



Approving University Official(s): President
Responsible Office: Campus Principals/Provosts/Director of Operations, Student Conduct Officers, Student Conduct Committee
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Next review date: 3 years

[AD- Student Code of Conduct Procedures]

Purpose

This Student Code of Conduct Policy (the “policy”) sets out and defines the standard of conduct expected of all students while enrolled at the Yorkville University. Students are expected to conduct themselves in a manner consistent with the educational objectives of the University in accordance with generally accepted standards of behavior, and in accordance with other published University policies.

Audience

This policy applies to:

- All students studying at any Toronto Film School location or Toronto Film School Online.
- Student conduct on any Toronto Film School campus.
- Student conduct off-campus when:
 - Students attend an off-campus activity or event as part of a course or an organized class activity.
 - Students participate in an off-campus activity that is organized and/or sanctioned by the School.
 - Students are representatives or delegates of the School at an off-campus activity, event, or function.

The conduct, regardless of where it occurs, may adversely affect teaching and learning or the functioning of the School or may damage the reputation of the School.

- Student conduct via telephone, text-messaging, computer, or other electronic device using email, internet, intranet, social media, teleconferencing software and other forms of technology, etc.

Procedures

Misconduct for which students are subject to disciplinary action includes but is not limited to:

1. The use of violence, including: the actual or attempted exercise of physical force against any member of the School community that causes or could cause physical injury; making statements or acting in a way that a reasonable person would interpret as a threat to exercise physical force against a member of the Yorkville community that could cause physical injury.
2. Actions, oral statements, and written statements which threaten or violate the personal safety of any member of the faculty, staff, or other students, including threats of bodily harm or sexual assault.
3. Bullying, which includes the use of physical or verbal actions intended to intimidate, coerce, or harm an individual or group/individual or group perceived to be vulnerable;
4. Cyberbullying, which as defined by the [Nova Scotia 2013 Cyber-safety Act](#), is any electronic communication through the use of technology including, without limiting the generality of the foregoing, computers, other electronic devices, social networks, text messaging, instant messaging, websites and electronic mail, typically repeated or with continuing effect, that is intended or ought reasonably be expected to cause fear, intimidation, humiliation, distress or other damage or harm to another person's health, emotional well-being, self-esteem or reputation, and includes assisting or encouraging such communication in any way.
5. Any conduct which interferes with or threatens to interfere with the educational process or any activity organized by the institution or by any of its faculties, schools, departments, divisions, clubs or societies.
6. Any conduct which interferes with the right of any member of the School community to carry on their legitimate activities and/or to speak to or associate with others.
7. Possession of real or replica firearms or other weapons, explosives, or toxic substances on School premises.

8. Substance abuse, including: being drunk, impaired, or disorderly on Yorkville premises or at a Yorkville sponsored event or using, possessing or distributing alcoholic beverages, cannabis, or other controlled substances, except as permitted by law; possessing or consuming alcohol or cannabis anywhere on Yorkville premises if under the age of nineteen (19) years. Note that students in violation of federal, provincial or other municipal regulations with respect to illegal drugs may be subject to both prosecution by government and disciplinary action by the School.
9. Actions, oral statements, and written statements aimed at one or more specific individuals based on the race, ancestry, place of origin, colour, ethnic origin, citizenship, sex (includes pregnancy and breastfeeding), sexual orientation, creed/religion, age, marital status, family status, disability, or record of offenses in relation to employment of that individual or group of individuals.
10. Harassment, sexual or otherwise, that has the effect of creating a hostile or offensive environment for any student, faculty member, or staff member.
11. Possessing without permission, damaging, defacing, destroying, or misusing University/School property.
12. Failure to promptly comply with any reasonable directive from faculty members or University/School officials.
13. Failure to maintain confidentiality and respect the privacy of personal or professional information communicated about clients, one's employer, other students, faculty, staff, or their employers.
14. Falsification or invention of any information or document, including documents published online or in social media, or lying during a University/School investigation.
15. Bringing false or malicious charges against any member of the University/School community.
16. Hazing, which is defined as an act which endangers the mental or physical health or safety of a student for the purposes of initiation or admission into, affiliation with, or as a condition for continued membership in, a group or organization.
17. Contravention of provisions of the Criminal Code or other federal, provincial, or municipal statutes or regulations.
18. Encouraging, aiding, or conspiring with another student to commit misconduct as defined in this policy.

Implementation

When student misconduct threatens the safety of persons or property, or where it appears to violate federal, provincial, or municipal law, School officials will act expeditiously to call in appropriate authorities and to remove the student from School property.

