



Code of Student Conduct and Disciplinary Procedures in Non-Academic Matters

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INTRODUCTION

Brock University is a distinct community of students, staff and faculty, involved in learning, teaching, research and other activities. Students become a member of this community for the period of their registration in the academic program to which they have been admitted and, as such, assume the responsibilities that such registration entails.

All members of the community are expected to support an environment that is conducive to the personal and professional growth of all who study, work and live within it. As part of the University community, all students and student groups are expected to maintain a high standard of conduct based on the Statement of Student Rights and Responsibilities within this Code, and that is appropriate to a community of scholarship and learning.

As an academic community, the University governs the activities of all its members and sets standards of behaviour in order to promote and maintain an environment of mutual respect for the rights, responsibilities, dignity and well-being of others and the larger community. The University must therefore make provisions for student discipline with respect to conduct that jeopardizes the good order and proper functioning of the academic and non-academic programs and activities of the University, that endangers the health, safety, rights or property of its members or visitors, or that adversely affects the property of the University or bodies related to it. The primary objective of this Code is not to be punitive but rather to be a guideline for appropriate behaviour in a diversified educational environment. Where possible and appropriate, education and provision of support services shall be used to attempt informal resolution of a matter before proceeding to formal disciplinary procedures. The conduct described under Offences, in sections 4-20, constitute misconduct under this Code.

In accordance with Student Event Risk Management Procedures, the University sponsors, encourages or tolerates many non-academic activities of its members, both on and off University premises. These activities, though generally separate from the defined requirements of students' academic programs, are recognized by the University as a valuable and important part of the life of the University and its students. While such activities are encouraged, they should be done in accordance with students' responsibilities under this Code and under the Student Event Risk Management Procedures.

PURPOSE

This Code has several purposes:

- to identify guidelines for appropriate student behaviour while at Brock University,
- to identify behaviour that is considered non-academic student misconduct and set out procedures for addressing such misconduct, and
- to set out procedures for responding to students-at-risk and their behaviour.

SCOPE

This Code applies to the conduct of students while on University premises or when acting as a delegate or designated representative of Brock University and/or of a student group in events held off University premises.

Students are expected to be individually responsible for their actions whether acting individually or in a group. The University takes the position that students have an obligation to make legal and responsible decisions concerning their conduct as, or as if they were adults. The University has no general responsibility for the moral or social behaviour of its students. In the exercise of its disciplinary authority and responsibility, the University treats students as free to organize their own personal lives, behaviours and associations subject only to the laws of the land and to University regulations that are necessary to protect the integrity and safety of University activities, the peaceful and safe enjoyment of University housing by residents, or the freedom of members of the University community to participate reasonably in the programs of the University and in activities in or on the University's premises. Strict regulation of such activities by Brock University is otherwise neither necessary nor appropriate.

Under some circumstances, such as when a student has not yet reached the legal age of majority, additional limitations on student conduct may apply.

Any student reported for alleged misconduct is subject to informal or formal disciplinary procedures within this Code, regardless of the action or inaction of civil/criminal authorities. Misconduct by a student may also constitute a violation of other University policies, such as those related to residence, human rights, alcohol use, and use of information technology services. Where there are questions about the application of this Code and/or related policies, they shall be determined by the designated administrators of the relevant policies involved. Where the alleged misconduct is processed solely under this Code, the sanctions in the other relevant policy or policies are deemed to be incorporated in their entirety into the terms of this Code. A map of discipline jurisdiction for the Department of Residences is appended to this document.

A student host is deemed to be responsible for the conduct of his/her guest(s).

Responsibility of Student Organizations:

- a) Student organizations may held responsible for misconduct by members of the organization, according to the Student Event Risk Management Procedures.
- b) Failure to follow the Student Event Risk Management Procedures is an offence under section 19 of this Code.

Nothing in this Code shall be construed to prohibit peaceful assemblies and demonstrations, lawful picketing, or to inhibit the freedom of association or expression in accordance with the Canadian Charter of Rights and Freedoms.

POLICY

1. **Definitions:** When used in this Code:

"Associate Vice-President, Student Services" is designated by the University President and is responsible for the administration of this Code.

"Disability", as set out in the Ontario Human Rights Code and used for this Code, means,

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- (b) a condition of mental impairment or a developmental disability,
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act.

"Guest" means a person who is visiting a student on University premises.

"Misconduct" means actions by a student that are in violation of their responsibilities under this Code and actions that constitute a defined offence within this Code.

"Policy" is defined as the written regulations of the University as found in, but not limited to, this Code, Residence Community Guiding Principles and Graduate/Undergraduate calendars.

"Student" means a person who is registered in a course of study approved by the Senate; engaged in any academic work which leads to the recording and/or issue of a mark, grade or statement of performance by the appropriate authority in the University or another institution; entitled to a valid student card who is between sessions but is entitled because of student status to use University facilities; and/or participating in the Intensive English Language Program.

"Student-at-risk" means any student whose physical or mental state is such that they may be or have become a threat to themselves, others, the educational process, or the Brock community in general. This state may or may not involve allegations of misconduct by the student.

"Student-at-Risk Case Team" may include representatives from the following departments on campus: Associate Vice-President, Student Services; Campus Security Services; Department of Residences; Office of Human Rights and Equity Services; Student Health Services; Personal Counselling; Services for Students with Disabilities; Student Conduct and Activities Officer; Student Ombudsperson; Dean or Associate Dean (or designate), from the Faculty in which the undergraduate student-at-risk is registered, or the Dean of Graduate Studies (or designate) for graduate students; and other university personnel as determined appropriate by the Student-at-Risk Case Team. The Student-at-Risk Case Team serves several purposes: to support early intervention with students-at-risk by encouraging access to support services and attempting to prevent misconduct; to increase coordination across university departments in how student-at-risk conduct is monitored and disciplined; and to respond to crisis or emergency situations involving students-at-risk. The Chair of the Student-at-Risk Case Team shall be appointed by the Associate Vice-President, Student Services.

"Student Conduct and Activities Officer" means an individual, appointed by the Associate Vice-President, Student Services, who will hear allegations of misconduct and make determinations and/or recommendations under this Code, independently or as part of the University Discipline Panel.

"Student Host" means a student who has a guest on University premises.

"Student Organizations" means student organizations registered under the Student Organization Registry; student organizations that have filed a Student Event Proposal under the Student Event Risk Management Procedures; and/or student organizations that use their affiliation with Brock University to organize, promote or facilitate an event for students.

"Support Services" includes, but is not limited to, Aboriginal Student Services, Office of Human Rights and Equity Services, Student Health Services, Personal Counselling, Services for Students with Disabilities, Student Ombudsperson, International Services, Student Awards and Financial Aid, Academic Counselling, and appropriate resources from the larger community.

The term "University" means Brock University. University "premises" means building and lands owned, leased, operated, controlled or supervised by the University.

"University Discipline Panel" means a panel comprised of up to fifteen student volunteers and the Student Conduct and Activities Officer, and includes any person or persons authorized by the Associate Vice-President, Student Services to determine whether a student has violated this Code and to impose sanctions. Please see Appendix A for the procedures associated with the operation of the University Discipline Panel.

"Working Days" means Mondays to Fridays, excluding Saturdays, Sundays and paid holidays observed by the University.

Where an offence is described as depending on "knowing", the offence shall also be deemed to have been committed if the person ought reasonably to have known.

The term "shall" is used in the imperative sense.

The term "may" is used in the permissive sense.

Statement on Students' Rights and Responsibilities

2. Students may think, speak, write, create, study, learn, pursue social, cultural and other interests and associate together for these purposes subject to the principles of mutual respect for the dignity, worth and rights of others as outlined by the Ontario Human Rights Code. All members of the University community, as members of society at large, are responsible to abide by federal, provincial and municipal laws in addition to University regulations. Every student has the right to a hearing by an impartial tribunal of any disciplinary charges brought against him or her under University regulations. Every student who is charged with a disciplinary offense has a right to present a defence. In particular, every student has a right:

- a) To be promptly informed in writing of the nature of the charge;
- b) To refuse to answer incriminating questions;
- c) To present and examine witnesses, and to cross-examine witnesses present who testify against him or her;
- d) To be accompanied by an adviser and/or support person from the Brock community as outlined in the relevant panel's policies and procedures.

