

**July 26th, 2022**

**6:00 P.M.**

**Council Chambers/Zoom**

The University of Alberta and the University of Alberta Students' Union occupy Indigenous land in amiskwaciwâskahikan (Beaver Hills House), on Treaty 6 territory. From time immemorial, the banks along the river valley have been known as the Pehonan, a meeting place for the nêhiyawak (Cree), the Niitsítapi (Blackfoot), Métis, Dènesųłíné (Dene), Ojibway/Saulteaux/Anishinaabe, Haudenosaunee and others. The University, the Students' Union and much of the city are located on the unlawfully stolen land of the forcibly removed Papaschase Cree.

We acknowledge that sharing this land gives each of us the responsibility to research the historic contexts of Treaty 6, to reflect on our personal relationships to the land, the Nations we've named, and to our roles in upholding justice on this territory. Since they began, the Students' Union and the University have benefited from historic and ongoing dispossession of land and resources from Indigenous Peoples. As a result, it is our responsibility to seek the restitution of this land and its resources. Finally, we seek to do better by working to make our learning, research, and governance align with the histories, languages, teachings, and cultures of First Nations, Métis, and Inuit Peoples in the land presently occupied by the Canadian state.

We encourage critical reflection by asking the following question. In relation to the territory on which you are situated, what role do you play in strengthening the resistance and resurgence of Indigenous students within your communities?

**ORDER PAPER (SC-2022-07)**

- |            |   |
|------------|---|
| 2022-07/1  | <b><u>SPEAKERS BUSINESS</u></b>   |
| 2022-07/1a | Join Zoom Meeting<br><a href="https://us02web.zoom.us/j/85666007012">https://us02web.zoom.us/j/85666007012</a><br><br>Meeting ID: 856 6600 7012                     |
| 2022-07/1b | <b>CRO STATEMENT</b>  |
| 2022-07/2  | <b><u>CONSENT AGENDA</u></b>  |
| 2022-07/2a | <i>Students' Council Votes and Proceedings (SC-2022-06) Tuesday, July 12th, 2022 will be included on the Late Additions.</i>  |
| 2022-07/2b | <b>DORSCHIED MOVES TO</b> suspend the standing orders to allow the Sexual Violence Response Coordinator to present for forty-five minutes.<br><br>See SC-2022-07.05 |
| 2022-07/3  | <b><u>PRESENTATION</u></b>  |
| 2022-07/3a | <b>DORSCHIED MOVES TO</b> allow the Sexual Violence Response Coordinator to   |

give a presentation to council.

See SC-2022-07.06

2022-07/3b **VILLOSO MOVESTO** allow a presentation from Elev Homes.

See SC-2022-07.07

2022-07/3c **VILLOSO MOVESTO** allow a presentation of the Students' Union Building Master Plan.

See SC-2022-07.08

2022-07/4 EXECUTIVE COMMITTEE REPORT

2022-07/5 BOARD AND COMMITTEE REPORT

2022-07/6 OPEN FORUM

2022-07/7 QUESTION PERIOD

2022-07/8 BOARD AND COMMITTEE BUSINESS

2022-07/8a **FLAMAN MOVES TO** amend the May 17th Votes & Proceedings item 2022-02/8d by replacing TABLED with CARRIED

See SC-2022-07.10

2022-07/9 GENERAL ORDERS

2022-07/9a **WATTAMANIUK MOVES TO** discuss a potential investigation into alleged violations of private Academic Information.

See SC-2022-07.11

2022-07/10 INFORMATION ITEMS

2022-07/10a Executive Committee Reports

See SC-2022-07.01-04

2022-07/10b BoG Representative Report

See SC-2022-07.05

2022-07/10c Students' Council Submissions

See SC-2022-07.06-12

2022-07/10d Students' Council - Attendance

See SC-2022-07.13





# UASU Students' Council Agenda Submission

**Council Meeting Date**

Tuesday, July 26, 2022

**Mover**

Monteiro

**Motion**

Information Item: President Report #6

**Email**

president@uasu.ca

**Action Requested**

Information Items

**File Upload**



SC07\_July\_26\_2022.pdf

**Date:** 07/26/2022

**To:** Students' Union Council

**Re:** President 2022/23 Report #06

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Dear Council,

I hope all of you are doing well and enjoying the great summer weather! Please see my report below, and as always, feel free to reach out if you have any questions.

### **Break the Record 2022**

VP Fogue and I are continuing to plan for Break The Record recruitment to get as many students as possible to attend. The current record is held at 6,048 participants by the University of California Irvine, and our current goal is 6,500 students. Stay tuned for more updates in the weeks to come regarding how you can get involved and be a champion for this event!

### **Meeting with the New Provost**

VP Kaur and I met with the new Provost, Dr. Verna Yiu, and had a great introductory meeting, Dr. Yiu is very passionate about coming into this role and sees students as being at the centre of everything we do at this university. I look forward to working alongside her as we work towards many of the SU's priorities this year to improve the lives of students.

### **CASA Gender Based Violence Consultation**

VP Fogue and I attended a gender-based violence consultation session for CASA, where we shared information about what the University of Alberta currently does for education and training for students, faculty, and staff, but also the current gaps that exist and what we would like to see happen on our campuses. This session was a great way for us to identify ways that CASA can support the work we are currently trying to do on our campuses.

### **SRA Summit Planning**

VP Kaur, VP Fogue and I are continuing to plan for the SRA Summit. Our next steps are determining sessions for the summit that can meet the needs and roles of the diverse SRAs we currently have.

### **Governance Restructuring and Bylaw**

As part of governance restructuring, The Bylaw Committee will fully restructure our bylaws to make them easier to read and understand for everyone. As part of this process, I will be working with Councillor Wattamaniuk to reorganize all of the elections bylaws.

## Announcements/Reminders

- VP Fotang and I will be away August 8-11 for the Canadian Alliance of Student Associations' Policy and Strategy Conference.
- The executive team will be away August 12-14 for the Students' Union Development Summit.

## GFC for the W

Our intramural soccer team got a big W to close out the regular season last Monday! Stay tuned as we embark on our journey to the playoffs.



Cheers,

**Abner Monteiro (he/him)**

President

University of Alberta Students' Union

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**Abner Monteiro, President**

2-900 SUB | 780 492 4241 | [president@uasu.ca](mailto:president@uasu.ca)

# UASU Students' Council Agenda Submission

**Council Meeting Date** Tuesday, July 26, 2022

**Mover** Fotang

**Motion** n/a

**Email** christian.fotang@su.ualberta.ca

**Action Requested** Information Items

**File Upload**

 Council Meeting Report \_5.pdf

**Date:** 2022-07-22

**To:** Students' Union Council

**Re:** Vice President External 2022/23 Report #4

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Dear Council,

Below is a brief update of essential activities in the last two weeks.

## **CASA**

### **CASA Board of Directors Retreat**

Last week, I attended the CASA Board of Directors board retreat. Among other tasks, this three-day retreat was time for the board to get together and discuss its priorities, begin drafting our action plan and which we will present to the membership at our Policy and Strategy Conference, and discuss what our advocacy priority shall be for the year. We also received presentations from former CASA executive directors on the history of CASA and what being part of a board for a non-profit means. Beyond work planning, this was also an opportunity to better get to know the other members of the board through team bonding activities.

### **CASA Meeting with Employment and Social Development Canada**

This past Thursday, I and the CASA executive director met with Employment and Social Development Canada (ESDC) to discuss what CASA's advocacy for the year looks like. ESDC is the government department that deals with the Canada Student Financial Aid (CSFA) program specifically Canada Student Loans (CSL) and Canada Student Grant (CSG). This meeting was a quick check-in to discuss the priorities of CASA's priorities are in regard to student financial aid. While we are still drafting our priorities we were still able to communicate with ESDC what concerns we have heard from students and members in regards to SFA.

### **Edmonton Federation of Community Leagues**

One of my platform points was getting more student involvement in Community Leagues. Last Tuesday, I met with the Executive Director, Community Activator, and Administrative Assistant of the Edmonton Federation of Community Leagues (EFCL). They are an umbrella group that represents and supports the Community leagues in the City of Edmonton. They also engage in advocacy and research. The main topic of discussion was seeing opportunities for collaboration and support, as well as other avenues for joint advocacy in regards to issues within the community that equally affect students. I will have more information for the council on this initiative. However, if you are interested and want to support getting more students involved in your community leagues then do not hesitate to contact me.

Cheers,



**Christian Fotang**

Vice President External

University of Alberta Students' Union

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Thursday, July 21, 2022

## UASU Students' Council Agenda Submission

<b>Council Meeting Date</b>	Tuesday, July 26, 2022
<b>Mover</b>	VILLOSO
<b>Motion</b>	VPOF Council Report #6
<b>Email</b>	julia.villoso@su.ualberta.ca
<b>Action Requested</b>	Information Items

# UASU Students' Council Agenda Submission

**Council Meeting Date** Tuesday, July 26, 2022

**Mover** FOGUE

**Motion** VPSL Report

**Email** joannie.fogue@su.ualberta.ca

**Action Requested** Information Items

**File Upload**

 VPSL Report\_July\_26\_2022.pdf

**Date:** 07/26/2022

**To:** Students' Union Council

**Re:** Vice President Student Life 2022/23 Report #6

**Cher conseil,** below you'll find my council report that gathers some of the work I've been doing over the past 2 weeks. Feel free to ask me any questions before our council meeting!

### **DOS & SU Exec Meeting**

I and the other executives had our first official meeting with the Dean of Students, André Costopoulos. I brought up two different items. The first thing we talked about was the work DoS had been doing to support Campus Saint-Jean, specifically their Student Services (La Centrale). As of right now La Centrale is underfunded and lacks human resources. We discussed different areas of collaboration and the next steps to further conversations on this matter. Understanding how CSJ, Augustana, and Native studies are affected when it comes to funding and student services with the new college model will be very important to doing advocacy. Secondly, we discussed the continuation of the Joint Residence Oversight Committee(JROC). We both agreed that we should continue having this committee, as it informs, involves, and engages the university community on matters relating to residence operations and residence life. This is also the chance for a CORA rep to engage in conversations with University leadership.

### **Period Equity Update**

**What's New?** - Julia and I have been working since the beginning of our terms to figure out how we want to approach Period Equity. First, we want to address the issue of period poverty by directly supporting low-income students. By working with the Registrar Office (RO) and Campus Food Bank (CFB), and other campus units to identify people in need, and by using existing technology (Perks) that the SU owns and controls, we can get menstrual products to those people in a way that is discrete and private. Secondly, we want to provide free pads and tampons for emergency use - a clear need - by installing single-product dispensers in washrooms.

**Update** - Julia and I have met with the RO to identify ways of accomplishing our goal through collaboration. They have been very receptive to our new approach and are helping us. Julia and I also met with Jay, head of our IT department to figure out the technological logistics. Finally, we have been working with Jon, director of research and advocacy to write up a new Period Equity strategy document.

### **Break the Record, Woo!!!**

Sooo **BTR** is happening! Although this is super exciting, we still have lots of work to get done. I will be taking on a lot of the recruitment strategy and working with Marketing in regards to Promotion, Social Media, and any other forms of communications. In regards to a recruitment plan, I'm gonna be working with what I'm calling my "Hype Team Captains". Each Captain will be part of either the green or gold team and work to recruit students to their team. This is just like any other campaign, captains will be required to do class talks, tabling, and social media and keep the HYPE going until September 23rd. If you want to get involved as a Team Captain, feel free to reach out to me!

### **Meeting with FNMI Specialist**

I had an official meeting with Chelsea, our First Nation, Métis, and Inuit Specialist. We discussed Indigenous Celebration Week (ICW) and what our plans are going to be moving forward. I will be continuing the work my predecessor VP Dixon did when she created this event last year. The next step is to start up the advisory board. I will be reaching out to different individuals in the next week to set up our first meeting. I am also going to work with Chelsea on expanding our Indigenous learning Program(ILP). We're gonna be meeting with all of our Indigenous student leaders from our different indigenous student associations to hear from them and get feedback. Getting this feedback will help us initiate work for an Indigenous Student Leader



Summit.

### **SRA Summit Planning**

Abner, Gurleen, and I have met to start planning the Student Representative Association Summit. I am really excited because this year Residence Associations will take part in this summit. We are working with Selen and Annie from Student Group Services (SGS) and Michelle (you met during GovCamp) from LEAD Centre. Last year I was a participant, so I am really looking forward to working with my colleagues in making this summit just as memorable and informative for our SRAs this year. We also discussed how we can better support our RAs and the training they get. As of right now, the only official training they get is from Residence.

### **SV Policy Review #1**

As you all know, I am on the Policy Committee. I have been assigned to work on three 4 different policies. I am the lead on two of these policies; Residence and Sexual Violence. Christian and I had our first meeting to do our first review of the Sexual Violence Policy. We went over the facts, checked if it was outdated or needed to be reviewed, and added any potential information that should be added, based on the work we do. Secondly, we went over the resolutions and identified which of them were; incomplete, ongoing, or completed. I will be meeting with councillor Ibukun and Lionel next week to go over the Residence policy.

### **CASA SV Consultation**

Last week, I attended the Canadian Alliance of Students Association SV Consultation. This consultation was led by [Students for Consent Culture](#) (SFCC) who are currently undergoing a project to create an Education Toolkit, a resource for students and student groups to use when developing education initiatives around sexual violence prevention, support, and building a culture of consent. I went on behalf of the UASU to talk about what training, preventative work, and support could look like. I also discussed the different kinds of acts of violence that should be officially recognized by our universities under our SV policies. Finally discussed sexual or consent education, and added the fact that we should expand our Sexual Health education program to teach our community what a healthy sexual relationship should look like. I

### **Meeting with DoS - Student Homelessness**

Christian and I met with Kevin Friese to discuss student homelessness and areas of collaboration. As of right now, there hasn't been much research done to understand the realities of student homeless and precarious situations. Therefore, DoS has been working on expanding this research and conversations around this matter with different stakeholders. This was more or an introduction meeting for Christian and Kevin to meet and initiate conversations for future collaboration. Looking forward to working with both of them on this issue that is so important. *DID YOU KNOW* about the [Safe House Program](#)? I invite you all to familiarize yourself with this initiative.

Finally, I'll be committing to including CSJ fun facts for you all with the hope you can leave this year knowing more about our lovely french campus!

**#FaitAmusant : Faculté Saint-Jean offers 6 different programs. 3 of these programs are bilingual and are offered in collaboration with the Faculty of Engineering, Business, and Nursing. The other 3 programs are Arts, Science, and Education.**



### **Joannie Fogue**

Vice President Student Life  
University of Alberta Students' Union

# UASU Students' Council Agenda Submission

**Council Meeting Date** Tuesday, July 26, 2022

**Mover** Dorscheid

**Motion** BoG Report

**Email** adorsche@ualberta.ca

**Action Requested** Information Items

**File Upload**  July 26 Bog Update.pdf

**Date: July 26, 2022,**  
**To: Students' Council**  
**Re: Board of Governors Representative Report #6**

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**Dear Council,**

Like last week I don't have a whole lot of information to share with council as we do not have any more committee meetings nor board meetings until the fall term starts. These past couple weeks I have had the opportunity to chat with councillors regarding their role's on council and also chat with council members about ways to make council a better functioning body. I look forward to making these these ideas a reality in the future.

# UASU Students' Council Agenda Submission

**Council Meeting Date**

Tuesday, July 26, 2022

**Mover**

Dorscheid

**Motion**

Moves to allow the Sexual Violence Response Coordinator to give a presentation to council.

**Email**

alex.dorscheid@su.ualberta.ca

**Action Requested**

Presentation

**File Upload**



SGBV20Disclosures20Procedure-combined...

# UASU Students' Council Agenda Submission

<b>Council Meeting Date</b>	Tuesday, July 26, 2022
<b>Mover</b>	Dorscheid
<b>Motion</b>	Moves to suspend the standing orders to allow the Sexual Violence Response Coordinator to present for forty-five minutes
<b>Email</b>	alex.dorscheid@su.ualberta.ca
<b>Action Requested</b>	<input type="button" value="Consent Agenda"/>

# Overview of the Draft Sexual Violence Policy Suite

July 2022

Prepared for VP Student Life Joannie Fogue



## Overview

In the context of the work that you and previous Executives have done on this file, this reference document gives a shareable overview of the University's draft sexual violence policy suite, and notable changes from current policy that stem from student advocacy.

## Impetus

Key elements that have contributed to this policy overhaul:

- [The November letter](#), signed by the UASU, GSA, ISA, ASC (now ISU), NASA, and many other student representatives.
- The subsequent [GFC walkout](#).
- Government relations work from and through the Council of Alberta University Students (CAUS), leading to a February 2022 letter from the Minister of Advanced Education and the Associate Minister of Status of Women to all post-secondary institutions in Alberta.

## Documents

The draft suite encompasses the following new or overhauled policies and procedures:

- Sexual and Gender-Based Violence Policy
  - Sexual and Gender-Based Disclosures Procedure
  - Sexual and Gender-Based Violence Disclosure Support Network Information Document
- Student Conduct Policy
  - Student Misconduct Complaint Procedure
  - Student Misconduct Ticket Procedure
  - Student Misconduct Appeal Procedure

## Major Changes from Current Policy Based on Student Advocacy

*Note that much of this material is selected and adapted from a summary document provided to the Board of Governors in May 2022, as well as your own notes.*

- Renames Sexual Violence Policy to Sexual and Gender-Based Violence Policy to include, among other things, intimate partner violence and stalking.
- Total overhaul based on established best practices.
- Requires appropriate training, including trauma-informed and inclusion/anti-oppression training, for investigators, decision-makers, and appeal panel members.
- Centres complaint intake to the Office of the Dean of Students and clarifies complaint processes.

- Elimination of face-to-face hearings (i.e. between complainant and respondent).
- Added explicit mention of history of colonization with reference to sexual violence and deals explicitly with sexual violence against Indigenous people.
- Explicit opportunities for participants to make procedural requests, submit impact statements, and otherwise participate.
- Explicit discussion of supporting complainants throughout the process, including when going through relevant collective agreements.
- Reexamines appeal pathways.
- Provides the complainant with the right to appeal, and sets improved standards for appeal.
- Conversion to trauma-informed plain language for ease of access.
- Tonal shift away from criminal/carceral language and explicit allowance for voluntary non-disciplinary resolution, e.g. restorative practices, where appropriate.
- Specifies timelines.
- Requires the University to periodically review the policy suite.
- Confirms and lays out procedural fairness rights for both complainants and respondents.
- Clarifies elements related to privacy, disclosure, confidentiality, and concurrent criminal or civil proceedings.
- Creates a SGBV Options Navigation Network that sets out a clear platform for different units and decision-makers within the University, producing a consistent approach to processes and training, and reducing burden on student residence assistants.
- Adds interim measures as a tool.
- Clarifies obligations to participate.

### Note on Collective Agreements

The largest remaining gap in the policy suite is the policies' deference to collective agreements (e.g. in section 5(d)(i-ii) of the new SGBV Disclosures Procedure). This is largely unavoidable within the scope of policy development: policies defer to binding collective agreements for legal reasons. Collective agreement negotiations are distinct from policy change processes, and are being addressed separately.

The UASU has consistently raised specific concerns about elements of [the AASUA collective agreement](#), and the University has consistently hesitated to make commitments on this front, including during a broad and tense re-negotiation with AASUA early this year.

Collective agreement issues are long-term problems outside the new Coordinator's authority to address, but raising this point with her can be beneficial.



**Original Approval Date:** June 23, 2017

**Most Recent Approval:**

**Most Recent Editorial Date:** July 20, 2022

**Parent Policy:** Sexual and Gender-Based Violence Policy

## **Sexual and Gender-Based Violence Disclosures Procedure**

<b>Office of Administrative Responsibility:</b>	Vice Provost and Dean of Students Associate Vice-President, Human Resources, Health, Safety and Environment Provost and Vice-President (Academic)
<b>Approver:</b>	Board of Governors General Faculties Council
<b>Scope:</b>	Compliance with this University policy extends to all academic, support and excluded staff, postdoctoral fellows, and academic colleagues as outlined and defined in the <a href="#">Recruitment Policy (Appendix A and Appendix B: Definitions and Categories)</a> ; undergraduate and graduate students and postgraduate learners; emeriti; and members of the Board of Governors.

### Overview

The University is committed to responding to and reducing **sexual and gender-based violence (SGBV)** and addressing its effects by providing:

- supports and resources to **disclosers** and to any other member of the University community who has been affected by SGBV,
- a range of options for disclosers who choose not to make a **complaint**,
- thoughtful and transparent **corrective action**, including **interim measures** and **non-disciplinary accountability options** to ensure the safety of the **learning environment**,



- processes to fairly decide complaints of SGBV, and
- education and training to the University community about SGBV and, in particular, mandatory training for those investigating and deciding complaints of SGBV and those who advise them.

