

STUDENT NON-ACADEMIC CONDUCT

Approval Authority	President
Responsible Executive	Vice President, Students
Related Policies / Legislation	<p>Appropriate Use of Computing and Network Resources (14) Student Support, Student Co-Curricular Learning and Student Societies Dedicated to Student Engagement (BPD-230) Board policy direction Risk Management (BPD-220) Board policy on Harassment, Discrimination, and Physical or Emotional Abuse Prevention and Resolution (BRP-201.02) Selling, Serving and Advertising Liquor (15) Student Academic Misconduct (70) Student Residence Code of Conduct (73) <i>University Act, s. 35.2 (5)(j) and 35.2 (6)(j)</i></p>

PURPOSE

The University of the Fraser Valley is committed to providing a civil and safe university that is respectful of the rights, responsibilities, well-being, and dignity of all of its members.

This policy describes conduct required of students by the university and sets out conduct that may be subject to investigation, discipline, and/or expulsion.

DEFINITIONS

In this policy, the following definitions apply:

Employee: A person who is employed by or contracted with the university or an agent of the university including but not limited to faculty, staff, sessional instructors, and security personnel.

University: University of the Fraser Valley

Student: A person who has been enrolled, is currently enrolled in, or is accepted for enrollment in at least one University course within one year of the date of the conduct at issue.

POLICY

Students are required to conduct themselves in a mature and responsible manner, consistent with the University mission, policies, and regulations and in compliance with federal, provincial, and municipal laws. Students will be held accountable for their actions whether acting alone or in a group.

Students are required to identify themselves to University employees whenever such information is relevant to the legitimate pursuit of the duties of that employee(s)

REGULATIONS

1. Application of Policy

1.1. On campus

This Policy applies to all student conduct that takes place on University land and premises either rented or owned.

1.2. Computer Equipment and Networks

This Policy applies to conduct of students that takes place on all university owned or operated computers, telephones, software, and computer networks.

1.3. Off campus

This Policy applies to the off-campus conduct of students when:

1.3.1. Declaring publicly that they represent the University.

1.3.2. Participating in a course activity or event organized by the University.

1.3.3. Participating in fieldtrips, work placements, study tours, and course-related activities of study abroad programs.

2. Relationship to Other Policies and Procedures

2.1. When conduct may violate more than one policy, the Vice President, Students or designate will determine which policies apply.

2.2. When conduct violates both the Criminal Code and this policy, the university disciplinary proceedings may be instituted without regard to the timing or outcome of civil or criminal litigation in court or criminal arrest and prosecution.

3. Prohibited Conduct

The following conduct shall be prohibited under this policy:

3.1. Students shall not behave in disruptive ways that obstruct the learning and teaching environment, including making it difficult to proceed with scheduled lectures, seminars, meetings; and with examinations or tests.

3.2. Students shall not damage, remove, or make unauthorized use of university property, or the personal property of faculty, staff, students or others at the University

3.3. Students shall not use any university facility, equipment, material, or service in a manner that places another person at risk.

3.4. Students shall not remove books, equipment, or other library material from the University libraries without proper authorization; or purposefully misplace or deprive others of access to library material and equipment.

3.5. Students shall not abuse any University computer, computer-related facility, or software; alter or remove computer files or software without proper authorization; purposefully misplace, or deprive others of access to such computer resources.

3.6. Except for the purpose of legitimate research for a specific course or program, students

shall not receive, upload, download, distribute, or send offensive, racist, pornographic, discriminatory, and/or harassing material using:

- 3.6.1. University-owned or operated equipment or software whether it be on campus or off campus
- 3.6.2. Student-owned computers and communication devices software or hardware on campus equipment on campus
- 3.6.3. University-owned or operated networks
- 3.7. Students shall not engage in activity that violates the Harassment Prevention policy; or engage in conduct that, although not based on the grounds specified by the Harassment Prevention policy, is abusive, demeaning, threatening, intimidating, racist, or involves the misuse of authority or power.
- 3.8. Students shall not:
 - 3.8.1. Be disruptive by reason of impairment by alcohol, drugs, or other substances in circumstances where this policy applies
 - 3.8.2. Possess or consume illegal drugs
 - 3.8.3. Possess or consume alcoholic beverages, except when properly in attendance at a licensed establishment or event, or as permitted under the Residence Contract
 - 3.8.4. Threaten the physical or emotional well-being of faculty, staff, students, or others at the University.
 - 3.8.5. Assault or use unauthorized physical force or contact upon another individual in circumstances where this policy applies
 - 3.8.6. Engage in any conduct that would constitute an offense under the Criminal Code of Canada or the Narcotics Control Act of Canada
- 3.9. Students shall not knowingly bring a false, frivolous, or malicious charge under this policy or any other policy of the University.
- 3.10. Students shall not falsify, distort, or misrepresent information, or obstruct the application of this policy.

PROCEDURES

1. Initiation of Proceedings

- 1.1. Any member of the UFV community who observes prohibited conduct may make a complaint of conduct (Complaint) to the relevant head of the school, department, or program; or the Vice-President, Students, who shall act as or appoint an investigator.

2. Procedures for investigating prohibited conduct

- 2.1. The Student must be notified by the investigator, either verbally or in writing, early in the investigative process that they are suspected of prohibited conduct.
- 2.2. In investigating suspected conduct, the investigator may use any reasonable legal methods,

including but not limited to discussion of the case details with the Office for Academic Integrity and Appeals, electronic services, online searches, circulation to other instructors in related courses, and interviews with the student.

