

establishing expectations of student conduct, codifying those expectations, and adopting equitable processes for assessing student conduct.

1. The University's mission establishes its identity as an independent academic community with a distinctive history and culture.
2. The University's standards of conduct and the procedures for determining responsibility for academic and non-academic misconduct reflect its particular mission and

1. The use of unauthorized material such as books, notes, or electronic devices.
2. Obtaining by improper means examinations, tests, or similar materials.
3. Using or distributing to others examinations, tests, or similar materials obtained by improper means.
4. Discussing with another student tests or examination questions that have been obtained by improper means.
5. Either writing a test or examination for another student or having another student write a test or examination.
6. Either using answers provided by another student or providing answers to another student.
7. Copying answers from another student during examinations or tests.

Procedures in Cases of Cheating or Plagiarism

1. As soon as a professor believes that academic misconduct has occurred, the professor will contact the student via email, with a copy to the Registrar's Office. In the email, the professor will:

- state the problem;
- ask for a meeting with the student;
- specify that a response is required within 7 days;
- state that if the student has not replied within 7 days, then an admission of guilt will be presumed and a penalty will be imposed.

Note: The professor will keep a copy of the email, and the Registrar's Office will place a copy in the student's academic file.

2. At the meeting between the professor and the student, the professor will:

- present the evidence of misconduct, and the student may respond;
- ask the student to complete and sign the Student Statement on Academic Misconduct form, which is available on the STU website at http://w3.stu.ca/stu/administrative/vp_academic/academic_misconduct.pdf (Administrative Offices > > Vice-President Academic & Research > > Policies > > Academic Misconduct; scroll to Appendix B).

3. Within 7 days after meeting with the student, the professor will:

- discuss the matter with the Department Chair, and they will decide on a course based penalty (up to and including a failing grade in the course);
- submit evidence of academic misconduct to the Department Chair;
- submit the completed Student Statement on Academic Misconduct form to the Department Chair.

4. Within 7 days of meeting with the professor, the Department Chair will:

- inform the student in writing of the decision (regarding guilt or innocence) and penalty.

5. The Department Chair will provide the following information to the Department Chair:
4. Department Chair.
 4. Department Chair.

- contact the Registrar's office to ascertain whether a previous offense has occurred.
5. If a previous instance of academic misconduct has occurred, then:
- the Department Chair will notify the Vice-President (Academic & Research) in writing;
 - the Vice-President (Academic & Research) may impose a University-based sanction up to and including expulsion, which would be in addition to the penalty imposed by the professor and Department Chair;
 - the Vice-President (Academic & Research) will notify the student in writing, with a copy of the letter sent to the Registrar's office for inclusion in the student's academic file.
6. If a student submits an appeal, the Senate Student Academic Grievance Committee shall:
- solicit and consider relevant material from the student, the Department Chair, the Professor, the Registrar's office, and other material as deemed necessary;
 - reach a decision concerning the appeal of the decision or the penalty imposed;
 - communicate its decision in writing to the Vice-President (Academic & Research),
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student-athletes are also subject to the Athletics Code of Conduct. Sanctions applied through the Athletics Code of Conduct are in addition to those applied through the Non-Academic Misconduct policy. The Athletics Code of Conduct does not replace this (Non-Academic Misconduct) policy.

- 1.3.4. Professional Schools' Codes of Conduct (Social Work and Education): While all allegations of non-academic student misconduct will be dealt with through this (Non-Academic Misconduct) policy, the Schools of Social Work and Education have their own respective Professional Codes of Conduct to which students must also adhere. Violations of those codes will be handled by the relevant Director and faculty. Schools can use determinations of violations from this (Non-Academic Misconduct) policy as part of their processes.

