ACE ACUMEN ACADEMY

ACE Acumen Academy

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CODE OF STUDENT RIGHTS AND RESPONSIBILITIES

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ACE ACUMEN ACADEMY

1.1.1 Introduction

The School is committed to the provision of high quality education and training, and seeks to ensure an environment of academic integrity in both the learning and evaluation processes taking place at the School. It is also committed to the establishment of an atmosphere of respect and appreciation for the rights and responsibilities of all those associated with the School.

The Code of Student Rights and Responsibilities (the Code) reflects the School's intention, not only to respect the rights of students, but also to require students to respect the rights of others and to observe School rules and regulations essential to the orderly operation of the School and the classroom. This includes compliance with all health and safety policies, procedures and protocols.

The Code of Student Rights and Responsibilities is intended to act as a guideline for students, staff, faculty, administrators, and the Board. It is not intended to be a legal contract between the students and the School, and it cannot override any collective agreement or other legally enforceable contract where there is a conflict. In the event of any procedures conflicting with the policies of the Board, the policies would prevail. These rights and responsibilities apply to all students engaging in educational pursuits offered by the School. From time to time, the School may make changes to the list of rights/privileges, at which point the document will be taken through the normal approval procedure.

The School does not and will not retain or withhold an International Student's passport, Study Permit, or similar document under any circumstances.

Every student of the School is expected to review and make themselves familiar with the matters addressed in this Code. In addition, every student is responsible for reviewing various other policies and procedures relating to his/her enrolment at the School which can be found on the School's website. Every student is expected to adhere to these policies and to encourage other students to do the same.

1.1.2 Definitions

When used in this Code of Student Rights and Responsibilities:

Academic means those activities/behaviours and/or matters directly related to the instructional/learning process.

Academic integrity means a strict code of conduct at school, where one's behaviour demonstrates a commitment to six fundamental values: honesty, trust, fairness, respect, responsibility, and courage.

Academic misconduct means a violation of academic integrity, where a student gains an advantage in their schoolwork through dishonest behaviour.

Academic penalty means a punitive measure, resulting from an incident of academic misconduct.

Administrator means one or more of the managerial employees of the School who perform work of an administrative nature and as defined by the Terms and Conditions of Employment for Administrative Staff.

Behavioural Assessment Care Team (BACT) is a multi-disciplinary team which meets regularly to gather and coordinate information and to develop support plans to promote student health and well-being, a successful academic experience, and a safe campus environment.

Behaviours of Concern means behaviours that are worrisome, disruptive, intimidating, troublesome and/or threatening to others that may be presented through a student's appearance, spoken or written words, or specific actions.

Chair means an administrator responsible for the operation of a School within the School and to whom faculty and staff within that School report. A Chair has the authority to assign a designate on their behalf.

Code means the Code of Student Rights and Responsibilities.

School means Ace Acumen Academy ESL Program, its various properties and campuses, its Board, its agents and employees.

School Community means any member of the School Board, students, administrators, faculty members, support staff, contract workers, and agents.

School Employee means any person who works for or provides services to the School on a full- or part-time basis, whether belonging to a bargaining unit or not.

School Resolution Officer (SRO) means the staff member responsible for the complaint and resolution process for non-academic related issues. The School Resolution Officer has the authority to assign a designate to act on their behalf.

School Sponsored/Approved Event/Activity means any event/activity sponsored and/or approved by the School whether on or off campus.

Days means working days, which are Monday through Friday, except statutory holidays and when the School is officially closed by order of the President or by virtue of any governmental order or regulation.

Faculty means one or more of the professors and instructors employed by the School to teach any course of study, or any counsellor or librarian, or any person falling within the definition of an academic employee, under the current

Collective Bargaining Agreement.

Harassment engaging in a course of vexatious comments or conduct directed toward an individual, or group of individuals, that is known or ought to be reasonably known to be unwelcomed or unwanted.

Invigilator means a person appointed to supervise students/candidates during a test or examination.

Immediate Supervisor means immediate supervisor or a person appointed by the School President as their designate.

Member means a member of the School Community.

Non-Academic means those activities/behaviours and matters not directly related to the instructional/learning process.

Not in Good Standings means a student who is "Not in Good Standing" as a result of being issued a Behavioural Contract, a suspension, a dismissal and/or a no trespass notice by the School for violating one or several School policies (for example: The Code of Student Rights and Responsibilities; and/or Workplace Violence Prevention and Reporting Policy) and who may not be eligible for academic awards and/or be employed/volunteer in a leadership capacity within the School.

Any behavioral misconduct by a student that results in a notice of disciplinary action by the School will automatically remove that student from a "Student in Good Standing" designation to a "Not in Good Standing" category. The "Not in Good Standing" status will be in effect until the end of the Academic term following a period of one full year from the date of the notice of disciplinary action to the student.

