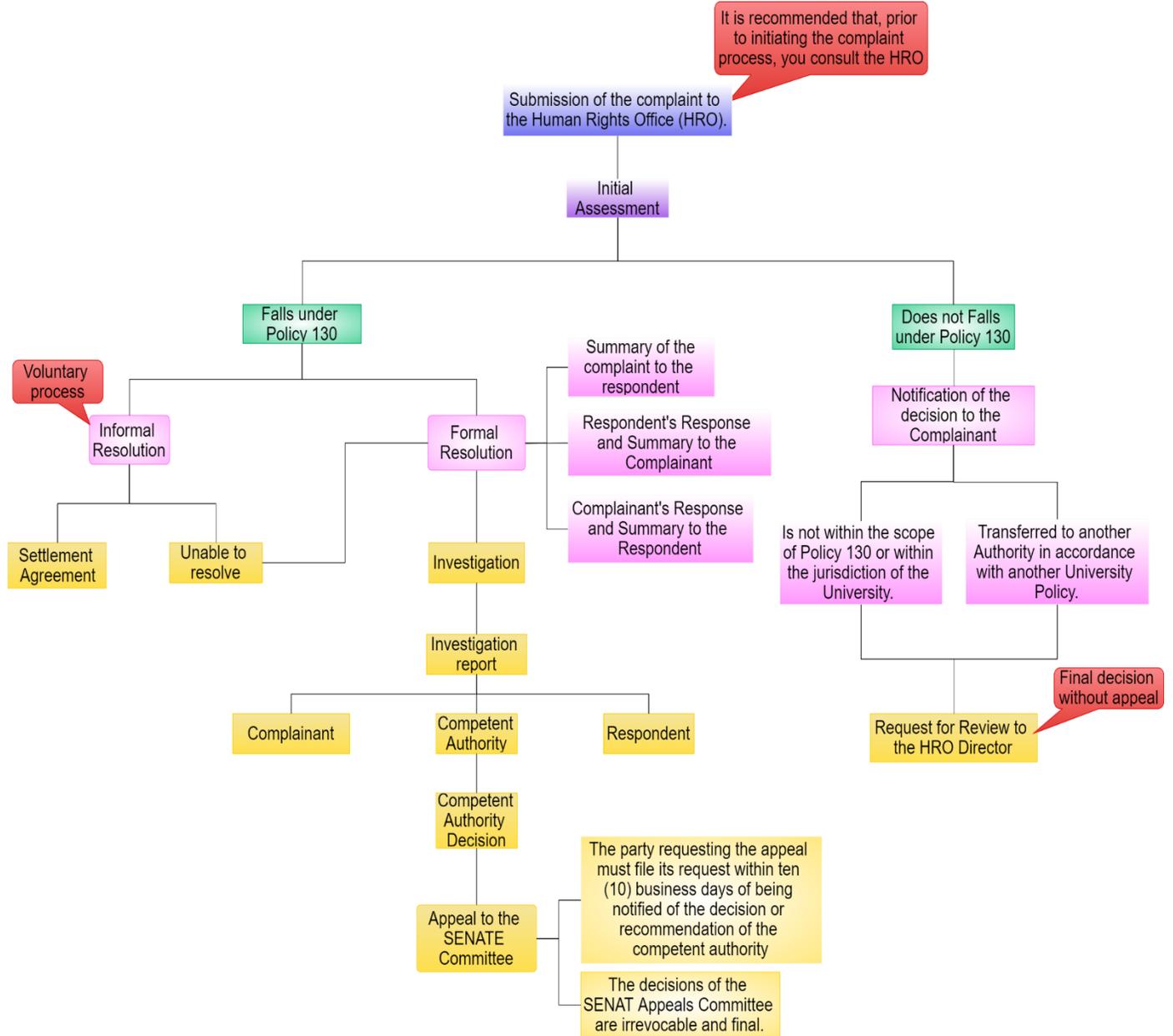


Policy-130 : Students Rights and Responsible Conduct

Complaint Process



Policy-130 : Students Rights and Responsible Conduct

Complaint Process

Description

1- Submission of cases to the Human Rights Office

- The submission is made in writing.
- It contains the name of the student who committed the breach of conduct.
- It includes a statement of the facts, the nature and circumstances of the breach of conduct, the dates, and the names and contact information of witnesses.

