

CODE OF STUDENT CONDUCT

SUMMARY

To review the full Code of Student Conduct, visit the [University Secretariat webpage](#).

BACKGROUND & PURPOSE (SECTION A)

The University occupies a special place in society as an academic community with a responsibility for the discovery and sharing of knowledge in our diverse community. This aspiration can only be fulfilled with a commitment from all members of the University community to a living, learning and working environment that is free of discrimination, harassment and violence and is also characterized by understanding, respect, trust, openness and fairness.

The University takes responsibility to create and promote this environment with the expectation that all members of the University community, including Students, are committed to upholding it.

The primary purpose of the Code of Student Conduct (the Code) is to ensure that appropriate Student behaviour is well understood. The Code:

1. Defines Student rights, responsibilities and expectations;
2. Identifies activities and behaviours that constitute non-academic misconduct;
3. Ensures transparency, consistency and predictability in policies and procedures;
4. Identifies the process by which Student non-academic misconduct will be addressed.

POLICY APPLICATION (SECTION B)

The Code of Student Conduct applies to non-academic misconduct by a Student or group of Students

- that takes place on or off University property including the online learning environment;
- where a student is participating in a sanctioned University activity;
- where a student claims to represent or would reasonably be perceived to be representing the University;
- in any class activity, including a lecture, tutorial, lab, classroom discussion forum or the like; and
- any organized academic activity, such as a clinical placement, exchange, field placement, field trip, internship, or research activities.

This Code does not cover academic misconduct which falls under the Discipline Procedures Concerning Allegations of Academic Offences.

Nothing in this Code prohibits Student participation in lawful and peaceful public assemblies and demonstrations, nor inhibits Students' lawful and non-violent freedom of expression.

In circumstances where alleged conduct would constitute a violation of more than one policy applicable to Student conduct, the Manager, Student Conduct will consult with the other relevant parties to determine the appropriate procedure(s) to be followed in consideration of the offence and content of all policies. Other such policies may include Faculty Discipline Procedures Concerning Allegations of Academic Offences, Residence Code of Conduct, Sexualized Violence Policy, Information Technology Acceptable Use Policy.

The Student Conduct Office within Student Affairs is responsible for the administration of the Code. The Manager, Student Conduct works with Students and manages all aspects of the Code complaint process. They can be reached at sco@dal.ca.

DEFINITIONS (SECTION C)

1. Complainant:
 - a. Member of the University community who has made a Disclosure or Report of a Code violation; or
 - b. Representative of the University administration, such as Security Services or the Registrar's Office, who has made a Report of a Code violation as outlined in section F.4 University Report.
2. Disclosure: the sharing of information by a Member of the University community or Visitor with the Manager, Student Conduct.
3. Investigative Stream: the process where a Report is investigated by an Investigator and where disciplinary, remedial educational and/or restorative outcomes may result.
4. Non-Investigative Stream: the process where a Report is addressed without an investigation through remedial, educational and/or restorative outcomes.
5. Report: a written statement of allegations submitted to the Manager, Student Conduct by a Complainant about an experience of non-academic misconduct.
6. Respondent: A Member of the University community who the Complainant is alleging committed a violation of the Code.
7. Restorative Approach: a process that considers the impact on the people and their relationships at interpersonal, social and institutional levels. It aims at understanding and addressing the harms and needs of those affected and to support just relations in the future. A restorative approach brings together those who have been affected, those with responsibility for what happened and those who can support a way forward. The restorative process generally results

in plans in which those responsible agree to take actions to address harms and needs related to the misconduct and take the steps necessary to secure a just outcome for the future.

8. Student: a person registered in or enrolled at the University in any academic work or placement for a program that leads to the recording and/or issue of a mark, grade or statement of performance in a university-recognized Student information system.

Non-academic misconduct refers to actions by a Student that are in violation of their responsibilities under the Code of Student Conduct and actions that constitute a defined offence under this Code. It also includes behaviour that violates civil or criminal statutes.

POLICY (SECTION D)

RIGHTS, RESPONSIBILITIES AND EXPECTATIONS (SECTION D1)

1. Environment of mutual respect and dignity
2. Freedom of Discussion
3. Assembly
4. Fair Process
5. Reprisal
6. Individual Responsibility and accountability
7. Social media and online learning
8. Right to representation
9. Humane and Ethical Conduct towards Animals
10. Ethical Conduct towards Human Remains

TYPES OF NON-ACADEMIC MISCONDUCT (SECTION D2)

1. Abuse of process
2. Alcohol, cannabis and drug use
3. Smoking
4. Contravention of policy or law
5. Disruption or interference
6. Hazing
7. Possession of or Improper Use of Dangerous Objects or Substances

8. Misconduct Against Persons and Dangerous Activity: Assault, Harassment, Discrimination
9. Misconduct Against Animals
10. Misconduct Against Human Remains
11. Misconduct Involving Property
12. Misrepresentation, Failing to Provide or Providing False Information
13. Misuse of University Information Technology
14. Misuse of social media
15. Unauthorized entry and/or presence
16. Aiding in the Commission of an Offence
17. Situations not specifically covered

PROCEDURES (SECTION F)

CONFIDENTIALITY (SECTION F1)

Disclosures and Reports of non-academic misconduct will be kept confidential to the greatest extent possible, within the limitations described in section F1 related to the safety of those directly involved and the broader Dalhousie community; the ability to effectively manage the process and as required by law.

