UNIVERSITY OF SASKATCHEWAN

Standard of Student Conduct in Non-Academic Matters and Regulations and Procedures for Resolution of Complaints and Appeals

Approved by Senate October 2026

CONTENTS

Standard of Student Conduct in Non-Academic Matters

Preamble 1
Guiding Principles 1
Authority 2

Senate Regulations Governing Student Conduct in Non-Academic Matters and Procedures for Resolution of Complaints and Appeals

I. Purpose 4

II. Scope 4

III. Expectations for Student Conduct 5

IV. Procedures for Resolution of Complaints 6

1. Informal Procedures 6
2. Formal Complaints 7
3. Procedures for Alternative Dispute Resolution 9
4. The Rights and Responsibilities of Parties to a Hearing 10
5. Procedures for Formal Hearings 11
6. Decision of the Senate Hearing Board 14
7. Senate Appeal Board 16
8. Disposition by the Appeal Board 18
9. No Further Appeal 19
10. Presidential Suspension 19
11. Endorsement on Student Record 20
12. Reports 20
13 Delivery of Documents. 21
14 Review of the Standard and Regulations. 21

Appendix A: Process for Presidential Suspensions and Appeals 22

UNIVERSITY OF SASKATCHEWAN
STANDARD OF STUDENT CONDUCT

PREAMBLE

The Mission of the University of Saskatchewan is to achieve excellence in the scholarly activities of teaching, discovering, preserving and applying knowledge. The pursuit of this Mission requires an adherence to high standards of honesty, integrity, diversity, equity, fairness, respect for human dignity, freedom of expression, opinion and belief, and the independence to engage in the open pursuit of knowledge. The achievement of the Mission of the University also requires a positive and productive living, working and learning environment characterized by an atmosphere of peace, civility, security and safety.

The University is a key constituent of the broader community, and has a role to prepare students as global citizens, role models and leaders. The University expects students to exhibit honesty and integrity in their academic endeavours and to behave responsibly and in a manner that does not interfere with the Mission of the University or harm the interests of members of the University community.

Many of these principles and expectations are further discussed in other University policies, including the University Council's *Guidelines for Academic Conduct* and the *University Learning Charter*[1].

Guiding Principles

These principles are cited from the University's *Policy on Student Discipline*, approved by Council in January 2012 [and by Senate in April 2012]. The same principles are common to both academic and non-academic misconduct regulations.

Freedom of Expression: The University of Saskatchewan is committed to free speech as a fundamental right. Students have the right to express their views and to test and challenge ideas, provided they do so within the law and in a peaceful and non-threatening manner that does not disrupt the welfare and proper functioning of the University. The University encourages civic participation and open debate on issues of local, national and international importance. One person's strongly held view does not take precedence over another's right to hold and express the opposite opinion in a lawful manner.

- **Mutual Respect and Diversity:** The University of Saskatchewan values diversity and is committed to promoting a culture of mutual respect and inclusiveness on campus. The University will uphold the rights and freedoms of all members of the University community to work and study free from discrimination and harassment, regardless of race,

[1] The *Guidelines for Academic Conduct* were approved by University Council in 1999 and are available at http://www.usask.ca/university_council/reports/archives/guide_conduct.shtml. The *Learning Charter* was approved by University Council in June 2010 and is available at http://www.usask.ca/learning_charter/.

ethnicity, sex, sexual orientation or sexual identity, gender identification, disability, religion or nationality.

- **A Commitment to Non-violence:** The University of Saskatchewan values peace and non-violence. Physical or psychological assaults of any kind or threats of violence or harm will not be tolerated.

- **A Commitment to Justice and Fairness:** All rules, regulations and procedures regarding student conduct must embody the principles of procedural fairness. Processes will be pursued fairly, responsibly and in a timely manner. Wherever appropriate, the University will attempt to resolve complaints through informal processes before invoking formal processes, and wherever possible, sanctions will be educational rather than punitive and will be applied in accordance with the severity of the offence and/or whether it is a first or subsequent offence.

- **Security and Safety:** The University will act to safeguard the security and safety of all members of the University community. When situations arise in which disagreement or conflict becomes a security concern, the University will invoke appropriate processes to assess the risk to, and protect the safety and well-being of community members. Those found in violation of university policies or the law will be subject to the appropriate sanctions, which may extend to immediate removal from University property and contact with law enforcement authorities if required. The University will endeavour to provide appropriate support to those who are affected by acts of violence.

- **Integrity:** Honesty and integrity are expected of every student in class participation, examinations, assignments, research, practica and other academic work. Students must complete their academic work independently unless specifically instructed otherwise. The degree of permitted collaboration with or assistance from others should be specified by the instructor. The University will not tolerate student misconduct in non-academic interactions where this misconduct disrupts any activities of the University or harms the interests of members of the University community.

It is acknowledged that while similar expectations govern all members of the University community, including faculty and staff, these expectations and their associated procedures are dealt with under various of the University's other formal policies (such as Council's *Guidelines for Academic Conduct* and *Learning Charter)* as well as by provincial labour legislation, employment contracts, and collective agreements.

Authority

The *University of Saskatchewan Act, 1995* ("the Act") provides **Council** with the responsibility for student discipline in matters of academic dishonesty, which is referred to in Council's regulations as "academic misconduct". Council's *Regulations on Student Academic Misconduct* address the principles and procedures applicable to complaints of academic misconduct. All hearing boards, whether at the college or university level, are expected to carry out their responsibilities in accordance with approved council regulations and processes. The Council delegates oversight of

college-level hearing boards to the respective deans, and oversight of university-level hearing boards to the governance committee of Council.

