



TRINITY WESTERN
UNIVERSITY

Student Code of Conduct



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1. STUDENT CODE OF CONDUCT

TWU is a global Christian university with a vision for developing people of high competence and exemplary character who distinguish themselves as master learners. Within the TWU community, students, faculty, and staff come together to pursue truth and excellence with grace and diligence, treat people and ideas with charity and respect, think critically and constructively about complex issues, and willingly respond to the world's most profound needs and greatest opportunities in light of God's revelation in Christ. It is important to note that it is expected that when you accept the invitation to study at TWU, you will strive to achieve respectful and purposeful unity that aims for the advancement of all. It is essential for you to consider what it means to live and learn with others who commit to honour and respect the unique Christian mission, values, and vision that distinguishes Trinity Western University from public universities. By accepting the invitation to attend Trinity Western University, students are agreeing to abide by the Student Code of Conduct.

2. PURPOSE

The Student Code of Conduct is intended to promote the formation of a distinctive community that acknowledges and respects the Christian values of TWU, believing that this will optimize the learning environment and maximize the University's capacity to fulfill its mission and achieve its aspirations. These values include love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, self-control, compassion, humility, forgiveness, peacemaking, mercy, and justice. All members of this community are expected to conduct themselves in a manner that contributes positively to an environment in which respect, civility, diversity, opportunity, and a commitment to the dignity of all people are valued.

While recognizing that not all students will personally affirm or seek to believe the theological views that are central to the University's Christian identity, our clear expectation is that all who wish to study at TWU will respect evangelical Christian beliefs and practices, including the recognition of the truth and authority of the Bible as God's authoritative revelation.

3. SCOPE

This Student Code of Conduct applies to all students enrolled in a TWU course, including, to the extent reasonably applicable, online courses.

4. JURISDICTION

The Student Code of Conduct applies while on TWU's campus and extension sites. It also applies elsewhere during or in the context of:

- University-sponsored programs or activities (such as University travel studies, University athletic events and competitions, University field trips, and TWU student leader organized events)
- A student representing the University or any TWU student club or organization off campus (such as service-learning trips, athletics' team travel)



- A student representing the University or any TWU student club or organization as an online group (such as a discipleship group via Teams, etc.)
- A relationship between the student and a third party that involves the student's status as a TWU student (such as practicum opportunities, work-integrated learning, internships, etc.)
- The student acting as a representative of the University for any reason

TWU may also invoke the Student Code of Conduct and Process, or any accompanying policies (i.e., TWU's Sexualized Violence Policy and Bullying and Harassment Policy) in other circumstances arising from off-campus or online actions of students that will have a substantial negative impact on TWU, such as a criminal offence committed by a student or online bullying and harassment. Additionally, for residents, please reference the Housing Policies web page for more specific policies and guidelines related to living on campus.

5. STUDENT CODE OF CONDUCT OBJECTIVES

The goal of the student conduct process is to contribute to both the student's personal development and spiritual growth. The objectives of the process are:

5.1 Student Life Objectives

- to prayerfully and objectively assess what has occurred and indicate to the student what violation(s) has/have been committed;
- to demonstrate care and acceptance for the individual even if behaviour may be unacceptable;
- to educate the student, explaining the reasons for the Student Code of Conduct and/or policies and guidelines of the University;
- to protect other students and the University community from conduct that is detrimental to the community, values, or learning environment of the University; and
- to balance the needs of an individual along with the needs of the greater community.

5.2 Objectives for the Student

- for the student to decide that their future behaviour will be in keeping with the Student Code of Conduct and policies and guidelines of the University;
- for the student to accept accountability for his or her behaviour; and
- for the student to work towards the restoration of self to the community through sanctions.

5.3 Non-Disciplinary Policy of Trinity Western University

Students struggling with difficult issues in their personal lives are encouraged to seek out a Student Life staff member for help at any time. Except in situations where the University is required by law to take appropriate disciplinary action (e.g., harassment, sexual assault, etc.), students who come to a Student Life professional staff member for help related to lifestyle behaviours (e.g. alcohol, drug use, tobacco dependency, sexuality, etc.) prior to staff becoming aware of a violation of University policy will be offered support and help outside of the regular student conduct process.



TWU has often found that students who violate the policies and guidelines in the Student Code of Conduct are experiencing larger issues in their life, which can lead to further disengagement from the University or community. It is hoped, therefore, that the accountability process may ultimately challenge the pursuit of change, godliness, and character development within individuals and restore them to the community in the way that the student requires.

6. DEFINITIONS

Student Code of Conduct: The Student Code of Conduct is the set of rules and guidelines that the University has established in order to be intentional about the community that it creates. By accepting the invitation to attend Trinity Western University, students are agreeing to abide by the Student Code of Conduct.

Student Code of Conduct Proceeding: The Student Code of Conduct Proceeding is the way in which Trinity Western University keeps students accountable to the Student Code of Conduct.

Student Conduct Officer (SCO): A Student Conduct Officer is a member of the Trinity Western University staff assigned to journey with students through the Student Code of Conduct Proceeding. SCO(s) are typically Student Life staff and are determined by the Director of Residence & Student Code of Conduct. All SCO(s) have been trained in the Student Code of Conduct and are equipped to support and journey with students through the proceedings.

Student Conduct Meeting: The Student Conduct Meetings are the times where an SCO is meeting with a student about alleged misconduct that may have occurred.

Student Conduct Resolution Meeting: Student Conduct Resolution Meetings are meetings that happen at the end of an investigation to share the findings of the investigation.

Director of Residence Life & Student Code of Conduct: The Director of Residence Life and Student Code of Conduct is a senior leader in the Student Life division of Trinity Western University. The Director of Residence and Student Code of Conduct is the Chief SCO and oversees the Student Code of Conduct. The Director of Student Code of Conduct acts on behalf of the University President.

