

Cape Breton University

CODE OF STUDENT CONDUCT FOR NON-ACADEMIC INFRACTIONS

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Statement of Principle

Cape Breton University is a distinct community of students, staff and faculty committed to creating a scholarly community characterized by honesty, civility, diversity, freedom from harassment, discrimination, and free inquiry. This community promotes and strongly endeavours to create an atmosphere which fosters mutual respect, and ensures individual safety.

The purpose of this Code is to define students' basic responsibilities as members of the University community, to define inappropriate student conduct, and to provide procedures and sanctions to be invoked and applied if students engage in such unacceptable behaviour. For Code of Conduct purposes a student is defined as a person registered for academic study at Cape Breton University.

Each student is responsible for their conduct which affects the University community. This Code shall not be construed to prohibit peaceful assemblies or demonstrations, freedom of speech and academic freedom.

Jurisdiction

This Code does not supersede or take precedence over existing policies but is intended to be applied in concert with them.

This Code applies to the conduct of students: while on University premises; when they are acting as representatives of Cape Breton University; or when student groups attend events held off the University's premises.

Students are expected to be individually responsible for their actions whether acting alone or in a group. The University's position is that students have an obligation to conduct themselves in a responsible manner. The University undertakes or assumes no responsibility for the social or moral behaviour of its students. The University expects students to conduct themselves in a manner that allows all members of the University community the opportunity to experience the peaceful and safe enjoyment of Campus programs and activities.

If students behave in a manner considered to be in contravention of this Code they will be subject to sanctions as outlined in section 11 of this Code.

Sanctions may include, but not be restricted to, prohibition from future campus activities. If circumstances warrant, the President of Cape Breton University has the authority to suspend a student without prior reference to the Judicial System for Non Academic Infractions.

STUDENT JUDICIAL SYSTEM FOR NON-ACADEMIC INFRACTIONS

Introduction

The Student Judicial System for Non-Academic Infraction has been established to provide students at Cape Breton University with a means of administering a judicial system to resolve received complaints. It is not meant as a replacement or substitution to any federal, provincial, or municipal laws governing the community as a whole.

Table of Contents

1. DEFINITIONS	3
2. STATEMENT OF PRINCIPLES	4
3. THE STUDENT JUDICIAL BOARD	5
4. THE UNIVERSITY JUDICIAL BOARD	6
5. COMPLAINTS	7
6. RENDERING A DECISION	9
7. APPEALS	11
8. POWERS OF THE PRESIDENT	12
9. RESIDENCE DISCIPLINARY PROCEDURES	12
10. OFFENCES	12
11. SANCTIONS	16
12. INTERIM SUSPENSION	17
13. PROTECTION OF PROPERTY	17
14. RELATED DOCUMENTS	18

1. Definitions

In this document, unless otherwise specified:

1.1 The "University" means Cape Breton University.

1.2 A "member of the University community" denotes any student, faculty member, administrator or other employee of the University, or any organization or group of persons constituted under the auspices of the University for any academic or non-academic purpose.

1.3 A "Student" denotes a person registered for academic study at Cape Breton University at the time of the alleged misconduct.

1.4 A "Working day" means a day other than a statutory holiday, Saturday or Sunday. Working days in the context of this document exclude official University examination periods.

1.5 An "Advocate" means a person who accompanies either the respondent or complainant to a hearing constituted under these regulations, and in the case of a student with a language, hearing or other barrier to communications, includes a person trained to translate, sign, or offer other suitable communication assistance to the student. The advocate is someone who acts in the capacity of a support person only, and in all cases excludes a practicing lawyer.

1.6 The "Vice President" means the Vice President Academic and Provost.

1.7 The "Director" means the Director of Student Affairs.

1.8 The "Manager" means the Manager of Safety and Security.

1.9 The "Judicial Board" means one of either the Student or University Judicial Boards.

1.10 The "SJB" means the Student Judicial Board.

1.11 The "UJB" means the University Judicial Board.

1.12 The "Appeals Committee" means the Student Judicial Appeals Committee.

2. Statement of Principles

2.1 The University recognizes the fundamental role in a post-secondary learning environment of a peer court of justice for non-academic infractions of a minor nature.

