



RESIDENCE LIFE CODE OF CONDUCT

Subject: Student Conduct in Residence

Group: Student Affairs

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Mount Allison University wishes to acknowledge and give appropriate credit to Brock University, Dalhousie University, the University of British Columbia, the University of New Brunswick, and the University of Guelph whose own Residence Community Standard documents served as the template for this document.

1. INTRODUCTION

Welcome to your home in residence at Mount Allison University.

Student Life works hard to facilitate the successful sleep, study, and social life of approximately 1,000 students in residence. To do this, we must balance residents' needs in order to provide the conditions necessary for a high quality of residential life and academic success. By knowing and adhering to the Residence Life Code of Conduct, residents play an active role in achieving these aims. The privilege of living in residence comes with the responsibility of abiding by federal, provincial, and municipal laws, following residence rules, and upholding community standards.

Understanding the Terms of Living in Residence

Students living in residence must be familiar with and abide by the Conditions of Residence Accommodation, the Residence Life Code of Conduct, and any other applicable Mount Allison policies. Failure to abide by the terms of these documents can lead to sanctions under the Residence Life Code of Conduct or other applicable policies. Being unaware of these documents does not constitute an excuse.

Please note: as part of the online application process for residence accommodation at Mount Allison you provided your electronic signature confirming that you read, understood, and agreed to abide by the Conditions of Residence Accommodation.

2. EXPECTATIONS FOR RESPECTFUL COMMUNITY LIVING

Residence is your home away from home. It is also the home away from home for each of your residence neighbours. Your rights are balanced against the rights of others. No one person's rights trump the rights of others. Consideration and respect for others are paramount. When the actions of one infringe upon the rights of another to the detriment of the residence community, the Residence Life Code of Conduct is employed. Its primary purpose is educative not punitive. Even so, there are consequences for behaviour which negatively affects the residence community. The Residence Life Code of Conduct seeks to articulate those consequences while providing avenues for education and support.

Actions that contravene the Residence Life Code of Conduct are referred to as infractions. A complete list of infractions may be found in Section 5 of this document. **Ignorance, anger, alcohol or substance abuse will not be accepted as an excuse, reason, or rationale for committing infractions.** It is expected that if students are having problems with anger or substance abuse, they will seek help from an appropriate resource (e.g. personal counselling services) before the situation intensifies.

3. RESIDENCE COMMUNITY STANDARDS

Mount Allison strives to foster a community that values and protects diversity, inclusivity and respect for one another. Our diversity makes us stronger and is something we welcome and celebrate within residence. Any behaviour that harms the integrity or dignity of another individual is not tolerated.

Residence community standards are guiding principles that outline behavioural expectations for students living in residence. They serve to benefit students and staff by:

- clearly defining behaviour that is contrary to acceptable residence norms;
- outlining the levels and types of infractions; and,
- describing the manner in which infractions are enforced and sanctions applied.

The goals of the community standards are:

- To provide students with clear information about what is expected of them while living in residence
- To provide Residence and Student Life staff with a resource that outlines the course of disciplinary action for any unacceptable behaviour
- To illustrate to students the importance of co-operation while living in residence

3.1 STUDENT RIGHTS & RESPONSIBILITIES

Students who live together in a shared residence community have rights as they do responsibilities. The Residence Life Code of Conduct seeks to balance both.

Student Rights

1. The right to sleep, study and socialize in a clean and safe environment.
2. The right to participate fully in residence life without the fear or threat of harassment, intimidation, stalking, bullying, coercion, discrimination, or acts of violence.
3. The right to have any residence incidents, issues or concerns addressed in a timely and respectful fashion.
4. The right to privacy and/or confidentiality from Student Life and Housing staff with regard to all personal information. Student Life staff will not contact emergency contacts without consent, except in an emergency situation.
5. The right to expect that University officials will abide by the terms and conditions outlined in the Conditions of Residence Accommodation and follow departmental policies and procedures.

Student Responsibilities

As members of the residence community, students have the following responsibilities:

1. To treat other people with respect and consideration and to guarantee them their individual rights.
2. To behave in a responsible manner and accept responsibility for inappropriate behaviour and the consequences related to that behaviour.
3. To respect and accept responsibility for residence and university property.

4. To accept responsibility for personal and community safety; i.e. to lock windows and doors, to refrain from misusing life safety equipment, damaging property, propping fire doors, sharing keys / swipe cards, etc.
5. To contribute positively to the community.
6. To set up, maintain and check regularly their Mount Allison University email account, Mount Allison University financial account, and Mount Allison mailbox. All of these modes of communication will be used by the University to communicate with residence students.
7. To report damages and safety concerns or any other issues in a timely manner to Residence or Housing staff.
8. To abide by the terms and conditions outlined in the Conditions of Residence Accommodation and follow all relevant policies and procedures.

4. ADMINISTRATION OF RESIDENCE COMMUNITY STANDARDS

It is the goal of Residence Life to build up and maintain a safe, inclusive, and respectful residence environment wherein all residents endeavour to uphold the rights of others and take responsibility for their own behaviour. Behaviour that unfairly infringes upon the rights of others or falls short of the standards of responsibility as laid out in this Code will be held to account.

Wherever it is possible and appropriate to do so, Residence Life staff will seek to employ positive interventions, restorative practices, and educative outcomes. When not possible or appropriate, violations of this Code will be dealt with in a clear, consistent, and cumulative fashion. More serious consequences will be assigned for more serious offences. Repeat offences and unwelcome patterns of behaviour will likewise be subject to progressive sanctions.

The Residence Life Code of Conduct is designed to facilitate early and ongoing intervention by residence staff and Student Life staff so that students are being made aware of how their behaviour affects the residence community. Intervention allows for education and an opportunity for students to modify their behaviour. The desired outcome is one of education and compliance around respectful community living.

4.1 INFRACTION LEVELS

- **Level One infractions:**
Behaviour by an individual(s) that interferes with the rights of another individual(s) to the peaceful use and enjoyment of their space in residence.
- **Level Two infractions:**
Behaviour by an individual(s) that creates a significant nuisance and/or disturbance to an individual(s) or community.
- **Level Three infractions:**
Behaviour by an individual(s) that: endangers the safety and security of themselves or another individual(s); and/or compromises personal or University property; and/or attacks the dignity/integrity of an individual(s); and/or breaks the laws of the land.

Any Level Three infraction may result in eviction at any time.

Note: The possibility of residence disciplinary action does not preclude referral to the University Judicial Panel, prosecution, or other remedies that may be available through the legal system. Expulsion from the University may occur in extreme cases.

4.2 RESTORATIVE PRACTICES

Whenever possible, Residence Life is committed to the use of Restorative Justice (RJ) approaches in all interactions with students, including follow-up on matters related to this Code. Restorative Justice focusses on the community harms and needs, seeking to repair these harms in a collaborative process.

Restorative approaches and/or outcomes may result independently or in combination in response to violations of the Residence Code of Conduct, provided students meet certain criteria, such as taking responsibility for the violation. Examples of restorative approaches include RJ Circles, and RJ Conferences. Possible RJ outcomes include, but are not limited to: apologies to harmed parties, restitution, community service, reflection paper, etc.

Restorative Justice is driven by four guiding principles*:

- Inclusive decision-making - Putting the decision making back into the hand of the individuals that care most about the harm that has occurred.
- Active accountability - An offender cannot sit back and be judged. They must be engaged in the process and take responsibility.
- Repairing harm - Focuses on hearing a reparation to bring up the harmed party.
- Rebuilding trust - Rebuilding the relationships so that the offender can once again be trusted and the harmed party can feel safe.

