



**Secretary's Note:** The *Student Conduct Policy* (“SCP”) and the *Student Academic Integrity Policy* (“SAIP”) respectively govern non-academic and academic conduct matters at the University of Alberta. The *Code of Student Behaviour* (the “Code”) has been rescinded, with effect as of September 1, 2024.

This document remains available as the substantive provisions of the Code continue to apply to offences that occurred prior to September 1, 2024. Procedural matters are governed by the SCP and the SAIP (as the case may be).

Contact [conduct@ualberta.ca](mailto:conduct@ualberta.ca) for more information.

## **CODE OF STUDENT BEHAVIOUR**

Note from University Governance: The *Post-Secondary Learning Act* gives General Faculties Council (GFC) responsibility, subject to the authority of the Board of Governors, over “academic affairs” (section 26(1)) and “general supervision of student affairs” (section 31), including authority concerning “student discipline.” GFC has thus established a Code of Student Behaviour, as set out below.

The complete wording of the section(s) of the *Post-Secondary Learning Act*, as referred to above, and any other related sections, should be checked in any instance where formal jurisdiction or delegation needs to be determined.

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### 30.1 Introduction

The University is defined by tradition as a community of people dedicated to the pursuit of truth and advancement of knowledge.

The enduring value of University life and of Degrees the University confers is also dependent upon the integrity of the teacher-Student learning relationship and upon the honesty and soundness of the evaluation process. Conduct by any member of the University Community that adversely affects this relationship or process must, therefore, be considered a serious offence.

Included in the *Code of Student Behaviour* are descriptions of unacceptable behaviour for Students in the University, the sanctions for commission of the offences, and explanations of the complete discipline and appeal processes. The definition of “Student” used in this document is a broad definition, one that includes current and former Students (see 30.2 for a definition of “Student”). Other members of the University Community, including Student Groups, are governed by other regulations. (GFC 03 FEB 2014)

In order to protect the integrity of the Degrees conferred by the University, the University may suspend or rescind any Degree awarded to any graduate who, during the application process or while registered in a program or in a particular course in a program, commits an act of academic dishonesty which, if it had been detected before the granting of the Degree, would have resulted in a sanction sufficiently severe that the Degree would not have been granted.

The Code of Applicant Behaviour provides charges, sanctions and procedures for application-related offences involving Applicants, as defined in section 11.8.3.4 of that Code. When a person registers for classes and has passed the Registration Deadline as published in the *University Calendar*, that person ceases to be an Applicant. Application-related offenses identified after the Registration Deadline will be administered under the Code of Student Behaviour. (EXEC 04 MAY 2009) (SCPC 25 JAN 2018)

The Dean of Students, Office of the Student Ombuds, and Student Legal Services are available on-campus to provide assistance to Students about the discipline process. (SCPC 25 JAN 2018)

#### 30.1.1 Rights under the *Code of Student Behaviour*

- 30.1.1(1) Any Student who has been accused of having committed an offence under this Code has the right
- 30.1.1(1) a to choose whether or not to provide evidence and/or to be a witness in the case against themselves;
  - 30.1.1(1) b to be presumed not to have committed an offence until their commission of an offence has been established on the balance of probabilities, before an impartial and unbiased decision-maker;
  - 30.1.1(1) c to have their case adjudicated within a reasonable time;

- 30.1.1(1) d to consult with an Advisor, to be accompanied and assisted at any investigative meeting with a Dean or Discipline Officer or UAB hearing by an Advisor, and to be advised of these rights;
- 30.1.1(1) e to reasonable disclosure of the case of the person making the allegation against the Student within a reasonable time before the hearing of any appeal before the UAB;
- 30.1.1(1) f to reasonable notice of the time, place, and nature of any investigative meeting or hearing;
- 30.1.1(1) g to be given a reasonable opportunity to respond to any allegations before being found to have committed an offence under the Code;
- 30.1.1(1) h in any appeal before the UAB, to present evidence, to call their own witnesses and to question any other witnesses called;
- 30.1.1(1) i to be advised of the reasons for any decision made under this Code;

## 30.2 General Definitions

Within the *Code of Student Behaviour*, the following words have been specifically defined. They appear in alphabetical order. (GFC 03 FEB 2014)

- 30.2.1 **Academic File.** The file detailing a Student's academic progress held in the office of the Faculty in which the Student is enrolled and, for graduate students, in the office of the Department (or in non-departmentalized Faculties, the Faculty) responsible for delivery of the graduate program. (CLRC 24 MAY 2012)
- 30.2.2 **Academic Staff Member.** An academic staff member, as defined in the UAPPOL Recruitment Policy (Appendix A) Definition and Categories of Academic Staff, Postdoctoral Fellows, Academic Colleagues and Excluded Academic Staff, from Category A with a service component in their contract, or faculty on a post-retirement contract. (EXEC 05 DEC 2022)
- 30.2.3 **Academic Standing.** "Academic Standing" means any matter covered in a Faculty's academic standing regulations as approved by GFC, its Executive or the GFC Academic Standards Committee (ASC) and as published in the Calendar. Academic standing comprises such matters as continuation in a program, promotion, graduation, and the requirement for a student to withdraw. Unless stated otherwise, changes to academic standing regulations affect new students, continuing students, and students readmitted to a program or Faculty. Students should refer annually to the Calendar for the academic standing regulations governing their degree programs. (*University Calendar*) (CLRC 24 MAY 2012) (SCPC 25 JAN 2018)
- 30.2.4 **Advisor.** A person who will assist the Appellant or the Respondent during the disciplinary process. Assistance may be provided by the Office of the Student

Ombuds, Student Legal Services, legal counsel or another Advisor as the Appellant or Respondent choose. (SCPC 25 JAN 2018)

- 30.2.5 **Appellant.** The individual who has appealed a discipline decision.
- 30.2.6 **Appeals Coordinator.** The person or delegate responsible for administration of the University Appeal Board and related Student discipline procedures. The role of Appeals Coordinator is carried out by the Appeals and Compliance Officer, a position appointed by and reporting to the Head (or delegate) of University Governance. (CLRC 22 NOV 2012)
- 30.2.7 **Application-Related Offence.** Any offence committed by a person related to the act of applying for admission or readmission to the University of Alberta. (EXEC 04 MAY 2009)
- 30.2.8 **Central Academic Record.** A continuing record maintained by the Office of the Registrar, where all matters relating to courses, grades, and academic standing and probation are permanently recorded. Transitory notations, such as service indicators are also noted in the Central Academic Record while they are in effect. (CLRC 24 MAY 2012)
- 30.2.9 **Class.** A formal period of instruction including, but not limited to: a lecture, a laboratory, a seminar, a tutorial, an examination, or a period of instruction within a field experience or an online course. (CLRC 25 APR 2013)
- 30.2.10 **Code.** *Code of Student Behaviour.*
- 30.2.11 **Complainant.** Any person who has reason to believe that a Student has committed an offence and who initiates a procedure under this Code. See 30.5.2.
- 30.2.12 **Dean.** In cases in which there is an allegation of Inappropriate Academic Behaviour [30.3.2] in a course, “Dean” shall be interpreted as the Dean (or delegate) of the Faculty that offers the course in which that Student is alleged to have committed an Inappropriate Academic Behaviour offence, including a course designated as a capping exercise in a course-based master’s degree program. In all other cases, including but not limited to offences related to programs of study, graduation, or graduate Student theses, “Dean” shall be interpreted as the Dean (or delegate) of the Faculty in which the Student is enrolled. In application-related cases, “Dean” shall be interpreted as the Dean of the Faculty to which the Student has applied. Where a Student has multiple concurrent applications, the Registrar shall recommend a Dean to deal with the case. In cases where the Student is not currently enrolled, the Vice-Provost and Dean of Students shall appoint a Dean to deal with the case. In cases where the Student is enrolled in Open Studies, “Dean” shall be interpreted as the Registrar (or delegate). (CLRC 27 MAY 2004)(EXEC 04 MAY 2009) (CLRC 22 NOV 2012)
- 30.2.13 **Degree.** Any Degree, diploma or certificate granted or awarded by the University.

- 30.2.14 **Deleted** (BG 22 NOV 2022)
- 30.2.15 **Discipline Officer.** The person responsible for reviewing all charges laid under the Code in which a Dean recommends a Severe Sanction [30.4.3]. (CLRC 24 MAY 2012)
- 30.2.16 **Discipline File.** The file containing the disciplinary proceedings undertaken in relation to a Student, including but not limited to, the charges laid, the evidence collected, and the findings of the decision-maker. Discipline Files are held by Faculties, Student Conduct and Accountability, and University Governance as provided for this Code. Discipline Files held by Faculty and Department offices must be kept separate from Academic Files, but in cases where a Student has been found to have committed an offence of Inappropriate Academic Behaviour, a copy of the final decision may be kept with the Student's Academic File. (CLRC 24 MAY 2012) (CLRC 03 FEB 2016)
- 30.2.16(1) All Discipline Files are confidential, and the only persons having access to such records will be those directly concerned with the action, decided as follows:
- Faculties: The Dean shall determine access to Discipline Files held in the Faculty. (CLRC 24 MAY 2012)
  - Discipline Officer: The Discipline Officer shall determine access to Discipline Files. (CLRC 24 MAY 2012)
  - University Governance: The Head (or delegate) of University Governance shall determine access to Discipline Files held by University Governance. (CLRC 24 MAY 2012)
  - The Provost or delegate shall:
    - 1. Have access to all student records including the Academic File and any Discipline File** held by a Faculty, Department or unit, Student Conduct and Accountability, the Office of the Registrar or University Governance in an instance where the Provost has invoked, or is considering invoking, the Protocol For Urgent Cases of Disruptive, Threatening or Violent Conduct (Section 91); (EXEC 03 MAY 2004) (BHRCC 05 MAY 2004) (CLRC 24 MAY 2012) (CLRC 03 FEB 2016)
    - 2. Intervene in a case** concerning the Code in a case being heard, already heard, or about to be heard by the UAB or the GFC PRB in an instance where the Provost has invoked, or is considering invoking, the Protocol For Urgent Cases of Disruptive, Threatening or Violent Conduct (Section 91). (EXEC 03 MAY 2004) (BHRCC 05 MAY 2004) (SCPC 25 JAN 2018)
- 30.2.17 **Deleted** (BG 22 NOV 2022)
- 30.2.18 **Deleted** (BG 22 NOV 2022)
- 30.2.19 **GFC.** General Faculties Council.

