

<b>Policy Number:</b>	<b>3.1 Code Of Student Responsibilities And Conduct</b>
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**Relevant Statutory /**

**Regulatory Linkages:** The Ontario Human Rights Code

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Harassment and Discrimination Policy

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Freedom of Expression Policy Statement

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**Policy Statement (Intent and Scope)**

King's University College is a Catholic, co-educational liberal arts university college, affiliated with The University of Western Ontario. King's affiliation with the constituent university provides many benefits to its students and faculty; however, King's University College maintains its identity as a Catholic community in the midst of a larger secular university.

King's strives to impart character to all its activities to provide an authentic human community and to promote human and social development rooted in Catholic social teaching. Within such a community one is encouraged to strive continually to understand oneself as belonging to and responsible to the human family as sustained by and sustaining that family.

The King's University College Code of Student Responsibilities and Conduct demonstrates the importance of community, balanced with the concern for others, to learn and demonstrate respect, tolerance and appreciation of differences, and further develop the quality of the campus and the student experience.

**Definitions**

1. **"Student"** is an individual registered at King's University College in a course or program of studies.
2. **"Premises of the University or Affiliated University Colleges"** includes lands, buildings and grounds of the University and its Affiliated University Colleges and other places or facilities used for the provision of the University's courses, programs or services including the online learning and email systems
3. **"University Program, Event or Activity"** is a program, event or activity, whether on or off campus, that is hosted, sanctioned, sponsored, or organized by the University and includes, but is not limited to, coursework, research, and other academic activities, placements, student exchange programs, study abroad, internships, co-ops, field trips, social events, and volunteer and community service activities.

**I. General - Scope and Jurisdiction of the Code**

1. The King's University College Code Responsibilities and Conduct (hereinafter called the Code) defines the rights and standard of conduct expected of King's University College students
2. The Code extends to include all students registered at, or resident at, King's University College while on the premises of King's University College or while attending off-campus events sponsored by King's University College, King's University College Students' Council or any student group or organization recognized by King's University College Students' Council and/or King's University College.
3. In addition to this Code, resident students are subject to the King's University College Residence Agreement and the King's University College Rules of Residence.

**II. Off-campus Conduct**

1. Consistent with our values as a University, students are expected to conduct themselves as responsible citizens' off-campus. King's University College may take steps to exercise jurisdiction of the Code in the following cases:

a) Where the conduct occurs at a program, event or activity not hosted, sanctioned, sponsored, or organized by the King's that because of nature of the program, event or activity and/or number of students involved, might reasonably be seen to have a direct or indirect association with the King's University College.

In determining whether or not to exercise jurisdiction over off-campus conduct, the Dean of Students or designate will consider the seriousness of the alleged conduct, the risk of harm involved, whether the victim(s) are members of the campus community and/or whether the off-campus conduct is part of a series of actions that occurred both on and off the Premises.

(b) any other "on-line" (i.e. email) where such conduct has, or might reasonably be seen to have an adverse effect on, interfere with, or threaten the proper functioning of the King's University College, its mission, the rights of another student or other member of the University community to use and enjoy the University's learning and working environments, or that raises concerns for the health, safety or security of any individual who is on campus or participating in a University Program, Event or Activity.

2. Upon registration at King's University College students assume responsibility for being informed of King's University College regulations, applicable University regulations, and the standard of non-academic responsibilities and conduct expected of them (see section VIII). Students are responsible for ensuring that their conduct does not jeopardize the good order and proper functioning of the academic and non-academic programs and activities of the College, nor endanger the health, safety, rights or property of the College or its faculty members, employees, students, visitors and community members.
3. The College maintains the position that students have an obligation to make legal and responsible choices as, or as if they were adults. Under some circumstances, such as when a student has not reached the legal age of majority, additional limitations on student conduct may apply and the College as necessary will contact the parent or

guardian of students under the age of majority.