The Act gives the **Senate** responsibility to make bylaws respecting the discipline of students for any reason other than academic dishonesty. A Senate hearing board has the authority to decide whether a student has violated the Standard of Student Conduct and to impose sanctions for such violations. Senate's *Standard of Student Conduct in Non-Academic Matters and Regulations and Procedures for Resolution of Complaints and Appeals* address the principles and procedures applicable to complaints about non-academic misconduct. This document constitutes a set of procedures under the University's *Policy on Student Discipline.*

In addition, Section 79 of the Act authorizes the **President** of the University to suspend a student immediately when, in the opinion of the President the suspension is necessary to avoid disruption to any aspect of the activities of the university or any unit of the university; to protect the interests of other students, faculty members or employees of the university or members of the Board or the Senate, or to protect the property of the university. The process for imposing a Presidential Suspension is governed by section 79 of the Act, not by the Regulations that accompany this Standard. However, Section 79 (9)(b), provides that an appeal of a suspension by the President for non-academic reasons will be heard under the Regulations that accompany this Standard.

Questions relating to the respective authority of Senate, Council, and the President under the Act and associated procedures should be directed to the University Secretary.

SENATE REGULATIONS GOVERNING STUDENT CONDUCT IN NON-ACADEMIC MATTERS AND PROCEDURES FOR RESOLUTION OF COMPLAINTS AND APPEALS

I. PURPOSE

The purpose of these regulations and procedures (collectively referred to as the "Regulations") is not to actively monitor or control student behaviour, but rather to provide a mechanism for responding to complaints about student behaviour that violates the standard of conduct expected of students in non-academic matters.

Educational in intent, the Regulations

- outline the general expectations for student behaviour in non-academic matters ("the Standard")
- provide examples of behaviour that may lead to disciplinary action by the University,
- set out the procedures the University will follow when the Standard has been violated
- articulate the rights and responsibilities of all parties who become subject to these procedures,
- provide examples of consequences that may result when this Standard of behaviour is violated, and
- provide a mechanism for appeal of decisions made by a Senate hearing board

II. SCOPE

The Regulations apply to all University of Saskatchewan students in University-related activities. A student is defined as any person who is registered or in attendance at the University of Saskatchewan, whether for credit or not, at the time of the misconduct. University-related activities include activities of any type operated under University auspices at any location. More specifically, the Regulations apply to conduct on University premises and conduct not on University premises that has an identifiable and substantial link to the University or that affects the University learning or living environment. Examples include events where students are acting as delegates or designated representatives of the University, or events that use, or are readily identifiable with, the name of the University or of any College, Department or other entity associated with the University.

No proceedings or action taken pursuant to any other policy, regulation, rule or code (e.g., Criminal Code of Canada and professional or other college codes of conduct) shall bar or prevent the University from also instituting proceedings and imposing sanctions under the Regulations. Nothing in the Regulations shall prevent the University from referring any student to the appropriate law enforcement agency, should this be considered necessary or appropriate.

Lack of awareness of the Regulations, cultural differences, mental health difficulties and/or impairment by alcohol or drugs are not a defence for prohibited behaviours. If it can be

demonstrated that a student knew or reasonably ought to have known that his or her behaviour was in violation of this Standard, that behaviour may be dealt with under the provisions of the Regulations.

III. EXPECTATIONS FOR STUDENT CONDUCT

This Standard is breached when a student behaves in a manner that

- harms or threatens to harm members of the University community, including students, faculty, or other staff of the University;
- disrupts or threatens to disrupt any of the activities of the University;
- harms or threatens to harm the property of the University;
- violates the policies, procedures or rules of the university; or
- abuses or shows disrespect for the processes of the Standard.

The list below is not exhaustive but provides examples of breaches of the Standard. The Regulations deliberately do not place violations in a hierarchy. The relative seriousness of a violation of the Standard must be assessed in the unique circumstances of each case. The following behaviours are prohibited:

1. Threats of harm or actual harm[2] by any means (including electronic means) such as
   a) assault
   b) verbal and non-verbal aggression
   c) physical abuse; verbal abuse; intimidation or bullying
   d) harassment or sexual harassment
   e) sexual assault
   f) stalking or cyberstalking
   g) hazing or initiation rites
   h) possession or use of firearms or other weapons (including replica weapons), explosives or incendiary devices without the written consent of Campus Safety

   or any other actions that a student knows or reasonably ought to know could compromise the physical or psychological wellbeing of any member of the University.

2. Significant disruption of or interference with University activities or living and learning environments, by any means such as
   a) causing a substantial disorder
   b) bomb threats
   c) creating dangerous situations
   d) making or causing excessive noise
   e) proffering false identification or documentation

[2] In some circumstances, students' threats of harm or actual harm to themselves can significantly disrupt the learning and/or on-campus living environment, and affect other students' ability to concentrate on and succeed in their studies. The University's first approach to such cases will be, where appropriate, to provide students with the appropriate professional support and treatment they require to resolve the situation. In rare cases, however, a student may be unwilling to seek or accept professional assistance, or to comply with a prescribed treatment plan, or that treatment plan may prove unsuccessful in resolving the underlying issues. In such cases, threats of self-harm or actual self-harm may be considered violations of the Regulations and can be dealt with under its provisions.

f) misrepresentation to obtain goods or services
g) misuse or abuse of university services, programs or facilities
h) tampering with University equipment including safety equipment required for the proper functioning of the University
i) blocking exit routes.

3. Theft of or damage to the property of the University or its members by any means such as
   a) stealing, damaging or defacing University or another person's property (including computer systems and intellectual property)
   b) tampering with University fire extinguishing or prevention equipment.

4. Violation of University Policies, Procedures or Rules such as
   a) Computer Use Policy
   b) E-mail Policy
   c) University Serving Alcoholic Beverages Policy
   d) University of Saskatchewan Traffic Regulations
   e) Discrimination and Harassment Policy
   f) Canadian Interuniversity Sport Bylaws
   g) Residence Lease Agreement, Residence Handbook and Residence Assistant/Advisor Code of Conduct
   h) Rulings of the Residence Community Review Board
   i) Use of University Property and Services
   j) Commercial or Non-commercial use of the University's trademarks
   k) Copyright Compliance Policies
   l) Sexual Assault Prevention Policy
   m) Violence Prevention Policy

5. Abuse of or disrespect for the processes of the Standard such as
   a) bringing unfounded complaints with malicious, frivolous or vexatious intent
   b) failure to comply with the reasonable requests of a University official
   c) failure to comply with sanctions under the Regulations
   d) retaliation against any participant in a process under the Regulations.