Director of Residence Life & Student Code of Conduct Designees: The Director of Residence Life and Student Code of Conduct Designees are individual staff members that the Director of Residence Life and Student Code of Conduct assigns to cases of student misconduct. These designees act as SCOs and are trained in the same way. These designees include but are not limited to the Director of Commuters, Assistant Directors of Residence Life or Commuters, or the SCOs, i.e., Resident Directors.

Student Conduct Officer Investigation: The Student Conduct Officer Investigation is when one or two SCOs conduct the investigation process and carry out the Student Code of Conduct Proceeding.

Student Conduct Panel Resolution: The Student Conduct Panel Resolution is when the Director of Residence and Student Code of Conduct deems a case too severe or complicated for it to be handled at the Student Conduct Officer Investigation level. The Director of Residence and Student Code of Conduct would establish a panel of SCOs in order to conduct the Student Code of Conduct Proceeding.



Sanctions: Sanctions refer to the measures that are taken as a result of an infraction against the Student Code of Conduct. There are both Active and Inactive Sanctions. Active Sanctions are measures that the students choose alongside their SCOs as an activity or program that they will complete as a result of their infraction. Inactive Sanctions are measures that are imposed upon the student as a result of their infraction.

Interim Measures: Interim Measures are non-punitive measures that are put in place for a temporary period of time while an investigation or Student Code of Conduct Proceeding occurs. Interim Measures are made in consultation with the Vice President of Student Life (or Executive Director of Student Life) as a way to ensure the safety and care for the campus.

Balance of Probabilities Standard of Proof: The standard of proof regarding the TWU Student Code of Conduct is the “balance of probabilities.” In a case where there is one person’s word or version of events conflicting with another, this standard is applied to determine what is most probable to have happened. This is a lower standard of proof than that used in the criminal justice system, which requires that a case be established “beyond a reasonable doubt.”

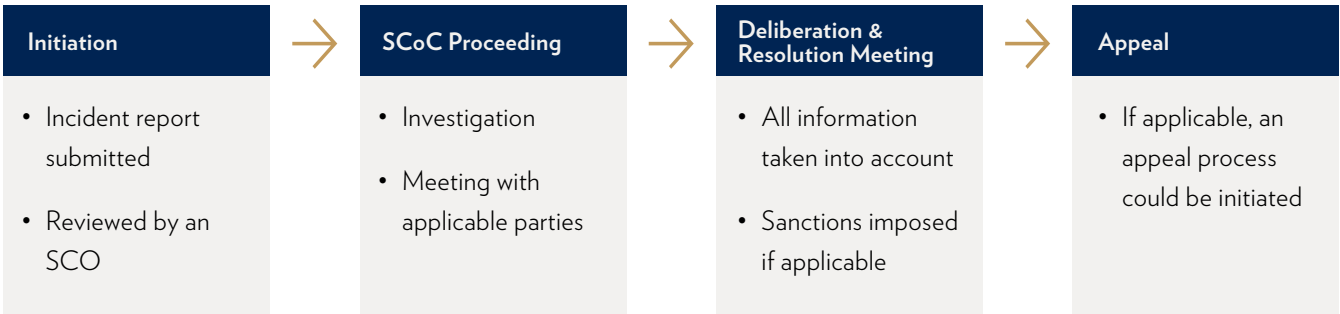
7. STUDENT CODE OF CONDUCT PROCEEDING

7.1 Overview

In Christian love and respect, students are encouraged to take responsibility and seek resolution when tension, misunderstanding, conflict, failure, or disagreements have fractured a relationship. It is expected that as adult learners, members of our community will seek a mutual solution to problems that arise within the context of daily living together. Persisting through personal shortfalls is essential and foundational to successful community living. At a grassroots level, it is both expected and encouraged that students, staff, and faculty will sensitively hold one another accountable to the values and ideals of the University out of sincere concern for one another.

Disregard for community responsibility and accountability is considered inappropriate behaviour as it may jeopardize the effectiveness of the learning environment and mission of the University. Students are expected to reflect upon their own goals and values to ensure that they are not in conflict with, or do not undermine, the evangelical Christian environment they have chosen to participate in by attending TWU.

The Student Code of Conduct Proceeding may be initiated as the result of a complaint against a student brought to Student Life by another member of the community or may be initiated by an SCO.



7.2 Initiating a Student Code of Conduct Proceeding

A Student Code of Conduct Proceeding is initiated when the Director of Residence and Student Code of Conduct or Director of Residence and Student Code of Conduct Designee receives an incident report regarding alleged student misconduct. After this report is received, an SCO conducts a preliminary review to determine whether there are sufficient grounds to warrant a Student Conduct Investigation. In most cases, the review is as simple as reading an incident report to determine whether the allegations, if true, would amount to a breach of the Student Code of Conduct. However, a review could also include preliminary witness interviews or obtaining other documentation of the incident.

At the conclusion of the preliminary review, the SCO will determine whether there are sufficient grounds to hold a Student Conduct Investigation. If there are insufficient grounds, then no further formal student conduct action will be taken. If it is deemed there are sufficient grounds, the SCO will initiate a Student Code of Conduct Proceeding using either the Student Conduct Officer Investigation or Student Conduct Panel Resolution process as outlined below:

The SCO will consult with the Director of Residence and Student Code of Conduct (and/or the Vice President of Student Life) to determine whether Interim Measures should be invoked. The purpose of Interim Measures is, to the extent possible, to ensure the safety of all persons involved, reduce concerns for personal, physical, and emotional safety, and overall to prevent the creation of a hostile environment for the individual and the community. Interim Measures may include but are not limited to, residence hall relocations; restrictions to campus housing or other campus locations and activities; alternative class assignments or classrooms, limitation to online class participation; and interim suspension.¹

7.3 Student Code of Conduct Proceeding with an Incident Report

The following section describes the process used when the alleged violation is not only a violation of University policy but also involves a student or staff complainant (i.e., possession of drugs, physical assault, theft, etc.). The Student Code of Conduct Proceeding does not deal with cases that involve bullying, harassment, or sexualized violence. There are separate processes and policies for such cases. For information related to bullying, bias, harassment, and discrimination incidents, refer to the University's Bullying and Harassment Policy. For information related to allegations of sexual harassment, sexual assault, stalking, dating or domestic violence, refer to the Sexualized Violence Policy, which includes a complete policy with definitions and an explanation of the procedures that the University will follow in such cases.

