reasonable, respectful adults.

- **Educate yourself** on institutional and faculty policies regarding Code of Student Conduct and academic integrity (plagiarism, cheating, acceptable formats of writing – APA, MLA, etc.). Discuss with your instructors what is considered acceptable and unacceptable (i.e. number of un-cited words, collaborative work, technologies in class, expectations during exams, tools, seating, etc.).

- **When in doubt, ask!** Be sure you are clear about what the expectations of your instructors are in every class, every semester. You will receive a course outline/syllabus at the beginning of each semester in each class you take. If you do not receive one, ask your instructor why. This outline should include all information regarding the class including the weight of each assignment, exam, presentation or class participation. Any do’s/don’ts that the instructor expects from you should be in this outline. You may find that different instructors expect you to do different things; it is your responsibility to know what each instructor expects, and if you don’t, it is your responsibility to find out. **Don’t assume that every class has the same rules – they don’t.**

  - Before you use your phone, iPod, calculator or any technical device find out what is or is not permitted in each class.

  - Does the instructor have any policy on attendance, working collaboratively with a fellow classmate, citing work (i.e. required format APA, MLA, etc.), late submission of assignments?

  - Know what your instructor’s expectations are with regard to writing exams well ahead of the exam time to avoid any surprises.

RIGHTS AND RESPONSIBILITIES

**Student rights**

- To have classroom standards for both academic and non-academic misconduct communicated in a clear and unambiguous manner.

- To have consequences for an alleged breach of academic or non-academic misconduct communicated in a clear and unambiguous manner.

- To expect classroom standards to be applied consistently and equitably.

- To be presumed not to have committed academic or non-academic misconduct until impartial and unbiased decision-makers have established, on a balance of probabilities, that his/her commission of the misconduct has occurred.

- To have his/her case adjudicated within a reasonable time. This includes, but is not restricted to, sufficient notice of the allegation, relevant and reasonable disclosure of the case of the complainant, reasonable notice of the time, place and nature of any hearing, reasonable opportunity to respond to any allegations and to be advised in writing of the decision, its basis and any sanctions arrived at under this Code.

- As appropriate, to be informed of and have access to the services of the Students’ Association of Mount Royal University (SAMRU). This includes having a designated SAMRU representative accompany him/her to a hearing or appeal, if requested.

- In the case of students for whom SAMRU representation is not mandated (e.g., credit-free students), to choose an individual to accompany him/her.

- To choose whether or not to provide evidence and/or to be a witness in the case against him/herself.

- In any hearing to present evidence, to call his/her own witnesses and to personally question any witnesses called.

- To have access to appeal procedures under this Code.
**Student responsibilities**

- To uphold the values attached to academic integrity and develop academic skills and practices as necessary.

- To be aware of classroom standards for both academic and non-academic conduct.

- To familiarize themselves with this Code and govern themselves in accordance with it and all other policies, rules and regulations of Mount Royal.

**STUDENT/INSTRUCTOR MEETING**

Your instructor has asked you to meet with him/her to discuss work that you have submitted.

- Before you meet with your instructor, access the services of the Mount Royal Students’ Association located on the second floor of Wyckham House. The Student Association (SA) is available to provide students with advice and will be sure you understand what to expect throughout this process. A Student Association representative will be available to attend the meeting with you if you choose.

- Carefully review the rights and responsibilities in this section. If you have any questions regarding your rights as a student, speak with your Student Association representative or contact the OSC.

- Instructors acknowledge that students have busy schedules; however, it is in your best interest to try to arrange a time to meet with your instructor as soon as possible and attempt to resolve the issue.

- You can expect to be treated with respect, likewise, treat your instructor with respect and professionalism.

- Understandably, you may be feeling stressed and upset; keep in mind that all of the rights afforded to students at Mount Royal will be afforded to you, and you will have a chance to explain your side of the story.

- Remember you are not being single out. As a member of faculty, your instructor is obligated to report any academic or non-academic misconduct to the OSC.

