

  <h1 style="text-align: center;">POLICY</h1>	<b>Policy No:</b>	<b>Approval Date:</b> Senate Motion #S-202001.05 Board Motion #2020BP01.31.07
	<b>Approving Authority:</b> Senate and Board of Governors	
<b>Responsible Executive:</b> Provost and Vice-President Academic		
<b>Title:</b> <h2 style="text-align: center;">ACADEMIC AND NON-ACADEMIC CONDUCT – STUDENTS</h2>		
<b>Background and Purpose of this Policy:</b> <ul style="list-style-type: none"> <li>• Provide clarity, principles, standards and expectations for Students for both Academic and Non-Academic Conduct</li> <li>• Define Students’ responsibilities and rights as members of the University Community</li> <li>• Provide clarity and transparency for Students with respect to procedural and decision making authority for Academic and Non-Academic Misconduct, investigations and Appeals</li> </ul>		

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## 1. CORE VALUES AND STATEMENT OF PRINCIPLES

- 1.1 The University of Northern British Columbia is a place of research, teaching, and learning, where members of the University Community value inclusiveness and diversity, community, integrity, and academic excellence. These values are supported through an unwavering commitment to free expression and debate in an atmosphere of respectful interactions, safety and good conduct.
- 1.2 The University is committed to reconciliation and recognizing Aboriginal Ways of Knowing within the Academy. UNBC's Motto, *En Cha Huna*, meaning "they also live," sets a foundation of respect, and reflects a shared commitment to Responsibility, Reciprocity and Relationship in the interactions between students and the University Community as a whole.
- 1.3 All members of the University Community share the responsibility for the academic standards and reputation of the University. Academic Integrity is founded on values of respect for knowledge, truth, scholarship and acting with honesty. Upholding Academic Integrity is in the interests of all members of the University and broader Community and is a condition of continued membership in the University Community.
- 1.4 The University strives, whenever possible, to take an educational and developmental approach to Academic and Non-Academic Misconduct, informed by knowledge and respect for mental health, well-being, cultural differences, and principles of reconciliation.
- 1.5 The University adheres to the principles of Procedural Fairness and Natural Justice in working to ensure that Students, Faculty and Staff are aware of their rights and responsibilities with respect to Academic and Non-Academic Conduct, in investigating alleged misconduct, and when taking steps to establish or impose consequences.

## 2. FORMAL RELATIONSHIP BETWEEN THE UNIVERSITY AND STUDENTS

- 2.1 Upon registering and while registered in a for-credit course, program of study or audited course offered by or through the University of Northern British Columbia (UNBC), a Student enters a formal relationship with the University by which they
  - 2.1.1 acknowledge the right of the University to set acceptable standards of Academic Integrity and of Academic and Non-Academic Conduct;
  - 2.1.2 accept and agree to be subject to the University's Policies, Rules and Procedures; and
  - 2.1.3 accept the right of the University to investigate, impose discipline and determine consequences for Academic or Non-Academic Conduct found to have violated the University's standards, Policies, Rules or Procedures.

- 2.2** Students enrolled in professional programs such as Nursing, Social Work, Education and Engineering may be subject to additional requirements, expectations, standards and consequences with respect to Academic and Non-Academic Conduct not expressly covered by this Policy. It is the responsibility of Instructors and Faculty Members in those Programs to ensure that any such additional requirements or expectations are communicated to the Students.

### **3. SCOPE**

- 3.1** This Policy applies to all UNBC Students as defined in section 4.3.9 herein.
- 3.2** This Policy governs a Student's conduct to the extent necessary to ensure: a scholarly community characterized by free expression, open debate, critical and free inquiry, and diversity of thought and perspective; the orderly and safe enjoyment of University facilities by all members of the University Community; and the proper functioning of the University and protection of University property.
- 3.3** This Policy applies to Academic Misconduct that is alleged to have occurred whether within or part of a course, or not related to a specific course.
- 3.4** This Policy applies to Non-Academic Misconduct that is alleged to have occurred:
- 3.4.1** on any property owned, leased or controlled by the University, or used for University purposes;
  - 3.4.2** off University property, in circumstances where:
    - i. the Student is participating in a University activity; or
    - ii. the Student's conduct has a real and substantial connection to a University activity or the Student represents, claims to represent or would reasonably be perceived to be representing the University or an organization affiliated with the University, and the Student's conduct has a negative impact on the University's reputation or goodwill in the community. For clarity, this provision is not intended to limit a Student's right to lawfully picket, assemble, protest, criticize or disagree with the University on issues of policy.
  - 3.4.3** through electronic media, regardless of where it originates, where there is a clear connection to the University Community; or
  - 3.4.4** Using the University's Information and Communications Technology resources.
- 3.5** The forms of Academic and Non-Academic Misconduct set out in this Policy include attempts to engage in misconduct, as well as aiding or abetting misconduct.
- 3.6** This Policy is not to be interpreted to interfere with freedom of expression or the usual and essential free exchange of ideas and debate in an academic environment.
- 3.7** References to the Chair of the SCA, the University Registrar, the Dean, the Director, the Associate Dean, University Secretary, the Provost and Vice President, Academic

and the President in this Policy and the Procedures enacted under it include their designates where appropriate.