Official School Publication means those publications approved by the Board or the School President, and includes the following: School Calendar, School Admission/ Handbook, and the Code of Student Rights and Responsibilities.

Personal Information means information about an identifiable individual, including: race, national ethnic origin, colour, religion, age, sex, sexual orientation, marital or family status; education, medical, psychiatric, psychological, criminal, employment history or financial transactions; identifying numbers such as Health Card, S.I.N., or student number, student home address or home telephone number; private correspondence; the individual's name where it

is linked to their personal information.

Proctor means an individual who is appointed to monitor students/candidates during a test/examination which is written in the testing lab, most usually

accommodated or make-up.

Recognized Student Organization means the student organizations recognized from time to time by the Board.

Rules and Regulations means such rules, regulations, policies or procedures as may be approved and published or communicated by the Board, the School President, or other School authority from time to time.

Senior School Administrator means the President, Vice Presidents and other administrators reporting directly to the President that have been designated as part as the "Senior Operations Group".

Sexual Harassment means unsolicited or unwanted sexual advances, or requests for sexual favours, unsolicited or unwanted verbal abuse or physical contact of a sexual nature, unwanted written or visual material of a sexual nature, including electronic materials.

Student means any person(s) registered in a course or program of study at the School, whether full-time or part-time or a person in the process of registering to become a student. (e.g.: participating in admissions testing; auditions, etc.)

Student Press means any publication published by a recognized student organization.

Student Respository means the School's information system that records and reports Code and other policy violations and penalties.

Support Person means another student or a member of the School community.

Support Staff means one or more of the School employees who perform work of a technical or support nature within the definition of the Support Staff Collective Bargaining Agreement.

Vice President means a Senior School Administrator reporting directly to the President and who is responsible for a specific area(s) of operation.

Violence means:

a) The exercise of physical force by a person against another person that causes or could cause physical injury;
b) An attempt to exercise physical force against a person that could cause physical injury;
c) A statement or behaviour that is reasonable to interpret as a threat to exercise

d) physical force that could cause physical injury.

1.1.3 Student Rights

In common with all other individuals in Ontario, students enjoy rights under the *Human Rights Code* , the *Canadian Charter of Rights and Freedoms* and the *Freedom of Information and Protection of Privacy Act*. Students have and may exercise their general rights as citizens, subject to the rules, regulations and discipline of the School. They also have the right to the enjoyment of a safe learning environment and fair treatment in accordance with the rules, regulations and discipline of the School. From time to time, the School may make changes to the list of rights/privileges, at which point the document will be taken through the normal approval procedure. Examples of student rights and privileges include, but may not be limited to:

Academic Appeal – The right to question and appeal, within other defined academic procedures,
those matters affecting one's academic status, promotion and matters affecting graduation.

Academic Guidelines – The right to receive, in writing and in a timely manner, copies of academic information such as course outlines, course objectives, grading/evaluation systems including penalties, attendance policy, academic regulations, and a statement when major projects/exams/assignments are due. This includes the right to be informed, in advance, of any substantial changes made to these items.

Access to Complaint/Appeal Processes – The right to file a complaint and/or the right to appeal a decision under the Code of Student Rights and Responsibilities, if a student feels that they have been unjustly treated regarding the application of a School policy or procedure or regarding the action(s) of fellow students or other members of the School community.

Accommodations – The School will provide supports and services to all students with disabilities, both temporary and permanent, with valid supporting documentation. Interim accommodation requests will be received in good faith and can be provided pending receipt of medical documentation. Retroactive accommodations will be considered based on the unique circumstances of the individual matter. The School will give all Human Rights Code-related requests for accommodation meaningful consideration. Students should contact Student

Services for information regarding the accommodation process.

Application of School Policies and Procedures – The right that all School policies and procedures will be applied consistently by all School members.

Assembly – The right to organize and take part in orderly assemblies on campus, so long as such assemblies do not interfere with the regular activities of the School community and are not contrary to School rules and regulations.

Freedom to Publish – The right to publish and distribute views on campus, either personally or through the student press, free from censorship but subject to the law, standards of responsible journalism and the reasonable requirements of good taste.

Freedom of Speech – The right to express themselves on any subject, without hindrance or fear of reprisal, subject to the laws of defamation and to the reasonable requirements of discipline, except where the exercise of such rights interferes with the rights of others.

Impartial Grading – The right to be objectively graded on academic performance and to be protected by established procedures against prejudice or unreasonable evaluation. This includes the right to request a re-evaluation of those factors used to determine the grade, in accordance with School procedures.

