



SAULT
COLLEGE

Student Code of Conduct

2020-2021



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Preamble

Sault College is committed to fostering a safe and inclusive community supportive of its academic mandate and is committed to upholding academic integrity. The College requires adherence to the standards of conduct set out in this Code of Conduct (“the Code”) to meet these critical objectives.

The Code sets out academic and non-academic rules that govern student conduct:

- that takes place on College owned or controlled property;
- that relates to College-sanctioned activity; and
- that engages a legitimate College interest, including the College’s interest in maintaining a safe and harassment free working and learning environment.

Students are deemed to be aware of the obligations set out in the Code. Failure to comply may result in sanctions and possible referral to law enforcement as the College deems appropriate.

The Code also reflects the College’s commitment to procedural fairness. Students alleged to have committed misconduct are entitled to the procedural rights set out in the Code.

Contact Information

Student Code of Conduct questions and complaints can be made to the Student Services Officer, located in the Student Support Centre (E1101).

Contact: (705) 759-2554 ext. 2703 or conduct@saultcollege.ca

Code of Conduct violations can also be reported to Campus Security at (705) 759-2554 ext. 2712

Section 1 – Student Rights

Accommodation

1.1 Students with disabilities have the right to reasonable accommodation.

Academic Information

1.2 Students have the right to receive course documentation that includes learning outcomes, objectives, methodology, required resources and a description of the evaluation system that includes deadlines for completion of assignments, attendance expectations and other requirements.

College Policies

1.3 Students have the right to access any policies that they are expected to abide by.

Complaints without Reprisal

1.4 Students have the right to make, without fear of reprisal, *bona fide* complaints of wrongdoing against others members of the community and *bona fide* complaints about the appropriateness of College policy or procedure.

Access to Personal Information

1.5 Students have a right of access to their personal information in accordance with the *Freedom of Information and Protection of Privacy Act*.

Freedom of Expression

1.6 Students have the right to express themselves as set out in the *Statement of Commitment - Freedom of Expression*.

Harassment/Discrimination

1.7 In accordance with the *Discrimination/Harassment Policy*, students have the right to be free from harassment, bullying, intimidation, and discrimination.

Student Government

1.8 Students have the right to elect representation, maintain a democratic student government, and form chapters and associations.

Section 2 – Student Responsibilities

Academic dishonesty

- 2.1 Students shall comply with the Academic Integrity Policy. Academic Dishonesty is defined as any intentional or negligent action that diminishes the credibility of one’s own academic work or the academic work of others.
- 2.2 Sault College students enrolled in programs leading to a Laurentian University Degree shall also comply with the *Laurentian University Academic Dishonesty Policy* as made available by Laurentian University:
https://biblio.laurentian.ca/research/sites/default/files/pictures/Academic_Integrity.pdf

Alcohol and drugs

- 2.3 Students shall comply with all provincial and federal legislation regarding the possession, manufacture, distribution, sale and consumption of drugs, alcohol and other mood altering substances, including by complying with the minimum age for consumption.
- 2.4 Students shall refrain from excessive consumption of drugs, alcohol and other mood altering substances.
- 2.5 Students shall comply with the *Campus Smoking Policy*, which prohibits the use of cannabis on campus, including in private residence rooms.

Compliance with lawful directions

- 2.6 Students shall comply with all lawful directions given by College officials in the course of their duties, including all conditions imposed in a behavioral contract and all conditions imposed under the *Student Risk Assessment, Accommodation and Withdrawal Policy*.
- 2.7 Students shall carry their Campus One Card at all times while on campus and present it to College officials when requested.

Compliance with College policies

- 2.8 Students shall comply with all applicable policies, procedures and guidelines, including the following:

Policy, Procedure, Guideline	Subject matter
<i>Aviation Program Flight Alcohol and Drug Policy</i>	Alcohol and drug use by aviation students
<i>Academic Integrity Policy</i>	Academic integrity offence information

