

PART VIII
POLICIES ON NON-ACADEMIC DISCIPLINE
CODE OF STUDENT CONDUCT

A. Preface

1. Regis College is a community of faculty, staff and students, involved in teaching, research, learning and other activities. Student members of the College are adherents for the period of their registration in the academic program to which they have been admitted and as such assume the responsibilities that such registration entails.
2. As an academic community, the College governs the activities of its members by standards such as those contained in the *University of Toronto Code of Behaviour on Academic Matters*, which provides definitions of offenses that may be committed by student members and which are deemed to affect the academic integrity of the University's activities and to which Regis College students are subject.
3. The College sponsors, encourages or tolerates many non-academic activities of its members, both on its campuses and away from them. These activities, although generally separate from the defined requirements of students' academic programs, are a valuable and important part of the life of the College and of its students.
4. The College does not stand *in loco parentis* to its student members, that is, it has no general responsibility for the moral and social behaviour of its students, as if they were its wards. In the exercise of its disciplinary authority and responsibility, the College treats students as free to organize their own personal lives, behaviour and associations subject only to the law and to College regulation. These regulations are necessary to protect the integrity and safety of College activities or the freedom of members of the College to participate reasonably in the programs of the College and in activities in or on College premises. Strict regulation of such activities by Regis College is otherwise neither necessary nor appropriate.
5. College members are not, as such, immune from the criminal and civil laws of the wider political units to which they belong. Provisions for non-academic discipline should not attempt to shelter students from their civic responsibilities nor add unnecessarily to these responsibilities. Conduct that constitutes a breach of the Criminal Code or other statute, or that would give rise to a civil claim or action, should ordinarily be dealt with by the appropriate criminal or civil court. In cases, however, in which criminal or civil proceedings have not been taken or would not adequately protect the College's interests and responsibili-

ties as defined below, proceedings may be brought under a discipline code of the College, but only in cases where such internal proceedings are appropriate in the circumstances.

6. The College must define standards of student behaviour and make provisions for student discipline with respect to conduct that jeopardizes the good order and proper functioning of the academic and non-academic programs and activities of the College, that endangers the health, safety, rights or property of its members or visitors, or that adversely affects the property of the College or bodies related to it, where such conduct is not, for the College's defined purposes, adequately regulated by civil and criminal law.
7. Nothing in this Code shall be construed to prohibit peaceful assemblies and demonstrations, lawful picketing, or to inhibit freedom of speech in the College.
8. In this Code, the word "premises" includes lands, buildings and grounds. As Regis College is a member of the Toronto School of Theology and a federated college of the University of Toronto, the premises covered in this *Code* shall also include all lands, buildings and grounds of those institutions. Students will be held liable for any of the offenses listed below which are committed in the lands, buildings and grounds of or in association with any program conducted by any of these institutions.
9. In this Code, "student" means a member of the College
 - (i) engaged in any academic work which leads to the recording and/or issue of a mark, grade or statement of performance by the appropriate authority in the College or another institution; and/or
 - (ii) registered in any academic course which entitles the member to the use of the College library, library materials, library resources, computer facility or dataset.
10. In this Code, where an offence is described as depending on "knowing", the offence shall likewise be deemed to have been committed if the person ought reasonably to have known.
11. This Code is concerned with conduct that Regis College considers unacceptable. In the case of student members of the College, the procedures and sanctions described herein shall apply, unless the matter has been or is to be dealt with under other provisions for the discipline of students. In the case of other members of the College, such conduct is to be dealt with in accordance with the established policy, procedures and agreements that apply to the members.

B. Offenses

The following offenses constitute conduct that shall be deemed to be offenses under this Code, when committed by a student of Regis College, provided that such conduct

- (i) has not been dealt with as failure to meet standards of professional conduct as required by the College; and
- (ii) is not specifically assigned to the jurisdiction of the University of Toronto Tribunal, as in the case of offenses described in the *Code of Behaviour on Academic Matters*, or to another disciplinary body within the University of Toronto, as in the case of sexual harassment as described in *Policy and Procedures: Sexual Harassment*; and
- (iii) except as otherwise provided herein, occurs on premises of Regis College or elsewhere in the course of activities sponsored by Regis College.