- The goal of your instructors and of the Office of Student Conduct is to support your learning from this experience so the same mistake will not be repeated.
CASE STUDIES

- Academic misconduct case studies
- Non-academic misconduct case studies
### ACADEMIC MISCONDUCT CASE STUDIES

<table>
<thead>
<tr>
<th>INCIDENT</th>
<th>RESULT / SANCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student submits assignment and neglects to reference one portion of the assignment.</td>
<td>Student received grade reduction.</td>
</tr>
<tr>
<td>Student submits assignment which has not been properly referenced.</td>
<td>Student was given permission to re-submit the paper and receive a reduced grade after he/she attended and provided confirmation of attendance at Student Learning Services on how to correctly reference a paper.</td>
</tr>
<tr>
<td>An assignment is submitted containing information the student has obtained from various sources with no reference to the sources. The student contends that he/she simply changed the information into his/her own words.</td>
<td>The ideas of another person(s) must be referenced. Student received 0% on the assignment, was given information regarding correctly citing academic work and was referred to Student Learning Services.</td>
</tr>
<tr>
<td>Student A copied and submitted Student B’s assignment without Student B’s knowledge.</td>
<td>Student A was awarded 0% on the assignment and was required to re-submit a new assignment by a prescribed date or receive a grade of F in the course.</td>
</tr>
<tr>
<td>On the same day a student submitted two plagiarized assignments, for two separate courses, taught by the same instructor.</td>
<td>Student received F grade in both courses with no transcript notation.</td>
</tr>
<tr>
<td>Instructor witnessed a student copying from another student’s paper during a final exam.</td>
<td>Both exams were confiscated and both students received 0% on the final exam.</td>
</tr>
<tr>
<td>Student caught using cheat notes during final exam.</td>
<td>Exam confiscated, 0% awarded on the exam resulting in an F grade in the course.</td>
</tr>
<tr>
<td>Instructor discovers that a student has submitted an essay that has been purchased from the Internet.</td>
<td>Student received 0% resulting in an F grade in the course.</td>
</tr>
<tr>
<td>Student caught looking at another student’s exam. This was the student’s second reported academic misconduct incident.</td>
<td>A board was convened, the consensus was that the student be awarded an F grade in the course and that a notation of Academic Misconduct be placed on the student’s transcript for a period of two years.</td>
</tr>
<tr>
<td>Student admitted to falsifying practicum hours in order to receive course credit and credential.</td>
<td>Student failed course due to falsification of practicum hours. Credential was rescinded. Student was then responsible to obtain another work placement, pay tuition again and re-apply to graduate.</td>
</tr>
<tr>
<td>Student used ideas and words from online essay without giving proper acknowledgement or citing of the web site.</td>
<td>Student given a 0% for the paper and this became the student’s first reported incident of academic misconduct.</td>
</tr>
<tr>
<td>INCIDENT</td>
<td>RESULT / SANCTION</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Identical assignments were submitted for grading. Background: students were permitted to work together on an assignment which would be submitted for grading. Students were provided with guidelines on preparing assignments and, in particular, were reminded that although they were permitted to work together during class time, each student was expected to hand in their own individual work.</td>
<td>The students received a 0% on the assignment.</td>
</tr>
<tr>
<td>Student submitted written assignment which contained inappropriate language.</td>
<td>Student was counselled by both the instructor and the Chairperson as to why the paper was inappropriate. The final grade for the student was reduced by 10%.</td>
</tr>
</tbody>
</table>
| Student submitted paper to be graded with lengthy sections of the paper cut and pasted from the Internet and no references. This was the student’s second incident of academic misconduct. | Because this was a second incident, an Academic Misconduct Review Board Hearing was called. Board hearing outcome:  
  • F grade in the course;  
  • a notation of Academic Misconduct was put on the student’s transcript for three years; and  
  • encouraged to attend counselling to address time management skills and stress. |
| During an exam a student excused him/herself to go to the rest room. While in the rest room the student phoned a friend to ask for answers to the in-progress exam. Another instructor in the rest room overheard this and advised the exam invigilator. | The student received 0% on the exam which resulted in an F grade in the course. |
## INCIDENT

A student frustrated with a decision made by his/her department Chairperson became verbally abusive to a staff member in the department office.

Student found to be in possession of narcotics.

Student very intoxicated and exposed him/herself to University officials.

Student charged with verbally assaulting and harassing another student. The two students did not know one another; the assault was based on ethnic differences.

Student A had dated Student B in high school and had parted on bad terms. Student A sees Student B on MRU campus and is very verbally abusive to Student B. Student C, who is with Student B, argues with Student A and a physical fight results.

