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IX. University Policies and Regulations

Student Conduct and Responsibilities (Academic and Non-Academic)

Students and instructors are expected to maintain a professional relationship characterized by courtesy and mutual respect and to refrain from actions disruptive to such a relationship. Moreover, it is the responsibility of the instructor to maintain an appropriate academic atmosphere in the classroom and the responsibility of the student to cooperate in that endeavour. Further, the instructor is the best person to decide, in the first instance, whether such an atmosphere is present in the class. A statement of the policy and procedures regarding disruptive and/or harassing behaviour by students in academic situations is available from the Deans' offices, the Vice-President Academic and the Vice-President Students, or on the Web site of the University Secretariat (<http://www.yorku.ca/secretariat/>).

Students who violate University rules or public law may be disciplined by the University after an investigation which would include an opportunity to hear the student's interpretation of the events in question. Participation in these procedures is a fundamental obligation of any student and, in order to permit the University to act fairly and with sufficient information and understanding, students must be accessible to communication. A current and effective mailing address must be left with the University at all times. (Changes are to be submitted by students through the Registrar's Office.) Failure of a student to respond to communications from the University will not affect the University's right to conclude its investigation.

Rustication (expulsion from all University courses and activities) is the most serious sanction which may be imposed. For further information, see Student Code of Conduct.

Convocation

What is the difference between graduation and convocation? Graduation is the term used to acknowledge that you have met your degree requirements and you have been approved by Senate to graduate from the program. Convocation refers to the ceremony where the Chancellor confers the degree.

Students of all Faculties with the exception of Environmental Studies, Graduate Studies, the Schulich School of Business and Osgoode Hall Law School, must apply to graduate. This can be done online by going to the Current Students Web site located at <http://www.yorku.ca/yorkweb/cs.htm>, clicking on My Student Records and under My Graduation Status, clicking on Apply to graduate with an undergraduate degree. The deadlines to apply are announced each year, and are usually four months prior to the ceremony. Graduates of the Faculty of Graduate Studies can confirm their status with their Graduate Program Office. Graduates from the Faculty of Environmental Studies should apply to the Office of Student Programs of FES. Graduates from the Schulich School of Business should apply to the Office of Student Programs of the Schulich School of Business. Osgoode students need not apply to graduate. Students must ensure that the University has on file the correct spelling of their full names, so that diplomas are prepared accurately. Students may verify the name which will appear on their diploma through the Web at the Current Students Web site (<http://www.yorku.ca/yorkweb/cs.htm>), clicking on My Student Records and under My Personal Info, selecting Verify my official name.

Ceremonies are scheduled for June, for those students who complete their course work in the fall or winter terms and in October for those who complete their course work in the summer term. Convocation ceremonies are scheduled by Faculty groupings for all students.

Diplomas and alumni association memberships are normally distributed the day of the convocation ceremonies. For those students who are unable to attend, or who did not receive their diploma the day of the ceremony, diplomas may be picked up from Student Client Services on an official date after convocation has taken place. Students who are unable to attend and wish to have their diplomas mailed to them may do so by making these arrangements with the Registrar's Office. A fee will be charged for packaging and mailing. For more information, contact Student Client

Services at 416-872-YORK (9675) or visit the convocation Web site at <http://www.yorku.ca/mygraduation/>. Diplomas that have not been picked up or mailed will be kept on file for approximately one year. As such, students are advised to pick up or arrange to have their diplomas mailed as soon as possible.

Graduation photographs are arranged through the college or Faculty offices (or by the appropriate student council). Potential graduates can expect to receive information from their college or Faculty inviting them to arrange their sitting time with the photographer. Contact information can be found at http://www.yorku.ca/mygraduation/Convocation/contacts_photo.

Detailed information about the schedule of ceremonies, rsvps, robe rental, guests and receptions are sent out to all prospective graduates several weeks before the ceremony. The information can also be accessed online at <http://www.yorku.ca/mygraduation/>.

A student obtains a diploma for satisfactory completion of his or her academic program on the condition that all of their University debts have been paid.

Academic Sanctions for Outstanding Debts to the University

Students who have debts to the University and are not in good standing with respect to those debts shall have grade reports and conferral of degrees withheld. Senate has declared that mechanisms must be in place in the event of an appeal. For more information, consult the applicable University office or the University Secretariat Web site (<http://www.yorku.ca/secretariat/>).

Grading Scheme and Feedback

The grading scheme for each course (that is, the kinds and weights of assignments, essays, exams etc.) shall be announced, and be available in writing, within the first two weeks of class. Under normal circumstances, graded feedback worth at least 15 per cent of the final grade for fall, winter or summer term, and 30 per cent for 'full year' courses offered in the fall/winter session be received by students in all courses prior to the final withdrawal date from a course without receiving a grade, with the following exceptions graduate or senior undergraduate courses where course work typically, or at the instructor's discretion, consists of a single piece of work (for example, honours theses or graduate research papers not due by the drop date etc.)

- practicum courses
- ungraded courses
- courses in Faculties where the drop date occurs within the first three weeks of classes
- courses which run on a compressed schedule (a course which accomplishes its academic credits of work at a rate of one credit hour per two calendar weeks or faster).

