

## SAFE STUDENT LEARNING COMMUNITY

<b>Approval Authority</b>	President
<b>Responsible Executive</b>	Vice President, Students
<b>Related Policies / Legislation</b>	<p>Appropriate Use of Computing and Network Resources (14)</p> <p>Student Support, Student Co-Curricular Learning and Student Societies Dedicated to Student Engagement (BPD-230)</p> <p>Board policy direction Risk Management (BPD-220)</p> <p>Board policy on Harassment, Discrimination, and Physical or Emotional Abuse Prevention and Resolution (BRP-201.02)</p> <p>Selling, Serving and Advertising Liquor (15)</p> <p>Student Academic Misconduct (70)</p> <p>Student Residence Code of Conduct (73)</p> <p>Sexualized Violence Prevention, Education and Response Policy (236)</p> <p><i>University Act</i>, s. 35.2 (5)(j) and 35.2 (6)(j)</p>

### PURPOSE

The University of the Fraser Valley is committed to providing a civil and safe environment that is respectful of the rights, responsibilities, well-being, and dignity of all of its members.

This policy describes conduct required of students by the university and sets out behaviour that may be subject to investigation, discipline, and/or expulsion.

### DEFINITIONS

In this policy, the following definitions apply:

Complainant:

Any employee or student who has been impacted by any act covered by this Policy and seeks resolution through the policy process. In a situation where UFV has evidence of any act that is covered by this Policy and no complaint is received by a complainant, UFV may act as the complainant to initiate an investigation and/or take disciplinary actions.

Employee: A person who is employed, as a permanent or temporary employee, by UFV or contracted by UFV, including but not limited to faculty, staff, sessional instructors, and security personnel.

Respondent:

The individual alleged as responsible for any disruptive behaviour applied under this Policy.

Student: A person who has been enrolled, is currently enrolled in, or is accepted for enrollment in at least one University course, credit or non-credit within one year of the date of the alleged conduct.

University: University of the Fraser Valley or UFV.

University Property:

## **POLICY**

Students are required to conduct their behaviour in a mature and responsible manner, consistent with the University mission, policies, procedures and regulations. Students will be held accountable for their actions whether acting alone or in a group.

Students are required to identify themselves to University employees whenever such information is relevant to the legitimate pursuit of that employees' duties.

The Vice President, Students and Enrolment Management has the authority and responsibility to apply this policy, and related procedures. Procedures for Complaint Resolution, including but not limited to matters such as filing a complaint, options for resolution, behaviour analysis, support persons, decisions, and appeals can be found at <https://ufv.ca/student-rights-responsibilities-office/safe-student-community/>.

When the conduct of a student results in a disciplinary decision involving suspension or expulsion, appeals of said decisions will be referred to the UFV Senate.

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## **REGULATIONS**

### **1. Application of Policy**

#### **1.1. On campus**

This Policy applies to all disruptive student behaviour that takes place on University Property.

#### **1.2. Computer Equipment and Networks**

This Policy applies to the behaviour of students that takes place on all University owned or operated computers, telephones, software, and computer networks.

#### **1.3. Off campus**

This Policy applies to the off-campus behaviour of students when:

- 1.3.1. Declaring publically that they represent the University as students and or student-athletes.
- 1.3.2. Participating in a course, activity or event offered and/or organized by the University.
- 1.3.3. Participating in fieldtrips, co-op or work placements, practicums, study tours, varsity athletics events, and/or other environments in which the student is placed as part of a program in which the student is participating.

#### **1.4. Social Media**

This policy applies to the social media behaviour of students when:

- 1.4.1 Declaring publically that they represent the University as students and or student-athletes.
- 1.4.2 The activity occurs on an account of the university, or an account that could reasonably be believed to be owned or maintained by the university.
- 1.4.3 The behaviour is between two or more students of the university community, where at least one of them is the respondent.
- 1.4.4 The behaviour represents a threat to the university community or property.