Information and Procedures – The right to request and receive, in a timely manner, information and advice that will help the student become more knowledgeable about School programs, courses, services and activities. This includes, but is not limited to, the following:

a) To know the approximate School-related expenses to be incurred by the student during the term/semester/year;
b) To be informed of the office hours of one's faculty and/or their absence and/or the office hours of other employees responsible for providing services and activities;
c) To be able to, within a specified time period and for reasonable cause, and in accordance with School procedures, change a course or transfer to a different section, if available, after classes have begun;
d) To obtain one's marks/transcripts/credentials within the deadlines and procedures established by the School;
e) To have the opportunity to obtain or review one's submitted and evaluated assignments, tests, exams and projects;
f) To add information to one's official record disputing material of a negative nature.

Inquiry and Access – The right to request and receive any approved School rule, regulation, policy, procedure or guideline regarding School programs, courses, activities, and services, as well as information regarding the consequences of breaking such rules, regulations, policies, procedures or guidelines. This includes the right to make, without fear of reprisal, a responsible complaint to the

appropriate School authority.

Invited Speakers – The right to attend, and hear without fear of reprisal or interruption, presentations by speakers invited to speak on School property, on the condition that no speaker shall be invited to speak on School property without the prior and written approval of authorities designated by the President.

Issue Resolution – The right to obtain information on enforcing student rights and to expect resolution of legitimate concerns in a timely, effective and professional manner.

Learning Environment – The right to a safe learning environment and to be free from any and all discrimination and/or harassment, including sexual harassment.

Organizations – The right to form, elect, join and take part in any lawful group or organization, whether recognized or not, for the purpose of organizing, sponsoring, maintaining and administering the common interests of that group, subject to School rules and regulations.

Privacy of Records and Release of Information – The right to the privacy of one's official records and the right to personally examine such records, including the right to challenge the accuracy or presence of any entry on one's records and the right to be notified, in writing, of adverse information being placed in one's file. The right to expect that personal information will not be released to anyone, without the prior written consent of the individual concerned or unless required under the Freedom of Information and Protection of Privacy Act and/or legal procedures, and that any disclosure will comply with the appropriate provision(s) of the Act.

Representation – The right to make personal representation(s) to any School decision-maker, or decision-making body, regarding any aspect of one's rights or status, according to established School procedures.

Security of Person and Property – The right to be secure against unreasonable search or seizure. This includes the right to be free from harassment.

Soliciting Money – The right to solicit money on campus for purposes approved by the School, in accordance with School regulations and procedures, and subject to law.

Use of Facilities – The right to apply for the use of School facilities and, upon approval, the obligation to abide by such regulations as may be laid down (including the payment of fees or expenses, which may include a Performance bond), so long as designated School facilities are not required for School purposes and are generally available.

1.1.4 Student Responsibilities

The School recognizes that the privilege of pursuing an education includes the responsibility of all members of the School community to maintain high standards of conduct. The School shall treat students as adults who are capable of and responsible for conducting their affairs with courtesy and proper regard for the rights of others and of the School community. The School expects that students will conduct themselves honorably and maturely in pursuit of their academic goals and, at the least, in accordance with federal, provincial and municipal laws and with School rules and regulations. The following list of responsibilities is not exhaustive but reflects the general categories of responsibilities.

The School expects that students will be responsible for such things as:

1. Obtaining information concerning course outlines, content, evaluation methods, methodology, academic standing regulations and graduation requirements;

2. Obtaining information and the procedures to be followed in the case of rescheduling or replacement of classes

3. Respecting other people's health, safety and right to security;

4. Communicating with faculty, counselors and staff in order to resolve problems. The student is responsible for obtaining faculty and staff schedules;

5. Observing requirements concerning attendance, punctuality and appropriate behaviour;

6. Submitting assignments within the required deadlines. If unable to do so, seeking faculty approval to make alternate arrangements;

7. Being aware of educational activities and services available to assist them in orientation to the School, academic achievement, general growth and development;

8. Participating in meetings and correspondence when requested. Failure to do so does not negate any process noted in the Code;

9. Complying with regulations and procedures regarding the use of School materials, equipment, and services and following School rules and guidelines;

10. Complying with School/Departmental Health and Safety policies and guidelines.

11. Respecting the right of the School and of the faculty members to determine the course content, instructional methodology, evaluation procedures, and the frequency of evaluation within the guidelines set for the course and approved by the academic department;

12. Respecting faculty's right to set deadlines for assigned work, to expect assignments to be submitted at the times specified and to establish penalties for failure to comply with deadlines;

13. Respecting faculty's right to expect assignments to be neatly presented with appropriate identification and in accordance with the course requirements;

14. Respecting the principles of academic integrity and being aware of what constitutes academic misconduct;

15. Writing tests and examinations at the time(s) scheduled, adhering to the established procedures when writing examinations, and complying with the Examination Policy;

Note: Section 404 of the Criminal Code of Canada makes impersonation at an examination a criminal offence.

a) Section 404: Everyone who falsely, with intent to gain advantage for himself or some other person, personates a candidate at a competitive or qualifying examination, held under the authority of law or in connection with a university, School, or school, or who knowingly avails himself of the results of such personation, is guilty of an offence punishable on summary conviction.