Note: Under unusual and/or unforeseeable circumstances which disrupt the academic norm, instructors are expected to provide grading schemes and academic feedback in the spirit of these regulations, as soon as possible. Information on other policies related to grades is available from Faculties, departments and schools, and the University Secretariat (<http://www.yorku.ca/secretariat/>).

Academic Accommodation for Students with Disabilities

Policy

York University shall make reasonable and appropriate accommodations and adaptations in order to promote the ability of students with disabilities to fulfill the academic requirements of their programs.

The nature and extent of accommodations shall be consistent with and supportive of the integrity of the curriculum and of the academic standards of programs or courses.

Provided that students have given sufficient notice about their accommodation needs, instructors shall take reasonable steps to accommodate these needs in a manner consistent with the guidelines established hereunder.

'Disabilities' shall be defined as those conditions so designated under the Ontario Human Rights Code in force from time to time, and will in any event include physical, medical, learning and psychiatric disabilities.

Guidelines for this policy can be accessed on various University Web sites, including the University Secretariat (<http://www.yorku.ca/secretariat/>).

Computing and Information Technology Facilities

In order to promote the ethical and responsible use of computing and other information technology facilities, general guidelines have been established for all students by the Senate Committee on Academic Computing in consultation with an administrative task force on computing at York. York's Budget and Policy Committee has also approved the principles and guidelines set out below.

1. York University's computing and information technology facilities are made available to students in support of their academic objectives and requirements; to faculty in support of their teaching, research and administrative activities; to staff in support of their assigned responsibilities; and to other authorized users. Such facilities may include computers and associated peripherals, the communication infrastructure and related equipment, facsimile machines, scanners, copiers, telephone, video and other multimedia devices and forms of software.
2. Computing and information technology facilities may be used only in a manner which does not contravene York University's relevant policies, codes, agreements, network protocols and provincial and federal laws.
3. Access to computing and information technology facilities is a privilege. Users who contravene the relevant policies and laws may be subject to immediate withdrawal of the privilege and/or disciplinary procedures. Illegal acts involving computing and information technology facilities may also be subject to criminal prosecution or other legal action.

Information about guidelines associated with this policy can be obtained from the University Secretariat (<http://www.yorku.ca/secretariat/>).

Student Code of Conduct

1. Introduction

York University is a place of research, teaching and learning where people value civility, diversity, equity and respect in their interactions with one another. Freedom of speech, freedom of association, freedom to study and to learn, freedom to engage in research, and the freedom to write and to publish are all recognized as central to the mission of the institution. It is acknowledged that these values can only be meaningful, and these freedoms fully realized, in an atmosphere of safety and security.

Since their inception, universities have been recognized as clearly distinguishable communities within the larger community and have dealt with issues of misconduct internally. Under the York University Act, 1965, 13(2)(c), the President has the power to formulate and implement regulations governing students and student activities. The President has assigned to the Vice-President Students, through the Office of Student Conduct and Dispute Resolution, the responsibility for the administration of this Code of Student Conduct.

This Code has been developed through extensive consultation with students, staff, and faculty, and affirms their stated values of equity and respect. It is based on a model that supports a progressive discipline approach that encourages appropriate conduct¹. The process the Code outlines for dealing with transgressions is designed to be perceptibly fair, easy to understand, and transparent. In addition, the sanctions it proposes

have been developed through community consultation and are understood to be reasonable and suitable for a wide variety of misconduct. Wherever possible and appropriate, sanctions will be corrective rather than punitive.

2. The Reason for a Student Code of Conduct

This Student Code of Conduct identifies those behaviours which, if left unchallenged and unchecked, would disrupt the academic purposes of the University, make the campus² less safe, diminish the dignity of individuals and groups, or erode essential freedoms. It applies specifically to students because the behaviours of non-student members of the University community are held to comparable standards of account by other statutes, policies, and contracts.

Nothing in this Code is intended as a method or excuse to suppress peaceful protest, civil debate, or lawful conduct, so long as that conduct is not prohibited by this Code.

3. Application of this Code

This Code applies to non-academic student conduct. Academic student conduct is governed by University Senate policies and is beyond the scope of this Code.

This Code applies to students and student groups, and all references to "student" include "students" and "student groups." Student hosts are responsible for the conduct of their guests and the University expects and requires that they discourage inappropriate behaviour. For the purposes of this Code, "student" means a person who is registered and enrolled as a student at York University and who is therefore bound by University policies and regulations.

This Code applies to (a) conduct on University premises³, and (b) conduct not on University premises but which has a real and substantial link to the University. Examples of such a link would be events where students are acting as delegates or designated representatives of the University, events held off-campus by a recognized student group, or events held off-campus by an unrecognized student group that is readily identifiable with the University or any part of it.

There may be additional community standards required of persons choosing to live in University residences. A breach of residence rules is a breach of this Code and will be dealt with in the same manner and process as breaches of rules on the rest of the campus.

