

# STUDENT CONDUCT IN RESIDENCES POLICY

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## 1 Purpose of Policy

1. The purpose of this policy is to communicate the requirements of a student who accepts an offer of accommodation in a Residence to:
  - a. Respect the basic philosophy of the Residence and community standards operating in each Residence as outlined below, and;
  - b. Abide by the process employed if a student breaches these standards to investigate and appropriately resolve such breach under the terms of this policy.
2. The purpose of this policy is also to define the rights and responsibilities of residents and staff and provide procedures and sanctions to be invoked and applied if community standards are breached.

## 2 Definitions

Word/Term	Definitions
Accommodation Agreement	The agreement made between the University and the Resident granting the Resident a license to use the room and other facilities at the Residence.
Behavioral Probation	A specified period of time, for up to as long as the resident resides in one of the University Residences. During this period, the Resident is expected to maintain model behavior. Any further breach of Community Standards would normally result in Exclusion from the Residence.
Community Service	A sanction whereby the Resident provides an unpaid service for the benefit of the University or another relevant organization.
Community Standards	The expectations that the University has of each resident.
Demerit Points	A points system whereby a resident may receive a point(s) as part of a sanction.
Exclusion	A requirement that the Resident remove themselves (and all their property) permanently from the Residence. The Resident would normally be given seven (7) days to do so.
Hazing	Any mental or physical requirement or obligation placed upon any person or group of persons by another resident or group of residents, at a residence, which could cause discomfort, pain, fright, disgrace, injury or which violates any University policy.
Reprimand	A formal, written rebuke by an officer of AUAF.
Residence	A Student Residence that is managed by AUAF to which the Resident has been assigned.
Residence Handbook	The Residence Handbook is available on the AUAF website under Student Life. It contains the rules, regulations and general information regarding the Residence.
Resident	A student currently living in a University Residence.

Resident Assistant	Students hired by the University to monitor and oversee the Residence Hall on a daily basis.
Resident Hall Coordinator	A senior officer in the Residence Hall appointed by the University to manage the Residence.
Staff Member	Any employee of the University who provides services at the Residence.
Student Conduct in Residences Appeals	Appeals from Residents against an adverse decision by the Residence Life Manager are made by the Director of Student Affairs.
Warning	Written advice to a Resident by the Resident Hall Coordinator that a Resident’s actions have constituted a breach of community standards or are questionable. The University’s expectation of future behavior is outlined to the Resident.

### 3 Application and Scope

1. This policy applies to the management of alleged breaches of community standards within any University Residence by a resident.
2. Nothing in this policy operates to limit the rights of the University to take action against a resident for breach under an Accommodation Agreement or any other grounds.

### 4 Breaches of Community Standards

1. All of the members of the University community have a range of rights, including the right to:
  - a. Be treated courteously and fairly;
  - b. Be free from acts of violence, harassment, intimidation or discrimination;
  - c. Have their personal property respected; and
  - d. Live, work and study in a safe environment.
2. Because of the nature of residential community living, it is not possible to codify all acceptable and unacceptable behaviors. The expectations that the University has of each resident within a residence are described as “community standards”, breach of which may be grounds for action against a resident under this policy.
3. Breaches of community standards may include, but are not limited to, the following:
  - a. Failure to comply with the University’s rules, policies, codes, regulations or other lawful direction of the University or to obey any reasonable direction of an authorized person in relation to conduct;
  - b. Any conduct which impairs the reasonable freedom of other persons to pursue their studies, research, duties or lawful activities at the University or to participate in the life of the University;
  - c. Wilfully littering, damaging, defacing or wrongfully dealing with any University property or any other property on campus or property on a location where a student is present under the auspices of the University.

- d. Unreasonable conduct, including criminal activity, which may disrupt the normal activities of the University or which may be prejudicial to the reputation, good order and governance of the University.
- e. Acts or threats of violence, harassment, intimidation, discrimination, coercion, deceit or other conduct (whether by physical, verbal, written or electronic means) that threatens or endangers the health, freedom or safety of any person or obstructs a University member in the performance of their duties.
- f. Providing information known to be false or the forgery, alteration or misuse of any document, record or instrument of identification.
- g. Any act of hazing.
- h. Providing false information before or during an investigation of any matter under the terms of this Policy.
- i. Breaches of any provision of the Residence Handbook imposing obligations on a resident
- j. Any unreasonable failure by a resident to comply with a sanction arising from an adverse determination.