4. Students are expected to comply with the bylaws of the City of London, laws of Canada and the Province of Ontario. The College neither substitutes for, nor interferes with, the regular legal processes. An action involving a student in a legal proceeding in a civil or criminal court does not free the student of responsibility for their conduct or responsibilities in a College proceeding. The College will proceed with its internal review in accordance with its own procedures. Nothing in this Code precludes the College from referring an individual disciplinary matter to the appropriate law enforcement agency either before, during or after disciplinary action is taken by the College under this Code.
5. Conduct that is deemed to be an Academic Offence is not subject to this Code but is subject to the disciplinary procedures and sanctions for Scholastic Offences as approved by the University Senate and published in the Academic Calendar. Scholastic Offences are the responsibility of the Vice Principal and Academic Dean or designate.
6. Conduct prohibited under the Ontario Human Rights Code is subject to disciplinary procedures and sanctions according to applicable King's University College policy on Harassment and Discrimination and King's University College Policy on Sexual Violence.
7. The Board of Directors of King's University College is charged with final administrative authority over the property, organization and conduct of the College. Rules, regulations and the Code may be amended during the course of any year on advice of the Dean of Students. Amendments and additions will be in full force and effect following the approval of the Board of Directors and notification of student body. Amendments and additions will be posted indicating the date on which they will be in effect.
8. Codes of Conduct and Reporting at King's University College, Western University and other Affiliated Colleges

**a. King's University College Students on the Premises of Western University**

The University of Western Ontario (Western University) Code of Student Conduct, Section III., states, "Subject to the provisions of the Affiliation Agreement between the University and its affiliated colleges, students registered in the affiliate colleges are expected to conform to the standards of this Code while on University property. Only the Dean of Students or designate of the affiliated college may impose discipline for conduct by such a student which would constitute a violation of this Code; however where extraordinary circumstances warrant, the University may also take measures to restrict such a student's entry onto University property or use of University facilities.

King's University College students may expect that alleged offences, as defined by the Western Code of Conduct, occurring on the premises of Western University will be reported to the Dean of Students of King's University College and in extraordinary circumstances Western University may also take measures to restrict entry onto University property or use of University facilities.

**b. King's University College Students at Other Affiliated Colleges**

King's University College students may expect that alleged misconduct on the premises of another affiliated college will be reported to the Dean of Students at King's University College. While there is no document that specifies the management of student matters among the affiliated colleges, it should be assumed that alleged misconduct at another affiliated college will be reported to King's University College.

**c. Western University Students on the Premises of King's University College**

Students registered at Western University will be subject to the Western University Code of Student Conduct while on the premises of any affiliated college (Code, I.6.). Violations of standards of the Western University Code will be reported to the Associate Vice President – Student Experience. Where extraordinary circumstances warrant, King's University College through the Dean of Students may also take measures to restrict such a student's entry onto College property or use of College facilities.

**d. Other Affiliated College Students on the Premises of King's University College**

Alleged misconduct while on the premises of King's University College by a student registered at another affiliated college will be reported to the Dean of Students of the affiliated college where the student registered by the Dean of Students at King's University College (or designate). Where circumstances warrant King's University College may also take measures to restrict such a student's entry onto King's University College property or the use of King's University College facilities.

**III. Student Responsibilities and Conduct**

1. Acceptance of an Offer of Admission to King's University College implies acceptance by every student of the principle of mutual respect for the rights, responsibilities, dignity and well-being of others and a willingness to support an environment conducive to the intellectual and personal growth of all who study, work and live within it.
2. Any prohibited conduct on the part of a student that has, or might reasonably be seen to have, an adverse effect on the regular functioning of the College, or the health, safety, rights or property of the College, its community members or visitors, and/or is contrary to the College's philosophy or community standards is subject to sanction under this Code. Without limiting the generality of the preceding statement, the following list provides specific examples of Conduct. This list is descriptive and does not define offences in comprehensive or limited terms.

## **Examples of Prohibited Conduct**

### **1. Disruption or Interference**

- a. Disrupting or obstructing by action, threat or otherwise, any University or Affiliated University College activity, including a University Program, Event or Activity, or other authorized activities on Premises of the University or its Affiliated University Colleges, or the right of another person to carry on his/her legitimate activities, or to speak or to associate with others. University or Affiliated University College activities include, but are not limited to, teaching, research, studying, sports and recreation, administration and meetings.
- b. Interfering with, obstructing, disrupting, misleading, or failing to comply with the directions of, any University official or emergency personnel (e.g. Campus Security, Community Police Service, Fire, Ambulance response) acting in the performance of their duties.

Note: Nothing in this Code should be interpreted as prohibiting peaceful assemblies, demonstrations, lawful picketing, or inhibiting lawful freedom of expression as per the King's University College Freedom of Expression Policy

### **2. Misconduct against Persons and Dangerous Activity**

- a. Any assault, harassment, intimidation, threats or coercion.
- b. Conduct that threatens or endangers the health or safety of any person.
- c. Contravention of the King's University College Discrimination/Harassment Policy.
- d. Contravention of the King's University College Policy on Sexual Violence.
- e. Creating a condition that endangers the health, safety, or well-being of any person regardless of consent.
- f. Engaging in conduct that is, or is reasonably seen to be, humiliating or demeaning to another person, or coercing, enticing or inciting a person to commit an act that is, or is reasonably seen to be, humiliating or demeaning to that person or to others (e.g. hazing) regardless of consent.