## Purpose

The purpose of this procedure is to:

- provide guidance to members of the University community on receiving and responding to **disclosures** of SGBV,
- establish the **SGBV Options Navigation Network**,
- outline supports, **modifications**, protections, and options the University may be able to offer to disclosers,
- provide authority for the application of interim measures to ensure the safety of the learning environment,
- identify the procedures through which complaints of SGBV will be addressed and, where warranted, discipline imposed,
- set out the rights of the parties to a complaint, and
- address education and training in, and awareness of, SGBV for the University community generally and, in particular, require training for those investigating and deciding complaints of SGBV and those who advise them.

## Procedure

### 1. Guidance on Receiving and Responding to Disclosures

The University's response to a disclosure will, to the extent possible, be guided by the needs of the discloser and their right to a safe and supportive learning environment. In this regard, a discloser can ask the University to provide supports and resources; facilitate academic, residential, recreation and/or work modifications; consider the application of interim measures; request a voluntary non-disciplinary option; and initiate an investigation of a complaint in accordance with the procedures in applicable agreements or policies.

### 2. SGBV Options Navigation Network

- a. The SGBV Options Navigation Network (ONN) is made up of University units with enhanced training to act as system navigators for those who have been subjected to SGBV and are seeking information on their options.

- b. Members of the University community should direct disclosers to an ONN unit to be advised of available options. Designated ONN units are listed on the *SGBV Options Navigation Network* web page.

### **3. Modifications**

- a. Modifications are adjustments to the learning environment made for a discloser in order to reduce, to the extent possible, the negative impacts of the SGBV on their ability to participate in their University related activities and functions.
- b. Disclosers can request modifications from:
  - i. any university employee within their area of authority,
  - ii. the Sexual Assault Centre,
  - iii. in the case of students, the Vice-Provost and Dean of Students, or delegate,
  - iv. in the case of faculty, the Provost and Vice-President (Academic), or delegate,
  - v. in the case of staff, the Vice-President (University Services and Finance), or delegate,
  - vi. in the case of postdoctoral fellows, the Vice-President (Research and Innovation), or delegate.

### **4. Interim Measures**

- a. Interim measures are non-disciplinary conditions or restrictions that may be applied to a person under SGBV allegation. The University may apply interim measures in response to either a disclosure or a complaint where it receives reasonably credible information that would:
  - i. if proven, constitute SGBV, and
  - ii. with regard to all of the circumstances, be a risk to an individual, the learning environment or the integrity of any potential investigation.
- b. The purposes of such interim measures are to establish or restore a safe learning environment for the discloser and/or the community, discourage or prevent further SGBV (including retaliation), protect confidentiality, minimize disruption to the learning environment and/or preserve the University's ability to conduct a thorough investigation.
- c. Having regard to all of the circumstances, where interim measures are applied, they must have a rational connection to the purpose to be served, be proportionate to the impact of the alleged conduct, and be as minimally restrictive as possible to achieve their purposes. As a result, interim measures will be based on considerations including, but not limited to:

- i. the needs of the discloser, and their right to a safe and supportive learning environment,
  - ii. the nature and/or impact of the alleged conduct,
  - iii. reasonably credible information about patterns of conduct or previous history of SGBV or other misconduct,
  - iv. the potential impact of the measures on the person(s) under SGBV allegation, including on their academic program and/or employment,
  - v. the potential impact of the measures on the learning environment,
  - vi. provisions or requirements set out in any relevant university policy or collective agreement, and
  - vii. any other relevant consideration.
- d. Examples of interim measures can be found in the University's *Interim Measures Examples and Supports* web page
- e. The decision to apply interim measures will be made by:
  - i. in the case of students, the Vice-Provost and Dean of Students, or delegate,
  - ii. in the case of faculty, the Provost and Vice-President (Academic) or delegate,
  - iii. in the case of staff, the Vice-President (University Services and Finance), or delegate,
  - iv. in the case of postdoctoral fellows, the Vice-President (Research and Innovation), or delegate.
- f. Decision-makers may consult as needed in determining whether to apply interim measures and the nature of those measures.
- g. In all cases, the decision to apply interim measures must be provided in writing to the individual to whom they are applied and include:
  - i. nature of the alleged conduct,
  - ii. particulars of the measure(s),
  - iii. information about the right to request a reconsideration,

- iv. information about relevant complaint processes, if applicable, and
- v. referrals to supports and/or services.
- h. The substance of the interim measures will also be communicated to the discloser and any individual, department or unit only as necessary to administer the interim measures.
- i. The person(s) to whom interim measures are applied may request a reconsideration from the decision maker after sixty (60) days or such earlier time as agreed to by the decision maker, or at any time based on a change in circumstances or new information.
- j. At any time, the decision-maker may, based on new information or a change in circumstances, reconsider the interim measures applied and renew, revise, or revoke any or all of the measures, or apply additional interim measures, with written reasons for any changes.
- k. The decision-maker must review any existing interim measures, at a minimum, every four months and communicate any changes as a result of that review with reasons to the parties and as needed to administer the measures.

## 5. Procedures to Address Complaints

- a. A complaint is the only option that can result in discipline or sanctions against the person under SGBV allegation. The procedure to address complaints of SGBV is determined by the status of the person under SGBV allegation, for example, whether they are a student, union member, or excluded employee.
- b. In all cases, use of the procedures at the University does not preclude a report to the appropriate law enforcement agency, professional governing body, or pursuing any civil or other remedy available at law.

### **Students**

- c. Complaints of SGBV against students will be addressed using procedures outlined in one or more of the following documents. When the **respondent** is:
  - i. a student, the *Student Misconduct Complaint Procedure*,
  - ii. a student living in a University Residence, the breach of residence agreement process,
  - iii. a student in a practicum placement, the *Practicum Intervention Policy*.

**Employees, academically employed graduate students, postdoctoral fellows, academic colleagues**

- d. Complaints of SGBV against employees, academically employed graduate students (AEGS) or postdoctoral fellows (PDF) or academic colleagues will be resolved in accordance with the procedures set out in their respective collective agreement, employment agreement or appointment. When the respondent is:
- i. a member of the Non Academic Staff Association (NASA), the processes outlined in the collective agreement between the University and NASA,
  - ii. a member of the Association of Academic Staff: University of Alberta (AASUA), the processes outlined in the applicable collective agreement between the University and AASUA;
  - iii. a member of the Postdoctoral Fellows Association (PDFA), the processes outlined in the [\*Postdoctoral Fellows Discipline Procedure\*](#),
  - iv. an employee, AEGS or academic colleague under a collective agreement, employment agreement or appointment not subject to the above processes or, where no procedure exists or is specified in the collective agreement, employment agreement or appointment, the procedure will be determined on a case-by-case basis, ensuring that the parties to a complaint have the right to:
    1. an impartial and unbiased decision-maker,
    2. reasonable disclosure of the allegations in the complaint,
    3. an opportunity to respond to the allegations in the complaint,
    4. an opportunity to respond to or explain any evidence that does not support their accounts of events,
    5. be accompanied by an advisor or representative, and
    6. have their case decided within a reasonable time. Where a procedure does not specify time limits, and depending on the complexity of the complaint, the University will endeavour to complete an investigation normally within four months.

**Additional and external procedures**

- e. Individuals who occupy multiple roles in the University may be subject to more than one of the above procedures and may, therefore, be subject to several

procedures concurrently. Wherever possible, the parties will not be required to provide multiple statements.

- f. In addition to the procedures outlined above for students, employees, AEGS, PDF and academic colleagues, the University may also address a complaint or disclosure concurrently through additional means including, but not limited to:
  - i. the Protocol for Urgent Cases of Disruptive, Threatening or Violent Conduct,
  - ii. the *Trespass to Premises Act* of Alberta,
  - iii. the *Petty Trespass Act* of Alberta,
  - iv. a report to law enforcement, and/or
  - v. a report to a professional governing body.
- g. When the respondent is not subject to the *Sexual and Gender-Based Violence Policy*, the University may address the matter through means including, but not limited to, the *Trespass to Premises Act* of Alberta or the *Petty Trespass Act* of Alberta, reports to the appropriate law enforcement agency or professional governing body.
- h. Where an incident constitutes a health and safety violation, a report to Health, Safety and Environment may also be required. Because these reports are not confidential, any report in the HSE Reporting Portal should include only cursory information and limited identification of individuals.
- i. University SGBV complaint processes are independent of any criminal, civil or other proceedings. Any aspect of an SGBV complaint process may occur concurrently with, prior to, or following any criminal, civil or other proceeding.
  - i. The University is responsible only for determining whether a person subject to this policy has violated this policy and is not responsible for determining violations in any criminal, civil or other proceeding.
  - ii. Subject to the provision of any collective agreement, where an incident is also being addressed by another body or authority, the University may, in its sole discretion, proceed with or suspend an investigation or any aspect of the complaint process under this policy or its associated procedures.

## **6. Rights for Parties to a Complaint Process**

- a. The SGBV complaint processes are guided by the principles of **procedural fairness** and **trauma-informed** practices to ensure that the University's processes do not add to or compound the harm sought to be addressed. The process and outcome(s) of a SGBV complaint can have severe consequences and can itself be stressful, traumatizing and harmful for both complainants and respondents. Accordingly, the complaint process must be conducted with due regard to its effects on both **parties** and in a procedurally fair manner. Investigators and decision-makers will use trauma-informed practices and be mindful to conduct their functions in a way that reduces, to the extent possible, additional harm for both parties to the complaint. As one example, investigators and decision-makers will protect complainants from irrelevant questions or assumptions, including those based on sexual history or expression.
- b. Subject to the provisions of any applicable collective agreement, the parties will have the right to:
  - i. be accompanied by an advisor and/or support person throughout their participation in any investigation, **hearing** or other aspect of the complaint process,
  - ii. be informed of, make and respond to procedural requests,
  - iii. make oral or written representations on their own behalf, through their advisor, support person or other appropriate person, regarding impact and sanction, without a face-to-face encounter, and
  - iv. receive written reasons for the decision.

## 7. Mandatory Training

- a. Investigators, those applying interim measures, and/or deciding complaints of SGBV under any procedure or collective agreement, and anyone advising them, are required to complete appropriate training in:
  - 1. the dynamics of SGBV,
  - 2. trauma-informed practice,
  - 3. procedural fairness, and
  - 4. gender inclusion and anti-oppression.
- b. Information on specific mandatory training is listed in the University's *SGBV Education and Training* web page.

- c. All staff in designated units of the Options Navigation Network (ONN) are required to complete additional training in University options and trauma-informed practice, as specified on the *SGBV Education and Training* web page.

## 8. Education and Prevention

- a. Education and awareness are key to preventing SGBV. All community members subject to the *Sexual and Gender-Based Violence Policy* are encouraged to take advantage of essential learning opportunities related to SGBV.
- b. The University will provide education and awareness campaigns for the entire University community on SGBV including, but not limited to, policy awareness, **consent**, anti-oppression and responding to disclosures.
- c. As other relevant training is developed, it will be offered to students and employees, such as training in bystander intervention, enhanced disclosure training, etc.
- d. Further information about:
  - i. SGBV, see the [Sexual and Gender-Based Violence](#) information website,\
  - ii. receiving and managing a disclosure of SGBV, see the [Responding to a Disclosure of Sexual Assault](#) web page
  - iii. options, support services and resources for persons affected by SGBV, see the *Options, Services and Resources for Those who have Been Subjected to SGBV* web page,
  - iv. the steps or measures the University can take, including modifications to academic program(s), University residence, recreational or other programs, or work environment, in response to a disclosure of SGBV; anonymous or third-party reports, and complaints, see the *Options, Services and Resources for Those who have Been Subjected to SGBV* web page.

## Definitions

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use.	
<b>Sexual and Gender-Based Violence (SGBV)</b>	Any sexual act or act of a sexual nature, or act targeting sexuality, whether physical or psychological, committed without consent, or other forms of abuse and control over



another person, based on their gender, gender expression, gender identity or perceived gender. This includes, but is not limited to the following:

- a. Sexual Assault - Any form of sexual contact without consent. This can include unwanted or forced kissing, fondling, vaginal or anal penetration or touching, or oral sexual contact.
- b. Sexual Harassment - may be broadly defined as unwelcome conduct or comment of a sexual nature which detrimentally affects the learning environment or otherwise leads to adverse consequences for the person who is the target of the harassment. It may consist of unwanted sexual attention, sexually oriented remarks or behaviours or the creation of a negative psychological and emotional environment based on gender, gender identity or sexual orientation. It may be an isolated act or repetitive conduct but cannot be trifling. Retaliation or threat of retaliation against an individual for rejecting a sexual solicitation or advance may also constitute sexual harassment.

The person(s) engaged in harassment need not have the intention to harass; it is the objective assessment of the circumstances that matters. How would a reasonable observer perceive the situation? A complainant need not expressly object to unwelcome conduct or comments, although any clear indication that the behaviour is unwanted will satisfy the test. A complainant's apparent passivity or failure to object overtly to sexual advances does not necessarily signal consent or welcomed behaviour, especially where a power imbalance exists between the individuals.

- c. Stalking - Repeated unwanted contact or communication directed at another person that causes reasonable fear or concern for that person's safety or the safety of others known to them. The harm may be physical, emotional, or psychological, or related to the personal safety, property, education, or employment of an individual.

Stalking can occur physically (such as watching and monitoring, pursuing or following, making threatening or obscene gestures, sending unsolicited gifts), electronically (for example, continuously commenting or contacting via social media, surveillance, letters, text messages, emails or phone calls), directly and/or indirectly through a third party.

- d. Indecent Exposure - Exposing one's genitals, buttocks and/or breasts or inducing another to expose their own genitals, buttocks and/or breasts in non-consensual circumstances, in person or electronically.
- e. Voyeurism - Surreptitiously observing and/or recording another individual's full or partial nudity or sexual activity without the knowledge and consent of all parties involved.
- f. Distribution of Intimate Images - Includes showing, sharing, distributing or streaming of images, video or audio recording of a sexual activity or full or partial nudity of oneself or others, without the consent of all the recipient(s) and the subject(s) of the image or recording, or the threat to do the same.
- g. Nonconsensual condom removal – The act of intentionally removing a condom during sex without the consent of the partner.
- h. Inducing intoxication, impairment or incapacity for the purpose of making another person vulnerable to non-consensual sexual activity.
- i. Intimate partner violence (IPV), also known as dating violence or domestic violence - Abuse or aggression that occurs in a current or former romantic relationship. IPV can range from one episode of violence to chronic and repeated episodes over multiple years. IPV can include physical, sexual, and psychological abuse.
- j. Retaliating against another person in relation to a disclosure or complaint of SGBV. Retaliation includes taking, attempting to take or threatening to take any adverse action, reprisal or retribution of any kind against

	<p>anyone involved in a SGBV process including the person who made a disclosure or complaint, and anyone involved in an investigation or resolution of an allegation of SGBV, or friends or family members of those individuals.</p> <p>Retaliation can take many forms, including threats, intimidation, pressuring, harassment, continued abuse, violence or other forms or threats of harm to others, and be carried out in varying modes, including in person, via electronic communication or through third parties. Retaliation can also include adverse employment or educational actions taken or threatened against an individual because of participation in the reporting, investigating and/or resolution of an alleged violation of this policy, or any conduct that would discourage a person from participating.</p> <p>k. Other analogous conduct.</p>
<b>Discloser</b>	Any person within the scope of this policy who discloses having been subjected to SGBV.
<b>Complaint</b>	A type of disclosure made to a University official that alleges SGBV misconduct for the express purpose of initiating a formal University disciplinary process, including an investigation and decision on disciplinary action.
<b>Corrective action</b>	Corrective action includes, but is not limited to, interim measures, modifications, formal discipline for faculty, staff or students, and/or non-disciplinary accountability options.
<b>Interim measures</b>	<p>Non-disciplinary conditions or restrictions that the University may apply to a person within the scope of this policy alleged to have committed a violation under this policy. Such conditions may be applied in response to a disclosure or complaint.</p> <p>The purposes of interim measures are to ensure the discloser's safety or the safety of the University's learning environment, to remove barriers to the discloser's access to the learning environment, to discourage or prevent retaliation, prevent further</p>

	<p>harm and/or preserve the University's ability to conduct an investigation.</p> <p>Interim measures are not based on a finding of a policy violation, are not considered sanctions under any University complaint process, and will not be interpreted or used as evidence that the person under allegation committed misconduct.</p>
<b>Non-disciplinary accountability options</b>	<p>Collaborative facilitated processes to explore interpersonal or institutional accountability options outside of a complaint.</p> <p>Typically requested by the discloser but voluntary for all parties, interpersonal accountability options are intended to be flexible and creative, and may include, but are not limited to: restorative practices, transformative justice, culturally-specific and appropriate practices, peacemaking circles, educational and other remedial activities.</p> <p>Institutional accountability options may include review of policy, procedure or practice to encourage disclosures and/or discourage SGBV; examination of factors contributing to or permitting SGBV in a specific department, unit or area; and initiatives or projects with the aim of creating or fostering a safe and supportive learning environment.</p>
<b>Learning environment</b>	<p>The learning environment is to be understood broadly to encompass all aspects of University life. It includes:</p> <ul style="list-style-type: none"> <li>• physical and virtual spaces where University teaching, learning, work, research, residence, recreational and social activities take place;</li> <li>• activities, including, but not limited to, teaching, research, studying, work, administration, meetings, public service, travel, conferences, and training; and</li> </ul> <p>University events and activities, including public lectures, performances, student group events, and social or sports activities.</p>
<b>Disclosure</b>	<p>Any verbal or written report or account by any person within the scope of this policy to a member of the University community that they have been subjected to SGBV, often for the purpose of seeking support or assistance.</p>

<b>SGBV Options Navigation Network (ONN)</b>	Units or areas where specially trained staff review all options and resources available to a discloser or a person supporting a discloser, specific to the discloser's needs.
<b>Modifications</b>	Adjustments the University may be able to make for any person within the scope of this policy who discloses having been subjected to SGBV. The modifications may relate to their academic program, employment, University residence or recreational or other programs and are designed to mitigate the impact of SGBV on their access to or participation in the learning environment.
<b>Respondent</b>	The person who is the subject of a complaint under this policy.
<b>Procedural fairness</b>	The elements of the process used by a decision-making body authorized by statute or policy to make a decision that affects an individual's rights, privileges, or interests, that give effect to an individual's right to reasonable notice of the case to meet, the opportunity to respond and the right to an impartial decision maker.
<b>Trauma-informed</b>	An approach to processes, procedures, and service provision that incorporates and responds to the effects of trauma. A trauma-informed approach takes into account the potential effects of trauma on cognition, memory and behaviour and incorporates steps to address the needs created by trauma and to prevent retraumatization.
<b>Party</b>	A complainant or a person who is the subject of a University SGBV complaint.
<b>Hearing</b>	The opportunity for complainants and respondents to challenge or provide information, arguments, evidence and responses in a complaint process. A hearing can take the form of written document exchange or an oral meeting, either virtual or in-person.
<b>Consent</b>	Consent is a voluntary, ongoing, active and conscious agreement to engage in the sexual activity in question. Consent or a "yes" that is obtained through pressure, coercion, force, threats or by

	<p>inducing intoxication, impairment or incapacity is not voluntary consent. Silence or ambiguity do not constitute consent.</p> <p>Additionally, there is no consent when:</p> <ul style="list-style-type: none"> <li>• it is given by someone else.</li> <li>• the person is unconscious, sleeping, highly intoxicated or high, or otherwise lacks the capacity to consent.</li> <li>• it was obtained through the abuse of a position of power, trust or authority.</li> <li>• the person does not indicate “yes”, says “no” or implies “no” through words or behaviours.</li> <li>• the person changes their mind and withdraws their consent.</li> </ul> <p>Consent cannot be implied (for example, by a current or past relationship, by consent to another activity, or by failure to say “no” or resist). In addition, consent cannot be given in advance of sexual activity that is expected to occur at a later time. It is the responsibility of the person wanting to engage in sexual activity to obtain clear consent from the other and to recognize that consent can be withdrawn at any time.</p>
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## Related Links

### Supports and Resources

- [Association of Academic Staff, University of Alberta \(AASUA\)](#)
- [Wellness Supports](#)
- [Counselling and Clinical Services](#)
- [Employee Family Assistance Program \(EFAP\)](#)
- [Homewood Pathfinder](#)
- [Faculty of Graduate Studies and Research](#)
- [Graduate Students' Association](#)
- [Graduate Student Assistance Program \(GSAP\)](#)
- [Health, Safety and the Environment \(HSE\) Management System](#)
- [Human Resources, Health, Safety and the Environment](#)
- [Interfaith Chaplains' Association](#)
- [the Landing](#)
- [Non Academic Staff Association \(NASA\)](#)
- [Office of the Dean of Students](#)
- [Office of Safe Disclosure and Human Rights](#)
- [Office of the Student Ombuds](#)
- [Peer Support Centre](#)
- [Postdoctoral Fellows Assistance Program \(PDAP\)](#)
- [Postdoctoral Fellows Association](#)
- [Residence Services](#)

- [Sexual Assault Centre](#)
- [Sexual Assault Centre of Edmonton](#)
- [Students' Union](#)
- [University of Alberta Protective Services](#)

### **Information**

- [Sexual and Gender-Based Violence Information and Resources](#)
- Options, Resources and Services for those who have Been Subjected to SGBV
- Interim Measures Examples and Supports
- SGBV Education and Training
- SGBV Options Navigation Network Expectations and Training
- [Options for Survivors of Sexual Assault](#)
- [Responding to a Disclosure of Sexual Assault](#)

### **Complaint mechanisms**

- [AASUA Common Agreement](#)
- [Graduate Student Assistantship Collective Agreement](#)
- [NASA Collective Agreement](#)
- [Postdoctoral Fellows Association Collective Agreement](#)
- Student Conduct Policy
- [HSE Management System Reporting Portal](#) (non-confidential)

### **Related policies**

- [Access to Information and Protection of Privacy Policy](#)
- [Discrimination, Harassment and Duty to Accommodate Policy](#)
- [Ethical Conduct and Safe Disclosure Policy](#)
- [Helping Individuals At Risk Policy](#)
- [Protocol for Urgent Cases of Violent, Threatening or Disruptive Behaviour](#)
- [Conflict Policy – Conflict of Interest and Commitment and Institutional Conflict](#)
- Hazard Identification, Assessment, and Control Procedure, [Appendix B - Violence Prevention](#)
- [Community Standards Policy for University Residences](#)

If any of the links are broken, please contact [uappol@ualberta.ca](mailto:uappol@ualberta.ca)



**Original Approval Date:** June 23, 2017

**Most Recent Approval:**

**Most Recent Editorial Date:** July 20, 2022

## **Sexual and Gender-Based Violence Policy**

<b>Office of Accountability:</b>	Provost and Vice-President (Academic) Vice-President (University Services and Finance)
<b>Office of Administrative Responsibility:</b>	Vice-Provost and Dean of Students Associate Vice-President, Human Resources, Health, Safety and Environment Provost and Vice-President (Academic)
<b>Approver:</b>	Board of Governors General Faculties Council
<b>Scope:</b>	Compliance with this University policy extends to all academic, support and excluded staff, postdoctoral fellows, and academic colleagues as outlined and defined in the <a href="#">Recruitment Policy</a> ( <a href="#">Appendix A</a> and <a href="#">Appendix B</a> : Definitions and Categories); undergraduate and graduate students and post-graduate learners; emeriti; and members of the Board of Governors.

