

Residence

Code of Conduct



**DALHOUSIE
UNIVERSITY**

dal.ca/residence





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I. INTRODUCTION

Dalhousie Residence Life is guided by the notion that university is an opportunity for students to learn about their values, how to live with others, and how to have a positive impact on their community. As part of an academic institution, we are guided by the value of education and creating opportunities for students to learn. The residence conduct system is designed to incorporate an educational/developmental approach. We are committed to encouraging critical reflection and taking accountability for one's actions.

Living in one of the Dalhousie residence communities is a privilege. Dalhousie Residence Life will support students' personal and academic success in a safe, inclusive and respectful environment. Behaviours that negatively impact the residence community will be addressed with the resident(s) and will fall under this Code.

1. APPLICATION

The Residence Code of Conduct applies to all individuals living in residence (residents).

2. ACCOMMODATIONS

Dalhousie Residence Life recognizes that some students may have practices or medical requirements that may put them in conflict with the Residence Code of Conduct. This includes but is not limited to: smudging, candles for religious practices, medical cannabis, etc. If you require accommodation for any of these, please get in touch with your Residence Life Manager or Residence Don.

3. RESPONSIBILITIES

Residents have a responsibility to partner with Dalhousie's Residence Life staff and support services on campus to ensure their behaviour does not have a negative impact on the residence community at Dalhousie.

Residents are responsible for reading, understanding, and abiding by the procedures and processes contained in the Residence Code of Conduct, as well as those detailed in other university policies. Residents are also responsible for abiding by all relevant municipal, provincial and federal laws and statutes, including relevant Municipality of Halifax (Halifax Residences) or Colchester (Truro Residences) by-laws.

Residents are responsible for the actions of their guest(s) and /or any individuals they allow to enter residence.

Residents are responsible for checking their Dalhousie email and responding in a timely fashion to communications and directives from Residence Life and Ancillary Services.

Residents are also responsible for attendance at scheduled meetings. Failure to attend scheduled meetings without reasonable notice and/or excuse may result in decisions being made without an individual's input and sanctions for non-cooperation with staff/university officials.

4. COMPLEX BEHAVIOUR AND LIMITS OF SUPPORT

Residence is not a therapeutic environment. The safety, health and wellbeing of individual residents and that of the residence community is the primary concern of the university.

Dalhousie Residence Life works in collaboration with the Dalhousie Student Health and Wellness Centre and other support services on campus and in the community, including Emergency Health Services.

Complex behavior is described as behaviour that is not necessarily a Residence Code of Conduct violation by nature but is complicated by significant/contributing factors that affects a resident's or the residence communities' well-being.

Residents are not permitted to refuse to be assessed by Emergency Health Services if such an assessment is deemed necessary by Dalhousie Residence Life staff or Security Services staff. They are also not permitted to refuse medical assistance or care offered by Emergency Health Services.

Dalhousie Residence Life reserves the right to terminate a residence agreement if it is determined that the level of support required by a student is beyond the limits of what can be provided in residence by Residence Life Staff, or when the residence community is significantly impacted by the behaviour of a student. In such cases, university staff will work with the student to assist in finding more suitable accommodation.

5. STANDARD OF PROOF

For the purposes of this Residence Code of Conduct, we use an administrative justice system. Findings of responsibility are based on the balance of probabilities. This means that the evidence shows it is more likely than not the alleged violation occurred.

6. UNIVERSITY CODE OF STUDENT CONDUCT

Individuals who commit violations and/or exhibit problematic behaviours in the Dalhousie residence community may be referred to Dalhousie University's Code of Student Conduct. More information on the Dalhousie University Code of Student Conduct can be found at: https://www.dal.ca/dept/university_secretariat/policies/student-life/code-of-student-conduct.html

7. ACCEPTABLE USE OF INFORMATION TECHNOLOGY SERVICES

Students' use of Eastlink's services is subject to the terms of the university's Acceptable Use Policy (www.dal.ca/dept/university_secretariat/policies/informationmanagementand-technology/acceptable-use-policy-.html), Eastlink's Acceptable Use Policy (www.eastlink.ca/about/termsandconditions/acceptableusepolicy.aspx), and any End-User Licence Agreements required by Eastlink (which may be implemented or modified from time-to-time). It is the responsibility of each resident using the services to read, understand and abide by the terms contained in these documents. A failure to comply with these requirements may result in restricted, suspended or revoked service.

II. POLICIES and REGULATIONS

The residence conduct system incorporates three categories of violations that will determine process and possible sanctions. See III. Processes and Outcomes (page 20) for more information.