A student was repeatedly disruptive in the library. When reprimanded by staff, the student became angry, argumentative and verbally abusive.

Student charged with theft while participating in a work experience placement.

A student was trafficking drugs on campus.

## RESULT / SANCTION

Student placed on conduct probation by OSC and required to apologize to staff members.

A warning was issued to the student advising that any further incidents on campus would result in the student being banned from the premises permanently.

Warning issued and student placed on conduct probation.

The student was referred to meet with the Human Rights Advisor for a session on respect and diversity; additionally, the student was issued a warning and placed on conduct probation by the OSC.

Student A was prohibited from having contact with Student B while on campus. Student A was issued a warning, was placed on conduct probation and referred to Student Counselling Services. Confirmation of continued attendance with Student Counselling Services required by the OSC.

Student was prohibited from entering the library for a prescribed period of time and an official warning was issued to the student by the OSC.

Based on all associated circumstances, the student was referred to Student Counselling Services. The student was prohibited from participating in requisite work placement until official documentation was received from Student Counselling Services confirming student was equipped to enter back into a work experience placement.

Student was suspended for a period of one year, a notation of Non-Academic Misconduct was placed on his/her transcript for a period of three years and the student was required to perform 100 hours of community service. After the prescribed one year, the student was required to provide documented proof of fulfilling the community service hours before being considered for re-admission to the University.
<table>
<thead>
<tr>
<th>INCIDENT</th>
<th>RESULT / SANCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>On several occasions a student confronts other students requesting cigarettes, money and discusses using and selling of narcotics. Other students are fearful to come to class and are afraid for their safety.</td>
<td>Security Services concerned about the potential for incidents to escalate and a Non-Academic Misconduct Board Hearing is convened. The outcome of the hearing was the student’s dismissal from the University for a period of three years. The dismissal was recorded on the student’s transcript for three years and the student was not eligible to return until documented completion of a behaviour management program was submitted to the OSC.</td>
</tr>
<tr>
<td>Intoxicated student asked to leave campus pub for causing a disturbance and inappropriate behaviour. While being escorted from the premises the student assaults a staff member.</td>
<td>The student was suspended from Mount Royal for a period of one year and a notation of Non-Academic Misconduct was placed on his/her transcript for a period of two years. The student was banned from Wyckham House for five years.</td>
</tr>
<tr>
<td>A student was reported to the OSC for repeatedly disrupting a class and for behaving in a hostile and threatening manner to the instructor.</td>
<td>The student requested a Non-Academic Misconduct Board Hearing be called. Outcome of hearing was that non-academic misconduct as defined by the Code had not occurred. No sanction.</td>
</tr>
</tbody>
</table>
BOARD HEARINGS

- Board training
- Academic Misconduct Review Boards
- Non-Academic Misconduct Review Boards
- Outline of academic hearing procedures
- Outline of non-academic hearing procedures
- Framework
- Pre-hearing preparations
- Conducting the hearing
- Rendering the decision
Students at Mount Royal University can expect to be treated fairly and objectively when facing concerns around conduct. To this end, the Office of Student Conduct strives to facilitate consistency and transparency by collecting information about allegations, and to convene formal processes in cases where mutual resolution remains difficult. Peer adjudication is one of the Office of Student Conduct’s established principles, empowering students by involving them in student judicial processes.

BOARD TRAINING

In order to ensure fair and consistent judiciary proceedings, the Office of Student Conduct provides board training for students, faculty and staff interested in participating as board members for academic and non-academic misconduct hearings. The Office of Student Conduct welcomes anyone interested in judicial affairs, to become involved in academic and non-academic misconduct hearings.

Board development workshops are offered year round, in groups or one-on-one training sessions. Members of the University community interested in training as a board member should contact the Office of Student Conduct 403.440.6356 for further information.

ACADEMIC MISCONDUCT REVIEW BOARDS

If student and instructor are unable to reach agreement on description of an incident and/or sanction, the case is referred to an Academic Misconduct Review Board.

All parties involved have the right to appeal the decision of the Academic Misconduct Review Board to the Academic Misconduct Appeal Board if the applicable grounds are met (see Appeal Process on page 6).

Decisions of the Academic Misconduct Appeal Board are final.