## 5 Demerit Points

1. Demerit points will be awarded to residents who breach the community standards that are set forth in the Residence Hall Handbook.
2. Administration of the demerit system is designed to help residents and the Residence Life staff recognize potential problems and correct them before they become serious. The Residence Life department has established several check points based on a student's accumulation of demerits.
3. The Residence Life department reserves the right to make adjustments to the published penalties based on individual circumstances.
4. Residents will be notified of infractions electronically, primarily through email.
5. After receipt of demerit or consequence notifications, residents will have five (5) business days to schedule a meeting with the Residence Life Manager to contest the resident's demerit report.
6. The demerit check points are as follows:

<b>Demerit Points</b>	<b>Action</b>
1-2	Letter of Warning
3-4	Meeting with Residence Hall Coordinators and Residence Life Manager. Community service can be assigned

5-6	Meeting with Residence Hall Coordinators and Resident Life Manager. Placed on Behavioral Probation
7+	Exclusion from Residence Hall

## 6 Procedure to be followed by Residence Hall Coordinator and Residence Life Manager

1. Where a Residence Hall Coordinator is notified of a possible breach of community standards by a Resident Assistant or by a resident, the Residence Hall Coordinator will, within five (5) working days, communicate this to the resident outlining the possible breach and indicating the number of demerit points earned. If the Resident has 1-2 demerit points, the written warning will suffice. If the Resident has reached 3 demerit points, the Residence Hall Coordinator will notify the resident that there will be a meeting between the Residence Hall Coordinator, the Residence Life Manager and the resident to meet and discuss the allegation.
2. Once a student reaches 3 demerit points, in this notification to the resident, the Residence Hall Coordinator will advise the resident:
  - a. That the possible breach is being investigated in accordance with these procedures;
  - b. The timeframe within which the proposed meeting between the Residence Hall Coordinator, the Residence Life Manager and the resident to discuss the alleged breach of the community standards will take place; and
  - c. Where a full copy of this policy may be obtained.
3. If the resident does not respond, or fails to make themselves available in the timeframe specified, then the meeting will proceed in the resident's absence and the resident will receive further demerit points.
4. During this meeting, the Residence Life Manager will outline to the resident the alleged behavior giving rise to the allegation and the basis upon which this is alleged to have breached community standards. The resident may respond by either agreeing with the information presented by the Residence Life Manager, or by presenting additional or alternative evidence, mitigating circumstances, etc.
5. The Residence Life Manager will (either at that meeting or after further consideration and enquiries) make a determination on the matter and inform the resident of this determination and the reasons for it, and, if necessary, impose an appropriate sanction (refer Section 8).
6. The Residence Life Manager will inform the resident of this decision in a face-to-face meeting during which the resident can be given the opportunity to respond to the decision and the sanction. If considered appropriate, the Residence Life Manager may vary the sanction in light of this discussion with the resident.

7. The Residence Life Manager will then confirm in writing to the resident the content of the discussion, the determination, the reasons forming the basis of the determination, and any sanction within five working days. The Residence Life Manager will also include advice to the resident on:
  - a. The right of the resident to seek clarification from the Residence Life Manager on the determination, any sanctions and the reasons for the determination; and
  - b. Where the resident can locate a copy of the Student Conduct in Residences Policy.
8. The Residence Life Manager will also inform any person who brought the alleged breach to the Residence Life Manager's attention that the matter has been investigated and that an outcome has been determined. The specifics of the outcome will not normally be communicated.
9. Where there is new and substantive evidence relevant to the breach and/or the sanction, and which was not available when the original decision was made, this should be brought to the Residence Life Manager within five working days with a request for reconsideration of the matter. The Residence Life Manager will resolve the matter within five working days from receiving the new evidence by:
  - a. Confirming the previous outcome,
  - b. Varying the previous sanction, or
  - c. Dismissing the matter.
10. The Residence Life Manager may delegate the management of breaches of community standards to an appropriately qualified person, with the approval of the Director of Student Affairs.
11. After the meeting with the Residence Life Manager, the Residence Hall Coordinators and the Resident is concluded, if the recommendation of exclusion from the residence halls is made, then it would be sent to the Assistant Director of Student Affairs for approval.

## **7 Procedure to be followed by the Assistant Director of Student Affairs**

1. Upon receiving a recommendation for exclusion, the Assistant Director of Student Affairs shall make this determination as soon as possible and within a maximum of three (3) working days of having received the recommendation.
2. The Assistant Director of Student Affairs may either:
  - a. Accept the recommendation and exclude the resident from the Residence; or
  - b. Not accept the recommendation and refer the matter back to the Residence Life Manager with a direction to impose a lesser sanction(s).
3. If the Assistant Director of Student Affairs accepts the recommendation to exclude the resident from the Residence, the Residence Life Manager will ensure that the resident is served with written notice of this decision within two working days.