3. The University upholds and will take reasonable steps to ensure students of the following privileges:

- a) **Participation in University and Student Government:** Students may participate in formulation and application of institutional policy affecting academic, extra-curricular and student union affairs.
- b) **Freedom of Discussion:** Traditional privileges of a university of freedom of inquiry and freedom of expression can be assured only if all members of the community share the responsibility of granting these freedoms to others and accept the obligation for a standard of behaviour which respects the rights of others.
- c) **Assembly:** Peaceful assemblies, demonstrations and lawful picketing are allowed within established laws to the extent that they do not interfere with the rights and privileges of others or with the normal functions of the University.
- d) **Fairness:** Consistency and fairness are ensured by the procedures outlined in the process and procedures below.
- e) **Confidentiality:** Confidentiality of University records relating to each student is protected. For further details refer to the following published statements: Academic Regulations and University Policies, Section I: Confidentiality and Release of Student Records, Freedom of Information and Privacy Protection Policy, and Confidentiality in the Student Development Centre.
- f) **Safety:** The University is committed to promoting safe conditions of living, learning and studying.
- g) **Access to Facilities and Services:** Access to buildings and facilities is governed by regulations that are necessary for the safety and security of students. The University accepts the obligation to provide adequate access to persons with disabilities.
- h) **Access to Licensed Facilities and Events:** Access to campus events where alcohol is served is subject to restrictions for persons under nineteen (19) years of age. Students who are of age must make responsible choices regarding the use of alcohol in order to maintain their privilege to attend such events.

Offences

Recognizing that an exhaustive list of all possible misconduct cannot be provided, the following list is offered as a guide. Any of the following activities constitutes an offense under the Code and is subject to disciplinary procedures and sanctions outlined below. Furthermore, the activity may be subject to criminal prosecution notwithstanding and in addition to this Code.

4. Disruptions

No student shall:

- by action, words, written material, or by any other means, obstruct University activities or services. University activities and services include but are not limited to teaching, research, studying, student events, administration, meetings and public service.

5. Verbal/Physical Abuses, Threatening Behaviour and Dangerous Activity

No student shall:

- verbally threaten any member of the University community;
- physically abuse, threaten or cause any other member of the university community to fear physical abuse;

- create a condition which endangers or threatens the health or safety of themselves or others.

6. Inciting Violence

No student shall:

- on University premises, individually or with a group and in connection with a demonstration including picketing or a rally;
 - use words which threaten violence or physical abuse to any group or individual;
 - use words in a situation of clear and imminent danger which incite others to behaviour which violates any article in this Offences section.

7. Harassment

No student shall:

- harass another person. Harassment is defined as any unwanted behaviour (physical, verbal, written or otherwise) directed at an individual or group by another individual or group who know(s) or ought reasonably to know that this behaviour is unwanted. (see also Brock University's Respectful Work and Learning Environment Policy)

8. Unauthorized Entry and/or Presence

No student shall:

- enter into or remain on University premises without proper authority. Campus Security Services may charge students who violate this provision with trespass under the Trespass to Property Act.

9. Damage and Destruction of Property

No student shall:

- misappropriate, destroy or otherwise damage University property;
- misappropriate, destroy or otherwise damage any property not the person's own on University property;
- deface the inside or outside of any building or property of the University;
- possess food or drink in any area where prohibited.

10. Unauthorized Use of Facilities, Equipment, Materials or Services

No student shall:

- use any facility, equipment, material or service contrary to express instruction or without proper authority;
- obtain any University equipment, material or service by fraudulent means or by providing false information.

11. Misuse of University Supplies or Documents

No student shall:

- without proper authority, make, alter, use, receive or possess University supplies or documents. University supplies and documents include but are not limited to equipment, keys, records, permits, letterhead, stationery and envelopes.

12. Misuse of Library or Computer Resources

No student shall:

- remove books or other library material from the university libraries without proper authorization;
- mutilate or deface library books or material;
- purposefully misplace library books or material or in any way deprive others of access to library resources;
- abuse any University computer or computer related facility or software, alter or remove computer files or software without proper authorization, purposefully misplace them, or deprive others of access to computer resources;
- use computer equipment on campus to download, distribute or send offensive, discriminatory, and/or harassing material.

13. Identification

No student shall:

- refuse to identify himself or herself upon request by University officials acting in the course of their duties.
- be in possession of, or distribute false identification or altered identification.

14. Aiding and Abetting

No student shall:

- aid or abet another person in the commission of any infraction of this Code. Students who assist in misconduct will be equally liable.

15. False Charges

No student shall:

- knowingly bring a false charge against any member of the University community.

16. Misconduct Related to the Use of Alcohol/Drugs

No student shall:

- be intoxicated on University premises;
- be in possession of or consume alcoholic beverages at an event on University premises designated as a "dry" event;
- be in possession of, furnish to anyone, consume, or be in the company of those who are consuming or furnishing non-prescription drugs or prescription drugs for recreational purposes;
- be in possession of, or consume alcoholic beverages, except when properly in attendance at a campus pub or event;
- be in possession or consume alcohol anywhere on University premises if under the age of nineteen (19) years;
- furnish alcoholic beverages to any person under the age of nineteen (19) years;
- invite, sign in, or admit a guest except as s/he assumes full responsibility for the guest's behaviour as it relates to this Code;
- violate the University Alcohol Policy

NOTE: Intoxication is never grounds for leniency. Rather, excessive drinking and/or use of drugs is subject to sanctioning, notwithstanding and in addition to sanctions imposed for misconduct associated with drinking.

17. Hazing

No student shall:

- engage in hazing which is defined as an act which endangers the mental or physical health or safety of a student, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.

18. Theft, Illegal or Unauthorized Possession

No student shall:

- possess University property or the property of any member of the University community without the permission of the rightful owner;
- use, possess, or distribute alcoholic beverages except as expressly permitted by law and by the University regulations;
- possess illegally or without authorization firearms, explosives, other weapons or dangerous chemicals on University premises.

19. Failure to comply

No student shall:

- fail to comply with directions of University Officials, Campus Security Services, or other law enforcement officers acting in performance of their duties;
- fail to comply with published University policies, rules or regulations.

20. Abuse of the Disciplinary System

No student shall:

- falsify, distort, or otherwise misrepresent information before the Discipline Panel;
- disrupt or interfere with the orderly conduct of the disciplinary hearing;
- knowingly falsify an incident report on another student;
- attempt to discourage an individual's proper participation in, or use of the disciplinary system;
- attempt to influence the impartiality of a member of the Discipline Panel prior to, and/or during the disciplinary proceeding;
- harass (verbally or physically) and/or intimidate a member of a Discipline Panel prior to, during, and/or after a disciplinary proceeding;
- influence or attempt to influence another person to commit an abuse of the discipline system.

Process and Procedures for Addressing Student Misconduct

21. Residence Offense Procedures: Any breaches of the Residence Agreement or Residence Community Guiding Principles will be handled in the first case by the Department of Residences' disciplinary procedures and sanctions. In addition to sanctions applied within the Department of Residences, in serious offenses the Director of Residences may forward the case to the Student Conduct and Activities Officer for action under section 23 (Other University Offense Procedures) of this Code. Residence and University Discipline Zones are described and displayed on a map of the University campus, in Appendix B to this document.

22. Minor Offense Procedures: Minor misconduct is addressed in the area or department where it occurs. The official of the University in whose jurisdiction an incident occurs will notify the Student Conduct and Activities Officer when:

- Satisfactory resolution of minor allegations and sanctions cannot be achieved between the student and the University official;
- Minor infractions are repeated by the same student;
- The University official believes the infraction warrants a sanction greater than the minor offense sanctions listed below.