If there are sufficient grounds to proceed, the student facing allegations of misconduct will be notified of the alleged misconduct and given the opportunity to respond in writing. In most, but not all, instances, notification to the student will be communicated no more than five business days following the SCO's receipt of information concerning the student's alleged misconduct. The SCO will meet with the reporting party and the responding party (respondent) separately to explain the student conduct process and obtain from each a written statement and list of witnesses, if any, who may have information pertinent to the incident.

After these steps are completed, the SCO will make a determination on whether enough information exists to hold a Student Conduct Resolution Meeting. A judgement that available information is insufficient to result in disciplinary action against the respondent at the time does not mean that the complainant has not suffered harm or injury.

If the SCO determines enough information exists to hold a Student Conduct Resolution meeting, they will forward all relevant information to the appropriate student conduct body, depending upon the type of resolution chosen by the Director of Residence



and Student Code of Conduct (Student Conduct Officer Investigation or Student Conduct Panel Resolution). The complainant and respondent will generally be given at least twenty-four (24) hours' advance notice for Student Conduct Officer Investigation meetings or Student Code of Conduct Resolution meetings and seventy-two (72) hours' advance notice of the scheduled meeting time for Student Conduct Panel Resolution meetings.

Students are expected to participate in the student conduct process when they are called as a reporting party, responding party, or witness. Should a student fail to appear for a meeting when proper notification has been given or should the student fail to provide a statement during the conduct process, the meeting will proceed without benefit of that student's input. Student Conduct Meetings will be scheduled taking into consideration the student's regular academic schedule only (class and practicums), whenever reasonably possible.

7.4 Rights of the Individual Alleging the Violation (Reporting Party or Complainant)

- The right to make a written report, which will initiate the student conduct process.
- The right to a Student Conduct Meeting after filing a report.²
- The right to a support person³ chosen in consultation with the Director of Residence and Student Code of Conduct (or designee), who will assist the individual through the student conduct process.
- The right to pursue their educational experience while the student conduct process is still pending, free from harassment by the responding party or individuals connected to the responding party. Anyone who feels the responding party or individuals connected to the responding party has/have inappropriately contacted them should immediately contact their SCO.
- The right to respond to opposing information.⁴
- The right to provide witnesses and information pertaining to the case.
- The right to be reasonably informed as soon as possible of the outcome of the conduct process, subject to the privacy rights of other parties.
- The right to the confidentiality of the student conduct process to the extent reasonably possible.
- The right to request academic schedule adjustments or other academic assistance for missed classes or exams or help with rearranging coursework.⁵
- The right to request a change of on-campus residence for the complainant or respondent if both live in residential housing, and the circumstances warrant.
- The right to request a no-contact order for the respondent as an Interim Measure through the student conduct process in appropriate circumstances.

1. See section 11.4 for more information on Interim Measures.

2. Cases reported just prior to the end of a semester may be delayed by the semester break.

3. See Section 8.1 for more information on a support person.

4. See Section 7.6 for more information on Right to Confront Opposing Information.

5. Faculty holds the right to decide whether or not a student is allowed to make up missed exams or classes. Student Life can only assist in the process of working with faculty in these cases.



- The right to on-campus emergency counselling sessions with a member of the Mental Health Services Team in appropriate circumstances.
- The right to seek off-campus medical and counselling services.
- The right to file a police report and take legal action separate from and/or in addition to the student conduct process.⁶
- The right to have legal counsel present if the conduct matter involves the complainant being a potential victim of a criminal offence.⁷
- The right to appeal the outcome of the Student Code of Conduct Proceeding.

7.5 Rights of the Individual Accused (Responding Party)

- The right to receive written notice of the alleged misconduct.
- The right to a timely Student Conduct Meeting after being notified of the report.⁸
- The right to a support person of their choice in consultation with the Director of Residence and Student Code of Conduct (or the Directors' designee) who will assist the individual through the student conduct process.
- The right to pursue their educational experience while the student conduct process is still pending free from harassment by the reporting party or individuals connected to the reporting party. Anyone who feels the reporting party or individuals connected to the reporting party has/have inappropriately contacted them should immediately contact the Conduct Officer.
- The right to respond to opposing information.⁹
- The right to provide witnesses and evidence pertaining to the case.
- The right to be informed as soon as possible of the outcome of the student conduct process.
- The right to the confidentiality of the student conduct process to the extent possible.
- The right to on-campus emergency counselling sessions with a member of the Mental Health Services Team in appropriate circumstances.
- The right to seek off-campus medical and/or counselling support.
- The right to have legal counsel present if the conduct matter involves actual or potential criminal charges.¹⁰
- The right to appeal the outcome of the Student Code of Conduct Proceeding.¹¹

7.6 The Right to Confront Opposing Information

The right to respond to opposing information does not mean that students have the right to directly address, question, or speak to witnesses. It means that the respondent and the reporting party (when applicable) have the right:

- to view one another's written statements submitted to the investigator prior to a Student Conduct Meeting;

6. Students are able to receive support/assistance in filing a police report to the police from any Residence Life staff member.

7. See Section 8.2 for more information regarding legal counsel.

8. Cases reported just prior to the end of a semester may be delayed by the semester break.

9. See Section 7.6 for more information on Right to Confront Opposing Information.

10. See Section 8.2 for more information regarding legal counsel.

11. See Section 12 regarding the Appeal Process.



- to receive or be verbally informed during the Student Conduct Meeting or Student Code of Conduct Proceeding of relevant and material opposing information communicated to or discovered by the investigator in the course of the investigation; or
- to receive or be verbally informed of relevant and material opposing information communicated by a witness during the Student Code of Conduct Proceeding.

Relevant and material information is information directly related to the merits of the allegation that when considered would materially or substantially influence the decision maker(s) in reaching a decision.

