

# RESIDENCE COMMUNITY LIVING STANDARDS 2023/2024

Algonquin College Residence, 1385 Woodroffe Avenue, Ottawa, ON K2G 1V8

The residence community is a place that promotes a safe and peaceful environment that supports the academic success of Residents as well as their personal and social development. We aim to ensure that it is inclusive, responsible, and respectful. The Residence Community Living Standards (RCLS) has been created in consultation with students and staff at colleges and universities across Canada to ensure the residence environment achieves this goal.

Within the RCLS, the following items are discussed and defined:

1. **The People in the Residence Community** (the Residence Staff and their roles)
2. **Objectives of the Residence Community Living Standards** (our goals for the community)
3. **Rules that Affect You in Residence** (residence rules, Algonquin policies & Canadian laws)
4. **Residence Citizenship** (your rights, responsibilities and privileges)
5. **Violations and Sanctions** (rules and consequences)
6. **Judicial Procedures** (incident reports, meetings, and appeals)

## 1. THE PEOPLE IN THE RESIDENCE COMMUNITY

Our Residence Staff work hard to ensure that you have a positive experience in residence while studying at Algonquin College. Below is a list of some of those people and their roles. The objectives of the RCLS, which is explained in the next section of this document, is our expression of the commitment we make to ensuring everyone has a positive experience in residence.

### GENERAL MANAGER (GM)

The General Manager is responsible for the operation of all facets of the Algonquin Residence. The GM is committed to ensuring that your overall experience in residence is a safe, enjoyable and successful one.

### RESIDENCE LIFE MANAGER (RLM)

Many of the day-to-day activities associated with 'Residence Life' are overseen by the RLM, including overseeing the judicial process associated with the Residence Community Living Standards.

### RESIDENCE LIFE COORDINATOR (RLC)

The Residence Life Coordinators are full-time professionals that supervise the Resident Advisors and ensure the successful implementation of the Residence Life Program. They coordinate events, manage student conflicts and follow up with Incident Reports in the community.

### COMMUNITY ADVISORS (CA)

The community advisors are full time professional staff who plan educational and social programming in residence and oversee resident advisors who run the programming throughout the residence.

### RESIDENCE LEAD-RESIDENCE LIFE

The role of residence lead-residence life is to develop and maintain operational plans for the residence life program, create monthly calendars for residence life events, create and maintain social media accounts, oversee resident communications from residence life, and provide logistical support for programming in residence.

### **RESIDENCE COMMUNITY STANDARDS COORDINATOR (RCSC)**

The residence community standards coordinator oversees administration and judicial process for high level conduct, updates operation procedures for the residence related to conduct or mental health, collaborates with Algonquin college services, and provides case management for residents with complex needs

### **RESIDENT SERVICES LEAD (RSL)**

The Residence Services Lead is responsible for complimenting the Residence's cross-functional operation and may be delegated supervisory responsibilities. The RSL will primarily work out of Residence Services and Residence Life offices and will carry out tasks to help ensure that all daily procedures are performed

### **RESIDENCE SERVICES REPRESENTATIVES (RSR)**

The role of residence services representatives is to aid students in their day-to-day life in residence. If students need help with something around the building, or just want to chat with someone, RSRs can be found at the front desk 24 hours a day

## **2. OBJECTIVES OF THE RESIDENCE COMMUNITY LIVING STANDARDS**

- To create a safe, secure, responsible and respectful community by outlining the positive standards of behaviour expected within the residence community. Residents and their Guests are held accountable for behaviour that violates these standards and encouraging Residents to resolve their community living issues in a mature fashion.
- To create an environment conducive to academic success by promoting behaviour among Residents and their Guests that creates an effective learning environment.
- To create an environment conducive to personal growth and development by educating Residents about the effect that their choices may have on themselves and others around them and providing Residents with an opportunity to learn from their behaviour.
- To create a fair environment by following the Principles of Natural Justice and Procedural Fairness and clearly defining the standards and processes that Residents, Guests and Staff are expected to follow.

## **3. RULES THAT AFFECT YOU IN RESIDENCE**

Residence policies and procedures are set guidelines for students that live in residence on Algonquin's campus. These are detailed in the Student Residence Agreement, the Residence website, and the RCLS. Algonquin policies and procedures are related to an individual's status as a student of Algonquin and their behavior on campus, which includes residence. Therefore, as a residence student, your actions in residence can also affect your academics status.

Municipal, Provincial and Federal laws and by-laws are related to you being a citizen in the city, province and country. The standards outlined by Residence and Algonquin are informed by these laws. Residence and Algonquin Staff aim to ensure that all of these standards of behaviour are respected and maintained.

Normally the Residence policies and procedures and Algonquin's policies and procedures act independently of one another. However, Residence shares all reports alleging RCLS violations with Algonquin. In situations that create a concern for the safety and security of students in residence and on campus, all important information will be shared between appropriate Residence and Algonquin officials. In serious cases, allegation(s) may be investigated by both the Residence and Algonquin and the student will be subject to the sanctions under both sets of policies and procedures.

### **SCOPE & APPLICATION**

The RCLS applies to all Residents and their Guests. They are in effect:

- (a) on Residence property, including in all Residence buildings and the grounds of the Residence;
  - (b) at off-campus events sponsored by Residence or a recognized student leadership group in residence;
  - (c) when the conduct of a Resident has a substantial link to Algonquin, direct implications for the proper functioning of Residence; the well-being of Residents; the educational mission of Algonquin; or the interests or reputation of Residence and/or Algonquin.
- This includes any behaviour observed or carried out through an online medium, by using text, audio, video or images, including but not limited to Facebook, YouTube, Instagram, and Twitter will be treated as an Offense detailed within these standards.

### **AUTHORITY**

The RCLS are intended to be clear to all readers. If you have a question, consult a Residence Staff member, as they have the authority to interpret the Standards.

The RCLS attempts to identify a range of behaviours that constitute Violations. Residence reserves the right, in extraordinary circumstances, to identify and sanction conduct that may not be specifically described, but which clearly does not support the stated Objectives of the RCLS or Algonquin Colleges.

## **PROTECTION OF PRIVACY**

Residence respects the privacy and personal information of residence students and will comply with the Freedom of Information and Protection of Privacy Act regarding the gathering, retention, safeguarding and disposal of personal information.

All concerning behaviours and allegations of violations documented in Residence Reports will be made available to the Resident, Campus Security and the Office of the Vice President, Student Affairs, upon request.

Residence reserves the right to release information to the specified emergency contact and appropriate campus partners in circumstances that involve a high level of conduct (eviction or behavioral contracts), when a student poses a risk to themselves or others, when a resident is unable or unwilling to carry out substantial self-care obligations or the student's behavior severely disrupts the residence environment.

All Residence reports, files and records, both paper-based and electronic, will be kept for a minimum of seven (7) years after the termination of the Student Residence Agreement.

## **4. RESIDENCE CITIZENSHIP**

You are a citizen of the residence community and a student of Algonquin. You therefore have certain rights and responsibilities. Your privileges are yours to maintain by respecting the rules of Residence and Algonquin. Rights should NOT be confused with Privileges.