** Karp, D. R. (2013). Little book of restorative justice for colleges and universities: repairing harm and rebuilding trust in response to Student Misconduct. Intercourse, PA: Good Books.*

For more information on Restorative Approaches, please contact the Residence Life Manager.

4.3 LIST OF SANCTIONS

The following is a list of possible sanctions for residence infractions.

ADMINISTRATIVE MOVE/RELOCATION

In some situations, students may be required to relocate to another room in the same residence or to another room in a different residence. This will often include restrictions on that student's ability to return to their previous residence building.

ALCOHOL PROBATION

Students on alcohol probation may not consume alcohol in any residence; possess or have any evidence of possession of alcohol in any residence; come back to any residence after drinking at another location, such as an off-campus party, pub or bar; nor have the smell of alcohol on their breath while in any Mount Allison residence. Students who create a disturbance after or because of drinking, violate rules and regulations after or because of drinking, or demonstrate signs of problem drinking are typically

placed on alcohol probation. Students in violation of their alcohol probation may face suspension or eviction from residence. Students on alcohol probation are automatically placed on disciplinary probation.

APOLOGY/STATEMENT OF REGRET

Apologies are expressions of remorse and the willingness to take responsibility for a transgression, and are an important way to repair community relationships and restore trust between parties. They must be sincere if they are to be taken seriously. They should be written, as opposed to verbal, and approved before sending to a harmed party. (*The Little Book of RJ for Colleges and Universities*)

BAN FROM RESIDENCE

Students may be banned from one or more residences. Students in violation of a residence ban may be charged under the New Brunswick Trespass Act.

BEHAVIOUR CONTRACT

A behaviour contract is an agreement between an individual and the University, whereby an individual agrees to a set of specified behaviours, stipulations, conditions, and/or expectations. These contracts are issued by the Residence Life Manager in response to either specific incidents or patterns of inappropriate behaviour. An individual may be required to agree to abide by a behavioural contract if they wish to remain in residence. Breach of a behaviour contract will result in further disciplinary outcomes, up to and including removal from residence.

BONDS

Bonds are a suspended fine, and are used to ensure that an individual complies with a specific Behaviour Contract or policy/procedure. If there are no further conduct violations during the remainder of the academic year, no fine will be issued and the bond revoked. If additional violations occur, bonds are converted into fines and charged to the individual's student account. Additional sanctions may also apply.

CHANGE OF RESIDENCE, CLASS, OR WORK ASSIGNMENT

In some instances, it may be necessary – as an interim measure or as an outcome of an investigation – to limit or restrict contact between students. This may result in an administrative move/relocation within the residence community, the imposition of prescribed dining hours at Jennings, or a petition to the Registrar's Office for changes to a student's class schedule or section(s). For on-campus employment, it may also involve the adjustment of a student's work hours, co-workers, or location.

COLLECTIVE BILLING

A residence hall may be billed for damage that occurs within public areas of the residence. This is only done after attempts have been made to find the individual(s) responsible for the damage. This includes, but is not limited to, fire alarm charges, extra cleaning charges, broken fixtures, broken windows, missing or damaged furniture, etc. Any charges will be applied to the house account held by the University for each residence.

COMMUNITY SERVICE

Community service provides the student with an opportunity to learn new skills, develop new relationships, and to repair the harms done to the community. The community service hours may be assigned within the residence, the university, or the wider community of Sackville. Community service

hours must be verified by a community service supervisor; students may also be required to complete a reflection paper describing the experience.

CONFISCATION OF PROHIBITED ITEMS

As necessary, items that are prohibited in residence may be confiscated by University staff. In some cases, it is possible for the item to be retrieved at a later date in cooperation with a Residence Don.

DENIAL OR LOSS OF RESIDENCE ELIGIBILITY

The University reserves the right to deny students admission to residence for the following year.

DISCIPLINARY PROBATION

Typically, students placed on disciplinary probation are notified via written communication. Disciplinary probation means that the student(s) needs to monitor his or her own behaviour carefully because the next incident of inappropriate conduct may result in suspension or eviction from residence. Disciplinary probation can last for a specific period of time (e.g. one month), until the end of the academic year in April, or until the student in question moves out of residence.

EDUCATIONAL ASSIGNMENT

These may include, but are not limited to, referral to educational programming, participation in restorative practices, a reflection paper, completion of a quiz, meeting with University staff or community partner, etc. Educational assignments may be combined with other sanctions.

EVICTION FROM RESIDENCE

In some cases, a student(s) may be required to vacate residence. The student(s) will also be banned from all other residence buildings. Students in violation of a suspension/eviction can be charged under the New Brunswick Trespass Act. When a student(s) presents a threat to any other residence student or the community, they may be required to leave residence immediately. All students evicted from residence automatically receive a ban from the Mount Allison residence community for the duration of the academic year. Students evicted from residence are still responsible for payment of residence fees as per [Section 4 of the Academic Calendar](#).

FINES

A fine is a monetary amount charged to a student's account as a financial penalty for infractions under this Code.

INTERIM MEASURES

In some instances, the Residence Life Manager may impose interim measures on one or more parties while an incident involving residence students is being reviewed. Interim measures are taken in an effort to protect the safety and wellbeing of residence students and/or the Residence community, and can include room relocation, the removal and ban from residence property, and/or other necessary restrictions prior to the completion of an investigation. Interim measures are preliminary in nature and are generally in effect only until an investigation or appeal review has been completed. The introduction of interim measures does not imply a finding of "responsible."

LOSS OF FEES

Forfeiture or loss of payments, fees, or funds.

NO COMMUNICATION ORDER

To safeguard the integrity of an investigation and/or to provide a safe space for students in response to an incident within the residence community, Residence Life may issue a No Communication Order. A No Communication Order is a Student Life directive which may be used for the purpose of restricting communication between two or more students for a specified period of time.

NO CONTACT ORDER

To safeguard the integrity of an investigation and/or to provide a safe space for students in response to an incident within the residence community, Residence Life may issue a No Contact Order. A No Communication Order is a Student Life directive which may be used for the purpose of restricting contact and communication between two or more students for a specified period of time.

POINTS

Mount Allison applies administrative points to residents as one method of tracking infractions under the Residence Life Code of Conduct. Students begin each year with 0 points. Any student who accumulates 6 or more points in one academic year (fall and winter terms combined) may be subject to suspension from residence.

Infraction Level	Point Assessment Range
1	1-2
2	2-3
3	3-6

Following a residence suspension, students retain the same number of points they had prior to the suspension. Further infractions can lead to further suspensions or, in extreme cases, full eviction from residence. Points do not carry over from one year to the next, but Residence Life reserves the right to impose other carry-over restrictions or sanctions.

For students with 4 or more *administrative points* on their conduct record as of the last day of classes in the Winter Term (April), or, upon their departure from residence at any point in the academic year, those points will be converted to a monetary fine, which will be applied to their account.

# of Points	Dollar Value of Fine
4	\$50
5	\$100
6	\$150

These charges must be paid in full before the student will be permitted to access their transcript, register for classes, etc.

Any student who has been assigned administrative points will have an opportunity to have these points removed from their conduct record through their voluntary participation in an alternative sanction, for example, community service, an educational assignment, restorative process, etc. It is the student’s responsibility to request these alternative sanctions, and their full cooperation and compliance with the

sanction(s) is necessary in order to remove their assigned points. All requests must be approved by the Residence Life Manager and must be submitted with sufficient time for the request to be reviewed and for the alternative sanction to be completed.