## 4. DEFINITIONS

### 4.1 Definitions – Specific to Academic Conduct

4.1.1 **Academic Dishonesty** refers to any type of cheating that occurs in relation to a formal academic exercise.

4.1.2 **Academic Integrity** refers to values like honesty, trust, fairness, respect, and responsibility in which good academic work must be founded. Academic integrity includes a commitment to not engage in or tolerate acts of falsification, misrepresentation or deception. Such acts of dishonesty violate the fundamental ethical principles of the University Community and compromise the worth of work completed by others.

4.1.3 **Academic Misconduct** includes any action, attempted action or assisting of an action that involves Academic Dishonesty, does not support the values of Academic Integrity, or may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other member(s) of the University Community.

### 4.2 Definitions – Specific to Non-Academic Misconduct

4.2.1 **Non-Academic Misconduct** includes behaviour a Student knows, or ought reasonably to know, would have an adverse effect on the following:

- i. safety of themselves or others;
- ii. integrity or proper functioning of the University and its activities;
- iii. use and enjoyment of University facilities; or
- iv. condition of University property, or property of others being used by the University or in association with a University activity.

4.2.2 **Complaint** means a Non-Academic Misconduct complaint, in the form prescribed by the Procedures enacted under this Policy, regarding the conduct or behaviour of a Student or Students. A Complaint must be made to either UNBC Security Services, the Office of the Registrar, the Office of a Dean or other Administrative Office designated by the Provost and Vice President, Academic or authorized by the Procedures enacted under this Policy to receive a Complaint.

4.2.3 **Complainant** refers to the person(s) filing a Complaint under this Policy. Anyone in the University Community may file a Complaint regarding the Non-Academic Misconduct of a Student(s). Where the Complainant is a contractor, visitor, or guest, the University reserves the right to take on the role of the Complainant.

**4.2.4 On-line Activity** includes communication applications or participation in social media, websites, message boards or other on-line platforms or environments that pertain to UNBC, University property, faculty, Students, or staff.

### **4.3 General Definitions – Applicable to Academic and Non-Academic Conduct**

**4.3.1 Appeal Procedures** mean the Procedures enacted by Senate to ensure clarity, transparency and consistency in the processes used in the initiation and proceeding and disposition of final appeals of decisions made pursuant to this Policy.

**4.3.2 Authorized Representative** is a person authorized in writing, to the extent and in the form prescribed in the Procedures to communicate, receive information, or respond to enquiries with respect to an allegation of Academic or Non-Academic Misconduct, on behalf of a Student.

**4.3.3 Decision Maker** refers to the person or persons who have been granted the authority, pursuant to the *University Act*, or pursuant to this Policy or the Procedures, to determine whether or not to proceed with an informal or formal investigation and to impose a penalty or disciplinary measure for Academic or Non-Academic Misconduct under this Policy.

**4.3.4 Formal Investigation** is a formal process designed to assist with a determination of facts in cases of alleged Academic and Non-Academic Misconduct. A Formal Investigation is conducted by an Investigator designated by the Provost and Vice President, Academic, and in accordance with the Procedures enacted under this Policy.

**4.3.5 Informal Investigation** is an informal process designed to assist the Provost and Vice President, Academic or designated Decision Maker in determining whether an allegation of Academic or Non-Academic Misconduct should be subject to a Formal Investigation or whether an informal review and resolution is appropriate. An Informal Investigation is conducted in accordance with the Procedures enacted under this Policy.

**4.3.6 Investigator's Report** is a written report from an Investigator setting out the process followed in a Formal Investigation as well as any findings of fact.

**4.3.6 Natural Justice and Procedural Fairness** refer to principles and processes that are open and transparent and that ensure timely and fair investigations and hearings, well informed and unbiased decisions by qualified Decision Makers, adequate notice and access to information to be relied on or that is relevant to decisions, and the rights of a person subject to allegations to have sufficient and timely information about those allegations and the opportunity to reasonably and fully respond.