1. Offenses against persons

- (a) No person shall assault another person sexually or threaten any other person with sexual assault.
- (b) No person shall otherwise assault another person, threaten any other person with bodily harm, or knowingly cause any other person to fear bodily harm.
- (c) No person shall knowingly create a condition that unnecessarily endangers the health or safety of other persons.
- (d) No person shall threaten any other person with damage to such person's property, or knowingly cause any other person to fear damage to her or his property.
- (e) No person shall engage in a course of vexatious conduct that is directed at one or more specific individuals, and that is based on the race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, marital status, family status, handicap, receipt of public assistance or record of offenses of that individual or those individuals, and that is known to be unwelcome, and that exceeds the bounds of freedom of expression or academic freedom as these are understood in College policies and accepted practices, including but not restricted to those explicitly adopted.

Note: Terms in this section are to be understood as they are defined or used in the *Ontario Human Rights Code*. Vexatious conduct that is based on sex or sexual orientation is considered to be an offence under the University's *Policy and Procedures: Sexual Harassment*.

- (f) (i) No person shall, by engaging in the conduct described in subsection (ii) below, whether on the premises of the College or away from the premises of the College, cause another person or persons to fear for their safety or the safety of another person known to them while on the premises of Regis College or in the course of activities sponsored by Regis College or by any of its divisions, or cause another person or persons to be impeded in exercising the freedom to participate reasonably in the programs of the College and in activities in or on the College's premises, knowing that their conduct will cause such fear, or recklessly as to whether their conduct causes such fear.
- (ii) The conduct mentioned in subsection (i) consists of
 - (a) repeatedly following from place to place the other person or anyone known to them;
 - (b) repeatedly and persistently communicating with, either directly or indirectly, the other person or anyone known to them;
 - (c) besetting or repeatedly watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
 - (d) engaging in threatening conduct directed at the other person or any member of the family, friends or colleagues of the other person.

2. Disruption

No person shall cause by action, threat or otherwise, a disturbance that the member knows obstructs any activity organized by Regis College, or the right of another member or members to carry on their legitimate activities, to speak or to associate with others.

For example, peaceful picketing or other activity outside a class or meeting that does not substantially interfere with the communication inside, or impede access to the meeting, is an acceptable expression of dissent. Any silent or symbolic protest is not to be considered disruption under this Code. But noise that obstructs the conduct of a meeting or forcible blocking of access to an activity constitutes disruption.

3. Offenses involving property

- (a) No person shall knowingly take, destroy or damage property on the premises of Regis College.
- (b) No person shall knowingly take, destroy or damage any physical property that is not her or his own.
- (c) No person shall knowingly destroy or damage information or intellectual property belonging to Regis College or to any of its members.
- (d) No person, in any manner whatsoever, shall knowingly deface the inside or outside of any building of Regis College.
- (e) No person, knowing the effects or property to have been appropriated without authorization, shall possess effects or property of Regis College.
- (f) No person, knowing the effects or property to have been appropriated without authorization, shall possess any property that is not her or his own.
- (g) No person shall knowingly create a condition that unnecessarily endangers or threatens destruction of the property of Regis College or of any of its members.

4. Unauthorized Entry or Presence

No person shall, contrary to the expressed instruction of a person or persons authorized to give such instruction, or with intent to damage or destroy the premises of Regis College damage, destroy or steal any property on the premises of Regis College that is not her or his own, or without just cause knowingly enter or remain in or on any such premises.

5. Unauthorized use of College facilities, equipment or services

- (a) No person shall knowingly use any facility, equipment or service of Regis College contrary to the expressed instruction of a person or persons authorized to give such instruction, or without just cause.
- (b) No person shall knowingly gain access to or use any College computing or internal or external communications facility to which legitimate authorization has not been granted. No person shall use any such facility for any commercial, disruptive or unauthorized purpose.