NOTE: the accumulation of administrative points is not the sole route to suspension from residence. Other incidents or patterns of behaviour that violate the Residence Community Standards may also result in suspension from residence.

REFERRAL

In some cases, students may also be required to attend meetings/appointments with designated people, bodies, or departments either on or off-campus (e.g. Counselling Services, SHARE Advisor, Academic Support Services, etc.).

RESTITUTION FOR INJURY, LOSS OR DAMAGE

Notwithstanding any sanctions applied under the Residence Life Code of Conduct, students responsible for costs incurred from injury, loss, or damage will likewise be charged the cost of repair, replacement, , and/or compensation. An administrative fee may also apply depending on the situation. There may be some benefit to the student(s) in question coming forward as soon as the incident happens so that an investigation does not have to occur. Students are expected to pay any charges immediately; unpaid charges will be placed on the individual's student account.

NOTE: students are not permitted to make repairs on their own. Any repair attempts by students will be redone by a professional at the student's expense.

SUSPENSION OR LOSS OF PRIVILEGES

Students who break residence rules and regulations may have some of their privileges restricted or suspended. This may include, but is not limited to, removal of electronic equipment; removal of guest privileges; and limited access to residence and dining hall areas. The University reserves the right to carry the restriction and/or suspension of privileges into the following academic year(s).

SUSPENSION FROM RESIDENCE

Students may be temporarily suspended from residence and their residence key card deactivated and/or their residence key(s) held by Student Life. Students on residence suspension may not enter or sleep in any other university residences during their suspension period. If students need to access their residence room during the suspension period, they must make arrangements to be accompanied by the Residence Don(s), the Residence Life Manager, and/or a member of Mount Allison's Security team. Students on suspension must surrender their residence keys to the Student Life Office at the beginning of their suspension period. They may not attend any residence-sponsored trips or activities. Failure to comply with any of these terms will lead to further sanctions and possible eviction from residence. Students on residence suspension still retain their dining hall privileges, although some restrictions may apply.

WRITTEN WARNING

A Written Warning is a disciplinary reprimand that serves as notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary actions.

OTHER ACTIONS

Depending on the nature of the event and/or the impact of the circumstances, the University reserves the right to impose outcomes other than those listed above.

4.4 ADMINISTRATIVE INFRACTIONS

Administrative infractions are related to how you use your assigned space in residence and whether you abide by the terms of the Conditions of Residence Accommodation. These typically involve misuse, damage, or loss of university property. In addition to any of the sanctions listed in Section 4.3, students may be subject to an administrative charge.

5. INFRACTION CATEGORIES

Infractions are grouped into four categories: **Community Respect and Accountability; Alcohol & Drugs; Safety & Security; and Facility Use**. Within each category, individual infractions are described and assigned an infraction level or range of levels. Students should note that the specific infractions listed in this Code are not exhaustive and that disciplinary action may be taken in response to any behaviour that violates the Residence Community Standards.

5.1 INFRACTIONS UNDER OTHER POLICIES

SEXUAL MISCONDUCT

Mount Allison condemns sexual misconduct in all its forms. Sexual Misconduct is defined as any sexual act or act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation. Sexual misconduct can also include coercing or pressuring someone to have sex and/or sexual contact with someone who is incapacitated or sleeping.

Incidents of sexual misconduct are not adjudicated under the Residence Life Code of Conduct and will be referred to the SHARE Advisor for resolution under Mount Allison's [Sexual Violence Prevention and Response Policy](#). For more information, visit www.mta.ca/share. For confidential advising, please contact the SHARE Advisor at share@mta.ca.

RACISM

Racism is any action or attitude that subordinates an individual or group on the basis of race. It can be enacted individually or institutionally, consciously or unconsciously. Racism is more than personal prejudice; it involves carrying into effect one's prejudices, resulting in discrimination, inequity and/or exclusion. Racism can be openly displayed in racial jokes, slurs, or hate crimes. It can also be more deeply rooted in attitudes, values, and stereotypical beliefs. In some cases, people don't even realize they have these beliefs. Instead, they are assumptions that have evolved over time and have become part of systems and institutions, and also associated with the dominant group's power and privilege. (Ontario Human Rights Code)

Incidents of racism are not adjudicated under the Residence Life Code of Conduct and will be referred to the Anti-Racism Education & Response Committee for resolution under Mount Allison's [Anti-Racism Education & Response Policy](#). If you or someone you know has experienced racism, please contact antiracism@mta.ca.

5.2 COMMUNITY RESPECT & ACCOUNTABILITY

Respect for community space and those who live in it, as well as accountability for actions, are central to creating an environment that meets everyone's needs while enriching the Mount Allison residence experience.

ATTACKS ON THE DIGNITY AND SECURITY OF AN INDIVIDUAL (Level Two or Three)

Activity (verbal, written, graphic, or physical) that is known or ought reasonably to be known as threatening, racist, sexist, homophobic, transphobic or any form of discrimination, harassment, sexual harassment or unwanted sexual attention is prohibited, and may result in eviction from residence, as well as university issued sanctions.

- Note: incidents of sexual misconduct (refer to Section 5.1) will be referred to the [Sexual Violence Prevention & Response Policy](#) for resolution.
- Note: incidents of racism or racial harassment (refer to Section 5.1) will be referred to the [Racism & Racial Harassment Prevention & Response Policy](#) for resolution.

This may include, but is not limited to: posting or distributing material and/or behaving in a manner that is offensive and may contribute to an intimidating, hostile or uncomfortable environment; putting offensive posters/pictures in areas available to public view, including windows or common areas; using social media, text messaging, e-mail or other electronic messaging, voicemail, message boards, mail, computer networks or other media to convey obscene, intimidating, humiliating, or otherwise objectionable messages or materials; writing graffiti in residence buildings or encouraging or engaging in offensive acts or behaviour; and repeatedly following or attempting to make unwanted contact with another person. In addition, every member of the Mount Allison Residence Community has the responsibility to refrain from behaviour that is known, or ought to, be reasonably known to be dangerous, harmful, disruptive or obstructive to the other members of the community.

Harassment is defined as any attention or conduct (oral, written, graphic, or physical) by an individual or group who knows, or ought to reasonably know, that such attention or conduct is unwelcome/unwanted, offensive or intimidating. Every individual has the right to an environment characterized by mutual respect. Every individual has the responsibility to treat all members of the University community with respect and without harassment.

Discrimination is defined as any conduct that results in adverse treatment of an individual or group on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed/religion, sex, sexual orientation, disability, age, marital status, record of offences, or receipt of public assistance. Every individual has the right to an environment characterized by equal opportunity and equitable access to University goods, services, and community. Every individual has the responsibility to treat all members of the University community without discrimination. Anyone who has questions or concerns or who wants to lodge a complaint, should meet with the Residence Life Manager. You may also be referred to the Mount Allison Anti-Racism Education & Response Committee.

CAPTURING THE IMAGE OF A GROUP OR INDIVIDUAL (Level One, Two or Three)

Residents have a reasonable expectation of privacy in their residence. This includes the reasonable expectation that they will not be recorded without their knowledge or consent. Residents and guests are therefore prohibited from using audio, video, or any other digital devices to capture a person's image or voice when it's known, or ought reasonably to be known, as intrusive, unwelcome, and a violation of the person's privacy. It is an additional violation to disclose or distribute that image or audio, except with that person's explicit consent.