As a good citizen of our Residence Community, you acknowledge in a responsible way your rights, responsibilities and privileges as well as the rights, responsibilities and privileges of others. We hope that you participate in the community in a positive way and you do your part to create and maintain an environment that encourages academic success and social growth.

## **RESIDENTS' RIGHTS**

Within the Residence Community you, as a Resident, have the right to:

- (a) enjoy the rights and freedoms recognized by law, subject only to restrictions that ensure the welfare and advancement of the Residence Community, as detailed in the RCLS,
- (b) be free from discrimination, on the basis of race, ancestry, religious beliefs, physical ability, marital status, colour, place of origin, gender, mental disability, family status, source of income, age or sexual orientation,
- (c) enjoy an atmosphere intended to remain free from behaviour which is reasonably interpreted as unwelcome; including (but not limited to) remarks, jokes, or actions which demean another person and/or deny individuals their dignity and respect,
- (d) study, work, read and sleep in your unit/suite/room without undue interference from roommates or others,
- (e) occupy your assigned unit/suite/room and use its furniture, effects and services,
- (f) access to your assigned room/unit,
- (g) expect that unit/suite/roommates will respect your personal property,
- (h) expect reasonable cooperation from others when you are sharing common rooms/facilities,
- (i) live in a clean environment, requiring a joint and equitable effort from you and your unit/suite/roommates,
- (j) reasonable privacy from unit/suite/roommates or others,
- (k) have your concerns considered by Residence Staff,
- (l) have all reported violations investigated in a reasonable amount of time and efficient manner,
- (m) expect confidentiality from Residence Staff with regards to all personal and student conduct related information.

## **RESIDENTS' RESPONSIBILITIES**

With your rights come corresponding expectations of behaviour within the Residence Community. As a Resident you have the responsibility to:

- (a) read, understand and abide by the Algonquin Calendar, codes, policies and regulations, guidelines and processes, including the Student Residence Agreement and RCLS,

- (b) recognize the authority of all Residence and Algonquin Staff acting in the scope of their position and to be responsive and cooperative in all dealings with them,
- (c) treat with respect, civility, courtesy and consideration all Residents, Residence staff and Algonquin Officials, and conduct yourself in a way that permits them to be successful academically and/or perform their duties,
- (d) take all actions associated with good citizenship, including reporting violations of Residence and Algonquin policies, and taking all reasonable measures to ensure the safety and security of the Residence Community,
- (e) seek help or resources to protect and ensure your personal health, safety and wellbeing, including addressing issues of self-harm which have the potential to occur by action or neglect, including self-abuse, eating disorders, suicide attempts, underage drinking, alcohol abuse or negligence related to health, hygiene or medications,
- (f) attempt to resolve unit/suite/room/community problems on your own before you ask your RA to assist you in this process,
- (g) conduct yourself and contribute in a positive and productive way to the Residence Community through active participation,
- (h) respect the rights, privileges and privacy of your unit/suite/roommates and, work with them cooperatively to keep your unit in a clean and tidy condition
- (i) respect the rights, privileges and property of all other Residents and their Guests, and of the neighbouring community,
- (j) take full responsibility for the conduct of Guests, accompany them at all times within the Residence Complex and ensure that Guests are aware of, and abide by, Residence and Algonquin policies,
- (k) conduct yourself in a way that ensures the Residence facilities and grounds are kept in good condition, including keeping your assigned room and suite common areas in a clean and sanitary condition,
- (l) secure your personal property and obtain personal contents insurance,
- (m) permit Residence or Algonquin Staff or its officers entry when there is a reasonable apprehension of danger or harm, or for the purpose of inspecting the condition of the unit/suite/room and its contents,
- (n) be solely liable to Algonquin for any loss or damage to your room and its furniture, telephone and effects of Algonquin; liable for loss or damage to the public facilities, furniture and equipment of the Residence, including Common Areas; and liable for any damages caused by Guests,
- (o) actively check your mail, voicemail and email accounts registered with the residence on a regular basis for messages from Residence Staff,
- (p) carry your Algonquin ID and show it when requested by Residence or Algonquin Staff.

## **RESIDENTS' PRIVILEGES**

Privileges enhance the lifestyle in Residence because they add to the pleasure of the academic and social experience. Privileges are granted to Residents upon arrival, based on the principle that Residents are expected to conduct themselves in accordance with the RCLS. There is an important difference between Rights and Privileges. You can expect your Rights to be respected all the time, and you can maintain Privileges with behaviour in accordance with our RCLS. Privileges can be taken away through the judicial process if conduct does not comply with our RCLS.

### **It is a privilege for you to:**

- (a) live in Residence,
- (b) use the Common Areas and Facilities and their furniture, equipment, effects and services,
- (c) have unit/suite/room assignments to live with your friends,
- (d) to live in Residence in future years,
- (e) consume alcohol within your assigned unit/suite/room or as a guest in another resident's unit/suite/room, and only if you are of the legal drinking age,
- (f) use sound broadcast equipment, approved musical instruments or computer speakers or subwoofers,
- (g) invite and host Guests in Residence,
- (h) be a Guest in areas outside your assigned room/unit/building and/or enjoy access to the Residence Complex, outside your assigned room/unit/building,
- (i) participate in events and activities facilitated or sanctioned by Residence.
- (j) to use and take advantage of the resources provided in residence.
- (k) possessing 30 grams of cannabis or its equivalent within your assigned unit/suite/room and only if you are of the legal age to consume cannabis

## 5. VIOLATIONS AND SANCTIONS (THE RULES AND CONSEQUENCES)

A violation is any unacceptable conduct, action or neglect that violates the RCLS, Student Resident Agreement or Algonquin College's policies. Violations are described and classified based on three levels of increasing severity. Sanctions are the consequences for violations, which are described in detail in subsequent sections of the RCLS. At each level of offense and/or after repeated violations the severity of the sanctions will increase.

**Level 1 Violations:** Actions that interfere with the rights of another individual or community to the peaceful use and enjoyment of their space in Residence. Normal Point Range: 1-2

**Level 2 Violations:** Actions that create a significant nuisance and/or disturbance to an individual or community and/or repeated level one violations. Normal Point Range: 2-4

**Level 3 Violations:** Actions that endanger the safety and security of an individual; significantly compromise or damage personal or Residence/Algonquin College property; attack the dignity/integrity of an individual; contravene the laws of the land; and/or repeated level two violations. Any Level 3 Offense may warrant an eviction. Normal Point Range: 4-6

### The Point System

The point system is designed to help define the seriousness of specific behaviours and to track the frequency and severity of a student's RCLS violations. All violations are associated with points ranging from a value of 1 through 9. All violations have a minimum value of one point. The assigned number of points will depend upon the type of incident and/or its severity. In complex situations where multiple violations occur in the same incident, points will typically be assigned based on the most serious single violation of the RCLS.

Points remain on record until August 15 of each year, or as stipulated upon eviction. After a Resident has been found responsible for a violation, the Resident may be responsible for educational, restorative, or punitive sanctions. Points are assigned for each incident based on the table below. Points are used in determining the sanctions appropriate for a resident, given their cumulative conduct record, as outlined in the "Sanctions" section below. During sanctioning, decision makers consider a resident's total points, including those assigned for the current violation.

