University of Regina | Student Affairs

University of Regina

OFFICE OF STUDENT CONDUCT

Respondent Information Guide

Introduction

The Office of Student Conduct is grounded in the belief that student conduct processes lay the foundation for community relationships by providing members with clarity of behavioural expectations, direction, and purpose. In this way, holding those who create harm accountable for their behaviours is important for repairing relationships, as well as for maintaining a positive and trusting environment where all members of the University can study, live, and work peacefully. The investigations process, therefore, aims to create space where students can be held accountable for their behaviour in meaningful ways that provide opportunities for them to both repair the harm that they have caused and to rebuild community trust after an incident.

If you find yourself referred to the Office of Student Conduct for an alleged violation(s) of the Student Code of Conduct, it is important for you to know what to expect and how the process works. Prior to meeting with the Coordinator of Student Conduct, please review the information intended for Respondents, as outlined in this document.

Terminology and Jurisdiction

Q: What is the Student Code of Conduct?

A: The Student Code of Conduct is a set of regulations which states the behavioural expectations for students to ensure a fair and respectful environment on campus. The Student Code of Conduct is documented in both the undergraduate and graduate student calendars.

Q: What is a Respondent?

A: The term "Respondent" refers to the student who is accused of violating the University Of Regina Student Code Of Conduct. As a Respondent, you are responsible for responding to the Complainants alleged conduct violations.

Q: What is a Complainant?

A: The term "Complainant" refers to the student, faculty member, staff member or department (such as Campus Security, Athletics, etc.) that is bringing forward the allegation of violation.

Q: Who can be accused of a Student Code of Conduct Violation?

A: The Student Code of Conduct regulations cover the conduct of all University students in University related activities, or with respect to and on University property, or involving any member of the University community. University related activities include activities of any type operated under University auspices at any location, whether on or off campus (including on any Co-op work term, practicum, internship, study abroad, or research project).

A student is defined as an individual who:

(a) Has accepted an offer of admission to an undergraduate, graduate or ESL program; and/or
(b) Is enrolled on a full-time, part-time or visiting basis; or
(c) Has an active status with the University; or
(d) Is participating in a co-operative education work placement, a practicum, an internship, study abroad opportunity, or other sanctioned university activity.

Frequently Asked Questions (FAQs)

The Investigation

Q: I was involved in a situation that was documented in a Protective Services Incident Report. What happens next?

A: If sufficient information is presented in the Incident Report, a letter citing the alleged violation(s) stemming from the incident will be emailed to your University of Regina email address. This letter will provide instructions on how to set up the initial Student Conduct meeting, known as the Investigative Interview. Notice is considered, "received" upon sending this correspondence to the student's official uregina.ca email address. Failure to provide and maintain current addresses with the registrar or failure to receive an email message because the mailbox is full, or the messages is inappropriately forwarded, will not constitute good cause for failure to comply with written notices.

Q: What is an Investigative Interview?

A: Following a complaint or report, you will be asked to participate in an Investigative Interview with the Student Conduct Office. These interviews are normally scheduled between 5 to 10 business days from the date of the notice being sent to your (the Respondents) University of Regina email address. At the Investigative interview you will be given an opportunity to verbally respond to the allegations.

Q: Can I have a support person at the meeting?

A: All students are entitled to be accompanied to the Investigative Interview by a support person. That support person can be a non-involved student, a faculty member or administrative staff member, or a parent. The role of the support person is to provide emotional support during the interview, take notes, and adjourn the meeting if required. The Respondent will be required to do most of the speaking, as the support person cannot represent the student and is not able to advocate on their behalf during the meeting.

Q: Can my support person be a lawyer?

A: You are entitled to bring a lawyer as a support person if that is most comfortable for you. However, please note that your lawyer will be permitted to attend in the capacity of a 'support person' only and will not be able to speak or advocate on your behalf during the meeting. If you wish to bring a lawyer as support, you must notify the Student Conduct Officer at least 5 business days prior to the Investigative Interview. If your support person is a lawyer, the University may have University Counsel present at the Investigative Interview as well. Failure to provide the lawyer's name and contact information five business days prior to the interview will preclude their participation in the interview. *Please note that a lawyer may not appear in lieu of a respondent.*

Q: What is an Investigative Report?

A: Following the Investigative meeting, the Investigator will compile an Investigative Report. This report will include all details from the Investigative meeting, witness statements, and other relevant evidence (as available). The report will provide an analysis of the violation and will make a determination regarding whether or not an action occurred in violation of the University Discipline Regulations.

Q: What is the standard of evidence in the Student Conduct Process?

A: The standard of evidence in the student conduct process is based on the preponderance of evidence standard. The preponderance of evidence standard is the burden of proof requirement that is used to determine whether it is more likely than not that you violated a Code provision and/or University policy. The burden of proof shall be on the complainant or University, whichever is applicable.

FAQs: Disciplinary Outcomes

Q: What types of penalties might I be assigned if I am found in violation of student conduct policies?

A: The possible penalties for acts of non-academic misconduct may include any one or more of the following, or another appropriate penalty at the discretion of the Associate Vice-President (or designate):

- Forfeiture of fees
- Restitution for damage
- Fines
- University community service or remedial measures
- Mandatory counseling
- Alternative dispute resolution
- Loss of, and/or requirement to repay, scholarships or other awards.
- Probation
- Eviction from on-campus Housing
- Restriction of access or use of any University facilities, equipment, or services.
- Expulsion from the Co-op program.
- Suspension (dismissal from the University for a fixed period)
- Termination of any internship, practicum, or research project, without any refund of fees
- Expulsion (dismissal from the University for an indefinite period and in no case less than two calendar years).
- Exclusion from the University campuses, lands, buildings, and/or the online University systems

Q: What is alternative dispute resolution? How do I qualify for that outcome?