IV. PROCEDURES FOR RESOLUTION OF COMPLAINTS

1. INFORMAL PROCEDURES

The University recognizes that many disputes can be resolved informally, without resorting to the provisions of these Regulations. Wherever it is possible and appropriate to do so, every effort should be made by instructors, university officials and/or students to resolve minor violations of the Standard through informal procedures. It is expected that these informal procedures will include consulting with the student(s) involved, assessing whether the incident is appropriately handled at this level, and determining resolutions or consequences within the normal jurisdiction of the instructor or university official. The

outcome of an informal process may not be held on the official student record and may not affect the student's standing as a student. If it appears that the violation of the Standard was intentional and/or of a serious nature, or if a resolution cannot be arrived at to all parties' satisfaction, then a formal complaint against a student or students may be filed with the Office of the University Secretary. Such a complaint will be treated as a formal allegation of violation of the Standard under these Regulations, and will be subject to the procedures outlined below.

2. FORMAL COMPLAINTS

The procedures for dealing with formal complaints under the Standard shall be followed for all complaints which have not been resolved through informal means.

(a) A formal complaint against a student or students:

i) may be filed by any individual or individuals, including an official(s) of the University;

ii) shall be in writing with the complainant's[3] name attached to it (anonymous complaints will not be taken forward);

iii) shall be specific with the pertinent details of the alleged incident(s);

iv) shall be filed in a timely way (normally a complaint will not be accepted beyond one year after the alleged violation(s) of the Standard or the informal procedures referenced above, unless the University Secretary considers that there are grounds to extend that time limit)[4];

v) shall be delivered to the Office of the University Secretary.

When one or more complaints against a student have been received, the University Secretary or designate (hereinafter referred to as "the Secretary") will take the following steps in consultation with key stakeholders, as appropriate:

(b) The Secretary will determine whether the complaint falls under the jurisdiction of these Regulations or is more properly dealt with under the *Regulations on Student Academic Misconduct* of University Council, or resides with some other decision-making body. If the complaint pertains to academic dishonesty, the Secretary, will refer the matter to be heard under the procedures described in those *Regulations*. In cases where it is not clear whether the allegation relates to academic or non-academic misconduct, the Secretary shall consult with the Chairs of University Council and Senate (or their designates) and will rule on the matter. This decision will be final and not subject to appeal.

[3] In these procedures, the term "complainant" refers to the person or persons bringing forward a formal complaint, and the word "respondent" refers to a student or students accused of violating the Standard for Student Conduct.

[4] If a complaint has been appropriately filed under another University policy (such as the University's harassment policy) and is then referred to be dealt with under these procedures, it will be deemed to have been filed under the Regulations as of the date the complaint was filed under the other University policy.

(c) The Secretary has discretion to determine that a formal complaint against a student should proceed together or separately with other complaints or matters under these Regulations. For instance, this discretion may be exercised in situations where more than one complaint is received against the same student, where a complaint is received against two or more students; or where a formal complaint relates to a matter that is the subject of an appeal of a suspension ordered by the President under Section 79 of the Act.

(d) The Secretary has the discretion to determine that a formal complaint is frivolous or vexatious, and may dismiss a complaint without requesting a response.

(e) If the Secretary determines that the complaint will proceed, s/he will notify the respondent that a complaint against him or her or them has been received, and will provide a copy of the Regulations and a copy of the complaint, including the name of the complainant, to the student respondent so that he or she or they may be informed of his or her or their rights and responsibilities and may respond. Contact information for the complainant will be kept confidential.

(f) The respondent will be allowed a reasonable period of time (as determined by the Secretary) to consider the complaint and to respond in writing to the Secretary.

(g) The Secretary will determine, on the basis of the complaint and, where relevant, the response, and any other relevant information, which may include clarifying and/or assessment discussions with the parties, whether the complaint should be dealt with under these Regulations. The Secretary may dismiss the complaint where he or she is of the opinion that
   i) The complaint is frivolous or vexatious; or
   ii) The complaint was brought outside the time limit and there are insufficient grounds in the opinion of the Secretary to justify extending the time limit; or
   iii) In the case of an off-campus incident, there is not an identifiable and substantial link to the University or consequences for the University learning or living environment.

(h) A decision of the secretary under sections (d) or (g) above may be appealed to the Provost (or designate) who will confirm or overturn the Secretary's decision. The Provost's (or designate's) decision is final and not subject to appeal.

(i) If a decision is made that the complaint should proceed under these Regulations, then the Secretary will determine whether the situation would be best served by an Alternative Dispute Resolution process (Section 3, below) or by a formal hearing of a Senate hearing board (Section 5, below). In making this determination, the Secretary will take into account factors including but not limited to the following: the nature of the offense, the seriousness of the charge, and the apparent willingness of the parties to enter into a consensual process, and whether there have been previous attempts to resolve the matter by alternative means. The Secretary may engage the subject matter

experts at the University in assessing the appropriateness of Alternative Dispute Resolution in any given complaint.

3. PROCEDURES FOR ALTERNATIVE DISPUTE RESOLUTION

The following procedures will be used when parties are asked to explore alternate means and strategies to resolution, other than formal hearings. This may include, but is not limited to, facilitated discussions, mediations, or other appropriate Alternative Dispute Resolution (ADR) methods.

(a) Where it has been determined by the Secretary that ADR is appropriate and the parties have agreed to participate, the Secretary will engage the appropriate office responsible for conflict engagement, who will appoint an individual to lead the ADR process (the ADR Lead). The Secretary will provide a copy of the formal complaint, the response and all additional relevant information to the ADR Lead. To protect the integrity of the process, and the parties' trust in it, neither the Governance Office nor the Secretary are involved in the confidential ADR process.

(b) The ADR Lead will determine the most appropriate ADR method for the given complaint, parties, and circumstances. This includes establishing their own procedures, which at minimum will include reviewing the complaint and response, and consulting with both parties.

(c) Where appropriate, including in the case of a real or perceived conflict of interest, other units may be consulted or asked to facilitate and/or assist in the facilitation of the ADR process; this may include, and is not limited to: units in the Teaching, Learning, and Student Experience portfolio, Indigenous Engagement portfolio, or the relevant alternate Associate/Assistant Dean.