DISCLOSURES & REPORTS (SECTION F2)

- A member of the University community may choose to make a Disclosure or submit a Report to the University regarding a violation of this Code.
- The University recognizes that one may require time before deciding whether they wish to make a Disclosure or Report and complainants are encouraged to report as soon as possible following an event. A Disclosure or Report should be filed within 12 months of the last occurrence of the alleged offence.
- A complainant can, at any time, choose to discontinue accommodations provided through the Disclosure or Report processes or to stop participating in the processing of the Report.

NOTE: Members of the University community or visitors who witness or have concerns about student non-academic misconduct are encouraged to contact the Student Conduct Office at sco@dal.ca, and you can do so anonymously.

DISCLOSURE PROCESS (SECTION F3)

- A Disclosure can be made by any member of the University community or visitor and does not result in a formal complaint (Report) being made. It does not initiate the Non-Investigative or Investigative Streams.
- The Manager, Student Conduct shall listen compassionately without judgement and inform the individual about this Code.
- The Manager, Student Conduct will ask the Complainant what their needs are and will inform the Complainant of support and services available.
- Once the Complainant has made a Disclosure, they have the option of submitting a Report.

REPORT PROCESS (SECTION F5)

- When a Complainant makes a report to the University, the Manager, Student Conduct will consult with the other relevant parties to determine the appropriate University policy that applies to the alleged behaviour.
- If the Code of Student Conduct applies, the Manager, Student Conduct determines whether the Report will be addressed through Non-investigative or Investigative Process Stream. The Manager, Student Conduct makes this determination using the criteria that prioritizes the choice of the Complainant and safety of members of the University community generally.
- Before being asked to engage in any process, the Respondent will receive a copy of the written Report provided by the Complainant and a copy of the Code of Student Conduct as well as referrals to appropriate advocacy and supports. Interim measures may be imposed on a Respondent to ensure safety and wellbeing or if there is evidence of a threat posed by the Respondent.
- Under some circumstances (section F4) the University may choose to proceed with a Report without the consent or active participation of the Complainant. The Complainant is not required to participate but may choose to be informed of the process.

PROCESS STREAMS (SECTION F6)

The University's overall approach throughout any Code process is educational and/or restorative.

The Manager, Student Conduct will engage with all involved parties and will review the information collected using a restorative lens to determine whether the complaint can be resolved using remedial and/or restorative processes. If so, all parties must consent to their participation in this non-investigative stream.

NON-INVESTIGATIVE STREAM (F6.1)

- No formal investigation is performed.
- Outcomes will typically be remedial, educational and/or restorative and will vary depending on the nature of the Report. See examples in section.
- The Manager, Student Conduct will consult with all parties to identify the desired outcomes.
- A Report proceeding under the Non-investigative stream may shift to Investigative if the Respondent is unwilling to participate or unable to achieve the outcomes of the process (after reasonable efforts by the Manager, Student Conduct and Complainant.)

INVESTIGATIVE STREAM (F6.2)

- The Respondent is notified of the Report and given an opportunity to respond in writing within 10 days (the response is disclosed to the Complainant who also has a chance to respond).
- An Investigator is assigned. It may be an internal or external investigator with appropriate training and skills to undertake an investigation.
- The Investigator receives materials (Report and responses) and will contact the parties or witnesses for interviews.
- The Investigator will submit a confidential Investigation Report within 60 days that includes:
 - a finding as to whether the Respondent has committed an act of non-academic misconduct, based on the balance of probabilities (i.e. more likely than not); and
 - the reasons for the finding.
- Copies of the Investigation Report (redacted for confidentiality) will be provided to the parties and both have an opportunity to respond. The Investigation Report and responses go to the Vice-Provost Student Affairs.

OUTCOMES & DISCIPLINARY MEASURES (SECTION F6.3)

- If the Investigation does not find that the Code has been breached, the process ends. Supports and resources continue to be available to the Complainant and Respondent.
- In the case of a finding of non-academic misconduct, the Vice-Provost Student Affairs determines if a remedial or educational outcome is possible and if so, will recommend it to the parties. If the Respondent agrees to the resolution plan, the Informal resolution requirements are provided to Student Affairs to ensure completion. If the Respondent does not agree with the resolution plan, the Vice-Provost, Student Affairs recommends disciplinary measures to the

Senate Discipline Committee (SDC) for a hearing. The Complainant and Respondent will be advised of the decision in writing.

- SDC hearings will be conducted in accordance with SDC procedures. Potential sanctions are listed in section. The Complainant and Respondent will be advised of the decision in writing. The Respondent may appeal the SDC's decision to the Senate Appeals Committee.

RELATED RESOURCES (SECTION E4)

- [Human Rights & Equity Services](#)
- [Security Services](#)
- [Dalhousie Student Advocacy Service](#)
- [Dalhousie Student Health & Wellness Centre \(for Students\)](#)
- [Dalhousie International Centre](#)
- [Ombudsperson](#) (independent and impartial support)
- [Language Interpreter Services](#)

RELATED POLICIES (SECTION E4)

- [Sexualized Violence Policy](#)
- [Residence Code of Conduct](#)
- [Information Technology Acceptable Use Policy](#)
- [Other University Policies](#)