2.2 The authority for establishing a Student Judicial System derives from the power granted to the Board of Governors under the University Act of Incorporation.

2.3 The Director shall exercise the powers with respect to student discipline on behalf of the Board of Governors. In the absence of the Director, the Vice President Academic & Provost will recommend to the President an appointed representative to act with respect to discipline in general and the Student Judicial System in particular.

2.4 The Judicial System has two tiers:

a) the Student Judicial Board (SJB), and

b) the University Judicial Board (UJB)

Only issues and infractions involving the SJB can be appealed through the Student Judicial Appeals Committee (SJAC). All sanctions to be imposed, either through a pre-hearing settlement or on recommendation of the SJB or UJB, are imposed by the Director or the President's appointed representative.

2.5 Students charged by local police or by the R.C.M.P. for alleged offences arising at the University, or at University related events, may also be subject to discipline proceedings under the SJB or UJB.

2.6 The Director shall maintain records of cases dealt with under these regulations. In cases where the student is found guilty of misconduct, the records shall be kept for ten years after the final disposition of the case. Upon request a student will have access to his or her file, and members of the two Judicial Committees (as defined in Article 2.4) will have access to the file as required from time to time in relation to future proceedings under the SJB or UJB involving that student.

2.7 Any member of the SJB or UJB who has been involved in the subject matter before the Board is ineligible to participate as a member of the Board hearing the case. The Board Chair, in consultation with the Director, has the discretion to determine whether the member was involved in the matter so as to disqualify them from participation in the hearing.

2.8 The SJB or UJB may consider any complaint against any member of the Residence community depending on the nature of the complaint.

2.9 Findings against students relating to the University's Sexual Violence Policy and/or Respectful Campus Policy will be reviewed by the University Judicial Board.

3. The Student Judicial Board

3.1 Student Judicial Board

The Student Judicial Board (SJB) is in place to deliberate on cases of minor infractions. The SJB consists of five University students, to be appointed as in Section 3.2.

3.1.1 The SJB elects a Chairperson from its membership.

3.1.2 A decision is made by majority vote, and in the case of a tie vote, the Chairperson casts the deciding vote.

3.1.3 A quorum is three members.

3.1.4 The Chairperson is responsible for keeping an accurate record of the decisions and shall provide a written report of these decisions to the Director.

3.1.5 The Administrative Assistant for Student Affairs acts as the administrative representative of the Board and therefore takes no part in the SJB's deliberations. Should the Administrative Assistant not be available, a member of Student Affairs staff will attend.

3.1.6 The Manager of Safety and Security provides council but takes no part in the SJB's deliberations.

3.1.7 Hearings of the SJB are closed to the public.

3.1.8 All members of the SJB are required to observe the confidentiality of in-camera hearings.

3.1.9 During official University examination periods, which include the period between the last day of class and the commencement of examinations, the SJB cannot hold a hearing, and shall be suspended until the end of the exam period.

3.1.10 The Chairperson of the SJB will ensure that the following documents are maintained during the hearing of each case and that these are filed with the Director following the final decision by the SJB:

3.1.10.1 Any written correspondence between the SJB and any member of the University community concerning the issue.

3.1.10.2 A complete list of the time and duration of meetings held by the SJB, the persons present, the capacity in which they appeared, and a list of items presented as evidence.

3.1.10.3 A complete list of the decisions reached by the SJB including the disposition of any procedural questions that arose during the hearings.

3.1.11 To ensure that records are maintained, Chairpersons may contact the Director for the services of a University secretary. Records are to be maintained in one secure location for a period of 10 years.

3.1.12 The SJB can request that a member of the University community appear as witness at hearings constituted under these regulations.

3.2 Procedures for the Appointment of the Student Judicial Board

3.2.1 Notices will be posted for applications from students or nominations from faculty/staff for members. Application and nomination forms will be supplied by Student Affairs.