- 2.3. The investigator will contact the Office for Academic Integrity and Appeals to check for previous incidents.
- 2.4. If, as a result of the investigative process, the complaint is deemed to be without merit, or is frivolous, trivial or vexatious, it will be dismissed summarily and the Complainant will be notified, in writing, of the reason(s) for the dismissal. The Student will also be notified of the dismissal.
- 2.5. In the event that the complaint is not summarily dismissed, the Student shall meet with the Vice-President, Students or designate to discuss the complaint. This Resolution Meeting should take place within 2 weeks of the notification of the student.

3. Resolution Meeting

- 3.1. During the Resolution Meeting, the nature of the evidence supporting the complaint will be disclosed to the student, and the student shall have the opportunity to respond to the complaint against them at that time.
- 3.2. The matter may be resolved with or without penalty by agreement at the Resolution Meeting.
- 3.3. Any penalty agreed upon during the Resolution Meeting will be documented with a letter to the student and a letter to the Office for Academic Integrity and Appeals.
- 3.4. In the event that a resolution is not agreed upon at the Resolution Meeting, then the complaint shall proceed to a Hearing conducted by the Vice-President, Students or designate. The Hearing shall take place within two weeks of the Resolution Meeting, and the student shall be given seven (7) days' notice of the Hearing. In no event shall the hearing be conducted by the same party who conducted the resolution meeting.

4. Hearing

- 4.1. The Hearing will be conducted in accordance to the principles of natural justice.
- 4.2. The Complainant and investigator shall each have the opportunity to present any evidence or submissions he or she deems appropriate.
- 4.3. The student shall have the opportunity to present any evidence or submissions he or she deems appropriate.
- 4.4. The Vice-President, Students or designate will review the evidence submitted in support of the complaint and the response to the complaint submitted by the student.
- 4.5. Based on evidence submitted at the hearing, the Vice-President, Students or designate shall make a determination of the validity of the complaint of prohibited conduct and shall, where applicable, determine the penalty to be imposed.
- 4.6. The decision of the Vice-President, Students or designate should be communicated to the student within seven (7) days of the Hearing.
- 4.7. In the event that there is a determination of conduct then a copy of the penalty will be sent

to the Office for Academic Integrity and Appeals.

- 4.8. Previous instances of academic misconduct or non-academic conduct are not to be taken into account in determination of the subject complaint.

5. Penalties and Remedies

- 5.1. When imposing a penalty or remedy, the full context will be considered including elements such as:

- 5.1.1. The severity of the offence

- 5.1.2. The harm caused

- 5.1.3. The degree to which the conduct is deliberate

- 5.1.4. Whether the act in question is an isolated incident or part of repeated acts of conduct on the part of the student

- 5.2. Penalties or remedies include, but are not limited to the following:

- 5.2.1. Verbal or written reprimand

- 5.2.2. Letter of behavioural expectations

- 5.2.3. UFV Community service or other activity that allows students to reflect on and learn from their behaviour

- 5.2.4. Restitution

- 5.2.5. Loss of privileges

- 5.2.6. Removal from class, activity, course, or program

- 5.2.7. Suspension from the University

- 5.2.8. Expulsion from the University

- 5.2.9. Forfeiture of University Award or Credential

6. Notice of Decision

- 6.1. The determination of the complaint and the penalty should be communicated to the student in writing within seven (7) days of the Hearing.

- 6.2. A copy of the decision shall also be filed with Office for Academic Integrity and Appeals.

7. Appeals

- 7.1. Students may appeal determinations as to the validity of a complaint and/or the determination of penalty.

- 7.2. A student has the right to request an appeal of the validity of the complaint and/or the penalty within 14 UFV working days of the receiving the decision of the Vice-President, Students or designate.

- 7.3. The Appeal Hearing and decision shall take place within sixty (60) days of the filing of the Request for the Appeal. The Hearing will be conducted in accordance to the principles of natural justice.

- 7.4. The Appeal shall be conducted by an appeal panel designated by the Senate Standing

Committee for Student Appeals and shall be conducted under those procedures as shall be set from time to time by the Senate Standing Committee for Student Appeals.

- 7.5. Where reasonable grounds for appeal are not evident, the Senate Appeals Committee Panel may refuse to hear the appeal.

8. Student Conduct Registry

- 8.1. The Student Conduct Registry will be held in the Office for Academic Integrity and Appeals.
- 8.2. Information and records relating to an action under the Student Non-Academic Conduct policy will be handled by UFV in compliance with British Columbia's Freedom of Information and Protection of Privacy Act. The names of registrants will not be released generally, but any instructor or department or program head who is handling a case of non-academic conduct can check to see if a previous entry exists for a student.

9. Reporting Prohibited Conduct

- 9.1. At the end of each term, the Office for Academic Integrity and Appeals will summarize the Non-Academic Conduct offences and resulting penalties reported to the Registry. The summary will be provided to Senate, and once accepted, will be published on the Office for Academic Integrity and Appeals website. No identifying personal details will be included.

10. General

- 10.1. All timelines are guidelines only. Parties should attempt to comply with such time frames. The failure to do so shall in no way nullify the process unless the delay is unreasonable and prejudicial.
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