(d) The ADR process is confidential. Information shared in the ADR process will not be used in a formal hearing should the matter proceed to that step. The ADR Lead may ask parties to sign a confidentiality agreement.

(e) The ADR Lead will not disclose information outside of the ADR process except when, in their opinion, disclosure is necessary to prevent anticipated harm to University activities, property, or any member of the University community, or when otherwise required by law.

(f) If at any point in the ADR process the complaint is withdrawn, the matter will not proceed under this Part of these Regulations.

(g) Following a reasonable opportunity for the parties to participate in ADR, the ADR Lead will advise the Secretary in writing of the outcome of the process.

(h) Where the parties reach a resolution, the ADR Lead will obtain the agreement of both parties in writing and provide the resolution agreement to the Secretary. The resolution agreement will be retained in the Governance Office's record of the non-academic complaint.

(i) Where no resolution is reached, or where a complainant or respondent withdraws from the ADR process, the Secretary will determine whether the matter should proceed to a formal hearing.

4. THE RIGHTS AND RESPONSIBILITIES OF PARTIES TO A HEARING

Hearings provide an opportunity for a balanced airing of the facts of the case before an impartial board of decision-makers. All cases of alleged breaches of the Standard will respect the rights of members of the university community to fair treatment in accordance with the principles of procedural fairness. In particular,

(a) Without derogation of the President's authority under Section 79 of the Act, a student against whom a complaint has been made under this Standard is to be treated as being innocent until it has been established, on the balance of probabilities and before a board of impartial and unbiased decision-makers, that he/she has violated the Standard.

(b) The parties have a right to a fair hearing before a board of impartial and unbiased decision-makers. This right includes the right for either party to challenge the suitability of any member of the hearing board based on a reasonable apprehension of bias against the complainant's or respondent's case. The hearing board will determine whether a reasonable apprehension of bias is warranted.

(c) Reasonable written notice will be provided for hearings, and hearings will be held and decisions rendered within a reasonable period of time. It is the responsibility of all parties to ensure that the University has current contact information for them. Any notice not received because of a failure to meet this requirement will have no bearing on the proceedings.

(d) All information provided to a hearing board in advance of a hearing by either party will be shared with both parties prior to the hearing.

(e) Neither party will communicate with the hearing board without the knowledge and presence of the other party. This right will be deemed to have been waived by a party who fails to appear at a scheduled hearing or to send a representative in his/her place.

(f) The complainant and the respondent have a right to bring an advocate (which may be a friend, advisor, or legal counsel) to a hearing, and to call witnesses, subject to the provisions below with respect to the rights of the hearing board. This right is subject

to provision of the names and contact information for any witnesses and/or advocates to the Secretary at least 2 days prior to the hearing.

(g) Parties to these proceedings have a right to a reasonable level of privacy and confidentiality, subject to federal and provincial legislation on protection of privacy and freedom of information.

(h) The hearing board has a right to determine its own procedures subject to the provisions of these Procedures, and to rule on all matters of process including the acceptability of the evidence before it and the acceptability of witnesses called by either party. Hearing boards may at their discretion request further evidence or ask for additional witnesses to be called.

5. PROCEDURES FOR FORMAL HEARINGS

A formal hearing may be convened to hear a formal complaint as described in section IV.(2) above, and/or an appeal from a decision of the President to suspend a student under Section 79 of the Act. In this section, the term "respondent" is deemed to also refer to a student bringing forward an appeal of a suspension by the President. In cases where an appeal deals with a matter that is also the subject of a formal complaint under this standard, the complaint and the appeal may be heard together as a single hearing by the same Hearing board.

Notwithstanding a decision of the university secretary under Section IV.(2).(c), if a hearing board has been convened to hear a complaint against two or more students, the hearing board should determine whether there should be one hearing at which all of the students are heard or individual hearings.

When it has been determined that a formal hearing(s) should proceed, the following steps will be taken:

(a) The Secretary shall strike a Senate hearing board to hear the matter. The hearing board is to receive the evidence, decide whether, on a balance of probabilities, a violation of the Standard has occurred, and if so apply one or more of the sanctions set out in Section 6.

(b) Membership on the Senate hearing board shall be as follows:
   i) a student member of Senate (or, in the case of the unavailability of a student member, a student appointed by the USSU or GSA Executive to hear the case);
   ii) a member appointed by Senate for a three-year term, and drawn from a roster of 6 appointed by Senate for this purpose;
   iii) a member selected from a roster appointed by University Council for this purpose;
   iv) the Vice-Provost, Teaching and Learning, or designate (non-voting, Chair);
   v) the University Secretary or designate (non-voting, Secretary).

(c) The Secretary shall be present as secretary for all meetings of the hearing board and shall make all necessary arrangements for a timely hearing of the case.

(d) Written notice of the hearing, along with a copy of these Regulations and of the formal complaint, the response and any additional relevant information (as outlined in Section 2)—or in the case of an appeal of suspension by the President, copies of the letter of suspension, letter of appeal and any supporting documentation—will be delivered by the Office of the University Secretary to both parties and to members of the Senate hearing board, along with a request that both parties indicate to the Secretary whether they plan to bring an advocate and/or witnesses to be present at the hearing. Where possible and reasonable the Secretary will accommodate the schedules of both complainant and respondent and will provide at least 7 days' notice of the time and location of the hearing. Where there are special circumstances (as determined by the Secretary), the matter may be heard on less than 7 days' notice.

(e) If the respondent does not respond to the written notification of the hearing, or refuses to appear before the hearing board, or does not attend the hearing, the hearing board has the right to proceed with the hearing in the respondent's absence. A respondent who chooses to be absent from a hearing may appoint a representative to represent his/her case at the hearing.