16. Assuming responsibility for course work and assignments missed when absent. Participation in co-curricular activities, athletic events, field trips, student exchanges, etc. does not reduce academic responsibility.

17. Respecting faculty's right to have appropriate classroom deportment. Should a student be disruptive or disrespectful, faculty have the right and obligation to exclude the student from the teaching area.

18. Obtaining prior approval from faculty or staff to bring a child or other guest into the classroom or other areas used for student learning or study (e.g. Library); children or guests must not be disruptive to the learning of others.

19. Respecting the rights of all members of the School community.

20. International students understanding that the School does not provide advice or counsel on work permits, study permits, co-op permits, etc. Students are responsible to visit the IRRC website for additional information regarding such matters. https://www.canada.ca/en/immigration-refugees-citizenship.html

NON-ACADEMIC MISCONDUCT

1.1.5 Non-Academic Misconduct: Offences, Penalties, Complaint Process & Appeal

Any one of the following activities is considered an offence against the Code, and the student is subject to appropriate penalties and disciplinary procedures if in violation of the Code. The list of offences is not exhaustive but reflects the general categories of offences:

1.1.4.1 Non-Academic Misconduct: Offences

General Misconduct

Offences include:

1. Convictions of any federal, provincial or municipal law, so far as they are relevant to this Code;
2. Breach of approved School policies, procedures, rules, or regulations that are in effect;
3. Knowingly aiding or assisting another person(s) in the commission of any offence on campus or at any School-sponsored/approved activity on or off campus.

Abuse, Harassment, Dangerous Activity

Verbal or Physical Abuse. No student or other member of the School community shall threaten or cause any other person to fear verbal or physical abuse on School premises or at School-sponsored activities/functions off campus.

Harassment. No student or other member of the School community shall engage in a course of vexatious comments or conduct directed toward an individual, or group of individuals, that is known or ought to be reasonably known to be unwelcomed or unwanted.

Sexual Harassment. No student or other member of the School community shall sexually harass another person, on School premises, or at School-sponsored activities/functions off campus.

Violence. No student or other member of the School community shall, on School property, or at School-sponsored/approved functions off campus, individually or with a group, including picketing or a rally:

1. Use words, gestures or acts in a manner that causes or threatens violence or abuse to any group or individual;

2. Use words, gestures or act in a manner, in a situation of clear and imminent danger, which may incite others to behave in a way which violates the Code or general law;

3. Knowingly create a condition that endangers or threatens the health, safety, or well-being of other persons or impairs the freedom of any person;

4. Bring on School property or to any School-sponsored/approved activity any explosives (including fireworks), firearms, other weapons or imitations of weapons.

Violation of Health and Safety Policies. No student or other member of the School community shall violate any School Health and Safety Policies, procedures and guidelines (including violation regarding required PPE (personal protective equipment). Students who have violated School or program specific Health and Safety policies (example PPE in labs or shops) will be subject to the non-academic penalties.

Disruption or Obstruction of Regular or Organized School Activities. No student or other member of the School community shall disrupt or obstruct any regular or organized School activities/functions, including public service functions and other authorized activities on School property or at School-sponsored/approved activities off campus.

Communications. No student or member of the School community shall:

1. Fail to obey the lawful instructions or comply with the directions of a School employee, or person acting on behalf of the School, while that employee or person is acting in the proper performance of their duty;

2. Refuse to provide identification upon reasonable request and justification by a School official, employee or person acting in the proper performance of their duty (e.g Campus Security).

3. Engage in conduct in any form that is, or would reasonably be seen to be, humiliating or demeaning to another person or coerce, entice or incite a person to commit an act that is, or is reasonably seen to be, humiliating or demeaning to that person or to others, including but not limited to social media or texting.

4. Use information and communication technologies such as e-mail, cell phone, text messages, instant messaging, personal Web sites, social networking sites, or online personal polling Web sites, to engage in or support harassing or hostile behaviour by an individual or group, or that is intended or has the potential to harm others (e.g. cyber- bullying).

Unauthorized or Illegal Substances. No student or member of the School community shall on School property or at a School-sponsored activity/function off campus:

1. Possess, use, or distribute or assist in the use, sale, or distribution of any illegal or unauthorized narcotic, substance, drug or article;

2. Possess, sell, or distribute or assist in the sale or distribution of any alcoholic beverage in unlicensed areas and without prior School permission;

3. Possess or use firearms, weapons, imitations of weapons, explosives (including fireworks), dangerous chemicals, or other potentially harmful substances, on School property or at School-sponsored functions or activities off campus, without prior School permission;

4. Impair the instructional process or cause a safety problem to themselves or others, by the consumption of any alcoholic beverage, or the use of any illegal narcotics or drug, or any unlawful substance.