<i>Campus Smoking Policy</i>	Smoking and use of cannabis and other drugs
<i>Discrimination/Harassment Policy</i>	Discrimination, harassment, bullying
<i>Electronic Devices in Classrooms</i>	Use of audio and video recording devices in the classroom
<i>Freedom of Expression – Statement of Commitment</i>	Expressive conduct
<i>Information Technology Acceptable Use and Security Policy</i>	Use of College information technology system
<i>The Ray Lawson Hall Handbook</i>	Residents and visitors to residence
<i>Sexual Assault and Sexual Violence Policy and Protocol</i>	Sexual violence

Compliance with general laws

- 2.9 Students shall comply with all applicable federal and provincial laws, including all requirements imposed by the Ontario *Human Rights Code*, the *Criminal Code* and the *Copyright Act*.
- 2.10 Students shall comply with all advice, recommendations and instructions of Ontario public health authorities and all College advice, recommendations and instructions that are intended to address the risk of exposure to the coronavirus and other infectious diseases.

Confidentiality

- 2.11 Students who are provided with access to personal information in the course of practical or other learning activities shall keep the information confidential and use and disclose it only for the purpose of their studies and shall comply with all directions given in respect of the information.
- 2.12 Students who receive confidential information from the College, including information relating to complaints and complaint investigations, shall keep the information confidential and shall comply with all College directions given in respect of the information.

Deception

- 2.13 Students shall not provide the College with false information.
- 2.14 Students shall not provide others with false information about their relationship with the College.

Disorderly conduct

- 2.15 Students shall not engage in conduct that is disorderly, that is disruptive of normal College operations or activities, that interferes with others' work, learning or residential environment or that endangers the safety of others.
- 2.16 Students shall observe and comply with special directions regarding noise levels associated with certain areas of the College, including the library, testing areas, computer labs, and Ray Lawson Hall.

Dress code

- 2.17 Students shall comply with College program dress codes and all requirements regarding the wearing of personal protective equipment.

Protection of community members

- 2.18 Students shall not intimidate, harass, bully or otherwise demean or abuse other community members in person or by any means of communication.
- 2.19 Students shall not assault other community members or subject other community members to an act of violence or sexual violence, threaten other community members with bodily harm or knowingly cause any community member to fear bodily harm.
- 2.20 Students shall not use, possess, or distribute firearms, explosives, or other weapons, including replicas of firearms, explosives or other weapons.
- 2.21 Students shall not take photos or make audio or video recordings of other community members without permission in any context in which the community member has a reasonable expectation of privacy. The surreptitious recording of a meeting or telephone call with another community member is prohibited.
- 2.22 Students shall not take photos or make audio or video recordings during classes, labs, placements and other academic activities without the express permission of faculty.

Protection of property

- 2.23 Students shall not steal, damage, possess without authorization, deface, vandalize or destroy College owned or controlled property or the property of a community member (including property of persons or organizations who host College activities).
- 2.24 Students shall not enter or use College facilities, equipment, supplies or resources without authorization or contrary to express instructions.

- 2.25 Students shall not facilitate or allow unauthorized access to College owned or controlled property and shall refrain from making copies of a College key.
- 2.26 Students shall not tamper with life saving or emergency equipment and shall not make a false alarm.
- 2.27 Students shall not ignite a fire on College-owned or controlled property without express authorization.

Section 3 – Student Conduct Matters and Sanctions

Misconduct complaints

- 3.1 Any member of the College community may bring student misconduct to the College’s attention by filing a complaint. The College may also investigate student misconduct in the absence of a complaint.
- 3.2 Complaints about academic dishonesty should ordinarily be made to the applicable program Chair. Complaints about non-academic misconduct should ordinarily be made to the Student Records Associate or Campus Security.

Complaint jurisdiction

- 3.3 The College only has jurisdiction to address matters in which:
- the Complainant (if any) was a member of the College community at the time of the alleged misconduct;
 - the Respondent was a member of the College community at the time of the alleged misconduct; and
 - the Respondent is a member of the College when the Complaint (if any) is filed.
- 3.4 If the Respondent's relationship with the College ends while the Procedure is ongoing, the College may:
- suspend the Procedure, with the option of reinstating it if the Respondent re-joins the College community; or,
 - continue the Procedure to conclusion, whether or not the Respondent chooses to participate, with any requirement to withdraw being noted on the Respondent’s transcript.
- 3.5 The College will not accept anonymous Complaints. It will, however, refer anonymous Complaints that raise safety issues to Health, Safety and Security for its assessment and response.