The University reserves the right to determine if a matter should be addressed under this Code regardless of the actions of external agencies, such as the police, and may use information provided by such agencies.

4. Standard of Student Conduct

Students are expected to conduct themselves in a way that supports research, teaching and learning, and that promotes an atmosphere of civility, diversity, equity and respect in their interactions with one another. They should strive to make the campus safe, to support the dignity of individuals and groups, and to uphold essential freedoms.

The following behaviours are prohibited. This list is not exhaustive but provides examples of breaches of the standard of conduct. This Code deliberately does not place violations in a hierarchy. The University views all complaints made under the provisions of this Code as serious.

(a) Breaking federal, provincial or municipal law, such as: breaking into University premises; vandalism; trespassing; unauthorized use of keys to space on campus; unauthorized possession or use of firearms, explosives, or incendiary devices; possession or consumption of, or dealing in, illegal drugs; smoking of legal substances outside designated areas; cruelty to animals; theft of University or private property including intellectual property; unauthorized copying of documents; possession of stolen property.

1. In this Code, "progressive discipline" means an incremental and proportionate approach to applying sanctions.
2. In this Code, "campus" includes all York University campuses, namely, Keele, Glendon, and York Professional Centres.
3. In this Code, "University Premises" means buildings and/or land owned and/or occupied by the University.

(b) Threats of harm, or actual harm, to a person's physical or mental wellbeing, such as: assault; verbal and non-verbal aggression; physical abuse; verbal abuse; intimidation; sexual assault; harassment; stalking; hazing⁴.

(c) Disruption of, or interference with, University activities such as: causing a substantial disorder; bomb threats; creating dangerous situations; making or causing excessive noise; proffering false identification; setting off false fire alarms; blocking exit routes.

(d) Damage to the property of the University or its members such as: damaging or defacing University or another person's property including computer systems and intellectual property; tampering with University fire extinguishing or prevention equipment;

(e) Violation of University Policies, Procedures, or rules, such as: Temporary Use of University Space Policy; Policy on Computing and Information Technology Facilities; Policy on the Sale, Service and Use of Alcoholic Beverages on campus; Parking and Transportation Policy; unauthorized use of identification to obtain goods or services.

(f) Abuse of, or disrespect for, the processes of this Code, such as: bringing unfounded complaints with malicious, frivolous, or vexatious intent; failure to comply with the reasonable requests of a University official; failure to attend meetings or hearings regarding alleged breaches of this Code; failure to comply with Code sanctions.

As a general principle, impairment by alcohol or illegal drugs is not a defence for prohibited behaviours.

5. The Process for dealing with a Complaint

The University recognizes that many disputes can be resolved without resorting to the provisions of this Code. Wherever it is possible and proper to do so, members of the University community are encouraged to continue to use simple requests for corrective behaviour rather than invoking the following complaint process.

Initially every complaint made under this process will be directed to a Local Adjudicator in the relevant College, Faculty, Residence or Administrative Unit. For complaints that do not inherently belong in one of those areas, the Local Adjudicator will be a representative of the Office of Student Conduct. The Local Adjudicators will be appointed by the Vice-President Students.

The standard of proof required for a determination that there has been a breach of the Code will be "on a balance of probabilities," meaning that the person(s) deciding a case must find that it is more probable than not that a contested allegation is established as fact, or not.

The Complainant has the right to attend any hearing on the matter where evidence he or she has provided is being used. The Complainant also has the right to know the outcome of the complaint process, unless the Local Adjudicator or University Tribunal finds that there are grounds to order otherwise.

(a) Filing a Complaint

- i. Any person (a Complainant) may file a complaint (a Complaint) under this Code, alleging a violation of the standard of student conduct by a student.
- ii. The Complaint must be in writing with the Complainant's name attached to it; anonymous Complaints will not be taken forward.
- iii. The Complaint must be filed within three months of the alleged violation of the Code unless the Local Adjudicator or the University Tribunal, upon first addressing the Complaint, considers it reasonable to extend that time limit.
- iv. A Complaint must be filed with a Local Adjudicator.
- v. When a Local Adjudicator receives a Complaint, he or she will assess whether it should be dismissed, or whether an investigation is warranted. Where an investigation is warranted, the student against whom the Complaint is made (the Respondent) will be given a copy of this Code so that he or she may be informed of his or her rights and responsibilities. The

4. In this Code, "hazing" means an act that endangers the mental or physical health and/or safety and/or dignity of a student, and done as a condition of membership.

Respondent will also be given a copy of the Complaint including the name of the Complainant. Contact information for the Complainant will be kept confidential.

(b) Investigation of a Complaint

The Local Adjudicator will gather the facts of the case by holding whatever meetings are appropriate.

The Respondent will be allowed a reasonable amount of time to consider the Complaint against him or her and to respond to it, and will be advised in advance, and given an opportunity to comment on, any sanctions that are being considered.

Both Complainant and Respondent are required to be present for meetings and hearings held under this Code when required. The Respondent must not retaliate against the Complainant.