Theft, Damage or Destruction of Property. No student or other member of the School community shall on or off School property:

1. Misappropriate, convert, move without authority, destroy, deface or otherwise damage School property or any property of any other person while participating in School sanctioned/approved activities/events.

2. Possess School property, or property of any member of the School community, without the written consent or authority of the School or the affected person;

3. Enter or remain on School property for purposes other than those within the mandate of the School.

Fraud or Misuse of School Facilities, Equipment, Materials, Services and Resources.
No student or other member of the School community shall:

1. Forge, alter, or use School documents, records, or instruments with intent to defraud;

2. Misuse the School name or the name of any School employee, document, record, instrument or identification with or without the intent to defraud;

3. Obtain any School equipment, material, or service by fraudulent means or by providing false information;

4. Use any School facility, equipment, material, or service contrary to School authority, policy, regulation, or procedure;

5. Remove books or other resource material from a School area without proper authorization; mutilate or deface library books or materials; purposely misplace books or materials which may deprive other members of the School of the opportunity to have access to such resources;

6. Violate the Computing, Network and Communications Resources Acceptable Use Policy, by:

    a) **Engaging in unauthorized access (hacking).** This may include using unauthorized user names, passwords, computer addresses, or identities, or modifying assigned network settings to gain access to computer resources and/or data, or otherwise attempting to evade, disable or “crack” security provisions of School or external systems.

    b) **Engaging in vandalism of data.** Deliberate alteration or destruction of computer files is a Criminal Code offence and will be prosecuted. Under no circumstances may a user inspect, alter, delete, publish or otherwise tamper with files or file structures that the individual is not authorized to access.

    c) **Interfering with other users’ work.** This includes use of any process that causes a user to be deprived of services or resources that they would normally expect to have available. It covers, but is not limited to the creation of “spam” and the introduction of viruses or chain letters.

d) **Squandering computing, network, and communications resources.** Resources are shared and no user may degrade the systems by the use of unwarranted data space, time and bandwidth consumption through resource-intensive programs, unattended network connections, and/or lengthy print jobs.

e) **Sharing their account.** The School's computing resources are allocated to groups and individuals for specific academic and administrative purposes. It is not acceptable to give, sell, or otherwise provide computing resources to individuals or groups that do not have explicit permission to use them from the School authority.

f) **Utilizing the School computer system for commercial purposes.** The School system(s) may not be used to sell or promote products or services for personal gain. This includes uses such as distribution of advertising materials, the offering of network information or services for sale, and private enterprises.

g) **Committing a breach of copyright.** This includes installing, reproducing, and/or distributing copyrighted materials such as proprietary software, publications, or files without permission. School software is provided under license agreements with various vendors and may not be copied or otherwise removed.

h) **Importing or distributing offensive material.** Materials not subject to legal sanction may be objectionable or repugnant to persons other than the computer user. Importation or distribution of such material (including, but not limited to, racist material, hate/violent, sexist slurs, or pornography) requires an underlying academic or educational purpose.

i) **Promoting a hostile atmosphere.** The display of sexually explicit or violent images in public spaces and/or the initiation of unsolicited communication with sexual content contravenes the School's Respectful Work and Educational Place Policy..

j) **Sending harassing or defamatory material by electronic means**. Harassing or defamatory material may not be sent by electronic means, including email and voice mail or posted to news groups.

1.1.4.2 Non-Academic Misconduct: Penalties

Misconduct as outlined in the Code may result in disciplinary action through one or a combination of School, civil, or criminal proceedings. A student who has been found in violation of the Code shall be subject to a penalty, or penalties, depending on the offence. Some cases may warrant more than one penalty and previous School misconduct may be taken into account in determining penalties.

Violation(s) of the Code or inappropriate behavior by other members of the School community will be dealt with in accordance with applicable laws, School Policies and Procedures, and the principles of progressive discipline under current collective agreements and/or other legally enforceable contracts.

Minor infractions will normally be dealt with in the area or department where they occur.

A record of any penalty, or other documentation, that has been issued as a result of Non-Academic Misconduct by a student may form part of the student's record and may rendera student "Not In Good Standing" in accordance with the Student Overall Standing Policy (Policy #1.5.6.).

When an offence occurs the incident will be entered into the **School's Student Repository** in addition, the following penalties may be issued:

1.1.4.2.1 **Official Warning.** A notice to the student, verbally or in writing, that the student has violated a specific section of the Code and that continuation or repetition of such violation will be cause for further disciplinary action.