1.4. Rights of the Complainant

- 1.4.1. The right to be fully informed about the process and various options available.
- 1.4.2. The right to be treated with dignity, respect, and offered support throughout the process.
- 1.4.3. The right to an investigation and decision process that is closed to the public.
- 1.4.4. The right to pursue criminal or other charges regardless of the status of the complaint with this policy.
- 1.4.5. The right to present their story and any relevant/supporting information.
- 1.4.6. The right to have one advisor/support individual present at all investigation meetings. The advisor cannot be a lawyer.
- 1.4.7. The right to confidentiality within the process (see section 1.7)
- 1.4.8. The right to withdraw the complaint at any time.
- 1.4.9. The right to have a support person assist in the writing or transmission of a complaint, especially in cases involving trauma.
- 1.4.10. The right to know the outcome of the process.

1.5. Rights of the Respondent

- 1.5.1. The right to a fair and impartial process, and to be fully informed about that process at the outset.
- 1.5.2. The right to be made aware of the allegations against them, any supporting information from witnesses, and to be able to prepare a defense against those allegations
- 1.5.3. The right to an advisor in investigation, decision, and appeal meetings. The advisor cannot be a lawyer.
- 1.5.4. The right to suggest witnesses of their own.
- 1.5.5. The right to reasonable timelines of the process as outlined in this policy.
- 1.5.6. The right to confidentiality within the process (see section 1.7)
- 1.5.7. The right to know the outcome of the process.

- 2.1.3.1. name and contact information for the complainant
- 2.1.3.2. a description of the incident
- 2.1.3.3. name of the alleged respondent
- 2.1.3.4. names of potential witnesses.
- 2.1.4. Complainants are encouraged to submit their complaints in a timely manner. Complaints for most offences will only be pursued if they are received within 3 months of the alleged conduct. This timeframe does not apply to allegations of sexual violence or other serious offences.
- 2.1.5. The Director will advise the complainant on relevant support services available and explore options and potential routes for the complaint.
- 2.1.6. Third-party complaints, from witnesses to an event may be accepted at the discretion of the Director, but consideration will be given to the desires of the person(s) directly harmed by the incident.
- 2.1.7. Anonymous complaints will not be taken forward.
- 2.1.8. The Director, in consultation with the Complainant, will then decide on a path forward, which may include:
 - 2.1.8.1. Investigation: an investigation will occur when the complaint, when taken at face value, may constitute a violation of this policy.
 - 2.1.8.2. Referral to another procedure: when the complaint is not relevant to this policy, or another policy or organization (on or off campus) would be better suited to handling the complaint.
 - 2.1.8.3. Informal resolutions: if both the complainant and respondent agree to participate, informal resolutions such as mediation may be sought. Informal resolutions may be attempted, and if unsuccessful, an investigation may commence.
 - 2.1.8.4. Dismissal: a complaint will be dismissed when it appears on face value to not constitute a violation of this policy. If an investigation does not go forward the complainant may request written reasons for the decision.

2.2. Interim Measures

In the event that the Director determines that there are concerns for the wellbeing of anyone involved in the process, non-punitive interim measures may be assigned. These measures include but are not limited to: no-contact orders, trespasses (from certain areas or all of campus), switching sections of a course, moving a residence student, etc. These measures do not presume guilt and exist only until the conclusion of the conduct process. Interim measures may be imposed immediately upon receipt of the complaint, or at any time during the investigation process.

2.3. The Investigation Process

The purpose of the investigation is to gather facts and statements relevant to the behavior or incident in question. All parties have the opportunity to make submissions and witnesses (if applicable) will also be interviewed. There is a presumption of innocence during the investigation process.

