

HAVE YOU BEEN ACCUSED OF COMMITTING AN OFFENCE UNDER THE CODE OF STUDENT BEHAVIOUR?

All students charged under the Code of Student Behaviour have the right to seek advice from an Advisor. The Student OmbudService offers advice on University processes, including assistance in preparing students' cases and having an Ombudsperson accompany them to any meetings or hearings with a decision maker. Advisors can also include a parent, family member, friend or lawyer.

In the event that you choose not to bring an Ombudsperson, or if you choose to bring another advisor who is less familiar with the procedures under the Code, here are some things to consider:

1. If you are bringing an advisor such as a parent, family member, lawyer or friend, you may wish to provide them with a copy of the *Guidelines for Participants in Student Appeals, Grievances and Other Judicial Processes*. <http://www.uofaweb.ualberta.ca/deanofstudents/pdfs/ParticipationGuidelines.pdf>
2. The meeting or hearing you have with a decision-maker (Director, Associate Dean, Discipline Officer or the University Appeal Board) is your opportunity to provide your perspective and version of events.
3. The University of Alberta uses a standard of evidence called the Balance of Probabilities, the same standard used in civil court. It holds that a decision will be made based on what is *more likely than not*, rather than proof beyond a reasonable doubt.
4. You have a right not to attend the meeting or hearing, or to attend and say nothing if you choose. You have a right to choose what and how much to disclose. The decision maker will make a decision in your case whether or not you participate in the meeting or hearing. If you choose not to provide information or meet with the decision-maker, a decision will be made without considering factors that may have been regarded as mitigating, had you disclosed them. Therefore you should carefully consider your ability to provide context or information that may affect the decision-maker's understanding of your case and, ultimately, the sanction.
5. It is wise to bring notes into your meeting or hearing to ensure that you remember everything you wanted to say. This may be a stressful situation and it is easy to forget details.
6. Whenever possible, it is important to provide documentation to support your version of events, either in the form of official documents or witnesses providing objective, relevant information.
7. Decisions are made based on the facts of the case and are not a judgment on your character. A witness may provide valuable information if they can speak from personal experience on an issue related to the case. Character evidence, such as a witness who testifies only that you were a good person, is unlikely to assist your case.
8. Minor technical errors will rarely result in the dismissal of the charges. If an error in the process could have affected your right to a fair meeting or hearing, the decision maker will evaluate whether the process was fair and take steps to ensure that the process remains fair.
9. In some cases, you will only see one decision-maker. Examples include non-academic violations or some instances of academic misconduct. In other cases, you will have to meet with more than one decision-maker. For example, if an Associate Dean has recommended that you be suspended or expelled, then the case will also be heard by a Discipline Officer in the Office of Student Judicial Affairs. It is important to remember that every discipline decision at the University of Alberta is subject to appeal, so you will always have a second chance to present your version of events.
10. Take appeal deadlines seriously; if you miss a deadline then you lose the right to appeal.

Online resources:	Student OmbudService	www.ualberta.ca/ombuds
	Office of Student Judicial Affairs	www.ualberta.ca/osja
	Student Appeals web page	http://www.uofaweb.ualberta.ca/governance/studentappeals.cfm
	Code of Student Behaviour online	http://www.uofaweb.ualberta.ca/gfcpolicymanual/content.cfm?ID_page=37633