3.2.2 Applications and nominations will close approximately March 31 each year. A committee consisting of a faculty member, staff member and a member of the Students' Union executive will prepare a list of recommended appointments for approval to the Vice-President Academic & Provost. The appointments are final and there shall be no appeal by applicants.

3.2.3 The term of office will be from May 1 to April 30 in the appropriate year of expiry.

3.2.4 Typically, members are eligible for reappointment for two (2) consecutive terms.

3.2.5 The following persons are not eligible to serve on the Board: the President of the Students' Union; any student member of the Senate Appeals Committee; and any person who has been penalized under disciplinary regulations immediately preceding the two-year period.

3.2.6 Upon appointment to the SJB, all appointees must attend training sessions. Failure to attend training sessions can result in dismissal from the SJB.

4. The University Judicial Board

The University Judicial Board is in place to review findings or deliberate on cases of a serious nature that include, but are not limited to, sexual or physical violence, serious impacts to another student's rights, or those with a potentially severe outcome such as suspension or expulsion.

The UJB consists of the Director, Student Affairs, an appointed President's Council member, an appointed faculty member by a school Dean, and an appointed student member by the Students' Union.

4.1 The UJB is chaired by the Director, Student Affairs. In the Director's absence, a second appointment of a President's Council member will chair the UJB.

4.2 A decision is made by majority vote, and in the case of a tie vote, the Chairperson casts the deciding vote.

4.3 A quorum is three members.

4.4 The Chairperson is responsible for keeping an accurate record of the decisions and shall provide a written report of these decisions to the President's Office.

4.5 The Administrative Assistant for Student Affairs acts as the administrative representative of the UJB and therefore takes no part in the UJB's deliberations. Should the Administrative Assistant not be available, a member of Student Affairs staff will attend.

4.6 The Manager of Safety and Security provides council but takes no part in the UJB's deliberations. There may be other members of the university who provide council as deemed necessary.

4.7 Hearings of the UJB are closed to the public.

4.8 All members of the UJB are required to observe the confidentiality of in-camera hearings.

4.9 The Chairperson of the UJB will ensure that the following documents are maintained during the hearing of each case and that these are filed with the President's Office following the final decision by the UJB:

4.10.1 Any written correspondence between the UJB and any member of the University community concerning the issue.

4.10.2 A complete list of the time and duration of meetings held by the UJB, the persons present, the capacity in which they appeared, and a list of items presented as evidence.

4.11 Records to be maintained in one secure location for a period of 10 years.

4.12 The UJB can request that a member of the University community appear as witness at hearings constituted under these regulations.

5. Complaints

Procedures for Dealing with Complaints Under the Code of Student Conduct for Non-Academic Infractions and the Residence Disciplinary Process.

5.1. Complaints:

5.1.1 Any member of the University Community may file a complaint based on the offences listed herein. Every complaint must be advised in writing and signed by the complainant. The complaint is to be filed with the Manager, Security Services as soon as

possible within a reasonable time after the alleged infraction. The filing of a complaint may be extended if the Director or designate decides that extenuating circumstances exist. Once the process of hearing a complaint has begun by the SJB or UJB, it may not be withdrawn.

5.1.2 If the Manager of Security Services or Director of Student Affairs is made aware of an offence that is determined to be a risk to the safety of the campus community and the victim wishes to not complete a formal complaint, the offence may proceed through the Code.

5.1.3 When a breach of this Code occurs within a University Residence, the residence staff will forward written details of the charge to the Residence Manager, who shall be responsible to implement the Residence Disciplinary Process as set out in section 9 of this policy. The Residence Manager will also provide copies of the written details of the charge and the resultant disciplinary action to the Director.

5.1.4 Upon receipt of complaint, a determination is made to which tier of the Judicial System the complaint will be classified.

5.2. Time and Place of Hearing:

5.2.1 The Manager or designate, within five (5) working days of receiving the complaint, will inform the respondent, in writing, of the complaint with appropriate documentation and a copy of these procedures. The respondent will be informed of the time and place of the hearing and be invited to meet with the Director to discuss the option of a pre-hearing settlement. Every effort will be made to schedule the hearing within ten (10) working days from the time the respondent is informed of the complaint and the date of the hearing by the Judicial Board. Adjournments may be granted by the Director if sufficient reason is given by either party.