Students who wish to appeal minor offence decisions should do so with the University official's immediate supervisor.

23. Other University Offense Procedures: Notice of an alleged offense under this Code may be filed with the Student Conduct and Activities Officer by any member of the Brock community within ten (10) working days of the incident in question. This time period for filing notice of an alleged offense may be extended at the discretion of the Associate Vice-President, Student Services or the Student Conduct and Activities Officer. Incident report forms must be completed in full and are available from the Student Conduct and Activities Officer. Where required, Campus Security Services may investigate alleged offenses.

24. The Student Conduct and Activities Officer may:

- dismiss the matter;
- interview the student independently and, if satisfied that the offence has been committed, impose any of the offense sanctions listed below;
- refer the matter to the University Discipline Panel, and arrange for the student to appear at a specified hearing of the Panel, providing the student with a copy of University Discipline Panel Procedures.

25. Residence Appeals: The Director of Residences will act as the final avenue of appeal for residence cases that have not been referred to the Student Conduct and Activities Officer and the University Discipline Panel. Where the sanction being appealed is eviction from residence, the Director of Residences shall consult with the Associate Vice-President, Student Services regarding the appeal.

26. Eligibility for Appeal: Either party, appellant or complainant, may appeal the decision of the University Discipline Panel with respect to student non-academic conduct or discipline, under the following circumstances:

- Where evidence emerges which was not available to a party at the time of the original hearing
- There was clear evidence of bias
- Where the disciplinary procedures were not followed and where the outcome of the case at the original hearing might have been substantially affected thereby

If there are insufficient grounds for appeal, the student shall be notified in writing within ten (10) working days of having filed the request for an appeal.

27. Appeals from sanctions applied by the University Discipline Panel:

- Students may appeal to the Associate Vice-President, Student Services any sanctions applied by the University Discipline Panel.
- Appeals must be submitted in writing to the Office of the Associate Vice-President, Student Services within ten (10) working days of the student's University Discipline Panel hearing.
- Within ten (10) working days of acceptance of an appeal, the Associate Vice-President, Student Services shall contact the student. If the grounds identified for the appeal are accepted then a meeting will be established.

- The Associate Vice-President, Student Services may uphold the sanctions applied by the University Discipline Panel, or may lessen the sanction.

The appeal must be signed by the student and include the grounds of the appeal. Please see Procedures for Appeals to the University Discipline Panel in Appendix C.

28. Appeals from sanctions applied by the Associate Vice-President, Student Services

- Sanctions applied by the Associate Vice-President, Student Services to suspend, expel or exclude a student from academic areas of the campus may be appealed to the University Appeal Board through the Office of the Vice-President, Academic. Please see Procedures for Appeals to the University Appeal Board in Appendix D.
- Appeals must be submitted in writing to the Office of the Vice-President, Academic within ten (10) working days of the student having received notification of sanctions from the Associate Vice-President, Student Services.
- The appeal must be signed by the student and include the grounds of the appeal.
- Within ten (10) working days of accepting the grounds for appeal, the Vice-President, Academic shall establish a University Appeal Board hearing panel and notify appropriate parties as outlined in the Policies and Procedures of the University Appeal Board.

Sanctions for Student Misconduct

29. Temporary Suspension and Trespass Sanctions: The University reserves the right to intervene in situations where students' behaviour affects others' use and enjoyment of University privileges and facilities. Pending convening of a Discipline Panel hearing, the Associate Vice-President, Student Services or the Vice-President, Academic may apply a temporary university-wide trespass/suspension sanction and the Director of Residences may apply a temporary residence trespass sanction, in the appropriate circumstances. These circumstances include those where they determine there are reasonable grounds to believe that the safety of other people is endangered, that there is a high potential of physical danger posed by the student's continued presence, that damage to University property is likely, or that the continued presence of the student would be disruptive. Upon imposition of such temporary sanction, the student will be excluded from residence or campus effective immediately, for as long as reasonably required by the nature of the danger. A formal discipline hearing will normally be held within ten (10) working days of notice to the student of this decision, during which time the student may only enter the residence and/or campus under escort where he or she has received proper notice of a meeting to be held regarding discipline.

30. Criminal Offenses: Criminal offenses committed on the University premises against persons or property and reported to Brock University Campus Security Services will be addressed according to the law. When a student is involved in criminal activity, Campus Security Services will notify the Associate Vice-President, Student Services. The Associate Vice-President, Student Services will determine if the matter may be independently subject to University discipline under this Code, notwithstanding, and in addition to, possible criminal prosecution or civil actions.

31. Residence Offense Sanctions: Sanctions for residence offenses are defined under the Residence Agreement and Residence Community Guiding Principles.

32. Minor Offense Sanctions: Minor misconduct is addressed in the area or department where it occurs. The officer of the University in whose jurisdiction an incident occurs may apply the following minor sanctions if, after hearing the student's response to the allegation, he or she is satisfied that minor misconduct occurred:

- A period of service to the University or the Brock University Students' Union to a maximum of three (3) hours (by the Director of Campus Security Services or the Brock University Students' Union Business Manager);
- Exclusion from a class for the class period in which the misconduct occurs (by the instructor);
- Exclusion from other University facilities for a maximum of forty-eight (48) hours (by the Director of the facility or the Associate Vice-President, Student Services);
- Exclusion from access to campus computing resources for a maximum of one week (by the Systems Services Department's Systems Administrators);
- Exclusion from the Student Centre Pub and/or liquor service events for an indefinite period of time (by the Brock University Students' Union Business Manager, the Student Centre Pub Manager, or the Director of Residences);
- Payment for damages of \$100.00 or less (by the Director of the facility, the Brock University Students' Union Business Manager, or the University Librarian or Associate University Librarian).

33. Other Offense Sanctions: The University Discipline Panel may apply any one or any combination of the following sanctions:

- A letter of reprimand;
- A period of probation during which further incidents will be subject to automatic sanctions;
- Restitution for damages;
- A verbal and/or written apology;
- Fines not to exceed \$500.00;
- Removal of privileges for use of licensed facilities on campus;
- A period of service to the University or the Brock University Students' Union not to exceed twenty-one (21) hours;
- Completion of an educational program or project; and/or
- Suspension from extra-curricular activities of the University community for a specified period of time, not to exceed one year.

The University Discipline Panel may recommend to the Associate Vice-President, Student Services the following sanctions:

- Exclusion from facilities of the University (in whole or in part) for a specified period of time not to exceed one year;
- Suspension from the University; or
- Expulsion from the University.

The Associate Vice-President, Student Services may uphold the recommendation and apply the sanction to the student, or apply a lesser sanction. In unusual circumstances, where the University Discipline Panel decides on a sanction that is not listed above, the Panel may recommend an exceptional sanction to be considered by the Associate Vice-President, Student Services.

34. Financial Sanctions: Students whose sanctions include some form of financial restitution will be given the opportunity to make payment to the Student Development Centre. Failure to pay within the designated timelines will result in the outstanding debt being added to the student's university account.

Failure to fulfill the obligations under any sanction will result in an additional \$50.00 fine for every sanction not complied with by the designated deadline, and the obligations under the sanctions must still be completed.

Students-at-Risk

35. In addition to dealing with student misconduct, the University has the right and responsibility to address the conduct of a student-at-risk in order to protect that student and/or other members of the University or local community from any threat posed by their conduct, whether or not misconduct under this Code has occurred. The University must seek to balance the rights of the student-at-risk and the rights of other members of the University community when governing the conduct of the student-at-risk.

