

## Royal Roads University Procedure

Effective Date:

November 15, 2005

Revision Date:

April 1, 2016

The primary goals of these procedures are to provide a just, timely and effective mechanism for responding to alleged violations of the Policy on Student Rights and Responsibilities, while simultaneously maintaining a conduct process that is educational in nature and supportive of personal learning and growth. These procedures are based upon the assumption that reason will prevail, that fundamental fairness will be upheld, that confidentiality for both complainants and respondents will be honoured to the maximum possible extent, and that timely resolution of cases will be sought. The university reserves the right in its discretion to modify these procedures as it determines may be appropriate in any particular instance.

1. If the university has reason to believe that a student may be in violation of this Policy, the university may initiate the processes set out below.
2. If a person wishes to register a complaint that a student has violated this Policy, that complaint should be submitted in writing to the Student Rights & Responsibilities Officer, as soon as possible. If a complaint is involving or directed towards Student Services, the complaint will be sent to a university staff member appointed by the Associate Vice President, Student and Academic Services. Normally complaints should be filed within five business days. Anonymous complaints may not be investigated.
3. Following receipt of a written complaint or incident report, the Student Rights & Responsibilities Officer, will determine if the alleged offense will be reviewed as a Level One or Level Two Violation.
  - 3.1. A Level One Violation includes activities that pose no significant threat to property or individuals, but that indicate a lack of regard for the rights, property or personal privileges of individuals or groups within the university community. Examples of a Level One Violation include: damaging university grounds or disturbing the peace.
  - 3.2. A Level Two Violation includes activities that pose a significant threat to personal or university-owned property or to the physical safety or psychological security of individuals and/or groups within the university. Examples of a Level Two Violation include: causing physical harm or reasonable apprehension of harm to another individual or group; theft of individual or university-owned property; or the substantial interference with any individual and/or groups in their pursuit of any legitimate university activity.
  - 3.3 Any report of sexual violence will be treated as a Level Two Violation. Student Services has authority to make arrangements to provide for the safety of any student involved immediately upon the report of an incident. There is a separate protocol for responding to a report of sexual violence

involving a student which will also be enacted.

3.4. An individual or group found responsible for a violation or violations under the Policy of Student Rights and Responsibilities will be subject to sanctions commensurate with the offense with consideration given to any aggravating or mitigating circumstances.

4. Following the determination of the level of alleged offense, the Student Rights & Responsibilities Officer shall make such inquiries as are necessary to determine whether a violation of this Policy has occurred and to take, or to recommend the taking of, appropriate action in response. Such action may include, but is not limited to, one or more of the following sanctions: a warning; required written apology; required restitution; denial of access to specific university facilities, services, or activities; restrictions on areas of access; a fine; an undertaking to be of good behaviour; a probationary period; or a recommendation for suspension or expulsion. Prior to making a decision, the Student Rights & Responsibilities Officer shall provide the student an opportunity to be heard in connection with the allegations against them.

4.1. In instances where the alleged violation is a result of a breakdown in interpersonal relations, the Student Rights & Responsibilities Officer may, at his or her discretion, refer the incident for informal mediation. All parties must willingly agree to participate. If a mediated resolution can be found to the satisfaction of all parties, the matter will be closed. Written confirmation of closure will be provided to all parties.

4.2. The Associate Vice President, Student and Academic Services may appoint an alternate to the Student Rights & Responsibilities Officer, or the Director, Student Services, if deemed that either has a conflict of interest in any complaint.

5. Except where the recommendation of the Student Rights & Responsibilities Officer, is for suspension or expulsion, the student shall have the right to appeal the decision of the Officer to the Director, Student Services. This appeal must be in writing and submitted within five business days from the date of the initial decision of the Officer. When appealing a decision, the student must demonstrate that the judgment was unjust or unfair and/or that the sanction levied is not commensurate with the offense.

5.1. The Director, Student Services shall have the power to deny the appeal, to allow the appeal and to set aside the decision of the Officer, or to vary the decision, including by substituting any penalty for that imposed by the Officer. The Director may impose a penalty greater or lesser than that imposed by the Officer and has the authority to recommend the suspension or expulsion of the student.

5.2. Except where the recommendation is for suspension or expulsion, the student shall have the right to appeal the decision of the Director to the Associate Vice President, Student and Academic Services. This appeal must be in writing, and must be made within five business days from the date of the initial decision of the Director. When appealing a decision, the student must demonstrate that the judgment was unjust or unfair and/or that the sanction levied is not commensurate with the offense.



- 5.3. The Associate Vice President, Student and Academic Services will appoint a Review Committee to hear the appeal of a decision of the Director, Student Services. The Review Committee will be comprised of one student at the same academic level (i.e. undergraduate or graduate) from a program other than that in which the student is enrolled, a core faculty member and a staff member from the Faculty in which the student is not enrolled. The members will select a chair by majority vote.
- 5.4. The Review Committee shall determine its own procedure, having regard to its duty to act fairly toward the student. Students have the right to an opportunity to be heard in connection with the allegations against them. The Review Committee will determine whether it will hear from the student in person, in writing, or by some other means.
- 5.5. If the Review Committee decides to meet with the student, the Review Committee will make a reasonable effort to notify the student in writing of the meeting no less than five business days before the meeting; a reasonable attempt will be made to arrange the meeting at the convenience of the student.
- 5.6. The Review Committee shall have the power to deny the appeal, to allow the appeal and to set aside the decision of the Director, Student Services, or to vary the decision, including by substituting any penalty for that imposed by the Director. The Review Committee may impose a penalty greater or lesser than that imposed by the Director, and has the power to recommend the suspension or expulsion of the student.
- 5.7. Decisions of the Review Committee shall be final and not subject to further appeal.
6. Authority to suspend or expel a student rests with the President. If the Student Rights & Responsibilities Officer, the Director, Student Services or the Review Committee recommends to the President that the student be suspended or expelled, the President shall, prior to making a decision to suspend or expel the student, provide the student an opportunity to be heard. The President shall determine whether to hear from the student in person, in writing or by some other means.
7. The student may appeal the decision of the President to suspend or expel the student. If the student wishes to appeal that decision, he or she must submit a notice of appeal to the Manager, Board Governance and Planning, within five business days of receipt of the decision of the President. The appeal shall be considered by the Board of Governors Appeals Committee, the decision of which is final and binding.
8. Notwithstanding anything in this Policy, the President, on the recommendation of the Associate Vice President, Student and Academic Services, or the Vice President Academic and Provost, may summarily temporarily suspend a student, suspend a student's online or academic privileges, or bar the student from access to campus if, in the judgment of the Associate Vice President, Student and Academic Services, or the Vice President Academic and Provost the safety or personal well-being of others or of university property is threatened or if the student has been charged with a legal offence such that in the judgment of the Associate Vice President, Student and Academic Services, or the Vice President Academic and Provost it renders their continued participation in



their program inadvisable pending the disposition of such charges. In such circumstances, the student will be provided the opportunity to request a review by the President of such suspension, at which review the student will be provided an opportunity to be heard.

**Source URL (modified on 2017-10-02 15:21):** <https://policies.royalroads.ca/procedures/student-rights-and-responsibilities-procedures>