### **Overview**

**Sexual and gender-based violence (SGBV)** is a complex and serious problem in society and on university campuses. SGBV can affect individuals of all gender identities, gender expressions, and sexual orientations, as well as those of all ages, abilities, racial, cultural and economic backgrounds. The impact of SGBV is exacerbated for those at the **intersections** of multiple social locations for whom additional barriers exist, with disproportionately adverse impacts on queer and trans, Indigenous, Black, and people of colour. SGBV is just one form of violence used in colonization to marginalize Indigenous peoples up to the present day, as evidenced by Canada’s murdered and missing Indigenous women, girls, and Two Spirit people.



The University recognizes the harm caused by a culture in which common attitudes, norms and practices tolerate, normalize, trivialize, excuse or outright condone SGBV. Sometimes called “rape culture”, it is perpetuated in a variety of ways such as through images, television, music, jokes, advertising, jargon, words and figures of speech that normalize sexual coercion and shift blame onto those who have experienced sexual violence. Additionally, rigid conceptions of gender binary and gender roles in which masculine traits are privileged and feminine traits marginalized contribute to gender-based violence.

As an institution that exists in this context, the University takes seriously its responsibility to reduce SGBV by fostering a culture of **consent**, gender inclusivity, anti-oppression and support. In addition, the University will engage in various preventative activities, including communication, education, training and policy.

## Purpose

The purpose of this policy is to:

- set out the principles that guide the application and interpretation of this policy and its associated procedures;
- articulate the commitment to those affected by SGBV;
- set out the responsibilities of the institution, senior leaders, and the University community with respect to SGBV;
- provide clear information on privacy, disclosure and confidentiality;
- provide for the creation of guides to interpret and apply this policy;
- provide for periodic review of this policy and its related procedures; and
- provide definitions which apply to this policy and its related procedures.

## Policy

### 1. Guiding Principles

This policy and its associated procedures are guided by and will be interpreted and applied by reference to the following principles:

- a. The University is obligated to maintain a safe, vibrant and supportive **learning environment** (which includes all learning, research, work and community activities and spaces), and to foster a community in which SGBV is not tolerated. In addition, the University recognizes and values:

- i. the inherent dignity of all people,
  - ii. the importance of fostering a culture of consent, inclusion, thoughtful action and support through education, training, policy initiatives and communications,
  - iii. the need to identify and dismantle barriers to making a **disclosure** and/or **complaint**,
  - iv. the need for access to support and options for **disclosers** or anyone who has been affected by SGBV,
  - v. the legitimacy of options for accountability and/or healing outside of complaint processes, especially to address the differential impacts and harms complaint processes may have on those with intersecting social locations, and
  - vi. equity, **procedural fairness**, **trauma-informed** practice, and support for the **parties** to complaint processes related to SGBV.
- b. SGBV is prohibited and constitutes misconduct and is subject to the disciplinary processes laid out in the *Sexual and Gender-Based Violence Disclosure Procedure*.
  - c. Disclosers will have access to support, regardless of where or when the SGBV occurred.
  - d. Where the SGBV has affected the learning environment, disclosers will have access to a range of options to restore or establish a safe and vibrant learning environment.
  - e. Where the University has jurisdiction, complaints will be addressed under the applicable policies or procedures, including, for example, the *Student Misconduct Procedure*, the PDFA, NASA, AASUA or GSA collective agreements, or other applicable employment contracts and agreements, as identified in the *Sexual and Gender-Based Violence Disclosures Procedure*. Where there is a conflict between this policy and a collective agreement, the collective agreement will take precedence.

## 2. Commitment to Those Who Have Been Subjected to Sexual and Gender-Based Violence

- a. SGBV can have serious and enduring negative effects on physical, mental, emotional and spiritual health and wellness. The University recognizes the possible effects of trauma on those who have been subjected to SGBV and supports the efforts of individuals to seek support and recover. Regardless of where or when it took place, any person who discloses and/or makes a complaint of SGBV can expect to be:

- i. treated with respect, dignity and compassion,
  - ii. informed about on- and off-campus resources and supports, including culturally-specific resources, where available,
  - iii. provided with access to non-judgmental and coordinated support to mitigate barriers to participation in the learning environment that occur as a result of SGBV,
  - iv. offered options for **modifications** to prevent further unwanted contact with the subject of the disclosure and reduce, to the extent possible, the negative impacts of the SGBV on the discloser's ability to access and participate in the learning environment,
  - v. informed of any available **non-disciplinary accountability options**,
  - vi. provided with information about available complaint processes should they wish to pursue a complaint within the University and/or to an external law enforcement agency,
  - vii. offered safety planning assistance, and
  - viii. provided with an anonymous or third party reporting option as outlined on the *Options, Services and Resources for Those who have Been Subjected to SGBV* web page.
- b. In order to remove barriers to disclosing or making a complaint under this policy:
- i. disclosers will not be subject to disciplinary action for their own prohibited alcohol or substance use connected with the incident(s) of SGBV;
  - ii. in any complaint process, investigators and decision-makers will protect complainants from irrelevant questions and/or assumptions, including those based on sexual history or expression.
- c. Subject to the limitations set out in sections 4 and 5 of this policy, disclosers will be considered the primary decision-makers in matters pertaining to themselves. As such, they can determine whether, to whom and what to disclose, choose from a range of options, decide whether to make a complaint within the University, and determine the extent of their participation in any University process. In addition, disclosers may choose to make a complaint to an external law enforcement agency, professional regulatory body, or engage any civil legal process.

### 3. Responsibilities

- a. The University recognizes its institutional responsibility to:
  - i. provide an effective policy and procedures to address and prevent SGBV,
  - ii. raise awareness about the policy and procedures and relevant support services on campus through institution-wide education,
  - iii. raise awareness of consent, gender inclusivity, SGBV prevention, and appropriate responses to disclosures of SGBV through institution-wide education,
  - iv. ensure equity, procedural fairness and trauma-informed practice for parties to a complaint, including timely resolution,
  - v. maintain safe, confidential and neutral mechanisms for individuals to disclose or make an SGBV complaint,
  - vi. ensure the safety of the learning environment by various preventative and responsive means, including the application of **interim measures** and other **corrective action**, where appropriate,
  - vii. provide coordinated and comprehensive supports for disclosers to reduce barriers to participation in the learning environment that occur as a result of SGBV,
  - viii. develop capacity and create space for voluntary accountability, restoration, and/or transformation for everyone involved wherever possible, both within and outside of complaints processes, and
  - ix. require that all individuals involved in administering, advising on, investigating or adjudicating SGBV complaints in any University complaint process have appropriate training as outlined on the *SGBV Education and Training* web page.
- b. All senior leaders, including the President, Vice-Presidents, Associate Vice-Presidents, Deans, Directors, Chairs, Chiefs of Staff, General Managers, and other officers of the University exercise administrative responsibility to implement this policy and the related procedures within their respective areas of responsibility, including by creating, supporting and maintaining a learning environment free from SGBV that promotes a culture of consent and inclusivity.
- c. All of those subject to this Policy are responsible for fostering respect and dignity for each other by encouraging a culture of consent and inclusivity; and for contributing to an environment in which individuals feel safe and supported in disclosing experiences of SGBV.

## 4. Protection of Personal Information

- a. Protecting personal information is essential for creating an environment where disclosers feel safe in disclosing their experience and seeking support. The privacy of those involved in a disclosure or complaint of SGBV will be protected to the extent possible. Possible limits to the University's ability to do so include when:
  - i. there is a risk of harm to self or others;
  - ii. as necessary to administer modifications, interim measures, other corrective actions, any complaint process or other option; or
  - iii. reporting or action is required or authorized by law, including but not limited to, under the *Occupational Health and Safety Act* of Alberta or the *Freedom of Information and Protection of Privacy Act* of Alberta.
- b. In such cases, the use or disclosure of personal information will be limited to that which is reasonably necessary and only to those with a need to know. Whether or not the University can maintain privacy around a disclosure will be determined on a case by case basis. The University will endeavour to inform all parties of these limits on its ability to protect personal information.

## 5. Confidentiality

- a. University employees will only use or disclose personal information that they learn solely as a result of receiving a disclosure or administering or participating in a University process related to SGBV in accordance with section 4 above. Contact the Information and Privacy Office for guidance about confidentiality and privacy.
- b. Parties and witnesses should not make public another person's personal information that they learn solely through any University process such as a disclosure, complaint, investigation, interim measures, modifications, corrective actions or non-disciplinary accountability options and should refrain from:
  - i. posting another person's personal information on social media or online,
  - ii. distributing confidential University documents in whole or in part,
  - iii. sharing another person's personal information with individuals outside of their immediate circle of support, and
  - iv. prompting or eliciting others to disclose another person's personal information.
- c. The University does not prohibit parties and witnesses from speaking about their own experiences in order to seek support for healing or rehabilitation. However, when disclosing

another person’s personal information for the purpose of support, the party or witness is also responsible for communicating the need to keep the information confidential.

- d. In any event, inappropriate disclosure of another person’s personal information may affect the integrity of a University process, breach another person’s privacy rights, and/or bring about other legal risks for the individual who breaches another person’s privacy rights.

## 6. Guides for Interpreting and Applying this Policy

- a. Additional information to guide the interpretation and application of this policy and the associated procedures is located on the Office of the Provost website.
- b. The **Sexual Violence Response Coordinator (SVRC)** is responsible for generating information to guide the interpretation and application of this policy and its associated procedures and keeping that information current and up to date. Links to specific guidance on the University’s Sexual and Gender-Based Violence website include:
  - i. Interim Measures Examples and Supports
  - ii. Options, Resources and Services for those who have Been Subjected to SGBV
  - iii. SGBV Education and Training
  - iv. SGBV Options Navigation Network

## 7. Review

- a. This policy will be reviewed from time to time as necessary to ensure that it reflects best and promising practices and, at a minimum, it will be reviewed every five years.

## Definitions

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use.	
<b>Sexual and Gender-Based Violence (SGBV)</b>	Any sexual act or act of a sexual nature, or act targeting sexuality, whether physical or psychological, committed without consent, or other forms of abuse and control over another person, based on their gender, gender expression,

gender identity or perceived gender. This includes, but is not limited to the following:

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The person(s) engaged in harassment need not have the intention to harass; it is the objective assessment of the circumstances that matters. How would a reasonable observer perceive the situation? A complainant need not expressly object to unwelcome conduct or comments, although any clear indication that the behaviour is unwanted will satisfy the test. A complainant's apparent passivity or failure to object overtly to sexual advances does not necessarily signal consent or welcomed behaviour, especially where a power imbalance exists between the individuals.

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Stalking can occur physically (such as watching and monitoring, pursuing or following, making threatening or obscene gestures, sending unsolicited gifts), electronically (for example, continuously commenting or contacting via social media, surveillance, letters, text messages, emails or phone calls), directly and/or indirectly through a third party.

- d. Indecent Exposure - Exposing one's genitals, buttocks and/or breasts or inducing another to expose their own genitals, buttocks and/or breasts in non-consensual circumstances, in person or electronically.
- e. Voyeurism - Surreptitiously observing and/or recording another individual's full or partial nudity or sexual activity without the knowledge and consent of all parties involved.
- f. Distribution of Intimate Images - Includes showing, sharing, distributing or streaming of images, video or audio recording of a sexual activity or full or partial nudity of oneself or others, without the consent of all the recipient(s) and the subject(s) of the image or recording, or the threat to do the same.
- g. Nonconsensual condom removal – The act of intentionally removing a condom during sex without the consent of the partner.
- h. Inducing intoxication, impairment or incapacity for the purpose of making another person vulnerable to non-consensual sexual activity.
- i. Intimate partner violence (IPV), also known as dating violence or domestic violence - Abuse or aggression that occurs in a current or former romantic relationship. IPV can range from one episode of violence to chronic and repeated episodes over multiple years. IPV can include physical, sexual, and psychological abuse.
- j. Retaliating against another person in relation to a disclosure or complaint of SGBV. Retaliation includes



	<p>taking, attempting to take or threatening to take any adverse action, reprisal or retribution of any kind against anyone involved in a SGBV process including the person who made a disclosure or complaint, and anyone involved in an investigation or resolution of an allegation of SGBV, or friends or family members of those individuals.</p> <p>Retaliation can take many forms, including threats, intimidation, pressuring, harassment, continued abuse, violence or other forms or threats of harm to others, and be carried out in varying modes, including in person, via electronic communication or through third parties. Retaliation can also include adverse employment or educational actions taken or threatened against an individual because of participation in the reporting, investigating and/or resolution of an alleged violation of this policy, or any conduct that would discourage a person from participating.</p> <p>Other analogous conduct.</p>
<p><b>Intersectional(ity)/ intersection(s)</b></p>	<p>The acknowledgement that an individual can occupy multiple political and social locations, for example, along racial, gender, sexual, religious, ability, class and other lines, and that overlapping social locations can create a complex system of discrimination where individuals face compounded disadvantages.</p>
<p><b>Consent</b></p>	<p>Consent is a voluntary, ongoing, active and conscious agreement to engage in the sexual activity in question. Consent or a “yes” that is obtained through pressure, coercion, force, threats or by inducing intoxication, impairment or incapacity is not voluntary consent. Silence or ambiguity do not constitute consent.</p> <p>Additionally, there is no consent when:</p> <ul style="list-style-type: none"> <li>● it is given by someone else.</li> <li>● the person is unconscious, sleeping, highly intoxicated or high, or otherwise lacks the capacity to consent.</li> <li>● it was obtained through the abuse of a position of power, trust or authority.</li> </ul>

	<ul style="list-style-type: none"> <li>the person does not indicate “yes”, says “no” or implies “no” through words or behaviours.</li> <li>the person changes their mind and withdraws their consent.</li> </ul> <p>Consent cannot be implied (for example, by a current or past relationship, by consent to another activity, or by failure to say “no” or resist). In addition, consent cannot be given in advance of sexual activity that is expected to occur at a later time. It is the responsibility of the person wanting to engage in sexual activity to obtain clear consent from the other and to recognize that consent can be withdrawn at any time.</p>
<b>Learning environment</b>	<p>The learning environment is to be understood broadly to encompass all aspects of University life. It includes:</p> <ul style="list-style-type: none"> <li>physical and virtual spaces where University teaching, learning, work, research, residence, recreational and social activities take place;</li> <li>activities, including, but not limited to, teaching, research, studying, work, administration, meetings, public service, travel, conferences, and training; and</li> </ul> <p>University events and activities, including public lectures, performances, student group events, and social or sports activities.</p>
<b>Disclosure</b>	<p>Any verbal or written report or account by any person within the scope of this policy to a member of the University community that they have been subjected to SGBV, often for the purpose of seeking support or assistance.</p>
<b>Complaint</b>	<p>A type of disclosure made to a University official that alleges SGBV misconduct for the express purpose of initiating a formal University disciplinary process, including an investigation and decision on disciplinary action.</p>
<b>Discloser</b>	<p>Any person within the scope of this policy who discloses having been subjected to SGBV.</p>

<b>Procedural fairness</b>	The elements of the process used by a decision-making body authorized by statute or policy to make a decision that affects an individual’s rights, privileges, or interests, that give effect to an individual’s right to reasonable notice of the case to meet, the opportunity to respond and the right to an impartial decision maker.
<b>Trauma-informed</b>	An approach to processes, procedures, and service provision that incorporates and responds to the effects of trauma. A trauma-informed approach takes into account the potential effects of trauma on cognition, memory and behaviour and incorporates steps to address the needs created by trauma and to prevent retraumatization.
<b>Party</b>	A complainant or a person who is the subject of a University SGBV complaint.
<b>Modifications</b>	Adjustments the University may be able to make for any person within the scope of this policy who discloses having been subjected to SGBV. The modifications may relate to their academic program, employment, University residence or recreational or other programs and are designed to mitigate the impact of SGBV on their access to or participation in the learning environment.
<b>Non-disciplinary accountability options</b>	<p>Collaborative facilitated processes to explore interpersonal or institutional accountability options outside of a complaint.</p> <p>Typically requested by the discloser but voluntary for all parties, interpersonal accountability options are intended to be flexible and creative, and may include, but are not limited to: restorative practices, transformative justice, culturally-specific and appropriate practices, peacemaking circles, educational and other remedial activities.</p> <p>Institutional accountability options may include review of policy, procedure or practice to encourage disclosures and/or discourage SGBV; examination of factors contributing to or permitting SGBV in a specific department, unit or area; and initiatives or projects with</p>

	the aim of creating or fostering a safe and supportive learning environment.
<b>Interim measures</b>	<p>Non-disciplinary conditions or restrictions that the University may apply to a person within the scope of this policy alleged to have committed a violation under this policy. Such conditions may be applied in response to a disclosure or complaint.</p> <p>The purposes of interim measures are to ensure the discloser's safety or the safety of the University's learning environment, to remove barriers to the discloser's access to the learning environment, to discourage or prevent retaliation, prevent further harm and/or preserve the University's ability to conduct an investigation.</p> <p>Interim measures are not based on a finding of a policy violation, are not considered sanctions under any University complaint process, and will not be interpreted or used as evidence that the person under allegation committed misconduct.</p>
<b>Corrective action</b>	Corrective action includes, but is not limited to, interim measures, modifications, formal discipline for faculty, staff or students, and/or non-disciplinary accountability options.
<b>SVRC</b>	Sexual Violence Response Coordinator, or delegate.

