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| Policy No. ST7 |
| Approving Jurisdiction: Board of Governors, with Senate’s Advice |
| Administrative Responsibility: Vice President Students |
| Effective Date: September 28, 2023 |

Student Conduct (Non-Academic) Policy

A. CONTEXT AND PURPOSE

This policy outlines the rights and responsibilities of Applicants and Students and the rights and responsibilities of the University concerning non-academic conduct of Applicants and Students at Kwantlen Polytechnic University (KPU).

B. SCOPE AND LIMITS

1. This policy and supporting procedure apply to all Applicants and Students at KPU.
2. This policy addresses matters of non-academic conduct of Applicants and Students. This policy does not address matters related to academic integrity (ST2), grade appeals (ST3) or complaints about an employee, an educational or service experience at KPU (AD2), which are considered under other University policies.
3. This policy applies to breaches of non-academic conduct by Applicants and Students in University and University-related settings, including but not limited to online environments.

C. STATEMENT OF POLICY PRINCIPLES

1. **Standard of Conduct (Non-Academic)**
 - a. The University ascribes to a high standard of conduct, and all members of the University community have a responsibility to contribute positively to a safe and respectful learning community.
 - b. Adhering to a high standard of conduct means observing the values on which an academic community must be founded: respect, safety, civility, diversity and inclusiveness, and freedom from harassment and discrimination. Students are expected to conduct themselves in a manner that is consistent with these values.
 - c. These standards of conduct require that Applicants and Students are aware of and abide by University policies, conduct themselves in a safe and civil manner, demonstrate respect and

care to members of the University's community and to the University's, and its community members' property and resources.

2. Students' and Applicants' Rights and Responsibilities

- a. Students and Applicants have a responsibility to meet the high standards of conduct set out in this policy.
- b. Students and Applicants must not commit breaches of non-academic conduct.
- c. Students and Applicants have the right to a safe and civil learning environment.
- d. Students and Applicants have the right to exercise critical thought through the freedom of expression and exploration of a wide range of ideas which may involve challenges to the beliefs and values of others. However, these challenges must not be personal attacks or involve the misuse, abuse or unauthorized use of the University's and its community members' property and resources and must not violate the standard of conduct required from Students by the University in this policy.
- e. Students and Applicants who are subject to an allegation of a breach of non-academic conduct have the right to have such allegations handled according to the principles of procedural fairness.

3. The University's Rights and Responsibilities

- a. The University has a responsibility to maintain a safe and civil environment conducive to working and learning that is free from disruptive, dangerous, or threatening conduct or the misuse, abuse, or unauthorized use of the University's or its community members' property or resources.
- b. The University has a responsibility to ensure that Students are informed of any additional standards of student conduct that have been set for University and University-related activities above and beyond what is outlined in this policy. Any additional standards of student conduct that have been set for University and University-related activities do not supersede the definitions and provisions of this policy but may clarify them as they are applied in a particular University or University-related activity. In any instance where any such additional standards are inconsistent with the standards set out in this policy, the standards in this policy shall prevail.
- c. The University has the right to evaluate, investigate and adjudicate allegations of breaches of non-academic conduct and to impose sanctions that reflect the nature and severity of any breaches of non-academic conduct, but also has a responsibility to ensure that allegations of breaches of non-academic conduct are handled according to the principles of procedural fairness.

4. The Standard of Proof

- a. In determining whether a Breach of Non-Academic Conduct has occurred; the University adheres to a standard of proof based on a balance of probabilities. A balance of probabilities means that an act is more likely than not to have occurred.

5. Duty to Report Breaches of Non-Academic Conduct

- a. All members of the University community have an obligation to report potential incidents of breaches of non-academic conduct in a timely fashion to the Student Rights and Responsibilities Office.

6. Relation of this Policy to other University Policies

- a. This policy deals exclusively with non-academic conduct of Applicants and Students and allegations of breaches of non-academic conduct. If an incident reported as an allegation of a Conduct Violation involves more than one policy, the Vice President Students will determine the appropriate policy(-ies) and procedure(s) to be applied in consultation with the parties involved and this decision will be final.

7. Confidentiality

a. Confidentiality Principles

- i. Confidentiality is required so that all parties involved in incidents of breaches of non-academic conduct will come forward and so that the reputations and interests of those who are the subject of allegations are protected.
- ii. Confidentiality must be distinguished from anonymity and for an investigation into an allegation of a breach of non-academic conduct to proceed, the identity of the Complainant and the details of the allegation will normally be released to the Respondent.

b. Confidentiality of Information

- i. During the course of an investigation into an allegation of a breach of non-academic conduct, sensitive personal information may need to be collected, used and/or disclosed only as necessary to complete the investigation.
- ii. All those involved in an investigation are required to maintain the confidentiality of any and all information provided to them during the course of an investigation into an allegation of a breach of non-academic conduct, except where disclosure is required by law or is necessary in order for the Applicant or Student to participate openly in that investigation.
- iii. The University, including University employees, will maintain confidentiality over information gathered or provided, during the course of an investigation into an allegation of a breach of non-academic conduct, except where disclosure is required in order to investigate and resolve the allegation or is otherwise permitted or required by law or if provided for under any University policy.

c. Breach of Confidentiality

Any person involved in an investigation into an allegation of a breach of non-academic conduct who breaches confidentiality may be subject to sanctions according to the appropriate University policy.

8. Protection from Retaliation

- a. Members of the University community involved in an investigation under this policy must be confident that they do so without fear of reprisal. Retaliation against any individual who is involved in an investigation under this policy will not be tolerated by the University and may result in sanctions according to the appropriate University policy.

9. Frivolous or Malicious Allegations

- a. Allegations of breaches of non-academic conduct are serious matters and individuals who are found to have made frivolous, vexatious, or malicious allegations may be subject to sanctions according to the appropriate University policy.

D. DEFINITIONS

Refer to Section A of *ST7 Student Conduct (Non-Academic)* for a list of definitions in support of this Policy.

E. RELATED POLICIES & LEGISLATION

Bill 23 – Sexual Violence and Misconduct Policy Act

Human Rights Act

University Act (British Columbia)

AR3 Confidentiality of Student Records and Files

BP1 Student Events Involving the Consumption of Alcohol

BP2 Student Events Held on University Premises

IM3 Information and Educational Technology Usage

IM4 Confidentiality

IM8 Privacy

SR1 Consumption of Alcoholic Beverages & Non-Medical Use of Drugs on University Premises

SR3 Smoking

SR8 Emergency Response to Inappropriate, Disruptive & Threatening Behaviour

SR14 Sexual Violence and Misconduct

ST2 Student Academic Integrity

ST16 Work-Integrated Learning

F. RELATED PROCEDURES

ST7 Student Conduct (Non-Academic)

G. RESOURCE

Visit the following link to learn more about the Student Rights and Responsibilities office:

[Student Rights and Responsibilities Office – Student Conduct \(Non-Academic\)](#)