Student misconduct procedure – minor academic dishonesty

- 3.6 Professors and instructors may issue sanctions for violations of the academic dishonesty policy.

- 3.7 Students may appeal these matters to the program Chair, who shall consider whether the matter was dealt with appropriately. There shall be no further right of appeal under this policy or otherwise.
- 3.8 Professors and instructors who believe a strong sanction for academic dishonesty is warranted shall bring the matter to the attention of their program Chair.

Student misconduct procedure - all other misconduct

- 3.9 All other student misconduct matters will be administered in accordance with the investigation and decision-making procedure set out in Section 4 below (the "Procedure"), including matters involving a violation of the *Sexual Assault and Sexual Violence Policy and Protocol*, the *Discrimination/Harassment Policy* and the *Campus Violence Policy*.
- 3.11 The College will ordinarily address matters by following the Procedure, but may depart from the Procedure when fair and appropriate. All duties assigned under the Procedure may be delegated to another College official who is not in a conflict of interest.

Confidentiality and control over the procedure

- 3.12 The College treats the subject matter of matters as confidential. It shares information about matters on a need to know basis and employs reasonable security measures to protect information about matters from loss, theft and unauthorized access.
- 3.13 However, Complainants and witnesses should be aware that: (a) the College will disclose information to Respondents to fairly investigate and resolve matters; and (b) the College may disclose information with a view to maintaining a safe and harassment free working and learning environment. The College may also report matters to law enforcement as it deems appropriate.
- 3.14 The College recognizes that Complainants have a significant interest in the manner in which their Complaints are addressed, but the College can pursue or resolve a Complaint, with or without the agreement of a Complainant, as it deems appropriate.

Sanctions

- 3.15 The College may issue one or more the following sanctions to address student misconduct:

- A **letter of warning** that remains on the student's record for a defined period of time and may be relied upon in addressing the appropriate sanction in any future student misconduct matter
 - A **letter of probation** (*i.e.*, a letter that imposes mandatory terms and/or sets behavioral expectations for a time-limited period)
 - A **remedial order** meant to address the misconduct, including an order to pay fines (not exceeding \$500), engage in service to the College community (not exceeding 25 hours), make restitution or complete academic assignments
 - **Eviction from residence**, which will be effective upon no less than one week's notice unless the student's continued presence in residence jeopardizes the health and safety of other residents, in which case the eviction may be effective immediately
 - **Suspension** from registration in any College course or program for a defined period of time.
 - Permanent **expulsion** from the College.
- 3.16 Sanctions shall be appropriate in all the circumstances, including the seriousness of the misconduct, the harm caused by the misconduct, the student's prior record, the likelihood of the student's reform and the need for general deterrence.
- 3.17 Students who are suspended or expelled shall forfeit all fees paid and shall not be entitled to a refund. Students who are evicted from residence are subject to the fees and refund conditions within the Residence Agreement.
- 3.18 Students must comply with conditions imposed in a letter of probation and remedial orders. Failure to do so is misconduct subject to additional sanctions under this Code.
- 3.19 Suspensions and expulsions will be entered on a student's transcript as follows:
- A sanction of suspension will be recorded on the student's transcript for a period of five years as follows: "Suspended for reasons of non-academic [or academic] misconduct for a period of [length of suspension], [date]."
 - A sanction of expulsion shall be permanently recorded on a student's transcript as follows: "Expelled for reasons of non-academic [or academic] misconduct, [date]."

3.20 The following shall not be construed as a sanction:

- an interim measure imposed under this policy
- the involuntary withdrawal of a student pursuant to the College's *Student Risk Assessment, Accommodation and Withdrawal Policy*
- a direction to leave a class, lab or meeting that is given by a professor, instructor or administrator for the purpose of preserving decorum

3.21 The College may issue a trespass notice to students who are suspended. The College may also require students who wish to return to study after a suspension to participate in a risk analysis process.

Section 4 – Student Misconduct Procedure

Intake

- 4.1 Complaints and informal concerns about student misconduct will be handled by the following offices:
- Academic dishonesty - Chair of the applicable program
 - Other student misconduct - Director of Student Services.
- 4.2 The Chair or Director will decide whether an investigation is warranted. The Chair or Director may, for example, decline to investigate if the College does not have jurisdiction or if the allegations, if proven to be true, would not constitute misconduct.
- 4.3 Except when an investigation is required by law, the Chair's or Director's decision is discretionary and not subject to appeal.