- 30.2.20 **GFC PRB.** General Faculties Council Practice Review Board as prescribed within the Practicum Intervention Policy. (SCPC 25 JAN 2018)
- 30.2.21 **Graduate Coordinator.** The graduate coordinator is the tenured or tenure-track professor designated by a department (or Faculty if non-departmentalized) as the official representative of the department (or Faculty) to the students enrolled in that department's (or Faculty's) graduate program. Graduate coordinators are known by various designations, including Director, Associate Chair (Graduate Studies), and Associate Dean (Graduate Studies). (CLRC 24 MAY 2012)
- 30.2.22 **Instructor.** The term “Instructor” includes the person charged with the responsibility for conducting a Class, the person charged with the responsibility for supervising or evaluating a capping exercise, thesis or research project, or the person charged with the responsibility of supervising a Student’s work conducted in a laboratory. (CLRC 24 MAY 2012)
- 30.2.23 **Deleted** (BG 22 NOV 2022)
- 30.2.24 **Negative Service Indicator.** A transitory notation that can be placed on a student’s Central Academic Record during the period it is in effect. Service indicators assist staff in the provision or restriction of services but do not appear on a Transcript. Negative Service Indicators can be used for financial, disciplinary or other extraordinary matters. Examples include but are not limited to: parking fines, library fines, disciplinary fines, orders of restitution, suspension, and exclusions. (CLRC 24 MAY 2012)
- 30.2.25 **Office of the Student Ombuds.** Ombuds services for undergraduate and graduate Students. (SCPC 25 JAN 2018)
- 30.2.26 **Panel.** The UAB members constituted from the Panel of Chairs and Panel of Students to hear an appeal as set in these regulations. (CLRC 24 MAY 2012)
- 30.2.27 **Practicum Placement.** Any placement (volunteer or otherwise) which is part of a Student's academic program and which places or may place the Student in contact with the public. Practicum Placements include, but are not limited to, hospital rotations or other clinical placements in the disciplines of medicine, dentistry, pharmacy, nursing, and rehabilitation medicine, education placements in schools, and placements in co-operative work settings.
- 30.2.28 **Professional Code of Ethics.** All provincial and federal Codes of Ethics or Codes of Conduct governing the relevant profession and the practice of its discipline.
- 30.2.29 **Professional Programs.** Academic programs that prepare Students for vocations where the right to practice is dependent on membership in a specialist occupational organization. Examples include but are not limited to dentists, dental hygienists, lawyers, medical laboratory technicians, nurses, occupational therapists, pharmacists, physicians, physical therapists, speech language pathologists, and teachers.

- 30.2.30 **Registrar.** The University Official invested with custody of Students' Central Academic Records.
- 30.2.31 **Respondent.** The person(s) who replies to an appeal.
- 30.2.32 **Student(s).** A person who is or has been registered as a Student at the University whether or not for credit and includes current Undergraduate and Graduate Students, former Students, and graduates who have received a Degree, diploma or certificate from the University. (BG 12 MAY 2006) (GFC 03 FEB 2014)
- 30.2.33 **Transcript.** A Student's official academic record issued by the Office of the Registrar and bearing the signature of the Registrar. Information for the Transcript is drawn from the Central Academic Record. Information included on the University of Alberta transcript is found in the *University Calendar*. (CLRC 24 MAY 2012) (SCPC 25 JAN 2018)
- 30.2.34 **UAB.** University Appeal Board as prescribed within the Code of Student Behaviour. (SCPC 25 JAN 2018)
- 30.2.35 **Deleted** (BG 22 NOV 2022)
- 30.2.36 **University Activities.** "University Activities" include but are not limited to, teaching, research, studying, administration, meetings, and public service.
- 30.2.37 **University Community.** "University Community" includes those who are employed by the University, who are officially associated with the University, and those who are Students, former Students, or alumni of the University.
- 30.2.38 **University Officials.** "University Officials" are those individuals who in the ordinary course of their duties have the authority to limit access to University Facilities and/or property and include but are not limited to Deans, Department Chairs, Unit Directors, Discipline and Deputy Discipline Officers, Instructors, members of University of Alberta Protective Services, Ancillary Services staff, and Building Services staff. (CLRC 03 MAR 2005)
- 30.2.39 **University-related Functions.** "University-related Functions" include, but are not limited to activities occurring in the course of work or study assignments inside or outside the University; at work or study-related conferences or training sessions; during work or study-related travel; during events such as public lectures, performances, social or sports activities; or over the telephone or computer.
- 30.2.40 **University Supplies and Documents.** "University Supplies and Documents" include but are not limited to equipment, keys, records, insignias, stationery, forms and permits.
- 30.2.41 **Working Day or Business Day.** "Working Day" or "Business Day" is defined as a day on which University administrative offices are open. For the purposes of these



regulations, the day preceding the Christmas holiday period shall not be considered a Working Day for appeal deadlines. (CLRC 24 MAY 2012)

### **30.3 Offences under the Code**

#### **30.3.1 Application**

30.3.1(1) This Code applies to all conduct by a Student or by Students, by any means whatsoever, (including but not limited to internet forums, electronic communications or other media) that has a real and substantial link to the University, or the Student's academic program, activities or submissions. (CLRC 22 MAR 2012)

30.3.1(2) The determination of whether any conduct does have such a real and substantial link may be made by any person or body authorized to make decisions in the disciplinary and appeal processes set out in this Code, and this determination may be appealed as part of an appeal provided for by this Code.

30.3.1(3) **Deleted** (BG 22 NOV 2022)

30.3.1(4) **Deleted** (BG 22 NOV 2022)

30.3.1(5) **Deleted** (BG 22 NOV 2022)

30.3.1(6) **Deleted** (BG 22 NOV 2022)

#### **30.3.2 Inappropriate Academic Behaviour**

##### **30.3.2(1) Plagiarism**

No Student shall submit the words, ideas, images or data of another person as the Student's own in any academic writing, essay, thesis, project, assignment, presentation or poster in a course or program of study.

##### **30.3.2(2) Cheating**

30.3.2(2) a No Student shall in the course of an examination or other similar activity, obtain or attempt to obtain information from another Student or other unauthorized source, give or attempt to give information to another Student, or use, attempt to use or possess for the purposes of use any unauthorized material.

30.3.2(2) b No Student shall represent or attempt to represent themselves as another nor shall a Student attempt to have themselves represented by another in the taking

of an examination, preparation of a paper or other similar activity. See also misrepresentation in 30.3.6(4).

- 30.3.2(2) c No Student shall represent another's substantial editorial or compositional assistance on an assignment as the Student's own work.
- 30.3.2(2) d No Student shall submit in any course or program of study, without the written approval of the course Instructor, all or a substantial portion of any academic writing, essay, thesis, research report, project, assignment, presentation or poster for which credit has previously been obtained by the Student or which has been or is being submitted by the Student in another course or program of study in the University or elsewhere.
- 30.3.2(2) e No Student shall submit in any course or program of study any academic writing, essay, thesis, report, project, assignment, presentation or poster containing a statement of fact known by the Student to be false or a reference to a source the Student knows to contain fabricated claims (unless acknowledged by the Student), or a fabricated reference to a source.

### 30.3.2(3) **Misuse of Confidential Materials**

No Student shall procure, distribute, or receive any confidential academic material such as pending examinations, laboratory results or the contents thereof from any source without prior and express consent of the Instructor.

### 30.3.2(4) **Research and Scholarship Misconduct**

- 30.3.2(4) a No Student shall violate the University of Alberta Research and Scholarship Integrity Policy, as set out in the Research and Scholarship Integrity Policy in UAPPOL or any other University regulation concerning academic matters. (CLRC 24 MAY 2012)
- 30.3.2(4) b Where a Student is charged with the academic offence of research and scholarship misconduct, the procedure to follow is that outlined below. (CLRC 24 MAY 2012) (EXEC 12 NOV 2014)

## 30.3.3 **Inappropriate Behaviour in Professional Programs**

- 30.3.3(1) A Student enrolled in Professional Programs is bound by and shall comply with the Professional Code of Ethics governing that profession and the practice of its discipline.
- 30.3.3(2) It shall be the responsibility of each student in a Professional Program to obtain, and be familiar with, the Professional Code of Ethics relevant to the discipline and all amendments thereto as may be made from time to time. (BG 12 MAY 2008)
- 30.3.3(3) A Student enrolled in a Professional Program who contravenes the Professional Code of Ethics governing the profession and the practice of its discipline commits an offence under this Code when, at the time of the alleged offence, the Student is

involved in a Practicum Placement related to a course of study in a Professional Program. (BG 12 MAY 2008)

- 30.3.3(4) The following behaviour by any Student in a Practicum Placement is unprofessional conduct, and an offence under this Code:
- 30.3.3(4) a all attempts at deliberately falsifying patient, pupil or client records including forging Instructor signatures;
  - 30.3.3(4) b falsifying financial records related to patient treatment procedures or client services;
  - 30.3.3(4) c misrepresenting patient treatment, instructional activities or client services to officials of the practicum site or to third parties, such as insurance carriers;
  - 30.3.3(4) d careless or negligent behaviour resulting in unnecessary physical and/or mental harm to patients, pupils or clients;
  - 30.3.3(4) e obtaining or attempting to obtain favours, gifts, payments, pharmaceuticals or other consideration from patients, pupils, clients or third parties;
  - 30.3.3(4) f representing one's education, qualifications or competence in a way that is false or misleading.
  - 30.3.3(4) g operating outside of scope of practice. (BG 12 MAY 2008)
- 30.3.3(5) When proceedings have been initiated against a Student under this Code and separate proceedings are commenced against the same Student relating to the same cause or matter under a Professional Code of Ethics, the Dean may stay proceedings under this Code pending the outcome of the proceedings brought pursuant to the Professional Code of Ethics.
- 30.3.3(6) Appeals of Code decisions concerning unprofessional conduct or contraventions of Professional Codes of Ethics that would otherwise be heard by the UAB shall instead be heard by a General Faculties Council Practice Review Board (GFC PRB) as constituted under the Practicum Intervention Policy. (BG 12 MAY 2008) (SCPC 25 JAN 2018)
- 30.3.3(7) In hearing appeals as provided for in the Code, the GFC PRB shall have all of the powers of the UAB and shall follow the same procedures of the UAB as provided for in this Code. (BG 12 MAY 2008) (SCPC 25 JAN 2018)
- 30.3.3(8) Any appeals of Code charges that accompanied a Practicum Intervention under the Practicum Intervention Policy shall be stayed and held in abeyance as may be necessary in order that the appeals can be conjoined and be heard and determined at the same time by the GFC PRB. (BG 12 MAY 2008) (SCPC 25 JAN 2018)
- 30.3.4 Deleted (BG 22 NOV 2022)**

**30.3.5 Deleted** (BG 22 NOV 2022)

**30.3.6 Other Offences**

30.3.6(1) **Deleted** (BG 22 NOV 2022)

30.3.6(2) **Deleted** (BG 22 NOV 2022)

30.3.6(3) **Deleted** (BG 22 NOV 2022)

30.3.6(4) **Misrepresentation of Facts**

No Student shall misrepresent pertinent facts to any member of the University community for the purpose of obtaining academic advantage. This includes such acts as the failure to provide pertinent information on an application for admission or the altering of an educational document/transcript. (EXEC 04 MAY 2009)

30.3.6(5) **Participation in an Offence**

No Student shall counsel or encourage or knowingly aid or assist, directly or indirectly, another person in the commission of any offence under this Code.