- 4.3.7** **Procedures** mean the Academic and Non-Academic Misconduct Procedures enacted by the Provost and Vice-President Academic to give effect to this Policy.
- 4.3.8** **Senate Committee on Student Appeals (SCA)** is the UNBC Senate standing Committee of final appeal for students in matters of Academic and Non-Academic discipline, pursuant to sections 37(1)(v) and 61(2) and (3) of the *University Act*.
- 4.3.9** **Student** means a person enrolled in a credit course at UNBC, or a person who is otherwise designated as a Student by the UNBC Senate whether through resolution or as defined in the Undergraduate or Graduate Calendar (*University Act* [RSBC 1996] c. 468, s. 1).
- 4.3.10** **Support Person** is a person who may attend any meeting concerning disciplinary matters related to an allegation of Academic or Non-Academic Misconduct or an appeal hearing with a Student, for personal support. A Support Person is not authorized to speak or receive information on behalf of a Student unless they are also acting as an Authorized Representative, as defined in this Policy.
- 4.3.11** **University Act or “the Act”** is the University Act of British Columbia [RSBC 1996] Chapter 468.
- 4.3.12** **University Community** includes, but is not limited to, Students, faculty, employees, contractors, volunteers, affiliates, visitors, guests, and members of the Senate and Board of Governors.

## **5. ACADEMIC CONDUCT POLICY STATEMENT – REQUIREMENTS AND EXPECTATIONS**

### **5.1 General Principles of Academic Honesty and Academic Integrity**

- 5.1.1.** Students are responsible for ensuring that they are familiar with the generally accepted standards and requirements of Academic Honesty and Academic Integrity. Unfamiliarity with these standards and requirements does not excuse a Student from consequences and penalties, pursuant to this Policy, the *UNBC Undergraduate or Graduate Calendar Regulations*, or pursuant to the relevant provisions of the *University Act of British Columbia*.
- 5.1.2** Faculty members and Instructors are responsible for informing Students at the beginning of each course of any additional or specific criteria related to Academic Honesty or Academic Integrity for a particular class or course, including expectations for acknowledging the thoughts, writings and work of authors and others, which are generally expected or acceptable in the discipline. Faculty members and Instructors are also expected to clarify expectations with respect to acceptable level of group work, limitations on the use of an editor or tutoring service, and use of online resources.

- 5.1.3** All forms of Academic Dishonesty, whether they occur within or as part of a course, or outside of the requirements or parameters of a specific course, are prohibited and are treated as Academic Misconduct for the purposes of this Policy.
- 5.1.4** Any action that violates the generally accepted standards of Academic Integrity is prohibited and deemed to be Academic Misconduct for the purposes of this Policy, including any act of dishonesty, falsification, misrepresentation, or deception in one's academic work
- 5.1.5** Any academic work created or submitted by a student, whether required, assessed or otherwise, may be subject to a penalty for Academic Misconduct, including a presentation or a draft paper, proposal, thesis or other assignment.
- 5.1.6** It is a violation of Academic Integrity to help others or attempt to help others engage in any form of Academic Dishonesty or Academic Misconduct.

## **5.2 Specific Forms of Academic Misconduct**

The following specific acts, omissions, and behaviours by a Student, as defined in this Policy, whether they occur within or as part of a course, or are not related to a specific course, constitute Academic Misconduct and are prohibited. These examples are provided to support interpretation of the Principles outlined in section 5.1. The list is not exhaustive and is not intended to limit the application of the Principles.

- 5.2.1** Plagiarism, including, but not limited to, the following:
  - i. submitting or presenting the work of another person, including artistic imagery, as that of the Student without full and appropriate attribution;
  - ii. copying all or part of an essay or other assignment from an author or other person, including a tutor or fellow Student, and presenting the material as the Student's original work;
  - iii. failing to acknowledge the phrases, sentences or ideas of the author of published or unpublished material that is incorporated into an essay or other assignment.
- 5.2.2** Submitting the same, or substantially the same, essay, project, presentation or other assignment more than once for credit, whether or not the earlier submission was at UNBC or another institution, without clear notice and acknowledgement of the prior use.
- 5.2.3** Cheating on an in-course or final examination, including, but not limited to, the following:
  - i. unauthorized sharing of material such as textbooks during an "open book" examination;
  - ii. concealing information pertaining to the examination in the examination room, washrooms or other places accessible to the Student during the time of the examination;
  - iii. using course notes or any other aids not approved by a Faculty Member or Instructor, during an examination;



- iv. unauthorized possession or use of an examination question sheet, an examination answer book, or a completed examination or assignment, or other examination material;
- v. unauthorized use of devices such as mobile phones and tablets or any other unauthorized electronic means of receive or sharing information pertaining to the examination; or
- vi. unauthorized access or sharing of information or resources, in any format, pertaining to the examination.

**5.2.4** Submitting an essay, project, thesis, presentation, other assignment or examination, or part thereof, as one's original work, that was purchased or otherwise acquired from another source, unless the work or material is commercially available data, images, or other intellectual property that is sourced and the acquisition of which is properly and fully described and cited by the Student and approved by the course Instructor or Academic Supervisor.

**5.2.5** Unauthorized use of an editor, whether paid or unpaid. An editor is an individual or service, other than the Faculty member, Instructor, Academic Supervisor, or member of a Supervisory Committee, who manipulates, revises, corrects or alters a Student's written or non-written work.

Students must ask for direction and clarification with respect to the type of editor and the extent of editing that is permissible in the course prior to the submission of the work. Students may access authorized academic support services such as those offered through the Academic Success Centre.