CONDUCT IN THE RESIDENCE DINING HALL (Level One, Two or Three)

Please note that the Residence Life Code of Conduct applies to students while in Jennings Dining Hall. Inappropriate or disruptive behaviour in the University residence dining hall is not permitted and may result in sanctions.

COOPERATION WITH STAFF (Level One, Two or Three)

Residents and guests are expected to co-operate with Residence and University staff, emergency personnel, and police. This includes providing appropriate identification when asked to do so. Failure to cooperate with, and/or verbal or physical harassment or abuse of a staff member (Residence Life team members, custodians, trades staff, third-party contractors, emergency and/or police personnel, etc.) may result in disciplinary actions and/or eviction from residence. Misleading or not cooperating with a disciplinary investigation, or during crisis management, may result in disciplinary action.

DANGEROUS ACTIVITY (Level Two or Three)

No student shall create a condition which endangers or threatens the health or safety of themselves or others. Participating in activities that are dangerous or potentially harmful to any person or property is prohibited and, any participation in such activity, will result in sanctions. Restricted activities include any activity that, in the opinion of the Residence Life Team, is dangerous or potentially harmful to any person or property. This includes, but is not limited to: smashing objects, breaking glass, flying objects indoors or outdoors (including drones, or other air vehicles), dangerous horseplay (for example: "dog piling," wrestling, et cetera), sports, water fights, skateboarding, bouncing and/or throwing balls, climbing the outside of buildings or other structures, climbing into any building through a window, setting fires of any size in or about the accommodation or anywhere in residence or on residence grounds, which includes setting any objects, regardless of size, on fire.

DISRUPTION OF COMMUNITY (Level One, Two, or Three)

Any actions by a resident that serve to disrupt or negatively infringe upon the good order of residence and the rights of other residents, as per Section 3.1 ("Student Rights & Responsibilities") of this Code.

FAILURE TO COMPLY (Level One, Two or Three)

Residents and guests are expected to comply with any directives and/or sanctions issued by Residence and University staff. A "Failure to Comply" infraction may include, but is not limited to:

- Failing to comply with a reasonable request of any staff member.
- Failing to reply to communications (e.g. voicemails, emails, written notices) sent by Residence and University staff.
- Avoiding or refusing to comply with meeting requests.
- Violating the terms of a behavioural contract or sanction.

GUESTS (Level One, Two or Three)

Residents hosting a guest are responsible for the actions of their guest. A guest is a non-resident of the building who is associated with a host-resident (ie. registered, invited into the building, provided access etc.) Actions by a guest that negatively impact an individual or a residence community are not permitted. In the event of an infraction under this Code, both the host and the guest will be subject to sanctions.

NOTE: For more information about hosting guests in residence, refer to Appendix A (“Guests in Residence”).

HAZING (Level Three)

No individual or group shall engage in hazing another individual or group for the purpose of initiation into, affiliation with, or membership in a group or organization. “Hazing” is defined as any act that reasonably ought to be known might endanger the mental or physical health or safety of an individual.

NOXIOUS ODOURS (Level One or Two)

A noxious odour is any aroma of such intensity that it becomes apparent and/or offensive to others. Any odour can become noxious or offensive when it is too strong. Some examples are cigarette, cigar, or pipe smoke; incense; perfume; air freshening spray; large amounts of dirty laundry and odours related to cannabis, including the storage of cannabis, and/or odours lingering on a person’s hair, clothing, etc. In the event a student is negatively impacting others due to residual smoke smell, they may be required to meet with their Don or Residence Life Manager to discuss the impact of their behaviour and how they might adjust their behaviour to give consideration to those affected.

NOISE (Level One or Two)

Residence is a vibrant, densely-populated community. You must expect some reasonable living noise. Absolute silence is not possible. However, as is set out in this section, residents are not permitted to create excessive noise.

In all residences, residents are expected to be considerate of their neighbours 24 hours a day, seven days a week. An individual’s right to reasonable quiet study and sleep supersedes others’ rights to make noise. In cases of dispute, the residence life staff will determine what is reasonable. If someone asks that you be quiet, respect that person’s wishes and reduce your noise.

There may be no loud playing of radios, televisions, stereo or other audio equipment or musical instruments except during approved events. Audio equipment may not be played such that sound, and especially the bass (low frequency sound) can be heard outside of the resident’s room or unit.

Musical instruments may not be practiced or played in the resident’s room or unit except as authorized by the Residence Life Manager. Residents may be required to practice their musical instruments elsewhere on campus. Instruments that are stationary or not easily transported to a practice area (for example: acoustic pianos, etc.) are not permitted in residence.

Residence and Student Life staff will determine acceptable noise levels and students may be directed to reduce noise levels at any time of the day.

Consideration Hours are in effect 24 hours a day, seven days a week.

Quiet Hours are those times during which residents are prohibited from making noise that can be heard outside of their unit or room; or which may disturb the resident's roommate or suitemate in any way (if applicable); or which can be heard from outside the residence building. Unless otherwise advised, Quiet Hours in residence are in effect at a minimum from:

- Sunday to Thursday: 11:00 p.m. to 8:00 a.m.
- Friday & Saturday Evenings: 1:00 a.m. to 8:00 a.m.

Extended Quiet Hours are implemented during and in the lead-up to the December and April exam periods.

PARTIES & SOCIAL GATHERINGS (Level One, Two or Three)

Residents are not permitted to host or advertise an organized or spontaneous party in residence. A party is defined as any social gathering over and above the maximum capacity of a residence room (refer to Appendix A for room capacities) that meets one or both of the following criteria:

- Alcohol is being consumed as one of the primary activities;
- Music is a major part of the atmosphere and is too loud to be considered "background music."

PHYSICAL AGGRESSION/VIOLENCE (Level Two or Three)

Physical aggression is not tolerated. Students involved in acts of physical aggression, consensual or not, will face sanctions. Physical aggression and violence include any physically aggressive or violent behavior, such as fighting, hitting, punching, slapping, kicking, pushing, pulling, throwing objects at another, etc. Behaviors described in sections titled "Attack on the Dignity and Security of an Individual", "Dangerous Activity" and "Hazing" may also be considered as violence and are not tolerated in residence.

Anyone engaging in physically aggressive behavior or violence will: face sanctions under the Residence Life Code of Conduct, may be referred to the police; and/or the University Student Code of Conduct. The need for self-defense is recognized. Physical self-defense is acceptable only when the resident has no other means to escape another's physical aggression, and then only at a level necessary to escape.

UNSANITARY CONDITIONS (Level One or Two)

Any action or inaction by a resident that creates or results in unsanitary conditions in residence.

5.3 ALCOHOL & DRUGS

Residents who choose to consume alcohol, and/or cannabis once legal, must do so responsibly in compliance with the law, and will be accountable for their actions. Any conduct or behaviour related to alcohol or drugs that threatens the safety or well-being of oneself or others is prohibited.

BREWING or DISTILLING ALCOHOL (Level Two or Three)

Brewing and distilling alcohol are not permitted in your accommodation, in your residence building, or on any other residence property. This includes brewing beer, cider, or wine and distilling spirits (i.e. any kind of hard alcohol).