## **2. Relationship to Other Policies and Procedures**

- 2.1. When behaviour under this Policy violates other UFV policies, at the discretion of the Vice President, Students and Enrolment Management or designate, it will be determined which policies apply.

## **3. Notice of Threat Risk Protocol**

- 3.1. The University follows a Violence Threat/Risk Assessment (V-TRA) protocol in which incidents are looked at both individually and with an eye to observing any indicators of escalating behaviour, potential for harm and or risk, and disruption to the learning environment. The general purpose of a V-TRA protocol in college and university jurisdictions is to assist in creating and maintaining an environment where students, staff, faculty, and others feel safe. The V-TRA protocol is used to identify indicators that suggest a person of concern may be moving on a pathway towards violence against him/herself or others and to intervene to decrease that risk, prevent injury, and support the individual in receiving the help they need to address the issues contributing to the high-risk behaviour.

## **4. Interim Relief of Behaviours Within Policy**

- 4.1. In the event there is a reasonable concern that the safety of self and/or others is endangered or threatened, damage to university property is likely to occur, or where the continued presence of the student(s) would be disruptive to the learning environment of the University, the Vice President, Students and Enrolment Management or designate is authorized to immediately impose temporary campus restrictions upon a student or students or other restrictions or exclusions as necessary. These temporary measures are in no way to be construed as indicative of culpability, and shall remain in place, at the discretion of the University, until the allegations are dealt with pursuant to this policy or such earlier time, as warranted, based on the circumstances.
- 4.2. If interim relief is necessary, then the student will be notified immediately of the temporary restriction or other restrictions or exclusions, and the reasons related thereto. The notification may be provided in person, in writing or sent to the student's UFV issued email address. In all cases, every effort will be made to allow students to complete academic requirements as needed.
- 4.3. Allegations which contain behaviours that exist outside of the scope of this policy and represent a concern for the ongoing safety of any participants may also be addressed through interim relief measures.

## **5. Prohibited Behaviours**

Any behaviour that is disruptive to the learning environment and represents potential for harm, risk, or damage to members of the university community or its property is prohibited.

To assist students in conducting themselves in a manner that does not disrupt the learning environment, examples of prohibited behaviour can be found on-line at <http://www.ufv.ca/safe-student-community/disruptive-behaviours/>

- 5.1. Students shall not knowingly bring a false, frivolous, or malicious allegation under this Policy or any other policy of the University.
- 5.2. Students shall not falsify, distort, or misrepresent information, or obstruct the application of this Policy.

- 5.3. Students shall comply with direction given by a University employee and/or representative authorized to give such direction.

## **6. Findings (Balance of Probability)**

- 6.1. As this is an administrative process, a balance of probabilities shall be used in determining the findings.
- 6.2. The balance of probability standard is met if the allegation is more likely to be true than not true based on the findings.

## **7. Restorative Justice Measures**

- 7.1. Restorative Justice measures may be employed at the discretion of the Vice President, Students and Enrolment Management, or designate when conditions surrounding a violation of the policy are aligned with best practice in restorative justice; and represent the best option to repair harm and make people, places and communities whole.