If, after the investigation, the Local Adjudicator determines that there has been a breach of this Code, sanctions may be imposed. The Local Adjudicator will issue a written decision stating the reasons upon which it is based, within 10 days from the date on which the Respondent is advised orally of the decision.

The written decision of the Local Adjudicator will be provided to the Complainant and the Respondent and will be filed with the Office of Student Conduct.

If, at any time after receiving a Complaint, the Local Adjudicator is of the opinion that the nature of the Complaint makes resolution by the Local Adjudicator inappropriate, the Local Adjudicator will refer the Complaint to the University Tribunal for a hearing to be held.

(c) Request for a University Tribunal Hearing following a Local Adjudicator's Decision

- i. Following a decision of a Local Adjudicator, a Respondent may request a hearing before the University Tribunal on the grounds that:
 - 1) the Local Adjudicator had no power under this Code to reach the decision or impose the sanctions he or she did;
 - 2) the Local Adjudicator made a fundamental error in procedure prejudicial to the Respondent;
 - 3) the Respondent has new evidence to present that could not reasonably have been presented earlier; or
 - 4) the Respondent is entitled to relief on compassionate grounds not considered by the Local Adjudicator.

The request must include detailed reasons and be in writing delivered to the University Tribunal within 10 days after the date on which the Local Adjudicator's written decision was issued.

- ii. The request for hearing will be considered in written form only, and will either be granted or denied, by a single member of the University Tribunal, with written reasons.
- iii. All sanctions ordered by the Local Adjudicator will be suspended pending the decision of the University Tribunal as to whether a hearing will be granted. In cases which involve issues of safety and security of person or property, the Local Adjudicator may determine that the sanctions imposed will stay in effect from the time that the decision was made pending the completion of the University Tribunal proceedings.
- iv. If the University Tribunal denies the request for a hearing, the sanctions will immediately become enforceable as of the date of that decision.

6. University Tribunal

(a) University Tribunal Composition

The members of the Tribunal are students, faculty, and staff volunteers appointed by the Vice-President Students to serve for a two-year term, renewable once, unless terminated earlier by the Vice-President Students.

Each Tribunal Hearing panel will be comprised of three persons, one of whom will be a student. They will elect a Chair for the proceedings.

(b) University Tribunal Hearing Process

Tribunal Hearings provide an opportunity for a balanced airing of facts. The hearings are held in "private", i.e. restricted to persons who have a direct

role or interest in the hearing, or persons who are acting as witnesses. At the discretion of the Chair other persons may be admitted to the hearing for training purposes, or other reasonable considerations.

The Tribunal Hearing panel is not bound to observe strict legal procedures, but in order to ensure that its procedures are as fair as possible in the context of University circumstances and traditions it shall comply with the following procedural guidelines.

- i. The Office of Student Conduct presents the Complaint and any supporting documentation and witnesses, including the Complainant, to the Tribunal Hearing panel.
- ii. The Respondent has the opportunity to ask questions of any witnesses. Members of the Tribunal will also have the opportunity to ask questions of the presenter and the witnesses.
- iii. After the Office of Student Conduct has presented the Complaint, the Respondent will have the opportunity to present his or her response to the Complaint, including any supporting documentation, and witnesses.
- iv. The Office of Student Conduct and the Tribunal panel will have the opportunity to ask questions of the Respondent and of any witnesses.
- v. Both the Office of Student Conduct and the Respondent then explain their respective interpretations of the evidence presented.
- vi. Both the Office of Student Conduct and the Respondent will have the opportunity to suggest what sanctions, if any, they believe are appropriate to the matter before the Tribunal.
- vii. Whenever possible, decisions of the Tribunal will be made orally immediately following the hearing. The decision will then be put in writing no more than 14 days from the end date of the hearing and delivered to the Respondent and the Complainant by regular mail, express post, or e-mail and filed with the Office of Student Conduct.

(c) Student Rights at a University Tribunal Hearing

Respondents have the following rights:

- i. The right to bring an advocate or adviser. This may be any person chosen by the Respondent to help present his or her case. Where possible, the name of the advocate or adviser should be provided to the Office of Student Conduct at least two days prior to a hearing.
- ii. The right to see all the evidence that the Office of Student Conduct will present and to know what sanctions, if any, the Office will request.
- iii. The right to challenge the suitability of any member of the Tribunal panel based on a reasonable apprehension of bias against the Respondent's case. The Tribunal panel will determine if a reasonable apprehension of bias is warranted. Its decision will be final. If it does find a reasonable apprehension of bias, it will direct the Office of Student Conduct to reschedule the hearing with a new panel.
- iv. The right to have his or her case heard in a timely manner, meaning that except in exceptional circumstances (such as University holiday closure) the Respondent will have a hearing within 20 business days⁵ of the determination that the Complaint will be heard by the University Tribunal.
- v. The right to prior notice of hearing of at least seven days, unless there are special circumstances (as determined by the Office of Student Conduct), in which case the matter may be heard before the seven-day notice period has elapsed.
- vi. The right to notice: hearing notice will be hand-delivered, or sent by e-mail or regular mail or Express Post. It is the student's responsibility to ensure that the University has his or her current contact information. If a student fails to receive any notice under

5. In this Code, "business days" means Monday to Friday, except for the holidays stated in the University Calendar or unforeseen closures due to weather, emergencies, or work stoppages.

this Code by reason of the student's own failure to meet this requirement, such notice will still be treated as valid and effective.