36. Student-at-Risk – Threat Assessment: There are three levels of threat a student-at-risk may pose to her/himself or others. A **Level 1 threat** means that there is no clear, immediate threat at present and no known occurrence of non-academic misconduct, but the conduct of the student-at-risk is having a negative impact on the community and/or creates a reasonable fear/concern that a threat may exist in the future and non-academic misconduct is likely to occur. (For example, a student who engages in cutting and/or self-mutilation behaviour in residence is causing distress to her roommate and other friends in residence and disrupting the residence community). A **Level 2 threat** means that there is no clear, immediate threat at present but non-academic misconduct has occurred and the conduct of the student-at-risk creates a reasonable fear/concern that a threat continues to exist and further non-academic misconduct is likely to occur. (For example, a student who has displayed a pattern of self-destructive behaviour, such as drug use, excessive alcohol use, and violent outbursts directed towards self and/or property, but that does not pose any current immediate threat to the community – i.e. student is able and willing to reasonably discuss such behaviour and its impact.) A **Level 3 threat** means that there is a clear, immediate threat at present, which triggers the University's duty to warn and to take action to protect the student-at-risk and/or others. (For example, a student who has shown clear signs of irrational and/or uncontrollable behaviour, such as violent outbursts towards self and/or others, persistent harassment/stalking, and/or serious suicide attempts.)

37. Student-at-Risk Case Team: A Student-at-Risk Case Team will be used to provide a coordinated response and support to the student-at-risk. Protocol for dealing with students-at-risk may differ depending on the level of threat posed by the student-at-risk, and is set out in the Process and Procedures for Responding to Students at Risk, as set out below. In addition, the Student-at-Risk Case Team will meet on a regular basis as a working group on campus to support each other and to continue to develop and deliver a coordinated response to the issue of students-at-risk at Brock University.

38. Addressing the conduct of a student-at-risk can pose unique challenges to the University where that student has a mental or physical disability that is contributing to the “at-risk” behaviour. The University acknowledges that it has a duty to accommodate a student with a disability, in accordance with provincial law and University policy. Accommodation of students with disabilities should be made in accordance with the following principles: respect for dignity, individualized accommodation, and inclusion and full participation. The University has a duty to accommodate up to the point of undue hardship. The Ontario Human Rights Commission sets out three considerations in assessing whether an accommodation would cause undue hardship: (i) cost, (ii) outside sources of funding, if any, and (iii) health and safety requirements, if any. It further states that “health and safety risks will amount to undue hardship if the degree of risk that remains after the accommodation has been made outweigh the benefits of enhancing equality for persons with disabilities”. In some circumstances, the level of care and accommodation required may exceed the resources or staffing capabilities of the University and/or may be beyond the standard of care that Student Health Services, Services for Students with Disabilities, and Personal Counselling can provide or monitor. The student has a corresponding responsibility to make full disclosure of their disability and to cooperate with the University in making appropriate accommodation for them, including advising University officials of the need for accommodation, cooperating with University officials in the accommodation process, and providing medical or other requested information relating to the disability and the required accommodation.

Process and Procedures for Responding to Students-at-Risk

39. Definition: “Student-at-risk” means any student whose physical or mental state is such that they may be or have become a threat to themselves, others, the educational process, or the Brock community in general. This state may or may not involve allegations of non-academic misconduct by the student.

40. Observance of behaviour that suggests a student is at risk should be reported to a member of the Student-at-Risk Case Team and will trigger a written report, which should be sent immediately to the Student Conduct and Activities Officer. Regardless of the level of threat, the student-at-risk will be given an opportunity to review and respond to the written report. If there is a clear and imminent danger or risk, designated staff members are immediately empowered to take appropriate steps as per the Interim Conditions and Measures outlined below in sections 54 and 55.

41. Normally, within one working day of receiving a report of a student-at-risk, the Student Conduct and Activities Officer will assess the risk level in consultation with the report writer (and others involved in the case as appropriate). Response to the situation is based on the level of threat, as outlined below in sections 42-44.

42. Level 1 Threat: If the student’s behaviour is assessed as a Level 1 threat, the Student Conduct and Activities Officer and/or the report writer will determine whether consultation with the Student-at-Risk Case Team is required and will determine appropriate outcomes. If consultation with the Student-at-Risk Case Team is required, it will normally meet within five (5) working days to review the case and make recommendations regarding how to proceed. Where consultation is not required, the Student Conduct and Activities Officer will update the Student-at-Risk Case Team at its next regular meeting. Possible outcomes for Level 1 threat behaviour include but are not limited to: an offer of appropriate support and/or referral, and/or campus general probation, and/or a residence behaviour contract.

43. Level 2 Threat: If the student’s behaviour is assessed as a Level 2 threat, the Student Conduct and Activities Officer and/or the report writer will determine whether consultation with the Student-at-Risk Case Team is required and/or whether disciplinary procedures will be invoked to deal with the alleged misconduct. If consultation with the Student-at-Risk Case Team is required, it will normally meet within five (5) working days to review the case and make recommendations regarding how to proceed. Where consultation is not required, the Student Conduct and Activities Officer will update the Student-at-Risk Case Team at its next regular meeting. Possible outcomes for Level 2 threat behaviour include but are not limited to: those outlined under Level 1 and/or referral of the case through the non-academic discipline process in accordance with the Process and Procedures for Addressing Student Misconduct and/or immediate involuntary leave.

44. Level 3 Threat: If the student’s behaviour is assessed as a Level 3 threat, the Student Conduct and Activities Officer and/or the report writer will first determine whether Interim Conditions and Measures are required to address any immediate threat to the student-at-risk, others or the larger community. Assessment of a Level 3 threat triggers the University’s duty to warn and to take action to protect the student-at-risk and/or others. The University reserves the right to share information regarding the student-at-risk in order to address the immediate threat and the student’s behaviour. The Student Conduct and Activities Officer will then immediately schedule a meeting of the Student-at-Risk Case Team. The Student-at-Risk Case Team will normally meet within two (2)

working days to review the case and make recommendations regarding how to proceed. Possible outcomes for Level 3 threat behaviour include but are not limited to: those outlined under Levels 1 and 2, and/or immediate involuntary withdrawal from the University.

45. Involuntary Leave and Withdrawal: If the Student-at-Risk Case Team recommends involuntary leave or withdrawal, this recommendation must be presented to the Associate Vice-President, Student Services. Involuntary leave is defined as involuntary physical removal from campus for a period of time specified by the Associate Vice-President, Student Services. Involuntary withdrawal includes involuntary physical removal from campus and academic withdrawal from the University. Involuntary withdrawal requires consultation with the Vice-President, Academic. Involuntary withdrawal may last for one academic year or longer. Involuntary leave or withdrawal is not pursued as a punitive step, but may coincide with sanctions for student misconduct.

46. Decision Notification: If the Associate Vice-President, Student Services decides to place a student-at-risk on involuntary leave or withdrawal, the student-at-risk shall be notified of that decision, together with the terms and conditions associated with the involuntary leave or withdrawal. A copy of the letter will be included in the student's record. Where involuntary withdrawal is invoked, the student-at-risk will be blocked from re-enrollment for the duration of the involuntary withdrawal. Upon notification of involuntary leave or withdrawal, the student-at-risk will also be provided with information on the Return to Campus Procedures.

47. Return to Campus Procedure for Involuntary Leave: Following an involuntary leave, the student-at-risk must apply in writing to the Student Conduct and Activities Officer in order to return to campus. The application will require the following in order to be considered: evidence that all terms and conditions associated with the involuntary leave have been met, evidence that all current outstanding disciplinary sanctions have been completed, and, if applicable, an Involuntary Leave Assessment Form (attached as Appendix E) completed by appropriate treating medical professional(s). The Student Conduct and Activities Officer will evaluate completed applications and their accompanying documentation and consult with the Student-at-Risk Case Team to develop a Return to Campus Management Plan. A recommendation regarding whether the student should be permitted to return to campus and any Return to Campus Management Plan shall be forwarded to the Associate Vice-President, Student Services, normally within twenty (20) working days after receipt of a completed application. During the review process, the Student Conduct and Activities Officer may require the student to provide additional, more recent documentation from treating medical professional(s). The Associate Vice-President, Student Services shall inform the student, in writing, whether the application has been approved.