30.3.6(6) **Deleted** (BG 22 NOV 2022)

30.3.6(7) **Bribery**

No Student shall offer or provide a monetary or other benefit to any member of the University for the purpose of gaining academic advantage. (GFC 24 SEP 2007)

**30.4 Sanctions and their Impact**

**30.4.1 General Provisions**

Different members of the University have the authority to decide that a Student has breached the Code and to set a sanction. Deans have the authority to set Minor or Intermediate Sanctions and may recommend that the Discipline Officer impose Severe Sanctions. The Discipline Officer and the UAB have the authority to set Minor, Intermediate, or Severe Sanctions.

30.4.1(1) In determining both the length and/or the effective date of a sanction, a decision-maker imposing the sanction shall take into account the impact of the sanction on the Student's academic program and record.

30.4.1(2) Any sanction shall take effect on the date of the decision unless it is noted in the decision that the sanction shall take effect at another time. Any change to a sanction as a result of an appeal (the removal of, increase in or addition to a sanction) shall take effect according to specified instructions in the written appeal decision. (CLRC 24 MAY 2012)

30.4.1(3) The Office of the Registrar shall note Encumbrances, grade changes (including notations of NC) Suspensions, Expulsions, or Suspensions or Rescissions of Degrees on a Student's Transcript. Encumbrances, Exclusions and Suspensions of Essential and Non-Essential Services will be noted as a Negative Service Indicator in the Student's Central Academic Record. For tracking purposes, any sanction noted on the Transcript will also be noted as a Negative Service Indicator in the Student's Central Academic Record. (CLRC 24 MAY 2012) (GFC 03 FEB 2014)

30.4.1(4) At the decision maker's discretion, the decision maker may disclose decisions under this Code, or portions thereof, on a need to know basis, for the purpose of administering a Student's academic or other program. (CLRC 24 MAY 2012)

30.4.1(5) **Deleted** (BG 22 NOV 2022)

### **30.4.2 Types of Sanctions**

**30.4.2(1) Deleted** (CLRC 22 NOV 2007) (SCPC 25 JAN 2018)

#### **30.4.2(2) Conduct Probation**

30.4.2(2) a "Conduct Probation" is an order that a Student comply with prescribed conditions for a specified time, not to exceed the duration of the Student's degree program. (CLRC 24 MAY 2012)

30.4.2(2) b The conditions that may be prescribed in Conduct Probation include the following:

30.4.2(2) b.i not to commit any further offences during the term of Conduct Probation;

30.4.2(2) b.ii to report at specified periods to a specified University Official;

30.4.2(2) b.iii **Deleted** (BG 22 NOV 2022)

30.4.2(2) b.iv **Deleted** (BG 22 NOV 2022)

30.4.2(2) b.v to prepare a paper or essay on a topic relevant to the offence that the Student was found to have committed;

30.4.2(2) b.vi to write a letter of apology;

30.4.2(2) b.vii **Deleted** (BG 22 NOV 2022)

30.4.2(2) b.viii **Deleted** (BG 22 NOV 2022)

30.4.2(2) b.ix such other reasonable conditions considered desirable for encouraging the Student to take responsibility for the Offence, or for rehabilitating the Student.

- 30.4.2(2) c An order of Conduct Probation shall specify whether the Dean or Discipline Officer has the responsibility to ensure that the terms of the Conduct Probation are performed and to certify, when and as necessary, that the terms of the Conduct Probation have been met to a reasonable standard of performance or have been breached.
- 30.4.2(2) d An order of Conduct Probation shall specify a sanction to be imposed should the Student breach the conditions of Conduct Probation.
- 30.4.2(2) e The sanction of Conduct Probation and particulars relating thereto shall be kept in the Discipline File of the office of the Dean of the Faculty in which the offence occurred or the Discipline Officer, whichever one will be monitoring the order of Conduct Probation. In the case of Conduct Probation imposed by the University Appeal Board, the sanction and particulars thereto shall also be kept in the Discipline File held by University Governance. (CLRC 24 MAY 2012) (GFC 03 FEB 2014)
- 30.4.2(2) f In the case of an order of Conduct Probation resulting from a charge of Inappropriate Academic Behaviour, Misrepresentation of Facts, Participation in an Offence or Bribery related to Inappropriate Academic Behaviour, or where the offence has a significant connection to the Student's academic program, the Dean, Discipline Officer or UAB may direct the Office of the Registrar to place a notation on the Student's Transcript indicating "Inappropriate Academic Behaviour." The notation may remain on the Transcript for a period not to exceed the duration of the Student's degree program. (CLRC 24 MAY 2012)
- 30.4.2(2) g Any new offence that constitutes a breach of the prescribed conditions of Conduct Probation during the defined period may lead to additional charges under this Code.
- 30.4.2(3) Deleted (BG 22 NOV 2022)**
- 30.4.2(4) Deleted (BG 22 NOV 2022)**
- 30.4.2(5) Expulsion**
- 30.4.2(5) a "Expulsion" requires a Student to withdraw completely from the University for an indefinite period of time. The Student shall not be permitted to return without the approval in writing of the Provost and Vice-President (Academic) in consultation with the Faculty from which the Student was expelled. Such approval shall not be given before the expiry of four years.
- 30.4.2(5) b Any course work completed at any institution during the period of Expulsion will not be accepted as credit towards a Student's Degree, or for admission to a Degree program, or other certification at the University of Alberta.

- 30.4.2(5) c Expulsion shall be noted in the Student's Academic File in the Faculty in which a Student is registered, as a Negative Service Indicator in the Student's Central Academic Record and on the Student's Transcript in perpetuity or until such time as the Student is readmitted to the University. (CLRC 24 MAY 2012)
- 30.4.2(5) d A Student shall receive credit for any course passed before the effective date of the Expulsion.
- 30.4.2(5) e Withdrawals resulting from a decision of Expulsion will show as grades of "W" on the Student's Transcript and will remain part of the Student's Central Academic Record. (CLRC 24 MAY 2012)
- 30.4.2(5) f A Student is deemed to have withdrawn from all courses as of the date of Expulsion; the fee refund dates outlined in the *University Calendar* shall apply. (CLRC 26 SEP 2002) (SCPC 25 JAN 2018)
- 30.4.2(6) Deleted** (BG 22 NOV 2022)
- 30.4.2(7) Grade Reduction, Grade of F or NC in a course** (CLRC 27 MAR 2003)  
(CLRC 24 MAY 2012)
- 30.4.2(7) a Marks for an assignment(s) or the grade for a course may be reduced as a sanction for Inappropriate Academic Behaviour. The final grade may or may not be accompanied by a remark, indicating Inappropriate Academic Behaviour. The Student's grade in the course or grade point average may, as a consequence, be substantially reduced. (CLRC 27 MAR 2003)
- 30.4.2(7) b A grade of F for graded courses or NC for non-graded courses may be assigned as a sanction for Inappropriate Academic Behaviour. The grade may or may not be accompanied by a remark, indicating Inappropriate Academic Behaviour. (CLRC 27 MAR 2003) (CLRC 24 MAY 2012)
- 30.4.2(7) c Grade reductions and a grade of F resulting from discipline decisions shall be calculated into the Student's GPA. Mark reductions, reductions in final course grades and a grade of F may result in a Student being required to withdraw from their program. (CLRC 27 MAR 2003)
- 30.4.2(7) d The remark on a transcript of 8 (or 9 for failing graduate student grades), indicating Inappropriate Academic Behaviour, shall remain on the Student's Transcript for a period of 2 years from the end date of the term for the relevant course. After that time, the remark of 8 or 9 is removed. (CLRC 27 MAR 2003) (CLRC 25 NOV 2004) (CLRC 24 MAY 2012) (SCPC 25 JAN 2018)
- 30.4.2(7) e Any documentation relating to grade changes resulting from a sanction under this Code may be retained in the Academic File. (CLRC 24 MAY 2012)
- 30.4.2(8) Refusal to Consider Applications** (EXEC 04 MAY 2009)

30.4.2(8) a Refusal to consider applications for admission to the University for up to 5 years.

Where a sanction of refusal to consider applications has been imposed, such refusal shall be noted as a Negative Service Indicator on the Student's Central Academic Record until the sanction expires. (CLRC 24 MAY 2012)

30.4.2(8) b Permanent refusal to consider applications for admission to the University of Alberta.

Where a sanction of permanent refusal to consider applications has been imposed, the Student shall not be considered for admission without the approval in writing of the Provost and Vice-President (Academic) in consultation with the Registrar. Such approval shall not be given before the expiry of five years.

30.4.2(8) c The sanctions related to refusal to consider applications for admission to the University of Alberta may only be imposed for application-related offences.

### **30.4.2(9) Rescission of Admission Offer**

30.4.2(9) a Rescission of any current offer of admission received by the Applicant, whether conditional or final, and cancellation of any registration.

30.4.2(9) b This sanction may only be imposed for application-related offences.

### **30.4.10 Rescission of a Degree**

30.4.2(10) a "Rescission of a Degree" means that the original award of a Degree will be perpetually deleted from the Student's Central Academic Record. The Student's Transcript will indicate that the Degree has been rescinded. (CLRC 24 MAY 2012)

30.4.2(10) b The Discipline Officer may recommend to the Provost and Vice-President (Academic) that the University publish notification of the Rescission of the Degree. In the case of a professional Degree, this would include notification to the appropriate professional body. The Vice-President's decision to act on this recommendation shall be deferred until an appeal is heard and decided.

### **30.4.2(11) Reprimand**

30.4.2(11) a A "Reprimand" is a notation of concern about the conduct of a Student.