1. Yorkville University and Toronto Film School shall name, for each of its campuses, a Student Conduct Officer who will be responsible for prosecuting offenses under the Student Non-academic Conduct policy. The Student Conduct Officer has the authority to:
 - a. Resolve a complaint by mutual consent through mediation.
 - b. Remove a student from University/School property and/or contact appropriate authorities when student misconduct threatens the safety of persons or property or appears to violate federal, provincial, or municipal law.
 - c. Issue a warning or reprimand to and/or require an apology from a student found to be in violation of this policy.
 - d. Recommend to the Student Conduct Committee a penalty stronger than warning and/or apology.

2. Yorkville University and Toronto Film School shall strike one University/School-wide Student Conduct Committee to consider cases of student misconduct and assess penalties when necessary. The Student Conduct Committee comprises the various Student Conduct Officers and is chaired by a senior academic administrator appointed by the President. The Committee will develop procedures that respect the rights of students accused of misconduct and that are consistent with natural justice. The Student Conduct Committee has the authority to:
 - a. Conduct investigations into alleged student misconduct.
 - b. Impose penalties involving restitution; restriction, exclusion, or prohibition of access to or use of University/School's facilities and resources; removal of the student from one or more courses for one or more terms.
 - c. Recommend to the President that a student be dismissed from the School (either with a right to reapply for admission at some future date or permanently).

3. Incidents and complaints:

- a. When a member of the School's community suspects that a student has committed an offense under the Student Non-academic Conduct policy, a Student Conduct Incident Report will be completed and submitted along with relevant documentation to the Student Conduct Officer. For incidents related to discrimination and harassment/bullying, the procedures found in the Discrimination and Harassment policy should be followed.
- b. The Student Conduct Officer will notify the student as quickly as possible of the nature of the offense alleged and of the penalty that might be imposed or recommended and will attempt to resolve the matter by mutual agreement and/or mediation.
- c. If mutual agreement and/or mediation are not possible or fail to resolve the matter, the Student Conduct Officer will inform the student of their rights and obligations and, including how to request a full investigation and/or appeal the penalty imposed or recommended.
- d. If the student requests a full investigation or appeals the penalty imposed or recommended, the Student Conduct Officer will present the Student Conduct Incident Report and all relevant files and communications to the Chair of the Student Conduct Committee who will investigate the allegations and prepare a file for consideration by the Student Conduct Committee. The investigation may include meetings (or conversations) with the parties directly involved in the incident and any witnesses.
- e. The Student Conduct Committee will meet to decide whether misconduct occurred and, if it did, what penalty should be imposed. The student against whom the allegation of misconduct was made has a right to be present at the meeting and may be accompanied by an advisor.

4. Records:

- a. Records relating to each incident report, including records showing the outcome of the incident, will be added to the student's School record.
- b. Student Conduct Officers and the Student Conduct Committee will maintain a record of the number, nature, and disposition of student conduct incidents.

5. Decisions of the Student Conduct Committee may be appealed, when there are grounds to do so, to a campus' Standing Committee on Academic and Student Conduct Appeals (or equivalent). The decision of the appeals committee is final.

Consequences of Violating this Policy

Disciplinary measures for non-academic conduct offences that might be imposed, singularly or in combination, include but are not limited to:

- Warning – A notice in writing to the student that the student is violating or has violated School regulations.
- Apology – A requirement that the student apologize, verbally and/or in writing.
- Probation – A written reprimand for violation of specified regulations. Probation is for a designated period and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
- Loss of Privileges – Denial of specified privileges for a designated period.
- Fines – Previously established and published fines may be imposed.
- Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- Discretionary Sanctions – Work assignments, service to the School, or other related discretionary assignments.
- Suspension – Separation of the student from the School for a definite period, after which the student is eligible to return. Conditions for readmission may be specified.
- Expulsion – Permanent separation of the student from the School.

Progressive sanctions for repeated offenses:

Where an offense under this policy entails serious threats to the health, safety, or well being of persons or property, the Student Conduct Committee may impose a penalty appropriate to the offense, regardless of whether or not it is a first, second, or subsequent offense by a student. However, normally, Student Conduct Officers and the Student Conduct Committee will apply progressively more harsh penalties to students who repeatedly contravene this policy.

First Offence: The student will be reprimanded and will acknowledge that they understand the policy and the consequence of a second offence. If appropriate, the student may be required to write an apology and/or to make restitution for any damages caused.

Second Offence: Appropriate sanctions for a second offence include restitution, fines, community service, loss of access to all or part of the School's facilities and resources, and removal of the student from one or more courses for one or more terms.

