

Appendix 3:

USMC Residence Code of Discipline

All residents are expected to inform dons or staff of the Dean's Office of any violations of the Resident Handbook or Occupancy Agreement.

Residence staff (including dons) are responsible for enforcing the residence policies and procedures.

The Dean of Students, or their designate (often the Assistant Dean, Residence Life [ADRL]), is responsible for ensuring that an investigation is conducted, and for deciding, when necessary, upon the appropriate sanctions.

DECISION PROCESS

When a breach of the Resident Handbook or Occupancy Agreement is found to have been committed by a resident or their guest, the incident is documented and submitted to the ADRL.

Based on the evidence and balance of probability, the ADRL decides whether or not a breach has occurred and contacts the resident.

- 1) If an infraction has been committed, and uncontested, the ADRL will decide on the appropriate sanctions.
- 2) If contested, the ADRL, or another appropriate designate, reviews the documentation, conducts an investigation, and meets with the resident(s)/guest(s) involved.

In all cases, the following factors are taken into account when deciding on sanctions:

- the extent to which the resident involved was co-operative and truthful.
- the extent to which the misconduct was deliberate or inadvertent.
- the extent of the misconduct and its impact on the community.
- whether or not the misconduct was an isolated incident or part of a series of repeated acts of misconduct.
- if this is not the first incident of misconduct, past sanctions previously assigned for earlier incidents.

SANCTION TYPES

Please note that these sanctions may not be applied in the order listed below.

Verbal Warning: informing the resident of unacceptable behaviour.

Letter of Warning: informing the resident of unacceptable behaviour.

Educational Sanction: A resident may be asked to complete a research or reflection project relating to their misconduct.

Community Service: A resident may be asked to perform a set number of hours of work within the residence or larger College community to compensate for an offence.

Loss of privileges: A resident may lose certain residence privileges for a set amount of time.

Denial of Readmission: Not be permitted to return to residence in subsequent years.

Fine: A resident may be sanctioned with a monetary penalty that is added to their ACORN financial account.

Restitution: An order to pay monetary compensation for damages to College property or someone's personal property. If restitution is not received within 14 days, the charges will be added to the resident's ACORN financial account.

Behavioural Contract: A resident will be expected to sign and adhere to a written agreement with the Office of the Dean of Students in which they agree to refrain some specified behaviours and/or adhere to particular guidelines. This contract is binding, and a breach may result in termination of residence contract.

Mandatory Move: A mandatory move may involve relocation to another room, floor, or residence building.

Disciplinary Probation: Any further misbehaviour may result in termination of a resident's contract.

24-Hour Probation: Formal notice that any kind of further offence can result in eviction within 24 hours.

Eviction: Residents will have 24 hours (unless otherwise noted) to remove themselves and all their belongings from the residence property. Eviction includes a loss of all related residence fees.

Residence Ban: Residents (or evicted, former residents) will be restricted indefinitely from the residence property (including the residence perimeter, grounds, weight room, music, and dining

halls). Security and/or Campus Safety will be called should a banned resident enter the residence property and/or building.

In addition, a resident who has their residence contract terminated will:

- not be eligible for re-admission to the residence for a minimum of five years.
- have their name shared with the other residences on campus.

APPEALS PROCESS

Appeals against a decision made by the ADRL or an appointed designate must be made in writing to the Dean of Students within five calendar days' notice of a sanction. All sanctions levied will remain in effect throughout the appeal process. In the case of an appealed termination and expulsion, the Office of the Dean of Students may attempt to find other temporary accommodation for the resident.

Appeals will only be considered on the following grounds:

- New information has arisen that may change the decision or sanction.
- The given sanction is deemed to be too severe considering the misconduct or infraction.
- The proper disciplinary process was not followed and this lack of process impacted the decision reached.

Upon submission of an appeal, the Dean of Students will decide if the appeal has grounds to be heard.

If the appeal is decided to have no grounds to be heard based on the above criteria, the appeal will be denied on that basis and the sanction(s) will remain.

If the appeal is found to have grounds to be heard, there are three possible outcomes:

- The original decision is upheld.
- The original decision is overturned
- Sanctions may be modified. Note: modification of sanctions may include increasing the sanctions originally levied.

Students unsatisfied with the resolution of their first appeal may submit a second formal written appeal within five days from the outcome of their appeal. This appeal must be addressed to the Principal of St. Michael's College, who will decide if the Appeal has grounds to be heard.

If the appeal is decided to have no grounds to be heard, the appeal will be denied on that basis and the sanction(s) will remain.

If the appeal is found to have grounds to be heard, there are three possible outcomes:

- The original decision is upheld.
- The original decision is overturned
- Sanctions may be modified. Note: modification of sanctions may include increasing the sanctions originally levied.

The decision at the second stage of appeals is final.