- vii. The right to a "private" hearing as explained in section 6(b).

7. Appeals of University Tribunal decisions

(a) The Respondent or the University may appeal a University Tribunal decision to the Appeal Panel only on the following grounds:

- i. that the University Tribunal had no power under this Code to reach the decision or impose the sanctions it did;
- ii. that the University Tribunal panel made a fundamental procedural error seriously prejudicial to the Respondent;
- iii. the Respondent has new evidence to present that could not reasonably have been presented earlier; or
- iv. that the Respondent is entitled to relief on compassionate grounds not considered by the University Tribunal panel.

(b) Appeals must be made in writing to the Director of Student Conduct within 14 days following the date on which the written decision of the University Tribunal was issued. The Respondent must provide a written statement setting forth the grounds upon which the Respondent intends to rely. It is the Respondent's responsibility to ensure that the University has his or her current contact information. Any notice not received because the Respondent has failed to meet this requirement will have no bearing on the proceedings.

(c) Non-monetary sanctions apply pending the outcome of any appeal (monetary sanctions are automatically suspended pending the outcome of the appeal). No compensation will be made if a non-monetary sanction is overturned on appeal. The Respondent may apply to the Appeal Panel to stay the operation of the sanctions pending the outcome of the appeal. The Appeal Panel will convene a hearing at the earliest possible date to deal with the request for a suspension of sanctions. Where some more immediate response is required, application may be made to the Director of Student Conduct.

(d) The Appeal Panel will be comprised of three members from the University Tribunal. They will not be any of the same members who heard the original case.

(e) The Appeal Panel will hear the appeal within 20 business days except in exceptional circumstances, and will give the Respondent, and the Office of Student Conduct notice of the time and place of the appeal hearing.

(f) The Appeal Panel will render a written decision no more than 14 days from the end of the Appeal Panel Hearing, disposing of the appeal by:

- i. allowing the appeal;
- ii. affirming or modifying the Tribunal decision;
- iii. affirming, reducing or increasing the sanctions appealed against; or
- iv. requiring that the Tribunal conduct a new hearing or reconsider some pertinent aspect of its decision.

(g) The written decision of the Appeal Panel will be delivered to the Respondent and the Complainant by regular mail, express post, or e-mail and filed with the Office of Student Conduct.

(h) The Appeal Panel decision is final and binding.

(i) Respondents have the following rights at an Appeal Panel Hearing:

- i. The right to bring an advocate or adviser. This may be any person chosen by the Respondent to help present his or her case. Where possible, the name of the advocate or adviser should be provided to the Office of Student Conduct at least two days prior to a hearing.
- ii. The right to challenge the suitability of any member of the Appeal Panel based on a reasonable apprehension of bias against the Respondent's case. The Appeal Panel will determine if a reasonable apprehension of bias is warranted. Its decision will be final. If it does find a reasonable apprehension of bias, it will direct the Office of Student Conduct to reschedule the hearing with a new panel.
- iii. The right to have the appeal heard in a timely manner.

- iv. The right to a “private” hearing as explained in section 6(b).

8. Records

A record of final decisions made under this Code will remain in the Office of Student Conduct and Dispute Resolution.

9. Sanctions

The following sanctions may be imposed for a breach of the Code. More than one sanction may be imposed concurrently for a single breach. When imposing a sanction, prior breaches of the Code may be considered.

(a) Sanctions that may be imposed by Local Adjudicators

The following sanctions may be imposed by Local Adjudicators:

- i. reprimand,
- ii. an apology and/or statement of regret to the person making the complaint,
- iii. an apology and/or statement of regret to a larger community (e.g. team, classmates),
- iv. community service, reflective essay, or research on a specified topic,
- v. Behavioural undertaking which may be secured by a deposit of money up to \$500,
- vi. restrictions on behaviour,
- vii. fines up to \$250,
- viii. full restitution for damage up to \$500,
- ix. withdrawal of non-essential Services⁶,
- x. relocation to other University housing.

(b) Additional Sanctions that may be imposed by the University Tribunal

In addition to the sanctions listed in 8(a) above, the University Tribunal may impose the following sanctions:

- i. fines up to \$1000,
- ii. restitution,
- iii. campus restrictions,
- iv. removal from University residence,
- v. notation on student record,
- vi. suspension,
- vii. expulsion.

10. Emergency Suspension

If the Director of the Office of Student Conduct determines that the presence at the University of a Student poses a risk to safety and security, he/she may impose an immediate suspension of up to 10 days. The Student will be notified of the decision to invoke an emergency suspension.

If, after further investigation, it is determined that the Student continues to pose a risk to safety and security, the Director of the Office of Student Conduct can, with the agreement of the Vice-President Students, suspend a student for more than 10 days to a maximum of 60 days. A Tribunal hearing must be commenced within the 60 days.

