

COLLEGE POLICY

Student Rights and Responsibilities	
Policy ID:	#5-506
Manual Classification:	Section 5 – Student Services
Approved by Board of Governors:	<i>Original:</i> September 2, 1992
Revision Date(s):	May 24, 2006; June 25, 2014; Dec 14, 2016
Effective Date:	Replaces June 2014
Next Policy Review Date:	2022
Administrative Contacts for Policy Interpretation:	<ul style="list-style-type: none"> • Vice-President Human Resources and Student Services • Vice-President Academic
Linked to Operating Procedure:	#5-506 OP <i>Student Rights & Responsibilities</i>

Policy Statement

Admission to Fleming College carries with it certain rights and responsibilities. There is an expectation that students will conduct themselves as responsible members of the College community. The College will create a climate of understanding and mutual respect for individual dignity and worth, in which each person has the opportunity to develop as an individual and contribute positively to the College community.

Purpose

The College shall publish a set of procedures regarding the rights and responsibilities of students that shall:

- promote the primary right of the student to learn and to refrain from interfering with the rights of others,
- promote respect for the integrity of the learning process,
- promote a respect for the dignity of all members of the College community,
- communicate the responsibilities to all members of the College community,
- provide a system of procedural due process to protect the rights of all concerned, and,
- provide an equitable system of enforcement.

Scope

It is the responsibility of all members of the College community to uphold the principles of this policy.

This will apply in cases concerning students, employees, contractors and third party service providers as well as governors, volunteers or visitors of Fleming College:

1. occurring within or affecting people or property within the physical boundaries of the College;
2. occurring on or affecting College owned or controlled property, including student residences;
3. occurring with the use of computer and telephone systems, and College and private vehicles being used for college business or for travelling between work and study locations;
4. at a College-sponsored event;
5. occurring off-campus which are likely to have an impact on the working, living and/or learning environment at the College

Incidents occurring off campus which have no or little likelihood of any impact on the environment at the College would be pursued by individuals through the regular external processes.

Any student who violates any section of the Criminal Code of Canada or any other federal, provincial, municipal statute, College policy or regulations while on College property or at a College activity is subject to this policy.

Reports by students regarding harassment or discrimination on the basis of any prohibited ground under the Ontario Human Rights Code may be addressed by College Policy #3-311, *Harassment and Discrimination Prevention*.

Students who wish to make reports regarding sexual violence should refer to College Policy #3-342, *Sexual Violence Prevention*.

Any student who has a complaint about their program of study or any other academic concern should refer to College Policy #2-201, *Academic Regulations*

Definitions/Acronyms

College Community: Any person who studies, teaches, conducts research at or works at or under the auspices of the College and includes, without limitation, employees or contractors; appointees (including volunteer board members); students, visiting scholars and any other person while they are acting on behalf of or at the request of the College.

FIPPA: Freedom of Information and Protection of Privacy Act of Ontario

General Principles

1.0 STUDENT RIGHTS

As with all other individuals in Ontario, students at Fleming College enjoy rights under both the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms, and Accessibility for Ontarians with Disabilities Act. Fleming College is subject to these statutes and supports the students' right to legitimately and appropriately exercise these rights and freedoms. The extent of a right or freedom may reasonably vary with the circumstances, so that an exercise of a right which may be appropriate in a public place, may not be appropriate at an educational institution. All students have the right to a safe environment that is free from harassment or reprisals.

At Fleming College, the student's most essential right is the right to learn. In this regard, students have a number of specific rights.

1.1 To Learn

1. The right to receive reasonable accommodation to compensate for a documented physical, learning or psychological disability.
2. The right to physical conditions within the College facilities that promote learning and well-being.
3. The right to be treated with respect and dignity by College employees.
4. The right to be considered the owners of any work submitted for which the College does not provide the materials.
5. The right to own any project work when the materials are purchased by the student.
6. The right to see his or her own submitted course work and the right to have the evaluation explained if applicable within the Academic Regulations timeframe and impartially graded.

7. The right to receive academic information as may be necessary to understand the requirements to successfully complete their course or program of instruction, including course information sheets for each course of study.