Tier	Points Accumulated	Typical Sanction Examples
I	1 - 3	Warning, Community Service, Educational, Fine, Loss of Privileges, Restitution
II	4 - 8	All Tier I Sanctions, Communication Ban, Transfer/Relocation, Behavioural Contract, Residence Probation
III	9 +	All Tier I, and II Sanctions, Eviction, Recommendation of Charges of non-Academic Misconduct

### VIOLATIONS

The violations listed in the RCLS summarize policies stated in the Student Residence Agreement (SRA) and are found to be consistent with Algonquin College policies and values. Where applicable, reference is made to these policies.

Level of Incident	Points Typically Assigned
LEVEL 1	1 - 3
LEVEL 2	2 - 5
LEVEL 3	4 - 9

## 1. ADVERTISING, SOLICITING, CAMPAIGNING AND SELLING

**Note:** Residents or other community members who wish to campaign or advertise activities associated with the Residence or Algonquin are required to speak with a Residence Staff member to seek permission to do so.

<b>LEVEL 1</b>	<ul style="list-style-type: none"><li>a) Displays in windows or other prominent places promoting alcohol, cannabis, illegal substances, pornography, or other inappropriate activities or messages.</li><li>b) Unauthorized advertising, soliciting, promoting, or selling of products, events and services in Residence.</li><li>c) Unauthorized campaigning in Residence.</li></ul>
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## 2. ALCOHOL

**Note:** Alcohol is only permitted to be consumed in individual residence rooms/suite. The legal drinking age in Ontario is 19 years.

<b>LEVEL 1</b>	<ul style="list-style-type: none"><li>a) Attending Residence Orientation under the influence of alcohol.</li><li>b) Possession or consumption of open alcohol outside of approved areas. Alcohol is only permitted to be consumed in individual residence rooms/suites.</li><li>c) Possession of single serving glass Alcohol containers (i.e. beer bottles, coolers).</li><li>d) Possession of drinking and/or drinking game paraphernalia, including but not limited to funnels, beer bongs, beer pong kits or tables, etc.</li><li>e) Possession of alcohol beverages with more than 40% concentration of alcohol (by volume).</li><li>f) Possession of large volume 'common source' alcohol containers. Large volume alcohol containers are defined as: (A) a container that holds more than 355mL of beer, malt liquor, cider, coolers or pre-mixed cocktails or (B) a container that holds more than 750ml of any type of alcohol other than beer such as wine, liquor, or cocktail mixes. Examples of large volume 'common source' alcohol containers include Tallboys, King cans, Quart Bottles, Kegs, Mini kegs, 40ozs, 60ozs and Texas Mickeys. If open at the time of discovery, it will be requested that the contents be dumped out where safe to do so and empty containers be discarded.</li><li>g) Possession of cases of alcohol exceeding 12 cans.</li><li>h) Consumption of pre-mixed caffeinated alcoholic beverages or mixing of alcohol with caffeinated energy drinks.</li><li>i) Residence Orientation is alcohol free. No resident or guest is permitted to possess or consume alcohol in residence between September 1st, 2023 at 12pm and September 11th, 2023 at 12pm.</li></ul>
<b>LEVEL 3</b>	<ul style="list-style-type: none"><li>j) Consumption or possession of alcohol by residents or guests under the legal drinking age or those on alcohol probation. The legal drinking age in Ontario is 19 years.</li><li>k) Drinking games or promotion of a social function, activity or contest in which the consumption of beverages is either the primary focus or used as a penalty, typically in response to a specified cue or prompt.</li><li>l) Imposing the physical effects of intoxication on the Residence Community, for example vomiting, passing out, aggressive or significantly disruptive behaviour, or needing medical assistance.</li><li>m) Making or selling alcohol in residence.</li><li>n) Purchasing or supplying persons under the legal drinking age with alcohol or providing minors access to alcohol.</li><li>o) Influencing, forcing and/or promoting the consumption of alcohol by a resident and/or guest.</li></ul>

## 3. CANNABIS

In Ontario, a person must be 19 years of age to legally purchase, possess, or consume cannabis. As per the Canadian legislation, cannabis cannot be consumed in public, including on residence or campus grounds. The Residence building is a smoke-free environment where smoke or combustion in any form are prohibited (including smoking and vaping). Residents who are in possession of cannabis must store their cannabis in a sealed container.

Residence Orientation is substance free. No resident or guest is permitted to possess or consume alcohol or cannabis in Residence between September 1<sup>st</sup>, 2023 at 12pm and September 11th, 2023 at 12pm.

**Note:** Students who require accommodations for possession and/or use of medical cannabis that may contradict Residence policies must submit a formal request to Residence Management prior to acquiring/using medical cannabis in residence.

<b>LEVEL 1</b>	<ul style="list-style-type: none"> <li>a) Careless or unsafe storage of cannabis or cannabis products that causes or has the potential to cause harm or disturbance to the community, (e.g., excessive odour, mold, etc.).</li> <li>b) Consumption of cannabis or cannabis products in unauthorized areas (e.g., lounges, hallways, common spaces, etc.).</li> <li>c) Attending Residence Orientation under the influence of cannabis.</li> </ul>
<b>LEVEL 2</b>	<ul style="list-style-type: none"> <li>d) Smoking, vaping, or producing the odour of cannabis in Residence or on Residence grounds.</li> <li>e) Growing cannabis and/or producing cannabis substances in Residence (e.g., edibles, hash oil, etc.).</li> <li>f) Possession of more than 30 grams of dried cannabis (one ounce) or equivalent, in Residence.</li> <li>g) Imposing the physical effects of intoxication on the Residence community.</li> <li>h) Influencing, forcing and/or promoting the consumption of cannabis by a resident and/or guest on another.</li> </ul>
<b>LEVEL 3</b>	<ul style="list-style-type: none"> <li>i) Consumption or possession of cannabis by Residents and guests under the legal age, or those on cannabis probation.</li> <li>j) Purchasing for, or supplying persons with, cannabis or cannabis substances whom are under the legal age.</li> <li>k) Consumption games or promotion of a social function, activity or contest in which the consumption of cannabis is either the primary focus or used as a penalty, typically in response to a specified cue or prompt.</li> <li>l) Possession with the intent to sell, and/or selling cannabis or cannabis substances in Residence.</li> </ul>

#### 4. CLEANLINESS

<b>LEVEL 1</b>	<ul style="list-style-type: none"> <li>a) Littering.</li> <li>b) Failure to keep room/common areas in a clean and sanitary condition after use.</li> <li>c) Improper disposal of refuse, including leaving garbage bags outside of your unit/suite/room or outside of designated garbage areas.</li> <li>d) Collection of empty containers, bottles or cans that is judged by Residence Staff, for sanitary reasons, to be beyond recycling purposes.</li> <li>e) Failure to (follow disposal instructions of) dispose of recycling, garbage and/or organics appropriately; including, but not limited to leaving garbage/recycling bags, leaving items on compactor floor, bagging organics with a non-organic bag, failure to break down cardboard, failure to separate recycling/garbage/organics into their designated disposal areas.</li> </ul>
<b>LEVEL 3</b>	<ul style="list-style-type: none"> <li>f) Leaving biohazards (e.g., urine/feces/vomit/blood) in trash cans/trash closets/recycle bins/shower stalls, in common areas, or inappropriate items is a serious community health hazard and is prohibited. Biohazards must be disposed of in appropriate methods such as the toilet or sharps container.</li> </ul>