A: When an incident of harm occurs on campus, there is the option for an alternative dispute resolution rather than a formal investigation. There are a few factors that are used to determine whether alternative dispute resolution is appropriate. They include:

- The person who has harmed (Respondent) must accept responsibility and acknowledge the harm that they have caused.
- If applicable, the person who has been harmed (Complainant) must agree to an alternative dispute resolution.
- The final resolution must be agreed upon by all parties, and the required activities included in the final resolution agreement must be completed within the timeline set in the agreement. If an agreement cannot be reached, or if the required activities are not completed as outlined in the final resolution agreement, then the incident will be resolved using a formal investigation process.

Q: What happens if I refuse to participate in the student conduct process?

A: Your failure to participate in the Investigative Interview shall in no way prevent the University from finalizing a disciplinary decision or scheduling/conducting an advisory team hearing. Your decision to not participate in the process is not held against you; In this case, decisions are made based on the presented evidence in relationship to the policy standards in question.

Q: What if I didn't know that I was breaking the rules?

A: It is each student's responsibility to know and understand the behavioural expectations that the University has for all students. These expectations are outlined in the Student Code of Conduct. Ignorance of the rules cannot be used as an excuse.

Q: What is different about going through the local court and going through the student conduct process? What if I am being accused of violating local, provincial, or federal law?

A: The University addresses cases involving violations of University of Regina policy. The court system adjudicates cases involving violations of the law. Depending on the circumstances, students may have to go through one or both channels. In some cases, they may be subject to both. Regardless, both systems are separate and distinct from one another; an outcome in one process does not equate to the same outcome in the other process, nor will it impact the decision of them.

Q: What does the disciplinary record consist of?

A: A disciplinary record shall reflect the nature of the violation, the disposition of the violation, the penalty assessed and any other pertinent information.

Q: If I am found responsible for a conduct violation, how long will the incident remain on my disciplinary record?

A: Disciplinary records of students who were not assessed a sanction of suspension, expulsion, or exclusion will be maintained by the Office of the AVP (Student Affairs) for 7 years after the final disposition of the case in accordance with the University's Records Retention Schedule.

The University shall maintain a permanent written disciplinary record for every student assessed a sanction of suspension, expulsion, or exclusion.

Q: How does a warning sanction effect a respondent's disciplinary record?

A: The University of Regina utilizes a stepped discipline process. If a student is issued a warning sanction, that warning will be noted on the student's disciplinary record, as stated above.

Q: What is LAFOIPP? How does it apply?

A: LAFOIPP is an acronym that refers to The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIPP). The University of Regina has operated within the parameters outlined in LAFOIPP since 2006. All University Departments, including the Office of Student Conduct, must abide by the rules and Regulations outlined in the LAFOIPP Act. As such, we are unable to provide private information regarding any investigation or disciplinary decision to any third party, including parents and/or guardians. For more information on the FOIPP Act, please visit: Freedom of Information and Protection of Privacy | Policy, University of Regina (uregina.ca)

FAQs: Final Disciplinary Decision

Q: How is the final disciplinary decision made?

A: Following the Student Conduct Office's submission of the final investigation report, you will be given an opportunity to meet with the Associate Vice President (Student Affairs), who may call upon the assistance of an Advisory Team. At this meeting you will be given an opportunity to respond to the analysis and conclusion of the investigation report. The AVP (Student Affairs)/ Advisory Team will review the misconduct in question, taking into account all evidence, and will recommend a course of action, including an appropriate disciplinary penalty. Please note that the AVP (Student Affairs) is ultimately responsible to make the final disciplinary decision.

Q: Is there a dress code for this meeting?

A: No, but as it is a formal meeting it is important to maintain a sense of professionalism.

Q: What information is made available to me prior to the meeting?

A: Prior to the meeting you will receive a copy of the Final Investigation Report. The report will contain all statements and evidence related to the alleged incident. It will also provide an analysis of the incident and will outline whether or not the incident was found to be in violation of the Student Code of Conduct and the University Discipline Regulations. The Advisory meeting is your opportunity to respond to the analysis and findings stated in the report.

Q: How will I be notified of the disciplinary decision?

A: The AVP (Student Affairs) or designate, will advise the student of the disciplinary decision in writing, and will provide a copy of the disciplinary decision to the University Secretary. If the disciplinary decision involves suspension or expulsion, a copy shall also be provided to the student's Dean and the Registrar's Office for action with respect to the student record.

Q: Can I appeal a decision made in the student conduct process?

A: Students may appeal the imposition or severity of a penalty for non-academic misconduct to the Council Discipline Committee. Requests for a hearing must be submitted in writing and within 30 days of the date of imposition of the penalty to:

The University Secretary
University of Regina
Administration/Humanities Building, Room 509.1
Regina, SK S4S 0A2
Email: student.appeals@uregina.ca

KNOW UR CODE.
KNOW UR CODE.
KNOW UR CODE.
KNOW UR CODE.
KNOW UR CODE.
KNOW UR CODE.
KNOW UR CODE.
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3737 Wascana Parkway
Regina, SK S4S0A2

Tel: (306) 585-4557
Email: student.conduct@uregina.ca

www.uregina.ca/student/support/

Student Conduct Office

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