LEVEL ONE: Actions and behaviours that undermine the safety and well-being of those in the residence community.

LEVEL TWO: Actions and behaviours that have a significant negative impact or potential impact on the safety, well-being or dignity of an individual resident, residents, or the residence community.

LEVEL THREE: Actions and behaviours that seriously compromise the safety, well-being or dignity of an individual resident, residents, or the residence community; have considerable associated risk.

Examples of violation levels are provided throughout the next section. Repeat violations of any level will result in an escalation through the conduct system resulting in more serious responses and possible sanctions.

1. ALCOHOL

Residence Life promotes the lower-risk consumption of alcohol as set out in Canada's Lower-Risk Alcohol Drinking Guidelines (<https://novascotia.ca/dhw/addictions/alcohol-drinking-guidelines.asp>). Consumption of alcohol in residence, or in any public area in or surrounding residence, is regulated by Nova Scotia's Liquor Control Act. Please be aware that the provincial drinking age is 19. Residents are required to respect and abide by all applicable federal, provincial and municipal laws pertaining to alcohol.

Excessive consumption of alcohol is a concern and will be followed up by Residence Life through an approach focused on harm reduction, health, and wellness. Intoxication on its own is not a violation of the Residence Code of Conduct. Residence Life encourages students to seek help if someone requires assistance for over-intoxication and will initiate emergency medical response (if required).

The following alcohol related behaviours are prohibited in residence:

- Any activity or event that requires alcohol consumption to participate;
- Any form of drinking game (as a participant, host, or spectator), floor/hall crawl, or any event that has drinking as its main goal or intoxication as its inevitable end;
- The sale or distribution of alcohol;
- Possession and consumption of alcohol when under 19 years of age;
- Providing alcohol to anyone under the age of 19;
- Common source alcohol;
- Kegs or large volume containers of alcohol;
- Trophies (alcohol bottle displays) or window displays of full, partially, or empty bottles;
- Funnels and/or other speed drinking devices;
- Stockpiling (possession of significant quantities) of alcohol;

- Consumption or possession of open alcohol in hallways, stairwells, elevators, bathrooms, study rooms, games rooms, laundry rooms and/or non-designated common rooms;
- Congregation in the halls with open and/or closed alcohol; and
- Transportation of alcohol in the hallways or between floors unless it is in a closed or capped container and stored in a bag. For transportation, alcohol must be in the original state at the point of purchase (ex: sealed beer bottle/case, uncorked wine bottle, unopened bottle of liquor, etc.) OR in a re-sealable, opaque, plastic (or other non-glass material) and not hold more than sixteen (16) ounces (475 ml) of liquid.

Students living in residence and their guests who are 19 years of age and older are permitted to have and to consume alcoholic beverages in designated common rooms under the following conditions:

- Only one drink/container per person is permitted;
- Containers must be re-sealable, opaque, plastic (or other non-glass material) and not hold more than sixteen (16) ounces (475 ml) of liquid;
- Alcohol in lounges is a privilege and this privilege may be revoked at any time at the discretion of Residence Life.

In residence buildings where an alcohol free orientation week is in effect, all residents and their guests are prohibited from possessing alcohol during the posted time frame. For full details on alcohol free orientation week (including locations, dates, etc.) please refer to the residence website.

Some examples of violations of this policy include:

Level 1: Drinking in the hallways; participation or spectator of drinking games; improper transportation of alcohol

Level 2: Hosting of drinking games

Level 3: Selling or distributing alcohol

2. CANNABIS [This policy will come into effect when the Federal Cannabis Act is enacted, scheduled for October 17, 2018. Until that time, cannabis will fall under the Drugs and Illegal Substances policy]

Residence Life encourages the lower-risk use of cannabis as outlined by Lower-risk Cannabis Use Guidelines (<http://crismonario.ca/research-projects/lower-risk-cannabis-use-guidelines>). Residents are encouraged to familiarize themselves with the Nova Scotia Cannabis Control Act (www.novascotia.ca/cannabis). Please be aware that the provincial age for cannabis use, possession, and purchase is 19. Residents are required to respect and abide by all applicable residence and Dalhousie policies, along with federal, provincial, and municipal laws pertaining to cannabis.