(f) Generally, hearings will be held with all parties present. However, if either of the parties to the hearing or any advocate, witness or observer is unable to attend in person, the hearing board may at its discretion and where circumstances demand, proceed on the basis of written submissions, or it may provide for such person(s) to participate by telephone or other electronic means, subject to the provision that both parties to the dispute (or their advisors) must have access to all evidence being presented, and an opportunity to respond to all evidence and to ask and answer questions, and that witnesses and/or observers may be invited to join the hearing by telephone or other electronic means for the part of the hearing to which they would normally have been invited in person. Provision must be made for all parties to the proceedings to know when a party participating by telephone or other electronic means is signing on and signing off.

(g) The hearing board is not bound to observe strict legal procedures or the rules of evidence but shall establish its own procedures subject to the following:

i) Hearing boards under these regulations have an adjudicative role. It shall be the responsibility of the complainant(s) (and/or his or her advocate) to present the allegation and provide the evidence to support it, and it shall be the responsibility of the respondent(s) (and/or his or her advocate) to answer the charge.

ii) Hearings shall be restricted to persons who have a direct role in the hearing as complainant or respondent or their advocates, members of the hearing board,

persons who are acting as witnesses, and up to three non-participating observers for each party to the complaint. At the discretion of the chair, other persons may be admitted to the hearing for training purposes, or other reasonable considerations.

iii) When the hearing board meets, the complainant and the respondent shall be present before the hearing board at the same time except where, at the discretion of the chair, the circumstances warrant special arrangements. Either side may call witnesses, who will normally be present only to present their evidence and to answer questions. Exceptions may be made at the discretion of the chair.

iv) The chair of the hearing board should open the hearing by seeking agreement from the parties that the hearing is properly constituted with respect to jurisdiction, notice, and composition of the board. If there is a challenge to any of the above, then the board will hear the arguments in favour of and against the matter, and will rule whether the hearing should proceed.

v) The complainant or the complainant's advocate shall present the complaint and supporting documentation and witnesses.

vi) The chair may at his or her discretion grant an opportunity for the respondent and members of the hearing board to ask questions of the complainant (or designate) and of any witnesses.

vii) The respondent or the respondent's advocate shall then be allowed to respond to the complaint and to present supporting documentation and/or witnesses.

viii) The chair may at his or her discretion grant an opportunity for the complainant and members of the hearing board to ask questions of the respondent and of any witnesses.

ix) Both the complainant and the respondent will have the opportunity to explain their respective interpretations of the evidence presented in a closing statement.

(h) Once a hearing has been adjourned, the hearing board may not consider any additional evidence without re-opening the hearing to ensure that the parties have an opportunity to review and respond to the new evidence.

(i) If a student against whom a complaint has been made withdraws from the university prior to the complaint being dealt with, a hearing may go forward and sanctions may be applied; or at the discretion of the Secretary the charges may be held in abeyance and a hold placed on the student's record until such time as the respondent applies for re-admission to the university, at which time the charges will be considered under these Regulations prior to the respondent's being allowed to register.

(j) If a respondent withdraws from the university prior to having complied with any agreement or sanction imposed under these Regulations, the university reserves the right to require satisfactory evidence be provided to the Secretary of compliance with any agreement or sanctions prior to the respondent's being allowed to register. Until the respondent has complied with any agreement or sanction imposed under these Regulations, he or she will not be permitted to register.

6. DECISION OF THE SENATE HEARING BOARD

After all questions have been answered and all points made, the hearing board will meet *in camera* to decide whether a violation of the Standard has occurred. The deliberations of the hearing board are confidential. The hearing board has the sole authority to determine whether or not, on the balance of probabilities, the respondent has violated the Standard.

(a) Once the Hearing Board has made its decision, that decision will be communicated to the parties. The Hearing Board will then hear evidence and submissions regarding the appropriate sanction(s), if any. This evidence will include any record held by the Secretary of prior violations of the academic or non-academic Standards by the respondent. Since the Secretary is a member of the hearing board, the Secretary will not discuss with the hearing board any such prior violations unless it is established that a violation of the Standard has occurred. After hearing evidence and submissions on sanctions, the hearing board will meet *in camera* to decide on the sanction(s) to be applied.

(b) When determining the appropriate sanction, the hearing board shall take into account the prior record of the respondent as well as sanctions imposed by other hearing boards or appeal boards in other similar cases, as recorded by the University Secretary. The hearing board should also consult with and/or notify those individuals who will be affected by the sanctions and who will be involved in applying or monitoring them, as appropriate.

(c) When determining the appropriate sanction(s), the hearing board shall also take into account any other discipline for the same behaviour including any suspension served under Section 79 of the Act.

(d) The Senate hearing board shall have the authority to dismiss the matter completely, or to impose one or more sanctions which may include, but are not limited to, the following:

i) Request a formal apology or statement of regret to the complainant, to the larger community, or to any individual affected by the student's actions;

ii) Officially admonish the student with a written reprimand which will remain on file with the University Secretary;

iii) Withdraw non-essential services for a specified period of time[5];
iv) Require the student to complete a reflective essay, public presentation or research on a specified topic, or to attend and/or successfully complete a course, workshop, or seminar on a topic relating to the violation;
v) Require the student to perform a specified number of hours of community service activity;
vi) Place the student on a conduct probation which outlines specific behavioural restrictions or requirements and which identifies further sanctions that will be imposed without a further hearing if the student fails to adhere to the terms of the probation;
vii) Require restitution for damage to property up to the full cost of repair or replacement;
viii) Impose fines or require security deposits;
ix) Ban the student from any or all campus buildings and facilities for a period of time or permanently, or impose restrictions related to the student's use of facilities;
x) Suspend the student from the University for a specified period of time, and set conditions for the student's return;
xi) Expel the student from the University (expulsion is permanent).

(e) If the decision of the hearing board results in suspension or expulsion of the student, the hearing board must also rule whether the endorsement on the student's record as referenced in Section 11 is to be permanent, with no possibility of removal, or whether an application may be made after a period of time determined by the hearing board for removal of the endorsement, and the conditions to be met in granting such removal. If no such ruling is made by the hearing board at the time, then the endorsement will be considered permanent, with no possibility of removal.

(f) The decisions of the hearing board, if not unanimous, shall be by majority vote.

(g) In cases of a complaint against multiple students, a hearing board will try to determine the specific individuals who are responsible.