## Related Links

### Supports and Resources

- [Association of Academic Staff, University of Alberta \(AASUA\) Wellness Supports](#)
- [Counselling and Clinical Services](#)
- [Employee Family Assistance Program \(EFAP\)](#)
- [Homewood Pathfinder](#)
- [Faculty of Graduate Studies and Research](#)
- [Graduate Students' Association](#)
- [Graduate Student Assistance Program \(GSAP\)](#)

- [Health, Safety and the Environment \(HSE\) Management System](#)
- [Human Resources, Health, Safety and the Environment](#)
- [Interfaith Chaplains' Association](#)
- [the Landing](#)
- [Non Academic Staff Association \(NASA\)](#)
- [Office of the Dean of Students](#)
- [Office of Safe Disclosure and Human Rights](#)
- [Office of the Student Ombuds](#)
- [Peer Support Centre](#)
- [Postdoctoral Fellows Assistance Program \(PDAP\)](#)
- [Postdoctoral Fellows Association](#)
- [Residence Services](#)
- [Sexual Assault Centre](#)
- [Sexual Assault Centre](#) of Edmonton
- [Students' Union](#)
- [University of Alberta Protective Services](#)

#### Information

- [Sexual and Gender-Based Violence Information and Resources](#)
- Options, Resources and Services for those who have Been Subjected to SGBV
- Interim Measures Examples and Supports
- SGBV Education and Training
- SGBV Options Navigation Network Expectations and Training
- [Options for Survivors of Sexual Assault](#)
- [Responding to a Disclosure of Sexual Assault](#)

#### Complaint mechanisms

- [AASUA Common Agreement](#)
- [Graduate Student Assistantship Collective Agreement](#)
- [NASA Collective Agreement](#)
- [Postdoctoral Fellows Association Collective Agreement](#)
- Student Conduct Policy
- [HSE Management System Reporting Portal](#) (non-confidential)

#### Related policies

- [Access to Information and Protection of Privacy Policy](#)
- [Discrimination, Harassment and Duty to Accommodate Policy](#)
- [Ethical Conduct and Safe Disclosure Policy](#)
- [Helping Individuals At Risk Policy](#)

- [Protocol for Urgent Cases of Violent, Threatening or Disruptive Behaviour](#)
- [Conflict Policy – Conflict of Interest and Commitment and Institutional Conflict](#)
- Hazard Identification, Assessment, and Control Procedure, [Appendix B - Violence Prevention](#)
- [Community Standards Policy for University Residences](#)

If any of the links are broken, please contact [uappol@ualberta.ca](mailto:uappol@ualberta.ca)

## Published Procedures of This Policy

- [Sexual and Gender-Based Violence Disclosures Procedure](#)

Original Approval Date:  
Most Recent Approval:  
Most Recent Editorial Date:

## Student Conduct Policy

<b>Office of Accountability:</b>	Provost and Vice-President (Academic)
<b>Office of Administrative Responsibility:</b>	Vice-Provost and Dean of Students
<b>Approver:</b>	General Faculties Council
<b>Scope:</b>	Compliance with this University policy extends to all University of Alberta <b>students</b> as defined in this policy.

### Overview

The University is defined by tradition as a community of people dedicated to the pursuit of truth and advancement of knowledge, and as a place where there is freedom to teach, freedom to engage in research, freedom to create, freedom to learn, freedom to study, freedom to speak, freedom to associate, freedom to write and to publish. However, these freedoms come with the responsibility to respect and not infringe upon these freedoms when they are exercised by others. For these freedoms to exist, it is essential to maintain a **learning environment** that fosters the safety, security, and the inherent dignity of each member of the community.

### Purpose

The purpose of this policy is to:

- set out the conditions under which this policy applies;
- set out the principles that will guide the interpretation and application of this policy;
- provide clarity on privacy, disclosure and confidentiality;
- identify behaviours which are unacceptable and constitute student misconduct;
- situate the student conduct process in relation to concurrent proceedings;

- authorize measures to enhance safety and ensure equitable access to the learning environment;
- describe the standard of proof;
- describe acceptable evidence;
- authorize and set out the principles that will guide the application of sanctions for **misconduct** that has been found to have occurred;
- clarify expectations of **parties** to a complaint;
- stipulate required training for **investigators** and decision-makers in the student conduct process;
- identify sources of on campus assistance;
- articulate the delegated authority, under the *Post-Secondary Learning Act of Alberta* (PSLA) to discipline students, subject to an appeal to the Board;
- provide for periodic review of, and amendments to, this policy and its related procedures; and
- provide definitions which apply to this policy and its related procedures.

## Policy

The University acknowledges the values of academic engagement, respectful debate, peaceful assemblies and demonstrations, and participation in the many aspects of University life as ways to enhance intellectual growth, health and wellbeing, and a sense of belonging. The misconduct listed in this policy describes, in general terms, behaviours which if left unchecked would, to an unacceptable degree, disrupt the learning environment, threaten the proper functioning of the University and/or negatively affect the property or reputation of the university, which benefit all members of the University community.

### 1. Application

This policy applies to all misconduct by a student or by students, by any means whatsoever, (including virtual or online conduct) that has a real and substantial link to or a material effect on the learning environment, whether or not it occurred on or in relation to University property. The determination of whether any misconduct has a real and substantial link or material effect may be made by the Office of the Dean of Students, an investigator or any person or body authorized to make decisions in the disciplinary processes set out in this policy.

### 2. Guiding Principles

This policy and its associated procedures are guided by and will be interpreted and applied by reference to the following principles:

- a. The University is responsible for taking reasonable steps to ensure the safety of all



members of the University community, its visitors and the proper functioning of the University.

- b. All members of the University community are entitled to expect safe and equitable access to a vibrant and supportive learning environment.
- c. The University will create a supportive space for students to be accountable and provide redress to individuals and/or the community affected by the harm resulting from their misconduct. Wherever possible and appropriate, individuals are encouraged to explore **non-disciplinary accountability options**, including educational, developmental, restorative, transformative, or other voluntary facilitated resolution options.
- d. The student cycle at the University necessitates a timely way to address conduct that negatively affects the University community and the learning environment. Misconduct that interferes with full participation in the learning environment must be addressed expeditiously and fairly.
- e. Parties to a complaint are entitled to an appropriate level of **procedural fairness**. **Complainants** and **respondents** under this policy have the right to
  - i. an impartial and appropriately trained decision-maker;
  - ii. have their case decided within a reasonable time;
  - iii. timely communication;
  - iv. consult with an **advisor**, to be accompanied and assisted at any **hearing** by an advisor, and to be advised of these rights;
  - v. reasonable disclosure of the allegations in the complaint;
  - vi. reasonable opportunity to respond to the allegations in the complaint;
  - vii. reasonable notice of the time, place, and nature of any hearing;
  - viii. an opportunity to respond to or explain any evidence that does not support their accounts of events;
  - ix. provide evidence and suggest witnesses or lines of inquiry;
  - x. be provided with the reasons for any decision made under this policy; and
  - xi. where applicable, be reasonably accommodated under the *Discrimination, Harassment and Duty to Accommodate Policy*.

### **3. Privacy and Personal Information**

- a. Any use and disclosure of personal information contemplated in this policy and the related procedures will be in accordance with the *Freedom of Information and Protection of Privacy Act* of Alberta.
- b. Privacy and the protection of personal information are essential for creating an environment where parties to a complaint feel safe in discussing their experiences and responding to allegations. The privacy of those involved in a complaint will be protected; however, it is important to note that there may be limits to the University's ability to do so, when:
  - i. there is a risk of harm to self or others;
  - ii. reporting or action is required or authorized by law, including but not limited to, under the *Freedom of Information and Protection of Privacy Act* of Alberta; or
  - iii. as necessary to administer interim measures, an investigation, hearings, or other elements of the student conduct process.
- c. In such cases, the use or disclosure of information will be limited to that which is reasonably necessary and only to those with a need to know. Whether or not the University can maintain privacy around a disclosure will be determined on a case by case basis.
- d. The University will endeavour to inform all parties of the limits of protection of personal privacy and confidentiality.

### **4. Confidentiality of the Student Misconduct Process**

- a. University employees will only use or disclose personal information that they learn solely as a result of administering or participating in a University process related to student conduct in accordance with section 3 above. Contact the Information and Privacy Office for guidance about confidentiality and privacy.
- b. Parties and witnesses should not make public another person's personal information that they learn solely through any University process such as a complaint, investigation, interim measures, modifications, or non-disciplinary accountability options and should refrain from:
  - i. posting another person's personal information on social media or online,
  - ii. distributing confidential documents in whole or in part,
  - iii. sharing another person's personal information with individuals outside of

their immediate circle of support, and

- iv. prompting or eliciting others to disclose another person's personal information.
- c. The University does not prohibit parties and witnesses from speaking about their own experiences in order to seek support for healing or rehabilitation. However, when disclosing another person's personal information for the purpose of support, the party or witness is also responsible for communicating the need to keep the information confidential.
- d. In any event, inappropriate disclosure of another person's personal information may affect the integrity of a University process, breach another person's privacy rights, and/or bring about other legal risks for the individual who breaches another person's privacy rights.

## 5. Misconduct

- a. The conduct listed in Schedules A and B is prohibited and constitutes misconduct for which a complaint may be made under this policy.

## 6. Concurrent Criminal, Civil or Other Proceedings

- a. This policy and its associated procedures are independent of any criminal, civil or other proceedings. The University is responsible for determining whether a student has violated this policy and is not responsible for determining violations of criminal or civil law.
- b. Any aspect of the complaint process under this policy or its associated procedures may occur concurrently with, prior to, or following any criminal, civil or other proceeding.
- c. Where an incident is also being addressed by another body or authority, the University may, in its sole discretion, proceed with or suspend any aspect of the complaint process under this policy or its associated procedures.

## 7. Equity and Safety Measures

- a. Where ongoing safety concerns and/or barriers to full participation in the learning environment exist, the University may apply **interim measures**.
- b. In cases involving serious disruption, threats and violence, the University may invoke the [Protocol for Urgent Cases of Disruptive, Threatening or Violent Conduct](#).

- c. Where applicable and necessary, the University may address the matter through means including, but not limited to, the *Trespass to Premises Act* of Alberta or the *Petty Trespass Act* of Alberta, reports to the appropriate law enforcement agency or professional governing body.

## 8. Standard of Proof

- a. All determinations that a violation of this policy has been established will be made on a **balance of probabilities** standard.

## 9. Evidence

- a. The student conduct process is not bound by the same rules of evidence as would apply in a court of law such as the *Alberta Evidence Act* or the law of evidence applicable to judicial proceedings. Decision makers under this policy and associated procedures can accept and consider any credible information that is relevant to the complaint including, for example, hearsay evidence.

## 10. Sanctions

- a. The aim of sanctions in general is to:
  - i. foster a safe, supportive and vibrant learning environment;
  - ii. promote accountability to individuals and the community; and/or
  - iii. rehabilitate the respondent, where possible.
- b. Sanctions are meant to be proportionate and the least restrictive means to accomplish the above aims.
- c. Sanction descriptions and their impact are detailed in Schedule C. Available sanctions include:
  - i. Conduct conditions
  - ii. Exclusion
  - iii. Expulsion
  - iv. Fine
  - v. Refusal to consider applications
  - vi. Reprimand
  - vii. Restitution
  - viii. Suspension

- ix. Suspension of essential or non-essential University services and resources.

## 11. Who May Be a Complainant

- a. As described more fully in the procedure, a **reporting individual** may opt to be the complainant or, in consideration of their personal safety, availability or ability to participate, may request to act as a witness only or may withdraw from further participation.
- b. A reporting individual who chooses to act as witness only is entitled to receive regular updates regarding the investigation and decision(s), and to be advised of the outcome and reasons for any decision made.

## 12. Participation in the Investigation

- a. An investigation is a necessary and very important step in the complaint process. This is the reporting individual's and the parties' opportunity to provide all information and evidence, and to identify other witnesses who may have information and evidence relevant to the complaint.
- b. The investigator records the information and evidence gathered from the reporting individual and parties, and any other witnesses, in an investigation report. Decision makers will rely on the investigation report to make findings of fact for the purpose of determining whether or not a respondent violated this policy. Where, for example, a reporting individual, respondent or complainant does not participate in an investigation, the investigation report and decision will be based solely on the information that was gathered during the investigation.
- c. Accordingly, while the reporting individual and parties are not obligated or required to participate in an investigation, where they choose not to participate and decline to provide information to the investigator, they may be prohibited from later attempting to provide that information or evidence to University decision-makers under the *Student Misconduct Complaint Procedure* and the *Student Misconduct Appeal Procedure*.

## 13. Required Training

- a. Any person investigating or making decisions under this policy, and those advising them, will be trained in procedural fairness and anti-oppression.
- b. Investigators and decision-makers in cases related to interpersonal misconduct (Schedule A) will be additionally trained in **trauma-informed** practice, and the dynamics and myths of sexual and gender-based violence.

- c. Members of the **Appeal Panel** will additionally be trained in the standard of review applicable on appeals.

Commented [1]: Jax and Matt to develop training module

#### 14. Sources of On Campus Assistance

- a. The Office of the Dean of Students, Office of the Student Ombuds, and Student Legal Services are available on-campus to provide assistance to students about the complaint process.

#### 15. Delegation

Section 31 of the *Post-Secondary Learning Act* (PSLA) gives General Faculties Council (GFC) general supervision of student affairs including authority over student discipline. The GFC may, subject to an appeal to the Board, discipline students. In addition to this authority over student discipline, the GFC may, under the PSLA, delegate its power to discipline students.

Under this authority, the GFC has adopted and approved this *Student Conduct Policy* and the associated procedures and has delegated the functions in the student conduct process to the persons identified in this policy, the *Student Misconduct Complaint Procedure* and the *Student Misconduct Ticket Procedure*.

As noted, GFC's authority to discipline students is "subject to a right of appeal to the board". To fulfill this appeal function, the Board has adopted and approved the *Student Misconduct Appeal Procedure* and has delegated the functions in the appeal process to the persons identified in the *Student Misconduct Appeal Procedure* and the *Student Misconduct Ticket Procedure*.

#### 16. Review and Amendments

This policy will be reviewed from time to time, as necessary, but at a minimum every five years.

- a. Amendments to the *Student Conduct Policy* and *Student Misconduct Complaint Procedure*:
  - i. The Student Conduct Policy Committee (SCPC) decides which amendments are editorial;
  - ii. On delegated authority from GFC, the SCPC will approve all editorial amendments to this policy and the *Student Misconduct Complaint Procedure*;
  - iii. Where they deem amendments to this policy and the *Student Misconduct Complaint Procedure* to be substantive, the SCPC will forward the

amendments to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC.

- b. Amendments to the *Student Misconduct Appeal Procedure*:
  - i. The GFC Executive Committee will approve editorial amendments to the *Student Misconduct Appeal Procedure*:
  - ii. All substantive changes to the *Student Misconduct Appeal Procedure* will proceed to the Board Learning, Research and Student Experience Committee (BLRSEC), which will decide whether or not it can act on behalf of the Board of Governors.
- c. Amendments to the *Student Misconduct Ticket Procedure*, sections 1-10:
  - i. The SCPC decides which amendments are editorial;
  - ii. On delegated authority from GFC, the SCPC will approve all editorial amendments to this policy and the *Student Misconduct Ticket Procedure*;
- d. Amendments to the *Student Misconduct Ticket Procedure*, sections 11-14  
Contesting a Misconduct Ticket:
  - i. The GFC Executive Committee will approve editorial amendments to the *Student Misconduct Appeal Procedure*:
  - ii. All substantive changes to the *Student Misconduct Ticket Procedure* will proceed to the BLRSEC, which will decide whether or not it can act on behalf of the Board of Governors.

## SCHEDULE A - INTERPERSONAL MISCONDUCT

### 1. DISCRIMINATION AND HARASSMENT

- a. Discrimination against any person or group of persons, on the basis of protected grounds, while participating in the learning environment.

Discrimination is: differential treatment, whether or not intentional, based on a protected ground set out below, that has the effect of imposing on an individual or group of individuals burdens, obligations or disadvantages that are not imposed on others, or of withholding or limiting access to opportunities, benefits and advantages available to other individuals in the learning environment.

The protected grounds are: race, colour, ancestry, place of origin, religious beliefs, gender, gender identity, gender expression, age, physical disability, mental disability, marital status, family status, source of income, or sexual orientation.

- b. Harassment, including bullying and/or racial harassment.

Harassment is: a single or repeated incident of objectionable, unwelcome or adverse conduct, comment, bullying or action by a person that the person knows or ought to reasonably know will or would cause offence or humiliation to another individual or adversely affects that individual's health and safety, and includes conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, or family status.

Harassment includes bullying, which is a form of aggression that may include physical, verbal or emotional abuse. Bullying poisons the learning environment of the person it targets. It can include persistent, offensive, abusive, intimidating or insulting behavior which makes the individual feel threatened, humiliated and/or vulnerable.

The person(s) engaged in harassment need not have the intention to harass; it is the objective assessment of the circumstances that matters. How would a reasonable observer perceive the situation? A complainant need not expressly object to unwelcome conduct or comments, although any clear indication that the behaviour is unwanted will satisfy the test. A complainant's apparent passivity does not necessarily signal consent or welcomed behaviour, especially where a power imbalance exists between the individuals.



Racial harassment involves unwanted or unwelcome comments, conduct or behavior that humiliates, intimidates, excludes or isolates an individual or group by focusing on their race, ethnicity, origin or religion. Overall, racial harassment undermines self-esteem and is a violation of the dignity and security of the individual or group(s) that it targets.

See the *Sexual and Gender-Based Violence Policy* for the definition of sexual harassment.

- c. Disseminating or causing to be disseminated malicious or defamatory material or engaging in any activity which creates a social or academic climate that hinders or prevents the full participation of another person or group in the learning environment.

## 2. THREATS AND ENDANGERMENT

- a. Using words which threaten or incite any kind of violence or abuse to any group or individual.
- b. Possessing any weapon, unless authorized by University of Alberta Protective Services.

A weapon is: a firearm, ammunition, air gun, explosive device or their replicas; or other items prohibited by law in Canada or their replicas (examples include but are not limited to: brass knuckles, pepper spray, switchblade knives, butterfly knives, nunchucks).

- c. Creating a condition which endangers or potentially endangers or threatens the health, safety or well-being of other persons.

## 3. PHYSICAL ASSAULT AND ABUSE

- a. Physical contact with another person without that person's consent.
- b. Physical abuse of another person, threatening any other person with physical abuse or causing any other person to fear physical abuse.
- c. Sexual and Gender-Based Violence as defined in the [Sexual and Gender-Based Violence Policy](#) in UAPPOL.
- d. Retaliating against any person who has provided information, served as a witness or acted in an official capacity in any University process.

Retaliation is: taking, attempting to take or threatening to take any adverse action, reprisal or retribution of any kind against anyone involved in a student conduct process including the reporting individual, and anyone involved in an investigation or resolution of an allegation of misconduct, or friends or family members of those individuals.

Retaliation can take many forms, including threats, intimidation, pressuring, harassment, continued abuse, violence or other forms or threats of harm to others, and be carried out in varying modes, including in person, via electronic communication or through third parties, with the aim of discouraging a person from participating in, administering, investigating or making a decision in a complaint.

- e. Organizing, participating or engaging in hazing another person, regardless of whether the individual who is the subject of the hazing has consented to participate in or be subjected to the activities in question, or whether the activities in question constitute a ritual or tradition of an organization.

Hazing is: creating an environment or committing any intentional, reckless or negligent act that

- endangers the physical health, mental health or safety of another person; or
- produces physical or mental discomfort, embarrassment, humiliation, harassment, or ridicule; or
- results in the destruction, damage or removal of any public or private property; or
- causes, induces, pressures, coerces, or requires another person to violate any federal, provincial, municipal or University regulations;

for purposes that include, but are not limited to, initial or continued admission, affiliation or initiation with any student group, athletic team, or any formal or informal organization in the University Community. Examples of hazing include, but are not limited to: any brutality of a physical nature, such as whipping, beating, branding, paddling, or electric shocks, exercise not legitimately related to a sport, forced consumption of alcohol or other substances, inappropriate exposure to the elements, compulsory nudity or immodest dress, transportation and abandonment, threats or implied threats, verbal abuse, physical or psychological abuse, sleep deprivation, physical confinement, coerced hazing of another, compulsory servitude, degrading activities, sexual simulation, sexual assault, or theft or misuse of others' property.

## SCHEDULE B - UNIVERSITY-RELATED MISCONDUCT

### 1. DAMAGE

- a. Possessing, misappropriating, converting, destroying or otherwise damaging University property or the property of any other member of the University community.
- b. Defacing the inside or outside any building or property of the University.

### 2. UNAUTHORIZED USE

- a. Using any facility, equipment, material, service or resource contrary to express instructions or without proper authority.
- b. Making, altering, using, receiving, or possessing University supplies or documents without authority.
- c. Entering or remaining in any University building, facility, room, or office, without the proper authority, contrary to express instructions, or with intent to damage, destroy, convert or misappropriate University property.
- d. Obtaining any University equipment, material, service or resource by fraudulent means or by providing false information.
- e. Information Technology or Management misconduct, as defined in the *Information Technology Use and Management Policy* and the *Information Technology Use and Management Policy (Appendix A) Examples of Unacceptable Use* in UAPPOL.
- f. Substance use, including alcohol, smoking or vaping at any time in any area of the University where it is banned.

### 3. OBSTRUCTION-RELATED VIOLATIONS

- a. Obstruction - Using action, words, written material, or any other means to impede University functions or disrupt the learning environment.
- b. Incitement - Using words or images that incite others to engage in misconduct.
- c. Identification - Refusing to provide identification upon request by a University Official or employee acting in the course of that person's duties, provided the University Official or employee has reason to believe the student is committing, has committed or is about to commit a violation.
- d. Misrepresentation - Misrepresenting pertinent facts to any member of the University community for the purpose of obtaining unwarranted advantage.