1.1.4.2.2 **Reprimand.** A written letter of reprimand to the student for a specific breach of the Code that will serve as notice for more severe disciplinary action if there is another breach of the Code.

1.1.4.2.3 **Care Plan.** A supportive intervention tool used by the BACT to outline the student's expected actions and behaviour after the behaviour(s) of concern have been reviewed. The plan is designed to promote the overall well-being of the student and School community.

1.1.4.2.4 **Behavioural Contract**. In all cases, a student may be placed on a behavioural contract that may specify specific terms and/or expectations including, but not limited to: mandatory counselling; exclusion from specific areas of the School; exclusion from School events; and conditions such as a prohibition against consumption of alcohol on campus. Requirement for permission from aspecific administrator prior to attending special School functions on or off campus (field trips or non-academic functions, for example, etc.).

In appropriate circumstances, the School Resolution Officer, with the approval of a Senior Manager, may include in such Behavioural Contract a condition that the student obtain an assessment by a professional in a designated field of practice confirming his/her fitness to attend School prior to returning to School functions or services, including but not limited to residence and academic programming.

1.1.4.2.5 **Probation.** In addition to a warning, reprimand and/or behavioural contract, a student may be placed on probation for a stated period with specific conditions; a breach of which may result in suspension or dismissal.

1.1.4.2.6 **Restitution.** In all cases, restitution may be ordered in addition to other penalties where the misconduct involves damage to or misappropriation of property of the School or others. Restitution may be by way of personal service in order to repair or otherwise compensate for physical damage. If the student is ordered to provide restitution, the School may withhold grades, transcripts, certificates and diplomas, and may refuse subsequent registration until all terms of the restitution have been satisfied (see also Revocation/Withholding a School Credential and/or Academic Credit).

1.1.4.2.7 **Exclusion.** This involves immediate exclusion from a particular part of the School, (i.e. classes, labs, rooms, or buildings) or part of a program of study for a specific period of time.

1.1.4.2.8 **Revocation/Withholding a School Credential and/or Academic Credit.** These penalties may be invoked in instances of non-payment of a fee or other monies due the

School, or failure to return School equipment, or failure to provide full restitution, etc.

1.1.4.2.9 **Immediate Interim Suspension:** In addition to any other action or penalty specified herein, the School Resolution Officer or a Senior Administrator may suspend a student if the safety of other persons or the possibility of further damage to School persons or property is in question or if the continued presence of the student(s) would be disruptive to School activities. In such a case, the issue of Interim Suspension shall be reviewed within two (2) days and the School Resolution Officer or their designate shall either revoke or confirm the Interim Suspension while the investigation into the behaviour is being conducted and pending outcome of the final investigation.

1.1.4.2.10 **Suspension.** This involves suspension from the School for a stated period. The suspension may include conditions that must be met before the suspension is lifted.

1.1.4.2.11 **Full Suspension.** This involves suspension from the School and/or classes/labs or instruction and other specified privileges or activities for a definite period of time not to exceed one year.

1.1.4.2.12 **Dismissal.** This involves the permanent dismissal of the student from the School. The penalty may contain provisions for a specific period of time and readmission as specified by the School.

1.1.4.3 Non-Academic Misconduct: Penalties and Issuing Authority

Non-Academic Misconduct	
Penalties	**Issuing Authority**
Official Warning	School Resolution Officer or Administrator in conjunction with the SRO
Reprimand	School Resolution Officer or Administrator in conjunction with the SRO
Behavioural Contract	School Resolution Officer or Administrator in conjunction with the SRO
Probation	School Resolution Officer or Administrator in conjunction with the SRO
Restitution	School Resolution Officer or Administrator in conjunction with the SRO
Exclusion	School Resolution Officer or Administrator in conjunction with the SRO
Revocation/Withholding School Credential and/or Academic Credit	Administrator
Immediate Interim Suspension	School Resolution Officer, Senior Administrator or their delegate.
Suspension	School Resolution Officer, Senior Administrator or their delegate.
Full Suspension	Senior Administrator
Dismissal	Senior Administrator

ACADEMIC MISCONDUCT

1.1.6 Academic Misconduct: Offences, Penalties, Complaint Process and Appeals

Academic misconduct is an act which may result in a false evaluation of the student's academic standing, or which represents an attempt to unfairly gain an academic advantage, where the person knew or ought reasonably to have known that it was misconduct.

Whether or not a student intended to commit academic misconduct is not relevant for a finding of academic misconduct. Students are responsible for verifying the academic integrity of their work before submitting it.