#### 5. DAMAGES AND VANDALISM

<b>LEVEL 2</b>	<ul style="list-style-type: none"> <li>a) Marking any surface through action or neglect, that is not deemed normal wear and tear.</li> <li>b) Behaviour that causes, or has the potential to cause moderate damage through actions, carelessness, or negligence.</li> <li>c) Failure to keep your furniture, fixtures and appliances in a good state of repair.</li> <li>d) Attempt to repair and/or resolve damages without consultation and subsequent permission from the Residence.</li> <li>e) Damage to, or alteration of Residence Community Resources such as bulletin boards, posters, decorations, etc.</li> </ul>
<b>LEVEL 3</b>	<ul style="list-style-type: none"> <li>f) Behaviour that causes, or has the potential to cause significant damage through action, carelessness or negligence.</li> <li>g) Willful damage, vandalism or graffiti or neglect that leads to serious damage to the residence, Algonquin College or private property.</li> </ul>

## 6. DISRUPTIVE BEHAVIOUR

<b>LEVEL 1</b>	<ul style="list-style-type: none"><li>a) Throwing, dropping, kicking or knocking objects in, from, or at residence buildings, windows, or stairwells, whether intentional or unintentional.</li><li>b) Participating in physically-active games or sports inside Residence or within the Residence grounds which could disturb residents, staff or the surrounding community or cause damage to facilities or personal injuries.</li></ul>
<b>LEVEL 2</b>	<ul style="list-style-type: none"><li>c) Creating or permitting behaviour in Residence which is a nuisance or annoyance to Residents, Residence Staff, the surrounding community, or to the supplier of services authorized by Residence or Algonquin. This includes pranks/raids congregating in large groups in hallways or entryways, or similar actions that could be damaging to personal, Residence or Algonquin property or reputation.</li></ul>

## 7. FACILITIES AND FURNITURE

<b>LEVEL 1</b>	<ul style="list-style-type: none"><li>a) Removal of furniture, appliances, window screens or other fixtures from assigned rooms/units or common spaces and placing them elsewhere.</li></ul>
<b>LEVEL 2</b>	<ul style="list-style-type: none"><li>b) Alteration, renovation or removal of Rooms, furniture, or equipment.</li><li>c) Installation of unauthorized furnishings, equipment or devices. This includes internet, phone, and cable.</li><li>d) Failure to keep access clear to electrical panel, heating unit and maintenance access.</li></ul>

## 8. FIRE SAFETY

<b>LEVEL 1</b>	<ul style="list-style-type: none"><li>a) Propping open a fire door, which includes room/suite/unit doors. This may include using the deadbolt or another item to prevent it from locking and/or to hold the door open.</li></ul>
<b>LEVEL 2</b>	<ul style="list-style-type: none"><li>b) Possession or use of candles, incense, lava lamps, open coil hot plates, flame cooking devices, indoor barbeques, deep fryers and the like. Cooking devices without an automatic shutdown are not allowed in residence.</li><li>c) Covering or removing smoke and/or heat detectors.</li><li>d) Blocking hallways, stairwells, exits and access to fire safety equipment.</li><li>e) Leaving food unattended while cooking.</li><li>f) Shallow/deep frying is not permitted.</li></ul>
<b>LEVEL 3</b>	<ul style="list-style-type: none"><li>g) Possession or use of explosive or flammable material (e.g., firecrackers, fireworks and barbecue propane tanks).</li><li>h) Discharging, tampering with, covering or operating any fire prevention or detection equipment for any purpose other than the control of a fire.</li><li>i) Actions or neglect that leads to a fire, and/or the activation of the building fire alarm system.</li></ul>

## 9. GUESTS AND VISITORS

1. Any non-resident who is invited to, accompanied on, accepted or admitted to the Residence property is deemed to be a visitor of that Resident.
2. Residents must sign in their visitors at the Front Desk before they enter the Residence. Residents may pre-register visitors via My Housing Portal prior to their arrival up to 24 hours in advance or register a visitor in person at the Front Desk. 'Register' means to enter a visitor's information into the My Housing Portal System either on your own or at the Front Desk/Sign In Table. "Sign In" means to attend the Front Desk/Sign In Table and allow them to verify that your 'Registered' visitor has arrived in Residence and has received a Visitor Pass.
3. Upon arrival, visitors must verify their identity to Residence staff with one piece of valid (not expired) photo identification. Once sign in is completed at Front Desk, the visitor will be presented a Visitor Pass that must remain with the visitor at all times and be shown to any Residence or College staff upon request. This pass is to be returned to Front Desk upon departure at the end of the visitor's stay.



	<ol style="list-style-type: none"> <li>4. No visitor(s) will be granted access into the Residence between the hours of 1:00am and 7:00am unless they have been pre-registered on the My Housing Portal (this cannot be done same day).</li> <li>5. Residents may sign-in up to two (2) guests at a time unless otherwise specified by residence management.</li> <li>6. Residents must remain in the company of the visitor at all times until the visitor is signed out. While signed in, visitors can enter and exit Residence freely provided they are with the Resident who signed them in.</li> <li>7. The visitor must sign out and return the Visitor Pass to the Front Desk at the end of their stay. Failure to sign out by the visitor will result in a \$25 penalty assigned to the Resident's account, and may result in loss of visitor privileges.</li> <li>8. Residents are permitted to have up to a maximum of two (2) consecutive overnight guests and no more than ten (10) overnight guests in any one (1) given month unless otherwise specified by residence management.</li> <li>9. Visitors should not in any way interfere with the rights of a roommate or other Resident to privacy, access, sleep or study at any time or anywhere within the Residence.</li> <li>10. Failure to be present does not mitigate or relieve the Resident's responsibility for their visitor's behaviour. Residents are responsible for their visitor's behaviour whether they participated in, condoned or were aware of that visitor's behaviour or not. The specific sanction(s) will be determined by the list of possible sanctions for the offense(s) committed by the visitor.</li> <li>11. The Residence Manager and the Institution may amend the terms of the RCLS (and the visitor policy) from time to time and may post the amendments in the Residence. This includes reduced or suspended visitor privileges for students during specific times of the year (Residence Orientation, Labour Disruptions, Exams, Halloween, St. Patrick's Day, Winter Break, Reading Week, etc.).</li> <li>12. The Residence Manager or the Institution may deny entrance of a visitor into Residence at any time when their conduct is deemed to be contrary to the RCLS.</li> <li>13. The Residence requires any visitors 16 years or younger visiting the Residence without a parent/guardian to have a signed form of consent from their parent/guardian. This form will also include contact information for the parent/guardian. The Residence reserves the right to call a parent/guardian in the event of a medical emergency or due to behavioural conduct.</li> <li>14. Residents are not able to host guests (day or overnight guests) during the Residence Orientation period between September 1st, 2023 at 12pm and September 11th, 2023 at 12pm.</li> <li>15. Requests for exceptions to the Guests and Visitors Policy may be submitted to Residence Management prior to the arrival of the guest.</li> </ol>
<b>LEVEL 1</b>	<ol style="list-style-type: none"> <li>a) Failure to sign-in/sign-out guests at the Front Desk.</li> <li>b) Failure of Resident to be with their guest at all times in Residence.</li> <li>c) Permitting a guest to stay over the limit of two (2) nights consecutively or ten nights (10) in any given month (1) without approval from management.</li> </ol>
<b>LEVEL 2</b>	<ol style="list-style-type: none"> <li>d) Hosting a visitor during Algonquin Residence Orientation, when Exam Quiet Hours are in effect, any time when visitor privileges are reduced or suspended, or when an individual has been banned from the residence.</li> <li>e) Living or permitting someone else to live in a room/unit without an approved assignment from residence.</li> <li>f) Failure to provide a valid Visitor Pass to Residence or College staff when asked. This includes possession of a fraudulent Visitor Pass or Residence Sticker.</li> </ol>
<b>LEVEL 3</b>	<ol style="list-style-type: none"> <li>g) Hosting a guest who violates the RCLS. All Residents are responsible for the actions and behaviours of visitors signed in with them, at all times, while in the Residence.</li> <li>h) Hosting a guest who has been issued a trespass, or similar notice restricting them from the residence property.</li> </ol>