2- Initial Assessment

Case Manager:

- Acknowledges receipt of the allegation,
- Reviews the allegation, seeks clarification, and consults internally as required.
- Determines if the allegation:
 - a- Falls under policy 130, in which case the Case Manager opens a file and notifies the affected Student in writing with a summary of the allegation and details of this resolution, its related processes, and the subsequent steps set forth in Section 3 (Informal Resolution Process) or Section 4 (Formal Resolution Process) of this Appendix, as appropriate.
 - b- Falls under another University Regulation; the allegation is then transferred to another authority pursuant to another University Regulation.
 - c- Does not fall within the scope of policy 130 or is not within the jurisdiction of the University. The complaining party shall be informed of this finding. The complainant may request in writing that the Director of the Office of Human Rights reassess this finding. The Director will then inform the complaining party in writing of the result of the reassessment, which is final and conclusive.

3- Resolution mechanisms

3-1 Informal Resolution

In consultation with the appropriate authority, the Case Manager may prefer an informal resolution prior to or after the commencement of the formal process as set out in section 4 of policy 130. In making this judgment, the Case Manager will consider the following factors:

a- Whether the nature and circumstances of the case lend themselves to an informal resolution and whether the student involved and those involved are willing to proceed in this manner.

b- Whether an informal resolution is likely to meet the objectives of this policy 130.

- the informal resolution process may include, for example, educational strategies, mediation, negotiation, facilitated meetings, conflict resolution conferences, restorative justice measures such as healing circles and other dispute resolution techniques.
- Participation in the informal resolution process is voluntary, subject to any rights, and may be withdrawn at any time.
- Any information provided or statement made by the Student involved in the Responsible Conduct Breach in the informal resolution process remains confidential and will not be used against him or her at any later stage of the process set forth in this or other University Regulations.
- The Case Manager shall document the outcome of the informal resolution process and report it in writing to the student involved in the Misconduct and to the other participants while taking appropriate precautions to maintain confidentiality.

3-2- Informal Resolution

When informal resolution is inappropriate, or does not work, formal resolution is proposed to the parties in the following steps:

Written Exchange: The Case Manager sends the complaint in writing to the Student involved in the Responsible Conduct Violation indicating, also in writing, that the case is following the formal resolution process set forth in this policy (this is the "**Notice of Initiation of Formal Resolution Process**"). The Student shall have five (5) business days to respond in writing. The Case Manager may forward the affected Student's response to the complainant or others to clarify or verify the allegation or the Student's response. The Case Manager will inform the Student in writing of any relevant allegations or statements that were not included in the original allegation and will again provide the Student with time to provide a written response and additional information and documentation to support the allegations.

- **Investigation:** The Case Manager shall conduct an investigation of the allegation or, in consultation with the Director of the Human Rights Office, assign a specially trained person to do so. The investigation shall be conducted in a timely manner and in accordance with the timelines set out in section 6.1(b) of policy 130.
- **Investigation Report:** Transmission of the investigation report to the Competent Authority, and to both parties (the Student involved in the Event of Default and the Complainant)
- **Conclusion and Final measure:** The Competent Authority shall provide the Student Subject to the Breach of Responsible Conduct and the Complaining Party, if applicable, an opportunity to comment on the Investigation Report and any final action, if any.
- The Competent Authority shall review the Investigative Report and then make the following determinations:
 - a- Accept or reject the findings of the investigation.
 - b- Determine the final measures that fall within its jurisdiction as set forth in paragraphs 6.9 and 6.10 of policy 130;

- c- Recommend to the Senate Appeals Committee any final action that is not within its jurisdiction as set forth in policy 130, Sections 6.9 and 6.10.
- d- Communication: The Competent Authority communicates its decision or recommendation, as the case may be, in writing to the Student concerned by the Case of Responsible Conduct, with a copy to the Case Manager and to other University representatives who require this information for the purposes of applying the measures.

4- Appeal to the SENAT Committee

- Decisions and recommendations of the Competent Authority may be appealed to the Senate Appeals Committee.
- The party requesting the appeal must file the request within ten (10) working days of the communication of the decision or recommendation of the Competent Authority.
- The filing of an appeal shall in no way defer the implementation of the imposed measures.
- The decisions of the Senate Appeals Committee shall be final and conclusive.