8. SUPPORT & LEGAL COUNSEL IN THE STUDENT CODE OF CONDUCT PROCEEDING

8.1 Support

At Trinity Western University, we are committed to fostering a supportive and nurturing environment for all our students. Our policies and procedures are designed to ensure that students receive the guidance and support they need to thrive academically, socially, and spiritually.

Parents, relatives, and friends are not permitted to attend Student Code of Conduct Proceedings under this policy. However, students are strongly encouraged but not required to choose—upon approval of the Director of Residence and Student Code of Conduct—a faculty or staff member to support them during Student Code of Conduct Proceedings. Undergraduate students may choose the Vice President of Student Relations of the Trinity Western Student Union Association as a support person, while graduate students have the option to include a member of the Graduate Student Executive Council. The Director of Residence and Student Code of Conduct will work with support persons to ensure there is not a conflict of interest and that they are not likely to be a witness. Students must request their support person at least 24 hours in advance of their scheduled meeting.

The support person chosen may be present at any time during the proceedings but is not an advocate for the student in the proceedings and may not address the SCO(s) or the Student Conduct Panel or speak on behalf of the student. The support person may request to speak with the student privately during the Student Code of Conduct Proceedings in a manner that is not disruptive during proceedings.

At Trinity Western University, we are committed to developing godly Christian leaders who think truthfully, act justly, and live faithfully for the good of the world and the glory of God. Our policies and procedures are designed with the best interests of our students in mind, ensuring they receive the support and guidance needed to grow as disciples of Jesus Christ and fulfill their potential.

8.2 Legal Counsel

The responding party and the reporting party (when applicable) have the right to have legal counsel present only if the conduct matter involves actual or potential criminal charges.

However, in no case may counsel speak for their client or take an advocacy role during the Student Code of Conduct Proceedings.



Students may not have both a support person and legal counsel present during proceedings. Any support person or legal adviser participating in the proceedings under this policy is obligated to maintain the confidentiality of the nature of the allegation(s), the content of the student conduct process, and the privacy of the reporting party, responding party and any witnesses therein.

8.3 Language Support

Students who are not native English language speakers may request additional support from a translator through the accountability process. Student Life will do its best to provide such a student with someone who is able to help translate the Student Code of Conduct Proceedings for them.

9. FOUR STEPS OF A STUDENT CODE OF CONDUCT PROCEEDING

Student Code of Conduct Proceeding meetings are typically investigated by an SCO through a Student Conduct Officer Investigation. If the nature of the misconduct is severe enough, the Director of Residence and Student Code of Conduct (or their designee) may choose the Student Conduct Panel Resolution proceedings. Regardless of which proceeding is used, the process begins with an investigation stage that includes provision for the responding party to respond to opposing information.¹² If the responding party refuses to answer questions at the Student Conduct Meeting or they do not attend the meeting, the meeting may proceed without the benefit of that student's input, and the SCO or Student Conduct Panel is not precluded from making a determinations of fact or drawing inferences which may result in sanctions.

The details of the Student Conduct Proceedings, including explanation for when each procedure will be used are described in Sections 9.1-9.5

9.1 Student Conduct Officer Investigation

A Student Conduct Officer Investigation by one or two SCO(s) is used in most cases. In serious or complex situations, such as Level III violations, a Student Conduct Panel may be convened.¹³

If, for some reason, the student responding to the alleged violation does not feel comfortable with the SCO(s) assigned to conduct a Student Conduct Officer Investigation, the student may request that the Director of Residence and Student Code of Conduct assign an alternative SCO to their conduct meeting. If the request is made on reasonable grounds, the Director of Residence and Student Code of Conduct may assign an alternative SCO.

9.2 Student Conduct Meetings

The SCO(s) may conduct several Student Conduct Meetings as part of their proceedings under this policy. In addition to their meetings with the reporting party (if applicable) and responding party, the SCO(s) may meet with all, some, or none of the witnesses identified in the documentary information it receives.

12. See section 7.6 Right to Respond Opposing Information.

13. See section 11.3 for more information on Level III violations.



Generally, the SCO(s) will meet with the following individuals:

- The reporting party (if applicable)
- The responding party
- Any witnesses requested by the SCO(s)

Each of these will meet individually with the SCO(s) or Student Conduct Panel. Each party's designated support person may join the party when they meet with the SCO(s) or Panel.

At the time of the Student Conduct Meeting, the student facing allegations of misconduct will meet with the SCO(s) to respond to allegations of misconduct. The student may request that the SCO(s) receive statements from any potential witnesses.

Submission of Documentary Information

Prior to the completion of the Student Conduct Investigation, the responding party, witnesses, and, if applicable, the reporting party may offer documentary information in support or defense of the allegation(s). The SCO(s) will inform the parties of the deadline for the submission of such information. Information submitted after the deadline will generally not be accepted unless prior permission from the SCO(s) is received.¹⁴ The SCO(s) will review all information submitted within the determined time frame. Any documents submitted after the deadline without an approved extension will be returned without review.

9.3 Deliberation

At the conclusion of the Student Conduct Meetings, the SCO(s) or the Student Conduct Panel will deliberate in private, weigh all the available information, and will apply the Balance of Probabilities Standard of Proof.¹⁵

The SCO(s) or Student Conduct Panel, as applicable, will determine one of the following appropriate findings:

- (A) It is more likely than not that the alleged violation occurred, and the responding party is responsible; the SCO(s) will impose sanctions, as appropriate; or
- (B) it is more likely than not that the alleged violation did not occur, and the responding party is not responsible; or
- (C) there is not sufficient information available to make a determination.

Please Note: In the event that a finding of (B) or (C) is reached by the panel, the finding is not necessarily based on the accuracy of the allegations but rather on the strength of the information available.

If the SCO or Student Conduct Panel determine that no violation occurred and that the reporting party intentionally made the allegation for improper purposes, the SCO may refer these findings to the Director of Residence and Student Code of Conduct. The Director of Residence and Student Code of Conduct may then initiate a Student Code of Conduct Proceeding against the

^{14.} It is within the discretion of the Student Conduct Officer(s) to determine whether extenuating circumstances warrant an exception to the deadline communicated.