## 10. HARASSMENT AND DISCRIMINATION

**Note:** Every individual has a right to a safe, respectful environment that is free from attacks on their dignity/integrity. Harassment is defined as any attention or conduct (oral, written, graphic, electronic or physical) by an individual or group who knows, or ought to reasonably know, that such attention or conduct is unwelcome, unwanted, offensive or intimidating. Bullying and hazing will be considered harassment under this policy.

<b>LEVEL 2 &amp; LEVEL 3</b>	<ol style="list-style-type: none"> <li>a) Failure to abide by Algonquin's Code of Conduct or related legislation or policies which defines harassment and discrimination.</li> <li>b) Any conduct that could be deemed as bullying, including cyber bullying, or bullying on social media, be it via a group or an individual.</li> </ol>
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	c) Any statement, action, or display that could be deemed as inappropriate or derogatory towards an individual or a group.
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## 11. ILLEGAL SUBSTANCES AND ACTIVITIES

**Note:** Any observations about the behaviour, speech, odours or physical surroundings of an individual that cause suspicion of illegal activity will be investigated and/or reported.

<b>LEVEL 1</b>	a) Attending Residence Orientation, or other residence events, under the influence of illegal substances. b) Possession of paraphernalia associated with the use of illegal substances.
<b>LEVEL 2</b>	c) Using or being under the influence of an illegal or un-prescribed substance in residence. d) Imposing the physical effects of intoxication from illegal substances on the Residence community.
<b>LEVEL 3</b>	e) Illegally possessing, using, making, or selling an illegal or un-prescribed substance in Residence. f) Any behaviour or activities that contravene the laws of the land. g) Possession or use of medication for purposes other than those for which they were prescribed.

## 12. NOISE AND QUIET HOURS

**Consideration Hours** are in effect 24 hours a day, 7 days a week. Noise levels at any time should not detract from any resident's ability to pursue academic endeavours or to enjoy a peaceful living environment. An individual's right to reasonable quiet supersedes another's right to make noise.

**Quiet Hours** are observed in Residence: Sunday to Thursday: 11:00pm - 8:00am; Friday and Saturday evenings: 1:00am - 8:00am.

**Exam Quiet Hours** begin 1 week prior to the exam start dates. Quiet Hours are extended to 23 hours a day. Residence will define a Relaxed Hour during the evening when programming by Residence Staff may occur. Residence Management reserves the ability to alter quiet hours at any time to suit the needs of the community.

As a general rule, noise from your room/unit that is audible outside your room, including in hallways, common areas, neighbouring units or buildings, will be addressed by Residence Staff during quiet hours.

<b>LEVEL 1</b>	a) Non-compliance with Consideration Hours or Quiet Hours. b) Possession of loud musical instruments. c) Use of musical instruments without the use of headphones or sound equipment such as surround sound systems, or noise producing devices such as subwoofers or PA systems.
<b>LEVEL 2</b>	d) Non-compliance with Exam Quiet Hours. e) Excessive noise that interferes with the academic work of Residents and/or significantly disturbs the residence community and/or our neighbouring communities.

## 13. PETS

<b>LEVEL 2</b>	a) Keeping any animal or pet in residence, with the exception of fish in one small aquarium, no larger than 3 gallons.
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## 14. RESPECT AND COOPERATION

<b>LEVEL 2</b>	a) Failure to respond to the written or verbal direction of Residence or Algonquin Staff. b) Demonstrated lack of respect, civility, courtesy or cooperation with a member of the residence community, including residents, visitors, residence staff, and Algonquin Staff. c) Failure to provide identification, or providing false identification when asked from a residence or Algonquin Staff.
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	d) Providing a false report of an incident or impeding an investigation.
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## 15. RESTRICTED AREAS AND UNAUTHORIZED ENTRY

<b>LEVEL 3</b>	<ul style="list-style-type: none"> <li>a) Unauthorized entry into restricted areas of Residence, including rooftops, basements, utility rooms, offices, etc.</li> <li>b) Entry into another resident's room without the consent of that Resident.</li> </ul>
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## 16. SAFETY AND SECURITY

<b>LEVEL 1</b>	<ul style="list-style-type: none"> <li>a) Improper use of an emergency exit.</li> <li>b) Footwear must be used within all Interior and exterior common areas of the Residence.</li> </ul>
<b>LEVEL 2</b>	<ul style="list-style-type: none"> <li>c) Covering, tampering with, or removing the PA system.</li> <li>d) Permitting entry of any individual (resident, non-resident or other) into Residence, either by opening a door or giving Residence keys or swipe cards to that individual.</li> <li>e) Overloading or tampering with electrical systems.</li> <li>f) Unsafe storage, disposal and/or use of prescribed medication and related medical devices such as needles, prescription drugs, and pill bottles.</li> </ul>
<b>LEVEL 3</b>	<ul style="list-style-type: none"> <li>g) Tampering with video surveillance equipment or systems.</li> <li>h) Failure to evacuate during an alarm.</li> <li>i) Careless driving on Residence grounds.</li> <li>j) Actions, carelessness or neglect that causes an elevator to stall and/or require repair.</li> </ul>

## 17. SEXUAL VIOLENCE

Sexual Violence is a broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This violence takes different forms against another person without their consent. This includes but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

**Note:** The Institution's student code of conduct and other policies regarding sexual violence will take precedence over the Residence Community Living Standards.

<b>LEVEL 3</b>	a) Any behaviour deemed to be sexual violence.
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## 18. SMOKING

Smoking is prohibited at all times inside any Algonquin College-owned or leased facility, including the Residence. Smoking is defined as smoking or holding lighted tobacco or other materials intended for smoking. The definition is further extended to include the use of all types of E-cigarettes, vaping devices or any other implement or device used to emulate the act of smoking which involves the production of any airborne contaminants or substances and includes all forms of pipes, holders, instruments, etc., that are used for similar purposes.

