

I've been Accused of Violating the University's Code of Student Conduct – Now What?

Note: This guide contains only general advice and is not intended to replace the specific University or Affiliated University College policy. Be sure to refer to the applicable Code of Student Conduct for detailed information.

What is the Code of Conduct?

Together, Western University and the Affiliates form a community of approximately 35,000 students. With a community that size, there need to be behavioral expectations. The Student Codes of Conduct at Main Campus and the Affiliates outline these expectations and the processes for handling violations when they arise. Western and the Affiliate University Colleges each have their own Code of Student Conduct. The links to each code are below:

Western University Code of Student Conduct:

<http://www.uwo.ca/univsec/pdf/board/code.pdf>

Brescia University College Code of Student Code:

http://brescia.uwo.ca/about/wp-content/uploads/sites/3/delightful-downloads/2014/06/student_code_of_conduct.pdf

Huron University College Code of Student Rights and Responsibilities:

<http://www.huronuc.ca/Assets/website/Document/Principal/Code%20of%20Student%20Conduct%20-27May2015%20-%20Board%20Approved%2025%20June%202015.pdf>

King's University College Code of Student Conduct:

http://www.kings.uwo.ca/kings/assets/File/currentStudents/studentLife/conduct/code_of_conduct_2003.pdf

These codes are very similar but it's important to be familiar with the document that is specific to your campus.

Code Jurisdictions

Students of Western and the Affiliate University Colleges must abide by the policies laid out in their specific Codes of Conduct; however students of the Affiliate Colleges must abide by the Western code while on Main Campus. (*e.g.* If a Huron student is attending a social event or class on Main Campus, he/she must follow the Western Code.)

Students from Affiliate University Colleges who violate the University's Code of Student Conduct will be reported to the Principal of the Affiliate University College. Although no

agreement is in place, Affiliate students who violate the Code of Conduct of another Affiliate can expect to be reported to their home Principal. Western students must abide by the Western University Code of Student Conduct regardless of what campus they are on.

Being accused of violating a Code of Student Conduct

Students will be notified in writing that they are accused of violating the Code. You will be given an opportunity to meet with the decision maker and discuss “your side of the story”. The decision maker will ask questions and then speak to others involved, including witnesses, Campus Community Police Services (CCPS), and harmed parties (victims). Students can take a friend or parent with them to their meeting with the decision maker. In fact, it’s often a good idea to have someone with you to take notes.

Notice of Trespass and Interim Prohibition

If CCPS are involved, they may decide to issue a temporary notice of trespass. This would exclude a student from campus for up to seven days. Western and Affiliate residence management may also temporarily ban a student from an area of residence; however this is done with as little disruption as possible to the student’s academics.

Similarly, the President, Principal or their designates may impose a period of interim prohibition if they believe the student’s presence in an area constitutes a threat to the safety of others, or will be detrimental to good order. Within two working days of having an interim prohibition imposed, the student must be told in writing of the reasons for the prohibition. The student will be allowed to respond to the allegations and the decision maker will decide whether or not to continue the prohibition until the matter is resolved.

Receiving a final decision

A final decision will be provided to the student in writing by personal delivery, regular mail, campus mail, email, priority post, courier, or registered mail. If the decision involves suspension or expulsion, notice will be placed on the student’s transcript.

Appealing

A student may appeal a finding of misconduct or the sanction imposed. In all cases and jurisdictions, the appeal must be filed within two weeks of a decision being issued. Also in all instances, an appeal panel will be struck consisting of a quorum of three people – a student, a faculty member, and the chair. This panel may make a decision solely on the basis of the written appeal. Given this, it is critical that a student represents the situation and their arguments as clearly as possible. The panel may also decide to hold a hearing.

Commonly asked questions

I want to report a potential violation of the Code of Student Conduct. How do I do that?

Any member of the University and Affiliate communities can report a violation of the Code of Student Conduct according to the procedures laid out in their specific Code of Conduct.



Specifically, complaints should be submitted to a Dean's Office, Campus Community Police Services, the Office of the Associate Vice-President (Student Experience), or the Office of the Vice Provost (Graduate and Postdoctoral Studies).

The CCPS are not charging me. Why am I still being accused under the Code of Student Conduct?

The criminal and behavioral systems are completely separate. The decision of CCPS to charge or not charge a student does not have any bearing on the Code decision.

The Code says that penalties range from a warning to expulsion. What penalty is most common?

Whenever possible, violations of the applicable Code are dealt with informally within the area where the offence has occurred. When a violation is more serious, the decision maker will determine what sanction is most appropriate. They will take into account the seriousness of the incident and whether or not this is a first occurrence.