5.3 Pre-Hearing Settlement:

5.3.1 The Director at their discretion is at liberty to accept a guilty plea from the respondent to avoid a full hearing. A sanction as determined by the Director will be assessed; keeping in mind any mitigating factors related to the offence and include the guilty plea.

5.3.2 The deadline for arranging a pre-hearing settlement is 24 hours prior to the scheduled Judicial Board hearing.

5.3.3 If no settlement is reached, the hearing will be held by the Judicial Board, as scheduled, but may be postponed provided all parties are notified in writing. In the event a respondent fails or refuses to attend a hearing before the Judicial Board, the case will be heard in absentia. Should a complainant be requested to attend and fails or refuses to attend a hearing, the case will continue without the complainant's participation.

5.4 Procedures at Hearing of the Judicial Board:

5.4.1 The hearing will be conducted by the Chairperson. Questions of procedure or any other matter pertaining to the general conduct of the hearing will be subject to the rule of the Chairperson.

5.4.2 The complainant or the respondent each has the opportunity to challenge the presence of any member of the judicial board on grounds of personal involvement with some aspect of the case under dispute prior to the date of the scheduled hearing. Such a challenge must be made and supported by facts. The chairperson will decide the validity of the request. In the event the chairperson is the challenged member, the Director will determine the validity of the request.

5.4.3 The Chairperson will ask the respondent to plead guilty or not guilty. If no plea is entered, the Chairperson shall rule that a plea of not guilty be entered.

5.4.4 The complainant and the respondent may be accompanied by an advocate (see: Article 1.5 as to the definition of the advocate). At the beginning of a hearing, the role of the advocate must be declared. The advocate may be silent, offering private counsel, or may assist the complainant in presenting the case. The complainant and the respondent will both be permitted to testify personally and call witnesses, provided however that the complainant's case against the respondent will be completed prior to the respondent testifying or calling witnesses.

5.4.5 Upon completion of the above, both the complainant and the respondent are permitted time for rebuttal and summary. In no event is the respondent compelled to appear as a witness.

5.4.6 The complainant's case will be presented first and after each party testifies, they will call their witnesses. Witnesses will be questioned by members of the Judicial Board. Members of the Judicial Board may call witnesses and these may be questioned by the complainant, respondent and other members of the Board in that order.

5.4.7 Procedural questions arising during the hearing and not covered by these regulations will be decided by majority vote, in camera, of the Judicial Board.

6. Rendering a Decision

6.1 Student Judicial Board

6.1.1 Upon completion of the hearing, and within three (3) working days, the Chair of the Student Judicial Board will inform the Director or designate of the decision in writing and if necessary, make recommendations concerning sanctions. Within five (5) working days of the completion of the hearing, the Director or designate will inform the respondent in writing of the decision in the case and of the right to appeal. Copies of the decision and sanctions will be given to the complainant and the respondent. There may be the circumstances where other members of the university community are informed of the

decision. Some examples may include, but are not limited to Manager of Safety & Security, Manager of Residence, direct supervisor, etc.

6.2 University Judicial Board

6.2.1 Upon completion of the hearing or review, and within three (3) working days, the Chair of the University Judicial Board will inform the President's Office of the decision in writing and make recommendations concerning sanctions. Within five (5) working days of the completion of the hearing, the Director will inform the respondent in writing of the decision in the case. All decisions of the UJB are final and cannot be appealed. Copies of the decision and sanctions will be given to the complainant and the respondent. There may be the circumstances where other members of the university community are informed of the decision. Some examples may include, but are not limited to Manager of Safety & Security, Manager of Residence, direct supervisor, etc.

7. Appeals

7.1.1 Any decision of the Student Judicial Board or the Residence Disciplinary Process may be appealed in writing to the Student Judicial Appeals Committee (SJAC). Appeals must be about an error in process or an appeal of the sanction. An appeal is not a trial de novo.