**5.2.6** Cheating on assignments, projects, examinations or other forms of evaluation including, but not limited to, the following:

- i. using, or attempting to use, another individual's answers;
- ii. providing questions or answers to other individuals;
- iii. in the case of Students who study together, submitting identical or virtually identical assignments for evaluation, unless expressly permitted by the course Instructor or Academic Supervisor.

**5.2.7** Impersonating a candidate or knowingly being impersonated in an examination.

**5.2.8** Falsifying material that is subject to academic evaluation, including, but not limited to, the following:

- i. submitting false records or information, in writing or orally, including the falsification of laboratory results or research findings.
- ii. engaging in misrepresentation, including falsifying documents, to gain a benefit or advantage in a course, including the submission of a forged or altered medical certificate or death certificate.

**5.2.9** Engaging in any action intended to disadvantage Students in a course including destroying, stealing, or concealing library resources.

**5.2.10** Stealing, destroying or altering the work of another Student.

- 5.2.11 Unauthorized or inappropriate use of computers, calculators and other forms of technology in coursework, assignments or examinations.
- 5.2.12 Unauthorized sharing, selling, or use of proprietary instructional, examination, textbook, assignment, or other course materials.
- 5.2.13 Falsification, misrepresentation, fraud, or misuse with the dominant purpose of academic advantage, including, but not limited to, the following:
  - i. forging, misusing, or altering any University document or record;
  - ii. engaging in misrepresentation that may create an incorrect perception of the Student's academic position or credentials;
  - iii. obtaining any textbooks, study aids, equipment, material, or services by fraudulent means;
  - iv. submitting a manufactured, forged, altered, or converted document including a forged or altered medical certificate, death certificate, or travel document to a University Official, which the Student knows, or ought reasonably to have known, to be altered;
  - v. impersonating an Instructor, Student, or other member of the University Community;
  - vi. engaging in any action which disadvantages the access of Students to course enrollment or course materials;
  - vii. unauthorized sharing or selling of propriety instructional, examination, textbook, assignment or other course materials; or
  - viii. hiding or withholding library literature for the purpose of preventing other students accessing the literature.
- 5.2.14 Misconduct in Undergraduate or Graduate Research as defined in UNBC's *Integrity in Research and Scholarship Policy*, *Research Involving Human Participants Policy*, *Animal Care and Use Policy*, and any other University, Research Ethics Board or the Animal Care and Use Committee policies, procedures or guidelines related to research.
- 5.2.15 Helping others or attempting to help others engage in any of the Academic Misconduct described herein.

### 5.3 Disciplinary Measures in Response to Academic Misconduct

Disciplinary measures in response to Academic Misconduct may include, but are not limited to, the following:

- 5.3.1 **Written Reprimand** - A written reprimand to a Student from the Instructor, Academic Supervisor, Supervisory Committee, the Program Chair or the Dean, that the Student's behaviour has violated the standards and principles outlined in this Policy, and that a record of the behaviour has been placed in the Student's file in the Office of the Registrar.

**5.3.2 Reduction of Grade** - A reduction of grade by the Instructor, including assigning a failing grade, for an examination, test, assignment or course to which an offense is relevant, in consultation as appropriate with the Chair, the Academic Supervisor, Supervisory Committee or Dean. The reduction in grade is communicated by the Instructor to the student, in writing, and copied to the Office of the Registrar to be placed in the Student's file. Where a failing grade is assigned by an Instructor, the support of the Chair or the Dean must be indicated by the signature of the Chair or Dean on the letter of notice.

**5.3.3 Requirement to Withdraw from Course(s)** – The removal of a Student from one or more courses, for one or more terms. Notice of the removal must be provided by the Instructor in writing to the Student and copied to the Office of the Registrar to be placed in the Student's file. In situations where a student has an Academic Supervisor, the Office of the Registrar contacts the Academic Supervisor to inform them of the decision. Where a student is required to withdraw from a course for one or more terms, the support of the Chair or Dean must be indicated by signature of the Chair or Dean on the letter of notice.

Removal from a course for a term or multiple terms, may require re-application for admission to a Program or Faculty and may require withdrawal from any internship, practicum, or research project.

**5.3.4 Requirement to Withdraw from the University** – Suspension of a Student from the University, either for a specified period after which the Student may be eligible to return, or a permanent suspension from the University, with a prohibition on re-application or re-admission. A suspension may only be imposed by the Provost and Vice-President Academic, on authority delegated by the President. Notice of suspension is signed by the Provost and Vice President, Academic and copied to the Office of the President and to the Office of the Registrar to be placed in the Student's file.

Suspension from the University requires withdrawal from any internship, practicum, or research project, and may include termination of employment, where the Student is an UNBC employee and their employment is related to their academic work.

