



MOUNT ALLISON STUDENTS' UNION

WHAT TO EXPECT
A SUMMARY OF POLICIES AND PROCEDURES FOR
STUDENT GOVERNANCE AT MOUNT ALLISON
UNIVERSITY



PREPARED BY:

Heather Webster, MASU Vice-President, Campus Life
Melody Petlock, Mount Allison University Sexual Harassment Advisor



TABLE OF CONTENTS

Basic Things You Should Know.....	4
Student Governance Structure.....	5
Basics of the Hearing Process: Rights and Responsibilities.....	6
What Happens When an Incident Report is Filed.....	7
Rights and Responsibilities in Cases of Sexual Harassment at Mount Allison.....	8

WHAT TO EXPECT

A SUMMARY OF POLICIES AND PROCEDURES FOR STUDENT GOVERNANCE AT MOUNT ALLISON

The purpose of this document is to assist students in understanding the policies and procedures that Mount Allison has in place for student governance. This is a summary of the document "Policies and Procedures for Student Governance" from the University Student Governance Committee, published on September 1, 2004. The entire policy can be found on the Mount Allison Website under Student Life.

The philosophy behind student governance is that "at Mount Allison the academic education of students is complemented by their social, emotion, and physical development" and that "it is important to maintain an environment that is conducive to both academic study and extra-curricular activities." The governance structure that is in place seeks to:

1. "Ensure each individual's safety, security and other basic human rights";
2. "Foster within the campus community an atmosphere conducive to scholarship and the academic aims of the university";
3. "Preserve the interests of the wider university community".

BASIC THINGS YOU SHOULD KNOW:

- Students are responsible for their achievement in both academic and extra-curricular dimensions of the University, and neglect of these responsibilities may "result in suspension of privileges in both".
- Students are responsible to behave appropriately, and those that do not may have their academic privileges withdrawn.
- "The University is not a refuge. Students are subject to the laws of the land like other citizens."
- The university has the right to "take action in cases, whether or not the police or other authorities take action".
- "Non-academic disciplinary sanctions do not become part of a student's official record unless the student is suspended or dismissed from the university."
- Students have the right to approach the office of Student Life when wishing assistance in the presentation or investigation of complaints.
- Students have the right to confidential meetings with student life, however "it must be understood that a judicial committee can only proceed on the basis of evidence given in the presence of the parties."
- Students have the right to choose an automatic payment option in certain Judicial cases.

STUDENT GOVERNANCE STRUCTURE

There are 3 types of Judicial committees:

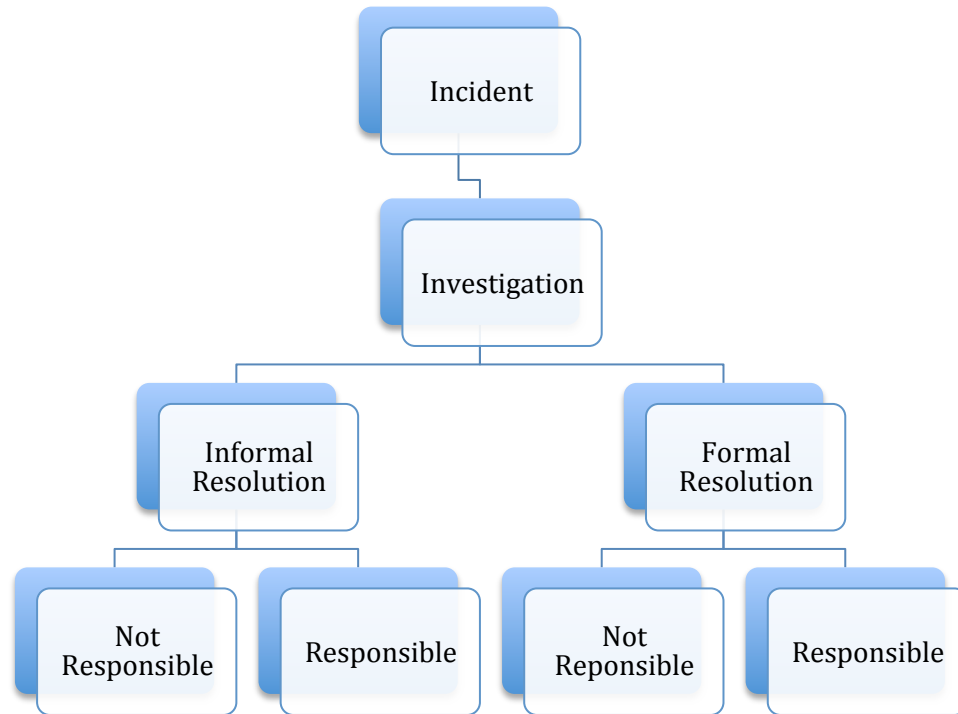
1. The University Judicial Committee
 - a. This committee will hear all cases of non-academic infractions, except those specifically reserved for House Judicial Committees, and assign appropriate sanctions. This committee is made up of chair, one member of the board, one faculty or librarian, and two students nominated by the MASU and elected by senate.
2. The Academic Judicial Committee
 - a. This committee will hear cases which involve major infractions of university academic policy and assign appropriate sanctions. Hearing requests can be made by students, instructors or other members of the University community and may grant a hearing regarding allegations of academic dishonesty. This committee is made up of the University Registrar, two faculty or librarian member and two student members nominated by the MASU and elected by the Senate.
3. The Residential Judicial Committees
 - a. These committees will be established in each residence. The committees will hear cases involving infractions of House rules. This committee is made up of a student chair selected by the House and a minimum of five other members of the House selected at large.