DRINKING GAMES (Level Two or Three)

Participating in drinking games and activities that lead to the overconsumption of alcohol and/or where drinking is a consequence is prohibited. Drinking games are games which involve the consumption of alcohol and usually involve swift consumption and/or high volume consumption. Some examples are: "beerpong," "funnelling," "shotgunning," "quarters," and "floor crawls." This list is not exhaustive, and the University may stop and take action against any resident participating in any activity, whether listed above or not, which is, in the opinion of Residence Life Team members, a drinking game.

GLASS IN COMMON AREAS (Level One or Two)

Glass bottles and other containers break easily and are therefore a safety hazard in residence. Even at officially-approved events and in officially-designated locations where alcohol may be present, it is an offence to possess or consume alcohol from glass bottles or containers.

MASS CONSUMPTION AND COMMON SOURCE ALCOHOL (Level Three)

The University reserves the right to confiscate alcohol-related paraphernalia (e.g. funnels) deemed to be associated with mass consumption of alcohol or its promotion in residence. Possession of funnels and/or other means of mass-consumption and/or consumption of "common source" alcohol (e.g. bubbas, growlers, kegs of any size, wine boxes, punch bowls, buckets, bathtubs, etc.).

OPEN ALCOHOL (Level One or Two)

Drinking alcoholic beverages or carrying unsealed alcohol is permitted only in residents' rooms, lounges designated by the Don for this purpose, and at registered, approved residence events. Alcohol must remain sealed or covered when transported through common areas of residence, which includes, but is not limited to, elevators, washrooms, laundry rooms, hallways, stairwells, main floor foyers, and house lounges (except as expressly permitted by the Don or Residence Life Manager). With the exception of officially-approved events and locations, it is an offence for students to loiter in common areas when in possession of alcohol.

PROHIBITED AREAS FOR ALCOHOL CONSUMPTION (Level One or Two)

With the exception of officially-approved events and locations, alcohol may not be stored or consumed in common areas. This includes, but is not limited to, kitchens, bathrooms, laundry rooms, hallways, stairwells, elevators, lobbies, emergency exits, and entrance areas (inside and outside the residence building).

USE AND/OR POSSESSION OF DRUGS (Level Three)

1. The possession, use, trafficking (which includes manufacturing, selling, giving, administering, transporting, sending, delivery, distributing) or offering to do anything related to the possession, use or trafficking of illegal drugs is prohibited. Any involvement, whether direct or indirect, in any illegal drug or drug-related activity is prohibited. For greater certainty, being present where others are consuming illegal drugs or engaging in illegal drug related activity is not permitted. If others are engaging in this activity you must leave.
2. Possession of paraphernalia that is associated with the possession, use or trafficking of illegal drugs is prohibited. Mount Allison reserves the right to confiscate drug-related paraphernalia. These activities may result in eviction and referral to the police.
3. The possession or use of prescription drugs without a valid prescription or trafficking in prescription drugs is considered an illegal drug activity for the purposes of this Code, regardless of the amounts involved, and regardless of whether or not money or any other form of consideration is exchanged.

UNAUTHORIZED USE OF CANNABIS

On October 17, 2018, the Canadian federal government passed legislation legalizing the use of cannabis. The Province of New Brunswick also passed legislation of its own. The University, through its policies and regulations, seeks to be in full compliance with the law. The Residence Life Code of Conduct is no exception.

No student in residence shall use, consume, possess, cultivate, or distribute cannabis in contravention of the federal Cannabis Act, the provincial Cannabis Control Act, or other related University policies and regulations.

The following terms and restrictions apply concerning cannabis in residence:

1. Individuals 19 years and older are permitted to possess up to 30 grams of legally-distributed, dried cannabis.
2. Cannabis must be stored in an air-tight container and clearly labeled so as to identify the contents as cannabis. These products may not be stored in a shared fridge, freezer or cupboard; they must be sealed such that any smell is undetectable outside of your residence room or, in a shared room, by your roommates.
3. Residents 19 years of age and older may possess cannabis equipment (e.g., grinders, pipes, bongs, etc.) providing that the cannabis equipment is stored in a sealed container and that the container is stored in the student's private space.
4. Smoking, vaporizing or consuming a cannabis product through means of inhalation is prohibited anywhere on the residence property whether inside or outside of a building.
5. Individuals may not consume cannabis in common areas (e.g. hallways, kitchens, lounges, stairwells, etc.) of residence.
6. Baking/cooking with cannabis and/or cannabis products is not be permitted.
7. Personal cultivation of cannabis plants is not be permitted.
8. All activities involving cannabis products (for example storage, consumption, acquisition) must be carried out in accordance with all Federal and Provincial laws and this Code.

Failure to adhere to the provisions of this Code with respect to cannabis may result in the assessment of points, the imposition of discretionary conditions, and/or eviction from residence. In particular, failure to properly store or label a cannabis product or cannabis equipment leading to another person inadvertently consuming cannabis may result in eviction from residence.

DEFINITIONS

- "cannabis" has the same definition as in the federal Cannabis Act.
- "cannabis product" is any substance that contains cannabis including, without limitation, marijuana, seeds, hashish and their derivatives or any product (for example edible products, oil, lotions, tinctures) that contain cannabis.
- "cannabis equipment" means any equipment or device used to prepare or consume cannabis products (for example bongs, vaporizers, scales, grinders, etc.).

Students who have a prescription from a medical doctor for the use of cannabis, hashish or their derivatives must register with the Meighen Centre prior to using them on Mount Allison property. Failure on a student's part to comply with the terms of cannabis use on campus, as approved by the Meighen Centre, is an offence under this Code.

For more information about University policies, initiatives, and resources related to the legalization of cannabis, please visit www.mta.ca/codeofconduct/cannabis.

5.4 SAFETY & SECURITY

Residents, guests, and staff are expected to exercise care and good judgment regarding their own personal safety and the safety of others. Any action or inaction by a resident that compromises the safety and security of the residence building and its residents may result in charges under the Residence Life Code of Conduct.

COMBUSTIBLE FUELS (Level Two or Three)

Using and/or storing propane tanks, either empty or full, indoors, or any appliance requiring combustible fuel, such as fondue sets, is not permitted in any residence.

FAILURE TO EVACUATE (Level Two)

Students are required to evacuate residence from the closest exit and meet with other students from their residence in their designated meeting place for all fire alarms. There is no re-entry to the building until the all-clear is given by the Fire Department, Campus Safety & Security, or Residence Don.

FIRE SAFETY AND EMERGENCIES (Level One, Two or Three)

Students are expected to ensure that their living environment is safe and free from life safety hazards. This includes not overloading plugs, using CSA approved power bars, using approved appliances only in approved locations, ensuring that items such as curling irons or hair straighteners are unplugged when not in use and reporting non-functioning life safety devices (e.g. alarm, extinguisher, door closer). Covering or hanging items from any fire safety/detection equipment or the wiring/conduit leading to it is prohibited.

KEYS AND ACCESS CARDS (Level One, Two or Three)

Students are responsible for their Mount Allison ID and assigned residence key(s) and/or key card. Loaning a residence key or key card to anyone for the purpose of gaining access to a residence building or the dining hall is prohibited. Copying residence keys or key cards is also prohibited. For your safety and the safety of those around you, lost or found keys should be reported immediately to the Housing Office or the Student Life Office. Replacement key charges must be paid at the Registrar's Office. Replacement Student ID charges must be paid at the University Bookstore.

OPEN FLAME & SMOKE (Level One or Two)

The possession and use of candles, incense, or wax/oil lamps are not permitted in any residence. Students who are required to light or burn candles or incense based on religious grounds must seek and receive prior written permission from Student Life.