The following cannabis-related behaviours are prohibited in residence:

- Smoking (including vaping) cannabis in residence. Please note that some Dalhousie University campuses are smoke-free (see the smoking policy on page 10.);
- Possession and consumption of cannabis when under 19 years of age;
- Possession and consumption of cannabis in lounges or common areas;
- Improper storage of cannabis. Cannabis must be stored in such a way that any smell is undetectable outside of the student's residence room or, in a shared room, by roommates. Complaints of strong odour of cannabis that impacts members of the community will be a violation under this policy;
- Cultivation of cannabis. Residents are not permitted to grow or possess cannabis plants in residence;
- The sale or distribution of cannabis;
- Providing cannabis to those under 19 years of age;
- Possession or consumption of edible cannabis products or cooking with cannabis;
- Trophies or windows displays of bong, pipes, grinders, and other paraphernalia, etc.;
- Delivery of online cannabis purchases (Residences will not accept the delivery of cannabis purchases)
- Possession of permitted cannabis products in excess of 30 grams
- Any other activities that are contrary to Federal or provincial laws.

A note on medical cannabis:

If your medically prescribed use/possession of cannabis is in conflict with the regulations set in the Residence Code of Conduct, you must apply for and be granted an accommodation that permits your medically-required use prior to engaging in any activities that are contrary to the Residence Code of Conduct. That accommodation will be disclosed to the Residence Life staff to enable implementation of your accommodation. See https://www.dal.ca/campus_life/academic-support/accessibility/accommodations-.html for more information.

Some examples of violations of this policy include:

Level 1: Smell of cannabis, improper storage of cannabis

Level 2: Possession of cannabis in common areas, underage possession/consumption of cannabis

Level 3: Selling or distributing cannabis

3. DRUGS AND ILLEGAL SUBSTANCES

Dalhousie University does not tolerate any drug-related activity, including the misuse of prescription medications.

Possession, in or around residences, of any controlled drug(s) or substance(s) for any purpose other than authorized personal medical use, including for the purpose of administering, delivering, giving, selling, sending, transferring, or transporting the drug(s) or substance(s) to another person or persons, will not be tolerated on university property. Possession of paraphernalia that is associated with the administration, possession, use, or trafficking of any controlled drug or substance is not allowed in residence.

Reasonable belief of either use or possession of illegal drugs or any unsafe practice involving prescription medications/drugs in our residence community is considered a violation of this policy. For the purposes of this policy, a distinct odour of drugs and/or possession of drug paraphernalia, could be considered sufficient proof that a violation of the policy has occurred.

Some examples of violations of this policy include:

Level 2: Use of illegal drugs; Possession of drug paraphernalia

Level 3: Selling or distributing drugs

4. SMOKING

Dalhousie University residences are strictly non-smoking, this includes the use of e-cigarettes and vaporizers. Residents choosing to smoke are expected to be considerate of the environment and of others' rights when smoking outside, including proper disposal and proximity to doors/windows.

Halifax campuses are smoke-free. This prohibits smoking (of any substances) in any university-owned or leased building, on university property, or in university vehicles. View the no-smoking policy here: https://www.dal.ca/dept/university_secretariat/policies/health-and-safety/no-smoking-policy-.html.

Truro campus is not smoke-free, but please use the designated smoking areas on campus as indicated by Residence Life and Ancillary Services staff.

Some examples of violations of this policy include:

Level 2: Smoking in a residence room, smoking in outdoor spaces located within the residence buildings (ex: courtyards), smoking in any residence common space including bathrooms, hallways, lounges, etc.

5. VIOLENCE

Violence, inciting violence, threats of violence, and/or physical aggression is not tolerated in residence. Examples include but are not limited to fighting, hitting, punching, slapping, kicking, pushing, pulling, throwing objects at another, etc.

Some examples of violations of this policy include:

Level 3: Hitting another person, fighting

6. SEXUALIZED VIOLENCE

Residence Life at Dalhousie requires a commitment to an atmosphere of reciprocal respect among all members of the residence community.

Sexualized violence, including sexual harassment and sexual assault, undermines the full and free participation of all members of the community by negatively impacting individuals and/or creating intimidating, hostile, or unsafe living, learning and working environments.

The university has a Sexualized Violence Policy which covers both sexual harassment and sexual assault. Any resident who experiences sexualized violence may seek assistance and referral from Residence Life Staff, counselling support from Student Health and Wellness, and/or advice on complaint and reporting options from the Sexualized Violence Advisor in Human Rights and Equity Services.

Further information on procedures and resources for sexualized violence are available at: <https://www.dal.ca/dept/dalrespect/sexual-violence.html>. See also the Sexual Assault Response Protocol for more information about our approach to responding and supporting students who disclose experiencing sexual assault as well a list of resources. <https://www.dal.ca/dept/dalrespect/sexual-violence/sexual-assaultresponse-protocol.html>

Please note: In the event that report is made under the Sexualized Violence Policy, the parties involved may be subjected to interim measures until a resolution has been determined to ensure the safety of the individuals involved.