## 8 Sanctions

### Sanctioning Philosophy

1. Where a resident has been found to have breached community standards, the Residence Life Manager may impose a sanction. These sanctions are designed to hold residents accountable for their unacceptable behavior and are imposed primarily to serve as a learning opportunity.
2. In determining an appropriate sanction, the Resident Life Manager will consider a range of factors including:
  - a. The details of the current breach,
  - b. The resident's previous conduct,
  - c. The resident's level of contrition regarding the breach, and
  - d. Any other mitigating factors relevant to the matter.

### Demerit Points

3. In response to a proven breach of community standards, the Residence Life Manager may, in addition to another sanction, apply demerit points.
4. While a Residence Life Manager may not elect to apply a demerit point(s) for a Level 1 breach (see Table 1), a Residence Life Manager must impose demerit points for Level 2 and Level 3 breaches.
5. Demerit points are cumulative over time. If a resident's total demerit points reach seven (7), the resident will, on the recommendation of the Residence Life Manager, and with the approval of the Assistant Director of Student Affairs, be excluded from the Residence.
6. At the end of an academic year, one-half (1/2) of the demerit points accumulated may be removed. The other one-half (1/2) of the demerit points will carry over into the next academic year.

### Indicative Sanctions

7. Table 1 outlines the level of breaches, examples of breaches and the consequences that may be imposed depending on the outcome of the incident.

**Table 1**

<b>Offense</b>	<b>Offense Definition</b>	<b>Minimum Sanction</b>
<b>Level 1</b>		
Cleanliness Standard	Students are required to maintain their rooms and living space in compliance with the Student Handbook. For health reasons, food is to be stored in proper containers, garbage is to be removed and disposed of in appropriate designated locations regularly, and personal belongings should not impede exit routes. At no time will excessively poor cleanliness standards be tolerated. Failure to keep your space in an acceptable condition may result in additional cleaning charges.	2000 afs Fine plus applicable cleaning fees, if required  1 Demerit Point
Failure to Complete Sanction or Missed Meetings	Failure to complete sanctions assigned including but not limited to educational sanctions, meetings with Residence Life staff and community service	1 Demerit Point
Keys	Losing the keys to the Resident's room	2500 Afs Fine 1 Demerit Point
Improper Posting of Material	All postings within the Residence and use of tape on the walls is prohibited. Posting notices on the bulletin board must be approved by the Residence Hall Coordinator.	1 Demerit Point
Not Informing Staff of Overnight Stays	If a Resident is staying outside of Campus for the night, an Overnight Stay Form should be submitted to the RA or RHC.	1 Demerit Point
Inappropriate Behavior, Level 1	Any behavior which is deemed to be detrimental to person(s) or property	1 Demerit Point
Keeping Campus Clean	Littering on campus	1 Demerit Point
Noise	Unacceptable and excessive noise is not permitted in Residence. Residents are expected to abide by the rules regarding acceptable noise levels as stated in the Residence Hall Handbook.	1 Demerit Point
<b>Level 2</b>		
Entering of a Room Without Permission	Entering of a room without the consent and permission of all of the room's residents is not tolerated.	2 Demerit Points
Gambling	Gambling is not permitted.	2 Demerit Points
Tampering with or Modification of Fixtures	Tampering with building fixtures. This includes but is not limited to running wires within or outside of the Residence. Students are prohibited from bringing outside furniture into the Residence without permission of the Residence Hall staff.	2 Demerit Points
Animals in Residence	Students are not permitted to keep any animals in the residence.	2 Demerit Points
Inappropriate Behavior, Level 2	Any behavior that is deemed to be detrimental of person(s) or property.	2 Demerit Points
Misuse of Internet	Sending of inappropriate material over the internet is prohibited.	2 Demerit Points
Not Cooperating with Staff	Residents are expected to cooperate with all university staff members. Misleading, not cooperating with, using	2 Demerit Points

	abusive language towards or providing improper identification to university staff is strictly prohibited.	
Physically Active Games/Actions Within Residence Building	Residents are not permitted within Residence to participate in potentially destructive activities that can cause personal injuries and/or property damage. These include but are not limited to the use of roller blades, skateboards, scooters or cycles, water fights/guns/balloons, etc.	2000 Afs Fine 2 Demerit Points
Removal/Relocation of Residence Property	The removal or relocation of furniture in lounges, residence rooms, dining areas and all other areas is not permitted.	2 Demerit Points
Unauthorized Room Changes or Overnight Stays	Students are not permitted to switch or change rooms with one another. Residents are also not allowed to stay overnight in another resident's room.	2 Demerit Points
Kitchen Violations	Any infraction of kitchen violations as written in the Residence Hall handbook.	5000 Afs Fine 2 Demerit Points
Curfew Violation	Curfew for all residents is 22:00. Demerit points issued is at the discretion of the Residence Life Manager.	1-3 Demerit Points
<b>Level 3</b>		
Smoking, Alcohol, Illegal Drugs	Smoking is not allowed in the Residence Hall. The possession of alcohol and drugs is prohibited.	5000 Afs Fine 3 Demerit Points. In the case of drugs, immediate exclusion could be recommended
Emergency Procedures	Failure to leave any Residence facility during evacuation (this includes but is not limited to fire alarms and/or drills) or not following lockdown directions	5000 Afs Fine 3 Demerit Points
Entering Housing Area of Opposite Gender	Attempts to enter the housing area of the opposite gender, even with an invitation, are prohibited.	3 Demerit Points
Theft	The taking of property from another resident is not permitted.	3 Demerit Points and other actions as deemed necessary by Residence Administration. Immediate exclusion could be recommended
Inappropriate Behavior, Level 3	Any behavior which is deemed to be detrimental to person(s) or property.	3 Demerit Points
Willful Damage or Vandalism to University Property	Vandalism is defined as the willful or malicious destruction of Residence property. Any vandalism directed towards an individual or individuals may also constitute harassment.	5000 Afs Fine plus repair charges 3 Demerit Points
Harassment/Bullying	Any forms of harassment or bullying as laid out in the Residence Hall handbook is prohibited.	3 Demerit Points and other actions as deemed necessary by Residence