- e. Participation in a Violation - Participating in a violation, or advising, encouraging, or knowingly aiding or assisting, directly or indirectly, another person to commit any violation under this policy.
- f. Bribery - Offering or providing a monetary or other benefit to any member of the University for the purpose of gaining unwarranted advantage.

4. OTHER APPLICABLE POLICY VIOLATIONS

- a. Violating any University policy that applies to students.
- b. Breaching conditions or restrictions applied through interim measures or the *Protocol for Urgent Cases of Disruptive, Threatening or Violent Conduct*.

## SCHEDULE C - SANCTION DESCRIPTIONS AND IMPACT

### 1. Conduct conditions

- a. Specific conditions or restrictions for a time not to exceed the duration of the respondent's degree program, that may include the following:
  - i. not to commit any further violations during the term of the conduct conditions;
  - ii. to report at specified periods to a specified University Official;
  - iii. to abstain from the consumption of alcohol, drugs (except in accordance with a medical prescription), or other intoxicating substances while on University property;
  - iv. to complete a relevant reflection assignment;
  - v. to write a letter of apology;
  - vi. to refrain from contact with an identified person or persons;
  - vii. to refrain from being at or being within a specified distance from a specified place or person on University property; and/or
  - viii. such other reasonable conditions considered desirable for:
    1. protecting the University community,
    2. encouraging the student to take responsibility for the misconduct,
    3. rehabilitating the student, and
    4. ensuring that the student provides reparation for harm done to an individual, the learning environment, or damage to University property or the property of others.
- b. Conduct conditions will specify who has the responsibility to ensure compliance with the terms and to certify, when and as necessary, that the conditions have been met to a reasonable standard of performance, or have been breached.
- c. The sanction of conduct conditions will specify the consequence to be imposed should the respondent not meet the conditions specified, either in the form of a sanction from Schedule C of this policy or an **encumbrance** on the student's academic record.

Any appeal of the conduct conditions must be made at the time they are

imposed and within the time limits set out in the *Student Misconduct Appeal Procedure*. If any of the conditions are not met, no further appeal is available when the specified consequence is applied.

- d. The details of any conduct conditions will be kept in the Student Conduct Officer's file according to the established record retention schedule.
- e. Any new violation that constitutes a breach of the prescribed conduct conditions during the defined period may lead to additional allegations under this policy.

## 2. Exclusion

- a. Exclusion prohibits or restricts the respondent's presence on campus and participation in any class, University activity or student affair for either a specified time, until specified conditions are met for return to campus, or indefinitely. A respondent may be excluded from all or a specified part of the University.
- b. Exclusions will be noted as a **negative service indicator** on the respondent's **central academic record** until:
  - i. the period of exclusion has expired,
  - ii. the respondent has met any conditions set for return to the University, or
  - iii. indefinitely, where the sanction of exclusion does not expire.
- c. In all cases of exclusion, the notation will include a description of the areas of the University from which the respondent is barred (all of the University or specified areas).
- d. The respondent will receive credit for any course passed before the effective date of the exclusion.
- e. Withdrawals resulting from a decision of exclusion will show as grades of "W" on the **transcript** and will remain part of the central academic record.
- f. Any fee refund dates outlined in the [University Calendar](#) will apply.

## 3. Expulsion

- a. A complete withdrawal from the University for an indefinite period of time.
- b. Expulsion will be noted in the respondent's academic file in the Faculty in which they are registered, as a negative service indicator in the student's central academic record and on the student's transcript in perpetuity.
- c. The respondent will receive credit for any course passed before the effective

date of the expulsion. Withdrawals resulting from a decision of expulsion will show as grades of "W" on the respondent's transcript and will remain part of their central academic record.

- d. A respondent will be withdrawn from all courses as of the date of expulsion; the fee refund dates outlined in the University Calendar will apply.
- e. The respondent may, after no less than four years have elapsed, petition to the Provost and Vice-President (Academic) to be readmitted. On receiving the request, the Provost and Vice-President (Academic) will consult with the Student Conduct Officer and the Faculty/College from which the respondent was expelled. The decision is final and not subject to appeal.
- f. Any course work completed at any institution during the period of expulsion will not be accepted as credit towards a student's degree, or for admission to a Degree program, or any other certification at the University of Alberta.

#### 4. Fine

- a. An order that a student pay a specified sum to the University. All funds from fines are directed toward student bursaries.
- b. The fine is noted as a negative service indicator on the student's central academic record until it is paid in full. If the student fails to pay the fine by the deadline set by the Student Conduct Officer, and has not contacted the Student Conduct Officer to make alternate payment arrangements, the student's record will be encumbered until the amount is paid in full.

#### 5. Refusal to Consider Applications

- a. The University may refuse to consider applications for admission to the University for a specified time period up to 5 years or indefinitely.
- b. Where a sanction of refusal to consider applications has been imposed, it will be noted as a negative service indicator on the student's central academic record until the sanction expires.
- c. The respondent may, after no less than five years have elapsed, petition to the Provost and Vice-President (Academic) to be reconsidered for admission. On receiving the request, the Provost and Vice-President (Academic) will consult with the Student Conduct Officer and the Registrar's Office. The decision is final and not subject to appeal.

#### 6. Reprimand

- a. A note that a respondent has been found responsible for a policy violation.

- b. A reprimand is kept in the Student Conduct Officer's file, according to the established record retention schedule.

## 7. Restitution

- a. An order that a student pays money:
  - i. to one or more of another individual, a corporation, an unincorporated association or other unincorporated group, or the University, as repayment for damage to or the loss or destruction of any property as the result of the commission of a violation by the respondent. The amount of restitution must not exceed the replacement cost of the property as of the date that the order is imposed, less the value of any part of the property that has been returned; and/or
  - ii. to an individual who has suffered bodily harm as a result of interpersonal misconduct, as repayment for all expenses or loss of income suffered as a result of the violation. Restitution is not payable as compensation for pain and suffering.
- b. The amount of restitution will be calculated based on receipts, invoices and/or estimates for the cost of the damage or injury caused by the respondent.
- c. The sanction of restitution is noted as a negative service indicator on the respondent's central academic record until it is paid in full. If the respondent fails to pay the restitution by the deadline set by the Student Conduct Officer and has not contacted the Student Conduct Officer to make alternate payment arrangements, the respondent's record will be encumbered until the amount is paid in full.
- d. The Student Conduct Officer who imposed the sanction will determine when the restitution has been paid in full.

## 8. Suspension

- a. A complete withdrawal from the University, the respondent's program in the University, and all University activities for a specified period of time, to a maximum of three years.
- b. Suspension will be noted on the respondent's central academic record, transcript, and in the respondent's academic file held by the faculty in which the student is enrolled during the period of the suspension. At the discretion of the Student Conduct Officer, the suspension may be noted on the transcript for a further period of up to three years after the end of the suspension.
- c. The respondent will receive credit for any course passed before the effective



date of the suspension.

- d. Withdrawals resulting from a decision of suspension will show as grades of "W" on the respondent's transcript and will remain part of the central academic record.
  - e. A respondent will be withdrawn from all courses as of the date of a suspension; the fee refund dates outlined in the *University Calendar* will apply.
  - f. A respondent who has been suspended for less than 12 months will be permitted to re-enroll in the program from which they were suspended provided they have not been required to withdraw in accordance with the Faculty's published Academic Standing regulations.
  - g. If the suspension is for 12 months or more, the respondent must apply for readmission to the University. Refer to the [University Calendar](#) for more information on admission and readmission.
  - h. Any course work completed at any institution during the period of Suspension will not be accepted as credit towards an individual's Degree, or for admission to a Degree program, or other certification at this University.
9. Suspension of Essential or Non-essential University Services and Resources
- a. The denial, for a specified period of time or indefinitely, of specific services and resources.
  - b. The classification of a sanction as an essential service or resource refers to those services and resources that are necessary for the completion of a student's program of studies at the University.
  - c. The suspension of University services and resources will be noted as a negative service indicator in the respondent's central academic record and the file held by the Student Conduct Officer. In addition, the suspension will be communicated to the unit which administers the service or resource as required to implement the sanction, and to UAPS.

## Definitions

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use.

<b>Student</b>	A person who is or has been registered as a student at the University whether or not for credit and includes current Undergraduate and Graduate Students, postgraduate learners, former Students, and graduates who have received a Degree, diploma or certificate from the University.
<b>Learning environment</b>	The learning environment is to be understood broadly to encompass all aspects of University life. It includes: <ul style="list-style-type: none"> <li>• physical and virtual spaces where University teaching, learning, work, research, residence, recreational and social activities take place;</li> <li>• activities, including, but not limited to, teaching, research, studying, work, administration, meetings, public service, travel, conferences, and training; and</li> </ul> University events and activities, including public lectures, performances, student group events, and social or sports activities.
<b>Misconduct</b>	Prohibited conduct as set out in Schedules A and B of the <i>Student Conduct Policy</i> .
<b>Party</b>	A complainant or a respondent in a complaint under this policy.
<b>Investigator</b>	An impartial individual who interviews complainants, respondents and witnesses; collects evidence; finds facts; and generates the investigation report that is forwarded to the Student Conduct Officer.
<b>Non-disciplinary accountability options</b>	Collaborative facilitated processes to explore interpersonal accountability options outside of a complaint. Typically requested by the reporting individual but voluntary for all parties, interpersonal accountability options are intended to be flexible and creative, and may include, but are not limited to: restorative practices, transformative justice, culturally-specific and appropriate practices, peacemaking circles, educational and other remedial activities.
<b>Procedural fairness</b>	The elements of the process used by a decision-making body authorized by statute or policy to make a decision that affects an individual's rights, privileges, or interests, that give effect to an

	individual's right to reasonable notice of the case to meet, the opportunity to respond and the right to an impartial decision maker.
<b>Complainant</b>	A reporting individual who elects to act as a party to the complaint or the person designated by the Dean of Students to act as a party to the complaint, on behalf of the reporting individual. Complainants have specified rights in the complaint process.
<b>Respondent</b>	A student who is the subject of a complaint under this policy.
<b>Advisor</b>	A person who assists a complainant or respondent during the disciplinary process. Assistance may be provided by the Office of the Student Ombuds, Student Legal Services, legal counsel or another advisor as the parties choose.
<b>Hearing</b>	The opportunity for complainants and respondents to challenge or provide information, arguments, evidence and responses in a complaint process. A hearing can take the form of written document exchange or an oral meeting, either virtual or in-person.
<b>Interim measures</b>	<p>Non-disciplinary conditions or restrictions that the University may apply to a person within the scope of this policy alleged to have committed a violation under this policy. Such conditions may be applied in response to a disclosure or complaint.</p> <p>The purposes of interim measures are to ensure the discloser's safety or the safety of the University's learning environment, to remove barriers to the discloser's access to the learning environment, to discourage or prevent retaliation, prevent further harm and/or preserve the University's ability to conduct an investigation.</p> <p>Interim measures are not based on a finding of a policy violation, are not considered sanctions under any University complaint process, and will not be interpreted or used as evidence that the person under allegation committed misconduct.</p>

<b>Balance of probabilities</b>	The standard of proof required to find a violation of this policy. This standard requires that it is <u>more likely than not</u> , based on the available evidence, that the respondent was in violation of this policy.
<b>Reporting individual</b>	An individual who reports having been subjected to misconduct as defined in Schedule A or Schedule B of the <i>Student Conduct Policy</i> .
<b>Trauma-informed</b>	An approach to processes, procedures, and service provision that incorporates and responds to the effects of trauma. A trauma-informed approach takes into account the potential effects of trauma on cognition, memory and behaviour and incorporates steps to address the needs created by trauma and to prevent retraumatization.
<b>Student Misconduct Appeal Panel</b>	The decision-making body authorized to hear appeals of the decision of the Student Conduct Officer.
<b>Encumbrance / encumber</b>	<p>A notation by the Registrar in the form of a negative service indicator on a student's central academic record that results in the withholding of the respondent's grades or other indicators of academic attainment, withholding of transcripts, denial or termination of registration until the Student Conduct Officer confirms to the Registrar that:</p> <ol style="list-style-type: none"> <li>1. a specified Fine has been paid as directed by the Student Conduct Officer or that arrangements satisfactory to the Student Conduct Officer have been made to do so;</li> <li>2. restitution has been made to the satisfaction of the University of Alberta; or</li> <li>3. the student has fulfilled specified conduct conditions.</li> </ol>
<b>Negative service indicator</b>	A transitory notation that can be placed on a student's central academic record during the period it is in effect. Service indicators assist staff in the provision or restriction of services but do not appear on a transcript. Negative service indicators can be used for financial, disciplinary or other extraordinary matters. Examples

	include but are not limited to: parking fines, library fines, disciplinary fines, orders of restitution, suspension, and exclusions.
<b>Central academic record</b>	A continuing record maintained by the Office of the Registrar, where all matters relating to courses, grades, and academic standing and probation are permanently recorded. Transitory notations, such as service indicators are also noted in the central academic record while they are in effect.
<b>Transcript</b>	A student's official academic record issued by the Office of the Registrar and bearing the signature of the Registrar. Information for the transcript is drawn from the central academic record. Information included on the University of Alberta transcript is found in the University Calendar.

## Related Links

### Information

- [Interim Measures Examples and Supports web page](#)

### Sources of on-campus assistance

- [Office of the Dean of Students](#)
- [Office of the Student Ombuds](#)
- [Student Legal Services](#)
- [Students' Union \(SU\)](#)
- [Graduate Students' Association \(GSA\)](#)
- [l'Association des Universitaires de la Faculté Saint-Jean \(AUFSJ\)](#)
- [Augustana students association](#)

### Other conduct policies

- [Discrimination, Harassment and Duty to Accommodate Policy](#)
- [Information Technology Use and Management Policy](#)
- [Practicum Intervention Policy](#)
- [Protocol for Urgent Cases of Violent, Threatening or Disruptive Behaviour](#)
- [Residence Community Standards](#)
- [Sexual and Gender-Based Violence Policy](#)
- [Student Groups Procedure](#)

If any of the links are broken, please contact [uappol@ualberta.ca](mailto:uappol@ualberta.ca)

### Published Procedures of This Policy

- *Student Misconduct Complaint Procedure*
- *Student Misconduct Ticket Procedure*
- *Student Misconduct Appeal Procedure*



**Original Approval Date:**

**Most Recent Approval:**

**Most Recent Editorial Date:** July 20, 2022

**Parent Policy:** Student Conduct Policy

## Student Misconduct Appeal Procedure

<b>Office of Administrative Responsibility:</b>	University Governance
<b>Approver:</b>	Board of Governors
<b>Scope:</b>	Compliance with this University policy extends to all University of Alberta <b>students</b> , the parties to a complaint and the Student Misconduct Appeal Panel as defined in the <i>Student Conduct Policy</i> .

### Overview

As an institution of higher learning, the University adopts procedures that reflect its academic mission, that is, they aim to foster a safe, vibrant and supportive **learning environment**. University is committed to procedural fairness and **trauma-informed** practice to reduce harm throughout the student conduct process.

Section 31 of the *Post-Secondary Learning Act* (PSLA) gives General Faculties Council (GFC) authority to discipline students, “subject to a right of appeal to the board”.

To fulfill this appeal function, the Board has adopted and approved this *Student Misconduct Appeal Procedure* and has delegated the powers and functions in the appeal process to the persons identified in this procedure.

### Purpose

This procedure sets out:

- the right of appeal for the **complainant** and the **respondent to the complaint**;
- the timelines within which to initiate an appeal and the required content of an appeal;

- the procedures for the **Appeals Coordinator**;
- the composition of the **Student Misconduct Appeal Panel** (the “Appeal Panel”) roster of Chairs and student members;
- the manner in which the Appeal Panel is constituted;
- the required training of the Appeal Panel members;
- the process used to address procedural requests;
- the procedures and powers of the Appeal Panel; and
- the service of documents related to the appeal.

## Procedure

### 1. Right of Appeal

- a. The respondent to the complaint and the complainant have a right to appeal the final decision of the Student Conduct Officer to the Appeal Panel.
- b. The complainant may appeal the decision of the Student Conduct Officer on the grounds of jurisdiction or procedural fairness, including but not limited to:
  - i. Student Conduct Officer erred in their decision on whether or not they had jurisdiction to determine whether a violation occurred and/or to impose a sanction,
  - ii. The complainant was not given a reasonable opportunity to provide information to the Student Conduct Officer
  - iii. The complainant was not given a reasonable opportunity to respond to evidence or statements contrary to their account; and/or
  - iv. The Student Conduct Officer was biased.
- c. The respondent to the complaint may appeal the decision of the Student Conduct Officer on any of the grounds set out in (b) above and on any other grounds, including but not limited to:
  - i. The Student Conduct Officer made an error in the finding of violation,
  - ii. The sanction is clearly unreasonable, and/or
  - iii. Other specified grounds for the appeal.



- d. The appeal will be based on the **record** which was before the Student Conduct Officer.
- e. The Appeal Panel will determine whether:
  - i. the Student Conduct Officer decision contained errors to the extent that those errors would have a material effect on the outcome of the decision, or
  - ii. the sanctions imposed by the Student Conduct Officer were clearly unreasonable in the circumstances.

## 2. Initiating an Appeal

- a. The complainant and/or respondent to the complaint may submit an appeal to the Appeals Coordinator within 15 working days of the deemed receipt of the Student Conduct Officer's decision.
- b. The written appeal must state the grounds for the appeal and include all arguments, evidence or objections in support of the appeal.
- c. Either **party** can withdraw their appeal at any time.

## 3. Procedures for the Appeals Coordinator

- a. On receiving an appeal, the Appeals Coordinator will:
  - i. provide the **appellant** with a written acknowledgement of the appeal;
  - ii. provide notice to the **respondent to the appeal** with a copy of the written appeal, and advise the respondent that a response is required within 15 working days;
  - iii. obtain a copy of the record before the Student Conduct Officer and distribute it to the parties;
  - iv. provide the parties with a list of on-campus sources of assistance;
  - v. select a chair for the **hearing**;
  - vi. provide the parties with the name of the proposed chair and the names of all student members of the Appeal Panel;
  - vii. where the response to an appeal raises issues not already addressed in the appeal, the Appeals Coordinator will provide the appellant with the opportunity to respond;

- viii. set the date(s) for the hearing in consultation with the Appeal Panel chair.
- b. Where both parties have appealed the decision, both appeals will be decided by the same Appeal Panel at a single hearing.
- c. The appellant and respondent must provide the name of their **advisor** to the Appeals Coordinator.
- d. The Appeals Coordinator will constitute the Appeal Panel and provides its members and the parties with:
  - i. the date, time, video-conferencing link or location for the hearing,
  - ii. the written appeal(s) and response(s),
  - iii. the decision of the Student Conduct Officer; and
  - iv. the record on which the Student Conduct Officer decision was based.

#### **4. Composition of the Appeal Panel Rosters**

- a. All Appeal Panel members (academic staff members and students) will be elected by GFC. In selecting members of the Appeal Panel, GFC will attempt to keep the membership of the Appeal Panel as broadly representative as possible of all Faculties given the available pool of candidates, but it will be permissible for any of the Appeal Panel members to come from one of the Faculties already represented by one of the other Appeal Panel members.
  - i. Roster of chairs: GFC will elect a roster of up to seven academic staff members to serve as chairs of particular hearings. The Appeal Panel chairs will serve for staggered terms of office of up to four years.
  - ii. Roster of students: GFC will elect a roster of 10 undergraduate students and 6 graduate students. All student members will be elected for up to two-year terms and are eligible for re-election.

#### **5. Constituting the Appeal Panel**

- a. For each hearing the Appeal Panel will consist of one academic staff member as chair and two students. Members will be chosen from the rosters listed above. The Appeals Coordinator will endeavour to ensure that the Appeal Panel chair and members are impartial and free from conflicts of interest.
- b. When a hearing involves an undergraduate student, the Appeal Panel will include at least one undergraduate student. When a hearing involves a graduate student, the Appeal Panel will include at least one graduate student. For the purposes of

selection and service on the Appeal Panel, graduate students are considered to be from the Faculty where they receive supervision. Students who are in any joint graduate/undergraduate degree program (e.g., the joint MBA/LLB program) are considered to be graduate students for the purpose of service and selection on the Appeal Panel.

#### Alternates

- c. If all faculty members from the roster of chairs are unable to serve, the Appeals Coordinator may complete an Appeal Panel by selecting, in rotation, first from the Student Misconduct Appeal Panel, and then from the GFC AAC Panel of Chairs.
- d. If all student members from the roster of students are unable to serve, the Appeals Coordinator may complete an Appeal Panel by selecting, in rotation, either one full-time undergraduate student or one full-time graduate student, from the GFC AAC Panel of students.
- e. The GFC Executive Committee has the discretion to appoint an academic staff member as chair for a hearing from outside the Appeal Panel roster of chairs or GFC AAC Panel of Chairs.
- f. Having regard to trauma-informed principles and practices, new Appeal Panel members at the discretion of the chair, may attend any oral hearing as observers for training purposes. Delegates of the Vice Provost and Dean of Students and/or General Counsel may also attend any oral hearing as an observer.
- g. Any Appeal Panel member who has been called to serve on the Appeal Panel for a particular case may complete their service on that case even if their term on a Appeal Panel expires or, in the case of students, a student graduates or changes status from undergraduate to graduate.