Third or Subsequent Offence: In addition to other sanctions and penalties listed above, the Student Conduct Committee might recommend dismissal of the student from the School, either permanent or with the right to reapply for admission at a future date.

Appendices:

1. Student Conduct Officer – Mandate and Role
2. Student Conduct Committee – Terms of Reference
3. Overview of Student Conduct Processes

Appendix 1: Student Conduct Officer: Mandate and Role

Student Conduct Policy requires that a Student Conduct Officer be appointed at each of its campuses, including its online campuses.

- The role of Student Conduct Officer will be assigned by the President (having consulted with Campus Principals) to a person in the Registrar's Office, Student Services department, or another campus unit.
- The Student Conduct Officer is responsible for the administration of the Student Conduct Policy.
- When an incident of student misconduct presents risk to persons or property, the Student Conduct Officer will take immediate actions to reduce or eliminate the risk. In doing this, the Student Conduct Officer will:
 - Immediately notify the Campus Principal of the event and work closely with the Campus Principal to reduce risk and manage the incident;
 - Contact relevant emergency response services when necessary;
 - Contact relevant School support personnel as required;
 - Be familiar with procedures and protocols for responding to and managing disruptive, illegal, and/or dangerous incidents;
 - Prepare for the Campus Principal a written report on the incident and the response to the incident, including any recommendations for improved handling of similar incidents.
- When the Student Conduct Officer receives a report of an incident of student misconduct, they will:
 - Ensure that an incident report is completed and open a file;
 - Investigate the incident sufficiently to determine whether it is in fact an incident of conduct covered by the Student Conduct Policy;
 - If appropriate in the circumstances, provide student(s) involved with information about support services available to them;

- Notify the student(s) alleged to have engaged in misconduct that an incident report has been received, of the penalty associated with that misconduct, and the recourses available to them;
 - If the student(s) admit that they violated the Student Conduct Policy and agree to the penalty, apply the penalty and add the record of the incident to the student's record.
 - If the Student Conduct Officer is uncertain of the penalty to be imposed or if the student disputes the incident report or the penalty, prepare a summary of the incident and forward it to the Chair of Student Conduct Committee.
- The Student Conduct Officer is a member of the Student Conduct Committee
 - The Student Conduct Officer will report annually to the Campus Principal the number, nature, and disposition of incidents handled under the Student Conduct Policy.

Appendix 2: Student Conduct Committee

Purpose and Functions: The Student Conduct Committee is created by the School's Student Conduct Policy to conduct investigations into alleged student misconduct and recommend penalties for such misconduct.

Composition:

- Vice President Academic Services (or designate) (Chair)
- Student Conduct Officers from all campuses/locations
- Dean of Student Success (or designate)

Note: The Chair may give observer status to any person whose presence will contribute to the process.

Process:

- Cases flow to the Student Conduct Committee (SCC) from Student Conduct Officers (SCO) when the penalty recommended by the SCO exceeds the authority delegated to the SCO by policy or when a student disagrees with the SCO's allegation of misconduct and/or with the penalty imposed or recommended by the SCO.
- The SCO will forward a student conduct incident report, copies of any correspondence between the SCO and the student(s) alleged to have acted in violation of the Student Conduct Policy, any additional information in the SCO's possession, and a summary of the actions taken to date.
- The Chair of the SCC will communicate with the student and any other individuals relevant to the alleged incident of misconduct to compile a complete narrative of the event. (Note that it is preferred that the Chair meet with the student and others, in person or via teleconference.)
- The Chair of the SCC may conclude that an informal resolution to the incident is possible and proceed to discuss this with the student(s).
- Should an informal resolution not be advisable or possible, the Chair of the SCC will convene a meeting of the SCC. Documentation about the alleged incident and matters to be decided will be provided to the members of the SCC and the student. The student will be invited to attend the meeting of the SCC and may be accompanied by an advisor. Note that this meeting is not a trial; it is an investigation and inquiry into the alleged misconduct.
- Quorum: The Chair (or designate), Dean of Student Success (or designate), and two Student Conduct Officers constitutes a quorum.
- As soon as possible after the investigative meeting, the Chair will communicate the findings of the investigation and any penalties to the student(s) involved.

Outcomes:

- If the SCC concludes that the actions of the student(s) did not breach the Student Conduct Policy, the file will be closed and the outcome will be noted in the student's record.
- If the SCC concludes that Student Conduct Policy was violated, a penalty consistent with the Policy and the nature of the offense will be imposed or recommended
- If the student believes there are grounds to appeal an outcome, they have the right to appeal to the Standing Committee on Academic and Non-academic Conduct Appeal.

Appendix 3: Overview of Student Conduct Processes