30.4.2(11) b The Reprimand is noted in the Discipline File held by the Faculty in which a Student is registered and by the Faculty that charged the Student. (CLRC 24 MAY 2012) (GFC 03 FEB 2014)

**30.4.2(12) Deleted** (BG 22 NOV 2022)

### **30.4.2(13) Suspension**



- 30.4.2(13) a “Suspension” requires a Student to withdraw completely from the University, their program in the University, and from all University Activities for a specified period of time, to a maximum of three years.
- 30.4.2(13) b Suspension shall be noted on the Student’s Central Academic Record, on the Student’s Transcript, and in the Student’s Academic File held by the faculty in which the Student is enrolled during the period of the Suspension. At the discretion of the Discipline Officer or the UAB, the suspension may be noted on the Transcript for a further period of up to three years after the end of the suspension. (GFC 24 SEP 2007) (CLRC 24 MAY 2012)
- 30.4.2(13) c A Student shall receive credit for any course passed before the effective date of the Suspension.
- 30.4.2(13) d Withdrawals resulting from a decision of Suspension will show as grades of "W" on the Student’s Transcript and will remain part of the Central Academic Record. (CLRC 24 MAY 2012)
- 30.4.2(13) e A student is deemed to have withdrawn from all courses as of the date of a Suspension; the fee refund dates outlined in the *University Calendar* shall apply. (CLRC 30 MAY 2002) (SCPC 25 JAN 2018)
- 30.4.2(13) f.i Upon expiry of a Suspension of less than 12 months the Student will be permitted to re-enroll in the program from which the Student was suspended provided the Student has not been required to withdraw in accord with the Faculty's published Academic Standing regulations. (CLRC 06 JUN 2013)
- 30.4.2(13) f.ii If the Suspension is for 12 months or more, the Student must apply for readmission to the University. Students should refer to the *University Calendar* for more information on admission and readmission. (<https://calendar.ualberta.ca/>) (CLRC 06 JUN 2013)
- 30.4.2(13) g Any course work completed at any institution during the period of Suspension will not be accepted as credit towards an individual's Degree, or for admission to a Degree program, or other certification at this University.

#### **30.4.2(14) Suspension of a Degree**

- 30.4.2(14) a Upon Suspension of a Degree the original award of a Degree will be removed from the Student’s Central Academic Record and the Transcript will show that the Degree has been suspended until the Student meets the requirements of the University to clear the Suspension. (CLRC 24 MAY 2012)
- 30.4.2(14) b If at the end of the time specified by a discipline decision, the Student has met the requirements of the Discipline Officer or the UAB to clear the Suspension, the original award will be restored to the Student’s Central Academic Record with the original date. The record of the Suspension will be removed from the Transcript. (CLRC 24 MAY 2012)
- 30.4.2(14) c If, at the end of the time specified in a discipline decision, the Student has not met the requirements of the Discipline Officer or the UAB to clear the

Suspension, the record of the Suspension of the degree will not be removed. The original award will remain perpetually deleted from the Student's Central Academic Record. (CLRC 03 MAR 2005) (CLRC 24 MAY 2012)

- 30.4.2(14) d The Discipline Officer or University Appeal Board may recommend to the Provost and Vice-President (Academic) that the University publish notification of the Suspension of a Degree. In the case of a professional Degree, this would include notification to the appropriate professional body. The decision of the Provost and Vice-President (Academic) respecting this recommendation shall be deferred until an appeal is heard and decided. The decision of the Provost and Vice-President (Academic) is final and binding. (CLRC 24 MAY 2012)

**30.4.2(15) Deleted** (BG 22 NOV 2022)

**30.4.2(16) Deleted** (BG 22 NOV 2022)

**30.4.2(17) Deleted** (BG 22 NOV 2022)

### **30.4.3 Levels of Sanction**

#### **30.4.3(1) Minor Sanctions**

- 30.4.3(1) a Instructors have the authority to dismiss a Student from Class for no more than 3 hours of Class time for disturbing, disrupting or otherwise interfering with a Class. In cases where a single class meeting is longer than 3 hours, the Student may be dismissed from that entire class. In the case of an online course, the Instructor may bar the Student from any online activities related to the Class for a maximum of one week, or equivalent to 3 hours in-class time. See 30.3.4(1) (CLRC 28 FEB 2002) (CLRC 30 MAY 2002) (CLRC 25 APR 2013)

30.4.3(1) (b) **Deleted** (BG 22 NOV 2022)

30.4.3(1) b.i Reprimand.

30.4.3(1) b.ii – c.iv **Deleted** (BG 22 NOV 2022)

#### **30.4.3(2) Intermediate Sanctions**

- 30.4.3(2) a Based on a finding that a Student has committed an offence under this Code, the Dean of the Faculty in which the offence occurred has the authority to impose Minor Sanctions and one or more of the following Intermediate Sanctions: (GFC 24 SEP 2007)
- 30.4.3(2) a.i a mark reduction or a mark of 0 on any term work or examination for reason of Inappropriate Academic Behaviour; (GFC 24 SEP 2007)

- 30.4.3(2) a.ii Reduction of a grade in a course;
- 30.4.3(2) a.iii a grade of F for a course; (CLRC 27 MAR 2003)
- 30.4.3(2) a.iv a remark on a transcript of 8 (or 9 for failing graduate student grades), indicating Inappropriate Academic Behaviour, in addition to 30.4.3(2) a.i, 30.4.3(2) a.ii or 30.4.3(2) a.iii; (CLRC 27 MAR 2003) (CLRC 25 NOV 2004)
- 30.4.3(2) a.v **Deleted** (BG 22 NOV 2022)
- 30.4.3(2) a.vi **Deleted** (BG 22 NOV 2022)
- 30.4.3(2) a.vii **Deleted** (BG 22 NOV 2022)
- 30.4.3(2) a.viii Conduct Probation.
- 30.4.3(2) a.ix **Deleted** (BG 22 NOV 2022)
- 30.4.3(2) b The Dean has the authority to impose one or more of the following sanctions in addition to or in lieu of Minor Sanctions based on a finding that the Student has committed an application-related offence under this Code. (EXEC 04 MAY 2009)
- 30.4.3(2) b.i Refusal to consider applications for admission for up to five years, or permanently. (EXEC 04 MAY 2009)
- 30.4.3(2) b.ii Rescission of an Admission Offer; (EXEC 04 MAY 2009)

### **30.4.3(3) Severe Sanctions**

- 30.4.3(3) a The Discipline Officer has the authority to impose Minor, Intermediate and the following Severe Sanctions. When the Discipline Officer finds that a Student has committed an offence under this Code: (1) any sanctions imposed by a Dean shall remain in effect; (2) the Discipline Officer may impose one or more sanctions in addition to any sanction(s) that may have been imposed by a Dean. (GFC 24 SEP 2007)
- When the UAB finds that a student has committed an offence under this Code, the UAB has full authority to impose Minor, Intermediate and the following Severe Sanctions: (GFC 24 SEP 2007)
- 30.4.3(3) a.i **Deleted** (BG 22 NOV 2022)
- 30.4.3(3) a.ii Expulsion;
- 30.4.3(3) a.iii Suspension;
- 30.4.3(3) a.iv **Deleted** (BG 22 NOV 2022)
- 30.4.3(3) a.v Suspension of a Degree already awarded;
- 30.4.3(3) a.vi Rescission of a Degree already awarded;
- 30.4.3(3) a.vii **Deleted** (BG 22 NOV 2022)

30.4.3(3) a.viii **Deleted** (BG 22 NOV 2022)

### **30.4.4 Public Information about Disciplinary Sanctions**

30.4.4(1) For reporting requirements, see GFC SCPC Terms of Reference at: <https://www.ualberta.ca/governance/member-zone/gfc-standing-committees> (EXEC 02 MAR 2009) (SCPC 25 JAN 2018)

30.4.4(2) **Deleted** (BG 22 NOV 2022)

## **30.5 The Discipline Process**

### **30.5.1 The General Rules of Discipline and Appeal**

**30.5.1(1)** A complaint can be initiated by a member of the University Community, an Instructor, or a Dean.

30.5.1(1) a A complaint is initiated by a member of the University Community under 30.5.2. The Dean must first determine whether pursuing the charges is warranted; if so, the investigation is undertaken and/or a decision is made by the Dean or Discipline Officer following the steps in 30.5.7 or 30.5.8. The decision of the Dean or Discipline Officer may be appealed under 30.6 to the UAB whose review decision is final and binding. (GFC 28 SEP 2015)

30.5.1(1) b **Deleted** (BG 22 NOV 2022)

30.5.1(1) c A complaint is initiated by an Instructor respecting Inappropriate Academic Behaviour under 30.5.4 or Misrepresentation of Facts [30.3.6(4) or Participation in an Offence [30.3.6(5)] in cases respecting Inappropriate Academic Behaviour. The Instructor makes a recommendation to the Dean who investigates and makes a decision following the steps in 30.5.7. The decision of the Dean may be appealed under 30.6 to the UAB whose review decision is final and binding. (CLRC 30 MAY 2002)

30.5.1(1) d **Deleted** (BG 22 NOV 2022)

30.5.1(1) e **Deleted** (BG 22 NOV 2022)

30.5.1(1) f **Deleted** (BG 22 NOV 2022)

30.5.1(1) g An investigation is initiated by a Dean, who, on finding that an offence has been committed, may impose Minor Sanctions or Intermediate Sanctions or may recommend Severe Sanctions (or some combination thereof) following the steps in 30.5.7. If a Severe Sanction is recommended, the Discipline Officer, following the steps in 30.5.8, decides whether the sanction is warranted. Appeals of a finding that an offence has been committed or sanction imposed are made to the UAB under 30.6, whose review decision is final and binding.

**30.5.1(2) Deleted (BG 22 NOV 2022)**

**30.5.1(3)** If a University staff member authorized to make a discipline decision has a conflict of interest in relation to particular allegations respecting a Student, the staff member shall so notify the Provost and Vice-President (Academic). The Provost and Vice-President (Academic) or delegate shall appoint and authorize another staff member to make the discipline decision and to perform all activities in connection with the decision.

**30.5.1(4)** A discipline decision may be appealed by a Student who has been found to have committed an offence under the Code.

**30.5.1(5)** Students may appeal discipline decisions only once. Therefore, the following restrictions apply:

30.5.1(5) a Because the Student already has the right of appeal under the Code, a Student may not appeal to the Faculty Academic Appeals Committee a mark of F given as a result of a discipline decision or an Academic Standing decision that is solely the result of a discipline decision. (CLRC 27 MAR 2003)

30.5.1(5) b If a Student's Academic Standing is changed as a result of a discipline decision by the Dean or Discipline Officer to assign a mark of 0 on an assignment or lower the final mark, whether or not the final mark is accompanied by a remark, indicating Inappropriate Academic Behaviour, the Student may appeal to the Faculty Academic Appeals Committee only that portion of the mark unaffected by the sanction. In the case of an appeal to the Faculty Appeals Committee, there will be full and open disclosure of all aspects of the discipline decision. The Faculty Academic Appeals Committee cannot change that portion of the mark affected by the Dean or Discipline Officer's decision. (CLRC 27 MAR 2003)

30.5.1(5) c Because the Student has already had the right of appeal under the Code, a Student may not appeal an Academic Standing decision that is solely the result of a discipline decision to the Faculty Academic Appeals Committee.

30.5.1(5) d A Student may appeal to the Faculty Academic Appeals Committee an Academic Standing decision that is not solely the result of a discipline decision. In the case of an appeal to the Faculty Academic Appeals Committee, there will be full and open disclosure of all aspects of the discipline decision. The Faculty Academic Appeals Committee cannot change the portion of any mark affected by the discipline decision.