(h) The ruling of a hearing board is deemed to have been adopted by the Senate unless it is appealed as provided in Section 7.

(i) A record of the decision shall be prepared and distributed as provided for in Section 12.

[5] In these Procedures, "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 the student to complete the academic requirements of his/her program.

7. SENATE APPEAL BOARD

The Senate appeal board acts as an appeal review tribunal for decisions of the Senate hearing board. The appeal board will uphold the decision of the Senate hearing board unless the appellant can demonstrate that one of the grounds described below are relevant. The procedures for an appeal are as follows:

(a) Either the complainant or the respondent may appeal the decision of the hearing board and/or the sanction imposed by delivering to the Office of the University Secretary a written notice of appeal before the expiry of 30 days from the date a copy of the hearing board report was delivered to that person. The notice should include a written statement of appeal which indicates the grounds on which the appellant intends to reply, any evidence the appellant wishes to present to support those grounds, and (where relevant) the remedy or remedies the appellant believes to be appropriate. A student may seek assistance in preparing an appeal.

(b) An appeal will be considered only on one or more of the following grounds:
- i) that the Senate hearing board had no authority or jurisdiction under the Regulations to reach the decision or impose the sanction(s) it did;
- ii) that there was a reasonable apprehension of bias on the part of a member or members of the Senate hearing board;
- iii) that the Senate hearing board made a fundamental procedural error which seriously affected the outcome;
- iv) that new evidence has arisen that could not reasonably have been presented at the initial hearing and that would likely have affected the decision of the Senate hearing board.

(c) On receipt of a notice of appeal, the Provost (or designate) will review the record of the original hearing and the written statement of appeal and determine whether or not the grounds for appeal are valid. If the Provost (or designate) determines that there are no valid grounds under these Regulations for an appeal, then the appeal will be dismissed without a hearing. If the Provost (or designate) determines that there may be valid grounds for an appeal, then the appeal hearing will proceed as provided for below. The decision of the Provost (or designate) with respect to allowing an appeal to go forward is final, with no further appeal.

(d) Membership on the Senate appeal board shall be as follows:
- i) a student member of Senate (or, in the case of the unavailability of a student member, a student appointed by the USSU or GSA Executive to hear the case);
- ii) a member selected from a roster appointed by University Council for this purpose;
- iii) a member appointed by Senate for a three-year term, and drawn from a roster appointed by Senate for this purpose;
- iv) the Provost or designate (non-voting, Chair);
- v) the University Secretary or designate (non-voting, Secretary).

With the exception of the non-voting members, individuals appointed to serve on the Senate appeal board shall exclude anyone who was involved in the original hearing of the case.

(e) If the Provost (or designate) concludes that there are valid grounds for an appeal under these Regulations, then the Secretary shall make the necessary arrangements for a timely hearing of the appeal. Except where the Secretary waives the requirement in order to accommodate an exceptional circumstance, the appeal board will hear the appeal within 20 days of the decision to proceed to a formal hearing.

(f) Written notice of the hearing, along with a copy of these Regulations and of the written statement of appeal, will be delivered by the Secretary to the appellant, to the other party in the original hearing as respondent, to the Chair of the Senate hearing board which heard the case, to members of the Senate appeal board and, where the student record may be affected, to the Registrar. Where possible and reasonable the Secretary will accommodate the schedules of all parties and will provide at least 7 days' notice of the time and location of the hearing. Where there are special circumstances (as determined by the Secretary), the matter may be heard on less than 7 days' notice.

(g) Upon notice of an appeal, and where the appellant's academic record may be affected by the outcome of the appeal, the Registrar shall arrange for an endorsement on the appellant's record as provided for in Section 11(a).(iii). The appellant may make written application to the Senate appeal board to stay the operation of any other sanction(s) pending the outcome of the appeal; the appeal board will convene a meeting at the earliest possible date to deal with the request for a suspension of sanctions. Unless the appeal board rules to suspend a sanction, it will remain in force unless and until it is overturned as an outcome of the appeal hearing.

(h) If any party to these proceedings does not attend the hearing, the appeal board has the right to proceed with the hearing, and may accept the written record of the previous hearing and the written statement of appeal and/or a written response in lieu of arguments made in person. An appellant who chooses to be absent from a hearing may appoint a representative to present his/her case at the hearing.

(i) The appeal board is not bound to observe strict legal procedures or rules of evidence but shall establish its own procedures subject to the following principles.

i) Appeal boards under these regulations will not hear the case again but are limited to determining whether the Senate hearing board had authority and jurisdiction to hear the original case; whether there was a reasonable apprehension of bias on the Senate hearing board which heard the case; whether the Senate hearing board made fundamental procedural errors which seriously affected the outcome; or whether any new evidence has arisen that could not reasonably have been presented at the original hearing and that would likely have affected the decision of the Senate hearing board.

ii) The parties to the hearing shall be the appellant (who may be either the original complainant or the original respondent), and the other party to the original hearing as respondent. The Chair (or another member designated by the Chair) of the original Senate hearing board is invited to attend and at the discretion of the Chair will be permitted to participate in the hearing and to answer questions of either party or of the appeal board.

iii) Except as provided for under 7.(b).iv. and 7.(i).i above, no new evidence will be considered at the hearing. The record of the original hearing, including a copy of all material filed by both sides at the original hearing, and the written statement of appeal, will form the basis of the appeal board's deliberations.

iv) It shall be the responsibility of the appellant to demonstrate that the appeal has merit.

v) Hearings shall be held *in camera*–that is, restricted to persons who have a direct role in the hearing. Unless new evidence is being presented as provided for under 7.b.iv and 7.i.i above, witnesses will not normally be called, but the appellant may request the presence of an advocate and up to three observers. At the discretion of the Chair, other persons may be admitted to the hearing for training purposes, or other reasonable considerations.

vi) The appellant and the respondent shall be present before the hearing board at the same time.

vii) Both the appellant and the respondent will have an opportunity to present their respective cases and to respond to questions from the other party and from members of the appeal board.

viii) Both the appellant and the respondent will have the opportunity to suggest what modifications to the sanction(s), if any, they believe are appropriate to the matter before the Senate appeal board.