1.2 **To Privacy**

In recognition of students' rights, under the Freedom of Information and Protection of Privacy Act of Ontario (FIPPA), the College shall protect the privacy of student records and will make records available to Students in accordance with the provisions of that statute. Students under the age of majority in Ontario will also fall under FIPPA.

1. The right of confidentiality and access to personal records as provided for under the "Freedom of Information and Protection of Privacy Act". All student records and information, including academic, health, and student conduct are considered to be confidential personal information, which will be protected. Refer to College Policy #5-503, *Maintenance of and Access to Student Records*.

1.3 **To Be Informed**

1. The right to receive the rules and regulations of the College that affect students, including all policies, procedures and regulations, at the beginning of the academic year.
2. The right to accessibility of the College's definition of cheating and plagiarism and the consequences for such acts of academic dishonesty.
3. The right to inquire into, and be informed about, the reasons for the rules and regulations which affect students.

1.4 **To Be Heard**

1. The right to address appropriate College administration for changes to the rules and regulations that affect students.
2. The right to have the Student Government or other student representation be present during a meeting.
3. The right to make a complaint concerning academic or other College matters and to receive a response.
4. The right to be informed of, and be able to respond to, allegations of unacceptable behaviour or any conduct for which sanctions may be imposed.

1.5 **To Appeal**

1. The right to appeal, subject to the Student Rights and Responsibilities policy, any decision/sanction taken or imposed by the College as a result of a formal process affecting his or her standing within the Fleming community. For all other College appeals refer to the particular policy for specific procedures.

1.6 To Organize

1. The right to form, join in, or take part in a lawful group or organization for intellectual, religious, social, economic, political, cultural or recreational purposes subject to College policy.

1.7 To Use College Facilities

1. The right, as a member of a student body recognized by the College, to use facilities designated by the College as available for student use, including religious and spiritual purposes. Students will abide by any College regulations in regard to such use, including the payment of fees or expenses.

2.0 STUDENT RESPONSIBILITIES

Within the Fleming Community, the student's most fundamental responsibility is to actively take responsibility for his/her own learning, supporting and promoting an environment that is conducive to learning for all. The responsibilities listed below and the specific examples of breaches of those responsibilities are designed to educate and to ensure that a safe, equitable and respectful learning environment is maintained at Fleming College. Students who breach any of these responsibilities may receive a sanction according to the associated procedures. Students have a right to expect that all other members of the College Community will meet the standard of behaviour outlined in the following responsibilities.

2.1 Respect for Persons

Students have the responsibility to respect the well-being, and the sense of personal worth and dignity of other students and members of the College Community.

Breaches of this responsibility include, but are not limited to the following:

- a) Any student who assaults any person on College property or any member of the College Community, whether on College property or while at a College activity.
- b) Any student who threatens, communicates or acts in an intimidating manner against any person on College property or any member of the College Community, whether on College property or while at a College activity.
- c) Any student who commits an act of sexual violence against any other person or threatens another person with sexual violence on College property or elsewhere (as a result of College-related business). This includes, but is not limited to, sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, degrading sexual imagery, distribution of sexual images or video without consent, cyber harassment and cyber stalking (refer to College Policy #3-343, *Sexual Violence Prevention*).
- d) Complaints of sexual harassment are dealt with through the Harassment and Discrimination Prevention policy established by the College (refer to College Policy #3-311, *Harassment and Discrimination Prevention*).
- e) Any student who harasses another person on College property or any member of the College Community, whether on College property or while at a College activity on any grounds, including but not limited to ancestry, place of origin, colour, ethnic origin, citizenship, sex, marital status, family status, disability, race, creed, sexual orientation, age or economic status. Violations of the Ontario Human Rights Act will be dealt with through the Harassment and Discrimination Prevention policy established by the College.
- f) Any student who makes false statements, whether written or spoken, which are damaging to the reputation of another member of the College Community.

- g) Any student who acts in a disrespectful way to another person while on College property or while at a College activity including but not limited to yelling, swearing, using profanity or by using demeaning speech, communication or gestures.

2.2 **Respect for Property and College Facilities**

Students have the responsibility to respect College Property, the property of other members of the College Community and to respect the proper use of College facilities. Acts of theft should also be reported to the police.