48. Return to Campus Procedure for Involuntary Withdrawal: Following an involuntary withdrawal, the student-at-risk must apply in writing to the Student Conduct and Activities Officer in order to return to campus. The application is due no earlier than two (2) months before the student's anticipated return to campus. The application will require the following in order to be considered: evidence that all terms and conditions associated with the involuntary withdrawal have been met, evidence that all current outstanding disciplinary sanctions have been completed, and a Re-Enrollment Questionnaire and Treatment Summary (attached as Appendix F) completed by appropriate treating medical professional(s). The Student Conduct and Activities Officer will evaluate the completed application and accompanying documentation and consult with the Student-at-Risk Case Team to develop a Return to Campus Management Plan. A recommendation regarding whether the student should be permitted to return to campus and/or re-enroll and any Return to Campus Management Plan shall be forwarded to the Associate Vice-President, Student Services, normally within twenty (20) working days after receipt of a completed application. During the review process, the Student Conduct and Activities Officer may require the student to provide additional, more recent documentation from treating medical professional(s). The Associate Vice-President, Student Services shall inform the student, in writing, whether the application has been approved.

49. Return to Campus Management Plan: Where a student has received approval to return to campus following involuntary leave or withdrawal, the Student Conduct and Activities Officer and the Student-at-Risk Case Team shall prepare a Return to Campus Management Plan that outlines any terms and conditions of the student's return to campus and any support services required. The Student Conduct and Activities Officer, or a designate from the Student-at-Risk Case Team, will implement the Return to Campus Management Plan and monitor the student's transition back to campus. The person monitoring the Return to Campus Management Plan shall regularly report the student's progress back to the Student-at-Risk Case Team. The Return to Campus Management Plan may also include the disposition of any outstanding non-academic discipline matters and/or sanctions.

50. Eligibility for Appeal: Either party, appellant or complainant, may appeal the decisions made under the Process and Procedures for Responding to Students-at-Risk, under the following circumstances:

- Where evidence emerges which was not available to a party at the time of the original process
- There was clear evidence of bias
- Where the disciplinary procedures were not followed and where the outcome of the case during the original process might have been substantially affected thereby

If there are insufficient grounds for appeal, the student shall be notified in writing within ten (10) working days of having filed the request for an appeal.

51. Appeal of Level 1 Threat Outcomes: An appeal of campus general probation in response to Level 1 threat behaviour shall be made to the Associate Vice-President, Student Services. An appeal of a residence behaviour contract in response to Level 1 threat behaviour shall be made to the Director of Residences. The appeal must be signed by the student and include the grounds of the appeal.

52. Appeal of Non-Academic Discipline Sanctions Relating to Level 2 and Level 3 Threat Outcomes:

Appeals of disciplinary sanctions for non-academic misconduct shall be addressed through the appeal routes set out above under Process and Procedures for Addressing Student Misconduct (sections 25-28).

53. Appeals of Involuntary Leave or Withdrawal in Response to Level 2 and 3 Threats:

- Involuntary leave or withdrawal applied by the Associate Vice-President, Student Services may be appealed to the University Appeal Board through the Office of the Vice-President, Academic.
- Appeals must be submitted in writing to the Office of the Vice-President, Academic within ten (10) working days of the student having received notification of the involuntary leave or withdrawal from the Associate Vice-President, Student Services.
- The appeal must be signed by the student and include the grounds of the appeal.
- Within ten (10) working days of accepting the grounds of an appeal, the Vice-President, Academic shall establish a University Appeal Board hearing panel and notify appropriate parties as outlined in the Policies and Procedures of the University Appeal Board.

Interim Conditions and Measures

54. Ongoing Personal Safety

In those cases where the allegations of misconduct are serious and, if proven, could constitute a significant personal safety threat to other students or members of the University community, or where a Level 3 threat is posed by a student-at risk, the Associate Vice-President, Student Services, or delegate, or Campus Security Services, is authorized to impose interim conditions that balance the needs of the complainants or community for safety with the requirement of fairness to the respondent student or student-at-risk. Interim conditions may include: restrictions on a student's movement on campus, non-association/no contact directives, and suspension of student privileges. The interim conditions are in no way to be construed as indicative of guilt, and shall remain in place until the allegations are disposed of under the Process and Procedures for Addressing Student Misconduct and/or the Process and Procedures for Responding to Students-at-Risk.

55. Urgent Situations

In some circumstances, such as those involving serious threats or violent behaviour, it may be necessary to remove a student from the University premises. Where an investigation of misconduct has been requested and is pending, the Associate Vice-President, Student Services, or delegate, may suspend a student or students temporarily for up to three (3) working days if, in the opinion of the Associate Vice-President, Student Services, or delegate, there is reasonable apprehension that the safety of others is endangered, damage to University property is likely to occur, or the continued presence of the student(s) would be disruptive to the legitimate operations of the University. The student(s) shall be informed immediately in writing of the reasons for the suspension and shall be afforded the opportunity to respond. The Associate Vice-President, Student Services, or delegate must review any such temporary suspension, within the three-day temporary suspension period, following a preliminary investigation, and either revoke or continue it. If the suspension is continued, the student(s) may appeal to the Vice-President, Academic, or delegate, who shall hear and decide on the appeal within five (5) days. Where an urgent situation arises from the Level 3 threat posed by a student-at-risk, the procedure outlined under the Process and Procedure for Responding to Students-at-Risk shall apply, regardless of whether misconduct has also occurred.

Administration of Code of Student Conduct and Disciplinary Procedures in Non-Academic Matters

56. Authority and Amendments

Amendments to this Code must be recommended to the Associate Vice-President, Student Services. The Associate Vice-President, Student Services administers non-academic student conduct policy and procedures, and chairs the University Non-Academic Discipline Advisory Committee. The Committee meets annually, in the spring. The Committee maintains written procedures for the conduct of individual University Discipline Panel hearings and written sanction guidelines, which are reviewed and approved annually by the Associate Vice-President, Student Services. See Appendix G for further information about the University Non-Academic Discipline Advisory Committee.

57. University Discipline Panel

The University Discipline Panel hearings will normally be scheduled on a weekly basis to ensure timely attention to non-academic discipline cases. The Chair of the Panel will be a student appointed by the Associate Vice-President, Student Services from the student members of the Discipline Advisory Committee. All student members of the University Non-Academic Discipline Advisory Committee participate on the attendance roster for Discipline Panel hearings. The Student Conduct and Activities Officer serves as a voting member and senior University adviser on all University Discipline Advisory Panel hearings. The Student Conduct and Activities Officer reports statistics on the numbers of cases, outcomes and sanctions annually to the Associate Vice-President, Student Services. Please refer to Appendix A for University Discipline Panel Procedures

58. Student Discipline Records

Records of charges and sanctions, other than suspension or expulsion, will not be placed in student academic records. Records of all University Discipline Panel decisions, including charges and sanctions, will be maintained as part of the confidential records in the Student Development Centre for a period of up to four (4) years after the student graduates or ceases to be a student.

RELATED POLICIES

- Academic Computing Behaviour Policy
- Alcohol Policy
- Guidelines for Lab Computer Users
- Residence Community Guiding Principles
- Respectful Work and Learning Environment Policy
- Student Event Risk Management Procedures

APPENDIX A: UNIVERSITY DISCIPLINE PANEL PROCEDURES

Purpose

The University Discipline Panel hears disciplinary cases regarding alleged non-academic [related] infractions of the Student Code of Conduct and makes decisions regarding responsibility and sanctioning.