8. DISPOSITION BY THE APPEAL BOARD

(a) After all questions have been answered and all points made, the appeal board will meet *in camera* to decide whether to uphold, overturn or modify the decision of the original hearing board. The deliberations of the appeal board are confidential.

(b) The Senate appeal board may, by majority vote,

i) conclude that the appellant received a fair hearing from the original Senate hearing board and uphold the decision; or

ii) conclude that the appellant did not receive a fair hearing, and dismiss or modify the original decision and/or sanctions using any of the remedies available in Section 6; or

iii) order that a new Senate hearing board be struck to re-hear the case. This provision shall be used only in rare cases such as when new evidence has been introduced which could not reasonably have been available to the original hearing board and is in the view of the appeal board significant enough to warrant a new hearing.

9. NO FURTHER APPEAL

The findings and ruling of the Senate appeal board shall be final with no further appeal and shall be deemed to be a finding and ruling of Senate.

10. PRESIDENTIAL SUSPENSION

(a) The process for imposing a Presidential Suspension is governed by section 79 of the Act, not these Regulations:

(i) Under section 79 of the Act, the President may suspend a student without a Formal Complaint if the President considers it necessary to suspend a student to avoid disruption to any aspect of the activities of the university or any unit of the university; to protect the interests of other students, faculty members or employees of the university or members of the Board or the Senate; or to protect the property of the university. The President shall not suspend a student without giving the student the opportunity to be heard. If the president considers it necessary to immediately suspend a student, the president may suspend the student without giving the student the opportunity to be heard, but shall give the student an opportunity to be heard within 15 days of the suspension.

(ii) Under the Act such a suspension may be a full or partial suspension, and its duration will be determined by the President, whose authority may be delegated to the Dean of the student's College.

(iii) A Presidential Suspension for non-academic misconduct becomes subject to the hearing procedures in this S*tandard* when a student appeals a Presidential Suspension. This section summarizes the relationship between a Presidential Suspension and the hearing processes in this *Standard*. An outline of this relationship is attached as Appendix B

(b) _A student has a right to appeal a Presidential Suspension to a Senate Hearing Board in accordance with the process set out in section IV. 5. above.

(c) In cases where an appeal of a Presidential Suspension deals with a matter that is also the subject of a Formal Complaint, the Complaint and the appeal may be heard together as a single hearing by the same hearing board, as per section IV. 2. (c) above.

(d) If the student is unsuccessful before a Senate Hearing Board in his/her appeal of a Presidential Suspension, the student may choose to appeal the decision of the Senate Hearing Board. The appeal of the decision of the Senate Hearing Board will follow the procedures for Appeal outlined in section IV. 7 above. The student will be appealing only the decision of the Senate Hearing Board on the limited grounds of appeal outlined in section IV.7. (b).

11. ENDORSEMENT ON STUDENT RECORD

(a) Upon receipt of a report of a hearing board as provided in these Regulations and/or upon receipt of a report of an appeal board, the Registrar shall

i) in the case of a report ordering expulsion of a student, endorse on the record of the student and on any transcript of the record the following: "Expelled for violation of the Standard of Student Conduct on the _____ day of _____, 20__.

ii) in the case of a report ordering suspension of a student, endorse on the record of the student and on any transcript of that record the following: "Suspended for violation of the Standard of Student Conduct for _____" (period of suspension).

iii) where an appeal is pending, and where the appellant's academic record may be affected by the outcome of the appeal, endorse on the record of the student and on any transcript of that record the following: "This record is currently under appeal and may be affected by the decision of a Senate appeal board." This endorsement shall be removed from the appellant's record upon receipt by the Registrar of a copy of the decision of the appeal board.

(b) Except as provided for under 6(e) and 10 (a)(iii), an endorsement on the record is permanent.

12. REPORTS

(a) The Chair of a Senate hearing board or of a Senate appeal board shall prepare a report of the board's deliberations which shall recite the evidence on which the board based its conclusions and its reasons for reaching them, and any consequences which it rules shall result from the decision under the provisions of these Regulations.

(b) The Secretary shall deliver a copy of the report, on behalf of the Chair, no later than 15 business days, or in cases of unforeseen circumstances, a reasonable time period as determined by the Secretary, after the hearing board or appeal board has completed its deliberations. The report shall be delivered, to the following persons:

i) both parties to the hearing;

ii) the Chair of the Senate hearing board (or designated member);

iii) in the case of suspension or expulsion or any other action affecting the student's academic record, the Registrar; and

iv) the dean of the student's college, where deemed necessary or appropriate by the hearing board;

(c) The University Secretary shall maintain the permanent record of all hearings under these Regulations.

(d) Subject to the provisions of the Regulations and the requirements of law all records pertaining to complaints and/or hearings and/or sanctions under these Regulations are confidential and should not be kept on a file accessible to individuals not named above or their confidential assistants. Subject to laws governing protection of privacy, the outcomes of hearings and appeals will not be confidential.

13. DELIVERY OF DOCUMENTS

Delivery of any document referred to in these Regulations to a student may be made in person, or by courier, or by e-mail to the student's official university e-mail address and by registered mail addressed to the address of the student as set out in the records of the Registrar. Delivery is presumed to have been made when it is received by the student or 5 days after the date of registration (or Express posting) or after the e-mail was sent to the official university e-mail address. Delivery of any document referred to in these Regulations to anyone else may be made in person or by Campus mail or e-mail services. All students have a responsibility to ensure that the University has current contact information and to regularly monitor their official University of Saskatchewan email account; any notice not received because the student has failed to meet this requirement will have no bearing on the proceedings.

14. REVIEW OF THE STANDARDS AND REGULATIONS

The Regulations including the Standards and Regulations will be reviewed every five years.

