

STUDENT RIGHTS AND RESPONSIBILITIES POLICY

Authorizer: Vice-President, Student Affairs

Effective Date: 10/1/2018

POLICY STATEMENT:

This policy defines student rights and student responsibilities at Conestoga College. These definitions set the expectation and accountability for appropriate student behaviour and operation at the college. Rights and responsibilities are a partnership; as such, this policy provides equal consideration to both.

The associated procedure outlines the process when a student and/or the college (either its members or its practices) breaches a student's rights and/or responsibilities.

STUDENT RIGHTS:

- **To Learn:** Students have
 - the right to protection and accommodation under the *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms* (subject to limitations), such as for a documented physical, learning, medical, mental health, or religious requirement;
 - the right to receive academic information as may be necessary to understand the requirements to successfully complete the course or academic program;
 - The right to view submitted course work, to have the evaluation explained within the academic regulations timeframe, and reassessed, when appropriate; and
 - the right to use facilities designated by the college as available for student use.
- **To Be Safe:** Students have
 - the right to learn and work in an environment that is safe, secure, free from harassment and/or discrimination and to be treated with respect and dignity.
- **To Be Informed:** Students have
 - the right to inquire and be informed about the rules and regulations of the college that affect students, including all policies, procedures and regulations;
 - the right of confidentiality and access to personal records as provided for under the *Freedom of Information and Protection of Privacy Act*; and
 - the right to have a person present at meetings with the college.
- **To Be Heard:** Students have
 - the right to express personal opinions and views, subject always to the general law and laws of defamation;

- the right to self-identify and express personal and cultural identity and traditional knowledge, without fear of reprisal;
- the right to make a complaint and/or inquire about academic or other college matters and to receive a response, without fear of reprisal;
- the right to be informed of, and be able to respond to, allegations of unacceptable behaviour or any conduct for which sanctions are imposed; and
- the right to form, join in, or take part in a lawful group or organization in accordance with student responsibilities.
- **To Appeal:** Students have
 - the right to request an appeal regarding matters which may affect academic status and/or promotion; and
 - the right to submit a challenge regarding the formal process taken and/or decision imposed by the college that could be considered unfair, unsubstantiated, or detrimental to academic success.

STUDENT RESPONSIBILITIES:

- **Respect for Persons:** Students have the responsibility to respect the well-being and personal worth and dignity of all college students, employees, and affiliated members. This includes, but is not limited to
 - being mindful of personal well-being and initiating appropriate steps for selfcare;
 - behaving in a way that does not harm, or threaten to harm, another person's physical or mental well-being; including harassment or discrimination (see [Discrimination and Harassment Prevention Policy](#) for definitions)
 - considering and respecting diverse perspectives and the ideas of others, even when conflicting with your own; and
 - refraining from using information and communication technologies to engage in deliberate, repeated and/or hostile behaviour that has a negative impact on another person's dignity, causes harm, or makes a person feel unsafe.
- **Respect for College Learning and Working Environment:** Students have the responsibility to actively contribute to a positive learning and working environment while on campus or participating in any learning experience associated with the college. This includes, but is not limited to
 - refraining from disrupting or interfering with college activities or impeding the educational objectives of the college;
 - using alcohol, tobacco and tobacco products, ceremonial medicines, or any other permitted substance responsibly and only in designated areas while on college property or participating in college activities;
 - requesting and receiving approval through Security Services to possess any item that could reasonably be considered a weapon (otherwise weapons are prohibited);
 - [acting honestly in all academic matters](#) and being honest when dealing with other members of the college community;
 - complying with program and professional standards in related field(s); and

- complying with the direction of any college official who is acting in the proper performance of their duties and participating in any investigation as deemed appropriate or necessary by Security Services.
- **Respect for Property, Facilities and College Reputation:** Students have the responsibility to respect college property and facilities as well as the property and facilities of employers and community partners. In addition, students have the responsibility to represent the college in a positive manner. This includes, but is not limited to
 - refraining from using or taking property without appropriate permission;
 - being respectful and accountable when using, borrowing, and/or returning the property of the college or members of its community;
 - behaving in a way that obeys the rules and regulations of college-owned or operated facilities and other off-campus, non-Conestoga facilities while engaged in learning activities on their premises; and
 - demonstrating sound judgment and positive leadership when representing the college at all college-sponsored or affiliated events.

SCOPE AND APPLICATION OF POLICY AND PROCEDURES:

- This Policy applies to reports about the rights and responsibilities of students whether the incident(s) occurred at College owned or operated facilities or at a College sponsored or affiliated activity and when the conduct has a substantial link to the College, implications for students or employees or the educational mission of the College, and is within the College’s scope of responsibility. This includes incident(s) that occur on or off campus and behaviour observed or carried out through an electronic, online or social media platform, or by using text, audio, video or images.
- Incidents reported may be investigated in circumstances where the Respondent is a current Member of the Conestoga Community. A “current” Member of the Conestoga Community for the purposes of a formal investigation includes Respondents who may not presently be at Conestoga but have an ongoing relationship with the College. Where a Formal Report is made against a person who is not currently a Member of the Conestoga Community, Conestoga may suspend the investigation. Where a Formal Report is made against a person who, for example, is a visitor, volunteer or contractor, Conestoga may take steps other than a formal investigation in response to Disclosure or Report, for example by prohibiting guests or contractors or others from entering on Conestoga property.
- The procedure associated with this policy for imposing Immediate Measures on Respondents and for investigating incidents, including imposing sanctions or remedial measures on Respondents, applies to student Respondents.

- Where the respondent is a student who is also an employee of the College, the student will also be subject to the provisions of this Policy and any applicable terms of their applicable collective agreement or employment agreement.
- Where the Respondent to a Report is an employee of Conestoga, Human Resources will follow the applicable collective agreement provisions.

DEFINITIONS:

Disruptive Student Behaviour

Behaviour that can reasonably be viewed as interfering and/or prohibiting the ability of faculty to teach or students to learn as well as negatively impacting the learning or working environment. Such behaviour may include, but is not limited to:

- use of obscene and/or disrespectful language;
- failure to comply with reasonable directions of college staff or faculty;
- combative interactions with faculty, staff, or other students in and outside of the classroom;
- harassment and/or discrimination of an individual or group online or in-person;
- theft and destruction of personal and college property;
- prohibited substance use and related activity including sale or possession of prohibited substances;
- use of alcohol, tobacco, and tobacco products or any other permitted substance in unauthorized areas and/or intoxication on college property, including Residence; and
- disruptive behaviour while participating in a work-integrated learning experience with an employer or community partner.

Complainant

The individual who lodges the concern, either for themselves or on behalf of someone else, whether verbally or in writing.

Respondent

The individual(s) named in the concern.

REFERENCES:

The Freedom of Information and Protection of Privacy Act (FIPPA)
[The Ontario Human Rights Code](#)

RELATED DOCUMENTS:

[Academic Dispute Resolution and Appeal Policy](#)
[Academic Offences Policy](#)
[Acceptable Use of Technology Policy](#)
[Co-operative Education Policy](#)
[Discrimination and Harassment Prevention Policy](#)
[Employee Code of Conduct](#)

[Off-campus Activities Policy](#)
[Sexual and Gender Based Violence Policy](#)

REVISION LOG:

10/12/2018	Academic Coordinating Committee
10/19/2022	Academic Forum