Membership

1. The University Discipline Panel shall be composed of a maximum of fifteen (15) students, a Chairperson, a Vice-Chair, and the Student Conduct and Activities Officer.
2. The University Discipline Panel will be chaired by a student. The Associate Vice-President, Student Services will appoint a Chair and Vice-Chair. The Chair is a non-voting position, normally appointed for a maximum term of one year.
3. The members of the University Discipline Panel shall serve an eight (8) month term from September 1 to April 30. Between May 1 and August 31, the Associate Vice-President, Student Services (or Student Conduct and Activities Officer) shall review cases individually and inform the incoming University Discipline Panel in September of the decisions taken.
4. No voting member of the University Discipline Panel may simultaneously be:
 - an officer of the Student Union (Executive or Member of the Board of Directors);
 - the Student Ombudsperson;
 - a person employed by the University as a head resident, residence don, student security, foot patrol or University bar staff;
 - a voting member of the University Appeal Board.
5. Student members of the University Discipline Panel may serve for up to three (3) years at the invitation of the Associate Vice-President, Student Services.
6. Returning members will normally comprise up to one-third of the University Discipline Panel membership.
7. No member may continue if found responsible for an infraction of the Code of Conduct. Any member found responsible for any infraction of the Code of Conduct will be immediately removed from the University Discipline Panel.

Selection

1. The Associate Vice-President, Student Services, or Student Conduct and Activities Officer shall publish announcements of positions. Invitations to apply are published in the student newspaper and widely disseminated not less than fifteen (15) days before the deadline for applications. Applications are invited during the Winter term for the next academic year.
2. A selection committee normally composed of the following will interview applicants for the University Discipline Panel positions:
 - Associate Vice-President, Student Services or designate;
 - an outgoing University Discipline Panel member;
 - Student Ombudsperson.
3. Upon the completion of the applicant interviews, the selection committee shall recommend to the Associate Vice-President, Student Services up to fifteen (15) persons to serve as members of the University Discipline Panel.
4. As far as possible, the selection committee will select representatives from different academic majors and years on the University Discipline Panel.

Rights and Duties of Members

Rights

- Each member of the University Discipline Panel shall have the right to discuss all business before them for consideration during any meeting of the University Discipline Panel.
- Each member will have one vote. The Chair and the Secretary are non-voting members.

Duties

1. The University Non-Academic Discipline Advisory Committee shall be responsible for:
 - overseeing the policies and procedures of the Discipline Panel to ensure that they are fair; and
 - making recommendations for changes to the Associate Vice-President, Student Services.

2. The University Discipline Panel shall be responsible for the following:

The Chair shall:

- ensure that the Policies and Procedures of the University Discipline Panel are followed at each hearing;
- read the decision of the University Discipline Panel to the student; and
- ensure that voting members fulfill all duties.

The Vice Chair shall:

- act as the Chair in the event that the Chair is unable to attend a meeting; and
- ensure that voting members fulfill all duties.

The Recording Secretary shall:

- record the name of the student, the date of the proceedings, the case number, and the order of the proceedings;
- record the proceedings for possible clarification during the deliberations; and
- forward the decisions to the Student Conduct and Activities Officer for the purpose of notification and subsequent collection or billing of student if required.

The Voting members shall:

- act in the disposition of disciplinary matters when infractions of the Code of Student Conduct or any unacceptable behaviour occurs;
- make students aware of the existing regulations, the responsibilities derived from these regulations, and the sanctions for infractions;
- keep all discussions and decisions in confidence;
- review the current regulations of the University and recommend alterations in the best interests of the majority of the students, to the Associate Vice-President, Student Services;
- understand and be familiar with the Code of Student Conduct and Disciplinary Procedures in Non-Academic Matters;
- hear all available information for and against the student, including witnesses, if provided; and
- ask pertinent questions of all parties involved.

The Student Conduct and Activities Officer shall:

- act as the administrative advisor to the University Discipline Panel;
- serve as a voting member of the University Discipline Panel;
- hear minor cases not brought before the University Discipline Panel and make disciplinary decisions based on that meeting. These cases may be appealed to the University Discipline Panel;
- advise the University Discipline Panel regarding general guidelines and precedents as background information for the University Discipline Panel's decision based on recommended penalties; and
- maintain all permanent records related to non-academic discipline for the University.

Meetings

1. The University Discipline Panel shall meet weekly as required. Meetings will be held at a time agreeable to the majority of the members.

2. The initial meeting shall be a training workshop, usually during Orientation Week, at which attendance will be mandatory.

3. Subsequent meetings shall be called to:

- review cases of a non-academic disciplinary nature, hear student testimony, and determine whether a disciplinary infraction has occurred;
- discuss and decide sanctions for infractions;
- hear appeals by students of University administrators' decisions not made by the Panel;
- review the Student Code of Conduct and Disciplinary Procedures in Non-Academic Matters with a view to making recommendations to the Associate Vice-President, Student Services; and
- conduct on-going training of University Discipline Panel members.

4. University Discipline Panel meetings will be suspended during the exam and holiday period except in extraordinary circumstances. Discipline hearings take precedence over other business.
5. The University Discipline Panel shall always sit with an odd number of voting members. Voting quorum for the Discipline Panel meetings shall be three (3) voting members.
6. If any member of the University Discipline Panel has a conflict of interest in any particular proceeding, that member shall be excused for the duration of the proceeding.
7. All meetings will be held in camera and be kept in strictest confidence, with the exceptions that a) those who need to know, and b) the incident report writer(s) will be informed of the hearing outcome. All members of the University Discipline Panel are responsible for maintaining confidence regarding all information received in the course of a hearing.
8. An adjournment of the University Discipline Panel may be made in the event that quorum is not met, or if evidence or testimony deemed by the University Discipline Panel to be crucial to the hearing is absent. Normally, the meeting may only be adjourned for a period of one week.

Procedures

It is intended that procedures be as informal as possible. Nevertheless, they must include reasonable notice to the parties involved of the nature and source of an allegation of misconduct, an opportunity for the parties to hear and answer any evidence used to substantiate the allegation, an opportunity for the parties to submit evidence and arguments, and the right to a decision on the merits of the case by a disinterested person or persons.

The standard of proof for rendering a decision on matters relating to the Code of Student Conduct shall be the civil law standard of "on balance of probabilities" or "the preponderance of evidence." All students will be afforded a hearing free from bias. In the event of a conflict of interest with a member of the University Discipline Panel, that member shall be excused from the proceedings.

Pre-Hearing Procedures

1. Upon an alleged breach of the Student Code of Conduct, a student shall receive notification in writing of the following:
 - nature of the breach
 - any evidence of the alleged breach
 - disciplinary procedures which will be followed
 - possible sanctions if the student is found responsible of the breach.
2. Usually, the student will receive notification of a hearing within ten (10) working days of the alleged incident, and at least five (5) working days prior to the scheduled hearing.

Hearing Procedures

1. Hearings of the University Discipline Panel shall be informal and will be conducted as follows:
 - At a hearing, the University Discipline Panel may receive evidence directly from witnesses or in the form of written reports. The accused may call witnesses but must inform the Student Conduct and Activities Officer of the names of such witnesses twenty-four (24) hours prior to the University Discipline Panel meeting.
 - Any party to the proceedings at the hearing may call witnesses and cross-examine witnesses called by another party. The University Discipline Panel may limit the number of witnesses or amount of cross-examination where further evidence or cross-examination will be repetitive or irrelevant (as determined by the Chair and/or the Student Conduct and Activities Officer).
 - Legal counsel is not permitted at a hearing of the University Discipline Panel. Students may have the Student Ombudsperson as an advisor.
 - Students shall be permitted to have one person acting in support at a hearing. This is in addition to the Student Ombudsperson, who may also act as an advisor for the student at a hearing.
 - In the event that a student fails to appear for a hearing, the hearing will be conducted in his/her absence. Normally, the student will be sent notification of the outcome of the hearing within five (5) working days. Failure to appear is not a legitimate ground for appeal.
 - The University Discipline Panel shall seek consensus in order to make recommendations to the Associate Vice-President, Student Services on the validity of an allegation and on appropriate sanctions. In the absence

of a consensus, the Chair may request a vote and shall make recommendations supported by a majority of the University Discipline Panel. University Discipline Panel members may not abstain from a vote.