Some examples of violations of this policy include:

Level 3: sexually harassing a student, sexually assaulting a student

7. HARASSMENT AND BULLYING/CYBER BULLYING

Abuse (verbal, written, physical or otherwise), threats, intimidation, sexualized violence, violence, pranks, or other forms of harassment against any member of our community, is not tolerated in residence.

Incidents of harassment should be reported to Residence Life staff who will involve the Human Rights and Equity Services Office to assist with responding to the matter.

Dalhousie University will not tolerate incidences of bullying/cyber bullying in our community. Incidents of bullying/cyber-bullying are deemed incidents of harassment.

Taken from the Report of the Nova Scotia Task Force on Bullying and Cyber Bullying (2012); we define bullying as, "A repeated behaviour that is intended to cause, or should be known to cause, fear, intimidation, humiliation, distress or other forms of harm to another person's body, feelings, self-esteem, reputation or property."

Some examples of violations of this policy include:

Level 3: harassing a student

8. HAZING

Hazing or initiations of any kind are not tolerated in our residence community.

Hazing is any activity expected of an individual wishing to join a group (or of an individual wishing to gain or maintain full status in a group) which humiliates, degrades, abuses, endangers, or subordinates that individual, regardless of their willingness to engage in the activity. As such, hazing is a form of harassment.

Voluntary participation is not an excuse for hazing.

Incidents of hazing or initiation will be handled per the university Hazing Policy (https://www.dal.ca/dept/university_secretariat/policies/student-life/hazing-policy-.html?cq_ck=1402413158275.html).

9. THEFT

Residents are not permitted to take possession of, use/misuse, and/or be in possession of property that is not their own, without prior permission. Residents are also not permitted to deface, destroy, and/or dispose of property that is not their own.

This includes removal of utensils, dishes, glasses, food, etc. without permission from the dining halls.

Some examples of violations of this policy include:

Level 3: Theft of items belonging to another student, theft of items belonging to the dining hall or residence building

10. DAMAGES

All damage to residence property is prohibited. This includes; but is not limited to, the following behaviours:

- Marking any surface through action or neglect, that is not deemed normal wear and tear;
- Actions or neglect that leads to or has the potential to lead to damaging, offensive, or harmful problems in residence, including water damage, odours, and insect/rodent infestation;
- Behaviour that causes, or has the potential to cause damage through action, carelessness or negligence;
- Willful damage, vandalism, graffiti or neglect that leads to damage to the university or private property.

Ancillary Services and Residence Life reserve the right to levy charges (including repair and/or clean-up costs) or fines against residents of the applicable floor, tower, wing, area, section, house, or hall. When damages or violations occur and the responsible individual(s) do not come forward or cannot be identified, social and/or recreational privileges may be suspended.

Hall/House Councils are responsible for all unattributed damage charges (including repair or clean-up costs) that occur during, or as a result of, Council events/activities.

11. WEAPONS AND EXPLOSIVES

Firearms or any other weapons are strictly prohibited. This includes items that are created or whose use could be intended to cause harm, be seen as intimidating, or be mistaken for a weapon. Examples include, but are not limited to, restricted weapons, fencing foils, ceremonial or decorative swords, air soft guns, paintball guns, axes, knives, and replicated / collectable weapons.

Some examples of violations of this policy include:

Level 3: Possession of a weapon

12. NON-COOPERATION WITH UNIVERSITY STAFF/OFFICIALS AND EMERGENCY SERVICES PERSONNEL

It is expected that residents will cooperate with university staff and officials in our residence community. Residence Life, Front Desk, Security Services, Custodial, Facilities, Maintenance, and Dining Hall/Dalhousie Food Services staff are to be treated with courtesy and respect at all times.

It is also expected that emergency services personnel (including, for example, the Police and Fire Departments, as well as Emergency Health Services) will be treated appropriately. This includes following directives to seek medical attention.

Failure to cooperate and/or comply with a request includes; but is not limited to, such actions as refusing to comply with a specific request (e.g., to open a door, to dispose of alcohol, to relocate while smoking); refusing Residence Life or Security Services staff entry into a unit while carrying out their duties; running or walking away or intentionally evading a staff member, or encouraging others to do.

Verbal or physical harassment and/or emotional or physical abuse of university staff members carrying out their duties will not be tolerated.

Failure to identify yourself or to falsely identify yourself when requested to do so by a university staff member is prohibited.

13. FIRE SAFETY

Dalhousie residences are governed by the laws and regulations of the province of Nova Scotia as enforced by the Office of the Fire Marshall. Violations of these laws and regulations may result in criminal charges as determined by the Halifax Fire Department and/or Halifax Police Department (Halifax Campuses) and/or the Municipality of Colchester (Truro Campus).