11. Review of this Code

This Code will be reviewed after one year and thereafter every two years.

6. In this Code, “non-essential services” means services that, if withdrawn, may restrict a student’s full participation in campus life, but do not make it impossible for a student to complete their academic requirements.

Senate Policy on Academic Honesty

1. Senate Policy on Academic Honesty

The Policy on Academic Honesty is an affirmation and clarification for members of the University of the general obligation to maintain the highest standards of academic honesty. As a clear sense of academic honesty and responsibility is fundamental to good scholarship, the policy recognizes the general responsibility of all faculty members to foster acceptable standards of academic conduct and of the student to be mindful of and abide by such standards.

Academic honesty requires that persons do not falsely claim credit for the ideas, writing or other intellectual property of others, either by presenting such works as their own or through impersonation. Similarly, academic honesty requires that persons do not cheat (attempt to gain an improper advantage in an academic evaluation), nor attempt or actually alter, suppress, falsify or fabricate any research data or results, official academic record, application or document.

Suspected breaches of academic honesty will be investigated and charges shall be laid if reasonable and probable grounds exist. A student who is charged with a breach of academic honesty shall be presumed innocent until, based upon clear and compelling evidence, a committee determines the student has violated the academic honesty standards of the university. A finding of academic misconduct will lead to the range of penalties described in the guidelines which accompany this policy. In some cases the University regulations on non-academic discipline may apply. A lack of familiarity with the Senate Policy and Guidelines on Academic Honesty on the part of a student does not constitute a defence against their application. Some academic offences constitute offences under the Criminal Code of Canada; a student charged under University regulations may also be subject to criminal charges. Charges may also be laid against York University students for matters which arise at other educational institutions.

Information about guidelines and procedures related to this policy can be obtained from the University Secretariat Web site (<http://www.yorku.ca/secretariat/>).

Petitions and Grade Reappraisals

Guidelines for the Consideration of Petitions/ Appeals by Faculty Committees

These guidelines should inform the actions and decisions of Faculty committees and administrative personnel in responding to student petitions and appeals. They are not intended to direct the decisions of the Faculty in these matters; jurisdiction to waive academic regulations, extend guidelines and reappraise work clearly resides with Faculties in the first instance. These guidelines are to advise the relevant parties in their work to help foster equitable and consistent decisions across the University. It is recognized that the nature (performance, professional, graduate) and size of the various Faculties make it highly improbable to have uniform procedures and processes. There are areas in which greater consistency among the Faculties’ processes can be achieved and it is to that end that these guidelines are proposed.

1. Structure

Faculties may, and are encouraged, to have a two-tiered structure for the consideration of petitions: a) a petitions committee/associate dean and b) an administratively approved process.

a) **Petitions Committee/Associate Dean:** As all Faculties have agreed to consider requests for exceptions from Faculty regulations, there shall be a committee or a senior academic administrator charged with the responsibility of reviewing the petitions and rendering decisions on the basis of the reasons and supporting documentation provided by the student.

b) **Administratively Approved Petitions:** To help offset large caseloads, petitions may be recommended for approval by the Petitions Officer (or equivalent) and confirmed by the Chair of the Petitions Committee (or designate)¹. In accordance with the general considerations for granting petitions (set out below), the Petitions Officer shall identify cases which clearly meet the considerations and present them as such to the Chair for confirmation. All cases which are not clear and require discretion are forwarded to the Petitions Committee for a decision. No petitions will be administratively refused on the basis of their merits. Students failing to provide the necessary documentation requested by the Faculty within a specific time frame will not have their petition considered, and the Petitions Officer shall inform the student in writing in such cases.

¹ With the exception of petitions to waive debarments which should be considered by a committee.

2. Principles

a) **Procedures:** Each Faculty shall have written procedural rules that are widely available to students (e.g. in the calendar, on the University Web site, at the Registrar's Office). Faculty petition/appeal procedures must be consistent with the Senate guidelines.

b) **Deadlines:** The Senate approved policy on the deadline for submitting a petition for late withdrawal is that "Normally petitions for late withdrawal from a course will only be considered if they are submitted within 30 days of the last day of classes [of the relevant course]. Such petitions may be considered for a period of up to one year if they are based on special circumstances." The Senate policy on the deadline for deferred standing requests is "Normally requests for deferred standing must be communicated within one week following a missed examination or the last day to submit course work." The period during which the University is officially closed for December holidays and on statutory holidays throughout the year is not counted in the determination of deadline days.

c) **Representation:** Appellants have the right to have a representative assist in the preparation of written submissions and, if granted an appearance before a committee, represent them at that meeting.

d) **Jurisdiction:** Students shall petition all matters to their home Faculty with the exception of grade reappraisals which are considered by the department/ Faculty offering the course. Otherwise, Faculties shall consider requests for exceptions to all Faculty regulations.

e) **Bias:** Any member of a petitions/appeals committee or a person reviewing a petition who has a lack of neutrality on the issue to be decided shall excuse him/herself from the consideration of that case. An appearance of bias or a reasonable apprehension of bias is also sufficient for a party to disqualify her/ himself from considering a petition.