- Recommendations of the University Discipline Panel will be implemented at the discretion of the Associate Vice-President, Student Services or designate, under the authority delegated by the President of the University.
- The student shall be notified at the conclusion of deliberations regarding the decision, of any sanctions applied and the appeal procedure available.
- The rules of evidence applicable in civil and criminal proceedings shall not apply to the hearing. Evidence which is not substantially relevant shall be excluded.

APPENDIX B: RESIDENCE AND UNIVERSITY DISCIPLINE ZONES

To facilitate efficient intervention and response to incidents of misconduct arising on campus, geographic areas of responsibility have been agreed upon with respect to "residence" vs. "university" discipline (eg. residence's role, the University Disciplinary Board's role, Student Conduct and Activities Officer's role, etc.). For each area, protocols for monitoring, intervention, reporting, and response have been outlined. While it is expected that most cases will fall clearly within the jurisdiction of either residence discipline or university discipline, in some circumstances the Department of Residences and the Student Conduct and Activities Officer may confer as they develop a response (e.g. incidents may begin in one zone and migrate to another; misconduct on the general campus may be sufficiently severe as to affect the student's status in residence; misconduct in residence may be sufficiently severe as to affect the student's overall status at Brock, etc.).

The attached map indicates residence buildings and the immediate surrounding areas highlighted in yellow. Roadways and parking lots frame many of the boundaries, while other unmarked features (footpaths, edges of landscaped grounds) frame those that remain.

Residence Space: Inside Residence Buildings (buildings within yellow area):

- Monitored by: Residence Life Staff, Residence Community Patrol
- Intervention: Residence Life Staff, Residence Community Patrol, Campus Security Services when necessary
- Reporting: in all cases, documentation should be directed to the Residence Life Coordinator(s) for the building(s) where the incident occurred. In situations involving off-campus students or non-students, the Student Conduct and Activities Officer should also receive a copy
- Response to Incidents:
 - Residence disciplinary action applies for residence students
 - Off-campus students referred to University Disciplinary Board (with possibility of ban from residence and residence student host subject to residence disciplinary action)
 - Non-students potentially subject to ban from residence and/or campus (typically through University Disciplinary Board or Campus Security Services), and residence student host potentially subject to residence disciplinary action

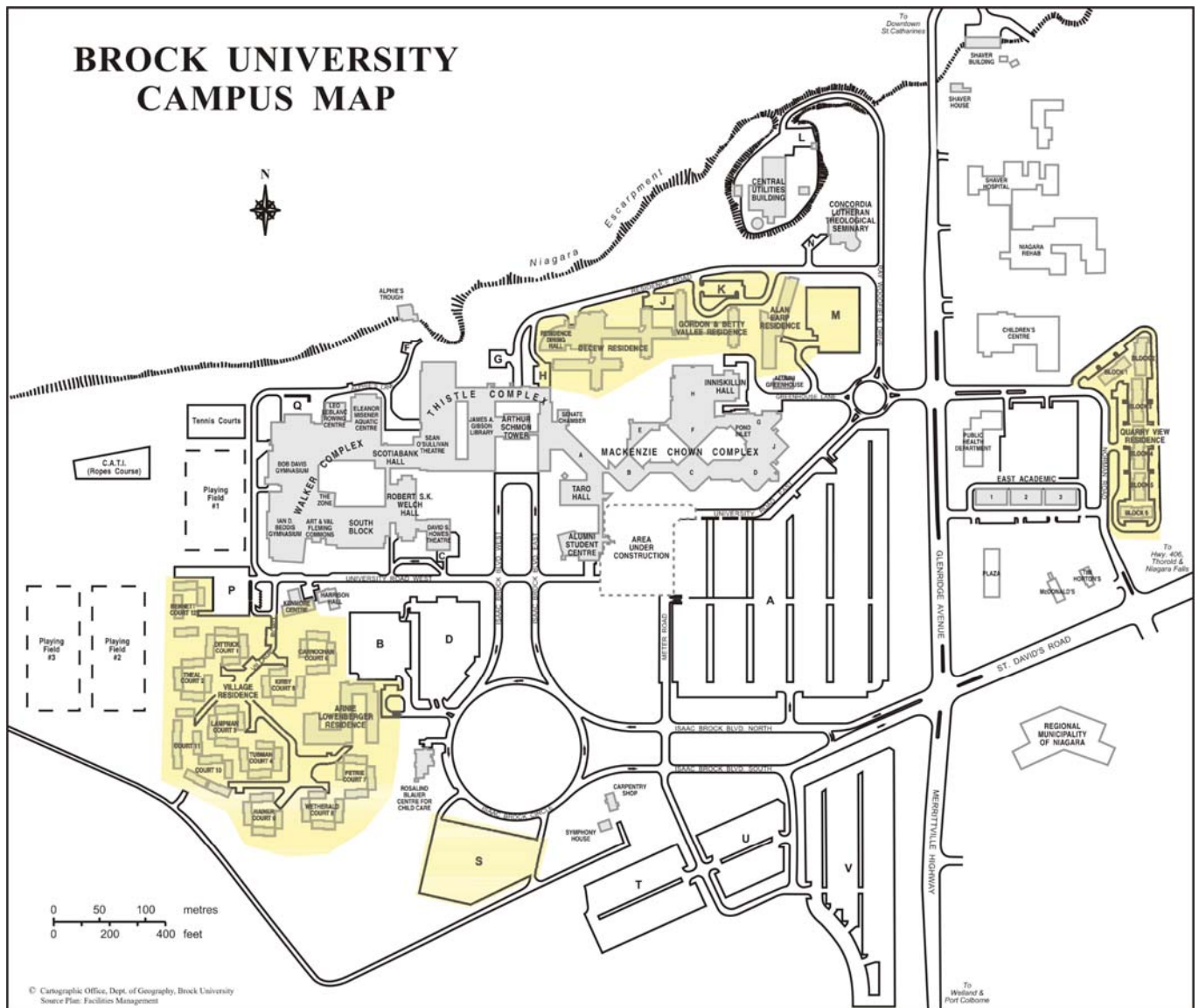
Outside Residence Buildings: Outdoor areas highlighted in yellow:

- Monitored by: Residence Community Patrol, Campus Security Services
- Intervention: Residence Community Patrol, Residence Life Staff, Campus Security Services
- Reporting: same as for inside residence buildings
- Response to incidents: same as for inside residence buildings

General Campus Areas: Non-highlighted areas:

- Monitored by: Campus Security Services
- Intervention: Campus Security Services
- Reporting: documentation should be directed to the Student Conduct and Activities Officer
- Response to Incidents: University Disciplinary Board

BROCK UNIVERSITY CAMPUS MAP



APPENDIX C: PROCEDURES FOR APPEALS FROM SANCTIONS APPLIED BY THE UNIVERSITY DISCIPLINE PANEL

1. Appeals must be submitted in writing to the Associate Vice-President, Student Services within ten (10) working days of the student's hearing. The appeal must be signed by the student and include the grounds and supporting evidence for the appeal.
2. The Associate Vice-President, Student Services will review and decide whether to accept the identified ground(s) for appeal.
3. If the application for appeal is accepted, the Associate Vice-President, Student Services shall meet with the student within ten (10) working days of receiving the application for appeal.
4. After the meeting with the student, the Associate Vice-President, Student Services will decide on one of three rulings:
 - Appeal Denied – sanctions are upheld
 - Appeal Accepted – all sanctions removed
 - Appeal Accepted in part – sanctions adjusted (sanctions may only be lowered and no additional sanctions can be added)
5. The Associate Vice-President, Student Services shall produce a letter to both the sanctioned student and Student Conduct and Activities Officer within five (5) working days after the appeal meeting. This written report shall include
 - The ruling
 - The rationale for the above ruling
 - Deadlines for any sanctions required
 - Consequences for non-compliance with any required sanctions

APPENDIX D: PROCEDURES FOR APPEALS TO THE UNIVERSITY APPEAL BOARD

Grounds for Appeal

After a sanction of expulsion, suspension or exclusion from facilities of the University (whole or part) for a specified period of time, not to exceed one year is/are recommended by the University Discipline Panel, and that recommendation is approved by the Associate Vice-President, Student Services, the sanctioned student may appeal on the following grounds.