^{15.} See definition for more information about the Balance of Probabilities Standard of Proof.



reporting party for having made a malicious and improper allegation.

Inspection & Review of Documentary Information

Throughout the deliberation process, SCO(s) will assemble all documentary information related to the allegations for review and response by the responding and reporting parties. Such documentary information will generally consist of, but is not limited to:

- a statement of the specific allegations to be resolved by the SCO(s) or Panel;
- all relevant and material statements and document submitted by the responding party and reporting party (if applicable);
- a written summary of the investigation conducted, including a summary of material and relevant evidence collected by the investigator(s); and
- all relevant and material statements and documents submitted by the responding party and reporting party (if applicable).

9.4 Outcome & Student Conduct Resolution Meeting

The SCO(s) or Student Conduct Panel will communicate the outcome of the Student Code of Conduct Proceeding to the responding party and the reporting party (if applicable) in writing generally within seven (7) business days of the final Student Conduct Meeting. A delay in providing notice of outcome shall not constitute an appealable procedural error.

The SCO or Student Conduct Panel, as applicable, will then schedule a meeting with the respondent to go over their findings and outline the respondent's next steps in the Student Code of Conduct process, including which active and/or inactive sanctions will be applied to the student.

10. STUDENT CONDUCT PANEL RESOLUTION

The Student Conduct Panel Resolution proceeding is used when the Director of Residence and Student Code of Conduct determines that the nature and circumstances of the alleged violation of University policy warrant resolution by a meeting conducted by the Student Conduct Panel. The Student Conduct Panel follows the same investigation method as the SCOs would (outlined in section 9 above).

10.1 Panel Composition

The Student Conduct Panel is composed of a minimum of three Trinity Western University staff members. One of the panel members will be the SCO who conducted the initial investigation. A second member will be the Director of Residence and Student Code of Conduct, or their delegate, who serves as the chair of the Student Conduct Panel. The third will be another member of TWU staff. The chair's role is to facilitate the Student Conduct Panel proceeding and ensure compliance with the process and procedures as outlined. An additional Student Life staff member (who does not serve on the panel) may also be present to take notes during the Student Conduct Panel's meetings.

It is expected that Student Conduct Panel members will exhibit the highest ethical standards and disqualify themselves if they believe they cannot be impartial or fulfill their obligation to maintain the confidentiality of the process and the dignity and privacy of the responding party, the reporting party (if applicable), and any witnesses before, during, and after the respective Student



Conduct Meetings. The responding party and reporting party (if applicable) may raise issues of concern about the impartiality of a member of the Student Conduct Panel convened for a particular case to the Director of Residence and Student Code of Conduct who will then consult with the Vice President (or Executive Director) of Student Life. The Vice President (or Executive Director) of Student Life has the sole discretion to decide whether a Student Conduct Panel member can be impartial and will remove anyone whom they determine is unable to be impartial and/or respectful of the confidentiality of the process and privacy of the individuals involved.

11. VIOLATIONS & SANCTIONS

Students often ask what happens when a University policy is violated. It is our hope to provide as redemptive a process as possible through Student Code of Conduct Proceedings. Everyone makes mistakes, and learning from them is a significant way by which we grow. Most of the mistakes students make won't keep them from continuing as a student at the University, but they will often require some action as a means of presenting accountability and encouragement to make different decisions in the future. The goal is to provide clear expectations and a supportive environment to encourage students to live within the guidelines agreed upon as a community.

With that in mind, the following sections (sections 11.1-11.3) list some examples of student conduct violations that differ in levels of seriousness, along with common resulting sanctions or consequences (sections 11.4-11.6). This list is not exhaustive; rather, it serves as a guide in the student conduct process.

In reviewing any violation, the following variables will be considered to determine the range of appropriate sanctions, including whether additional sanctions may be imposed beyond this general framework:

- the attitude and/or truthfulness of the student when confronted and throughout the student conduct process,
- prior student conduct violations,
- the impact of the violation on the community,
- when the misconduct occurred, and
- whether or not the student came forward to assume responsibility.

Academic Misconduct sits outside the Student Code of Conduct as its own policy and should be referred to for all cases involving Academic Misconduct.

11.1 Level I Violations

General outcomes of Level I Violations include official warning documents issued by the Student Conduct Officer, a minor active sanction (e.g., formal apology), or a monetary fee paid in lieu of damage costs caused from negligence or recklessness.

- Repeated noise violations
- Dorm hour or guest policy violation
- Community disruption (e.g., pranks)
- Animals on Campus policy violation



- Possession or use of physical and/or intellectual property owned by others without appropriate consent or authority
- Non-malicious misusing, destroying, defacing, or damaging University property or personal property
- Encouraging, aiding, or conspiring in any prohibited conduct as outlined in the Student Code of Conduct
- Unauthorized entry, presence in, or use of University facilities, services, or equipment:
 - » *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, University regulation, policy, or procedure.*
 - » *No student shall use any facility, equipment, or service of the University, or enter or remain on any University premises to which they do not have authorized and legitimate access (this includes entry that is contrary to the expressed instruction of authorized persons and unauthorized accessing of roofs or buildings or scaling the sides of buildings).*
 - » *No student shall destroy, misplace, misfile, or render inoperable any stored information such as books, film, data files, or programs from a University or personal library, computer, or other information storage, processing, or retrieval system.*
- Any student who intentionally or maliciously brings a false, frivolous, or vexatious allegation against any person under this Student Code of Conduct or any University policy.

11.2 Level II Violations

General outcomes of Level II Violations include one or more imposed inactive or active sanctions. Active sanctions are assigned in collaboration with the student and are based on the nature and circumstances of the student in question. In some cases, Level II Violations can result in the responding party being placed on Student Life Probation.