**5.3.5** Other reasonable disciplinary measures or penalties may be imposed, provided however that any measures not specified herein must be supported by the Instructor and the Chair or Dean and must be clearly articulated and communicated to the Student and to the Office of the Registrar.

## **6. NON – ACADEMIC MISCONDUCT POLICY STATEMENT – REQUIREMENTS AND EXPECTATIONS**

## **6.1 General Principles – Respectful Conduct and Behaviour**

- 6.1.1** Students are responsible for ensuring that they are familiar with the generally accepted standards and requirements of respectful conduct and behavior in a University environment. Unfamiliarity with these standards and requirements does not excuse a Student from consequences and penalties, pursuant to this Policy, the *UNBC Undergraduate or Graduate Calendar Regulations*, or pursuant to the relevant provisions of the *University Act of British Columbia*.
- 6.1.2** The University is responsible for informing Students through reasonable and available means, of additional or specific criteria related to conduct and behaviour that may be expected or required in environments such as University housing, sports facilities, classrooms, field schools or laboratories.
- 6.1.3** Any behaviour or action that violates the generally accepted standards of conduct is prohibited and deemed to be misconduct for the purposes of this Policy, including any behaviour or act that puts at risk the health, safety and wellness of others, or that interferes in the rights of others to quiet access, enjoyment and use of University facilities or interferes in the rights of others to participate in University activities free from harassment, intimidation or harm.
- 6.1.4** It is a violation of this Policy to encourage others or attempt to help others engage in any form of misconduct.

## **6.2 Harassment, Discrimination, Sexual Violence and Misconduct**

Students are subject to the provisions of the UNBC policies on *Harassment and Discrimination* and the *Sexual Violence and Misconduct Policy and Response Procedures*, which can be found on the University's Policies and Procedures website.

## **6.3 Specific Forms of Non-Academic Misconduct**

The following specific acts, omissions, and behaviours are prohibited and may lead to intervention, discipline or imposition of penalty by the University. These examples are provided to support interpretation of the Principles outlined in ss. 6.1 through 6.5 above. The list is not exhaustive and is not intended to limit the application of the Principles.

### **6.3.1 Misconduct Against People**

Misconduct against people by word or action includes, but is not limited to, the following:

- i. physical aggression, assault, intimidation, threat, or coercion;
- ii. threatening or endangering the health, safety, or well-being of any person;

- iii. sexual misconduct or sexual violence, as defined in the University's *Sexual Violence and Misconduct Policy*;
- iv. bullying or harassment, as defined in the University's *Respect in the Workplace Policy*;
- v. harassment or discrimination as defined in the *University's Harassment and Discrimination Policy*;
- vi. behaviour that the Student knows, or ought to reasonably know, would be unwelcome and would cause another person to feel threatened, intimidated, or harassed;
- vii. engaging in initiation ceremonies, hazing, or other rituals that are dehumanizing or degrading, including initiation ceremonies associated with sports teams and clubs, compromised of individual or collective acts that intimidate or humiliate another person.

### **6.3.2 Disruption**

Disruption means engaging in unruly or threatening behaviour that causes a disturbance and disrupts or threatens to disrupt a University class, event, activity, or process.

### **6.3.3 Unauthorized Possession or Use of Weapons or Dangerous Objects**

Unauthorized possession or use of weapons or dangerous objects as defined and described in the UNBC Policy on *Weapons*.

### **6.3.4 Unauthorized Possession or Use of Dangerous or Hazardous Substances**

Unauthorized possession or use of dangerous substances as defined and described in UNBC Policies on Dangerous and Hazardous Substances, Bio-Hazards, or as otherwise defined and restricted through applicable Legislation or Regulation and as may be communicated through the UNBC Lab Safety Committee, Instructors, written or posted laboratory rules and procedures, or the like.

### **6.3.5 Misconduct Against Property**

Misconduct against property includes, but is not limited to, the following:

- i. possessing or using University property, the property of any member of the University Community, or property belonging to a third party acquired in connection with a University activity, without appropriate consent or authority;
- ii. destroying, interfering with, or damaging University property or resources, or the property of others on any of the University campuses;
- iii. defacing any University property including buildings or premises;
- iv. removing books or other library or archival material without authorization;
- v. defacing or deliberately misplacing library or archival materials, or engaging in other actions which deprive other members of the University community or public of their opportunity to access these resources.

### **6.3.6 Fraud, Misuse, and Impersonation**

Fraud, misuse, and impersonation includes, but is not limited to, the following:

- i. forging, misusing or altering, without permission, any University document or record;
- ii. obtaining any textbooks, study aids, equipment, materials or service by fraudulent means;
- iii. submitting a manufactured, forged, altered, or converted document, including a forged or altered medical certificate, death certificate, or travel document to a University Official, with intent to deceive;
- iv. submitting a document that has been falsified or a misrepresentation made that may create an incorrect perception of a student's academic position or credentials;
- v. impersonating a faculty member, Student or other member of the University Community;
- vi. obtaining a financial or other advantage by fraudulent means;
- vi. misrepresentation of application information;
- vii. misrepresenting identity, status, qualifications, or authority;
- viii. failure to declare attendance at another post-secondary institution;
- ix. failure to report suspensions from another post-secondary institution.