7.1.2 Decisions of the University Judicial Board are final and cannot be appealed.

7.1.3 The SJAC will consist of the President of the Students' Union, The Director of Student Affairs (Chair), a student (who is not a member of the Student Judicial Board), a member of faculty and/or School Dean.

7.2 Appeals Process

7.2.1 Upon receiving the decision of the SJB the respondent has five (5) working days to indicate in writing to the Chair of the SJAC their wish to appeal the decision.

7.2.2 It is the respondent's right if they so wish to appear before the Appeals Committee to state their case.

7.2.3 The Chair of the SJAC will then schedule a hearing as soon as possible to hear the appeal.

7.2.4 All appeals must be supported by fact and provide information that would allow the SJAC grounds to change a previous decision made by the SJB.

7.2.5 Once the hearing is complete the SJAC will render a decision and advise the respondent within three (3) working days. Decisions of the SJAC are final.

7.2.6 Notice of the appeal and subsequent decision will be forwarded to the Vice President Academic & Provost for information purposes.

8. Powers of the President

8.1 The President or a designate of the President has the right to suspend a student for disciplinary reasons without prior adjudication by the Judicial System. This action, however, would only be taken where the behaviour of the student is considered by the President, at their sole discretion, to constitute a danger to persons or property, or where in the circumstances, the President deems it in the best interests of the University to suspend the student pending a hearing before the Judicial Board.

8.2 Procedures Under the Powers of the President

In case of suspension, the President will notify the Director as soon as practical and the Director shall institute proceedings under the Procedures set out above for the Judicial Process.

9. Residence Disciplinary Procedures

9.1 Procedures for the Residence Disciplinary Process are as set out above in Sections 3 through 7 inclusive, and shall be read to substitute the appropriate change to reference Residence Disciplinary Process where necessary, and a change from the title Director of Student Affairs to Residence Manager where appropriate.

10. Offences

This list of offences is not exhaustive and serves as a guideline only. The following offences are examples, but are not limited to:

10.1 Offences Against Persons

10.1.1 No student shall assault another person sexually, or threaten any other person with sexual assault, or commit an act of sexual harassment toward another person. Refer to [Cape Breton University's Sexual Violence & Guidelines](#) for reporting options.

10.1.2 No student shall otherwise assault another person, threaten any other person with bodily harm, or cause any other person to fear bodily harm.

10.1.3 No student shall create a condition that unnecessarily endangers the health or safety of other persons.

10.1.4 No student shall threaten any other person with damage to such person's property, or cause any other person to fear damage to her or his property.

10.1.5 No student shall engage in a course of vexatious conduct, harassment or discrimination that is directed at one or more specific persons and that is based on age,

race, color, religion, creed, sexual orientation, physical disability, mental disability, a misplaced fear of contracting an illness or disease, ethnic or national or aboriginal origin, family status, marital status, source of income, political belief or affiliation or activity of that person or of those with whom they associate with.

10.1.6 Engage in inappropriate gestures, acts, statements or actions through any form of electronic communication (which includes but is not limited to emails, texts, internet blogs or posts, and all forms of digital and social media) which is objectively offensive and disrupts or interferes with the rights of any member of the university community or the university itself.

10.1.7 No student shall engage in acts that in any activity that humiliates, degrades, abuses, endangers, or subordinates that student, regardless of his or her apparent willingness to engage in the activity in order to gain status in a group.

10.1.8 No student shall engage in unwelcome or persistent conduct that the student knows, or ought to reasonably know, would cause another person to feel demeaned, intimidated or harassed. Examples of such conduct include, but are not limited to:

10.1.8.1 Following another person, or anyone known to that person;

10.1.8.2 Unwanted communication with another person or anyone known to that person;

10.1.8.3 Watching the residence or place of work of another person or anyone known to that person;

10.1.8.4 Threatening another person or any member of the family, friends or colleagues of the other person;

10.1.8.5 Coercing, enticing or inciting a person to commit an act that is humiliating or demeaning to that other person or to others;

10.1.9 Engaging in disruptive or harassing behaviour in a University space, such as but not limited to, faculty offices, classrooms, libraries, labs or common areas.