- Multiple Level I violations during an academic school year
- Fire safety violations (e.g., candle hazards)
- Alcohol violations. As Trinity Western is an alcohol-free campus, these violations include but are not limited to:
 - » *consumption of alcohol,*
 - » *alcohol intoxication, or*
 - » *possession of alcohol or empty alcohol containers on TWU property (including extension sites or facilities), at any TWU-sponsored event, on a TWU-sponsored trip, or in any other circumstance in which the Student Code of Conduct applies.*
 - » *Consumption or possession of alcohol by minors and providing alcohol to those under the local legal drinking age are illegal acts.*
- Use of tobacco, e-cigarettes and vaporizers on campus (e.g., outdoor/indoor cigarette smoking or vaping):
 - » *Trinity Western University is a smoke-, tobacco-, and vape-free campus. Use of tobacco, e-cigarettes, or other sorts of non-medicinal vaporizers in any form on TWU property, at any TWU-sponsored event, on a TWU-sponsored trip, or in any other circumstance in which the Code of Conduct applies is prohibited. Purchase of tobacco by minors and providing tobacco to those under the age of 19 is also prohibited.*
- Communication that is disruptive to community life and interpersonal relationships (e.g., gossip, slander, vulgar/obscene language, and prejudice). This includes, but is not limited to:
 - » *disruptive communication in person, through physical messages such as notes or posters or*
 - » *disruptive communication through online platforms (e.g., social media, Microsoft Teams, Moodle, Zoom) made to or against another community member, student, staff, or faculty.*
- Minor Theft
- Fraud, misuse, or impersonation:



- » *Submitting forged documents or documents with a forged signature*
- » *Impersonating another person*
- » *Actions that lack honesty, civility, truthfulness, and integrity*
- » *Identity theft*
- Possession, use, distribution, and being under the influence of cannabis and other THC products. This includes, but is not limited to:
 - » *Use of cannabis and other THC products,*
 - » *cannabis intoxication and/or impairment,*
 - » *possession of cannabis and other THC products or possession of materials or products designed for cannabis and other THC products use; or*
 - » *the use of cannabis or other THC products on any TWU-sponsored trip or in any other circumstance in which the Student Code of Conduct applies.*
 - » *Consumption or possession of cannabis or other THC products by minors and providing cannabis or other THC products to those under the local legal age are illegal acts.*
- Sexual impropriety or misconduct:
 - » *As a matter of respect and consideration for TWU's Christian beliefs and values, students are expected to refrain from immodest public displays of affection and from sexual intimacy outside of marriage. This includes on TWU property (including extension sites or facilities), at any TWU-sponsored event, on a TWU-sponsored trip, or in any other circumstance in which the Student Code of Conduct applies.*
- Abuse of the Student Conduct process including a malicious complaint
- Hazing, as defined by but not limited to:
 - » *an act which endangers the mental or physical health, well-being, or safety of a student for the purposes of initiation or admission into, affiliation with, or as a condition for continued membership in, a group, organization, dorm, or team.*
- Failure to comply with Conduct Officer and/or non-compliance with the directions of a University representative in the performance of their duties
- Non-compliance with disciplinary measures or sanctions
- Larger scale or malicious property damage/vandalism
- Disruption of University community, learning environment, and/or associated learning activities and venues. Disruptive behaviour includes:
 - » *that which prevents an instructor from teaching or making progress towards course objectives and/or*
 - » *that which can reasonably be determined to create an impediment;*
 - » *any action, threat, or otherwise, that disrupts any activity organized by the University or by any of its faculties, schools, or departments;*
 - » *any disruption to the right of other persons to carry on their legitimate activities, to speak or to associate with others; or*
 - » *misuse of online platforms such as Zoom, Microsoft Teams, social media platforms, or other message platforms in such a way that disrupts the community, harasses individuals (threats, name-calling, etc.), or displays inappropriate material (such as pornography, etc.).*



11.3 Level III Violations

Level III Violations result in immediate involvement of the Student Conduct Committee. Results can include Student Life Probation, extended Sanctions, and, in some cases, expulsion.

- Physical assault
- Providing or selling a controlled substance (e.g., cannabis)
- 3x Alcohol or cannabis misconduct incidents
- Major theft
- Possession or consumption of illicit or illegal drugs (the use or possession of drugs such as cocaine, methamphetamine, ecstasy, opioids, heroine, fentanyl, and morphine)
- Illegal activity:
 - » *Students must comply with all applicable municipal, provincial, and federal laws. Students must not commit a criminal offence whether on or off campus.*
- Multiple Level II violations in the same incident (based on severity of the violations)
- Misconduct involving persons or property:
 - » *Assaulting, intimidating, threatening, or harassing another individual person or group including, but not limited to, physically aggressive behaviour and coercion*
 - » *Conduct endangering or negatively impacting health, safety, or success of oneself or others*
 - » *Using, viewing, displaying, or possessing materials that are degrading, dehumanizing, intentionally demeaning, exploitive, hateful, or gratuitously violent*
 - » *Engaging in a course of vexatious or malicious conduct that is directed at one or more specific individuals, and that is based on the race, ancestry, place of origin, color, ethnic origin, citizenship, sex, sexual orientation, creed, age, marital status, family status, disability, receipt of public assistance, or record of offences of that individual or those individuals, and that is known to be unwelcome, and that exceeds the bounds of freedom of expression or academic freedom as they are understood in University policies and accepted practices*
- Possession or use of weapons, or dangerous materials:
 - » *Weapons of any kind, including but not limited to, firearms, ammunition, replica firearms, slingshots, hunting knives or other large blades, BB or pellet guns, airsoft guns, or paintball guns*
 - » *Misuse of dangerous materials, including but not limited to fireworks, explosives, chemicals, gasoline, or propane (or other compressed gas), including possession of any substance not expressly permitted or authorized by an appropriate University official*
 - » *Note: Students participating in theatre classes or productions in which prop weapons are used must be careful to follow all SAMC or other applicable policies regarding use and transportation of these props. Students participating in labs or science classes must use proper maintenance and care protocols for all chemicals and substances involved in learning activities.*

11.4 Interim Measures

Under either Student Conduct proceeding, while the investigation is being conducted, and based upon the information received by the Director of Residence and Student Code of Conduct regarding the matter, the Director of Residence and Student Code of Conduct may impose immediate Interim Measures, pending a final determination in the matter, including, but not limited to:



- no contact orders,
- removal from the residence halls, or
- suspension from campus, classes(including attending classes online or in person),
- or Trinity Western University-related off campus events.