### **6.3.7 Unauthorized Entry or Presence**

Entering or remaining in any University building without proper authorization, or allowing others, without proper authorization, to have access to areas designated for faculty or employees, is prohibited.

### **6.3.8 Violation of University Policies**

Contravening University policies, rules, regulations, or the like.

### **6.3.9 Violation of the Student Housing Handbook and Student Housing Community Standards or the Student Housing License Agreement**

Violation of the published rules and community standards governing Student Housing as set out in *the Student Housing Handbook* or violation of the *Student Housing License Agreement* is prohibited.

### **6.3.10 Misuse of Disciplinary Procedures**

Falsifying or misrepresenting information or causing others to falsify or misrepresent information which either leads to or is presented as part of a University disciplinary processes. This includes making false, vexatious, trivial, or repetitious allegations under this Policy or any other University policy against a University Community member(s).

### **6.3.11 Misuse of Electronic Email and Other University Information Resources**

Misuse of University electronic email and other University information resources includes, but is not limited to, the following actions:

- i. access or attempt to access resources without appropriate authorization;
- ii. disruption of the proper use of these resources;
- iii. destruction or modification of the integrity of computer based information;

- iv. invasion of the privacy of others' use of these resources;
- v. use or sale of the University information resources for personal gain without authorization;
- vi. violation of the protection provided by copyright and/or license for computer programs;
- vii. unauthorized use of another person's account, permitting another person to use one's own account, or sharing login and access information for the purpose of enabling such access;
- viii. interfering with or harassing other users, including conduct at a computing facility, for example a computer lab;
- ix. impersonating another user;
- x. using the resources to violate any University regulation, or any provincial or national regulation or law.

#### **6.3.12 Alcohol, Drug and Controlled Substances**

Consumption or possession of alcohol, drugs or controlled substance on University property or while participating in a University activity, except as authorized under applicable UNBC Policies.

#### **6.3.13 Illegal Conduct**

A criminal conviction or civil court judgement for behaviour that is University related constitutes misconduct under this Policy.

- 6.3.14** Failure to Comply with the Reasonable Direction of a UNBC Security Officer, Health and Safety Officer, police officer or University administrator with responsibility for Security and the Health and Safety of Members of the UNBC Community.

### **6.4 Penalties and Disciplinary Measures in Response to Non-Academic Misconduct**

- 6.4.1 Warning or reprimand** – a written warning or reprimand to the Student.
- 6.4.2 Non-academic probation** – a written reprimand and order for a designated probationary period in which the Student must fulfill certain conditions, demonstrate good conduct, or otherwise be subject to the imposition of further or more severe disciplinary sanctions.
- 6.4.3 Restitution** – payment of compensation for loss, damage, or harm that may be monetary or in the form of appropriate service or material replacement.
- 6.4.4 Apology** – issuance of a statement, apology, or retraction in an appropriate form in public or private.
- 6.4.5 Loss of Privileges** – a denial of specified privileges for a specified period, including services or privileges for which the Student pays fees. Privileges include, but are not limited to, those that, if restricted, may affect full participation in campus life and/or residence life, but do not make it



impossible to complete academic requirements. Loss of privileges for which a fee has been paid does not result in a partial or full refund of that fee.

- 6.4.6 Restriction or Prohibition of Access or Use** – a denial for a specified period, or conditions imposed on, the Student’s right to access or use of any part or all of the University’s premises, equipment, facilities, services, activities, programs, meetings, or events, or those held by or in association with the University. This includes restricting or prohibiting a Student from visiting Student Housing as the guest of another person.
- 6.4.7 Restriction on Contact** – restriction or limitation from contact (e.g. in person, on-line, text message, phone, etc.) with an individual or individuals for a specified period of time. This may include a requirement that the Student remove themselves from an area of campus or on-line venue, forum, or discussion if they encounter an individual or individuals.
- 6.4.8 Conditions for (Re)enrollment**– include, but are not limited to, any of the following:
- i. behavioural contracts;
  - ii. work assignments, service to the University, or other such discretionary assignments that are considered appropriate, provided that any such work or service is available and not otherwise prohibited;
  - iii. agreed upon mental health support service(s), such as participation in counselling or mental health services at UNBC, or coordinated with an external mental health provider acceptable to the University; or
  - iv. agreed upon participation in a UNBC-based or externally-based program of academic or personal support.
- 6.4.9 Loss of Fees** – includes the forfeiture or loss of payment, fees, or refunds.
- 6.4.10 Financial Sanctions** – includes disentanglement to, or revocation of, bursaries, awards, and scholarships.
- 6.4.11 Deny Admission to the University** – if the student has not yet been admitted to the University.
- 6.4.12 Requirement to Withdraw** – removal of the Student from one or more courses for one or more terms (which may require re-application for admission to a Program or Faculty or withdrawal from any internship, practicum, or research project).
- 6.4.13 Suspension from the University** – Suspension of the Student from the University, either for a specified period after which the Student is eligible to return, or a permanent suspension from the University. Suspensions normally result in withdrawal and/or imposition of an academic hold.