## **8. Sanctioning Options**

- 8.1. Options for sanctions which may be imposed, singly or in combination, for disruptive behaviours include, but are not limited to, the following:
  - 8.1.1. Warning or reprimand – A written warning or reprimand placed on the student's conduct file for a specified period of time.
  - 8.1.2. Probation – A written reprimand and order for a designated probationary period in which a student must fulfill certain conditions and have good behaviour or otherwise be subject to the imposition of further or more severe sanctions.
  - 8.1.3. Restitution – Payment of costs, or compensation for loss, damage, or injury that may be monetary or in the form of appropriate service or material replacement.
  - 8.1.4. Apology – Issuance of a statement, apology, or retraction in an appropriate format, issued publicly or in private.
  - 8.1.5. Loss of privilege – A denial for a specified period of time of, or conditions imposed on, a student's rights to access or use of any part or all of the University's lands, equipment, facilities, services, activities, programs, meetings, or event or those held by, on, or in association with the University.
  - 8.1.6. Discretionary sanctions – Work assignments, service to the University or other such discretionary assignments that are considered appropriate and compensatory, restorative, educational, or deterrent in nature, provided that any such work or service is available and not prohibited by labour or other service agreements.
  - 8.1.7. Fines – Levying of a fine. Fines will not normally exceed \$500.
  - 8.1.8. Loss of fees – Forfeiture or loss of payments, fees, or refunds.
  - 8.1.9. Good behaviour bond – A bond or deposit for good behaviour paid by the student to the appropriate University office as directed, which will normally be returned to the student after one calendar year if the student fulfills certain conditions. Bond will not normally exceed \$500.
  - 8.1.10. Relocation or exclusion from residence – Relocation from a residence or exclusion of the student from residence for any specified period of time.
  - 8.1.11. Deregistration or termination – Removal of the student from one or more courses for one or more terms (which may require re-application for admission to a program or faculty, or termination from any internship, practicum, or research project.

- 8.1.12. Suspension from the University – Suspension of the student from the University for a specific period of time after which the student is eligible to return. Conditions for readmission may be imposed. Suspension will normally also result in deregistration and/or the placement of an academic hold.
- 8.1.13. Expulsion from the University – Permanent expulsion of the student from the University.
- 8.2. Sanctions for disruptive behaviour shall not ordinarily be recorded on a student's transcript unless the student is suspended or expelled. In the case of suspension, the transcript notation shall be removed upon lapsing of the suspension.
- 8.3. Refusal to comply with a sanction(s) imposed under this Policy is itself a serious disruptive behaviour matter and may result in further action under this policy.
- 8.4. Cases that result in a recommendation to suspend or expel must be approved by the President.

## **9. Student Conduct Registry**

- 9.1. The Student Conduct Registry will be held in the Office of the Vice President, Students and Enrolment Management.
- 9.2. Information and records relating to an action under the Safe Student Learning Community policy will be handled by UFV in compliance with British Columbia's *Freedom of Information and Protection of Privacy Act*. The names of registrants will not be released generally, but any instructor or department or program head who is handling a case of non- academic conduct may check to see if a previous entry exists for a student.
- 9.3. All files will be maintained for a period of seven (7) years after the student has ceased enrolment at UFV, unless otherwise noted.

## **10. Communication with Students**

- 10.1. All communications will be conducted through UFV e-mail systems. Students have a responsibility to utilize these systems.

## **11. Confidentiality and Privacy**

- 11.1. UFV faculty and staff must keep confidential all information provided in a disclosure or report ("Confidential Information"), except as set out below in sections 11.2, 11.3 and 11.4. Unauthorized release of Confidential Information may violate the *Freedom of Information and Protection of Privacy Act*, may deter others from coming forward, and may also prevent UFV from conducting a fair process if a report is made.
- 11.2. UFV will share Confidential Information with its faculty and staff if the information is necessary for the performance of their duties.
- 11.3. UFV will share the Confidential Information in order to ensure that the reporting processes listed in appendix B are fairly conducted, in accordance with the following principles:
  - 11.3.1. The respondent has the right to know the identity of the person who made the report and the pertinent details of the allegations made against them.
  - 11.3.2. The person who makes the allegation of policy violation has the right to know the outcome of the investigation, but not the details of any disciplinary actions that may have been taken against the respondent unless sharing that information is necessary for the protection of their health or safety; and
  - 11.3.3. Other persons do not have the right to know any Confidential Information except to

the extent required to conduct the investigation.

11.4. UFV may also authorize the sharing of Confidential Information in any of the following circumstances:

11.4.1. The person the information is about has consented in writing;

11.4.2. Sharing the information is necessary for the protection of health or safety; and

11.4.3. Sharing the information is otherwise authorized or required by law.

## **12. General Timelines**

12.1. All timelines are guidelines only. Parties should attempt to comply with such time frames. The failure to do so shall in no way nullify the process unless the delay is unreasonable and prejudicial.