**30.5.1(6) Service and Notice**

30.5.1(6) a Material or decisions pertaining to a disciplinary process or appeal, and notice of appeal hearings may be hand-delivered, sent by e-mail, courier, or sent by any method of delivery offered by Canada Post. In cases where students have an official campus address, material may be sent to that address by campus mail. Alternatively, at the Student's request, the Student may pick up the

material, decision or notice at an arranged place. (CLRC 25 SEPT 2008) (CLRC 29 JAN 2009) (CLRC 24 MAY 2012)

- 30.5.1(6) b When sent by Canada Post, campus mail or courier, the material, decision or notice shall be sent to the last address provided by the Student to the University. (CLRC 25 SEPT 2008) (CLRC 29 JAN 2009)
- 30.5.1(6) c Delivery is deemed to have been effected on the date of pick-up, receipt of hand or courier delivery, or five (5) Working Days after being sent by Canada Post to Canadian addresses, and seven (7) Working Days after being sent by Canada Post to International addresses, or two (2) Working Days after being sent by campus mail. In accordance with the University's *Electronic Communication Policy for Students and Applicants*, (*University Calendar*), electronic communications sent by the University will be deemed received the next University business day after the day the e-mail was sent. (CLRC 25 SEPT 2008) (CLRC 29 JAN 2009) (CLRC 24 MAY 2012) (SCPC 25 JAN 2018)
- 30.5.1(6) d Notices, decisions and other appeal materials sent to a Dean or the Discipline Officer shall normally be sent by campus mail. Any of the other methods of delivery noted in this part may also be used. (CLRC 29 JAN 2009)

**30.5.2 Procedures for Any Member of the University Community who believes that a Student has committed a Violation of the *Code of Student Behaviour*.**

- 30.5.2(1) A Complainant may initiate proceedings against a Student.
- 30.5.2(2) The Complainant must first determine who is the most appropriate person to speak to about the complaint.
- 30.5.2(2) a Where the Complainant believes that an offence involving Inappropriate Academic Behaviour [30.3.2] has been committed during a course, the Complainant should first speak to the Instructor of the course. If it is not possible to speak with the Instructor for any reason or if the Complainant is not satisfied with the results of the conversation, the Complainant should speak to the Dean.
- 30.5.2(2) b Where the Complainant believes a Student has disrupted Class [30.3.4(1)] and should be dismissed from Class, the Complainant should first speak with the Instructor of the Class. If it is not possible to speak with the Instructor for any reason or if the Complainant is not satisfied with the results of the conversation, the Complainant should speak to the Dean.
- 30.5.2(2) c Where the Complainant believes that an offence involving Inappropriate Behaviour in a Professional Program [30.3.3] has been committed, the Complainant should first speak to the University Official in charge of the Professional Program. If it is not possible to speak with the University

Official for any reason or if the Complainant is not satisfied with the results of the conversation, the Complainant should speak to the Dean.

30.5.2(2) d **Deleted** (BG 22 NOV 2022)

30.5.2(2) e **Deleted** (BG 22 NOV 2022)

**30.5.2(3)** If the procedures in 30.5.2(2) have failed to bring resolution or the Complainant chooses to initiate a formal complaint, the Complainant must deliver a written and signed statement explaining the alleged violation of this Code to the Dean. The complaint shall be a detailed written description of the incident. This shall include the time and place, person or persons involved, and all relevant information concerning the incident.

**30.5.2(4)** **Deleted** (BG 22 NOV 2022)

**30.5.2(5)** If the Dean decides to proceed with a complaint, the procedures under 30.5.7 shall apply.

**30.5.2(6)** The Dean may decline to proceed with and/or investigate a complaint under the following circumstances: (GFC 28 SEP 2015)

30.5.2(6) a Where the complaint is primarily concerned with regulations of another official University organization, and the Dean believes that the complaint should be dealt with in accordance with procedures established by that organization;

30.5.2(6) b Where the Dean believes that no University rule has been broken;

30.5.2(6) c Where the Dean believes the complaint to be scandalous, frivolous or vexatious; or

30.5.2(6) d Where one year or more has elapsed since the incident.

**30.5.2(7) a** If the Dean has declined to proceed with and/or investigate a complaint then no further proceedings shall be taken respecting the complaint under this Code. (GFC 28 SEP 2015)

**30.5.2(7) b** **Deleted** (BG 22 NOV 2022)

**30.5.2(8)** **Deleted** (BG 22 NOV 2022)

### **30.5.3 Procedures for Instructors in Cases Respecting Class Disruptions**

**30.5.3(1)** When a Student disturbs, disrupts, or otherwise interferes with a Class, the Instructor may immediately dismiss the Student from the Class meeting and subsequent meetings not to exceed 3 hours of instruction. In the case of an online course, the Instructor may bar the Student from any online activities related to the Class for a maximum of one week, or equivalent to 3 hours in-class time. In cases

where a single Class meeting is longer than 3 hours the student may be dismissed from that entire Class. (CLRC 22 APR 2002) (CLRC 30 MAY 2002) (CLRC 25 APR 2013)

**30.5.3(2)** The Instructor shall inform the Dean about the incident as soon as possible after the event occurred, normally within 2 Working Days. (CLRC 25 APR 2013)

**30.5.3(3)** If the Student engages in the behaviour described in 30.5.3(1) after resuming Class, the Instructor may again immediately dismiss the Student from the Class, in which case the Instructor must report that violation to the Dean and provide a written statement of the details of both incidents normally within 2 Working Days. (CLRC 25 APR 2013)

**30.5.3(4)** Deleted (BG 22 NOV 2022)

**30.5.3(5)** If an investigation under the *Student Conduct Policy* results in a finding that the Student did not violate the policy, such decision shall not invalidate the prior action of the Instructor. Every effort shall be made to make up the Student's lost Class time, but the University shall not be held legally responsible for any lost Class time. (CLRC 25 APR 2013)

**30.5.4 Procedures for Instructors in Cases Respecting Inappropriate Academic Behaviour**

**30.5.4(1)** When an Instructor believes that a Student may have committed an Inappropriate Academic Behaviour Offence [30.3.2] or that there has been Misrepresentation of Facts [30.3.6(4)] or Participation in an Offence [30.3.6(5)] in cases respecting Inappropriate Academic Behaviour, or Bribery [30.3.6(7)] for the purpose of gaining academic advantage in the course that they instruct, the Instructor will meet with the Student. Before such a meeting, the Instructor shall inform the Student of the purpose of the meeting. In the event that the Student refuses or fails to meet with the Instructor within a reasonable period of time specified by the Instructor, the Instructor shall, taking into account the available information, decide whether a report to the Dean is warranted. (CLRC 30 MAY 2002) (EXEC 7 APR 2003) (CLRC 27 NOV 2003) (CLRC 03 FEB 2016)

**30.5.4(2)** If the Instructor believes there has been a violation of the Code, the Instructor shall, as soon as possible after the event occurred, report that violation to the Dean and provide a written statement of the details of the case. The instructor may also include a recommendation for sanction. (CLRC 27 NOV 2003)

**30.5.4(3)** The Dean, acting in accordance with 30.5.7, shall decide whether the Student has committed an offence and, if so, whether the sanction recommended by the Instructor or any other sanction is appropriate.

**30.5.5** Deleted (BG 22 NOV 2022)



**30.5.6 Deleted (BG 22 NOV 2022)****30.5.7 Procedures for Deans**

**30.5.7(1)** The following procedures apply in cases respecting Inappropriate Academic Behaviour [30.3.2], Inappropriate Behaviour in Professional Programs [30.3.3] or that there has been Misrepresentation of Facts [30.3.6(4)] or Participation in an Offence [30.3.6(5)] in cases respecting Inappropriate Academic Behaviour, or Bribery [30.3.6(7)] for the purpose of gaining academic advantage. In cases involving application-related offences, the Dean may delegate responsibility for the case to the Registrar. (CLRC 30 MAY 2002) (EXEC 04 MAY 2009) (CLRC 03 FEB 2016)

**30.5.7(2)** The Dean shall meet with the Student, review the matter and determine if the facts as disclosed by the Complainant or by any University Official who has reported an alleged offence to the Dean are in dispute. Before such a meeting, the Dean shall inform the Student of the purpose of the meeting and of the Student's right to bring an Advisor [30.2.4].

30.5.7(2) a If the facts are determined not to be in dispute, the Dean may impose one or more of the Minor Sanctions or Intermediate Sanctions listed in 30.4.3(1) or 30.4.3(2).

30.5.7(2) b If the facts are in dispute, the Dean will review the matter further by talking with all parties involved, complete any necessary investigation, and may either dismiss the charges or impose one or more of the Minor Sanctions or Intermediate Sanctions.

**30.5.7(3)** In the event that the Student refuses or fails to meet with the Dean within a period of time specified by the Dean, a decision, which may include a sanction, shall be made, taking into account the available evidence.

**30.5.7(4)** If the Dean has determined on the balance of probabilities that the student has committed an offence, the Dean will contact the Appeals Coordinator to determine if there is a previous discipline record for the Student. Only when considering what would be an appropriate sanction, may the Dean take into account the disciplinary record, if any, of the Student. (EXEC 01 MAY 2006) (CLRC 18 June 2008)

**30.5.7(5)** Having completed consideration of the matter, the Dean shall prepare a written decision. The decision shall include the following:

30.5.7(5) a the offence/s alleged to have been committed by the Student,

30.5.7(5) b an overview of the relevant evidence that was presented,

30.5.7(5) c the reasons underlying the decision.