Breaches of this responsibility include but are not limited to the following:

- a) Any student who commits an act of theft or is in possession of stolen property while on College property, or engages in an act of theft or possession of stolen property affecting the property of the College or any member of the College Community.
- b) Any student who fails to return borrowed College property after the date for its return and/or demand for its return has been made.
- c) Any student who intentionally or carelessly damages or defaces College property or the property of any member of the College Community.
- d) Any student who litters the campus.
- e) Any student who enters any part of College property where that person has no right to be or who enters College property after having been excluded from entry by a sanction or legitimate order from a College agent or employee is a trespasser.
- f) Any student who violates the Information Technology Appropriate Use Policy.
- g) Any student who disobeys rules and regulations concerning the use of campus buildings and other College owned or operated facilities.
- h) Any student who possesses, duplicates or uses any College key without proper authorization.

2.3 **Maintain Orderly Learning and Working Environment**

Students have the responsibility to contribute to an orderly learning and working environment while on campus or any other learning experience associated with the College.

Breaches of this responsibility include but are not limited to the following.

- a) Any student who disrupts a class, laboratory, placement situation, field trip, extra-curricular activity or who is disruptive in a resource centre, whether by sounds or actions, or by failing to follow the directions of any teacher, or person in authority.
- b) Any student who by sounds or actions creates a disturbance anywhere on College property, or otherwise interferes with the peaceful use of College property by others.
- c) Any student who creates a false alarm on College property by any means.
- d) Any student who is in possession of a weapon including a weapon restricted or prohibited by the Criminal Code of Canada on College property or at a College activity (outside of accepted curricular activities related to weapons) for purposes not otherwise approved. Refer to College Policy #4-407, *Firearms*.

2.4 **Alcohol and Prohibited Substances**

Students have the responsibility not to abuse alcohol, medical or prohibited substances while on College property or at a College activity.

Breaches of this responsibility include but are not limited to the following:

- a) Any student who is on College property or is involved in a College activity and is in a state of intoxication due to alcohol consumption or another substance.
- b) Any student who is in possession of alcohol while on College property or while involved in a College-related activity, except where such possession is licensed, authorized or permitted under the laws of the province of Ontario.
- c) Any student who is in possession of any substance prohibited under the Controlled Drugs and Substances Act or the Food and Drug Act while on College property or involved in a College activity or who offers or sells such substances.

2.5 **Honesty**

Students have the responsibility to be honest with respect to academic matters and to be honest when dealing with other members of the College Community.

Breaches of this responsibility include but are not limited to the following:

- a) Any student who breaches academic integrity. Refer to College Policy #2-201, *Academic Regulations*.
- b) Any student who misrepresents any fact to the College or fails to disclose a fact, or assists another to do so, where such misrepresentation affects admission, matters of academic standing or another College process.

Related Documents

- Administrative Operating Procedure #5-506 OP, *Student Rights and Responsibilities*
- College Policy #3-343, *Sexual Violence Prevention*
- College Policy #4-420, *Violence Prevention*
- Administrative Operating Procedure #4-420 OP, *Violence Prevention*
- College Policy #3-311, *Harassment and Discrimination Prevention*
- Administrative Operating Procedure #3-311 OP, *Harassment and Discrimination Prevention*

Appendices

N/A

History of Amendments/Reviews:

Section(s)	Date	Comments
Student Responsibilities policy #3-326 created	1992	<ul style="list-style-type: none"> • Board approval of policy (Resolution BoG Sept 2-1992 #3) Reviewed, minor revisions (August 1999)
Policy reviewed and revised, renamed and reclassified as policy #5-506	May 2006	<ul style="list-style-type: none"> • Board approval of policy/procedure (Resolution BoG May 24-2006 #6)
Reviewed and updated	2014	<ul style="list-style-type: none"> Extensive revisions made to operating procedure portion of the document • Board approval of policy including procedure (Resolution BoG June 25-2014 #7)
Reviewed and updated following legislative requirements of Bill 132	August-October 2016	<ul style="list-style-type: none"> Ensures consistency with existing College policies. Separation of procedure from policy. • Board approval of policy (Resolution BoG Dec14-2016 #1)