1.1.6.1 Academic Misconduct: Offences

Academic misconduct includes, but is not limited to, the following:

1. **Plagiarism**: the act of copying, reproducing or paraphrasing, in whole or in part, someone else's published or unpublished material (from any source, including the Internet) and representing these works or ideas as one's own. Plagiarism applies to all forms of work presented or submitted for academic evaluation including, but not limited to, any written work, computer programming, music, drawings, designs, dance, photography, and other artistic and technical works.

2. **Cheating (Unauthorized External Assistance)**: receiving external assistance in relation to an examination, assignment, or any other academic exercise for credit, unless expressly permitted by the instructor. Cheating includes, but is not limited to:
    a. Communicating with any person during an examination other than an authorized member (i.e. invigilator, proctor);

    b. Putting one's name on another student's examination or assignment;

    c. Unauthorized use or possession of cell phones, cameras, text messages, audio recorders, electronic data, calculators, solution materials, photocopies, materials from previous classes, commercial research services, notes or any other means to copy or photograph materials used or intended for academic evaluation;

    d. Improperly obtaining (through theft, bribery, collusion or other means) information in relation to materials/examinations intended for use in academic evaluation;

    e. Distributing or using improperly obtained information in relation to materials/examinations intended for use in academic evaluation in advance of its authorized availability to students.

3. **Unauthorized Collaboration**: working with others on graded coursework assigned for individual evaluation, including in-class and take-home examinations or assignments, unless expressly permitted by the instructor. Unauthorized collaboration includes, but is not limited to:
    a. The preparation and production of work between two or more students ultimately

submitted by each in an identical or substantially similar form and/or is represented by each to be the product of his or her individual efforts;

b. Co-operation between student and another person in the preparation and production of work, which is presented as the student's own.

4. **Misappropriation of Own Work**: submitting the same work, or a significant part thereof, which was submitted elsewhere or previously in another course or the same course(when repeating a course), unless permission is received in advance from the instructor; or submitting the same work, or a significant part thereof, for two or more courses taken at the same time without the written permission, in advance, of all associated instructors. Misappropriation of own work is not limited to work done in relation to courses at School and applies to student's work previously submitted or concurrently submitted for academic credit at any educational institution.

5. **Falsifying Information:** misrepresenting or falsifying information for inclusion in any course work submitted for credit, or misrepresenting or falsifying information used to obtain advantage in academic standing. This includes, but is not limited to:

   a. Inventing or altering data from a laboratory or field project;

   b. Creating fictional citations for a paper;

   c. Falsifying, misrepresenting or forging information relating to hours or activities in relation to an internship, externship, field experience, co-op placement, clinical activity or similar activity;

   d. Falsifying, misrepresenting or forging an academic record;

   e. Falsifying, misrepresenting or forging a supporting document or information in relation to academic standing, including but not limited to any information used in support of admission into the course or program, pre-requisite requirements, prior learning assessments or academic standing;

   f. Falsifying, misrepresenting or forging documents used in support of a request for accommodation/consideration on the basis of medical, religious or compassionate grounds;

   g. Altering previously graded work for purpose of seeking re-evaluation of grade or in support of a grade appeal.

6. **Attempting to Influence:** attempting to influence or change any academic evaluation, assignment or academic record for reasons having no relevance to academic achievement. This includes, but is not limited to, bribery and threats.

7. **Impersonation**: acting or attempting to act as a substitute for another (whether in person or electronically) or using or attempting to use a substitute (whether in person or electronically) in an academic evaluation or assignment.

8. **Facilitating Academic Misconduct:** facilitating any of the above-listed forms of academic misconduct.

9. **Disruption of Instructional Activities.** No student or member of the School community shall exhibit behaviours/actions that interfere with others' fundamental right to learn in classes, laboratories, clinical settings, field placements, seminars, tutorials, group meetings, or other related activities, including examinations and tests. Complaints of this nature are to be submitted to the Chair of the student's program.

1.1.6.2 Academic Misconduct: Penalties

While the School reserves the right to impose penalties it deems necessary in cases of misconduct, a student has the right to be heard by the decision-maker before any final decision affecting the student is made. If disciplinary action is being considered against a student, the student shall be provided with full particulars of the alleged offence and any relevant documents so as to enable the student to fully answer to any allegations of misconduct. The student will further be advised of where and when to present his/her side of the matter.

A record of any penalty, or other documentation that has been issued, as a result of Academic Misconduct by a student may form part of the student's record. Although punitive measures may be taken, efforts will be made to provide for penalties that are educative and developmental in nature.

Academic Penalties: faculty may impose an academic penalty following the determination of academic misconduct in relation to the submission/evaluation of course-related work. Academic Penalties may include:

1. **Official Warning**. A notice to the student, orally or in writing, that the student has violated or allegedly violated a specific section of the Code and that continuation or repetition of such violation will be cause for further disciplinary action.