- 30.5.7(6)** If the Student has been found to have committed an offence, the decision shall also include the following:
- 30.5.7(6) a any sanction(s) imposed by the Dean,
  - 30.5.7(6) b the date any sanction(s) shall take effect,
  - 30.5.7(6) c any recommendation for a Severe Sanction,
  - 30.5.7(6) d information, including any history of related offences, that may have been influential in determining the severity of the sanction, and
  - 30.5.7(6) e information regarding the Student's rights to appeal, the appeal deadlines as set out in 30.6.1(1), and the appeal procedures, where to get access to the Code and where on-campus assistance is available, and (CLRC 30 MAY 2002)
  - 30.5.7(6) f notice that any sanction that imposes conditions upon the Student, and that specifies an additional sanction to be imposed should those conditions not be met, must be appealed at the time it is imposed and within the time limits set out in 30.6.1(1). If the conditions are not met, no further appeal is available when the specified additional sanction is imposed. (EXEC 04 MAR 2002)
- 30.5.7(7)** The decision shall be sent to the Student in accordance with 30.5.1(6). Where a Student has requested to pick up the material but fails to do so, the Dean will decide which method of delivery will be used. (CLRC 31 OCT 2002)
- 30.5.7(8)** The Dean shall send a copy of the decision to the Appeals Coordinator, the Dean of the Student's Faculty (if different than the Dean who has charged the Student), the Instructor who has initiated the discipline process, and, in the case of a graduate Student, the Graduate Coordinator. (EXEC 08 DEC 2003) (BEAC 11 DEC 2003) (EXEC 02 MAY 2005) (BEAC 02 JUN 2005) (CLRC 24 MAY 2012)
- In programs jointly offered with another institution, the partner institution shall be copied on the decision when the charges have arisen as a result of inappropriate behaviour at that partner institution. (EXEC 02 MAY 2005)
- 30.5.7(9)** If a sanction is to be noted on the Student's Central Academic Record, the Dean shall so inform the Office of the Registrar. If a sanction Exclusion from all or parts of campus for a specified period of time is levied, the Dean shall so inform the Director of UAPS. (CLRC 24 MAY 2012)
- 30.5.7(10)** If the Dean believes that owing to the serious nature of the actions of the Student, a Severe Sanction is warranted in addition to or in lieu of any Minor or Intermediate Sanction(s), the Dean may forward a written recommendation for a specific Severe Sanction to the Discipline Officer.
- 30.5.7(11)** Where the Dean has decided to recommend a Severe Sanction to the Discipline Officer, and where the Student is registered in another Faculty, the Dean shall so inform the Dean of the Faculty in which the Student is registered and consult with the Dean regarding the Student's situation. After making such enquiries as the Dean

considers necessary, the Dean shall either revise the recommendation or confirm and forward it to the Discipline Officer.

**30.5.7(12)** If the Dean has recommended a Severe Sanction, in addition to or in lieu of the imposition of a Minor Sanction or an Intermediate Sanction, the Discipline Officer shall follow the procedures set out in 30.5.8. Any Minor or Intermediate Sanction imposed by the Dean will be suspended until the entire appeal process has been exhausted. The Dean shall direct the Registrar to withhold Degrees, certification of marks and/or transcripts pending the outcome of any appeals. If a grade sanction forms part of the decision of the Dean or Discipline Officer, a grade of IN will appear on the transcript until such time as the appeal process has been exhausted or the deadline for appeal has passed. (GFC 24 SEP 2007)

**30.5.7(13)** If the Dean has found that an offence has been committed and imposed one or more of the Minor or Intermediate Sanctions, the Student may appeal the finding that an offence has been committed and/or the sanction to the UAB under 30.6.

### **30.5.8 Procedures for the Discipline Officer**

**30.5.8(1)** The following procedures apply in cases in which a Dean recommends the imposition of a Severe Sanction.

**30.5.8(2)** The Discipline Officer shall meet with the Student, review the matter and determine if the facts as disclosed by the Dean are in dispute. Before such a meeting, the Discipline Officer shall inform the Student of the purpose of the meeting and of the Student's right to bring an Advisor [30.2.4].

**30.5.8(3)** In the event that the Student refuses or fails to meet with the Discipline Officer within a period of time specified by the Discipline Officer, a decision and a sanction shall be arrived at taking into account the available evidence.

**30.5.8(4)** The Discipline Officer may or may not decide to follow the recommendations of the Dean.

30.5.8(4) a If the facts are determined not to be in dispute, the Discipline Officer may impose one or more of the sanctions listed in 30.4.3(3).

30.5.8(4) b If the facts are in dispute, the Discipline Officer shall conduct any necessary investigation, which will normally include talking with all parties involved. The Discipline Officer may either dismiss the charges or impose one or more of the sanctions listed in 30.4.3(3). Only in the case where the Discipline Officer decides that the Student has not committed an offence may the Discipline Officer remove any sanction imposed by the Dean. Otherwise, the sanction imposed by the Dean will stand whether or not the Discipline Officer follows the recommendation of the Dean. (CLRC 30 MAY 2002)

30.5.8(4) c If the Discipline Officer has determined on the balance of probabilities that the student has committed an offence, the Discipline Officer will contact the Appeals Coordinator to determine if there is a previous discipline record for

the Student. Only when considering what would be an appropriate sanction, may the Discipline Officer take into account any past record of related offences of the Student. (EXEC 01 MAY 2006) (CLRC 18 June 2008)

**30.5.8(5)** Having completed consideration of the matter, the Discipline Officer shall prepare a decision, which shall include the following:

- 30.5.8(5) a the offence(s) alleged to have been committed by the Student,
- 30.5.8(5) b an overview of the relevant evidence that was presented,
- 30.5.8(5) c a summary of the findings of the Discipline Officer, and
- 30.5.8(5) d the reasons underlying the decision.

**30.5.8(6)** If the Student has been found to have committed an offence under this Code, the decision shall also include the following:

- 30.5.8(6) a any sanction(s) imposed by the Discipline Officer,
- 30.5.8(6) b the date any sanction(s) shall take effect,
- 30.5.8(6) c information, including any history of related offences, that may have been influential in determining the severity of the sanction,
- 30.5.8(6) d information regarding the Student's rights to appeal, the deadlines to appeal, and the procedures for appeal, where to get access to the Code and where on-campus assistance is available, and
- 30.5.8(6) e notice that any sanction that imposes conditions upon the Student, and that specifies an additional sanction to be imposed should those conditions not be met, must be appealed at the time it is imposed and within the time limits set out in 30.6.1(1). If the conditions are not met, no further appeal is available when the specified additional sanction is imposed. (EXEC 04 MAR 2002)

30.5.8(7) The decision shall be sent to the Student in accordance with 30.5.1(6). Where a Student has requested to pick up the material but fails to do so, the Discipline Officer will decide which method of delivery will be used. (CLRC 31 OCT 2002)

**30.5.8(8)** The Discipline Officer shall send a copy of the decision to the following individuals:

- a) the Appeals Coordinator;
- b) Dean who charged the student;
- c) the Dean of the Student's Faculty;
- d) the Instructor who initiated the discipline process, where applicable;
- e) in the case of a graduate Student found to have committed any offences under Section 30.3.2 (Inappropriate Academic Behaviour) or Section 30.3.6 (Other Offences) for academic advantage, the Graduate Coordinator;
- f) the Office of General Counsel; and

g) the Provost and Vice-President (Academic), or delegate. (EXEC 08 DEC 2003) (BEAC 11 DEC 2003) (EXEC 02 MAY 2005) (BEAC 02 JUN 2005) (CLRC 24 MAY 2012)

In programs jointly offered with another institution, the partner institution shall be copied on the decision when the charges have arisen as a result of inappropriate behaviour at that partner institution. (EXEC 02 MAY 2005)

- 30.5.8(9)** If a sanction is to be noted on the Student's Central Academic Record or Transcript, the Discipline Officer shall so inform the Office of the Registrar. (CLRC 24 MAY 2012)
- 30.5.8(10)** The decision of the Discipline Officer may be appealed to the UAB under 30.6 by the Student and/or the Dean. (CLRC 30 JAN 2003)
- 30.5.8(11)** During the appeal period, a Student appealing to the UAB a decision of Suspension or Expulsion made by the Discipline Officer, may register for Classes and continue to attend Classes. If the Student loses the appeal, no credit will be given for work completed subsequent to the date given in the UAB decision. (CLRC 26 SEP 2002) (EXEC 10 JAN 2005) (BEAC 22 APR 2005) (CLRC 24 MAY 2012)

## **30.6 Procedures for Appeal of Decisions to the University Appeal Board (UAB)**

### **30.6.1 Initiation of an Appeal**

- 30.6.1(1)** When a Student has been found to have committed an offence under the Code of Student Behaviour or an Applicant is found to have committed a offence under the Code of Applicant Behaviour, whether or not that Student or Applicant has been given a sanction, the Student or Applicant may appeal that decision. In cases where a severe sanction has been recommended to the Discipline Officer, once the student receives the final decision of the Discipline Officer, the student can appeal the decisions of both Dean and the Discipline Officer at the same time. The written appeal must be presented to the Appeals Coordinator in University Governance within 15 Working Days of the deemed receipt of the decision by the Student or Applicant. The finding that an offence has been committed, the sanction imposed or both may form the basis of appeal. The written appeal must also state the full grounds of appeal and be signed by the Appellant. The appeal shall be heard by the UAB. (CLRC 30 MAY 2002) (CLRC 25 SEP 2003) (EXEC 01 MAY 2006) (GFC 24 SEP 2007) (BEAC 17 OCT 2007) (EXEC 03 DEC 2012)
- 30.6.1(2)** A Dean may appeal a decision of the Discipline Officer. The appeal must be presented in writing to the Appeals Coordinator in University Governance within 15 Working Days of the deemed receipt of the Discipline Officer's written decision. The decision shall normally be sent by campus mail and will be deemed to have been received 2 working days following mailing. The written appeal must state the

full grounds of appeal and be signed by the Appellant. The appeal shall be heard by the UAB. (CLRC 30 JAN 2003) (EXEC 03 MAY 2004) (EXEC 02 MAY 2005)

**30.6.1(3)** If the appeal is only on the severity of sanction and there is no dispute over facts, the appellant or respondent may request to forego a formal hearing and elect to ask the UAB to hear the appeal only on paper. The request will be made in writing to the Appeals Coordinator, who shall forward it to the Chair for decision. To proceed with a paper appeal, all parties must agree to the request. (GFC 24 SEP 2007) (BEAC 17 OCT 2007)

**30.6.1(4)** The Appeals Coordinator shall keep both parties abreast of all appeals and decisions.

### **30.6.2 Terms of Reference and Powers**

**30.6.2(1)** The UAB, as delegate of General Faculties Council and the Board of Governors, shall have authority to determine whether or not an offence has been committed and to confirm, vary or quash sanctions imposed under the Code of Student Behaviour or the Code of Applicant Behaviour (Section 11.8 of the GFC Policy Manual). Any conditions imposed within a sanction and any additional sanction to be imposed should those conditions not be met, must be appealed at the time they are imposed and within the time limits set out in 30.6.1(1). If the conditions are not met, no further appeal is available when the specified additional sanction is imposed. (EXEC 04 MAR 2002) (CLRC 25 SEP 2003)

**30.6.2(2)** Meetings of the UAB shall be scheduled as required to hear and determine appeals against discipline decisions.

**30.6.2(3)** All decisions made by the UAB will be final and binding.

**30.6.2(4)** The appeal shall be based upon the denial of the offence, and/or the severity of the sanction. A defect in procedures shall not warrant the quashing of the decision being appealed from unless the defect complained of can reasonably be said to have deprived either party of a fair hearing.

### **30.6.3 Composition**

**30.6.3(1)** For each hearing the UAB shall consist of 1 Academic Staff Member as chair and 2 Students. Each member shall be chosen from the panels listed below.

**30.6.3(2)** All panel members (Academic Staff Members and Students) shall be elected by GFC. In selecting members of the Panel, GFC will attempt to keep the membership of the UAB as broadly representative as possible of all Faculties given the available pool of candidates, but it will be permissible for any of the panel members to come from one of the Faculties already represented by one of the other panel members.