The following behaviours are prohibited in residence:

- Tampering with fire equipment, including but not limited to, smoke detectors, heat detectors, fire extinguishers, sprinklers, pull stations, emergency exits, hanging of decorations (flags, etc.) from the sprinkler heads/pipes, etc;
- Open flames, including but not limited to lighting candles, incense, sparklers, etc.

Hallways and stairwells must remain clear at all times for safe exiting of the building. This includes not storing items in hallways and stairwells, or congregating in large groups in hallways or stairwells;

In the event of a fire alarm, all students must vacate the building immediately and remain out of the building until university officials clear students to enter again.

If there are any financial costs associated to the intentional or unintentional/ negligent actions of a student that result in the activation or the misuse of residence fire safety equipment Ancillary Services and Residence Life reserve the right to levy charges onto the student who is found responsible. This can include; but is not limited to, the costs related the improper discharge of a fire extinguisher, electrician and emergency services costs related to an improper fire alarm, etc.

Some examples of violations of this policy include:

Level 1: Possession of candles, incense, sparklers (unlit)

Level 2: Negligent activation of fire safety systems, open flame (lit candles, incense, etc.)

Level 3: Purposeful activation of or tampering with fire safety systems/equipment; discharge of fire extinguisher (when there is no fire)

14. GUESTS

A guest is considered anyone who is not a resident of the building or house they are visiting. This includes residents from other residence buildings on campus.

All residents are responsible for the behaviour of their guests, including responsibility for damage. Guests must be accompanied by the resident host at all times.

It is an individual's responsibility to ensure that their guests comply with all residence policies and procedures. Anyone that a student permits to enter the residence building is considered their guest. Guests may be required to sign-in to any residence building. Both a host and a guest from another residence may be held responsible for violations of this Code.

Guests may be asked to leave at any time if they are not acting in accordance with residence policies, as identified by residence staff.

15. KEYS AND BUILDING ACCESS

For the safety of all members of the Dalhousie residence community, access to residence buildings is controlled. Each person authorized to be in residence, receives keys and/or access cards which provide access to the main entrance door, the student's individual room, and the laundry room. These items remain the property of Dalhousie University, cannot be duplicated, and must be returned upon request.

The following actions are prohibited in Dalhousie University residences:

- Tampering in any way with, or disabling, locks (or other security devices including, but not limited to, card readers, hinges, magnetic locks, alarms, lights);
- Lending of keys and/or access card;
- Possession of unauthorized keys and/or access cards;
- Tailgating and/or fraudulently gaining or attempting to gain entry to another residence room or building;
- Propping of exterior/building access doors/fire doors;
- Blocking of exits.

For safety reasons, there are areas in residence buildings where residents are not permitted access. These areas include rooftops, mechanical, electrical (this includes tampering with electrical panels), and maintenance rooms; offices and administrative spaces; some dining hall related spaces such as kitchens; or any other space determined by the university.

16. MISUSE OF FACILITIES

All facilities are to be used and maintained for the purpose for which they were designed.

The following behaviours are prohibited in residence:

- Sports played inside the residences;
- Tampering with window stops, window screens, throwing or dropping objects from, or climbing out windows;
- Removal/relocation of residence furniture from residence rooms and or common spaces;
- Alteration or construction of any part of a residence room;
- Use of tape, nails, screws, tacks, staples or pins. Adhesive poster strips may be used by student to decorate their rooms. These are available free of charge at the residence desks and/or from the Residence Assistants.

Some examples of violations of this policy include:

Level 1: Sports in the hallway (with no damage caused)

Level 2: Removal of furniture from common spaces

Level 3: Throwing objects out windows, climbing out windows

17. NOISE AND QUIET HOURS

The Dalhousie residence community is committed to ensuring that standards governing noise levels are maintained for the benefit of all residents. Residents should avoid disturbing others; the right to reasonable quiet supersedes the right to make noise.

All residents are expected to uphold reasonable noise levels at all times.

During quiet hours all noise including; but not limited to, that of stereos, radios, TVs, musical instruments, computer and other devices, and all conversations must not be audible beyond the student's rooms. Residents may be required to store or remove speakers, equipment, etc. from their residence room.

Subwoofers or speakers where bass cannot be controlled or reduced, are not permitted

in residence – both in individual rooms and common areas.

Quiet hours vary depending on the academic calendar and community (i.e. quiet hours during exam periods, designated quiet floors). This information can be found on the residence website.