### **6. Mandatory Training for Appeal Panel Members**

- a. All Appeal Panel chairs, members and alternates must have completed the training outlined in the *Student Conduct Policy* before hearing any appeals.

### **7. Procedural Requests**

- a. The chair will decide any procedural questions that arise both before and during the hearing, in consultation with the Appeals Coordinator. Procedural requests must be made in writing to the chair. Where the request affects the other party, the chair will notify the other party and allow them to respond or make submissions on the request before making a decision. Decisions of the chair on procedural requests may be made without a hearing and are final and binding.

- b. Procedural requests include, but are not limited to:
- i. Challenge to Appeal Panel members or chair:
    1. The parties will have 5 working days after receipt of the names to lodge a written challenge with the Appeals Coordinator requesting that the proposed Appeal Panel chair member not serve on the appeal.
    2. Challenges may be made only on the grounds that the proposed chair or Appeal Panel member may have a bias that would prevent a fair hearing and must include written reasons to support the challenge. The chair will consider and rule on the challenge. If the Appeal Panel has been constituted, the Appeals Coordinator will replace the Appeal Panel member with another member who will be selected by rotation from the same constituent group (i.e., academic staff, undergraduate student or graduate student).
  - ii. Request that sanctions be withheld until the appeal is decided.
    1. If granted, the Appeals Coordinator will direct the Registrar to
      - a. remove any sanctions from the **central academic record**, and
      - b. withhold degrees, certification of marks and/or **transcripts** pending the outcome of the appeal.
  - iii. Requests for the Appeal Panel to consider additional evidence or information that was not reasonably available at the time of the Student Conduct Officer hearing. The party making the request has the onus to establish that the additional evidence or information was not reasonably available at the time of the Student Conduct Officer hearing.
  - iv. Format of the hearing(s) - Appeal Panel hearings will normally take the form of document exchange but either party can request a virtual oral hearing with the Appeal Panel;
  - v. An extension of any time limits;
  - vi. Request for a ruling from the chair as to whether any delay, such as a delay in setting hearing dates, distributing material, or issuing the decision, is reasonable under the circumstances. If the chair decides the delay is unreasonably long, the chair will set a reasonable deadline;

- vii. Any other procedural request will be considered by the chair on a case by case basis.

## 8. Procedures and Powers of the Panel

- a. The Appeal Panel will review the entire record, the appeal and response documents, and where applicable, any oral statements from the parties before coming to a decision, by majority vote.

### Appeal by the Complainant

- b. The Appeal Panel may grant an appeal by the complainant where:
  - i. the appellant establishes that the Student Conduct Officer was not correct in specific findings including, but not limited to,
    - 1. the *Student Conduct Policy* applied to the respondent to the complaint or the incident (i.e. jurisdiction)
    - 2. the Student Conduct Officer had authority to act under the *Student Conduct Policy*
    - 3. made an error in describing the elements of a violation
  - ii. the appellant establishes that there was a breach of procedural fairness, as required in the circumstances, such as
    - 1. the appellant was not provided with the opportunity to respond to an allegation or adverse evidence;
    - 2. the Student Conduct Officer did not provide reasonable disclosure of the investigation report;
    - 3. the Student Conduct Officer was not independent or impartial;
    - 4. the decision was not adjudicated within a reasonable time;
    - 5. the appellant was not provided with information about or sufficient opportunity to secure an advisor;
    - 6. other
- c. Where an appeal by the complainant is granted, the Appeal Panel must remit the matter back to the same or, where appropriate, a different Student Conduct Officer to remedy the errors and issue a new decision.

## Appeal by the Respondent to a Complaint

- d. The Appeal Panel may grant an appeal by the respondent to the complaint where:
  - i. the appellant establishes that the Student Conduct Officer was not correct in specific findings including, but not limited to,
    1. the *Student Conduct Policy* applied to the respondent to the complaint or the incident (i.e. jurisdiction)
    2. the Student Conduct Officer had authority to act under the *Student Conduct Policy*
    3. made an error in describing the elements of a violation
  - ii. the appellant establishes that the findings of facts made by the Student Conduct Officer contain errors, such as
    1. making a finding of fact without any evidence
    2. considering irrelevant facts
    3. giving undue weight to certain facts
    4. misapplying the facts to the definition of a violation in the *Student Conduct Policy*
    5. other
  - iii. the appellant establishes that there was a breach of procedural fairness, as required in the circumstances, such as
    1. the appellant was not provided with the opportunity to respond to an allegation or adverse evidence;
    2. the Student Conduct Officer did not provide reasonable disclosure of the investigation report;
    3. the Student Conduct Officer was not independent or impartial;
    4. the decision was not adjudicated within a reasonable time;
    5. the appellant was not provided with information about or sufficient opportunity to secure an advisor;
    6. other

- iv. the appellant establishes that the Student Conduct Officer made an unreasonable decision with respect to sanction.
- e. Where the Appeal Panel has granted an appeal by the respondent to the complaint, the Appeal Panel may:
  - i. grant the appeal and overturn the decision;
  - ii. grant the appeal and remit back to the same or, where appropriate, a different Student Conduct Officer to remedy the errors and issue a new decision;
  - iii. substitute a different sanction;
  - iv. deny the appeal.
- f. The Appeal Panel does not have the power to overturn a consequence resulting from a failure to meet specified conduct conditions (see *Student Conduct Policy*, Schedule C). Any appeal of conduct conditions must be made at the time the sanction is imposed and within the time limits set out in the *Student Misconduct Appeal Procedure*. If the conduct conditions are not met, no further appeal is available when the consequence is applied.
- g. In considering their decision, the Appeal Panel may only overturn a decision of the Student Conduct Officer where it was made on the basis of an error or errors that would have had a material effect on the outcome.
- h. The Appeal Panel's decision is final and is not subject to review by any University body.
- i. The chair of the Appeal Panel will communicate the decision to the Appeals Coordinator, who will, as soon as possible, relay the decision to the parties and their respective advisors.
- j. The chair will normally submit the Appeal Panel's written reasons to the Appeals Coordinator within 10 working days of reaching the decision. Where the written reasons are delayed, the Appeals Coordinator will give written notice to the appellant and respondent to the appeal.

## **9. Service of Documents**

- a. Any notices, communications, and appeal materials will be sent electronically using University accounts.
- b. On receiving the written decision, the Appeals Coordinator will send a copy to the following individuals:

- i. the appellant and respondent to the appeal, and their respective advisors;
  - ii. the Student Conduct Officer,
  - iii. the Vice-Provost and Dean of Students;
  - iv. the Office of General Counsel; and
  - v. members on the Appeal Panel.
- c. The Appeals Coordinator may provide a copy or excerpts of the decision to any other University unit as may be appropriate to administer the sanction or for other authorized purposes, for example, to units including, but not limited to, the following:
- i. where a sanction is to be noted on the respondent’s **central academic record** or **transcript**, the Appeals Coordinator will inform the Office of the Registrar,
  - ii. where a sanction affects the respondent’s academic program, the Appeals Coordinator will notify the respondent’s College, or independent Faculty,
  - iii. in programs jointly offered with another institution, the Appeals Coordinator will provide a copy of the decision to the partner institution when the violation relates to the respondent’s conduct at that partner institution, and
  - iv. where a sanction affects the student’s academic program, the Appeals Coordinator will notify the conduct administrator of the student’s College.

## Definitions

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use.	
<b>Student</b>	A person who is or has been registered as a student at the University whether or not for credit and includes current Undergraduate and Graduate Students, postgraduate learners, former Students, and graduates who have received a Degree, diploma or certificate from the University.



<p><b>Learning environment</b></p>	<p>The learning environment is to be understood broadly to encompass all aspects of University life. It includes:</p> <ul style="list-style-type: none"> <li>● spaces where University teaching, research, working, residence, recreational and social activities take place, both physical and virtual spaces;</li> <li>● activities, including, but not limited to, teaching, research, studying, administration, meetings, public service, travel, conferences, and training sessions; and</li> </ul> <p>University events and activities, including public lectures, performances, student group events, and social or sports activities.</p>
<p><b>Trauma-informed</b></p>	<p>An approach to processes, procedures, and service provision that incorporates and responds to the effects of trauma. A trauma-informed approach takes into account the potential effects of trauma on cognition, memory and behaviour and incorporates steps to address the needs created by trauma and to prevent retraumatization.</p>
<p><b>Complainant</b></p>	<p>A reporting individual who elects to act as a party to the complaint or the person designated by the Dean of Students to act as a party to the complaint, on behalf of the reporting individual. Complainants have specified rights in the complaint process. This individual can be the appellant or the respondent to an appeal.</p>
<p><b>Respondent to a complaint</b></p>	<p>A student who is the subject of a complaint under the <i>Student Conduct Policy</i>. This individual can be the appellant or the respondent to an appeal.</p>
<p><b>Appeals coordinator</b></p>	<p>The person responsible for administration of the <i>Student Misconduct Appeal Procedure</i>.</p>
<p><b>Student Misconduct Appeal Panel</b></p>	<p>The decision-making body authorized to hear appeals of the decision of the Student Conduct Officer.</p>

<b>Record</b>	The materials on which a decision of the Student Conduct Officer was based. The record includes the investigation report, any materials, statements, or responses provided to the Student Conduct Officer that were relevant to the question of whether an individual was in violation of the <i>Student Conduct Policy</i> and any information or materials, statements, or responses related to the consideration of appropriate sanction(s).
<b>Party</b>	The appellant or respondent to an appeal under this procedure.
<b>Appellant</b>	A person who appeals the decision of the Student Conduct Officer under this procedure.
<b>Respondent to the appeal</b>	The person who responds to an appeal under this procedure.
<b>Hearing</b>	The opportunity for appellants and respondents to challenge or provide information, arguments, evidence and responses in an appeal process. A hearing can take the form of written document exchange or an oral meeting, either virtual or in-person. A hearing of the Student Misconduct Appeal Panel normally takes the form of written document exchange.
<b>Advisor</b>	A person who assists a complainant or respondent during the complaint process. Assistance may be provided by the Office of the Student Ombuds, Student Legal Services, legal counsel or another advisor as the parties choose.
<b>Central academic record</b>	A continuing record maintained by the Office of the Registrar, where all matters relating to courses, grades, and academic standing and probation are permanently recorded. Transitory notations, such as service indicators are also noted in the central academic record while they are in effect.

<b>Transcript</b>	A student's official academic record issued by the Office of the Registrar and bearing the signature of the Registrar. Information for the transcript is drawn from the central academic record. Information included on the University of Alberta transcript is found in the University Calendar.
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## Related Links

### Sources of on-campus assistance

- [Office of the Dean of Students](#)
- [Office of the Student Ombuds](#)
- [Student Legal Services](#)
- [Students' Union \(SU\)](#)
- [Graduate Students' Association \(GSA\)](#)
- [l'Association des Universitaires de la Faculté Saint-Jean \(AUFSJ\)](#)
- [Augustana students association](#)

### Other conduct policies

- [Discrimination, Harassment and Duty to Accommodate Policy](#)
- [Information Technology Use and Management Policy](#)
- [Practicum Intervention Policy](#)
- [Protocol for Urgent Cases of Violent, Threatening or Disruptive Behaviour](#)
- [Residence Community Standards](#)
- [Sexual and Gender-Based Violence Policy](#)
- [Student Groups Procedure](#)

If any of the links are broken, please contact [uappol@ualberta.ca](mailto:uappol@ualberta.ca)



**Original Approval Date:**

**Most Recent Approval:**

**Most Recent Editorial Date:** July 20, 2022

**Parent Policy:** Student Conduct Policy

## Student Misconduct Complaint Procedure

<b>Office of Administrative Responsibility:</b>	Vice-Provost and Dean of Students
<b>Approver:</b>	General Faculties Council
<b>Scope:</b>	This procedure applies to all University of Alberta <b>students</b> as defined in this policy.

### Overview

As an institution of higher learning, the University adopts procedures that reflect its academic mission, that is, they aim to foster a safe, vibrant and supportive **learning environment**, and, wherever possible, encourage rehabilitation, learning, remediation and personal accountability for students in violation of the *Student Conduct Policy*. **non-disciplinary accountability options** for resolution are also available, including educational, restorative, and other facilitated processes to create space for interpersonal accountability, with or without a complaint.

The University is committed to equity, **procedural fairness** and **trauma-informed** practice to reduce harm in the student conduct process and to ensuring there are timely and accessible processes to report, investigate, adjudicate and/or resolve complaints of student misconduct; as defined in Schedule A and Schedule B of the *Student Conduct Policy*;

Trauma-informed practice is beneficial to all parties involved in any complaint. Consequently, the procedures related to student misconduct use an investigative model. Parties to a complaint are provided the opportunity to respond to any evidence, information, or claims that do not support their account without adversarial face-to-face encounters. The intent is to create

safer spaces, reduce (re)traumatizing processes, and foster conditions in which the parties are able to provide the highest quality information. In contrast to an adversarial model, the investigative model also creates a safer space for a respondent to take responsibility for the harm caused by, and be accountable for, their conduct.

Different types of **misconduct** may have differential effects on the parties to the complaint and, therefore, require flexibility regarding the determination as to who will act as **complainant**. In particular, interpersonal misconduct, as defined in Schedule A of the *Student Conduct Policy*, can be traumatic and may result in academic difficulties and physical and/or mental health challenges for those subjected to it. Complaint processes that adjudicate allegations of interpersonal misconduct can also be harmful and further traumatize the parties involved in a complaint.

Where the University accepts a complaint, the respondent and the complainant, along with any witnesses, provide statements to an impartial **investigator**, along with all available information and evidence. The investigator conducts a thorough investigation and submits an investigation report to the Student Conduct Officer for consideration. The Student Conduct Officer holds **hearings** with the **parties** based on the information in the investigation report and makes a determination as to whether the **respondent** is in violation, and appropriate sanction(s), if any.

## Purpose

The purpose of this procedure is to:

- foster a culture of accountability through restorative and other facilitated processes and non-disciplinary accountability options;
- provide a process for the application of **interim measures** to ensure the safety of, and equal access to, the learning environment;
- describe how the complaint process starts;
- set out the conditions to be met for the acceptance of a complaint and the recourse available for cases in which the University declines to accept a complaint and proceed with an investigation;
- describe the investigation process and the timelines for completion of an investigation report;
- describe the procedures for the Student Conduct Officer and the nature of the hearings before the Student Conduct Officer and the timelines for the issuing of their decision on the complaint;
- describe the service of documents related to the complaint; and

- provide a note regarding transitional record management.

## Procedure

### 1. Voluntary Accountability

- a. Individuals who have been subjected to misconduct may work with the Office of the Dean of Students to explore any available non-disciplinary accountability options. These options can take a wide variety of forms with differing requirements, but can only occur when the parties agree to participate in good faith.
- b. Where non-disciplinary accountability options are unavailable, inappropriate, unsuccessful or unsatisfactory, or where a complaint process is preferred, the **reporting individual** may make a complaint.

### 2. Interim Measures

- a. Interim measures are non-disciplinary conditions or restrictions that may be applied to a student alleged to have committed misconduct. The **Dean of Students** may apply interim measures whether or not a complaint has been made.
- b. The University may apply interim measures where it receives reasonably credible information that would:
  - i. if proven, constitute misconduct, and
  - ii. with regard to all of the circumstances, be a risk to an individual, the learning environment or the integrity of any potential investigation.
- c. The purpose of interim measures is to establish or restore a safe learning environment for the reporting individual and community, discourage or prevent further harm, protect confidentiality, minimize disruption to the learning environment and/or preserve the University's ability to conduct a thorough investigation.
- d. The decision to apply interim measures will be made by the Dean of Students.
- e. Having regard to all of the circumstances, where interim measures are applied, they must have a rational connection to the purpose to be served, be proportionate to the impact of the alleged conduct, and be as minimally restrictive as possible to achieve their purposes. As a result, interim measures will be based on considerations including, but not limited to:

- i. the needs of the reporting individual, and their right to a safe and supportive learning environment,
  - ii. the safety of the learning environment,
  - iii. the nature and/or impact of the alleged conduct,
  - iv. reasonably credible information about patterns of conduct or previous history of misconduct,
  - v. the potential impact of the measures on the student under allegation, including on their academic program,
  - vi. the potential impact of the measures on the learning environment, and
  - vii. any other relevant information.
- f. Examples of interim measures can be found on the University's *Interim Measures Examples and Support* web page.
- g. The Dean of Students may consult as needed in determining whether to apply interim measures and the nature of those measures.
- h. In all cases, decisions on interim measures must be provided in writing to the student to whom interim measures are applied and include:
  - i. nature of the alleged conduct,
  - ii. particulars of the measure(s),
  - iii. information about the right to request a reconsideration,
  - iv. information about relevant complaint processes, if applicable, and
  - v. referrals to supports and/or services.
- i. The substance of the interim measures will also be communicated to the reporting individual and any other individual or **University unit** as necessary to administer the interim measures.
- j. The student to whom interim measures are applied may request a reconsideration from the Dean of Students after sixty (60) days or such earlier time as agreed to by the Dean of Students, or at any time based on a change in circumstances or new information.
- k. At any time, the Dean of Students may, based on new information or a change in circumstances, reconsider the interim measures applied and renew, revise, or revoke any or all of the measures, or apply additional interim measures, with

written reasons for any changes.

- I. The Dean of Students must review any existing interim measures, at minimum, every four months and communicate the result of that review with reasons to the parties and as needed to administer any changes.

### **3. Starting the Complaint Process**

- a. The complaint process under the *Student Conduct Policy* begins at the Office of the Dean of Students. After being informed of available options, a reporting individual can initiate the complaint process by providing the Dean of Students with a general overview of the conduct at issue including:
  - i. the nature of the alleged misconduct,
  - ii. name of the person alleged to have committed the misconduct, and,
  - iii. approximate dates, times and locations of the alleged misconduct.
- b. The purpose of this general overview is to enable the Dean of Students to determine whether to accept a complaint. As a trauma-informed practice, the Dean of Students will not take a detailed statement from the reporting individual.
- c. The complaint process may also be initiated by a University of Alberta Protective Services (UAPS) member who believes that conduct constitutes a violation.

### **4. Accepting a Complaint**

- a. Based on the overview provided by the reporting individual, the Dean of Students will accept a complaint and refer it for an investigation where the following conditions are met:
  - i. the *Student Conduct Policy* and associated procedures apply in the circumstances,
  - ii. the described conduct, on the face of it, constitutes a violation as defined in Schedule A or B of the *Student Conduct Policy*,
  - iii. in the case of Schedule B misconduct, the violation occurred within one year of the report, or within such other time period as may be allowed at the discretion of the Dean of Students,
  - iv. the complaint is sincere.
- b. Normally within three weeks of receiving a complaint, the Dean of Students will provide written reasons to the reporting individual where it declines to accept the



- complaint. The reasons for decision will include a link to this policy, information regarding the right to appeal, the appeal deadlines, the appeal procedures, and where on-campus assistance is available.
- c. The reporting individual may appeal the decision not to accept the complaint in writing to the Student Conduct Officer within 15 working days of the deemed receipt of the reasons for the decision not to accept the complaint.
  - d. If the Student Conduct Officer decides that the decision not to accept a complaint was reasonable under the circumstances, a written decision with reasons will be provided and no further proceedings will be taken respecting the complaint under this policy.
  - e. If the Student Conduct Officer decides that the decision not to accept the complaint was not reasonable under the circumstances or if new information has come to light, the Student Conduct Officer will request that an investigator be assigned to the matter.
  - f. On accepting a complaint, the Dean of Students will offer the reporting individual the following options:
    - i. to be the complainant,
    - ii. to participate as a witness only and, where this occurs, the Dean of Students will appoint a person to be the complainant, or
    - iii. to withdraw from the process and any further contact regarding the process; however, without a statement to the investigator from the reporting party, a complaint may not be able to proceed (see section 11 "Participation in an Investigation" in the *Student Conduct Policy*).
  - g. Where a complaint involves Schedule B misconduct against the University, the **Director** of the affected unit will be the complainant.
  - h. Where a report contains both Schedule A and B misconduct, and the misconduct affects both a reporting individual and a University unit, the Dean of Students will determine who will act as complainant(s), in accordance with the above, on behalf of either or both the reporting individual and the Director.