PRANKS (Level Two or Three)

While pranks are usually performed by individuals with no malicious intent, they can nonetheless cause harm to persons or property. Initiating, supporting, or participating in pranks that are inappropriate, disruptive, offensive, and/or damaging are prohibited.

PROHIBITED APPLIANCES (Level One or Two)

Students are not permitted to bring into residence any appliances with an open or hot element. This includes fans with a heater function unless provided by Mount Allison's Facilities Management due to maintenance issues. Only Mount Allison-issued space heaters are permitted in any residence. Non-Mount Allison issued space heaters will be confiscated if found.

PROHIBITED ENTRY OR EXIT (Level Two or Three)

Entering or exiting residence via an emergency door is prohibited. Propping an emergency door is also prohibited. Gaining access or exiting by forcing a lock, accessing any residence space through windows, balconies, or utility hatches, or entering without permission is prohibited. Charges will apply should repairs be required.

A resident who facilitates the access (for example: opening a locked door) of a stranger or 'unhosted' person to residence property will be deemed to be the host of that person and will be held responsible for that person's behaviour as if the person were their guest. For more information about hosting guests in residence, refer to Appendix A (Guests in Residence).

NOTE: accessing another student's room or suite without that person's express permission is prohibited.

SLEEPING IN PUBLIC AREAS (Level One)

Sleeping is prohibited in public areas of a residence including, but not limited to, lounges, lobbies and hallways.

SMOKING (Level Two)

Smoking is not permitted in any residence, which includes entrances to residence buildings, stairwells, and emergency exits. Smoking on campus is acceptable in designated areas only, and must take place a minimum of 10 meters from the outermost exterior of the building (i.e., building overhangs, balconies, entrance canopies, windows, etc.)

Hookahs, shisha, e-cigarettes, vapourizers and similar smoking devices are not permitted for use in residence and as a result will be confiscated upon evidence of inappropriate use. Students wishing to possess or use a hookah for cultural purposes must seek and receive prior written permission from Student Life. Refer to the Mount Allison [No Smoking Policy](#) for more details.

TAMPERING WITH LIFE SAFETY EQUIPMENT (Level Three)

Discharging fire equipment, interfering with that equipment's normal operation by covering it, or removing wires or batteries, and tampering with or using any fire prevention or detection equipment for purposes other than controlling fire jeopardizes the safety of everyone in residence and is strictly prohibited. This includes but is not limited to tampering with:

- Pulling a fire alarm as a prank or act of vandalism
- Fire extinguishers including removing pull pins or plastic ties holding the pull pin in place and/or discharging fire extinguishers.
- Automatic door closers for bedrooms and common spaces
- Exit signs
- Smoke, heat, and carbon monoxide detectors
- Microwave sensors
- AEDs

NOTE: Students who tamper with life/fire safety equipment may be subject to additional charges, penalties, and/or fines beyond Mount Allison and the Residence Life Code of Conduct.

THEFT (Level Two or Three)

Possession of another person's or University property without permission is prohibited and may result in eviction, and/or referral to the police. Students are encouraged to lock their rooms and carry their keys/key cards with them at all times. In the event of a theft, please contact a member of your residence staff.

THROWING ITEMS (Level One, Two or Three)

Throwing, dropping, or ejecting objects or material from residence buildings, out of windows, off roofs, or down stairwells is prohibited. Throwing anything at residence buildings is also prohibited. Throwing items and/or food in the dining hall is also not permitted. Items lost on any residence roof/balcony must be retrieved by the appropriate University staff member with any related costs incurred by the student.

UNAUTHORIZED AREAS (Level Three)

Students are prohibited from accessing unauthorized areas. These include, but are not limited to, the roof of any residence, attics, University tunnels, mechanical rooms, electrical rooms, data closets, exterior fire escapes, and window ledges. This also includes the residence dining halls outside of normal operating hours. Should students find that the access to an unauthorized area is open or unlocked, this does not grant permission to that area, and they are asked to immediately report the security breach to residence staff.

VEHICLES IN PEDESTRIAN COURTYARDS (Level Two or Three)

Vehicles, including motorcycles and mopeds and scooters, are not permitted to be driven or parked in pedestrian courtyards or fire lane areas. Consequently, they may be ticketed or towed at the owner's expense. During residence check-in and check-out times, between 8 am and 10 pm, residents may receive permission to bring a vehicle into the pedestrian courtyard or area to load or unload their belongings.

WEAPONS (Level Two or Three)

The use and/or possession of firearms, knives, ammunition, items intended to resemble firearms, explosive/flammable devices including fireworks, dangerous chemicals or any other weapon or item that is created/intended/used to cause harm or could be seen as intimidating are strictly prohibited. Students are permitted to have standard kitchen knives and small pocket knives. Air pellet guns and paintball guns are prohibited by this standard. Students who may require a sword for a class, club, or religious purpose must seek and receive prior written permission from the Residence Life Manager to be able to store their sword in residence.

Wielding any object, including but not limited to the weapons listed above, in a threatening or aggressive manner may result in eviction and referral to the police.

Additionally, leading others to believe by your comments, jokes or threats that you possess weapons in residence is also strictly prohibited and will result in sanctions under the Code.

5.5 FACILITY USE

The University strives to provide residents with space that is clean and well-maintained, while minimizing the impact of damage or misuse of space on residence fees. As such, every effort is made to assign financial and disciplinary accountability for damage and other improper use of residence facilities to the individual or individuals responsible. Within to 72 hours from the time of check-in students must sign in to the StarRez Housing portal and agree or disagree with the room inventory and comments for their assigned room. The University will assume that the student agrees with the inventory if no agreement or disagreement is received through the portal. Students who receive a facilities charge will be notified by email to their Mount Allison email account when that charge is placed on their financial account.

Routine inspections of rooms and residences will occur to make sure that they are kept in a reasonable condition and that the fire and life-safety equipment is working properly. For students who have submitted a maintenance request for issues in their room, Facilities Management staff will leave a note in the room indicating what work was done/not done if the student was not present during the visit. No notice will be given for emergency maintenance, detector testing, or for requested maintenance.

NOTE: authorized University staff and/or external contractors have the right to enter residence rooms for housekeeping purposes, for repairs or maintenance, for reasonable suspicion of drug use, to ensure safety and hygiene standards, to carry out regular inspections, to determine occupancy and vacancies, or to verify compliance with this Agreement, University policies, and/or local laws. The University will normally try to provide students with reasonable notice when their room must be entered; however, no such notice is guaranteed. (Conditions of Residence Accommodation)

CONTRACTUAL VIOLATIONS (Level One or Two)

- **Super Singles** – Students may be offered the option of a super single if space permits. A super single is a double room with only one occupant where the occupant pays an additional fee. If a student does not accept the offer of a super single and the associated charges, they are not permitted to use the entire room and must keep their items on their side of the room only. In addition, students who do not accept the option of a super single may be assigned a new roommate or be moved to another double room.
- **Commercial Use** - The use of your residence room, residence and/or university services for any commercial purpose is prohibited (unless course-related or sanctioned by the University).
- **Subletting** – Renting your room, or space in your room, and/or allowing someone to live in your room is prohibited.
- **Residence Opening & Closures** – The Conditions of Residence Accommodation specifies the dates and times when university residences are open and closed to students. Without written approval from the Housing Office, students are not permitted to enter residence before or remain in residence after these dates. Students are therefore advised to arrange their travel plans around the stated residence opening and closure dates.