Some examples of violations of this policy include:

Level 1: Non-compliance with quiet hours; use of loud speakers or subwoofers

Level 2: Excessive noise that significantly disturbs the residence community

18. PETS

No pets are permitted in residence, except for non-dangerous fish (aquariums must be no larger than 2'x1'x1'). Only service animals approved through the university Student Accommodations Policy are allowed. These accommodations must be arranged in advance of bringing the service animal to residence.

19. SCENT-FREE

Dalhousie University endorses a scent-free environment on campus. Members of the university community as well as visitors are encouraged to avoid use of scented personal care products or other products that may cause an adverse reaction to residents with environmental sensitivities/allergies. This can include air fresheners, cleaning products, essential oils, body odour, etc.

Some examples of violations of this policy include:

Level 1: Excessive smell of air fresheners or cleaning products, the excessive smell of essential oils or body odour

Please note that the smell of cigarettes will be considered a violation of the smoking policy.

Please note that the smell of cannabis will be considered a violation of the drugs and illegal substances policy/ cannabis policy (when enacted).

20. BUSINESSES, ADVERTISING, AND SOLICITATION IN RESIDENCE

The university does not permit solicitation, any third-party advertising, and/or operation of a business, in its residences.

Prohibited activities include but are not limited to;

- Flyers being slipped under doors;
- Door-to-door knocking;
- Door hangers, stickers, or other promotional materials being used/placed in residence;
- Mass mailings.

Information (including things like posters or tent cards) from approved parties is specifically monitored and explicitly approved through Residence Life and/or Ancillary Services.

For questions around businesses for academic requirements, please speak with a Residence Life staff member.

Some examples of violations of this policy include:

Level 1-2: Displays promoting inappropriate activities or messages, unauthorized campaigning, unauthorized selling of products or services

III. PROCESSES and OUTCOMES

1. HOW THE RESIDENCE CODE OF CONDUCT IS ADMINISTERED

An incident report is generated when a potential violation of the Residence Code of Conduct has occurred, and/or a student files a complaint with a Residence Life staff member. When an incident is reported by Residence Life staff members, it will be documented in the eRezLife conduct management database. This report will include the names of the individual(s) involved, names of any witnesses and the details of the incident. This report is then submitted to the Residence Life staff member responsible for review and decision-making.

Offences committed by each individual named as potentially violating the Code in an incident report are assigned a level (one, two, or three) as outlined in section two above. A student may have a maximum of three violations at each of the three levels.

Should a student already have reached the maximum, the incident is automatically assigned to the next highest available level.

For more information on the administration of the Residence Code of Conduct, please speak to your Residence Life Manager or the Student Conduct Office (4th floor Student Union Building).

2. FILING A COMPLAINT

Students have the ability to make a complaint against anyone who violates their right to a safe and secure environment that is conducive to academic pursuits. A student complaint against another student will be reviewed and applied to either the Residence Code of Conduct or the Dalhousie Code of Student Conduct, as applicable.

Retaliation

Students should feel safe to make a complaint without fear of retaliation. Any action of retaliation against a student or community member for filing a complaint is subject to disciplinary action as outlined in this Code.

Right to Withdraw a Complaint

A complainant has the right to withdraw a complaint at any stage of the process.

However, Residence Life staff may continue to act on the issue(s) identified in the complaint in order to ensure a safe and secure environment conducive to academic pursuits.

Unsubstantiated or False Complaints

If a person, in good faith, discloses or files a complaint that is not supported by evidence gathered during an investigation, that complaint will be dismissed. Disclosures or complaints that are found following investigations to be frivolous, vexatious or in bad faith, that is, made to purposely annoy, embarrass or harm the respondent, may result in disciplinary action against the complainant.

3. CONFIDENTIALITY

Residence Life staff will respect the confidentiality of all persons, including the complainant, respondent, and witnesses. However, confidentiality cannot be assured in the following circumstances:

- An individual is at imminent risk of self-harm;
- An individual is at imminent risk of harming another;
- There are reasonable grounds to believe that others in the residence community or wider campus and local community may be at risk of harm;
- Individuals within the university community need to know certain information in order to carry out their responsibilities;
- Where there is a legal obligation to report to authorities; and/or
- Where there is a legal obligation to act or cooperate with an extra-university judicial process.

In all circumstances outlined above, the least amount of information possible will be disclosed.

4. INVESTIGATION AND NEXT STEPS

Within five calendar days of the incident report or complaint being filed, the student(s) named for potentially violating this Residence Code of Conduct will be notified and may be required to meet with a designated Residence Life staff member responsible for addressing the incident.

