APPENDIX A - STUDENT CONDUCT POLICY: DEFINITIONS

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Policy Authority: Vice-President Academic and Provost
Parent Policy: Student Conduct Policy (S 10.05)

1.0 PURPOSE

1.1 The definitions in this Appendix define the words used in the Student Conduct Policy (S 10.05) (“the Policy”) and in the Student Conduct Procedures.

2.0 DEFINITIONS

2.1 Balance of Probabilities is a standard of proof. It means ‘more likely than not’.

2.2 Behavioural Contract (“Contract”) means a written agreement negotiated between the University and the Respondent to a Complaint. The Contract outlines the expectations and responsibilities of the Student and the University. The Contract will usually include conditions that the Student must meet and any consequences for the Student if they fail to fulfill them. The Contract is not normally part of a Student’s record and is maintained in the Office of Student Support, Rights and Responsibilities; it will be retained and disposed of in accordance with section 12 of the Policy. In certain circumstances, the University and the Student may agree to retain the Contract on the Student’s file.

2.3 Complainant means any member of the University Community who makes a Complaint under the Policy. The University may also be a Complainant.

2.4 Complaint means a Complaint about the conduct of a Student made to Campus Public Safety or to the Office of Student, Support, Rights and Responsibilities (“SSRR”) by a member of the University Community or a visitor to the University, outlining the behaviour and its circumstances. The Complaint will set out the allegations made by a Complainant with respect to the Respondent or Respondents. In the case where the Complaint is from a visitor, the University reserves the right to take on the role of Complainant.

2.5 Director means the Director of the Office of Student Support, Rights and Responsibilities.
2.6 **Investigation** means an investigation process overseen by the Office of Student Support, Rights and Responsibilities, whether conducted by an internal or external Investigator, to determine what occurred.

2.7 **Investigator** means the person responsible for conducting the Investigation.

2.8 **Misconduct** means behaviour the Student knows, or ought reasonably to know, would have an adverse effect on:

- 2.8.1 the safety of members of the University Community and visitors;
- 2.8.2 the integrity or the proper functioning of the University and its activities;
- 2.8.3 the use of University facilities; or
- 2.8.4 the condition of University property.

Misconduct includes a Student engaging in, attempting to engage in, or assisting another Student to engage in, such conduct.

Examples of Misconduct are provided in Appendix B to the Student Conduct Policy (S 10.05).

2.9 **Office of Student Support, Rights and Responsibilities (“SSRR”)** means the University administrative office assigned the mandate to carry out the operational procedures under the Policy.

2.10 **Resolution Agreement** means a written agreement between the Respondent and the University, whereby the Respondent agrees to the terms and conditions set out in the Resolution Agreement to address the Complaint without recourse to Investigation or discipline. This is considered a voluntary resolution; it is non-disciplinary. The Resolution Agreement is confidential and held in the Office of Student Support, Rights and Responsibilities.

2.11 **Respondent** means a Student or Students against whom a Complaint has been made pursuant to the Student Conduct Policy (S 10.05).

2.12 **Responsible Officer** means the Executive Director, Student Affairs.

2.13 **Retaliation** means an adverse action or threatened action, direct or indirect, taken or made through any means, against a person who invoked the Policy or its procedures in good faith, or against a person who participated or cooperated in good faith in a University process addressing a Complaint. Retaliation is prohibited conduct.

2.14 **Student** includes any of the following: a person who has accepted an offer of admission to the University; an undergraduate who has been enrolled for one or more of the last three (3) terms, including the current term, and is eligible to continue; a graduate student who is enrolled at the University in the current term and is eligible to continue; a graduate student who is not enrolled in the current term but is eligible to enroll at the University when the approved leave ends; a visiting, exchange, or special audit student who has been admitted to the University for the purposes of taking courses, or to take part in an approved research term; or a person enrolled at the University in a non-credit program or course.
2.15 **Suspension** means a Student ceases to be a Student of the University for a specified period of time, which may be temporary or permanent. A notation is made on the Student’s academic transcript during the period of Suspension.

2.16 **University (or SFU)** means Simon Fraser University.

2.17 **University Community** means all Students and employees of the University, and all people who have a status at the University mandated by legislation or other University policies, including research assistants, post-doctoral fellows, members of Senate and the Board of Governors, volunteers, visiting and emeritus faculty, and visiting researchers.

2.18 **Voluntary Resolution** means the process whereby the University and Respondent intend to address the Complaint through a Resolution Agreement.

2.19 **Withdrawal** means a Student is de-registered from their course(s) or is removed from particular academic and/or non-academic activities. The Student may be subsequently granted permission to register for those courses or activities in another term. A notation may be made on the transcript and the normal fee penalties may apply.