10.1.10 No one shall record distribute, publish or communicate any images (pictures and/or video), audio or written materials without receiving prior appropriate rights or permission from the affected parties before doing so.

10.1.11 No one shall participate in unfounded complaints under this Code with false, frivolous or vexatious intent.

10.1.12 No one shall participate in retaliation against any participant in a process under this Code.

10.2 Disruption

10.2.1 No student shall, by action, threat or otherwise, disrupt, obstruct or adversely affect any activity organized by Cape Breton University or by any of its faculties, schools or departments, or the right of other persons to carry on their legitimate activities, to speak or to associate with others.

10.3 Offences Involving Property

10.3.1 No student shall take without authorization, misuse, destroy, deface or damage the property of Cape Breton University, or property that is not her or his own, or information or intellectual property belonging to Cape Breton University or any of its members.

10.3.2 No student shall remove the property from its permanent location in Cape Breton University, without authorization.

10.3.3 No student shall create a condition that unnecessarily endangers or threatens destruction of the property of Cape Breton University or any of its members.

10.4 Unauthorized Use of University Facilities, Equipment or Services

10.4.1 No student shall use any facility, equipment or service of the University, or enter or remain on any premises, to which he or she does not have legitimate access, or contrary to the expressed instruction of authorized persons.

10.4.2 No student shall use any University computing equipment, facility, network or system for any disruptive or unauthorized purpose, or in a manner that violates any law, Cape Breton University regulation, policy and procedure, or in any way that is incompatible with the principles in the Acceptable Use Agreement. Examples of inappropriate use of computer equipment, facilities, networks and systems include, but are not limited to:

10.4.2.1 Copying, removing or distributing software and/or data without authorization;

10.4.2.2 Using another person's account, or misrepresenting themselves as another user;

10.4.2.3 Disclosing confidential passwords, access codes, etc., assigned to themselves or others;

10.4.2.4 Interfering with the work of others using computing equipment, facilities, networks, systems or accounts;

10.4.2.5 Displaying, transmitting, distributing or making available information that is discriminatory, obscene, abusive, derogatory or harassing;

10.4.2.6 Breaching terms and conditions of software licensing agreements;

10.4.2.7 Interfering with the normal operation of computing equipment, facilities, networks or systems by, among other things, flooding the network with messages, sending chain letters or pyramid solicitations;

10.4.2.8 Using the University's computing equipment, facilities, networks and systems for profit or commercial gain.

10.4.2.9 No student shall destroy, misplace, misfile, or render inoperable any stored information such as books, film, data files or programs from a library, computer or other information storage, processing or retrieval system owned or controlled by Cape Breton University.

10.5 Aiding in the Commission of an Offence

10.5.1. No student shall encourage or aid another student in the commission of an offence defined in this Code or under any laws of Canada or the province, or encourage or aid behaviour by a non-student which, if committed by a student, would be an offence under this Code or under any laws of Canada or the province.

10.6 Alcohol and Drug Use While on University premises

10.6.1 No student shall contravene the Liquor Control Act of Nova Scotia or a provision of the Campus Alcohol Policy, nor shall any student possess, use or sell a drug to which access is restricted by the Narcotics Control Act.

10.7. False Information and Identification

10.7.1 No student shall knowingly furnish false information to any person or office acting on behalf of the University.

10.7.2 No student shall forge, alter or misuse any document, record or instrument of identification.

10.7.3 No student shall knowingly furnish false information to any person regarding his or her standing, status or academic record at Cape Breton University.

10.8 Possession of a Firearm or Weapon

10.8 No student shall possess a firearm or other weapon as defined by the Criminal Code of Canada on University premises.

10.9 Failure to Comply

10.9 Failure to comply with a sanction imposed by the Committee will constitute grounds for the imposition of additional sanctions.

10.10 Other

10.10 No student shall contravene any provision of the Criminal Code or any other federal, provincial or municipal statute on the premises of the University or in the course of the University's programs or services, or University approved events or activities.

11. Sanctions

This list of sanctions is not exhaustive and serves as a guideline only. The following sanctions are examples, but are not limited to:

11.1 In each case in which the Judicial Board determines that a student has violated the Student Code, the sanction(s) shall be determined and imposed by the Judicial Board.