Different Residence Life staff will be assigned to review and investigate incident reports and

complaints depending upon category assigned to the alleged violation of the Residence Code of Conduct. Typically:

Level One incidents will be assigned to a Residence Assistant for review and decision-making.

Level Two incidents will be assigned to a Residence Don/Residence Life Manager for review and decision-making.

Level Three incidents will be assigned to more senior Residence Life staff or a designate for further review and decision making.

After notifying the student(s) named in the incident report or complaint, the following will occur:

(1) The Residence Life staff member will investigate the incident by speaking with the student(s)/ staff involved and any witnesses. Failure to return calls/emails, respond to meeting requests or to meet at a scheduled time regarding an investigation will result in the decision being made with the available information. A student who misses a scheduled conduct meeting without reasonable notice/excuse may face a Non-Cooperation with university Staff/Officials violation or be required to pay an administrative fee of \$25.00 which will be charged to their student account.

(2) The Residence Life staff member will review the report and findings and make a decision regarding an appropriate outcome. In making their decision, the Residence Life staff member will apply a standard of proof known as the balance of probabilities (i.e. whether it is or more likely than not that the alleged violation of the Code occurred based on the information available).

(3) Level One violations will be followed-up by a Residence Assistant (in person or by email). A decision letter will be sent to the student by email for all Level Two and Level Three violations. The decision letter will advise the student of their right to appeal and of the availability of the Dalhousie Student Advocacy Service and other supports through the Dalhousie Health and Wellness Centre.

Note: Residence Life staff may follow up on any incident that occurs within any residence building. Individuals who commit violations in the Dalhousie residence community may instead be referred to Dalhousie University's Code of Student Conduct. More information on the Dalhousie University Code of Student Conduct can be found at: https://www.dal.ca/campus_life/safety-respect/student-rights-andresponsibilities/student-life-policies/code-of-student-conduct.html

5. INTERIM MEASURES

Although procedures outlined above are intended to apply to most situations related to behaviour, there are conditions that warrant a heightened level of concern for safety, security, health and wellbeing. Interim measures may be required to ensure a swift, effective response to conditions to protect residents, guests, staff, the community and the university. Interim measures can include immediate transfers or removals from residence, behavioural contracts, residence bans, etc. and will remain in effect until the situation can be investigated and concluded following the above-mentioned procedures.

6. OUTCOMES/SANCTIONS

Dalhousie Residence Life is committed to the use of educational and restorative principles in all interactions with students, including Residence Code of Conduct follow-up. These approaches focus on the community harms and needs, and seek to create an understanding of these harms through an educational and collaborative process.

All outcomes and/or approaches may be issued by any member of residence life staff or designated campus partner.

These outcomes/sanctions include, but are not limited to:

Learning Conversations

Most behaviour in contradiction of the Residence Code of Conduct will result in a learning conversation with a Residence Assistant. This conversation is intended to identify the contrary behaviour and work on a resolution to reduce harm/impact and prevent its recurrence.

Educational Assignments

Educational assignments are designed in a way to engage students in a learning and/or reflection process. This could include participation in leadership opportunities, awareness, health or safety programs; reflective learning or personal success exercises; projects, seminars, and other assignments as appropriate.

Bonds

Bonds are used to ensure that an individual complies with a specific behaviour contract or policy/procedure. If there are no further conduct violations within the remainder of the academic year, no fine will be issued.

If additional violations occur, bonds are changed into fines and charged to their student accounts, and further outcomes may result.

Fines

Fines are non-refundable monetary consequences assessed when an individual has failed to complete an educational assignment within the required timeframe and without making arrangements for an extension. We encourage all students to complete educational assignment(s) and if needed request extensions of timelines.

Restitution

A monetary reimbursement to recover the loss or damage of residence property/services/labour as a result of an accident or incident. Students are strongly encouraged to come forward in these instances. Generally, restitution is the sole sanction in the event of accidents. Labour costs vary by time/day.

Community Billing

When common area damage/vandalism occurs and the responsible persons are not identified, repair and administration costs will be charged to every resident, or a specific section of the residence community.

Restrictions

A restriction of various permitted behaviours, for example: loss of guest privileges, loss of ability to possess or consume alcohol in residence, or a no contact order between resident students and/or guests, for a designated period of time.

Behavioural Contracts

Residents may be required to agree to a behavioural contract if they wish to remain in residence. A behavioural contract is normally discussed in a meeting with a Residence Life staff member and is an agreement between an individual and the university, whereby an individual agrees to a set of specified behaviours, stipulations, conditions, and/or expectations.