**30.6.3(3)** Panel of Chairs: GFC shall elect a panel of up to seven Academic Staff Members to serve as chairs of particular hearings. At least one of the panel members shall have

a Law Degree. The Appeals Coordinator has the discretion to select a panel member with a Law Degree to chair a particular hearing. The panel members will serve for staggered terms of office of up to four years.

**30.6.3(4)** Panel of Students: GFC shall elect a panel of 10 undergraduate Students and 6 graduate Students. All Student members shall be elected for up to two-year terms and are eligible for re-election. (EXEC 01 MAR 2004) (BEAC 30 APR 2004)

**30.6.3(5)** When a hearing involves an undergraduate Student or an undergraduate Applicant\*, the UAB will include at least one undergraduate Student. When a hearing involves a graduate Student or a graduate Applicant\*, the UAB will include at least one graduate Student. For the purposes of selection and service on the UAB, graduate Students are considered to be from the Faculty where they receive supervision. Students who are in any joint graduate/undergraduate Degree program (e.g., the joint MBA/LLB program) are considered to be graduate Students for the purpose of service and selection on the UAB. (EXEC 01 MAY 2006) (EXEC 04 JUN 2012)

\*Applicant is defined in Section 11.8.3.4 of the Code of Applicant Behaviour.

**30.6.3(6)** No UAB member in a hearing will be from a Faculty which is party to the dispute. Students in any joint Degree program will not be called upon to hear appeals that arise from any of the Faculties involved in the joint program.

**30.6.3(7)** If all academic staff members from the Panel of Chairs are unable to serve, the Appeals Coordinator may complete a Panel by selecting, in rotation, first from the UAB Panel of Chairs, and then from the GFC AAC Panel of Chairs. (EXEC 04 JUN 2012)

If all student members from the Panel of Students are unable to serve, the Appeals Coordinator may complete a Panel by selecting, in rotation, either one full-time undergraduate student or one full-time graduate student, from the GFC AAC Panel of Students. (EXEC 04 JUN 2012)

The GFC Executive Committee shall have the discretion to appoint an Academic Staff Member as Chair for a hearing from outside the UAB or GFC AAC Panel of Chairs. (EXEC 04 JUN 2012)

**30.6.3(8)** At the discretion of the Chair, new members may attend a hearing as observers.

**30.6.3(9)** Any panel member who has been called to serve on the UAB for a particular case may complete their service on that case even if their term on a panel expires or, in the case of students, a student graduates or changes status from undergraduate to graduate.

**30.6.3(10)** The Appeals Coordinator or designate may approach the Provost and Vice-President (Academic) (or delegate) if the Appeals Coordinator becomes aware of any reason why a particular member is unable to serve on a hearing panel, and request that the UAB member not be called upon to hear the appeal. The decision

of the Provost and Vice-President (Academic) (or delegate) is final and binding. (CLRC 25 NOV 2004) (EXEC 10 JAN 2005) (BEAC 22 APR 2005)

### **30.6.4 Procedures Prior to a Hearing**

**30.6.4(1)** As soon as an appeal is received the Appeals Coordinator shall:

30.6.4(1) a provide the Appellant with a written acknowledgement of the appeal;

30.6.4(1) b provide the Student or Applicant with a list of on-campus sources of assistance; (EXEC 01 MAY 2006)

30.6.4(1) c provide the Respondent with a copy of the written appeal, and advise the Respondent that a response is required within 10 Working Days; (CLRC 30 MAY 2002)

30.6.4(1) d select a Chair for the UAB hearing;

30.6.4(1) e provide both the Appellant and the Respondent with the name of the proposed UAB Chair and the names of all members of the panel;

30.6.4(1) f direct the Registrar to withhold Degrees, certification of marks and/or transcripts pending the outcome of the appeal;

30.6.4(1) g suspend any sanctions imposed by the Dean or Discipline Officer, or the Registrar. (BEAC 22 APR 2005) (EXEC 01 MAY 2006)

**30.6.4(2)** The Appellant and Respondent will have 5 Working Days after receipt of the names to lodge a written challenge with the Appeals Coordinator requesting that the proposed UAB Chair or a panel member not serve on the appeal.

**30.6.4(3)** Challenges may be made only on the grounds that the proposed UAB Chair or panel member may have a bias that would prevent a fair hearing and must include written reasons to support the challenge. The Chair shall consider and rule upon the challenge. The decision of the Chair may be made without a hearing and shall be final and binding. If the UAB Panel has been constituted, the Appeals Coordinator will replace the UAB member with another member who will be selected by rotation from the same constituent group (i.e., academic staff, undergraduate Student or graduate Student). (EXEC 04 JUN 2012)

**30.6.4(4)** For each appeal, every attempt will be made to have a member in reserve from each category, prepared in advance to attend the hearing. (CLRC 30 JAN 2003)

**30.6.4(5)** All UAB members should declare to the Appeals Coordinator their interests, if any, in a particular case in order to ensure objectivity and a fair hearing.

**30.6.4(6)** The Appellant and Respondent must notify the Appeals Coordinator immediately upon selecting an Advisor or retaining legal counsel for purposes of representation at the UAB hearing.

**30.6.4(7)** Upon receipt of the response to the appeal, a copy will be provided to the Appellant.



- 30.6.4(8)** Appeals are intended to proceed in a timely manner and the hearing date will normally be set to occur within 30 Working Days of the receipt of the appeal.
- 30.6.4(9)** A witness list must be provided to the Appeals Coordinator by both the Appellant and the Respondent at least 5 Working Days prior to the hearing date. The Appeals Coordinator shall ensure that as witnesses become known, the other party and the UAB are informed as to the identity of the witnesses.
- 30.6.4(10)** The UAB Chair in consultation with the Appeals Coordinator will decide any procedural questions that arise before the hearing.
- 30.6.4(11)** Either the Appellant or the Respondent may request in writing an extension of any time limits. The UAB Chair may extend any of the time limits where the UAB Chair is of the opinion that the applicant has a reasonable ground for requesting such extension. The decision of the UAB Chair may be made without a hearing and shall be final and binding.
- 30.6.4(12)**
- a. The Appeals Coordinator shall consult with the Chair, who shall set a time and place for the hearing of the appeal. (CLRC 30 MAY 2002)
  - b. Reasonable delays are allowed but should either party feel that an unreasonable time has passed without the date of the hearing being set, either party may appeal to the UAB Chair, through the Appeals Coordinator, for a ruling as to whether the delay is reasonable. If the UAB Chair decides the delay is unreasonably long, then the UAB Chair shall set the appeal hearing date within 10 Working Days and the appeal hearing must occur within 20 Working Days. The decision of the UAB Chair may be made without a hearing and is final and binding. (CLRC 30 MAY 2002)
  - c. The UAB Chair sets the time and place for the hearing, and the Appeals Coordinator shall constitute the University Appeal Board and provide its members with:
    - i. the date, time and place of the Appeal Hearing,
    - ii. the appeal and any documentation from the respondent, and
    - iii. if applicable, the written report of the Discipline Officer. (CLRC 30 JAN 2003)
- 30.6.4(13)** The Appeals Coordinator shall make certain that both parties have access to the Student's or Applicant's discipline file held in Student Conduct and Accountability, Dean's Office, or the Registrar's Office, up until the time of an appeal hearing. (CLRC 29 MAY 2003) (EXEC 01 MAY 2006) (EXEC 02 APR 2012) (EXEC 11 MR 2016)
- 30.6.4(14)** Notices and other appeal materials sent by the Appeals Coordinator may be hand-delivered, sent by courier, or by regular or registered mail in accordance with

30.5.1(6). In all cases, the Appeals Coordinator will decide which method of delivery will be used.

**30.6.4(15)** Once the date for the appeal hearing is set, the Dean and/or the Director of UAPS shall inform the Complainants that they may request permission to attend the full hearing of their case. The Director of UAPS shall forward such requests to the Appeals Coordinator. The UAB Chair shall decide whether a Complainant may attend as an observer for all or part of the hearing.

### **30.6.5 Procedures at the UAB Hearing**

**30.6.5(1)** The quorum of the UAB shall be three members: the Chair, and two Student members.

**30.6.5(2)** In hearing an appeal, the UAB:

a) shall give all parties to the appeal the opportunity to be heard and to present evidence;

b) in addition to considering the evidence presented and the arguments and submissions of the parties, may consider the written reports or written decisions that are under appeal; and

c) may make any finding or decision of its own, or otherwise confirm, reverse or vary the decision under appeal. (GFC 24 SEP 2007) (BEAC 17 OCT 2007)

**30.6.5(3)** If the Appellant or Respondent does not appear on the date set for the hearing of the appeal, the UAB may, in its discretion, reschedule the hearing or proceed with the hearing in the absence of the Appellant or the Respondent. (EXEC 01 MAY 2006)

**30.6.5(4)** The UAB is authorized to receive advice related to procedural, evidentiary or legal issues raised during the course of an appeal.

**30.6.5(5)** The UAB may request additional material, seek advice from expert witnesses and may have a resource person or persons attend any or all portions of its hearings.

**30.6.5(6)** Material not submitted and/or witnesses not identified prior to an appeal hearing will not be accepted unless the UAB is of the opinion that, with the exercise of reasonable diligence, the material or witnesses could not have been made available or identified prior to the hearing and that the material or testimony of the witnesses is relevant to the appeal.

**30.6.5(7)** The UAB may accept any evidence that it, in its sole discretion, considers proper, whether admissible in a court of law or not; and it is not bound by the Alberta Evidence Act or the law of evidence applicable to judicial proceedings.

**30.6.5(8)** Either party may be accompanied and represented by one Advisor. (EXEC 03 DEC 2012)

**30.6.5(9)** The UAB shall hear the argument of both sides to the appeal and then, by majority vote, shall determine whether or not an offence has been committed and uphold or quash the decision under appeal. Where a decision against a Student or Applicant is upheld, the UAB may confirm, vary or suspend the sanction imposed. (EXEC 04 JUN 2012)

**30.6.5(10)** Both parties and the UAB may call and question witnesses and may call evidence. Each party is responsible for securing the attendance of their witnesses at the hearing.