## **7. DECISION MAKING AUTHORITY – ACADEMIC AND NON-ACADEMIC MISCONDUCT**

### **7.1 Academic Misconduct**



The following outlines the decision-making authority in situations of alleged Academic Misconduct. In accordance with the Procedures enacted under this Policy, the University must provide Students accused of Academic Misconduct with written notice regarding any of the following actions and decisions.

- 7.1.1** For a minor or first offence, an Instructor, or an Academic Supervisor or Supervisory Committee when applicable, may reduce a Grade, and must file a formal report of resolution or of a finding of Academic Misconduct in a Student's file in the Office of the Registrar.
- 7.1.2** For second or subsequent offence, an Instructor, or an Academic Supervisor or Supervisory Committee when applicable, may reduce a Grade and must file a report of finding of the Academic Misconduct with the Registrar to be placed in the Student's file. The Registrar must provide notice to the Program Chair responsible for the course in which the Academic Misconduct occurred, the Program Chair responsible for the Program in which the Student is enrolled, if not the same Chair, and the Graduate Student Supervisor when applicable.
- 7.1.3** At the request of the Student or the Faculty Member, a Program Chair reviews the matter and may alter or confirm the above penalties and, in accordance with the Procedures for a serious first offence, or for a second or subsequent offence, may recommend removal of the Student from the Program, to the appropriate Dean.
- 7.1.4** At the request of the Student, the Faculty Member or the Chair, or if there is disagreement between the Faculty Member and the Chair, a Dean reviews the matter and may alter or confirm the above penalties. In accordance with the Procedures, the Dean may remove a student from a Program or may recommend suspension of the Student from the University to the Provost and Vice President, Academic for a serious first offence, or for a second or subsequent offence.
- 7.1.5** At the request of the Student, Faculty Member, Supervisory Committee, Chair or Dean, the Provost and Vice President, Academic may alter or confirm the above penalties. In accordance with the Procedures, the Provost and Vice President, Academic may remove a Student from a Program or, on the authority designated by the President, may suspend a Student from the University.

## **7.2 Non-Academic Misconduct**

The following outlines the decision-making authority in situations of alleged Non-Academic Misconduct. In accordance with the Procedures enacted under this Policy, the University must provide Students accused of Non-Academic Misconduct with written notice regarding any of the following actions and decisions.

- 7.2.1** While an incident is being resolved, investigated or decided, the Provost and Vice President, Academic may impose precautionary, not disciplinary, interim measures that may include, but are not limited to, the following:
  - i.** the exclusion of individuals from all or any part of the University campuses;

- ii. limiting proximity to specific individuals;
- iii. limiting participation in campus activities;
- iv. limiting the use of the University's IT and communication network;
- v. requiring the Student to meet regularly with designated University staff members.

**7.2.2** The Provost and Vice President, Academic or the President, in the case of student suspension or expulsion, may take one or more courses of actions including, but not limited to, the following:

- i. seek an informal resolution;
- ii. refer the matter to the Provost's Advisory Committee on Campus Action, Referral and Evaluation (CARE) for recommendation(s);
- iii. recommend the student receive counselling or other professional assistance and, if necessary, assist the student in obtaining counselling or other professional services;
- iv. a written reprimand, which forms part of the student's record;
- v. a performance contract;
- vi. suspension for a specified period;
- vii. suspension for an indefinite period, with the ability to apply for readmission to the University after a fixed period;
- viii. expulsion without the ability to apply for readmission to the University;
- ix. eviction from UNBC Student Housing;
- x. prohibition from entering UNBC Student Housing;
- xi. assess and recover costs to rectify the damage or loss caused by the student;
- xii. any other action deemed appropriate in the circumstances.

**7.2.3** The steps of an informal resolution may include, but are not limited to, the following:

- i. the Provost and Vice President, Academic may discuss the matter with the Student to determine possible steps the Student could take to correct or resolve the issue;
- ii. the Provost and Vice President, Academic may refer the Student to University and/or community-based support services;
- iii. if the Student agrees to the proposed Informal Resolution, the Provost and Vice President, Academic prepares a written Resolution Agreement outlining action to be taken by the Student, which the Student signs.
- iv. the Resolution Agreement is revoked if the Student breaches the agreement. If the Student fails to adhere with any aspect of the Resolution Agreement, the Provost and Vice President, Academic proceeds to Formal Disciplinary Action.
- v. the Office of the Provost retains a copy of the signed Resolution Agreement and monitors the Student's adherence with the Resolution Agreement. Failure to adhere with a signed Resolution Agreement is prohibited under the *Academic and Non-Academic Conduct Student Policy*. In the event the Student does not adhere with the conditions of the Resolution Agreement, the University may pursue both the original

conduct addressed by the Resolution Agreement and the breach of the Resolution Agreement.