<b>LEVEL 2</b>	<ul style="list-style-type: none"> <li>a) Smoking and vaping are prohibited on campus, including the Residence building and grounds.</li> <li>b) <i>All students must follow the Algonquin College policy <a href="#">HS 10: Smoke Free Policy</a>. This policy applies to all Algonquin College Campuses and all included students, employees, contractors and public, including any persons or group renting or making use of College facilities. More information on the Clean Air policy can be found at <a href="http://algonquincollege.com/cleanair">algonquincollege.com/cleanair</a>.</i></li> </ul>
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## 19. TECHNOLOGY MISUSE

<b>LEVEL 2</b>	<ul style="list-style-type: none"><li>a) Failure to abide by Algonquin's technology and internet policies.</li><li>b) Installing/use of a personal internet router.</li></ul>
<b>LEVEL 3</b>	<ul style="list-style-type: none"><li>c) Interference with the technology of the Residence, Algonquin or another Resident.</li><li>d) Copyright infringement (i.e. illegally downloading music, movies or other media using the Residence internet connection).</li><li>e) Unauthorized use of electronic or other devices to make an audio, video, photographic or digital record of any person while on residence premises without prior knowledge and effective consent when it is reasonable to believe that the recording or the nature in which it is played, shown, distributed or displayed is likely to cause distress to any person</li></ul>

## 20. UNAUTHORIZED ACTIVITIES

**Note:** All organized events, activities or gatherings that have the potential to cause a disturbance must be approved by Residence Management to ensure compliance with fire safety, noise and other applicable policies. Residence Management will not approve any event that involves or is presumed to involve the use of alcohol or other substances.

**Note 2:** Maximum capacity of a residence room is defined as the number of Residents that live in the room plus 2 guests each.

<b>LEVEL 2</b>	<ul style="list-style-type: none"><li>a) Any gathering over the maximum capacity of a residence room.</li><li>b) Any organized event, activity or gathering that has not gained the approval of Residence Management.</li></ul>
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## 21. UNAUTHORIZED ARTICLES AND THEFT

Theft refers to the act of taking another person's property in residence without their permission.

**Note:** Only Refrigeration appliance supplied with the Room are to be used. No others, including mini fridges, are to be brought into the Room. Irons, toaster ovens, coffee makers, electric kettles protected by an automatic "shut off" may be used. In order for appliances to be approved for use in the Residence, they must bear a visible serial number and a CSA or RL identification tag.

<b>LEVEL 1</b>	<ul style="list-style-type: none"><li>a) Possession of equipment, keys, appliances or furnishings not authorized by the Residence or Algonquin.</li></ul>
<b>LEVEL 3</b>	<ul style="list-style-type: none"><li>b) Theft or possession of stolen property.</li><li>c) Possession and/or use of keys not authorized by the Residence or Algonquin.</li></ul>

## 22. VIOLENCE AND AGGRESSION

**Note:** Violent or aggressive behaviour of any kind is not permitted in residence. This includes behaviour such as physical force potentially causing hurt or damage to someone/something, and/or behaviour that threatens another member of the community. Violence and aggression includes but is not limited to physical or verbal acts.

<b>LEVEL 3</b>	<ul style="list-style-type: none"><li>a) Any communication or behaviour that is perceived as offensive, abusive, unwanted, aggressive or threatening.</li><li>b) Any behaviour (consensual or not) that causes or has the potential/intent to cause physical or emotional harm. These behaviours include, but are not limited to: sexual assault, hitting, punching, slapping, kicking, pushing, pulling, bullying, stalking, fighting, retaliation and threats of violence.</li><li>c) Any behaviour deemed to be a physical assault.</li></ul>
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## 23. WEAPONS

**Note:** A weapon is defined as any device that is designed for (or could be used for) the purpose to intimidate, threaten, harm or kill. Examples of weapons include and are not limited to: handguns, rifles, air guns, pellet guns, paintball guns, BB guns, crossbows, swords,

hunting knives, fishing knives, martial arts weapons, brass knuckles, replica weapons, or any other prohibited device as defined in the Criminal Code of Canada. Ammunition is defined by any replica or real materials fired, scattered, dropped, detonated from any weapon. This includes live and dead bullets, arrows, grenades, etc. Ammunition and replica ammunition are also prohibited in residence.

<b>LEVEL 3</b>	a) Possession, storage, use or threatened use of a weapon and/or replica weapons.
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## SANCTIONS

Sanctions are consequences for behaviour that violates the RCLS, Student Residence Agreement, or Thompson Rivers University policies. These sanctions are explained in detail, including any relevant deadlines or payment information in a Decision Letter written by Residence Staff. Sanctions are intended to be primarily educational and restorative in nature. Sanctions may be used independently or in combination for any single violation. Repeated and/or multiple violations shall increase the severity of sanctions applied, as determined by a resident's point total. In most circumstances, the following range of sanctions may be assigned to residents at each tier of cumulative point totals.

### Tier I - Residents with 1-3 Total Points

- a) **Warnings** - a verbal or written caution that continuation or repetition of the offending behaviour will constitute more serious sanctions in the future.
- b) **Community Service** - tasks or roles assigned as sanctions, which contribute positively to the reputation, welfare or condition of the Residence or surrounding community.
- c) **Disposal/Removal of Items** - removal of items from the Residence that violate the Residence Community Living Standards.
- d) **Educational** - tasks assigned as a sanction designed to promote learning and development.
- e) **Fines** - a sanction applied to a Resident whereby they are required to pay a monetary fee.
- f) **Loss of Privileges** - a sanction that places restrictions on certain privileges of the Resident.
- g) **Restitution** - payment for damage or loss experienced by Thompson Rivers University, Residence, Residents, Guests or others.

### Tier II - Residents with 4-8 Total Points

- a) All Tier I Sanctions.
- b) **Communication Ban** - a sanction that limits the privilege of a Resident to communicate freely with another Resident.
- c) **Transfer/Relocation** - a sanction that will reassign accommodation either within the Residence Complex or to a location off campus.
- d) **Persona non grata (PNG) or Trespass Notice** - a sanction given to an individual who is denied the privilege to enter Residence. The PNG individual is also prohibited from attending any residence events which occur outside of the building. A copy of the PNG letter is filed with Campus Security. A PNG individual found or seen in residence at any time will be reported to Campus Security and may be subject to further sanctions under Residence or Algonquin College policies.
- e) **Denial of Readmission to Residence** - a sanction given to a Resident who will not be permitted to live in residence in the future.
- f) **Residence Probation** - a sanction applied as a deterrent against future violations. Any future violations of the RCLS of any kind may result in eviction.
- g) **Behavioural Contract** - a signed contract between a Resident and Residence Management addressing behaviour that may or may not be covered by the RCLS, to comply with conditions of conduct and to refrain from specified conduct as detailed in the Behavioural Contract. Violations of the terms a behavioural contract may lead to eviction.