NON-ACADEMIC MISCONDUCT BOARDS

If an incident is not or cannot be resolved, the case is referred to a Non-Academic Misconduct Review Board.

All parties involved have the right to appeal the decision of the Non-Academic Misconduct Review Board to the Non-Academic Misconduct Appeal Board if the applicable grounds are met (see Appeal Process on page 6).

Decisions of the Non-Academic Misconduct Appeal Board are final.

OUTLINE OF ACADEMIC HEARING PROCEDURES

Academic Misconduct Review Board hearings are conducted under the authority of the Code of Student Conduct. The Academic Misconduct Review Board will ensure that the parties to a dispute receive fair and just treatment and that appropriate resolutions are achieved.

These are not legal proceedings but they will be conducted in a reasonably formal manner. In the end, the Academic Misconduct Review Board will decide in favour of one party or the other on the basis of which facts or arguments are more probable accounts of what actually occurred in the case.

The following questions and their corresponding answers are intended to assist you in preparing for the hearing.

How do I prepare for the hearing?

Either party can access the Office of Student Conduct for advice on how to prepare for a hearing and to have the procedures explained. In addition, a student may contact the Students’ Association (SAMRU) for advice and support. A faculty member may contact his/her supervisor.

How do I present my case?

There is already an Academic Misconduct Report which both parties have submitted along with other documentation (e.g., course outline, copy of paper, or exam). If there are other written materials you would like to submit, you must submit these to the Office of Student Conduct three full business days (whenever possible) prior to the hearing. Copies of all documents will be provided to both parties.

Can I bring someone with me?

Yes. You are entitled to bring an attendant provided that prior to the hearing you submit in writing the name and affiliation (e.g., SAMRU representative, peer, parent, lawyer) of your attendant to the Office of Student Conduct.

Can this person present my case for me?

No. You must present your own case and answer all questions personally. This person may advise you but is not permitted to speak or to make written submissions unless explicitly authorized by the Chairperson.

Can I ask someone to testify on my behalf?

Yes. You can nominate witnesses to support your case but their names, affiliations and connection to the case must be submitted in writing to the Office of Student Conduct prior to the hearing.
What happens in the actual hearing?
While the precise order of events may vary depending upon circumstances and the preference of the Board, the usual sequence is as follows.

- The Chairperson will introduce everyone in the room, outline the process, and identify the issue and potential outcomes.
- The person making the complaint will then be asked to present the facts and arguments in support of the allegation. Witnesses may then be called and the person responding and/or the Board may ask questions of them. They will then be excused.
- The person responding to the complaint will then be asked to present the facts and arguments against the allegation. Witnesses may be called and questions may be put to them by the person who has brought the complaint and/or by the Board.
- The Chairperson will sum up by reiterating what is at issue and by summarizing what the two parties have said. He/she will indicate any further process.

What happens after the hearing?
The Board deliberates in private and reaches a decision which is later communicated to both parties in writing.

What if I disagree with the decision?
Either party has the right to appeal the decision. All decisions of the Academic Misconduct Appeal Board are final.

OUTLINE OF NON-ACADEMIC HEARING PROCEDURES
Non-Academic Misconduct Review Board hearings are conducted under the authority of the Code of Student Conduct. The Board will ensure that the parties to a dispute receive fair and just treatment and that appropriate resolutions are achieved.

These are not legal proceedings but they will be conducted in a reasonably formal manner. In the end, the Board will decide in favour of one party or the other on the basis of which facts or arguments are more probable accounts of what actually occurred in the case.

The following questions and their corresponding answers are intended to assist you in preparing for the hearing.

How do I prepare for the hearing?
Either party can access the Office of Student Conduct for advice on how to prepare for a hearing and to have the procedures explained. In addition, a student may contact the Students’ Association (SAMRU) for advice and support. A faculty member may contact his/her supervisor.

How do I present my case?
There is already an Non-Academic Misconduct Report which all parties have been provided along with any other relevant documentation (e.g., security incident reports, witness statements, etc.). If there are other written materials you would like to submit, you must submit these to the Office of Student Conduct three full business days (whenever possible) prior to the hearing. Copies of all documents will be provided to both parties.

Can I bring someone with me?
Yes. You are entitled to bring an attendant provided that prior to the hearing you submit in writing the name and affiliation (e.g., SAMRU representative, peer, parent, lawyer) of your attendant to the Office of Student Conduct.