CLEANLINESS STANDARDS (Level One)

Students are expected to keep shared living areas and the exterior of their room doors clean and adhere to the proper removal of garbage and/or recycling. Food is to be stored in appropriate containers to avoid odour, pests, and contamination. Garbage and recyclables are not to be left outside of a room and

must be taken by the student to the appropriate garbage room, floor custodial room or recycling room for disposal.

DAMAGES

Students may be charged if the contents of their room and/or common spaces are damaged or missing. An administrative fee may apply depending on the situation.

Damage charges are levied as follows:

- damages in single student rooms are billed to the occupant of the room
- damages in double rooms are billed equally to both occupants of the room
- damages in residence common spaces are billed to the house account maintained by the University

Exceptions – damages may be billed differently than above in the event that:

- the person(s) responsible for the damage come(s) forward
- an investigation determines the individual(s) responsible

If individual responsibility can be established, the responsible person(s) will be billed accordingly. In the event that common area damages are not reported, or are found during periodic inspections or at check-out time, they will be billed equally to all residents who share the space. Investigations of damages caused cannot be requested or initiated after students have left residence. Refer to Section 8 (Appeals) for information on how to appeal a damage charge.

NOTE: Leaving a door unlocked or granting open access to one's space will not be accepted as an excuse for any damage or infraction that occurs in a student's space. Students are encouraged to take responsibility for their space when absent or requiring privacy. If damage occurs in a space for which you are partially or fully responsible as outlined above, it is your responsibility to notify Residence staff immediately of the damage.

DECORATIONS & ALTERATIONS (Level One)

Residence staff understand that decorating is important in making your room feel like home. Even so, the use of paint, wallpaper, nails, screws, tape or gel stickers on residence walls, doors and furniture is prohibited. Students are permitted to use removable 3M hooks and/or up to a maximum of six thumbtacks. Upon move out, students should leave any 3M hooks in place so that they can be properly removed by University staff. Use of prohibited items may result in a Level One infraction and corresponding damage charges.

ELEVATOR TAMPERING (Level Two or Three)

Tampering with elevator safety systems or engaging in activities that may damage or interfere with the operation of the residence elevators is prohibited, and will result in an assessment for, without limitation, the cost of repairs and other possible sanctions.

FURNITURE AND EQUIPMENT (Level One or Two)

Students are not to replace furniture provided by Mount Allison University. Students who bring in any personal items must remove them at the end of their residence contract. Residence staff reserve the right to inspect any non-Mount Allison furniture and ask for it to be removed for any reasonable reason.

GAMBLING IN RESIDENCE (Level Two or Three)

Participating in and/or running an illegal gaming or gambling operation is prohibited.

PETS (Level One or Two)

As per the Conditions of Residence Accommodation, pets are not permitted in residence.

REMOVAL OF UNIVERSITY PROPERTY (Level Two or Three)

Residents are not permitted to relocate furniture or other property that is situated in residence or elsewhere on University premises into their accommodation. Removing university furniture or other property from a residence area without permission of the Don or Housing Office, is not permitted, and may result in sanctions and/or referral to the police.

STORAGE (Level One)

Storage of personal belongings is limited to resident rooms and designated storage rooms. Personal belongings or room furnishings are not to be stored in common living areas (hallways, lounges, or stairwells). This may include, but is not limited to, desk chairs, sports equipment, bicycles, laundry and packing materials.

NOTE: Exceptions may be made to storage rules with prior approval from your Residence Don.

VANDALISM (Level Two or Three)

Vandalism is defined as the willful or malicious destruction or defacement of public or private property. This includes, but is not limited to, repairing drywall, broken window/mirror glass and flooring, repairing doors, removing graffiti paint and replacing bathroom fixtures.

6. REPORTING VIOLATIONS

Violations of the Residence Life Code of Conduct can be formally documented by Residence staff, Student Life staff, Housing staff, or any other University employee, including external contractors who work in the residences.

Students are reminded that unacceptable behaviour may come to the University's attention in a variety of ways, including complaints, incident reports*, photos, the Internet, social media, mobile devices and video evidence. While the University does not actively search for evidence of violations online, anything posted online that comes to the University's attention may be used as evidence in an investigation.

7. REVIEW OF VIOLATIONS

Incident Reports are sent to the Residence Life Manager for review. The seriousness of the alleged violation (refer to Section 4.1, "Infraction Levels") and the number of accumulated violations by the party/parties involved will determine whether the matter is addressed in-house by the Don(s) or directly by the Residence Life Manager.

Incident Reports will be addressed in as timely a fashion as possible. Additional time may be needed if the Incident Report requires an investigation or if the details of the Incident Report require further substantiation.

In keeping with the principle of Natural Justice/procedural fairness (refer to Appendix B, “Definitions”), respondents have the right to know the charge(s) against them and to respond.

8. STANDARD OF PROOF

Residence Life uses the “balance of probabilities” model when reviewing incident reports under this Code. If, after all credible information has been considered, Residence Life personnel believe that the incident is more likely to have occurred than not and there is reasonable proof that the person(s) responsible can be determined, then the standard of proof has been met. (vs. For the purposes of this Residence Code of Conduct, we use an administrative justice system and decisions will be based on the balance of probabilities, meaning the evidence shows it is more likely than not the alleged violation occurred.)

9. APPEALS

Students may appeal sanctions given by Residence Dons or the Residence Life Manager. Decisions made by the Residence Don may be appealed to the Residence Life Manager. Decisions made by the Residence Life Manager may be appealed to the Director of Student Life. During the appeal process, students must comply with all aspects of an imposed sanction until such time as they are notified in writing of the outcome of their appeal. **Students may appeal a decision only once.**

9.1 GROUNDS FOR APPEAL

Students may only appeal on the following grounds:

- Bias and/or unfair treatment, any procedural error, improper investigation, discrimination etc.;
- The sanction is not a logical consequence of the infraction;
- New information, a new witness, or something not known when the original decision was made has come to light.

Disagreement with a decision does not constitute a basis for appeal.

9.2 APPEAL PROCEDURE

Once a decision has been rendered and formal notification sent, students have 72 hours to submit a formal written appeal of a discipline meeting.

Appeal of decision made by a Residence Don

The student has 72 hours to appeal a Residence Don’s decision in writing to the Residence Life Manager.

Appeal of sanctions given by the Residence Life Manager

The student has 72 hours to appeal a decision made by the Residence Life Manager in writing to the Director of Student Life.

Appeal of sanctions given by the Director of Student Life

The student has 72 hours to appeal a decision made by the Director of Student Life in writing to the Vice-President, International & Student Affairs.

Appeal Procedure for Damage Charges

1. **Damage Charge Responsibility:** When reasonable, a member of the Residence staff will make an attempt to investigate the damage to determine the individual(s) responsible. Appeals with respect to responsibility for damages should be made following the same procedure as the appeals for sanctions.
2. **Damage Charge Amount:** Any appeals regarding the final amount charged for the damage must be made within five (5) business days of the email notification of the charges. Appeals must be made to housing@mta.ca.

9.3 POSSIBLE OUTCOMES OF AN APPEAL

Please note, three options exist for the person(s) hearing the appeal. They can:

- Uphold the original decision.
- Overturn the original decision.
- Modify the sanction, which could include increasing or decreasing the severity of the original sanction.