- Where evidence emerges which was not available to a party at the time of the original hearing
- There is clear evidence of bias
- Where the disciplinary procedures were not followed and where the outcome of the case at the original hearing might have been substantially affected thereby

Membership of University Appeal Board

The University Appeal Board shall be comprised of members appointed by the Vice- President, Academic. The following is the make-up of the University Appeal Board:

- Vice President, Academic (Chair)
- One Faculty member
- One Staff person
- One Student holding no position within Residence or BUSU

Procedure

1. Appeals must be submitted in writing to the Vice-President, Academic within ten (10) working days of the student having received notification of sanctions from the Associate Vice-President, Student Services. The appeal must be signed by the student and include the grounds and supporting evidence for the appeal.
2. The Vice-President, Academic will review and decide whether to accept the grounds of the appeal.
3. If the Vice-President, Academic accepts the application for appeal, the University Appeal Board will be called to meet within ten (10) working days after accepting the grounds for appeal.
4. Both the sanctioned student and the Student Conduct and Activities Officer will be notified of the hearing and shall be present for the appeal. Both parties may bring legal counsel. However, the Vice-President, Academic must be notified of their attendance five (5) working days prior to the hearing and legal counsel shall not make representations at the hearing and is only to act in an advisory role.
5. The appeal process will open with the Chair reading the letter outlining the grounds of appeal submitted by the sanctioned student. Both the sanctioned student and then the Student Conduct and Activities Officer will respond to the reading of the appeal letter.
6. University Appeal Board members may then ask any question that the Chair deems appropriate to either the sanctioned student or the Student Conduct and Activities Officer.
7. The University Appeal Board will then deliberate in camera and will rule in one of the following ways
 - Appeal Denied – sanctions are upheld
 - Appeal Accepted – all sanctions removed
 - Appeal Accepted in part – sanctions adjusted (sanctions may only be lowered and no additional sanctions can be added)
8. The Chair will produce a written report to both the sanctioned student and Student Conduct and Activities Officer within five (5) working days after the appeal proceedings. This written report shall include
 - The ruling of the board
 - The rationale for the above ruling
 - Deadlines for any sanctions required
 - Consequences for non-compliance with any required sanctions

APPENDIX E: INVOLUNTARY LEAVE ASSESSMENT FORM

BROCK UNIVERSITY, STUDENT SERVICES INVOLUNTARY LEAVE ASSESSMENT FORM

Name of student: _____ Date of birth: _____
Last First D/M/YR

What is your professional clinical qualification? ☐ MD ☐ PhD ☐ Other _____

How long have you known the student in a professional capacity? _____

What has been the frequency of visits? _____

Is the student taking any medications, nutritionals or other supplements? ☐ Yes ☐ No

Please list: _____

In your opinion, is any one of these likely to account for the behaviour in question?

☐ Yes ☐ No ☐ Can't assess

If 'Yes' could this behaviour be changed by switching or discontinuing the medication?

Please comment: _____

Has the student recently discontinued any medication? ☐ Yes ☐ No

If 'Yes', which one(s)? _____

Does the student have any metabolic abnormalities that might account for the behaviour in question?

☐ Yes ☐ No ☐ Can't assess

If 'Yes', please describe and comment on any therapy that might lead to improvement in such behaviour and the expected time course of that therapy: _____

Has the student sustained a closed head injury that might account for the observed behaviour?

☐ Yes ☐ No ☐ Don't know

Does the student have a history of drug or alcohol abuse?

☐ Yes ☐ No ☐ Don't know

Has the student experienced any significant psycho-social stressors immediately prior to the incidents in question?

☐ Yes ☐ No ☐ Don't know

If 'Yes', please describe: _____

Does the student have a previous psychiatric diagnosis, which includes the above behaviours?

☐ Yes ☐ No

If 'Yes', please describe: _____

Have you received all three pages including cover letter? ☐ Yes ☐ No

Are there any other factors of which you think the University team should be aware?

Signature: _____

Name: _____ Date: _____

License Number: _____

Address: _____

Phone Number: _____

Fax Number: _____

Please mail the completed form, and any accompanying documentation to:

Student Conduct and Activities Officer
Student Development Centre, ST 400
Brock University
500 Glenridge Avenue
St. Catharines, Ontario
L2S 3A1
(905) 688-5550 ext. 4041

APPENDIX F: RE-ENROLLMENT QUESTIONNAIRE AND TREATMENT SUMMARY

BROCK UNIVERSITY, STUDENT SERVICES RE-ENROLLMENT QUESTIONNAIRE AND TREATMENT SUMMARY

INSTRUCTIONS

This form is to be completed by medical professional(s) that have been treating the student for at least six months and are currently treating the student. Please respond to the questions listed below and attach a brief statement of recommendation for student's anticipated re-enrollment and return to campus together with a treatment summary on your office letterhead. Send the completed form and accompanying documentation to the following address:

Student Conduct and Activities Officer
Student Development Centre, ST 400
Brock University
500 Glenridge Avenue
St. Catharines, Ontario
L2S 3A1
(905) 688-5550 ext. 4041

PLEASE RESPOND TO ALL QUESTIONS

Full Name of patient: _____

What is your professional clinical qualification?

☐ Psychiatrist ☐ MD ☐ Licensed Psychologist ☐ Other (title?) _____

Did you provide treatment for the above named patient? ☐ Yes ☐ No

How many treatment sessions have you provided for the patient (relating to the matter involving Brock University and its community) and over what period of time? _____

Has the above patient completed treatment? ☐ Yes ☐ No

Are you continuing to provide treatment? ☐ Yes ☐ No

If not, was treatment terminated with your approval? ☐ Yes ☐ No

When did treatment commence? _____

When did the treatment conclude? _____

If the patient has not completed treatment, how frequently will the patient need to see you?

Have you referred the patient for continuing treatment? ☐ Yes ☐ No

If yes, please include the name, address, and phone number of the referral individual or agency:

Why have you referred the patient for continuing treatment?

If the patient is continuing treatment, do you believe she/he would be able to function appropriately as a student at this university without that continued treatment? ☐ Yes ☐ No

Do you consider that the patient, presently or in the reasonably foreseeable future, is likely to be a danger to him/herself or others, or a threat to her/his life or the lives of others? ☐ Yes ☐ No

If yes, please explain_____

Do you think that the patient is capable of carrying a full academic load (12-18 classroom hours)?

☐ Yes ☐ No

To your knowledge, are the parent(s) and/or legal guardian(s) of the patient aware of the problem(s) for which you have provided treatment? ☐ Yes ☐ No

Other Comments?

Signature:_____

Name:_____ Date:_____

License Number:_____

Address:_____

Phone Number:_____

Fax Number:_____

APPENDIX G: UNIVERSITY NON-ACADEMIC DISCIPLINE ADVISORY COMMITTEE

Purpose

The University Non-Academic Discipline Advisory Committee meets as a whole at the end of the term to review procedures and make recommendations to the Associate Vice-President, Student Services.

Membership

The University Non-Academic Discipline Advisory Committee shall consist of the members of the University Discipline Panel and the following members of the university community:

- Associate Vice-President, Student Services;
- Director of Student Development Centre;
- the Student Ombudsperson;
- a representative from the Student Pub;
- a representative of the Brock University Student Union Executive;
- a representative from the Department of Residences; and
- a member of Campus Security Services.