Can this person present my case for me?
No. You must present your own case and answer all questions personally. This person may advise you but is not permitted to speak or to make written submissions.

Can I ask someone to testify on my behalf?
Yes. You can nominate witnesses to support your case but their names, affiliations and connection to the case must be submitted in writing to the Office of Student Conduct prior to the hearing.

What happens in the actual hearing?
- The Chairperson will introduce everyone in the room, outline the process, and identify the issue and potential outcomes.
- The person making the complaint will be asked to present the facts and arguments against the allegation. Witnesses may be called and questions may be put to them by the person who has brought the complaint and/or by the Board. Witnesses will be excused. If the Board is satisfied and there are no more questions, the complainant and the respondent will be excused.
- The Chairperson will sum up by reiterating what is at issue and by summarizing what the two parties have said. He/she will indicate any further process.

What happens after the hearing?
The Board deliberates in private and reaches a decision which is later communicated to both parties in writing.

What if I disagree with the decision?
Either party has the right to appeal the decision. All decisions of the Non-Academic Misconduct Appeal Board are final.
STRUCTURE
Under the Code there are four boards.
1. Academic Misconduct Review Board
2. Academic Misconduct Appeal Board
3. Non-Academic Misconduct Review Board
4. Non-Academic Misconduct Appeal Board

JURISDICTION
The boards are duly constituted under the Code and have jurisdiction over any student—credit or credit-free—with whom the University maintains an affiliation as a learner in the educational community. While boards normally hear cases involving currently enrolled students, they are empowered, as required, to hear cases against former students (e.g., in cases involving suspension or rescission of a credential) and against students who attempt to withdraw or otherwise absent themselves in order to avoid a hearing.

RELATIONSHIP TO OTHER UNIVERSITY POLICIES
Students may be subject to discipline under other University policies, but the Code supersedes all other policies, rules or regulations to the extent of any overlap. Boards are not bound by the outcomes of other such disciplinary proceedings.

RELATIONSHIP TO EXTERNAL AGENCIES
Students may also be subject to various types of discipline by external agencies. However, action under the Code normally proceeds regardless of any civil or criminal proceedings and is not affected by the outcome or ongoing nature of those proceedings.

APPLICATION TO OFF-CAMPUS CONDUCT
Students may be subject to discipline under the Code for off-campus conduct in instances where such behaviour has a real and substantial link to the University.

APPLICATION TO NON-STUDENTS
The Code does not apply to individuals who are not students—credit or credit-free—of the University, and boards do not have the authority to require them to appear as respondents or witnesses in cases of academic misconduct or non-academic misconduct. However, anyone present on University property is subject to the University’s Code of Conduct and other policies and regulations. Failure to comply may lead to the University taking action against the individual.

APPOINTMENT
All members of the Mount Royal community, students, staff and faculty are encouraged to become involved in the student judicial process as board members. Training is provided by the OSC.

Boards are appointed by the OSC and members are selected from among those who have received board training. The OSC maintains the updated list of trained board members.

Prospective board members are required to declare any conflict of interest or bias which might affect their impartiality and, hence, their participation on a given board. The OSC decides whether a prospective board member is to be excused.

If, during a hearing, a board member is required to step down for any reason, the OSC determines whether to appoint a replacement, select a new board, or suspend the case. The decision of the OSC is final and binding.

The Chairperson is appointed by the OSC.

No board member may sit on a review board and an appeal board involving the same case.

COMPOSITION
All volunteers interested in participating in these student judicial processes must be members of the MRU community. Members engage in a board training process prior to participating on a board and are appointed to serve by the OSC.

Subject to the availability of community participants, the composition of misconduct boards is as follows when possible:

- **Academic Misconduct Review Board** – three unaffiliated students and two unaffiliated instructors or staff members. With additional training any of the aforementioned may act as Chairperson.

- **Academic Misconduct Appeal Board** – two unaffiliated students, two unaffiliated instructors or staff members, and the Provost and Vice President, Academic, or designate who acts as Chairperson.

Composition of the Non-Academic boards is at the discretion of the OSC.

- **Non-Academic Misconduct Review Board** – minimum of three unaffiliated board members to a maximum of five unaffiliated board members, one of whom will act as the Chairperson.