Interim measures

- 4.4 If a matter is to be investigated, the Chair or Director may impose interim measures that they deem to be appropriate in light of the Complainant's interests (if there is a Complainant), the Respondent's interests and the College's interest in maintaining a safe campus environment.
- 4.5 Interim measures are not disciplinary and do not represent a finding of misconduct.
- 4.6 An individual who is subject to interim measures can ask the College official who imposed the measures to reconsider whether they are appropriate. There is no other right of reconsideration or appeal.

Investigation

- 4.7 Investigations will be conducted by the Chair, Director or a designate of the Chair or Director.
- 4.8 The Respondent will be notified in writing of the investigation. The notice will:
- include a summary of all the allegations;
 - describe any interim measures;
 - append relevant documentation in the possession of the College;

- identify potential sources of support; and
 - indicate how to seek reconsideration of the interim measures.
- 4.9 The College will then conduct an investigation. Internal and external investigators will ordinarily:
- obtain a written response and documents from the Respondent;
 - interview the Complainant (if any), Respondent and witnesses;
 - record all interviews in writing (i.e., produce witness statements);
 - gather additional relevant documents.
- 4.10 Throughout the investigation, Complainants and Respondents may invite a support person or advisor to meetings with the investigator, though support persons and advisors are not to answer questions. The College's investigators may interview Complainants and Respondents alone when, in the investigator's judgement, the presence of a support person or advisor is likely to interfere with the gathering of evidence.
- 4.11 The College is committed to the thorough and timely investigation of Complaints and to keeping Complainants and Respondents apprised of the status of its investigations.

Opportunity to be heard

- 4.12 Before anyone makes a decision about whether the Respondent has committed misconduct, the Chair or Director will give the Respondent an opportunity to be heard.
- 4.13 If the Chair or Director designated someone else to conduct the investigation, the Chair or Director will receive all the evidence (including witness statements and documents) from the investigator.
- 4.14 The Chair or Director will determine whether the Respondent has committed misconduct, what misconduct (if any) the Respondent has committed and (if misconduct has committed) what sanction will be imposed.
- 4.15 The process to be followed by the Chair or Director will vary with the circumstances and meet the requirements of procedural fairness. Depending on the circumstances a fair hearing may involve:
- the receipt of written submissions alone;

- having a simple discussion about what happened and what should be done about it; or
- more formal means of determining what happened – *e.g.*, by inviting a Complainant and/or witnesses to attend so they can be questioned.

4.16 The Chair or Director will control their process to meet the requirements of procedural fairness. At a minimum, Respondents are entitled to:

- reasonable advanced notice
- have all documents that will be considered by the Chair or Director
- assistance by a support person or advisor
- a meaningful opportunity to speak to the issues

4.17 The Chair or Director may seek confidential legal advice in conducting a hearing.

Decision

4.18 The Chair or Director shall ordinarily issue a written decision, with reasons, to the Respondent within seven days after the hearing and shall provide a summary of the decision to a Complainant (if any) upon request.

Section 5 - Appeals

- 5.1 A Respondent may file a written appeal to the Vice President Corporate and Student Services (VPCSS) within five business days of receiving a decision.
- 5.2 An appeal is not a re-hearing. A Respondent may only raise the following grounds for appeal: (a) the procedure employed by the Chair or Director was unfair and a re-hearing by a new College administrator is warranted and (b) the Chair's or Director's decision is unreasonable in light of the evidence put before the Adjudicator.
- 5.3 The VPCSS shall consider the written appeal or delegate to another member of the College administration who has had no prior dealing with the matter and who has no real or perceived conflict of interest.
- 5.4 The VPCSS or delegate may seek written clarification from the Respondent, shall determine whether the appeal should be allowed and shall provide a written decision, with reasons, to the Respondent. The VPCSS or delegate may seek confidential legal advice in conducting appeals.
- 5.5 Notwithstanding any other College policy, the VPCSS's or delegate's decision is final and no further right of appeal is available.