## 5. Investigation and Referral

- a. Where a complaint is accepted and the complainant identified, an investigator will be assigned to conduct a trauma-informed investigation, which will normally consist of taking detailed descriptions of the incident from both parties in the form

- of recorded or written statements, and collecting any other supporting statements from witnesses or other types of evidence.
- b. Wherever possible, the recorded or written statements will be used in lieu of asking the parties to repeat their accounts throughout the investigation and decision-making process.
  - c. Complainants, respondents and any witnesses present all of the information and evidence they have to the investigator. Where they are aware of any other information or evidence, they should alert the investigator to its existence.
  - d. Prior to completing the investigation, the investigator will provide all participants in the investigation with the opportunity to review and make any corrections to their account, as summarized by the investigator, or provide any additional information or evidence.
  - e. Having completed the investigation, the investigator will prepare an investigation report, including the following:
    - i. the nature of the misconduct alleged to have been committed by the respondent,
    - ii. an overview of the facts based on the information and evidence gathered during the investigation, and
    - iii. wherever possible, observations about social or physical features in the learning environment which may have contributed to, allowed, tolerated, or encouraged the misconduct.
  - f. Once completed, the investigator will forward the investigation report to the Student Conduct Officer for a hearing and decision.
  - g. Depending on the complexity of the case, the number of witnesses involved, and the amount of evidence to be collected, the investigation report will normally be completed within 6 weeks. Where the investigation report cannot be completed within this timeline, the investigator will give the parties notice of the anticipated timeline for the investigation report.

## **6. Student Conduct Officer Hearings**

- a. On receipt of the investigation report, the Student Conduct Officer will:
  - i. provide reasonable disclosure of the investigation report to the complainant and respondent,
  - ii. invite the parties to individual hearings with the Student Conduct Officer, and

- iii. inform them of the purpose of the hearing and their right to bring an **advisor** and/or support person.
- b. The Student Conduct Officer will conduct trauma-informed hearings, normally in the form of virtual meetings with the parties and their advisors and/or support person. The format of the hearing will take into account specific requests from the complainant and respondent and the nature of the case at hand. The Student Conduct Officer may receive submissions on:
  - i. procedural requests, including but not limited to requests regarding the process, timing or delays, and/or format of hearing,
  - ii. the facts of the case;
  - iii. questions or issues to raise with the respondent or complainant; and
  - iv. the impact of the misconduct and/or of the potential sanction(s).
- c. Procedural requests must be made in writing to the Student Conduct Officer. Where the request affects the other party, the Student Conduct Officer will allow the other party to respond or make submissions on the request before making a decision.
- d. Where a party becomes aware of another individual with material knowledge about the alleged misconduct who was not reasonably available at the time of the investigation, the Student Conduct Officer will refer the matter back to the investigator to interview that individual. The process will be put on hold pending the supplemental investigation report.

## 7. Decision

- a. Following the hearing, the Student Conduct Officer will determine, on a **balance of probabilities**, for each alleged violation whether:
  - i. the respondent was in violation of the *Student Conduct Policy* or other applicable University policy (“Violation”); or
  - ii. the violation was not established (“No violation”).
- b. In the event that a complainant or respondent fails to participate in the hearing(s) within a specified period of time, the Student Conduct Officer will proceed to make a decision on the basis of the available evidence.
- c. Where the Student Conduct Officer finds a violation, the Student Conduct Officer will:
  - i. perform the necessary checks to determine if there is a previous record of violation(s) for the respondent (see “Transitional record management” below),

- ii. only consider any past record of the respondent's related violations for the purpose of determining an appropriate sanction,
    - iii. determine the appropriate sanction(s) as listed in the *Student Conduct Policy*, Schedule C.
  - d. The Student Conduct Officer will provide a written decision, normally within 6 weeks of receipt of the investigation report, which will include the following:
    - i. the violation(s) alleged to have been committed by the respondent,
    - ii. an overview of the relevant evidence that was presented and the submissions of the parties,
    - iii. a summary of the findings,
    - iv. the reasons underlying the decision,
    - v. information regarding the deadlines and procedures for appeal, and
    - vi. a list of on-campus assistance.
  - e. Where the Student Conduct Officer finds a violation, the decision will also include the following:
    - i. any sanction(s) imposed by the Student Conduct Officer,
    - ii. the date any sanction(s) will take effect and other necessary details, and
    - iii. information, including any history of related violations that may have been influential in determining the appropriateness of the sanction.
  - f. Where the Student Conduct Officer is not able to provide the written decision within the timeline noted above, the Student Conduct Officer will give the parties written notice of the anticipated timeline for the decision.

## **8. Service and Notice**

- a. The Student Conduct Officer will send the decision electronically using the parties' University account.
- b. In addition, the Student Conduct Officer will provide a copy of the decision for information to the following individuals:
  - i. the investigator,
  - ii. the Office of General Counsel, and

- iii. the Dean of Students.
- c. The Student Conduct Officer may also provide a copy or excerpts of the decision to any other University unit as may be appropriate to administer the sanction or for other authorized purposes. For example, to units including, but not limited to, the following:
  - i. where a sanction is to be noted on the respondent’s **central academic record** or **transcript**, the Student Conduct Officer will inform the Office of the Registrar,
  - ii. where a sanction affects the respondent’s academic program, the Student Conduct Officer will notify the respondent’s College, or independent Faculty,
  - iii. in programs jointly offered with another institution, the Student Conduct Officer will provide a copy of the decision to the partner institution when the violation relates to the respondent’s conduct at that partner institution.
- d. The Student Conduct Officer’s decision is final and takes effect immediately, subject to an appeal under the *Student Misconduct Appeal Procedure*.

## 9. Transitional Record Management

- a. The University is transitioning to the use of Symplicity Advocate (“Advocate”), a student conduct data and case management system. There will be a period of time in which some records reside with the Appeals Coordinator and others exist in Advocate. During this time, the Student Conduct Officer will both contact the Appeals Coordinator and check in Advocate to determine whether a respondent has any previous violations.

## Definitions

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use.	
<b>Student</b>	A person who is or has been registered as a student at the University whether or not for credit and includes current Undergraduate and Graduate Students and postgraduate learners,

	former Students, and graduates who have received a Degree, diploma or certificate from the University.
<b>Learning environment</b>	<p>The learning environment is to be understood broadly to encompass all aspects of University life. It includes:</p> <ul style="list-style-type: none"> <li>• physical and virtual spaces where University teaching, learning, work, research, residence, recreational and social activities take place;</li> <li>• activities, including, but not limited to, teaching, research, studying, work, administration, meetings, public service, travel, conferences, and training; and</li> </ul> <p>University events and activities, including public lectures, performances, student group events, and social or sports activities.</p>
<b>Non-disciplinary accountability options</b>	<p>Collaborative facilitated processes to explore interpersonal accountability options outside of a complaint.</p> <p>Typically requested by the reporting individual but voluntary for all parties, interpersonal accountability options are intended to be flexible and creative, and may include, but are not limited to: restorative practices, transformative justice, culturally-specific and appropriate practices, peacemaking circles, educational and other remedial activities.</p>
<b>Procedural fairness</b>	<p>The elements of the process used by a decision-making body authorized by statute or policy to make a decision that affects an individual's rights, privileges, or interests, that give effect to an individual's right to reasonable notice of the case to meet, the opportunity to respond and the right to an impartial decision maker.</p>
<b>Trauma-informed</b>	<p>An approach to processes, procedures, and service provision that incorporates and responds to the effects of trauma. A trauma-informed approach takes into account the potential effects of trauma on cognition, memory and behaviour and incorporates steps to address the needs created by trauma and to prevent retraumatization.</p>

<b>Misconduct</b>	Prohibited conduct as set out in Schedules A and B of the <i>Student Conduct Policy</i> .
<b>Complainant</b>	A reporting individual who elects to act as a party to the complaint or the person designated by the Dean of Students to act as a party to the complaint, on behalf of the reporting individual. Complainants have specified rights in the complaint process.
<b>Investigator</b>	An impartial individual who interviews complainants, respondents and witnesses; collects evidence; finds facts; and generates the investigation report that is forwarded to the Student Conduct Officer.
<b>Hearing</b>	The opportunity for complainants and respondents to challenge or provide information, arguments, evidence and responses in a complaint process. A hearing can take the form of written document exchange or an oral meeting, either virtual or in-person.
<b>Party</b>	A complainant or a respondent in a complaint under this policy.
<b>Respondent</b>	A student who is the subject of a complaint under this policy.
<b>Interim Measures</b>	<p>Non-disciplinary conditions or restrictions that the Dean of Students may apply to a student alleged to have committed a violation under this policy. Such conditions may be applied whether or not a complaint has been made.</p> <p>The purposes of interim measures are to ensure the reporting individual's safety or the safety of the University's learning environment, to remove barriers to the discloser's access to the learning environment, to discourage or prevent retaliation, prevent further harm and/or preserve the University's ability to conduct an investigation.</p>

	Interim measures are not based on a finding of a policy violation, are not considered sanctions under any University complaint process, and will not be interpreted or used as evidence that the person under allegation committed misconduct.
<b>Reporting individual</b>	An individual who reports having been subjected to misconduct as defined in Schedule A or Schedule B of the <i>Student Conduct Policy</i> .
<b>Dean of Students</b>	Vice-Provost and Dean of Students, or delegate.
<b>University unit</b>	Any University of Alberta department, service, office, faculty, college, or other administrative unit.
<b>Director</b>	The administrative head of any University unit, or their delegate.
<b>Advisor</b>	A person who assists a complainant or respondent during the complaint process. Assistance may be provided by the Office of the Student Ombuds, Student Legal Services, legal counsel or another advisor as the parties choose.
<b>Balance of probabilities</b>	The standard of proof required to find a violation of this policy. This standard requires that it is <u>more likely than not</u> , based on the available evidence, that the respondent was in violation of this policy.
<b>Central academic record</b>	A continuing record maintained by the Office of the Registrar, where all matters relating to courses, grades, and academic standing and probation are permanently recorded. Transitory notations, such as service indicators are also noted in the central academic record while they are in effect.



<b>Transcript</b>	A respondent's official academic record issued by the Office of the Registrar and bearing the signature of the Registrar. Information for the transcript is drawn from the central academic record. Information included on the University of Alberta transcript is found in the University Calendar.
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## Related Links

### Information

- [Interim Measures Examples and Supports](#)

### Sources of on-campus assistance

- [Office of the Dean of Students](#)
- [Office of the Student Ombuds](#)
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**Original Approval Date:**

**Most Recent Approval:**

**Most Recent Editorial Date:** July 20, 2022

**Parent Policy:** **Student Conduct Policy**

## Student Misconduct Ticket Procedure

<b>Office of Administrative Responsibility:</b>	Director of University of Alberta Protective Services (UAPS)
<b>Approver:</b>	General Faculties Council Board of Governors
<b>Scope:</b>	This procedure applies to all University of Alberta <b>students</b> as defined in the Student Conduct Policy.

### Overview

The University is committed to appropriate and proportionate responses to misconduct and where possible, immediate responses to minor misconduct. In instances where misconduct in or related to the **learning environment** is of a minor nature, or where its impact to the learning environment is minimal, a member of UAPS may issue a **misconduct ticket** with an associated **fine** in lieu of initiating a complaint under the *Student Conduct Policy*.

### Purpose

The purpose of this procedure is to:

- authorize the use of small fines in lieu of initiating a complaint under the *Student Conduct Policy*,
- specify the violations in respect of which a misconduct ticket may be given and the associated fine amounts,
- describe service and notice,

- set out procedures to appeal a misconduct ticket.

## Procedure

1. On becoming aware of minor misconduct or misconduct with minimal impact on the learning environment that nevertheless contravenes the *Student Conduct Policy*, UAPS members have the authority to issue a misconduct ticket with limited fines to students.
2. Neither the payment of a misconduct ticket nor the failure to appeal a misconduct ticket will be taken as evidence that a student has committed a violation in any other proceedings under the *Student Conduct Policy*.
3. Where a student has not paid the fine related to a misconduct ticket, or otherwise made arrangements for a payment schedule with UAPS, within 15 working days, the University may put an **encumbrance** on that student's **central academic record** until payment is received.
4. Where a student has paid the fine specified under a misconduct ticket issued under this procedure, individuals other than UAPS members may nevertheless initiate a complaint under the *Student Conduct Policy*. In such cases, the amount of the fine that the student has paid under the misconduct ticket will be taken into consideration by the **Student Conduct Officer** and/or the **Student Misconduct Appeal Panel** when considering the appropriate sanction for the student.

### 5. Misconduct Ticket Limits

- a. Misconduct tickets may only be issued following minor breaches of Schedule B violations of the *Student Conduct Policy*.
- b. Fines for violations of Schedule B misconduct should be proportionate to the misconduct, but may not exceed \$200.00.
- c. A misconduct ticket will be delivered to the student electronically using their University account and the amount of the fine will appear in the student's Bear Tracks account.
- d. The misconduct ticket will include the following information:
  - i. the name of the student and OneCard number,
  - ii. the applicable violation,
  - iii. the name of the member of UAPS who issued the misconduct ticket,
  - iv. the misconduct ticket number,
  - v. the UAPS file number,

- vi. the date on which the misconduct ticket was issued,
  - vii. the amount of the fine, and
  - viii. the procedure to appeal the misconduct ticket.
- e. Payment must be made to Financial Services within 15 working days of the date of the misconduct ticket.

## **6. Appealing a Misconduct Ticket**

- a. A student may appeal the misconduct ticket within 15 working days of the date of the misconduct ticket by submitting a written appeal to the Student Conduct Officer. The appeal must include:
- i. the student's name and OneCard number,
  - ii. the misconduct ticket number,
  - iii. the UAPS file number,
  - iv. the reasons for contesting the misconduct ticket, and
  - v. available supporting evidence, if any.
- b. Where a student appeals the amount of the fine or is unable to pay the fine, the student may seek alternatives from the Student Conduct Officer.
- c. If the student contests the misconduct ticket on the basis that they did not commit the violation, the student must submit any supporting information or evidence with their written appeal to the Student Conduct Officer.
- d. Where warranted, the Student Conduct Officer will request that UAPS conduct specified investigation as needed.
- e. The Student Conduct Officer may cancel the misconduct ticket, vary the fine amount, or uphold the original misconduct ticket. Fines are limited to those provided for on the misconduct ticket. The Student Conduct Officer's decision is final and binding.

## Definitions

<p>Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use.</p>	
<p><b>Student</b></p>	<p>A person who is or has been registered as a student at the University whether or not for credit and includes current Undergraduate and Graduate Students, postgraduate learners, former Students, and graduates who have received a Degree, diploma or certificate from the University.</p>
<p><b>Learning environment</b></p>	<p>The learning environment is to be understood broadly to encompass all aspects of University life. It includes:</p> <ul style="list-style-type: none"> <li>• physical and virtual spaces where University teaching, learning, work, research, , residence, recreational and social activities take place;</li> <li>• activities, including, but not limited to, teaching, research, studying, work, administration, meetings, public service, travel, conferences, and training; and</li> </ul> <p>University events and activities, including public lectures, performances, student group events, and social or sports activities.</p>
<p><b>Misconduct ticket</b></p>	<p>In instances where the conduct in question or its effects are of a minor nature, a misconduct ticket and an associated fine may be issued by a member of UAPS in lieu of initiating a complaint under the <i>Student Conduct Policy</i>.</p>
<p><b>Fine</b></p>	<p>An order that a student pay a specified sum to the University. All funds from fines are directed toward student bursaries.</p>
<p><b>Encumbrance</b></p>	<p>A notation by the Registrar in the form of a negative service indicator on a student's central academic record that results in the withholding of the respondent's grades or other indicators of academic attainment, withholding of transcripts, denial or termination of registration until the Student Conduct Officer confirms to the Registrar that:</p> <ol style="list-style-type: none"> <li>1. a specified Fine has been paid as directed by the Student Conduct Officer or that arrangements satisfactory to the Student Conduct Officer have been made to do so;</li> </ol>

	<p>2. restitution has been made to the satisfaction of the University of Alberta; or</p> <p>3. the student has fulfilled specified conduct conditions.</p>
<b>Central academic record</b>	A continuing record maintained by the Office of the Registrar, where all matters relating to courses, grades, and academic standing and probation are permanently recorded. Transitory notations, such as service indicators are also noted in the central academic record while they are in effect.
<b>Student Conduct Officer</b>	An impartial decision maker under the <i>Student Conduct Policy</i> .
<b>Student Misconduct Appeal Panel</b>	The decision-making body authorized to hear appeals of the decision of the Student Conduct Officer.

## Related Links

### Sources of on-campus assistance

- [Office of the Dean of Students](#)
- [Office of the Student Ombuds](#)
- [Student Legal Services](#)
- [Students' Union \(SU\)](#)
- [Graduate Students' Association \(GSA\)](#)
- [l'Association des Universitaires de la Faculté Saint-Jean \(AUFSJ\)](#)
- [Augustana students' association](#)

### Other conduct-related policies

- [Discrimination, Harassment and Duty to Accommodate Policy](#)
- [Information Technology Use and Management Policy](#)
- [Practicum Intervention Policy](#)
- [Protocol for Urgent Cases of Violent, Threatening or Disruptive Behaviour](#)
- [Residence Community Standards](#)
- [Sexual and Gender-Based Violence Policy](#)
- [Student Groups Procedure](#)

If any of the links are broken, please contact [uappol@ualberta.ca](mailto:uappol@ualberta.ca)

# UASU Students' Council Agenda Submission

**Council Meeting Date**

Tuesday, July 26, 2022

**Mover**

VILLOSO

**Motion**

allow a presentation from Elev Homes

**Email**

julia.villoso@su.ualberta.ca

**Action Requested**

Presentation

**File Upload**



Motions.pdf



SU Slide Deck.pdf



Elev Homes will be presenting to Students' Council to show us who they are and what they do for students. Elev is "a platform helping hosts make the most out of their property by helping find better tenants, better manage their property and provide a better experience for their tenants."



# The Best **renting** and **living** experience







“I didn’t wanna come back in person because i’d have to go through it again”

“The whole thing just sucks”

“impossible to coordinate viewings”

“Landlords would ghost me after I said I was a student”

“I moved out but still got charged rent”

# “Probably **the most stressful** thing I’ve ever done”

“Image trying to find a house that 4 people can agree on”

“We had a spreadsheet to compare houses”

“I hated my landlord”

“I came from India and had to stay in a hotel for 12 days before finding a home”

“Living in res was not a good financial decision”

“My ex-roommates stressed me out more than school”

“I probably sent like 14 different applications”

# Three Problems

**Finding** the  
right Home.

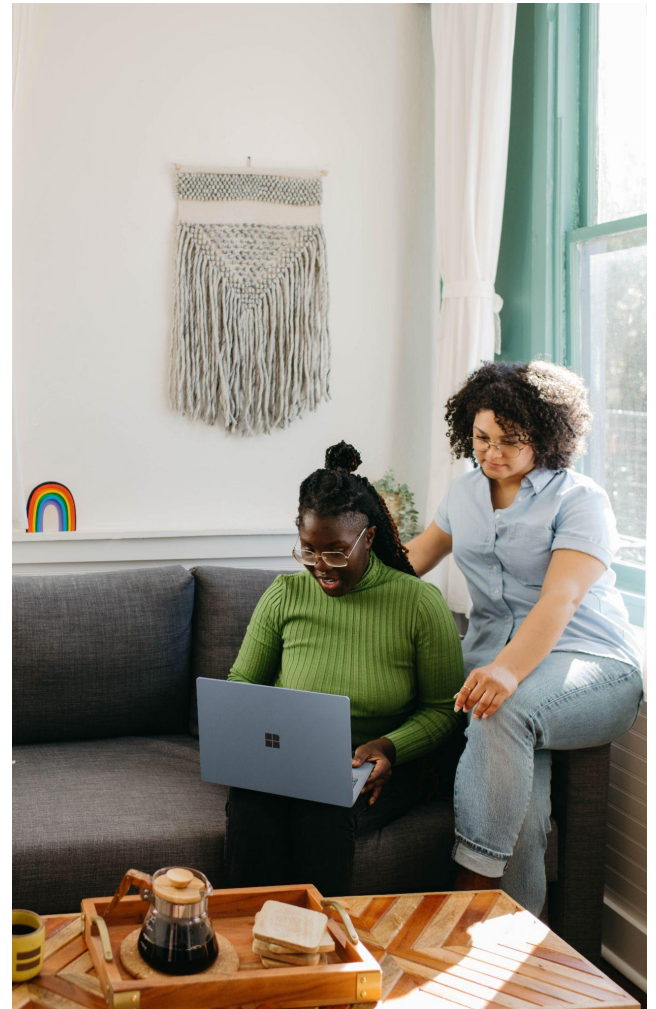
Process of  
renting

**Experience** of  
living



# Finding a Home is difficult

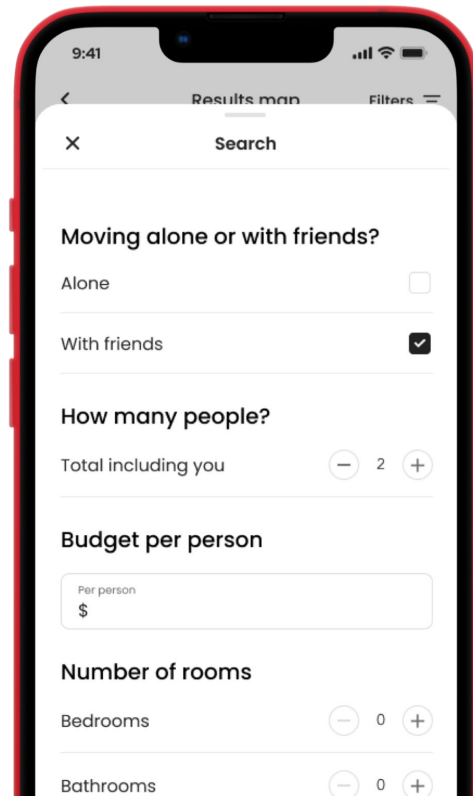
- Scams and fraud
- Ineffective searching
- Manual comparison



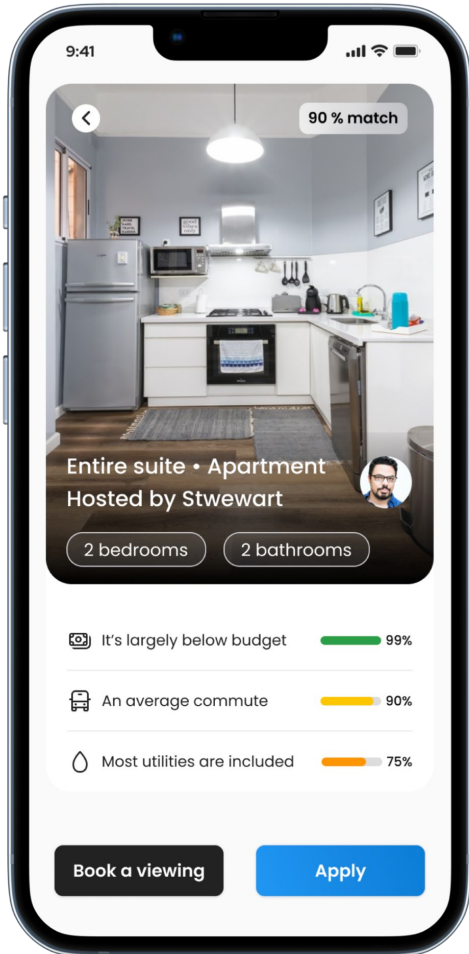
# A better way to search...


