

LAURENTIAN UNIVERSITY OF SUDBURY
CODE OF STUDENT RIGHTS AND RESPONSIBILITIES

Office of Administration VicePresident, Finance and Administration
Provost & VicePresident, Academic

3.7 Provost & Vice President, Academic: refers to the Provost & Vice President,
Academic or equivalent 114 693.94 7 0 G12 Tf 1 0 0 1 276.05 66.984 Tm 0 g 0 G [(Pa)-

- 4.2 Laurentian University is further committed to promoting a respectful, diverse and inclusive community where every individual can work and learn in an environment that is supportive of productivity and academic achievement and respects the dignity and worth of all members of the community.
- 4.3 The Equity, Diversity and Human Rights Office is responsible for the administration of this Code and any related procedures.
- 4.4 Whenever appropriate, the Equity, Diversity and Human Rights Office will encourage Informal Resolution of complaints.
- 4.5 Students are responsible for using the standard of conduct set out in this Code when using any electronic communication devices to send or post messages or material, including on social media.
- 4.6 The University is committed to procedural fairness in the application of this Code, ensuring that Students are aware of their rights, are informed of any complaint against them including its nature and the details presented by the complainant, the deadlines, the identity of the complainant(s), the right to respond to the complaints, and the right to appeal a decision made in connection of this Code.
- 4.7 The Equity, Diversity and Human Rights Office has the authority to gather information and make the appropriate inquiries from University officials when dealing with a matter related to this Code.
- 4.8 The Equity, Diversity and Human Rights Office shall report annually on the number, type and disposition of cases brought under this Code.

5. Authority

- 5.1. /v í ð ô ĩ U š Z h v] À Œ •] š Ç [• } Œ } (' } À Œ v } Œ • Œ } P š section 25 of the Laurentian University of Sudbury Act (1960) which prescribed to the Board of Governors the authority to deal with Student disciplinary matters. By Law 83 of the Board of Governors delegate its authority for ^ š μ v š] •] % o] % o = G ' á | t " 0 @ 0 €

this Code.

7. Student Rights and Responsibilities

7.1 To learn in a safe, respectful and positive learning environment.

7.2 To express your views in a responsible, respectful and ethical manner.

7.3 To make a complaint of Misconduct without fear of reprisal.

7.4 To procedural fairness when a complaint is made under the Code, includ

7.4.1 The right to be fully informed of the nature and details of the complaint, including the identity of the Complainant.

7.4.2 The right to have an agent present during all stages of the complaint process.

7.4.3 The right to be provided 2 reWvl8t26(tf-3(vs /F1 S()-tt)-4(55(lea)-4(t)-4()5(u(t)-

property, or knowingly causing a person to fear damage to their property;

8.2.1.2 Theft of any University or personal property, including intellectual property and information; or

8.2.1.3 Damaging or defacing the interior or exterior of University buildings and facilities including signage, parking installations, and other equipment.

8.2.1.4 and safety equipment including making false alarms, unauthorized use of extinguishers or fire hoses, unauthorized opening of fire doors, disabling emergency telephones, blocking emergency exits, and setting unauthorized fires or any such action causing endangerment to individuals and to property.

8.3 Offences against Persons:

8.3.1 Threaten one or more persons, the University community, or its guests;

8.3.2 Persistently and/or repeatedly communicate or attempt to communicate with members of the University community when such communication is unwelcome;

8.3.3 Persistently and/or repeatedly follow a member of the University community from place to place on University Premises;

8.3.4 Engage in language or behavior that causes one or more persons to fear on reasonable grounds for their safety or the safety of persons known to them, and/or that adversely affects the University working

which humiliates,degrades or endangers the mental or physical health or safety of that individual, or could reasonably be seen to humiliate, degrade or endanger the mental or physical health or safety of that individual, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.