- 2.3.1. Investigations will be completed by a Conduct Officer, normally the Director of Student Services and Residence Life, but may be referred to the Associate Vice-President (Enrolment Management), the Manager of Residence Life, or an external Conduct Officer.
- 2.3.2. During the investigation, the complainant will have the opportunity to submit any supporting evidence to their complaint, and suggest any witnesses to the Conduct Officer.
- 2.3.3. The Conduct Officer will meet with (in person, phone, or electronically) witnesses, who may be suggested by both the complainant and respondent.
- 2.3.4. Within ten (10) business days of receiving the complaint, the Conduct Officer will provide the respondent with notice that a complaint has been made, information about this process and their rights within it, and arrange a time for an investigative meeting.
- 2.3.5. During the investigative meeting, the Conduct Officer will ask for the respondent's submission regarding the events in question, to bring forth any evidence of their own or suggest witnesses of their own. During this meeting, the respondent may be accompanied by one advisor, to act in a support/advisory manner. The advisor cannot be a lawyer.
- 2.3.6. If the respondent fails to cooperate with the investigation or to be reasonably available for a meeting, the Conduct Officer may proceed without the input of the respondent.
- 2.3.7. After meeting with the complainant, respondent, and witnesses, the Conduct Officer may contact those parties again to request further relevant information or to clarify information previously given.
- 2.3.8. At the conclusion of the investigation the process will move to a Hearing.

2.4. Hearing

- 2.4.1. The purpose of the Hearing is to provide the respondent with an opportunity to fully respond to the accusations against them, and evidence gathered during the investigation.
- 2.4.2. In advance of the Hearing, the respondent will be provided with the following:
 - 2.4.2.1. a proposed date for the Hearing and notice of the right to reschedule within reasonable time frames;
 - 2.4.2.2. a report including the alleged misconduct, as set out in the Complaint and other pertinent facts, evidence and particulars gathered during the investigation;
 - 2.4.2.3. notice of the right to be accompanied by one Advisor, who cannot be a lawyer;
 - 2.4.2.4. a link to a copy of the Student Non-Academic Misconduct Policy and any other applicable University policies; and
 - 2.4.2.5. that a decision may be made in the Respondent's absence if the Respondent fails to appear for the Hearing.
- 2.4.3. The Conduct Officer who investigated the case will normally preside over the

Hearing. In circumstances when an external Conduct Officer has performed the investigation or other issues arise, another Conduct Officer may preside over the Hearing, having received the investigation report.

- 2.4.4. A note-taker (staff member other than the Conduct Officer) will be present at the Hearing to record the proceedings.
- 2.4.5. Hearings are not open to the public and are confidential.

2.5. Determination

- 2.5.1. Upon conclusion of the Hearing, the Conduct Officer shall, given the evidence found in the course of the investigation and the submissions at the Hearing, make a determination on a balance of probabilities whether or not a violation occurred.
- 2.5.2. If it is found that no violation occurred, both the complainant and respondent will be notified within 10 days of the conclusion of the investigation.

2.6. Sanctions

- 2.6.1. If a determination that a violation of this policy has occurred, the Conduct Officer will then determine a sanction based on the following criteria:
 - 2.6.1.1. seriousness of the offence and impact on members of the campus community,
 - 2.6.1.2. whether the respondent has a history of violations of the policy,
 - 2.6.1.3. other mitigating or aggravating factors
- 2.6.2. One or more of the following sanctions may be imposed by the Conduct Officer:
 - 2.6.2.1. written warning;
 - 2.6.2.2. written reprimand;
 - 2.6.2.3. discretionary sanction – work assignments, educational assignments, restorative measures, service to the University or other discretionary assignments that are considered appropriate;
 - 2.6.2.4. letter of behavioural expectations – an undertaking not to engage in certain behaviour and setting out the consequences if the requirements set out in the letter are not followed;
 - 2.6.2.5. monetary compensation for loss, damage or injury or replacement of damaged or destroyed property;
 - 2.6.2.6. monetary fine;
 - 2.6.2.7. trespass from campus;
 - 2.6.2.8. loss of privileges – denial of specified privileges for a designated period of time;
 - 2.6.2.9. withdrawal from one or more courses;
 - 2.6.2.10. restrictions on participating in a University club or organization or in certain activities of a University club or organization;
 - 2.6.2.11. other appropriate sanction as determined by the Director.
- 2.6.3. The following sanctions may be imposed by the Director upon approval

3.4. If the respondent fails to provide proper documentation as noted above or the grounds for appeal are not consistent with the above, the Vice-President may reject the appeal without a hearing. Written notice of such decision would be provided.