2. **Resubmission of Assignment**. This involves either the same or an alternate assignment, with the grade assigned at the discretion of the faculty member;

3. **Mark Penalty.** A deduction of mark on the course evaluation requirement or admission test, up to and including a zero "0" on the assignment with no opportunity to resubmit the coursework requirement.

4. **Grade Penalty**. Grade deduction (drop in grade point) of the final grade in the course.

5. **Failing Grade.** Registration of an "F" grade in the course.

Administrative Penalties for Academic Misconduct: Faculty members are required to report academic misconduct to their Departmental Supervisor (Chair). In addition to any academic penalty, Chairs, Departmental Supervisors and Senior Administrators may take disciplinary action for violation of the Code.
Administrators/Supervisors may impose a Grade Penalty or a Failing Grade Penalty as well as the other Administrative Penalties for Academic Misconduct as set out below:

1. **Interim Suspension.** This involves the suspension from the School for a stated period of no more than the end of the current semester in which the student is enrolled. This penalty will only be issued by the Chair or their Supervisor(s) on the recommendation of the Program Chair and the staff member involved in investigating the violation of the Code.

2. **Revocation/Withholding a School Credential and/or Academic Credit.** A penalty may be invoked when a School credential and/or academic credit has been improperly obtained.

3. **Full Suspension.** This involves suspension from the School and/or classes/labs or instruction, and other specified privileges or activities for a definite period of time not to exceed one year.

4. **Dismissal from the School.** For not less than one full academic year may result from egregious circumstances of academic misconduct, repeated violations or other aggravating factors in relation to Academic Misconduct. Dismissal may only be issued by the Chair /President or their Supervisor(s).

1.1.6.3 Academic Misconduct: Point of Contact Warning

A point of contact warning can be issued for an academic misconduct incident deemed sufficiently minor that no associated penalty will be assigned to the student. The determination of a point of contact warning is made by the faculty and Departmental Chair associated with the course in which the academic misconduct occurred. Point of contact warnings are used in cases of minor plagiarism in which there is confidence that a lack of writing experience and knowledge may have contributed to the misconduct and where there is confidence that corrective action by the faculty member is a sufficient remedy for the incident. All other forms of academic dishonesty are considered egregious enough to require a formal penalty. Point of contact warnings cannot be assigned in combination with any academic penalties, including grade reductions. Point of contact warnings are recorded and may form part of the student's record.

1.1.6.4 Academic Misconduct: Integrity Workshops

Workshops are one form of corrective action that may be imposed in a point of contact warning (see 7.1.6.3). In cases of academic misconduct, the faculty member in consultation with the departmental Chair can require the offending student to attend and participate in an integrity workshop. The workshop is considered a gesture of restorative justice rather than a penalty. The workshop may be appropriate in cases where there are mitigating factors such as first-offence instances. Confirmation of student's participation in the workshop shall be verified and recorded and may be a condition for continued student status at the School. Failure of a student to complete an imposed workshop may result in further academic or administrative penalties. The requirement to attend a workshop may be assessed in response to a point of contact warning or in addition to an assigned academic penalty that may have been imposed.

1.1.6.5 Academic Misconduct: Penalties and Issuing Authority

Academic Misconduct	
Penalty	**Issuing Authority**
Official Warning	Faculty member or invigilator
Resubmission of Assignment	Faculty member
Mark Penalty/Deduction	Faculty member or Administrator for admissions testing
Grade Penalty/Deduction	Faculty member or Administrator
Failing Grade in Course	Faculty member or Program Chair or Vice President, Academic or Other Administrator
Interim Suspension (for no more than the end of the current semester)	Program Chair or Supervisor
Revocation/Withholding School Credential and/or Academic Credit	Program Chair or Supervisor
Full Suspension	Program Chair or Supervisor
Dismissal (not less than one full academic year)	Senior Administrator on the recommendation of the Program Chair or Supervisor

Disruption of Instructional Activity	
Penalty (See non-academic penalties)	**Issuing Authority**
Official Warning	Faculty member or Administrator
Reprimand	Program Chair or his/her Supervisor
Behavioural Contract	Program Chair or his/her Supervisor
Probation	Program Chair or his/her Supervisor
Restitution	Program Chair or his/her Supervisor
Exclusion	Program Chair or his/her Supervisor
Revocation/Withholding School Credential and/or Academic Credit	Administrator
Suspension	Vice President Academic, Senior Administrator
Full Suspension	Senior Administrator
Dismissal	Senior Administrator

Many of the other governing rules, laws and acts can be found at the links sited:

- Charter of Rights and Freedoms - http://www.efc.ca/pages/law/charter/charter.text.html
- Freedom of Information and Protection of Privacy Act - http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90f31_e.htm
- Federal, Provincial and Municipal laws
- Criminal Code of Canada - http://laws.justice.gc.ca/en/C-46/