8.4 Drugs and Alcohol:

8.4.1 On University Premises, possess, r

9. Complaints of Misconduct

- 9.1 A written complaint must be made by filling out a Case Resolution Request Form and submitting it to the Equity, Diversity and Human Rights Office. An Incident Report from Campus Safety may be considered a written complaint.
- 9.2 The complaint must set out in writing the name of the Respondent, the nature and the details of the circumstances, including detailed facts, specific dates and names of potential witnesses. The Equity, Diversity and Human Rights Office will acknowledge receipt of any written complaint received, review it and if necessary, seek clarification from the Complainant on the information it contains.
- 9.3 Initial Assessment:
- 9.3.1 The decision on whether or not to proceed with a resolution process, whether informal or formal, shall be made by the Equity, Diversity and Human Rights Office. On receiving a written complaint (Case Resolution Request Form), the Equity, Diversity and Human Rights Office will assess whether the following criteria have been met:
- 9.3.1.1 Whether the matter is within the jurisdiction of Laurentian University i.e. involving a Student or Students of Laurentian University;
- 9.3.1.2 Whether the allegations fall within the scope of this Code, i.e. the alleged conduct forming the basis of the complaint falls within one of the Categories of Misconducts defined in Section 8;
- 9.3.1.3 Whether the complaint is timely i.e. the most recent alleged incident occurred within the past year. In extenuating circumstances, and at the discretion of the Equity, Diversity and Human Rights Office, an extension of time may be considered.
- 9.3.2 If the foregoing intake and assessment criteria are not met, the Complainant will be advised of the determination not to proceed.

9.4 Complaint Procedures:

- 9.4.1. Once the complaint is accepted under either the Informal Resolution Process or the Formal Complaint Process, the Respondent will be notified in writing that a complaint has been filed. The Respondent will be provided with a summary of the allegations, identifying the Complainant. The Respondent will also be provided a copy of this Code.
- 9.4.2. The Equity, Diversity and Human Rights Office, may, where appropriate, collaborate with the Dean (within the home faculty of the student), Director of Campus Safety, or any other relevant University officials, through all stages of the Informal Resolution Process or Formal Complaint Process.
- 9.4.3. The Student shall be given a reasonable opportunity to meet in person with the Equity, Diversity and Human Rights Office to discuss the complaint.
- 9.4.4. If the Student does not respond to the complaint notification or does not meet with the Equity, Diversity and Human Rights Office after having been given a reasonable opportunity to do so, the Equity, Diversity and Human Rights Office may forward the complaint to the appropriate decision maker, as outlined in section 9.8 of this Code, for disposition of the complaint. If the Student refuses to cooperate, in most cases it will be both possible and appropriate to proceed without the participation of the Student.

or other evidence. Witnesses may include anyone who can provide information, records or details regarding an allegation or the circumstances surrounding a complaint. When material facts are in dispute, interviewing witnesses may be unnecessary.

- 9.7.5 The investigator shall submit a written report to the Equity, Diversity, and Human Rights Office summarizing the results of the investigation, and including a determination, on a balance of probabilities, as to whether the allegations are substantiated.
- 9.7.6 The Report must not only be fair and impartial, but also thorough, complete and useful and shall include a clear statement based, on a balance of probabilities stating one of the following that:
 - 9.7.6.1 allegations in the complaint are substantiated; or
 - 9.7.6.2 allegations in the complaint are unsubstantiated; or
 - 9.7.6.3 there is insufficient evidence on which to base a finding; or
 - 9.7.6.4 the complaint was frivolous, vexatious, malicious or made in bad faith.
- 9.7.7 The conclusion of the investigation is marked by the delivery of the Report to the Equity, Diversity and Human Rights Office by the investigator.
- 9.7.8 Within five (5) working days of the conclusion of the investigation, the Equity, Diversity and Human Rights Office after reviewing the Report, will submit same to the Associate Vice President, Student Affairs, Registrar and Secretary of Senate.

9.8 Decision

- 9.8.1 Within fifteen (15) working days of receiving the Report from the Equity, Diversity, and Human Rights Office, the Associate Vice President, Student Affairs, Registrar and Secretary of Senate, will then decide, in accordance with the Code, the appropriate sanction to be imposed (as set out in Section 12, below), if any. Associate Vice President, Student Affairs, Registrar and Secretary of Senate will communicate their decision in writing to the Equity, Diversity and Human Rights Office (the appropriate office).
- 9.8.2 Should there be a determination that the misconduct is serious enough

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groups;

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12. Sanctions

12.1 Sanctions should be proportional to the type of Misconduct. In considering an
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12.2 If a protected ground under the Ontario Human Rights Code is found to have been a factor in the Misconduct, this will be considered an aggravating factor in the determination of the appropriate sanction.