### Tier III - Residents with 9+ points

- a) All Tier I and II Sanctions.
- b) **Eviction** - termination of the Resident's Student Residence Agreement (contract) with the Residence.
- c) **Recommendation for Charges of Non-Academic Misconduct** - a sanction where Residence Staff make a formal recommendation to Thompson Rivers University to investigate and/or charge the Resident with non-academic misconduct.

## PRIMARY AND SECONDARY CONTACTS

Every resident is required to identify two people as their Primary and Secondary contacts. It is suggested that these people are parents or legal guardians of the resident, as they serve as emergency contacts. They may also be contacted if any other significant concerns or problems arise with the Resident, such as significant violations of the Residence rules, late payments or fees, or concern for their well-being. Sections 5.01 and 5.02 of the SRA provide more details about the Primary and Secondary Contacts.

## 6. JUDICIAL PROCEDURES

### PRINCIPLES OF NATURAL JUSTICE AND PROCEDURAL FAIRNESS

The Principles of Natural Justice and Procedural Fairness must prevail in Judicial Procedures to uphold the principle that justice must not only be done, but be seen to be done. The principles are explained below:

- (a) The Resident has the right to be informed of the allegation(s) of Offense(s).
- (b) The Resident is entitled to an opportunity to respond to allegation(s) of Offense(s) at a meeting with Residence Staff and is also entitled to a reasonable notice of the time, place and nature of the meeting.
- (c) The Resident is presumed not to be guilty of the alleged Offense(s) until an impartial and unbiased Decision-maker has determined the Offense(s).
- (d) The Resident is entitled to reasonable disclosure of evidence of the Incident Report prior to a decision. Fact-finding occurs at a meeting with the Decision-Maker.
- (e) At meetings to discuss level three violations, the Resident is entitled to call a reasonable number of witnesses to the meeting to discuss alleged Offense(s). This must be arranged with the decision-maker prior to the meeting.
- (f) The Resident is entitled to be advised in writing of the Decision about the alleged Offense(s) and the Sanction(s) applied, (if any). The Decision about guilt or innocence and any associated Sanction(s) should be made within a reasonable time.

### STANDARD OF PROOF

The information necessary to prove that an offense has occurred is referred to as the standard of proof. Outside of a court of law, the model used by Colleges and Universities is called the Balance of Probabilities. The standard of proof has been met if at the conclusion of an investigation, based on all credible information, the Residence Staff believes that the incident reported probably occurred. This means that the information provided in the Incident Report and in the judicial meeting demonstrated that the violation is more likely than not to have occurred. The standard of proof for criminal cases is beyond a reasonable doubt, which does not apply in Residence Judicial Procedures.

### INCIDENT REPORTS AND JUDICIAL MEETINGS

A summary of the Judicial Process is presented in the chart following this section. Residence Staff will record behaviours, actions or negligence that may be Violations against the RCLS in Incident Reports. When necessary, the Incident Report may also include appendices, such as e-mails, photographs, or Security, Police, or Fire reports. Residence Staff will notify the Resident(s) of the alleged Offense(s) and will notify them of a meeting to discuss the matter.

The purpose of a Judicial Meeting between a Resident and a Residence Staff member is to investigate allegations of violations detailed in an Incident Report. This is the opportunity for Residents to be heard and explain their behaviour to the Residence Staff member. While these meetings must comply with the Principles of Natural Justice and Procedural Fairness and may result in formal sanctions, they are not designed to be highly formal in nature. At the conclusion of the meeting the Residence Staff member will follow-up with the Resident in writing with a Decision Letter, which will outline all necessary decisions about violations, sanctions and any related deadlines. If the Resident fails to attend the Judicial Meeting with the Residence Staff member, the Residence Staff member may choose to proceed and make a decision based upon all evidence available.

### COMMUNICATION BETWEEN RESIDENT(S) AND RESIDENCE STAFF

Residence Staff will endeavour to communicate with Residents via several methods to discuss Incident Reports, deliver Decision Letters, and any other important aspects of the judicial process: (a) an e-mail to their Algonquin e-mail account or the account provided in their application, (b) a letter placed in a Residents mailbox or under a Residents room door, (c) by telephone, or (d) in person. An attempt to contact and communicate with a Resident is deemed to be satisfactory when any two of the above methods have been used by Residence Staff.

#### ALGONQUIN RESIDENCE JUDICIAL PROCESS

##### Incident Report

Alleged violations of the RCLS are documented by Residence Staff in an Incident Report.

<p align="center"><b>Alleged Level 1, 2 &amp; 3 Violations:</b>  <b>Judicial Meeting with RLC/RLM (or designate)</b>  Resident(s) meet with the RLC/RCSC/RLM to review the Incident Report.</p>		<p align="center"><b>Alleged violations of Behaviour Contracts and/or serious Level 3 Violations: Judicial Meeting with RLM/GM (or designate)</b>  Resident(s) meet with the RCSC/ RLM/GM to review the Incident Report</p>
<p align="center"><b>Decision Letter</b>  RLC communicates decision about allegations, violations, and Sanctions to Resident(s) in writing.</p>	<p align="center"><b>Incident Referred to RCSC/RLM/GM</b>  In situations where Resident(s) are repeat offenders, the Incident will be referred to the GM.</p>	<p align="center"><b>Decision Letter</b>  RCSC/RLM/GM communicates decision about allegations, violations, and sanctions to Resident(s) in writing.</p>

## RESIDENCE EMERGENCIES

Although the three levels of Violations and the Judicial Procedures are intended to apply to most situations related to behaviour, there are conditions that warrant a heightened level of concern for safety, security, health and wellbeing. These conditions require special authority and guidelines. The following definitions and procedures ensure a swift, effective response to conditions to protect Residents, guests, staff, the community and the Institution. In consultation with the College and its threat assessment and emergency procedures, the General Manager is granted extraordinary authority to respond to Residence Emergencies.

### DEFINITION OF A RESIDENCE EMERGENCY

In consultation with the Institution, the Director of Residence is authorized to determine if Residence Emergency conditions exist, which is defined by any one of the following:

- evidence that a Resident, student, or staff has been harmed or appears to be in danger of harm,
- evidence that a Resident, student, or staff has harmed or poses a threat to harm another individual or the community,
- evidence that a Resident, student, or staff has inflicted self-harm or appears to be in danger of doing so.

### RESIDENCE EMERGENCY PROCEDURES

In consultation with the College, the General Manager is authorized to:

- suspend other rules in order to invoke a swift response to a Residence Emergency
- turn the matter immediately over to appropriate authorities
- immediately relocate the Resident(s) involved within the Residence or off campus, pending a meeting with the Resident
- authorize an Exclusion, which takes effect immediately and without notice, pending a meeting with the Resident. This means that the individual:
  - is prohibited from accessing any service or facility of the Residence
  - may be escorted from the Residence and/or the campus
- determine Sanction(s) at Levels 1, 2, and 3, following a meeting with the Resident.

### APPEAL PROCEDURES

A summary of the Appeal Procedures is presented in the chart following this section. The following general principles apply to all appeals:

- The Principles of Natural Justice and Procedural Fairness must prevail in Appeal Procedures to ensure compliance with the principle that justice must not only be done, but be seen to be done.
- Any resident found in violation of the RLCS is entitled to submit an appeal, based in the grounds for an appeal mentioned below.
- A resident has 72 hours from the date they receive their Decision Letter to start the appeal process. Staff will endeavour to respond to appeal requests within 72 hours of receiving them.
- Depending on the original decision rendered the appeal process proceeds via one of two processes: the Appeal Process or the Eviction Appeal Process, which are detailed below.

