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4.6 STUDENT CONDUCT

ENABLING LEGISLATION & LINKED POLICIES

University Act

Senate of a special purpose, teaching university

Section 35.2 (5) The senate of a special purpose, teaching university has the power and duty to do all of the following:

(j) set policies and procedures for appeals by students on academic matters and establish a final appeal tribunal for these appeals.

(6) The senate of a special purpose, teaching university must advise the board, and the board must seek advice from the senate, on the development of educational policy for the following matters:

(j) the adjudication procedure for appealable matters of student discipline.

Suspension of student

Section 61 (1) The president has power to suspend a student and to deal summarily with any matter of student discipline.

(3) The action of the president is final and subject in all cases to an appeal to the senate.

Emily Carr University of Art + Design Policies

2.1.5 Senate Appeals Committee

4.5 Student Grade Appeal

OBJECTIVE

The objective of this policy is to define the appropriate and acceptable standard of conduct by Emily Carr University of Art + Design (University) students while attending the University, or participating in University activities, and to define the consequences or discipline of unacceptable conduct (misconduct).

SCOPE

This policy applies to University students.

POLICY

1. Students must maintain an appropriate standard of conduct. They are expected to behave responsibly and with propriety, obey the law and University regulations. They must demonstrate respect for all

persons on the campus, and display mature conduct. They are held responsible for their individual or collective actions.

2. The University must maintain an environment conducive to learning. It may require students to leave the educational setting so as to preserve the environment or to ensure that all constituents have access to a safe working and learning environment.
3. Faculty and staff are responsible for dealing with minor misconduct. The Deans of the Faculties have the authority to respond in more serious situations. The power to suspend or expel a student from the University resides with the President. Decisions of the President may be appealed to the Senate.
4. Failure by students to maintain appropriate standards of conduct may result in the initiation of disciplinary action by the University.

MISCONDUCT

Without limiting the generality of the foregoing, students may be subject to disciplinary action for conduct including but not limited to:

1. ACADEMIC MISCONDUCT

Academic misconduct includes but is not limited to:

- (a) giving unauthorized information to another student, or receiving unauthorized information from another student, during any type of examination or test;
- (b) obtaining or providing, without authorization, questions or answers relating to any examination or test prior to the time of the examination or test;
- (c) using unauthorized sources of information during any examination or test;
- (d) Plagiarizing, that is appropriating the work of another, or parts another's work and passing them off as the product of one's own mind or manual skill.
- (e) falsification of any University document or the supplying of false information to the University
- (f) Failure to meet basic attendance requirements as stipulated for continuation in courses and programs

2. BEHAVIOUR ENDANGERING SAFETY OF PERSONS AND/OR BEHAVIOUR THAT SIGNIFICANTLY INTERFERES WITH UNIVERSITY OPERATIONS

Behaviour Endangering Safety of Persons and/or Behaviour that Significantly Interferes with University Operations includes but is not limited to:

- (a) physical abuse or threats of violence, disorderly conduct and disturbing the peace
- (b) sexual or any other harassment
- (c) behaviour which contravenes the BC Human Rights Act as amended from time to time
- (d) Damage to Property, Theft and Assaults on Individuals
- (e) Possession of offensive weapons
- (f) Violation of BC Liquor Regulations and Drug-related offences

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- (g) The possession, use or sale of narcotic or illegal drugs on campus or at official University functions
 - (h) The possession, use or sale of intoxicating beverages on the campus without the permission of the University administration
 - (i) unlawful entry to University buildings, or unlawfully on University property

3. DISRUPTION OF THE TEACHING/LEARNING PROCESS

DISCIPLINARY MEASURES

In cases of student misconduct, the following procedures are to be followed:

1. ACADEMIC MISCONDUCT

(a) Procedure

It shall be the faculty member's responsibility to take appropriate action if academic misconduct has occurred. An instructor suspecting an act of academic misconduct shall discuss the matter thoroughly with the student involved. Arrangements for this discussion shall be made by the faculty member involved within a reasonable time (not more than 10 class days) after discovering the alleged violation. In the event the student is absent from campus, the instructor shall attempt to contact the student in writing (by registered letter) at the most recent permanent address available in Student Services.

If the faculty member remains convinced that there has been a violation, he or she may assign a grade of "F" for the work involved, or for the course, and will notify the student, and the appropriate Dean, in writing. If a grade of "F" for the course is assigned, a record of the violation will be maintained in the student's file.

If the incident occurs at the end of semester or term, the registered letter sent to the student will outline the consequences of a failure to respond. In such instances the regular University procedure for awarding an incomplete grade shall apply, with this grade becoming an "F" after six (6) weeks unless the matter has been resolved in the student's favour.

Repeated acts of academic misconduct shall make a student subject to further disciplinary action, including possible suspension by the President.

No student shall be allowed to withdraw from a course, or from the University, to avoid receiving a failing grade based upon academic misconduct. A withdrawal under such circumstances shall result in an "F" grade being recorded on the student's transcript for the courses in question.

(b) Appeal

A student who receives a failing or incomplete grade for academic misconduct may appeal the grade awarded (see Student Grade Appeal Policy 4.5). All records of disciplinary measures taken against a student in terms of academic misconduct, with the exception of transcripts of grades, shall be destroyed two years after the last entry has been made and the events recorded will no longer be considered part of a student's official record at the University.

2. BEHAVIOUR ENDANGERING SAFETY OF PERSONS AND/OR BEHAVIOUR THAT SIGNIFICANTLY INTERFERES WITH UNIVERSITY OPERATIONS

(a) Procedure

The University is concerned for the safety of all constituents (other students, staff, faculty, administration, contractors and the public) with whom the student interacts therefore reserves the right to require a student to withdraw from the teaching/learning environment when student conduct poses a threat to other's safety. If the student in question will not voluntarily withdraw from the class/facility when requested, the Dean, or designate, will request suspension of the student by the President. University security or the police may become involved.

If the student is temporarily removed from the class or the facility, the instructor must inform the Dean, or designate who may consult with the appropriate Coordinator regarding the conditions for return to the class/facility. The student will be advised of these conditions in writing within ten (10) class days of the date of temporary removal.

(b) Appeal

A student suspended by the President has the right of appeal to the Senate (see Policy 2.1.5 Senate Appeals Committee).

3. DISRUPTION OF THE TEACHING/LEARNING PROCESS

(a) Procedure

An instructor confronted with disruptive student behaviour within a teaching situation may request the student to leave for the balance of the instructional period. The instructor must inform the Dean, who may request assistance from the appropriate Coordinator, the instructor, counselor, or other faculty members for resolution of the problem before the next meeting of that class.

In the absence of the Dean, the instructor must inform the Vice-President Academic.

If the disruptive student refuses to leave the teaching situation, the instructor may dismiss the class for the balance of the instructional period. The instructor must inform the appropriate Dean as above.

In those cases where the resolution of the problem fails, the Dean will request suspension of the student by the President.

(b) Appeal

A student suspended by the President has the right of appeal to the Senate (see Policy 2.1.5 Senate Appeals Committee).