- (c) No person shall knowingly mutilate, misplace, misfile, or render inoperable any stored information such as books, film, data files or programs from a library, computer or other information storage, processing or retrieval system.

6. False charges

No person shall knowingly or maliciously bring a false charge against any member of Regis College under this Code.

7. Aiding in the Commission of an Offence

No person shall counsel, procure, conspire with or aid a person in the commission of an offence defined in this Code.

8. Refusal to comply with sanctions

No person found to have committed an offence under this Code shall refuse to comply with a sanction or sanctions imposed under the procedures of this Code.

9. Unauthorized Possession or Use of Firearms or Ammunition

No person other than a peace officer or a member of the Canadian Forces acting in the course of duty shall possess or use any firearm or ammunition on the premises of Regis College without the permission of the officer of the College having authority to grant such permission.

C. Hearing Procedures

1. Whenever possible and appropriate, informal resolution and mediation shall be used to resolve issues of individual behaviour before resort is made to formal disciplinary procedures.
2. All cases shall be pursued according to the procedures listed in the **Regis College Grievance Procedures Policy** as adopted by the Academic Council in March, 2000.

D. Sanctions

The following sanctions or combinations of them may be imposed upon students found to have committed an offence under this Code.

In addition, students found to have committed an offence may be placed on conduct probation for a period not to exceed one year, with the provision that one or more of the following sanctions will be applied if the conduct probation is violated.

1. Formal written reprimand.
2. Order for restitution, rectification or the payment of damages.
3. A fine or bond for good behaviour not to exceed \$100.
4. Requirement of public service work not to exceed 25 hours.
5. Denial of access to specified services, activities of the College for a period of up to one year.

The following two sanctions, which would directly affect a student's registration in a program, may be imposed only where it has been determined that the offence committed is of such a serious nature that the student's continued registration threatens the academic function of Regis College or the ability of other students to continue their programs of study.

6. Suspension from registration in any course or program of a division or divisions for a period of up to one year.
7. Recommendation for expulsion from Regis College.

Memorandum on the Maintenance and Use of the Records of Non-Academic Discipline Proceedings

(1) When records are kept

Records shall be kept for all cases that have proceeded to a hearing and for cases where students have waived the right to a hearing.

(2) Composition of Record

The Record of Proceedings on Non-Academic Discipline cases shall comprise:

- (a) the written report of the Chair of the Grievance Committee, if any, including the official Regis College Grievance Form;
- (b) the Notice of Hearing (including the offence charged);
- (c) documentary evidence filed at a Hearing;
- (d) the decision of the Grievance Committee and the reasons therefore.

(3) Publishing of Record

Decisions of the Grievance Committee, including the name of the respondent, the offence and the sanction, shall be reported to the President, who shall convey the information, anonymously and in statistical form, annually to the Academic Council. The Grievance Committee may suggest to the President that the nature of the offence and the sanction be published at the College. Where circumstances warrant, they may also order the publication of the name of the person found to have committed the offence. The President shall have the discretion to withhold publication of the name of the person.

(4) Use of Records

Records of previous convictions may be taken into account in imposing a sanction.

(5) Storage of Records

The Records of the Proceedings on Non-academic Discipline Hearings shall be stored in the office of the President of the College.

(6) Records of the Grievance Committee

Where the investigation has not proceeded to a Hearing, the records and notes of the Grievance Committee may be kept and may have a bearing on the decision to prosecute in a future case.

Notwithstanding the College's policies on access to information, the President shall have the discretion to refrain from giving any person access to any Report or portion of a Report of the Grievance Committee that has not been presented to a formal hearing.

(7) Tape Recordings of Hearings

The Grievance Committee shall ensure that a tape recording is made of all sessions of a hearing. Such tape recordings shall be kept by the President for at least 90 days after notice has been given of the decision of the hearing.