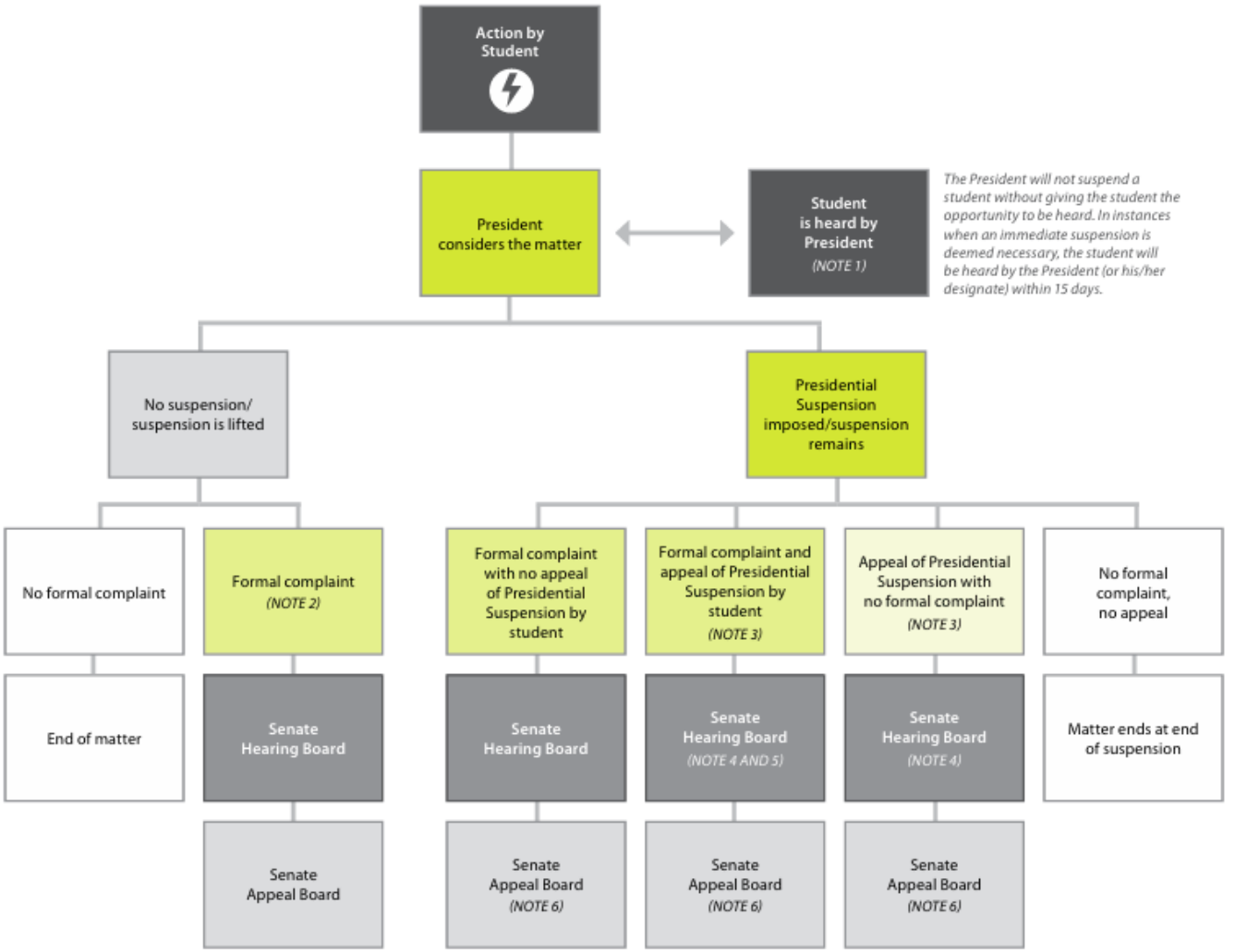
Appendix A: Process for Presential Suspensions and Appeals

UNIVERSITY OF SASKATCHEWAN

PROCESS FOR PRESIDENTIAL SUSPENSIONS AND APPEALS

A Presidential Suspension is initially outside of the hearing procedures approved by the Senate in the *Standard of Student Conduct in Non-Academic Matters and Regulations and Procedures for Resolution of Complaints and Appeals* (the "Standard"), as it is imposed pursuant to an independent power given directly to the President (or his/her delegate) in The University of Saskatchewan Act, 1995. A Presidential Suspension, however, becomes subject to the hearing procedures in the Standard when a student appeals a Presidential Suspension.

If a Presidential Suspension is not appealed, and the student is subsequently found to have committed non-academic misconduct under the Standard in relation to the same events, the Senate Hearing Board should take into account any prior disciplinary action of the Presidential Suspension on the student when deciding the appropriate sanction to impose.



1. As per section 79 (3) of the *University of Saskatchewan Act 1995*, the President will not suspend a student without giving the student the opportunity to be heard. In instances when an immediate suspension is deemed necessary, the student will be heard by the President (or his/her designate) within 15 days.
2. If the President chooses not to suspend a student, it does not preclude a member of the University community from bringing forward a complaint under the Standard. If a complaint is brought forward, it will proceed in the same manner as a "normal" complaint under the Standard.
3. A student has a right to appeal a Presidential Suspension to a Senate Hearing Board in accordance with the process set out in the Standard.
4. An appeal of a Presidential Suspension triggers the formal hearing process under the Standard much in the same way as a formal complaint. Under the Standard, the Senate Hearing Board has authority to impose a range of sanctions to deal with non-academic misconduct by a student. This full range of options will be available to a Senate Hearing Board in an appeal from a Presidential Suspension if the Senate Hearing Board determines that the student engaged in non-academic misconduct. The decision of the Senate Hearing Board, and the sanctions they impose (if any) will replace the Presidential Suspension.
5. As per Section IV. 5. of the Standard, in cases where an appeal of a Presidential Suspension deals with a matter that is also the subject of a Formal Complaint under the Standard, the Complaint and the appeal may be heard together as a single hearing by the same hearing board.
6. If the student is unsuccessful before a Senate Hearing Board in his/her appeal of a Presidential Suspension, the student may choose to appeal the decision of the Senate Hearing Board. The appeal of the decision of the Senate Hearing Board will follow the procedures for Appeal outlined in the Standard under section IV.7. He or she will be appealing only the decision of the Senate Hearing Board on the limited grounds permitted in the Standard.