12.3 The University shall also consider the following factors when determining the appropriateness of the sanctions:

12.3.1 The circumstances of the incident(s) from all parties involved;

12.3.2 The extent and severity of the Misconduct, including the effects on other members of the University community;

12.3.3

Student is found to have committed another act of misconduct while on probation, they will be subject to a further and greater penalty;

- 12.6.3 Exclusion from a class, examination room, or other area; Verbal or written apologies, work assignments, service to the University, restriction of privileges, written assignments, completion of a workshop or project;
- 12.6.4 Temporary or permanent removal from a course;
- 12.6.5 Behavioural contract;
- 12.6.6 Prohibition or limitation on entering University Premises;
- 12.6.7 Prohibition or restriction of contact with specified person(s);
- 12.6.8 Restitution for loss, damage, or injury to the appropriate party or parties in the form of service, money, or material replacement;
- 12.6.9 Forfeiture of University awards or financial assistance;
- 12.6.10 Deregistration from some or all courses;
- 12.6.11 Suspension from the University for a specified time period; and
- 12.6.12 Expulsion from the University.

12.7 Transcripts and Registration

12.7.1 When a Student receives the sanction of suspension or expulsion:

12.7.1.1 Upon receipt of a notice of suspension or expulsion.

12.7.1.2 The suspension notation will be removed when the Student graduates or five (5) years after the last registration.

12.7.1.3 The expulsion notation is permanent unless the Provost & Vice President, Academic Affairs grants a petition for its removal. Any such petition may be made no sooner than five (5) years

13.7 Appeal Procedure:

- 13.7.1 The request for appeal must be made in writing within ten (10) working days of receiving the decision. The request for appeal must be submitted to the Provost & Vice President, Academic (if the decision being appealed was rendered by the Associate Vice President, Student Affairs, Registrar and Secretary of Senate, or to the Vice President, Finance and Administration (if the decision being appealed was rendered by the Vice President, Academic and Provost).
- 13.7.2 The request for appeal must contain a copy of the previous decision; a full statement supporting the grounds for the appeal; the outcome that the Student is seeking; the name of legal counsel or Agent, if any; and if relevant, any documentation in support of the appeal. Where the basis of the appeal is new evidence, such new evidence shall be described clearly and the names of any witnesses shall be provided.
- 13.7.3 An appeal will not be accepted by the Provost & Vice President, Academic or the Vice President, Finance and Administration if incomplete or not filed within the time period of ten (10) days. Exceptions to the time limit for filing an appeal are at the discretion of the Provost & Vice President, Academic or Vice President, Finance and Administration, upon written application of the Student.
- 13.7.4 The other party in the case will be notified that an appeal has been requested, and will be invited to make a written submission in response to be considered in the appeal.
- 13.7.5 The Vice President, Academic and Provost, or the Vice President, Finance and Administration will review the investigation report, the original decision, and any written submissions in support of or response to the appeal by the parties. The Provost & Vice President, Academic or the Vice President, Finance and Administration may, in their discretion, also request an interview with each party.
- 13.7.6 Within (20) working days of receiving the written appeal, the Provost & Vice President, Academic or the Vice President, Finance and Administration, will render a final written decision on the appeal. The decision will be filed with the Equity, Diversity and Human Rights Office. Copies shall be sent to all parties involved in the proceedings as well as to other University administrators on a need to know basis.

14. Files of the Equity, Diversity and Human Rights Office

14.1 Files and records with respect to the administration of this Code shall be maintained within the Equity, Diversity and Human Rights Office.

15. Notice of Collection of Personal Information Under this Code

15.1 Any personal information about an individual collected in respect of the Policy and this Program, is pursuant to The Laurentian University of Sudbury Act, 1960. Such information will only be used for the purposes and functions outlined in this Code. If an individual has any questions about the collection, use, and disclosure of this information please contact the Equity, Diversity and Human Office.