The Interim Measures will remain in effect until it is otherwise revoked by an appropriate representative of the University or expires by its own terms.

In exceptional circumstances, the Vice President (or Executive Director) of Student Life or their designate may issue an immediate, temporary suspension of a student prior to the completion of the Student Code of Conduct Proceeding. This action will be taken when it is reasonable to conclude that serious misconduct may have occurred and/or that a student's continued presence on campus presents an unreasonable risk to the safety of him/herself or others. Students receiving this suspension must leave the campus immediately. The Student Code of Conduct Proceeding will continue without prejudice to the student in question, and the emergency temporary suspension will be replaced by the decision rendered at the conclusion of this process.

When Trinity Western University becomes aware of legal proceedings for conduct outside of Trinity Western University activities, which may pose a risk to the TWU community, a student may be subject to an Interim Measure. The determination of a Sanction may require the student to disclose the result of legal proceedings, including conditions and orders related to the offence, and any interaction with law enforcement authorities related to that misconduct. In situations where there is a potential risk to, and/or threat to the safety of any member of the Trinity Western University community, the Risk Assessment Team may act unilaterally, without a Conduct Meeting, to impose an Interim Measure upon the respondent(s). This action is based on a risk assessment and is not considered a finding of misconduct.

11.5 Active Sanctions

In keeping with our goal of making the Student Code of Conduct Proceeding a redemptive learning experience, students may also be required to complete an Active Sanction. In this case, students will be given a list of Active Sanction options and be able to choose the option they believe will best further their education and University experience.

11.6 Inactive Sanctions

Inactive Sanctions may also include but are not limited to one or more of the following:

- **Restitution:** A compensation for loss, damages, or injury. This may take the form of completing appropriate service and/or monetary or material replacement.
- **Fines:** Monetary penalties that are previously established by the Residence Life Department.
- **Apology:** A requirement that the student issue a written and/or verbal statement, apology, or retraction in an appropriate form in public or in private to the offended party/parties.
- **Relocation or removal from University housing:** Relocation from a residence or exclusion of the student from residence permanently or for any specified period of time, which may or may not be made subject to the student complying with certain conditions.



- **Loss of privileges:** Denial of specified privileges for a designated period of time. Loss of privileges includes, but is not limited to, dorm hours entering the dining areas, withholding transcripts, and attending or participating in University programs or activities (such as athletic events, intramurals, music performances, theatre productions, intercollegiate athletics, graduation exercises, student leadership positions, club activities, off-campus study programs, summer travel programs, etc.) or participating on a TWU athletic team.
- **Warnings:** A written notification that a student's conduct was inappropriate for a member of the University community. The notice of Warning lets a student know that similar violations of University policy will likely result in further restrictions such as, but not limited to, Student Life probation or deferred suspension. A recent notice of Warning may, but does not always, restrict a student's ability to participate in certain leadership positions and certain programs such as travel studies or global projects trips or other activities in which the student is representing the University. A notice of Warning is treated as educational counselling (rather than a disciplinary sanction) for the purposes of reporting to agencies outside the University.
- **Student Life probation:** A period of review during which the student must demonstrate the ability to comply with the University policies or requirements. Probation status takes away the privilege of holding certain student leadership positions, and may, but does not always, restrict a student's ability to participate in activities such as travel studies and global projects trips or other activities in which the student is representing the University. Students are typically placed on Student Life probation for 15 or 30 weeks of the academic calendar. Violations that occur during the probation period may lead to further restrictions such as, but not limited to, an extension of the probationary period, deferred suspension, or suspension from the University.
- **Deferred suspension:** A period of review during which the student must demonstrate an ability to comply with the University policies or requirements. If, during the period of deferred suspension, the student is found responsible for a similar or more serious violation, the student will be suspended from the University (the suspension may be imposed immediately with the loss of the current semester). Deferred suspension status takes away the privilege of holding certain student leadership positions, and may, but does not always, restrict a student's ability to participate in activities such as travel studies or global projects trips or other programs in which the student is representing the University. Students are typically placed on deferred suspension for 15 or 30 weeks of the academic calendar. If, during the period of the deferred suspension, a student is found responsible for other violations, the period of the deferred suspension for the student will be extended.
- **University suspension:** Separation of the student from the campus for a specified period of time, after which the student is eligible to return. While suspended, students may not be on campus or participate in any University-related event. The length of the suspension may vary from one or more days to one or more semesters. The timing of the suspension will not occur at the convenience of the student. The Academic Policies and Procedures state, "Faculty are not permitted to provide make-up opportunities or alter established class schedules for suspended students. Where this creates a hardship for students, they are to be referred to the Director of Residence and Student Code of Conduct." Conditions for the student's return to campus may be specified.
- **University expulsion:** Permanent separation of the student from the University.
- **Confiscation and disposal of prohibited items:** Any items found to be in violation of the student code of conduct will be confiscated and disposed of by university staff.



11.7 Failure to Complete Sanctions

As noted in a Student Conduct decision letter, failure to complete all sanctions by the deadline given is a Level II violation and therefore results in further Sanctions. Sanctions given as a result of missed deadlines may include, but are not limited to, the extension or addition of probationary status, additional sanctions being assigned, or class registration cancellation (depending on timing during semester).

11.8 Student Conduct Records

A record of the allegations and any decisions made from said allegations will be retained in the student's confidential file and, in the event of any further allegations of misconduct, the allegations may be considered when determining how to deal with subsequent alleged misconduct. Student conduct records may be disclosed to other University personnel with a legitimate educational interest in the information or as permitted under the *Personal Information Protection Act*. A student's student conduct record is cumulative over the course of his or her academic career.