f) **Appearances:** Students and/or their representatives may appear before a committee only at the discretion or invitation of the Committee.

g) **Anonymity:** Requests for students for anonymity in the petitions process should be honoured. Students provided the opportunity to appear before a committee, however, will have to decide whether they wish to forego anonymity. Confidentiality in this process shall always be maintained.

h) **Decisions:** To help fulfill the requirements for natural justice and fairness in adjudicative processes, petitions and appeals committees/ Administrators rendering decisions on petitions must give reasons in writing for the decision. Without reasons, a party may have to speculate why an adverse decision was made and may not be able to decide whether to appeal. Similarly, a subsequent committee or a reviewing court may have difficulty understanding the rationale for a decision without reasons and may draw inferences adverse to the initial committee from its failure to give reasons.

i) **Appeals:** The route of appeal for students shall be included in the written decision.

Principles Regarding Grade Reappraisals

1. Students may, with sufficient academic grounds, request that a final grade in a course be reappraised (which may mean the review of specific pieces of tangible work). Non-academic grounds are not relevant for grade reappraisals; in such cases, students are advised to petition to their home Faculty. Students are normally expected to first contact the course director

to discuss the grade received and to request that their tangible work be reviewed. Tangible work may include written, graphic, digitized, modelled, video recording or audio recording formats, but not oral work.

Students need to be aware that a request for a grade reappraisal may result in the original grade being raised, lowered or confirmed.

2. In the event that students are still not satisfied with the final grade or the course director is not available to review the work, they may submit in writing a formal request for a grade reappraisal to the department or unit in which the course is offered*. The Senate approved deadline for submitting grade reappraisals is within three weeks of the release of final grade reports in any term. Exercising discretion about minor delays in meeting the deadline which result from slow mail delivery or extraordinary circumstances is reasonable.

*The exceptions are as follows:

- for Osgoode, Schulich, and the Faculty of Education the requests for reappraisal are submitted to the office of the relevant associate dean.

3. If the condition of sufficient academic grounds has been met, the relevant department committee, department Chair, associate dean or graduate/ undergraduate program director will be responsible for ensuring that the work is reappraised by an appropriate faculty member, ensuring anonymity of both the student and the reappraiser, and for communicating the result of the reappraisal (including the reappraiser's comments) and the route of appeal to both the student and the course director. The reappraiser will be given the nature of the assignment and the rationale for the original grade. It is expected that every effort will be made to render the decision within 30 days of the reviewer having received the work.

4. Parties to the decision may appeal a negative decision on a request for a reappraisal, or the result of the reappraisal itself to a Faculty-level appeals committee in the Faculty in which the course is offered (or, in the case of the Faculty of Graduate Studies, to the dean) only on the ground of procedural irregularity. Procedural irregularity is defined as:

- actions taken or not taken by a department, Faculty, graduate program officers, committees, or members with respect to the previous disposition of the case which violate or nullify one or all of the following:

a) normal and written procedures of the University, Faculty, graduate program or department concerned;

b) consistency in the Faculty's, graduate program's or department's handling of cases substantially similar to that being appealed;

c) principles of equity, natural justice or fairness, whether or not such violation occurred in accord with written or customary procedures. Appeals based on allegations of these last procedural irregularities should allege and demonstrate obvious bias or other misbehaviour on the part of the officers or agents of the University and for which redress was not provided by an authority which considered the case prior to the appeal.

Appeals must be submitted within 21 days of notification of the decision. Faculty committees may waive that deadline when special circumstances are established by the appellant. No member of the Faculty committee shall consider an appeal if s/he considered the matter at an earlier level. At the discretion of the Faculty committee, the student and/or the faculty member may be invited to meet with the committee to present his/her case orally. The committee's decision will be taken in camera and it is expected that parties will be informed of the decision in writing within 30 days of the filing of the appeal.

5. Parties to the appeal at the Faculty-level may file an application for leave to appeal the decision to the Senate Appeals Committee (SAC) on the ground of procedural irregularity at the Faculty-level. Applications for leave to appeal must be submitted within 21 days of the notification of the Faculty decision. SAC may waive that deadline when special circumstances are established by the appellant. No member of SAC shall consider the application if s/he considered the matter at an earlier level. As explained in the SAC procedures, parties may appear before the committee if leave to appeal is granted to make oral submissions on the ground of procedural irregularity. The committee's decision will be taken in camera and it is expected that the parties will be informed of the decision in writing within 30 days of the filing of the application.

6. Parties to the decision of the Senate Appeals Committee may apply to the committee to have the matter reconsidered if there is evidence of procedural irregularity on the part of SAC. Applications must be submitted within 21 days of the posting of the decision. SAC reserves the right to waive this deadline in special circumstances. Requests for reconsideration of a SAC decision will be considered by a panel of SAC members who did not serve on the panel first hearing the matter; it is expected that a decision will be rendered within 30 days of its submission.