I am not giving up. I want to appeal to the President/Principal. May I do that?

The appeal committee is the final level of appeal at all jurisdictions. If a student believes the committee committed a serious procedural error, they may appeal to the President/Principal within two weeks of the decision being made. Such an appeal must outline the specific procedural error that occurred.

Who will find out that I have violated the Code of Student Conduct?

Decisions are kept on file in the office of the student's home dean as well as that of the appropriate Vice-Provost, Vice-President, or Director. The decision letter will be copied to administrative offices such as the Registrar and CPSS on a need-to-know basis. If a student under 18 commits a serious infraction, their parents/guardians will be contacted.

Interim prohibition or trespass notices will be copied to the applicable administrative offices.

I've been suspended/expelled from Western, may I apply to another University?

Ontario universities honor each other's suspension/expulsion notices; however students are not forbidden from applying to another institution. While on suspension or after being expelled, a student's records will be sealed and the suspension/expulsion notice is placed on their transcript. A student may request a transcript be sent to an employer or institution by contacting the decision maker involved.

How long will the suspension/expulsion notice be kept on my transcript?

At Western, the suspension notation is removed from a student's transcript when the student graduates or five years after the last registration. The expulsion notation is permanent unless the President grants a petition for its removal. A student can petition the President no sooner than five years after the offence. In this case, the expulsion remains in place, but the notation is removed from the transcript.

At Brescia, Huron and King's, notations for suspensions/expulsions are permanent.

What should I do during my year of suspension?

Suspended students shouldn't view their year away from the University as a waste. They should reflect on the harm their actions caused the Western or Affiliate community. As part of that reflection, a student may choose to volunteer at a food bank or homeless shelter, or work full time. These types of activities help students gain a different perspective and mature.

How do I return to Western/Affiliate when my suspension is over?

Your suspension will most likely conclude at the beginning of a term (*e.g.* January, May or September). Once you are coming close to the end of your suspension, you must contact the decision maker and ask to be reinstated. You will then be permitted to enroll in classes for the upcoming term.

Resources

Following are other resources that may be helpful if you've been accused of violating the Code of Conduct at Western or an Affiliate, or if you wish to make a complaint against a member of the University/Affiliate community.

Responsible Offices:

Brescia Director of Student Services

Huron University College Principal

King's Dean of Students

Western University Associate Vice-President (Student Experience)

Western University Vice-Provost SGPS

Related Policies:

Brescia

Policy on Alcohol:

<http://brescia.uwo.ca/about/wp-content/uploads/sites/3/delightful-downloads/2014/05/AlcoholPolicyFinal0408withEAF.pdf>

Harassment and Discrimination:

<http://brescia.uwo.ca/about/wp-content/uploads/sites/3/delightful-downloads/2014/06/HarassmentandDiscriminationPolicy.pdf>

Residence Handbook:

<http://brescia.uwo.ca/about/wp-content/uploads/sites/3/delightful-downloads/2014/06/Community-Standards-2013.pdf>

Huron

Harassment and Discrimination Prevention Policy:

<http://huronuc.on.ca/Assets/website/Document/The%20Hub/2.1j%20Harassment.pdf>

Residence Discipline Code:



<http://huronuc.on.ca/Assets/Residence%20Discipline%20Code%20-%202015-16.pdf>

King's

Harassment-Discrimination Policy:

<http://www.kings.uwo.ca/kings/assets/File/depts/hr/harassment-discrimination-policy.pdf>

Policy on use of Alcohol at King's:

<http://www.kings.uwo.ca/current-students/student-life/code-of-student-conduct/policy-on-use-of-alcohol-on-campus-kings/>

Residence Handbook:

<http://www.kings.uwo.ca/kings/assets/File/currentStudents/studentLife/residence/thrive-guide.pdf>

Main Campus

Residence Handbook: <http://www.residenceatwestern.ca/handbook/index.html>

Equity and Human Rights web site, including information on how to report harassment and discrimination: <http://www.uwo.ca/equity/discrimination/index.html>

Other Contacts:

Campus Community Police Services (CCPS):

Room 1257, Lawson Hall

Western University

519-661-3300

<http://www.uwo.ca/police/>

Community Legal Services:

Room 120, Faculty of Law

Western University

519-661-3352

http://law.uwo.ca/clinics_and_centres/community_legal_services/index.html

Equity and Human Rights Services:

Room 2319, Somerville House

Western University

519- 661-3334 (or ext. 83334)

equity@uwo.ca

<http://www.uwo.ca/equity/>

July 2015 Jennifer Meister, Ombudsperson