12. APPEALS

Students may request a review of the decision(s) determined in the Student Code of Conduct Proceeding by making an appeal. In cases where a student is the reporting party, the reporting party may also appeal the decision. Appeals must follow the steps outlined in the determination letter received at the close of any Student Code of Conduct Proceeding.

- Appeals are submitted to the Appeal Officer who is designated in the Determination Letter. The Appeal officer is typically the SCO's supervisor (i.e., if the SCO is the Resident Director, the appeal will go to the Director of Residence and Student Code of Conduct; if the Director of Residence and Student Code of Conduct is the deciding party, the appeal will go to the Vice President or Executive Director of Student Life). Appeals of a student conduct Panel Resolution will be made directly to the Vice President (Or Executive Director) of Student Life.
- Appeals must be submitted in writing by filling out the Student Code of Conduct Appeal form within five (5) business days of the decision to the person outlined in the Determination Letter. A \$100 administration fee will be applied for Behavioral Conduct appeals, and a \$25 fee will be applied for Residence Move Out Appeals. These fees will be charged to the student's account at the time of appeal. The fee will be refunded if the original decision is overturned.
- The original decision will remain in effect until the appeal process is complete.
- Any requests for extensions of the appeal process must be made in writing to the Appeal Officer within the original five-day appeal time period. Extensions for appeals are rare and will only be granted in extremely unusual circumstances.
- Only one request for an appeal per individual involved as respondent or complainant (if applicable) may be submitted.
- Appeals should be written by the appealing party themselves and not a third party.



12.1 Appeal Criteria

An appeal must be in writing and consist of:

1. a completed Appeal Request form,
2. a statement outlining and supporting the specific grounds on which the student is appealing, and
3. A \$100 (Behavioural Appeal) or (\$25 Residence Move out Appeal) administration fee

The appeal is not a rehearing of the original case, and the role of the Appeal Officer is not to substitute his or her own judgment for the judgment of the original decision. The role of the Appeal Officer is to determine whether a new decision should be considered due to a procedural error, the availability of new information that was previously unavailable, or the imposition of excessive sanctions. Therefore, a student's appeal must be based on one or more of the following grounds:

- A serious process or procedural error was made that was significantly prejudicial to the outcome of the student conduct meeting as it affects the student appealing.
- New information that was not available or known (and could not have been known with reasonable diligence) to the person appealing at the time of the Student Conduct Meetings or Student Conduct Panel Resolution (as applicable) has arisen which, when considered, may materially alter the outcome. Note: Information that the appealing student chose not to present at the time of the hearing is not considered new information.
- The sanctions imposed are so severe—considering the nature of the violation, student attitude, previous history, impact of the student's behaviour on the community and other specific circumstances—that they demonstrate an abuse of discretion by the SCO or Student Conduct Panel. (Note: a reporting party may use the same grounds to appeal that the sanctions imposed are not severe enough.)

It is not enough to simply assert one of the grounds for appeal. The written statement accompanying the appeal form must provide information that supports the grounds upon which the student bases the appeal. For example: If the student asserts that a procedural error occurred, he or she must name the procedure with specificity and explain how the error affected the decision made. If an appeal does not contain sufficient information to support the grounds upon which the student bases the appeal, review of the appeal will be denied.

During the appeal process, the Appeal Officer may choose to suspend Sanctions at the discretion of the Appeal Officer. If Sanctions are suspended, Interim Measures may be imposed or extended at the discretion of the Appeal Officer.

12.2 Preliminary Review of Appeal

The Appeal Officer will grant or deny review of decisions determined in the Student Code of Conduct Proceeding based on the student's written appeal. The decision to grant or deny review of the original decision will be made as soon as reasonably possible, normally within five business days, following the deadline to have submitted an appeal.

- **Review Denied:** Appeal Officer will not review an original decision based on an appeal that fails to meet the criteria outlined above. In such cases, the Appeal Officer will make no inquiry beyond the written material submitted and the original decision and any sanctions imposed will stand.



- **Review Granted:** If the student's written appeal satisfies the appeal criteria, the Appeal Officer will grant a review of the original decision.

If the Appeal Officer grants a review of the appeal, the Appeal Officer will communicate to the non-appealing student (if applicable) this decision and provide the non-appealing student an opportunity to view a copy of the appeal. Within three business days of such notification, the non-appealing student may submit a written statement to the Appeal Officer for consideration during the appeal process.

12.3 Appeal Review

The Appeal Officer will determine the appeal by either:

- dismissing the appeal and upholding the original decision or
- allowing the appeal.

If the appeal is allowed, the Appeal Officer has two options:

- the Appeal officer may make a final decision on the appeal and/or sanctions or
- the Appeal Officer may refer the appeal back to the original decision body (Student Conduct Panel or SCOs) for consideration.

If the Appeal Officer refers the appeal to the original decision body for consideration, the Appeal Officer will give instructions to remake that decision.

Where appeal is allowed, the Appeal Officer or the original decision body, as applicable, will generally modify the original decision. For appeals that are remitted back to the original decision body by the Appeal Officer with instructions, the final decision will be made by the original decision body subject to the final approval by the Appeal Officer.

The final decision may include sanctions being decreased, modified, or revoked. Only in instances when a reporting party appeals the decision may sanctions be increased.

The choice in how to resolve an appeal that has been allowed is at the sole discretion of the Appeal Officer.

As part of the appeal review process, the Appeal Officer will consider material and/or testimony previously presented or a written summary of the previous proceedings. The Appeal Officer may, but is not required to, meet with the responding party, reporting party (if applicable), any witnesses and/or members of the original decision body.

12.4 Communicating Appeal Decision

Following a review, the Appeal Officer will communicate a decision no later than ten business days following the decision. The decision will be communicated in writing to the appealing student (and non-appealing student, if applicable).

The decision on the appeal is final, and no other office will accept or review appeals following that decision.