Further violations of the Residence Code of Conduct will be considered a breach of the behavioural contract. Breach or violation of the terms or conditions of a behavioural contract will result in further progression/outcomes and will be clearly articulated in the agreement.

Residence Bans

Students may be banned from specific residence locations (including, but not necessarily limited to residence buildings and dining halls), or from the entire residence building for a specified period of time. Residence bans may also coincide with residence transfers or removal (eviction) from residence.

Dalhousie University Security Services may issue a notice against a student or guest pursuant to the Protection of Property Act prohibiting entry to all or part of the campuses (including residence buildings) or prohibiting a particular activity or activities on all or part of the campuses, where circumstances warrant.

Residence Transfers

Residence Life staff reserve the right to remove a resident from a particular room/floor/building if it is deemed necessary and in the best interests of the student and/or community. The intent of the relocation is to allow the student a fresh start in a new environment. A resident may be relocated temporarily until an investigation is closed. Any costs associated with being relocated, for instance if there is a change in room type, are the responsibility of the student being relocated.

Removal From Residence (Evictions)

The university reserves the right to terminate the residence agreement of an individual when violations which are illegal or endanger the security and safety of residents, or seriously disrupt the residence community or immediate neighbourhood, have taken place.

Examples include, but are not limited to: criminal activity; physical assault; sexualized violence; harassment (including emails, text messages, voicemail or other computer/telephone communications); threats of violence or any other willful or negligent conduct that endangers the health, safety or well-being of others; trafficking, possession, promotion, or use of illegal drugs; theft of or damage to property of the university or others; misuse or tampering with fire safety equipment; and possession of weapons.

All students who are removed from residence are still responsible for all fees associated with their residence agreement, which may include the cost of your room and meals up to and including the date of your departure, plus an additional 60 days' worth of room charges. Students who are removed from residence may be banned from specific residence locations (including, but not necessarily limited to residence buildings and dining halls), or from the entire residence community for a specified period of time.

Denial Of Readmission To Residence

Students will not be readmitted into residence for subsequent terms.

IV. APPEALS

The student may submit an appeal request within five (5) calendar days of the decision letter date. To commence an appeal, a resident student must complete the Appeal Request Form found online at dal.erezlife.com.

An appeal will occur if at least one of the following conditions/grounds is met:

- There is new information that is likely to change the decision;
- There is evidence of bias and/or procedural error (a flaw in the process of investigating or considering an allegation);
- The sanction imposed is not consistent with the nature of the offense.

When requesting an appeal, a resident student must submit the Appeal Request Form indicating:

- The conditions/grounds under which the appeal is being made;
- The explanation/reasons that will be used to support the grounds for appealing;
- The requested resolution;
- The decision letter along with any other supplementary documentation/information.

Filing or receiving an appeal does not stay (postpone) the decision under appeal. Therefore, students are required to adhere to all sanctions during the appeal application/process.

ASSIGNING APPEALS

The appeal request will be assigned to an individual or group that has the next highest authority level to the initial decision maker. At no time will an individual assigned to determine an appeal have been involved in making the decision under appeal.

For purposes of assigning appeals, the levels of authority are:

- (1) Residence Assistant
- (2) Residence Life Manager / Residence Don
- (3) Director, Residence and Student Life/ Manager, Residence Operations
- (4) Appeals Committee

APPEALS COMMITTEE

Truro Residences

Director, Residence Operations (Chair of the committee) or their designate, the Director of Dalhousie Security or their designate, and a student representative.

Halifax Residences

Director, Residence and Student Life (Chair of the committee) or their designate, the Director Residence Operations (Ancillary Services) or their designate, the Director of Dalhousie Security or their designate, and a student representative.

Upon receiving the student's appeal, the Residence Conduct Coordinator will arrange a meeting with the student to discuss the content of the appeal and possible resolutions. The Residence Conduct Coordinator will then work with the student to discuss all options available to pursue the student's appeal.

APPEAL REVIEW

The individual/committee will notify the individual who made the original decision that their decision is under appeal and give them five (5) calendar days to respond to the appeal.

The individual/committee assigned to the appeal will then conduct a review of the appeal submission within five (5) calendar days after receipt of the decision-makers response. The review will consider the file, supporting documents from the original decision, and any relevant new information as deemed necessary by the student or the individual/committee assigned to the appeal.

The individual/committee assigned to the appeal will either overturn, amend, or uphold the original decision.

Appeal decisions shall be communicated to the student in writing. All appeal decisions are final.





UPDATED JULY 1ST, 2018

You can find the most up to date version of this document at dal.ca/ResidenceCodeofConduct. If there is any discrepancy between information in this guide and on the website, then the website will be deemed correct.



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