There are also appeals committees for each of these judicial committees. For more information on appeals and under what circumstances they can take place, see the Policies and Procedures for Student Governance.

BASICS OF THE HEARING PROCESS: RIGHTS AND RESPONSIBILITIES

- The aim of the judicial process is to ensure a speedy resolution of cases as is consistent with due process.
- Each student involved in the hearing has the **right** to receive sufficient notice of the Judicial or Appeals hearing, in writing, to allow for preparation of the case, which is typically a mutually agreeable time within one week of the charge.
- The student accused has the **right** to know the allegations forming the basis of the charges against him/her.
- The student accused has the **right** to hear and to respond to evidence presented against him/her.
- Each student involved in the hearing has the **right** to a spokesperson and has the **right** to be heard. It is the **responsibility** of the student to find a spokesperson who is a member of the Mount Alison community. The MASU ombudsperson is one option.
- Students have the **right** to have evidence presented without reference to a previous record. If guilty, the previous record may be considered in determining the sanctions.
- It is the **responsibility** of students to read over and abide by the summary of policies and procedures for student governance that is circulated to all students in information packages in September.
- It is the **responsibility** of the Sexual Harassment Advisor to assist a member of the university community to report to the police any allegation of sexual harassment, including sexual assault, which may amount to a criminal offence, and to require written confirmation if such person does not want the matter reported to the police.
- Students involved in the hearing have the **right** to request that the hearing be closed.
- Students have the **right** to call witnesses. It is the **responsibility** of students to notify their own willing witnesses of the time and place of the hearing. It is the **responsibility** of the students to inform the secretary of the Judicial Committee by noon on the day of the preceding of the hearing of the names of any unwilling witnesses so that a notice of hearing can be delivered to such witnesses.
- The student defendant in the case has the **right** to access the case against them and to the names of the plaintiff's witness, provided the request is made a reasonable amount of time in advance.
- Students are **responsible** for following the Student Code of Discipline.

WHAT HAPPENS WHEN AN INCIDENT REPORT IS FILED?



Note: Formal Resolution involves a hearing in front of the University Judicial Committee whereas an Informal Resolution would usually involve a meeting with student life where it is decided whether or student is responsible or not. In cases of sexual harassment or assault, formal mediation can be an alternative to a hearing before the judicial committee.

RIGHTS AND RESPONSIBILITIES IN CASES OF SEXUAL HARASSMENT AT MOUNT ALLISON UNIVERSITY

Members of the University community have the right to determine for themselves the nature of their consensual relationships and social interactions. This right includes a responsibility not to engage in activities that are offensive to others and to be free from sexual harassment or sexual assault within a consensual relationship.

All members of the university community have a responsibility to:

1. discourage other members of the University community from engaging in conduct which constitutes sexual harassment or sexual assault;
2. encourage those who experience sexual harassment or sexual assault to seek the advice of the Sexual Harassment Advisor;
3. encourage those who experience sexual harassment or sexual assault to make a complaint under the policy;
4. report incidents of sexual harassment or sexual assault to the Sexual Harassment Advisor at share@mta.ca;
5. cooperate with those responsible for dealing with the investigation of (a) complaint(s); and
6. assist in maintaining the confidentiality and privacy of parties involved in a complaint.

A person making a complaint has the right:

1. To have their complaint handled in accordance the *Policies and Procedures with Respect to Sexual Harassment and Sexual Assault* available at http://www.mta.ca/sh/sh_policy.pdf;
2. To be accompanied by another member of the university community, of their own choosing, during any proceedings related to the complaint;
3. To have their complaint, and any references to the complaint, excluded from any personal file* unless the complaint was frivolous or vexatious;
4. To be kept informed of the status of any proceedings under the policy; and
5. To receive the results of an investigation in writing.

A respondent has the right:

1. To receive a copy of the complaint in writing without undue delay;
2. To reply to any complaint made against them before any decision adverse to their interest is reached on the complaint;
3. To be accompanied by another member of the university community, of their own choosing, during any proceedings related to the complaint;

4. To have the complaint, and any reference to the complaint, excluded from any personal file* unless they are found to have committed an offence under this policy;
5. To be kept informed of the status of any proceedings under this policy; and
6. To receive the results of an investigation in writing.

*In the case of a student, normally there is only one personal file and that is located in the Registrar's Office and contains the student's academic record. That file would have information placed in it concerning a matter dealt with under this policy if the student were suspended or expelled from the university.

August 6, 2013