- vi. a Resolution Agreement may be entered into at any time prior to the Provost and Vice President, Academic imposing Disciplinary Measures.
- vii. if the Complaint is not resolved by Informal Resolution, the matter may proceed to Formal Disciplinary Action.

**7.2.4** If falsified documents are submitted or other forms of misrepresentation are made by a student or on behalf of a student that create an incorrect perception of a student's academic position or credentials, the Dean may take one or more courses of actions including, but not limited to, the following:

- i. issue a formal, written reprimand to the student and place a copy of the reprimand on the student's University file;
- ii. deny the student admission or registration to a program or course of study if they have not yet been admitted;
- iii. disqualify the student from future considerations into a program or course of study;
- iv. require that the student write a letter of apology to any person adversely affected by the falsification or misrepresentation;
- v. correct any grade that the student may have received as a result of the falsification or misrepresentation;
- vi. recommend that the student receive counselling or other professional assistance; or
- vii. if it is believed that a more severe penalty should be imposed, a report of the incident is forwarded to the Provost and Vice President, Academic with a copy to the student;
- viii. Procedures 7.2.4 i. – vii. apply if the falsified documents or misrepresentation are discovered in a subsequent semester.

**7.2.5** If the University Registrar determines a student not yet admitted to the University has submitted a document that has been falsified or a misrepresentation is made that may create an incorrect perception of a student's academic position or credentials, the University Registrar may deny the student admission to the University, including future considerations.

## **8. RIGHT TO APPEAL DECISIONS OR DISCIPLINE - ACADEMIC AND NON-ACADEMIC MISCONDUCT**

A Student may appeal a decision made or disciplinary measure imposed in response to a finding of Academic or Non-Academic Misconduct. In accordance with the *University Act*, the appeal is to the Senate Committee on Student Appeals. An appeal is accepted by the Senate Committee if it meets the following criteria:

- 8.1.** The principles of Natural Justice or Procedural Fairness were not followed in the process leading to the decision or imposition of discipline;

- 8.2 Decisions were made in the investigation or adjudication process by persons who do not have the authority under this Policy, the Undergraduate or Graduate Calendar or the *University Act* to make decisions with respect to Academic or Non-Academic Misconduct;
- 8.3 Discipline imposed was excessive, or not consistent with University Policy or practice.

## **9. OUTCOMES OF APPEAL – ACADEMIC AND NON-ACADEMIC MISCONDUCT**

- 9.1 If SCA, in consultation with the University Registrar, determines the substance of the appeal does not fall under the provisions outlined in section 8, the appeal is dismissed.
- 9.2 If SCA, in consultation with the University Registrar, determines the substance of the appeal falls under the provisions outlined in section 8, a SCA Appeal Hearing is called. SCA has the authority to make one of the following decisions:
  - 9.2.1 the SCA may dismiss the appeal and uphold the disciplinary decision; or
  - 9.2.2 the SCA may refer the matter back to the Decision Maker for further decision, or for further investigation and then further decision, as the Decision Maker may determine.
- 9.3 In all cases, where an appeal is allowed, the original penalty remains in effect until the matter is reconsidered and a further decision is made by the Decision Maker.

## **10. AUTHORITY TO ENACT PROCEDURES AND GENERAL PROCEDURAL REQUIREMENTS – ACADEMIC AND NON-ACADEMIC MISCONDUCT AND APPEALS**

- 10.1 The Provost and Vice-President Academic has the authority to enact Procedures to give effect to the Academic and Non-Academic Misconduct provisions of this Policy.
- 10.2 The UNBC Senate has the authority to enact Procedures to give effect to the Appeal provisions and rights under this Policy and in accordance with the *University Act*.
- 10.3 All Procedures enacted under this Policy must be consistent with the provisions of this Policy and the requirements of the *University Act*, and be designed to support the application of the principles of Natural Justice and Procedural Fairness.
- 10.4 Procedures enacted under this Policy support the decision making authority of Instructors, Chairs, Deans and the Provost and Vice President, Academic in matters of Academic Discipline, respect the statutory authority of the President under the *University Act* to suspend a student or deal summarily with any matters of student discipline, and the statutory authority of the UNBC Senate to hear appeals and make final determinations on matter of student discipline.

**10.5** The procedures are consistent with the requirements of the British Columbia *Freedom of Information and Protection of Privacy Act* (FIPPA). They ensure that all informal and formal processes, investigations and proceedings conducted under this Policy reflect best practices in the Protection of Privacy and Record's Management, and only those persons within the Institution who require personal information related to an allegation or Complaint have access to that information.