- **Non-Academic Misconduct Appeal Board** – minimum of two unaffiliated board members to a maximum of four unaffiliated board members, and the Provost and Vice-President, Academic, or designate who acts as Chairperson.
Occasionally the composition of the aforementioned boards may need to be altered. All changes to a board composition will be done at the discretion of the Office of Student Conduct. All participating parties will be advised prior to the commencement of a hearing.

ROLES AND RESPONSIBILITIES

Each board hearing has several key participants, some of whom are required while others are optional. Each has a distinct role and set of responsibilities.

CHAIRPERSON OF THE BOARD

Every hearing is required to have a duly constituted board which is presided over by a Chairperson who is appointed by the OSC. The Chairperson and other members of the board must all be present to constitute a quorum.

When presiding over a misconduct hearing the Chairperson’s responsibilities include, but are not necessarily limited to, conducting the hearing itself, presiding over the deliberations of the board and issuing the report and decisions on behalf of the board. The chairperson is a full voting member of the board.

BOARD MEMBERS

Every board member has an obligation to be well informed of the facts of the case, to be attentive to the proceedings, to be fair and impartial throughout, to render a just decision, and to recommend an appropriate sanction.

COMPLAINANT

A complainant is any member of the University community who alleges that a student has committed an act of misconduct and who initiates a procedure under the Code. A complainant may not be anonymous and must be prepared to support the allegation at a hearing or appeal.

If, in the event a complainant is unable to attend a hearing for a reason deemed valid by the OSC, the hearing may be rescheduled.

RESPONDENT

A respondent is any student – credit or credit-free – against whom an allegation of misconduct has been made under the Code. The respondent has several important rights as guaranteed under the Code, including the presumption of innocence.

The respondent also has the obligation to respond to an allegation and is required to appear before a board. Non-compliance with such a request does not constitute a defense nor does it prevent a board from proceeding with a hearing.

If, however, a respondent is unable to attend a hearing or respond to an allegation for a reason deemed valid by the OSC, the hearing may be rescheduled.

ATTENDANT

A respondent has a right to be accompanied by an attendant to any meeting called to discuss an alleged act of misconduct. This individual may not question witnesses or make submissions, unless permitted to do so by the Chairperson of the board.

WITNESSES

Either party to a dispute may nominate witnesses to testify on behalf of the respondent or the complainant. A list of any prospective witnesses must be submitted to the OSC prior to the commencement of the hearing.

Witnesses are normally only present while giving testimony. It is not a requirement of the process that witnesses be named or called. However, should the board itself determine that a witness should be called, even if that witness has not been identified by either party, it has the authority to do so.

PRINCIPLES

Boards are empowered to act within their jurisdiction and, in all cases, that authority is restricted by the Code. Beyond the issue of jurisdiction, there are two fundamental principles which must prevail in any hearing. They are: natural justice and procedural fairness. They are necessary to ensure that “justice must not only be done, but be seen to be done”.

In brief, these principles ensure that:

1. a person has the right to know the case against him/her and have an adequate opportunity to present his/her side of the case;
2. no person shall be a judge in his/her own cause (conflict of interest); and
3. a person has a right to an unbiased decision maker.

The requirement to meet the duty of procedural fairness varies depending upon the context of the situation. Generally, the requirement becomes more stringent as the interests at stake and the seriousness of the consequences increase. For example, a case involving falsification of a student record would likely be considered a more serious offence than a failure to document a source. Similarly, a sanction involving a failure in a course would be considered a less serious consequence than expulsion.
PRE-HEARING PREPARATIONS

CLARIFYING THE MANDATE
The Office of Student Conduct ensures that the board has jurisdiction to embark upon the inquiry. Specifically, OSC ensures that the board has:

- authority over the parties involved; and
- authority over the subject matter of the dispute.

CONFIRMING THE COMPOSITION OF THE BOARD
The Office of Student Conduct ensures that the board is properly constituted and that its members have received training, are impartial, and are available to serve.

FRAMING THE TASK
The Office of Student Conduct communicates, in writing, to the board members the purpose for their being involved and the conditions under which they are being asked to serve on the board.