		Administration. Immediate exclusion could be recommended
Violence	Violence or threats will not be tolerated.	3 Demerit Points and other actions as deemed necessary by Residence Administration. Immediate exclusion could be recommended

**Available Sanctions**

- 8. When the Residence Life Manager makes a determination that a resident has breached community standards, the Residence Life Manager may apply one, or a combination of the following sanctions:
  - a. Impose demerit points up to the maximum specified in Table 1.
  - b. Issue an oral or written warning.
  - c. Issue a written reprimand.
  - d. Place the resident on behavioral probation.
  - e. A letter of exclusion is issued terminating the resident’s right to live in the University Residences.
  - f. Demand for restitution for costs of replacing or repairing or damaged property.
  - g. Require a formal apology.
  - h. Require the resident to undertake a community service activity.
  - i. Require the resident to complete an on-line behavior program or essay.
  - j. Change the resident’s room allocation within the Residence.
  - k. In the case of urgent or serious matters, refer the resident to the Director of Student Affairs.
  
- 9. When a resident’s total demerit points have reached seven (7), the Resident Life Manager may make a recommendation that the Assistant Director of Student Affairs exclude the resident from the University Residences, in response to which, the Assistant Director of Student Affairs may determine to exclude the resident.

**9 Appeal**

**Procedure and Grounds for Appeal**

- 1. A resident against whom an adverse determination has been made, or upon whom urgent action has been imposed, may appeal by lodging with the Director of Student Affairs a letter outlining the reasons for the appeal. Except in exceptional circumstances this appeal must be received by the Director of Student Affairs within five (5) working days of the written notification of the decision being received by the resident or of the urgent action being imposed. If a resident lodges such an appeal, the Director of Student Affairs may

suspend any sanction imposed by the Residence Life Manager until the Director of Student Affairs has made a decision on the appeal.

2. The grounds for appeal are limited to the following:
  - a. That the Residence Life Manager or delegate did not follow the correct process provided in this policy in making the decision.
  - b. The student was treated with bias, unfair treatment, discrimination or improper investigation, etc.
  - c. New evidence was overlooked or was not given sufficient weight.
  - d. That the sanction was inappropriate given the nature of the breach of community standards.
3. When a resident appeals the decision of the Residence Life Manager, the burden of proof resides with the resident.
4. Upon receiving an appeal, the Director of Student Affairs must decide whether the resident has presented an adequate case to justify further consideration of the appeal. The Director of Student Services shall make this determination as soon as possible and within a maximum of five (5) working days of having received the appeal.

#### **Appeal Dismissed**

5. If the Director of Student Affairs decides that the contents of the letter does not meet grounds for appeal and there is insufficient evidence to warrant a full hearing of an appeal, the Director of Student Affairs will dismiss the appeal and inform the resident of this. The Director of Student Affairs will confirm the decision and the basis on which it was made in writing to the resident. The resident has no further opportunity to appeal the decision.

#### **Referral back to Residence Life Manager**

6. If there are grounds for appeal and the Director of Student Affairs decides that there is a sufficient case to warrant reconsideration of the matter and considers that the matter could be resolved by requesting the Residence Life Manager or delegate to re-hear the matter, the Director of Student Affairs will inform both the Residence Life Manager or delegate and resident of this decision and the basis on which it was made in writing.
7. The Residence Life Manager and the Director of Student Affairs, or delegate will then re-hear the matter following the process outlined in this policy within five (5) working days.
8. The decision of this meeting will then be final and the Resident will be informed in writing within three (3) working days.
9. If the result of this meeting upholds a previous decision of exclusion, the resident will then have seven (7) days to vacate the Residence.