**30.6.5(11) UAB Suggested Hearing Procedures**

**30.6.5(11)** The UAB shall conduct hearings in a manner which, in its sole discretion, it considers proper. All determinants of process shall be made by the Chair. The hearing will normally follow these procedures, which it may vary: (EXEC 04 JUN 2012)

30.6.5(11) a The Appeals Coordinator shall present the appeal to the UAB, and introduce the parties. (EXEC 04 JUN 2012)

30.6.5(11) b The Chair shall explain the rules of decorum, review the procedures to be followed, and confirm the jurisdiction of the UAB. The Appellant and Respondent may make statements, present evidence and ask questions as noted in this section. All questions should be directed through the Chair unless the Chair decides otherwise. The Chair shall ensure that everyone has sufficient opportunity to ask questions. (EXEC 04 JUN 2012)

30.6.5(11) c The Chair shall invite the Appellant (and/or Advisor) to make an opening statement and present the case. (EXEC 04 JUN 2012)

30.6.5(11) d The Chair will invite the Respondent (and/or Advisor) to question the Appellant. (EXEC 04 JUN 2012)

30.6.5(11) e The Panel may question the Appellant. (EXEC 04 JUN 2012)

30.6.5(11) f The Appellant's witnesses shall be called by the Chair one at a time and shall be present only when they are providing evidence. The witnesses shall be questioned first by the Appellant (and/or Advisor), then by the Respondent (and/or Advisor), and finally by the Panel. The Appellant (and/or Advisor) may then re-question the witness, only on matters that have arisen in the course of the previous questioning by the aforementioned parties. (EXEC 04 JUN 2012)

30.6.5(11) g When questioning is concluded, the witness shall be dismissed by the Chair. The questioning procedures shall be repeated for each witness. (EXEC 04 JUN 2012)

30.6.5(11) h The Chair shall invite the Respondent (and/or Advisor) to make an opening statement and present the case. (EXEC 04 JUN 2012)

- 30.6.5(11) i The Chair shall invite the Appellant (and/or Advisor) to question the Respondent. (EXEC 04 JUN 2012)
- 30.6.5(11) j The Panel may question the Respondent. (EXEC 04 JUN 2012)
- 30.6.5(11) k The Respondent's witnesses shall be called by the Chair one at a time and shall be present only when they are providing evidence. The witnesses shall be questioned first by the Respondent (and/or Advisor); next by the Appellant (and/or Advisor); and finally by the Panel. The Respondent (and/or Advisor) may re-question the witness, only on matters that have arisen in the course of the previous questioning by the aforementioned parties. (EXEC 04 JUN 2012)
- 30.6.5(11) l When questioning is concluded, the witness shall be dismissed by the Chair. The questioning procedures shall be repeated for each witness. (EXEC 04 JUN 2012)
- 30.6.5(11) m The Chair shall invite the Appellant (and/or Advisor) to present any evidence the Appellant (and/or Advisor) may have by way of rebuttal. Such evidence shall be subject to questioning by the Respondent (and/or Advisor); followed by the Panel. (EXEC 04 JUN 2012)
- 30.6.5(11) n The Chair shall invite the Appellant (and/or Advisor) to make a brief closing statement which is not subject to questioning. (EXEC 04 JUN 2012)
- 30.6.5(11) o The Chair shall invite the Respondent (and/or Advisor) to make a brief closing statement which is not subject to questioning. (EXEC 04 JUN 2012)
- 30.6.5(11) p The Chair shall adjourn the hearing for deliberation; the Appellant and Respondent (and Advisors) shall leave the hearing. (EXEC 04 JUN 2012)
- 30.6.5(12)** The UAB will deliberate and reach a decision by majority vote. In cases where the UAB has determined on the balance of probabilities that the Student or Applicant has committed an offence(s), or if otherwise relevant to the consideration of the appropriate sanction, the UAB may take into account any past record of related offence(s) in determining appropriate sanction(s). The UAB may contact the Appeals Coordinator to confirm if there is a previous discipline record. (EXEC 01 MAY 2006) (EXEC 08 SEPT 2008) (EXEC 04 JUN 2012)
- 30.6.5(13)** The Chair of the Panel, where practical, will communicate the decision to the Appeals Coordinator. The Appeals Coordinator, as soon as possible, will relay the decision to the Appellant (and Advisor) and the Respondent (and Advisor). (EXEC 04 JUN 2012)
- 30.6.5(14)** The Chair shall normally submit the written decision of the UAB to the Appeals Coordinator within 10 Working Days of the decision being reached. The Appeals Coordinator shall then send a copy of the UAB's decision to the following individuals:
- a) the Appellant/ Respondent and their respective advisor;
  - b) the Dean of Student's Faculty;
  - c) the Discipline Officer, in cases where the Discipline Officer's decision has been appealed;

- d) the Instructor who initiated the discipline process, where applicable;
- e) in the case of a graduate Student, the Graduate Coordinator
- f) the Provost and Vice-President (Academic), or delegate;
- g) the Office of General Counsel;
- h) Chair of the Student Conduct Policy Committee;
- i) members on the hearing panel; and
- j) the Panel of Chairs.

(CLRC 29 NOV 2001) (CLRC 30 JAN 2003) (EXEC 08 DEC 2003) (BEAC 11 DEC 2003) (BEAC 02 JUN 2005) (EXEC 04 JUN 2012) (GFC 26 FEB 2018)

In programs jointly offered with another institution, the partner institution shall be copied on the UAB decision when the charges have arisen as a result of inappropriate behaviour at that partner institution. (BEAC 02 JUN 2005)

Code of Applicant Behaviour decisions shall be sent to the Registrar and all Faculties to which the Applicant has sought admission. (EXEC 01 MAY 2006)

**30.6.5(15)** The Appeals Coordinator will direct the Registrar to amend the Student's Central Academic Record or Transcript as appropriate to the decision. (CLRC 30 SEPT 2004) (EXEC 10 JAN 2005) (BEAC 22 APR 2005) (EXEC 01 MAY 2006) (EXEC 15 JUN 2012)

**30.6.6** **Hearings of the University Appeal Board are closed to the Public and University Community.**

**30.6.6(1)** The confidential and closed nature of this hearing means that only those persons who have a need to know about the matter may have access to the relevant material.

**30.6.6(2)** If the Vice President (Academic) and Provost and/or the Dean of Students believe that the general issues related to discipline cases should be discussed within the University Community, then a time and venue for such a discussion to take place will be arranged.

**30.7** **Amendment of the Code**

**30.7.1** **Legislative Authority**

General Faculties Council (GFC) and the Board of Governors may amend the Code in exercise of the authority vested in them by Section 31 of the *Post-Secondary Learning Act*. (CLRC 25 SEP 2003) (CLRC 29 OCT 2004 e-mail vote)

**30.7.2** **Editorial Amendments**

**30.7.2(1)** The Student Conduct Policy Committee (SCPC) decides which amendments are editorial. (CLRC 29 OCT 2004 e-mail vote) (SCPC 25 JAN 2018)

- 30.7.2(2)** On delegated authority from GFC, all editorial amendments will be approved by the Student Conduct Policy Committee (SCPC) except editorial amendments to Section 30.6. (CLRC 29 OCT 2004 e-mail vote) (SCPC 25 JAN 2018)
- 30.7.2(3)** All amendments to Section 30.6 will be forwarded to the GFC Executive Committee for approval. (CLRC 29 OCT 2004 e-mail vote)
- 30.7.3** **Substantive Amendments**
- 30.7.3(1)** Amendments to the Code deemed substantive by SCPC are forwarded to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC.(CLRC 29 OCT 2004 e-mail vote) (SCPC 25 JAN 2018)
- 30.7.3(2)** Only substantive changes to Section 30.6 proceed to the Board Educational Affairs Committee, which will decide whether or not it can act on behalf of the Board of Governors. (BEAC 11 JUNE 2004)
- 30.7.3(3)** The Secretary to GFC must notify Students' Union and the Graduate Students' Association of all substantive changes to the Code (including Section 30.6) 15 Working Days before those changes are considered by GFC. The Students' Union and the Graduate Students' Association will be invited to contact their members so that the Students can access the changes on the World Wide Web via University Governance's home page.
- 30.7.4** The Code must be published in each issue of the *University Calendar*. All amendments approved to the Code and subsequent to the publication of the Calendar are available on-line at:  
<https://www.ualberta.ca/governance/resources/policies-standards-and-codes-of-conduct/code-of-student-behaviour> (CLRC 29 OCT 2004 e-mail vote)
- 30.7.5** The Coordinator of SCPC, in consultation with the Appeals Coordinator, shall maintain the Official Copy of the Code and all amendments thereto. (CLRC 29 OCT 2004 e-mail vote) (SCPC 25 JAN 2018)

(CLRC 29 NOV 2001)	(EXEC 04 MAY 2009)
(CLRC 28 FEB 2002)	(CLRC 24 NOV 2011)
(EXEC 04 MAR 2002)	(EXEC 05 DEC 2011)
(CLRC 22 APR 2002)	(CLRC 26 JAN 2012)
(CLRC 30 MAY 2002)	(CLRC 22 MAR 2012)
(CLRC 26 SEP 2002)	(EXEC 02 APR 2012)
(CLRC 31 OCT 2002)	(CLRC 24 MAY 2012)
(EXEC 13 JAN 2003)	(EXEC 04 JUN 2012)
(CLRC 30 JAN 2003)	(CLRC 22 NOV 2012)
(CLRC 27 MAR 2003)	(EXEC 03 DEC 2012)
(EXEC 07 APR 2003)	(CLRC 25 APR 2013)
(CLRC 27 NOV 2003)	(CLRC 06 JUN 2013)
(EXEC 08 DEC 2003)	(GFC 03 FEB 2014)
(BEAC 11 DEC 2003)	(CLRC 28 AUG 2014)
(EXEC 01 MAR 2004)	(EXEC 12 NOV 2014)
(BEAC 30 APR 2004)	(GFC 28 SEP 2015)
(EXEC 03 MAY 2004)	(CLRC 03 FEB 2016)
(BHRCC 05 MAY 2004)	(EXEC 11 MAR 2016)
(CLRC 27 MAY 2004)	(SCPC 25 JAN 2018)
(BEAC 11 JUN 2004)	(GFC 26 FEB 2018)
(EXEC 14 JUN 2004)	(SCPC 11 APR 2019)
(CLRC 30 SEP 2004)	(BG 08 MAY 2020)
(CLRC 29 OCT 2004 e-mail vote)	(BG 22 NOV 2022 e-mail vote)
	(EXEC 05 DEC 2022)
(CLRC 25 NOV 2004)	
(EXEC 10 JAN 2005)	
(CLRC 03 MAR 2005)	
(EXEC 04 APR 2005)	
(BEAC 22 APR 2005)	
(EXEC 02 MAY 2005)	
(BEAC 02 JUN 2005)	
(CLRC 23 JUN 2005)	
(EXEC 01 MAY 2006)	
(BG 12 MAY 2006)	
(GFC 24 SEP 2007)	
(BEAC 17 OCT 2007)	
(CLRC 22 NOV 2007)	
(EXEC 07 JAN 2008)	
(EXEC 05 MAY 2008)	
(BG 12 MAY 2008 effective JULY 1, 2008)	
(CLRC 18 JUN 2008)	
(EXEC 08 SEP 2008)	
(CLRC 25 SEP 2008)	
(CLRC 29 JAN 2009)	
(EXEC 02 MAR 2009)	