FRAMING THE ISSUES
Anything that can be done in advance of the hearing including the complainant clarifying in writing the precise nature of the allegation(s) and the proposed sanction(s), and the respondent clarifying in writing the precise nature of the defense and desired outcome benefits the board considerably.

ESTABLISHING THE RULES
The Office of Student Conduct will communicate in writing to the complainant and respondent outlining the procedures and rules which will be followed in the conduct of the hearing. The points which may be covered include, but are not restricted to, the following:

- what is at issue;
- who is required/allowed to be present;
- how the hearing will be conducted;
- what documents are admissible;
- what preparation is expected of the parties;
- what assistance is available;
- when and where the hearing will occur; and
- what relevant policies and procedures are applicable.

Both parties should be aware of the resources provided by the OSC. In addition, students should be made aware of the assistance provided by the SAMRU, while employees should be made aware of assistance provided through administrative channels.
OPENING AND CLOSING REMARKS

Opening remarks are intended to introduce everyone present, clarify the purpose of the hearing, outline the procedures, confirm the logistics, entertain questions, and initiate the proceedings.

ORDER OF PRESENTATION

The Chairperson determines the order in which the parties present their arguments and evidence. Unless specified otherwise by the Chairperson, the following order should be used. This is a proposed order of presentation and may vary according to circumstance or preference.

1. Chairperson introduces the board and parties, summarizes the issue, and outlines the procedures for conducting the hearing.
2. Complainant presents his/her case, including the testimony and questioning of witnesses.
3. Respondent presents his/her case, including the testimony and questioning of witnesses.
4. Chairperson may permit rebuttals by complainant and respondent.
5. Complainant makes closing arguments.
7. Chairperson summarizes the two arguments, indicates the issue(s) to be adjudicated by the board, and outlines the further process.

ROLE OF WITNESSES

The parties may present the testimony of witnesses in support of their arguments. When a witness is unable to attend a hearing, the witness may submit a written statement. However, every attempt must be made to allow an opportunity to question the witness on his/her statement. Failure to allow such questioning may weaken the impact of the statement.

ROLE OF ATTENDANTS

Each party may have one attendant/advisor at the hearing. Parties may consult freely with their attendants throughout the hearing, but attendants may not speak for the parties unless the board determines that one or both parties are unable fairly to present their case except through an attendant.

ABSENT PARTIES

Both parties must be present at a hearing whenever possible. Failure by either party to appear at a hearing may be grounds for a summary finding against the absent party. Alternatively, the board may choose to proceed with the hearing without the absent party, and make its decision based on the evidence available.

TIME LIMITS

To be fair to the parties and to expedite the process, time lines have been established for each step in the process. These are available from the OSC. However, for good cause, the board shall extend any time limit set forth in these procedures. Good cause shall include the fact that a time limit includes final examinations, vacation periods, holidays or inter-sessions if parties or decision makers are absent from the campus.

COMMUNICATIONS

The parties are requested to maintain contact with the OSC prior to the hearing.
RENDERING THE DECISION

DELIBERATING ON THE CASE

It is essential that the board deliberate on the case at the conclusion of the hearing. Always begin by reviewing and summarizing the facts. Only consider the evidence and arguments which have been presented during the hearing. Consider counter-arguments and differing interpretation of facts in the case. Once the facts have been confirmed to the satisfaction of the board members, proceed to the issue and consider what interpretation is best supported by the facts.

DECIDING THE ISSUE

In some cases, the decision will emerge quite quickly and clearly from the facts. For example, an allegation of plagiarism may be substantiated by evidence of a paper downloaded from the Internet. In other cases, however, the evidence may be less certain. In these latter cases, boards must exercise judgment in arriving at their decisions. They do this by considering all the facts and arguments and then concluding, on the balance of probabilities, that one party’s argument is more convincing than the other’s.

Board members should consider the seriousness of the allegation and of the consequence(s) when deciding upon the basis of the balance of probabilities. The more serious the issue and outcome, the greater the need to establish the probability or likelihood of the act having been committed. If, in the opinion of the board, the evidence supports each party equally, then the board must rule in favour of the respondent.

WRITING THE DECISION

Once the board has come to a decision and signatures are received by all participating board members, the OSC provides the Chairperson a board recommendation document template to complete. Once completed, this document is submitted to the OSC.

The Office of Student Conduct is responsible for communicating the decision in writing to all applicable parties.