3.5.

4.1.5. Harassment, for the purposes of this Policy, means engaging in a course of comment or conduct that is known or ought reasonably to be known to be unwelcome. This includes any unwelcome comments, conduct or gestures that provoke, irritate, threaten, annoy, insult or demean, or result in some other form of discomfort, or words or actions that demean or cause humiliation, offense or embarrassment to another person and/or which adversely affects the employment, social or academic status of the individual. Harassment includes:

- 4.1.5.1. Discriminatory Harassment
- 4.1.5.2. Personal/Psychological Harassment
- 4.1.5.3. Sexual Harassment

4.1.6. Discrimination is defined as the act of treating a person or group unequally by imposing unequal burdens, obligations, disadvantages, or preferences on the basis of the person's race, colour, religion, national origin, ancestry, place of origin, age, physical disability, mental disability, marital status, sexual orientation, sex, gender identity, social condition, political belief or activity, or any other grounds covered by the New Brunswick Human Rights Act.

4.2. Actions Against Property

A Student shall not:

- 4.2.1. damage, deface, or destroy the property of another individual, corporation or other entity, including the University;
- 4.2.2. create a condition that unnecessarily endangers or threatens destruction of the property of another individual, corporation or other entity, including the University;
- 4.2.3. use University property, facilities, equipment or materials for an unauthorized purpose;
- 4.2.4. enter or remain in any University building or area without authorization when the building or area is officially closed or restricted for designated purposes or to designated individuals; or
- 4.2.5. misuse the University electronic communications system or otherwise violate the ITS Lab Policies.

4.3. Disruptions of University Functions, Activities, and Services

A Student shall not:

- 4.3.1. obstruct another individual or group of individuals from carrying on their legitimate activities, or from speaking or associating with others; or
- 4.3.2. interfere with the functions, activities and services of the University or a student group or groups such that the function, activity or service is obstructed or disrupted. Examples of functions, activities and services include but are not limited to:
 - 4.3.2.1. social, cultural, academic and athletic events
 - 4.3.2.2. field trips
 - 4.3.2.3. computing services

Flowchart

of [redacted] with Directo

This list of prohibited practices is intended to provide examples of hazing that can occur during any initiation/training process and active membership to an organization/team. Because it is impossible to anticipate every situation that could involve hazing, this list should not be considered all-inclusive. Any infraction of the below can result in disciplinary sanctions.

Psychological hazing, which is defined as any act which is likely to: (a) compromise the dignity of another; (b) cause embarrassment or shame to another; (c) cause another to be the object of malicious amusement or ridicule; (d) or cause psychological harm or substantial emotional strain.

- Line-ups of the new members/recruits, or grilling individuals or groups with questions of any kind.
- Deception prior to the end of an initiation process to convince a new member that he or she will not complete initiation/training.
- Forcing, coercing, or permitting students to disrupt scheduled classes, public forums, or other facets of the University's academic programs such as creating



time.

- Forcing, coercing or permitting students to disrupt the operation of the University dining halls.
- Any form of punishment/and or demerit system is prohibited.
- Any activity or ritual that involves the abuse or mistreatment of an animal

5. VIOLATIONS

Student athletes who are participating in a formal or informal team or sporting event on campus or off and who violate this Code will first be subject to the processes and if necessary sanctions under the Code. The Policy and its procedures may be employed where there are questions about the application of the Athletic Code of Conduct and/or other related policies following consultation between the Director of Athletics and the Director of Students Services and Residence Life. All varsity and club athletes are required to review, sign and abide by ten (10) expected behaviours, outlined in the following document: Code of Conduct for Varsity and Club Athletes at St. Thomas University. The Agreement which outlines the Code is the measure that will be used to assess and issue Code violations.

6. SANCTIONS

Appropriate sanctions for violations of the Code include, but are not limited to one or a combination of the following:

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might be considered unsporting or that might bring their own reputation, the reputation