11.2 The following sanctions may be imposed upon any student found to have violated the Student Code:

11.2.1 **Warning** - A notice in writing to the student that the student is violating or has violated institutional regulations.

11.2.2 **Probation** - Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.

11.2.3 **Loss of Privileges** - Denial of specified privileges for a designated period of time.

11.2.4 **Restitution** - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement of damaged or lost items.

11.2.5 **Discretionary Sanctions** - Work assignments, service to the University or other such discretionary assignments that are considered appropriate by the Student Judicial Committee.

11.2.6 **Conditions** - Conditions may be imposed upon a student's continued attendance at Cape Breton University and may include forfeiture of University awards or financial assistance.

11.2.7 **University Suspension** - Suspension of the student from the University for a specified period of time, after which the student is eligible to return. Conditions for readmission may be specified.

11.2.8. **University Expulsion** - Permanent separation of the student from the University.

11.3. More than one of the sanctions listed above may be imposed for any single violation.

11.4. Record of the infraction will be maintained in the Office of the Director of Student Affairs. If the student is expelled or suspended such sanction will be recorded on the student's academic record. However, in the case of a suspension, once the sanction period has ended, the notice will be removed from the student's academic record.

11.5. No student found guilty of an offence under this Code shall refuse to comply with a sanction or sanctions imposed under the procedures of this Code. Such refusal will constitute grounds for the imposition of additional sanctions. (Refer to Offences clause 10.)

11.6. The Committee may direct that a sanction be held in abeyance if a student's registration at the University is interrupted for any reason.

12. Interim Suspension

12.1. Interim suspension may be imposed only:

- a) to ensure the safety and well-being of members of the University community or preservation of University property;
- b) to ensure the student's own physical or emotional safety and well-being;
- c) if the student poses a threat of disruption or of interference with the operations of the University or the activities of its members.

During the interim suspension, the student may be denied access to specific campus facilities (including classes) and/or any other University activities or privileges for which the student might otherwise be eligible, as the President or the designate may determine to be appropriate. A student who is the subject of an interim suspension may appeal in writing, with reasons, to the Vice President Academic & Provost.

13. Protection of Property

13.1 Cape Breton University is the owner and/or occupier of the lands and buildings which comprise its campuses. In addition to all other processes set out in the Academic Calendar (including the Code of Student Conduct), the University reserves the right to exercise all rights legal and equitable and remedies available to it pursuant to any statute, by-law, regulation, ordinance, order, or otherwise, in order to protect campus property and those who use it.

13.2 Without limiting the foregoing, Cape Breton University may serve notice against a student pursuant to the Protection of Property Act prohibiting entry to all or part of the campuses or prohibiting a particular activity or activities on all or part of the campuses, where circumstances warrant. Such a notice may be issued either separately or in

conjunction with the procedures set out in the Code of Student Conduct. The notice may be in force for the period stated in the notice, which will normally be for up to one calendar year. If considered appropriate by the Director, a notice may be renewed for further periods.

13.3 A notice under the Protection of Property Act may also be issued by Cape Breton University at the request of the Students' Union. In the case of urgent or emergency situations, such notice may be served immediately. If the Students' Union request is to have a notice served on a registered Cape Breton University student, the Students' Union shall make a written request to the Director providing detailed reasons for the request and the process followed leading up to the request for the notice, including details of whether the student was advised that his or her behaviour or activities were inappropriate and ought to cease, the reasons provided to the student, and whether the student was afforded the opportunity to respond or to rectify behaviours or cease the inappropriate activity.

13.4. A Cape Breton University student may appeal any notice issued against him or her under the Protection of Property Act in writing to the Vice President Academic & Provost.

14. Related Documents

This list of other documents is not exhaustive and serves as a guideline only. The following policies are examples, but are not limited to:

Occupational Health and Safety
Lounge Management Agreement
Cape Breton University Liquor Policy
Risk Management Policy
Acceptable Use Agreement for Computer Services
Respectful Campus Policy
Sexual Violence Policy & Guidelines