### **3. Misconduct Involving Property**

- a. Unauthorized entry and/or presence on any Premises of the University or Affiliated University Colleges, or any premises used for University Programs, Events or Activities.
- b. Misappropriation, damage, unauthorized possession, defacement, vandalism, and/or destruction of premises or property of the University or Affiliated University Colleges, or the property of others.
- c. Use of University or Affiliated University College facilities, equipment or services contrary to express instruction or without proper authority or permission, as required.
- d. Misuse of University or Affiliated University College supplies and documents, including equipment, library and computer resources, keys, records, transcripts and permits.
- e. Interfering with, obstructing, or tampering with emergency telephones, fire protection equipment or emergency equipment or facilities (e.g., life safety equipment, fire doors, fire bells, fire extinguishers, fire hoses); disconnecting or

blocking fire alarms; setting unauthorized fires; raising a false fire alarm; blocking or wedging open fire and smoke doors on corridors or stairways.

**4. Misrepresentation or False Information**

- a. Furnishing false information.
- b. Forging, altering or misusing any document, record, card or instrument of identification. This applies to any identification or information, including Western ONECard, access cards, key cards, transcripts.
- c. Failure to provide student ID when mandated by authorized staff (i.e. security or residence staff)

**5. Alcohol and Drug Use**

- a. Illegal use, possession or distribution of a controlled or restricted substance.
- b. Contravention of provincial liquor laws, cannabis laws or the policies of the University or Affiliated University Colleges governing the possession, distribution and/or consumption of alcoholic beverages or cannabis on the premises of the King's University College.

**6. Improper Use of Dangerous Objects and Substances**

- a. Storage, possession or use of firearms, explosives, or other weapons (including any item that can reasonably be perceived to be a weapon by others, e.g. replica guns, airsoft guns), flammable solvents, biohazardous, volatile or poisonous materials, except in areas formally designated for that purpose by authorized University personnel.

**7. Contravention of University Regulations**

- a. Violation of any published or posted University policy, rule or regulation. (See section VIII)

**8. Contravention of Other Laws**

- a. Contravention of any provision of the Criminal Code or any other federal or provincial statute or municipal by-law.

**9. Aiding in the Commission of a Prohibited Act or Attempting to Commit a Prohibited Act**

- a. Aiding or encouraging others in the commission of an act prohibited under this Code or attempting to commit an act prohibited under this Code.

**10. Failure to Comply**

- a. Failure to comply with any sanction imposed by the University under this Code

**11. Vexatious or False Reports**

- a. Knowingly providing false or vexatious reports under the Code

**IV. Sanctions**

1. The University through the Dean of Students may impose one or more sanctions for a breach of this Code, of which those listed below, are examples. Sanctions imposed shall

be proportional to the type of misconduct. The most serious types of misconduct will merit the most serious sanctions: suspension and expulsion.

2. Prior breaches of the Code may be taken into account in determining an appropriate sanction. In considering an appropriate sanction, the University's primary focus must be to ensure the safety and security of the University, its members, and visitors. However, where possible and appropriate, the University will consider educational sanctions in addition to or instead of other sanctions. Such sanctions are designed to help a student understand why his or her behaviour was inappropriate and to appreciate the impact of that behaviour on others.
3. Sanctions include:
  - a. Written Warning or Reprimand.
  - b. Educational Sanctions. Such sanctions include apologies, educational programs, activities and assignments, University or community service, restorative justice and individual assessment.
  - c. Behavioural Contract. A set of behavioural expectations, terms, and conditions that is developed with and signed by the student. With their signature, the student agrees to the expectations, terms, and conditions and acknowledges that any breach of the contract may result in sanctions that are more serious.
  - d. Exclusion from a class including online classes, examination room, or other area. (Note: In this context, "class" refers to a period of instruction such as a lecture, seminar, tutorial, laboratory session, recital, concert or exhibition of visual arts or sports event.)
  - e. Removal, either temporarily or permanently, from a course in which the student is registered.
  - f. Restriction or Denial of University Services or Privileges. The lost privileges may include, but are not limited to, university email privileges, parking privileges, unrestricted access to the library, access to athletic facilities, and access to and participation in extra-curricular activities.
  - g. No Contact Order. Requirement that a Student have no direct or indirect contact with a specific individual or group.
  - h. Prohibition or limitation on entering University premises or specific parts thereof including Academic/research facilities and laboratories.
  - i. Restitution. Requirement that restitution be made to another individual or the University for any loss or damage to personal or University property.
  - j. Forfeiture of University awards or financial assistance.
  - k. Disciplinary Probation. A designated period of time during which the student is required to adhere to the terms of the probation which may include restrictions of student privileges and/or set behavioural expectations, violation of which will result in the imposition of further sanctions.
  - l. Suspension from the University for a Specified time-period. Conditions for re-admission may be specified.
  - m. Expulsion from the University.