Deferred Standing Agreement

The Deferred Standing Agreement (DSA) is a process by which students who are either unable to write their final examination at the scheduled time or submit term work before the Faculty deadline to submit final grades reach an agreement with the course director about granting deferred standing in the course and setting a date for writing the exam or submitting the outstanding work. Using the standard DSA form, it is the responsibility of students to make arrangements with the course director to complete the course and file the DSA form with the appropriate departmental/unit office by the deadline specified on the form. Course directors have the option not to consider requests for deferred standing; in such cases students must file a petition with the relevant Faculty-level committee for consideration within the established deadline.

Students' Responsibilities in the Petition/Appeal Processes

The University has established regulations, procedures and deadlines through its legislative bodies to which students must adhere. Students are expected to monitor their progress in courses, taking into account their personal and academic circumstances, and to make the necessary adjustments to their workload to meet the requirements and deadlines. The University recognizes, however, that specific circumstances may justify waiving the regulations/ requirements/deadlines on an individual basis. Requests for a waiver of a regulation/requirement/deadline are initiated by a petition.

Students opting to initiate a petition should be assured that confidentiality is a hallmark of this process and information submitted in support of their petition/appeal will not be used for any other purpose.

While it is the University's responsibility to provide students with proper information, guidance and advice, it is incumbent upon students to:

- be aware of and adhere to all Faculty and program regulations, requirements and published deadlines;
- familiarize themselves with their Faculty's written petition/appeal procedures and make requests in a timely fashion;
- provide all documentation to support their petition/appeal and to do so in a timely fashion;
- indicate and document all their relevant circumstances upon submitting their petition in the first instance.

University's Responsibilities in the Petition/Appeal Processes

Just as the students who submit petitions and appeals have responsibilities to meet the requirements of the process, the University has responsibilities in administering it.

Non-academic staff:

It is incumbent upon members of the non-academic staff to:

- make available to students advice and guidance regarding options, deadlines, required documentation, and appeal routes by way of written notification, the University Web site, personal appointments or communication over the telephone;
- direct students to the appropriate office for information on petitions/appeals;
- attend to petitions and appeals efficiently to prevent undue delay;
- maintain students' right to confidentiality.

Faculty members:

It is incumbent upon faculty members to:

- respond to requests for information from students and non-academic staff in a timely manner;

- help direct students to the appropriate office for information on petitions/appeals;
- maintain students' right to confidentiality.

Petition/Appeal officers/committees:

It is incumbent upon petition/appeal officers or committees to:

- ensure parties receive fair, consistent and ethical treatment;
- give thorough and serious attention to all requests;
- render decisions only after careful deliberation;
- supply parties with reasons for decisions;
- maintain students' right to confidentiality.

Religious Accommodations / Senate Policy on Women's Remembrance Day

Senate's policy governing the setting of sessional dates and examination schedules includes a statement on religious observances which has two parts:

"York University is committed to respecting the religious beliefs and practices of all members of the community, and making accommodations for observances of special significance to adherents."

"Every effort will be made to avoid scheduling in-class or formal examinations on days of special religious significance throughout the year. A schedule of dates for such days for various faiths will be compiled annually and distributed widely. Students will be informed of procedures for requesting and arranging accommodations."

In May 1998 Senate approved a policy to commemorate Women's Remembrance Day that encourages the planning and funding of activities appropriate to Women's Remembrance Day through the Office of the Adviser to the University on the Status of Women. The Senate policy also encourages faculty to highlight Women's Remembrance Day in their classes and to incorporate in their classes, as appropriate, some of the issues facing women, particularly violence against women. The administration is asked to support the development of workshops to assist faculty with their preparations.

Information about this policy is provided to students in publications such as Calendars and Lecture Schedules. The University community will also be informed in advance of activities associated with Women's Remembrance Day.

Senate Policy on the Academic Implications of Disruptions or Cessations of University Business Due to Labour Disputes or Other Causes

The University Senate has enacted a policy to apply in the event that academic activities are substantially interrupted or impeded as a result of strikes, lockouts, demonstrations, natural disasters or other like causes. The policy contains three governing principles, which are outlined below. Further information about the policy may be obtained from the University Secretariat (<http://www.yorku.ca/secretariat/>).

A. Academic Integrity

In the event of a disruption, the primary obligation of Senate is to ensure the academic integrity of all programs. No dilution of standards normally expected of students should be permitted and there should be as little diminution as possible in the instructional or supervisory support given to students.

B. Fairness to Students

Students who do not participate in academic activities because (a) they are unable to do so owing to a disruption or (b) they choose not to participate in academic activities owing to a strike or a lockout on campus, are entitled to immunity from penalty, to reasonable alternative access to materials covered in their absence, to reasonable extensions of deadlines and to

such other remedy as Senate deems necessary and consistent with the principle of academic integrity. Such remedies shall not alter the academic standards associated with the missed activity nor shall it relieve the student of the responsibility for mastering materials covered. The availability of a remedy under this policy does not guarantee students the same learning experience that they would have received in the absence of a disruption.

C. Timely Information

Students, staff and faculty members have a right to be informed in a timely manner of changed requirements, rescheduled academic activities and procedures to be in effect at the conclusion of the disruption.