Elev Pitch Deck

July 2022



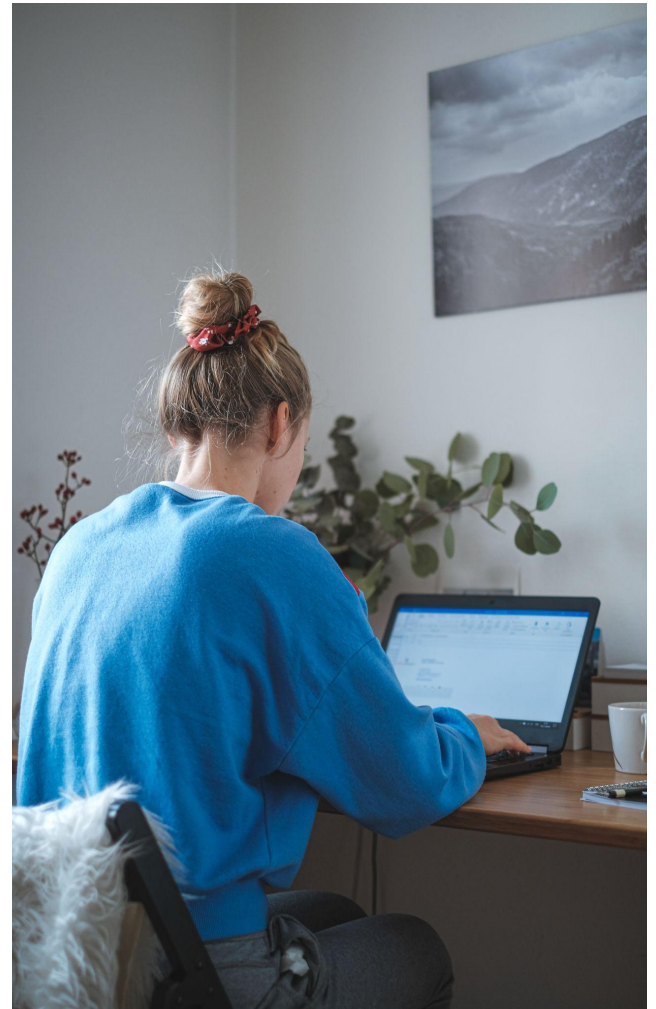




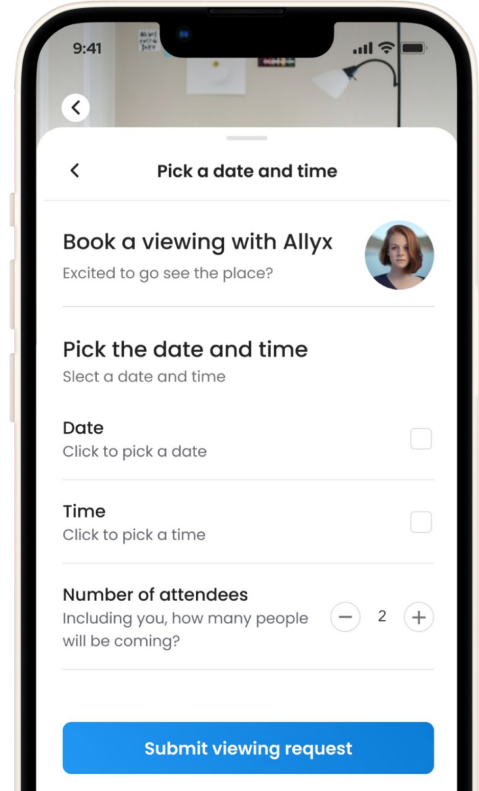
... and find  
your next  
Home 

# The process is complicated

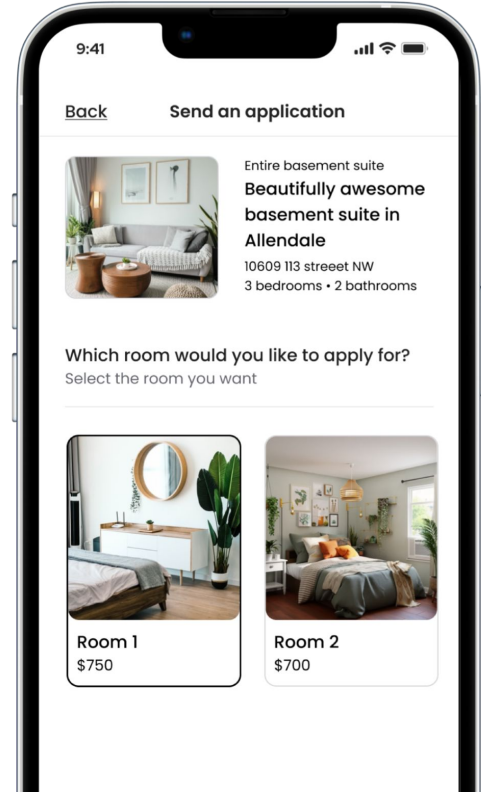
- Coordinating viewings
- Sending many applications
- Understanding leases



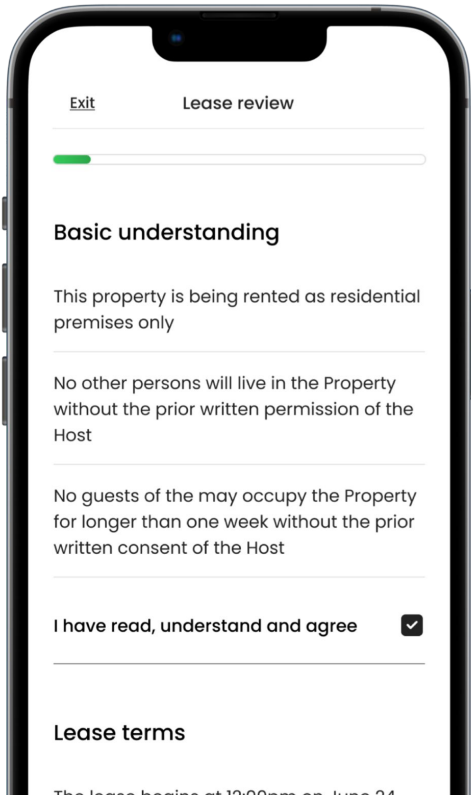
# Tap, Tap, Booked.



# Fastest\* application in the world

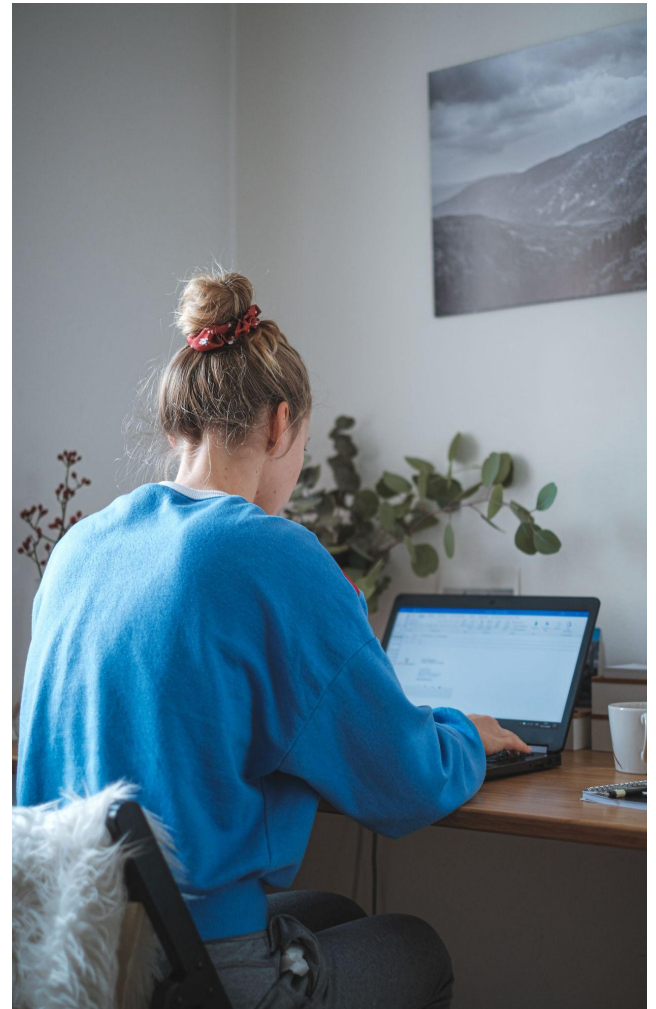


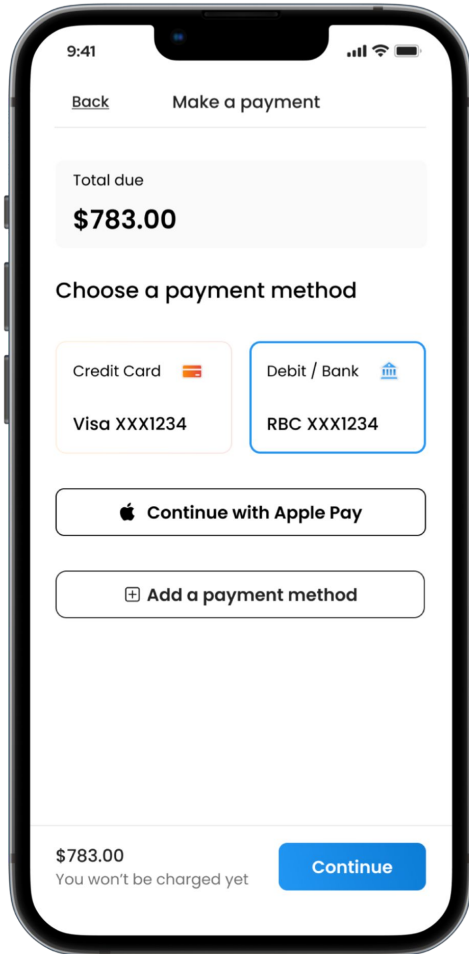
Step by  
step, easy  
to digest.



# Living off-campus

- Handling rent & bills payments
- Relationship with Host
- Keeping track of it all





# Pay your rent and all your bills.

July 2022

900+

Students

500+

Homes

Elev SU Deck





# \$200k+

in earnings

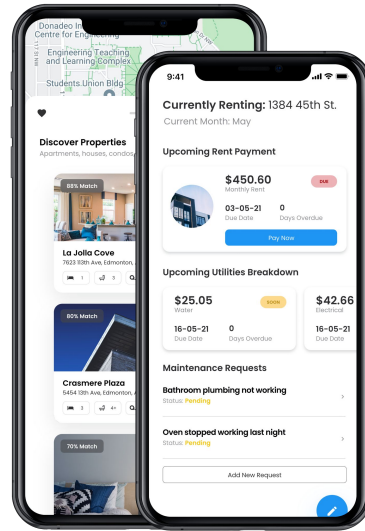


# Better and better

July 2022

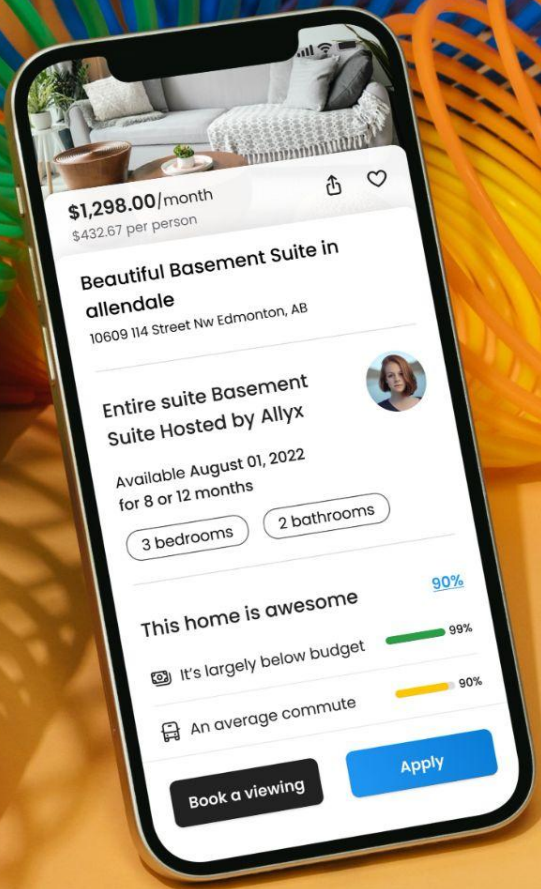
Elev SU Deck





Elev SU Deck

July 2022



\$1,298.00/month  
\$432.67 per person

### Beautiful Basement Suite in allendale

10609 114 Street Nw Edmonton, AB

Entire suite Basement  
Suite Hosted by Allyx



Available August 01, 2022  
for 8 or 12 months

3 bedrooms

2 bathrooms

This home is awesome

90%

It's largely below budget

99%

An average commute

90%

Book a viewing

Apply



We're not done **yet.**

Not even close.

# Build credit score

## Split costs and chores

### Summer subleases

Rental insurance

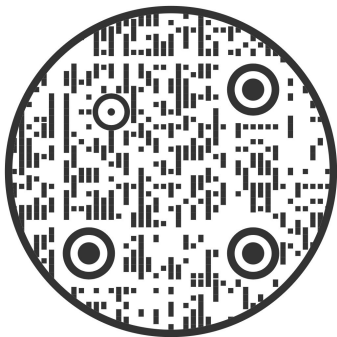
What's the move?

Host/tenant reviews

Virtual Viewings

# Find yours.

[elevhomes.ca](https://elevhomes.ca)



Elev SU Deck

July 2022





# UASU Students' Council Agenda Submission

**Council Meeting Date**

Tuesday, July 26, 2022

**Mover**

VILLOSO

**Motion**

allow a presentation of the Students' Union Building Master Plan

**Email**

julia.villoso@su.ualberta.ca

**Action Requested**

Presentation

**File Upload**



Motions-2.pdf

General Manager, Marc Dumouchel will be presenting on the Students' Union Building (SUB) Master Plan. The SUB Master Plan is a document that will guide the future development of SUB, essentially a strategic plan for the building. This presentation will highlight our future goals for the building, visions on how it can further help students, and planned renovations for the upcoming years ahead.

## UASU Students' Council Agenda Submission

**Council Meeting Date**

Tuesday, July 12, 2022

**Mover**

FLAMAN

**Motion**

moves to amend the May 17th Votes & Proceedings item 2022-02/8d by replacing TABLED with CARRIED

**Email**

lflaman1@ualberta.ca

**Action Requested**

Approval

**File Upload**



2022-02-8d.pdf

Session by acclamation.

**MONTEIRO/VILLOSO MOVED** to extend the meeting by 30 mins  
CARRIED

2022-02/8d **VILLOSO/DHILLON MOVES TO** approve the SCF Funding Request for the Main Floor and Patio Improvements

See SC.2022-02.14  
TABLED

2022-02/9l **SINGH/MONTEIRO MOVE TO** discuss the Fall 2023 International Tuition Fee Proposal

See SC.2022-0.2.15-16  
CARRIED  
**ALI/ REGMI MOVE** to extend the meeting till 10:45 pm  
CARRIED

2022-02/8a **VILLOSO MOVES TO** appoint two (2) members of Students' Council to the DIE Board Tribune Selection Committee

See SC.2022-02.07

2022-02/8b **ALI MOVES TO** direct the Executive Committee to prepare a report, by no later than August 30th, for Students' Council regarding the following:

1. An assessment of the EDI-related policies and programs of the Students' Union and comparable student associations; and
2. A recommended process for moving forward with updating and implementing the 2021-22 EDIT Recommendations.

See SC.2022-02.08  
TABLED

2022-02/8c **ALI MOVES TO** discuss the Government of Canada's plan to give free dental-care and pharma-care.

See SC.2022-02.09  
TABLED

2022-02/9

GENERAL ORDERS

2022-02/9k

**VILLOSO MOVES TO** re-affirm the ad-hoc Sustainability Committee and Standing Orders.

## UASU Students' Council Agenda Submission

<b>Council Meeting Date</b>	Tuesday, July 26, 2022
<b>Mover</b>	WATTAMANIUK
<b>Motion</b>	WATTAMANIUK MOVES TO discuss a potential investigation into alleged violations of private Academic Information
<b>Email</b>	wattaman@ualberta.ca
<b>Action Requested</b>	Discussion

# UASU Students' Council Agenda Submission

**Council Meeting Date**

Tuesday, July 26, 2022

**Mover**

Ali

**Motion**

Regarding my eligibility to serve on Students' Council

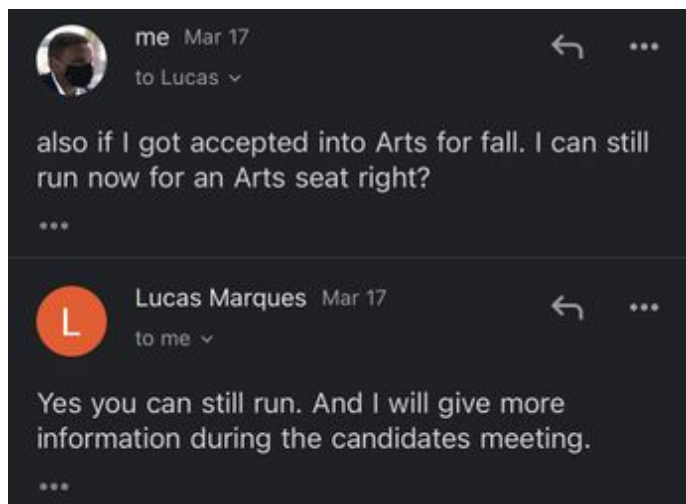
**Email**

haruun@ualberta.ca

**Action Requested**

Information Items

**File Upload**



## Clarification Request



me Apr 4  
to Lucas ▾



Hi Lucas,

This individual keeps harassing me and saying my election was illegitimate. Are you able to please look into his comments and let me know if there is any merit to them?

I keep telling them I am eligible but it is not enough for this person.

Please advise

Thanks,  
Haruun Ali



2022 SU and GFC Clarification 2.pdf

Tuesday, April 5th, 2022

**RE: 2022 SU & GFC Candidate Eligibility Clarification**

To Whom it may concern,

**Haruun Ali**, 2022 UASU Council and GFC Arts Candidate, has fulfilled **all** election eligibility requirements in accordance with Bylaw 100 and 2300. The Elections Office reviews all nominations and its requirements prior to each election in order to ensure all candidates are fulfilling all bylaw requirements.

Kind Regards,

Lucas Marques

Chief Returning Officer

University of Alberta Students' Union