**V. Interim Prohibition**

1. The Dean of Students or designate may impose an interim prohibition pending an Investigation and adjudication of a complaint of an offence under the Code. Interim prohibition may be imposed only:
  - a. if needed to ensure the safety and well-being of members of the College community or preservation of College property;
  - b. if needed to ensure the student's own physical or emotional safety and well-being; or
  - c. if there is reasonable apprehension that the student poses a threat of disruption or interference with the normal operations of the College.
2. During a period of interim prohibition, a student may be denied access to specified campus facilities (including classes) and/or any other College activities or privileges for which the student might otherwise be eligible, as the The Dean of Students (or designate) may determine to be appropriate. The student will be informed of the reasons for the interim prohibition at the time it is imposed, if possible. Within two working days following imposition of Interim prohibition, the student will be informed in writing of the reasons for the interim prohibition. The student will be afforded the opportunity to respond to the allegations being made against him or her. If the student responds, the Dean of Students (or designate) will reassess the prohibition and either revoke or continue its pending the formal consideration of the alleged offence(s).

**VI. Notices**

1. Notices and other written communications under this Code may be delivered in-person, by email or by mail (campus, regular priority, courier, or registered). Mail service will be deemed effective on the fifth day after mailing for regular mail, and on the fourth day for campus mail. Emails shall be sent to the student's King's and Western email account. Documents sent or delivered off-campus will be sent to the student's home address recorded in the student's electronic record at the University unless the student expressly requests that the documents be sent to another address.

**VII. Transcripts and Registration**

1. Suspension and expulsion are recorded on the official transcript. The suspension notation will be removed when the student graduates or five years after the last registration. The expulsion notation is permanent unless the Principal grants a petition for its removal. Any such petition may be made no sooner than five years after the offence. Removal of the expulsion notation from the transcript does not overturn the expulsion decision; the expulsion remains in effect.
2. While under investigation for serious misconduct that may result in suspension or expulsion, the student will not be issued transcripts directly, but, at the student's request, transcripts will be sent to institutions or potential employers. If the student is subsequently suspended or expelled, the recipients of the transcript will be issued a revised transcript. This restriction also applies in situations where the student is no longer enrolled at the University during the investigation.

### **VIII. Relationship to Other University Policies and Codes**

1. A student's conduct could be considered a breach of this Code and a breach of the Policy on Scholastic Discipline. The University, in its discretion, may proceed under the Code or under the previously mentioned Policy. A student may not be penalized under both the Code and the Policy on Scholastic Discipline for the same conduct.
2. Other than as set out section in II or III, no penalties or restrictions imposed under other University policies, rules, codes, or regulations (e.g., regulations relating to use of computing resources, regulations established by various units of the University shall bar or prevent the University from also instituting disciplinary proceedings and imposing sanctions under this Code. In such event, the Dean of Students or designate shall consult the relevant budget unit head before taking additional disciplinary action.
3. The following policies, rules and regulations have relationship to the Code of Student Responsibilities and Conduct:
  - King's Policy on Harassment and Discrimination
  - King's Policy of Freedom of Expression
  - King's Statement on Academic Freedom
  - King's Smoke Free Policy
  - King's AODA Policy
  - Alcohol Use Policy
  - Use Library Access Policy
  - King's Information Technologies Policies
  - King's University College Policy on Sexual Violence
  - The Ontario Human Rights Code
  - Freedom of Information and Protection of Privacy Act (FIPPA)
  - King's Rules of Residence
  - King's Use of Space Protocols
  - Movie Policy (Non-Instructional Use of Audiovisual Material)
  - Joanne and Peter Kenny Theatre Use Policy
  - Western Scholastic Offences for Undergraduate Students Policy
  - Policy on KUCSC and Club Events Food Service
  - King's University College Students' Council Community Standards Policy

### **Monitoring Report Requirements (Frequency, Content, etc.)**

The Principal will report to the Board annually the statistics on breaches of the Code of Conduct. This policy will be monitored and reviewed by the Student Affairs Leadership Committee of College Council.