### THE APPEAL PROCESS

Students may choose to follow up with the decision maker by scheduling a meeting in order to better understand the decision or sanction(s) related to their incident. Should a student believe that there are issues with the finding of responsibility or sanctions related to their incident, they always have the right to appeal the decision.

- (a) The Appeal Process is in place for all decisions excluding Eviction.
- (b) Students may complete an Appeal Request Form and submit it to the Residence Office, within 72 hours of receiving the decision letter. The resident requesting an appeal must demonstrate that they have grounds, which includes providing evidence of one of the following items:
  - i. **Bias:** Alleged and reasonable apprehension of bias of the Decision-maker who imposed the sanction(s).
  - ii. **Procedural Fairness:** Alleged substantive failure by the Decision-maker to comply with the Principles of Natural Justice and Procedural Fairness, which may have affected the decision.
  - iii. **New information:** Substantive new evidence which could not have been available to the Decision-maker when making the decision.
  - iv. **Alternative Sanctions:** The resident may request for their sanction(s) to be altered because the sanction(s) assigned are unduly burdensome, either because they are disproportionate to the violation and escalating conduct process, or because circumstances individual to the respondent render the sanction(s) more burdensome than they would typically be.
- (c) Once the Appeal Request Form is received, a Residence Manager other than the initial decision maker will review the appeal request within 72 hours. If the appeal is granted, the GM (or designate) will set-up an Appeal Meeting with the resident(s).
- (d) The individual or committee considering the appeal may, after reviewing the case:
  - i. uphold the findings and/or sanctions;
  - ii. reverse the findings; or
  - iii. reverse or modify the sanctions.
- (e) During an appeal, all sanctions (minus financial sanctions) remain valid until they are reversed or modified by the individual or committee hearing the appeal. Financial sanctions will not be applied until a decision has been made.
- (f) All decisions made in an appeal are final and are not subject to further appeals.

## THE EVICTION PROCESS

- (a) If the resident has grounds for an appeal, the resident may complete the Appeal Request Form and submit it to the Director (or Designate), within 72 hours of receiving the eviction. The resident requesting the appeal must demonstrate that they have grounds, which includes providing evidence of one of the following items:
  - i. **Bias:** Alleged and reasonable apprehension of bias of the Decision-maker who imposed the sanction(s).
  - ii. **Procedural Fairness:** Alleged substantive failure by the Decision-maker to comply with the Principles of Natural Justice and Procedural Fairness, which may have affected the decision.
  - iii. **New information:** Substantive new evidence which could not have been available to the Decision-maker when making the decision.
- (b) Once an eviction Appeal Request Form is received, Director (or Designate) (or designate) will review the grounds for the appeal and make a decision to either deny the appeal or set-up an Eviction Appeal Hearing. The resident(s) will be contacted within 72 hours to notify them of this outcome.
- (c) If the appeal is granted, the Director (or Designate) will set-up the Eviction Appeal Committee, which will be comprised of three (3) members of the Residence Steering Committee. One of the members of the Eviction Appeal Committee must be a student, and one member must be a member of Residence Senior Management. Residents appealing an eviction will be provided with additional information about Appeal Hearing procedures.
- (d) The Eviction Appeal Committee will communicate a decision in writing to the resident. The committee will review all evidence and may decide to:
  - i. uphold the findings and/or sanctions;
  - ii. reverse the findings; or
  - iii. reverse or reduce the sanctions.
- (e) During a, appeal, all sanctions (minus financial sanctions) remain valid until they are reversed or modified by the individual or committee hearing the appeal. Financial sanctions will not be applied until a decision has been made.
- (f) All decisions made in an Eviction Appeal Hearing are final and are not subject to further appeals.

## APPEAL MEETING PROCEDURES (Levels 1 - 3)

In this section, the resident appealing the eviction is referred to as the appellant.

1. The hearing will proceed as scheduled, even if the appellant does not attend.
2. The appellant may bring witnesses to the appeal hearing. Participation of witnesses shall be limited to providing evidence and responding to questions from the appeal committee. Witnesses may be present at the hearing only when providing evidence or responding to questions from the appeal committee.



3. The appellant may bring one support person to the appeal hearing; however, support persons shall not participate in the appeal unless called on by the Chair to do so. Participants are required to provide the name and relationship of their support person to the Appeal Committee a minimum of 48 hours prior to the hearing.

### **EVICITION APPEAL HEARING PROCEDURES**

In this section, the resident appealing the eviction is referred to as the appellant and the Residence staff whose decision is being appealed is referred to as the respondent.

1. The hearing will proceed as scheduled, even if the appellant or the respondent do not attend.
2. The appellant and respondent may bring witnesses to the appeal hearing. Participation of witnesses shall be limited to providing evidence and responding to questions from the appeal committee. Witnesses may be present at the hearing only when providing evidence or responding to questions from the appeal committee.
3. The appellant and respondent may bring one support person to the appeal hearing; however, support persons shall not participate in the appeal unless called on by the Chair to do so. Participants are required to provide the name and relationship of their support person to the Appeal Committee a minimum of 48 hours prior to the hearing.
4. The appeal hearing shall proceed as follows:
  - a. An initial briefing and review of the case by the committee members;
  - b. Presentation of the case by the appellant;
  - c. Presentation of information by the respondent;
  - d. Subsequent re-examination of either party or any witnesses if required.
5. Each appeal shall be considered independently and on its own merits.
6. The Appeal Committee will carefully consider only:
  - a. The appeal grounds;
  - b. The evidence supporting the grounds presented orally (during the hearing);
  - c. The written evidence presented in the appeal letter, appeal request form and supporting documents;
  - d. The written evidence presented in the respondent's response submission;
  - e. Any written evidence accepted by the appeal committee from the appellant or respondent during the hearing, providing that the appellant and respondent both had a reasonable opportunity to read, understand and respond to the document.
7. At no time should the committee deal with any matter outside the specific concerns set out in the request for appeal.
8. The burden of proof in a disciplinary appeal rests with the appellant, who must make a case to convince the appeal committee to decide in the appellant's favour.
9. All information reviewed and discussed during an appeal shall remain confidential.
10. In addressing the appellant's specific concern(s), the appeal committee should feel free to direct the parties to provide and produce additional material or witnesses directly related to the appeal.

<b>RESIDENCE APPEAL PROCESS</b>	
<b>Appeal Request Form</b> Resident completes this form to request an appeal	
<b>Levels 1-3 Appeal Process</b>	<b>Appeal Meeting with Manager</b> Resident presents appeal based on listed grounds to a Manager for consideration. All decisions made by the Manager hearing the appeal are final.
<b>Eviction Appeals</b>	<b>Appeal Meeting with Eviction Appeal Committee</b> Resident (appellant) and Residence Staff (respondent) meet with the committee for consideration of the eviction appeal.  All decisions made by the Eviction Appeal Committee are final.