10. ENFORCEMENT

All sanctions are considered to be in effect once the student(s) has been notified verbally (during their conduct meeting) or in writing, whichever comes first. Should a student fail to attend the meeting, a decision will be made and a sanction imposed in their absence. Students will receive an email to their Mount Allison email account outlining the infraction and sanctions associated. In cases of suspension or eviction from residence, Student Life will send a written letter confirming the details of the sanction to the student's Mount Allison mailbox. All sanctions are in effect whether or not a student has read their email and/or picked up this written confirmation.

Any financial costs incurred as a result of violating a residence regulation will be billed to the student(s) involved. Should students move out of residence prior to being adjudicated for alleged misconduct, Student Life reserves the right to forward cases to the appropriate University departments and/or judicial body to have cases investigated/adjudicated.

11. WITHDRAWAL / REMOVAL FROM RESIDENCE

Residence Community living may not be appropriate for some individuals. Living in a community offers many benefits but also has the added stressor of living in close proximity with others. Individuals who are uncertain if this living environment is appropriate for them can consult with Residence Life prior to applying to live in residence. Harmful behaviours which negatively impact the residence community will be addressed with the individual.

Individuals have a responsibility to work with Mount Allison's Residence Life staff and support services on campus to ensure their behaviour does not have a negative impact on the Residence Community at Mount Allison. As such, individuals are expected to take proactive steps to ensure their behaviour does not negatively impact on other members of the Residence Community. Residence Life will support individuals in those efforts and can provide referrals to Counselling Services and/or Health Services, where appropriate.

A mandatory withdrawal from residence may be required should an individual's behaviour surpass our ability to support them or if the impact on other community members cannot be appropriately minimized. A collaborative approach is used to determine when an individual would need to leave, and when they may re-enter the community, if deemed appropriate. This collaboration may involve Mount Allison's Health & Wellness Services, Counselling Services, Housing, Campus Security Services, parents/guardians/supporters, and the individual. Residence Life may require/mediate an agreement with an individual regarding their behaviour, (including adherence to specific stipulations and protocols), allowing for a conditional return to residence, on a case by case basis.

12. RECORDS

Records of charges and sanctions, other than suspension or expulsion, will not be placed in student academic records. Records of all incident reports, decisions, including sanctions, will be maintained as part of the confidential records in the Student Life Office for a period of up to five (5) years after the student graduates. In cases when a student ceases to be a student, all records may be maintained indefinitely.

13. REVIEW OF THIS CODE

This Code will be reviewed one year after its initial effective date and a minimum of once every two years thereafter.

APPENDIX A – GUESTS IN RESIDENCE

**** September 1, 2020 – for health and safety reasons, APPENDIX A (“Guests in Residence”) is suspended until further notice. APPENDIX C (“COVID-19 Measures”) – which extends to include all University policies, procedures, and directives related to COVID-19 – will govern visitors to residence and guests in rooms.**

1. SCOPE

Appendix A applies to all residents living in a residence building at Mount Allison University.

1.1 AUTHORITY

The University reserves the right to modify Appendix A (“Guests in Residence”) at any time in response to circumstances that may arise that jeopardize the safety and security of the residence community.

2. DEFINITIONS

2.1 GUEST

A guest is a non-resident of the building who is associated with a host-resident (ie. registered, invited into the building, provided access etc.)

2.2 UNWELCOME PERSON

Is a non-resident of the building who is present in a residence area without a host-resident. An unwelcome person will be required to vacate the residence and may be subject to additional sanctions. Please note: a resident who facilitates the access (for example: opening a locked door) of a stranger or ‘unhosted’ person to residence property will be deemed to be the host of that person and will be held responsible for that person’s behaviour as if the person were their guest.

3. RESPONSIBILITIES OF RESIDENTS

All residents have the right to live in a safe and secure residence environment. As members of the residence community, residents also have the responsibility to ensure that this standard is upheld, which includes assuming responsibility for the behaviour of their guests.

Residence students (unless otherwise advised) have the privilege of inviting a guest (maximum of two at any given time) provided that:

- a) The resident is not subject to any guest probation;
- b) The guest is not subject to any residence ban;
- c) Any roommate involved has provided agreement for the hosting of an overnight guest;
- d) Residence staff have given appropriate permission for the hosting of an overnight guest;
- e) No overnight guest exceeds a maximum stay of three (3) consecutive nights/week to a maximum of six (6) nights in a thirty-day (30) period;
- f) No resident exceeds six (6) guest-nights per thirty-day (30) period;
- g) Room/suite occupancy restrictions are followed;
- h) The Resident accompanies their guest(s) at all times; and,
- i) Any guest is signed in and can be identified through valid identification.

4. RESTRICTIONS

While the University permits residents to host Non-Mount Allison Student guests, the following restrictions exist to protect the safety and security of those students who reside in a residence building and to minimize the potential for legal liability. The University may elect to modify these restrictions if required.

- a) Residents are required to complete the proper overnight guest registration process via their MtA Housing Portal. This process is to be completed a minimum of 3 days in advance of the guest's anticipated arrival date so that the Don has an opportunity to review and approve such requests.
- b) Individuals under the age of sixteen (16) are not permitted to be a guest in residence after 10pm.
- c) Individuals who are deemed by Residence Staff to be a danger/threat to themselves or others are not permitted to be a guest in residence. In circumstances where Residence Staff identify an individual to be a risk to themselves or others (ie. unruly, uncooperative, or intoxicated), they will take the necessary action to ensure the safety of the residence community. This may include, but is not limited to, calling Safety & Security, requiring the individual to vacate residence, posting or banning the individual from a particular residence area or building, calling a taxi (at the individual's expense).
- d) Parents/guardians are not permitted to stay overnight in residence and should secure suitable off-campus accommodation.

4.1 RESTRICTED GUEST PERIODS

- a) In an effort to preserve the safety and security of residents, support community development and the academic integrity of the residence environment, the University reserves the right to place limitations on when guests are permitted to visit in the residences. The University does not permit overnight guests during the early-arrival, pre-orientation, and orientation periods prior to the start of classes each term.
- b) To support an environment that is conducive to academic work and studying, overnight guests are not permitted during the Extended Quiet Hours period leading up to and including the final exam period each term. Mount Allison students will be permitted visiting privileges during this period for study purposes until 12am.
- c) Additional restricted guest periods may be added in response to community or other issues. Residence Dons and/or Student Life will notify residence students of any additional restricted guest periods.

5. RESPONSIBILITY FOR A GUEST'S BEHAVIOUR

Residents are responsible for their guest(s) and must accompany them at all times; failure to be present does not mitigate or relieve responsibility for a guest's behaviour. Residents are responsible for their guest's behaviour whether they participated in, condoned, or were aware of that guest's behaviour or not. Residents visiting another residence building will still be held accountable for their own behavior in that building.

5.1 MULTIPLE HOSTS

It is desirable that guests should be associated with one host within a 24-hour period; however, should a guest be registered to more than one host within a 24-hour period, responsibility for the guest's behavior will be associated with (a) the last known host, (b) the original host, or (c) all hosts (equally or to various extents), depending on the assessment from a Residence Staff member. In cases where responsibility is difficult to assess, it will default to the last known host preceding the behaviour in question.

6. MAXIMUM CAPACITY OF A RESIDENCE ROOM (i.e. private or shared room)

Unless otherwise stated or approved, residents are permitted a maximum of two (2) guests at a time. For reasons of safety and overall impact on the residence community, residence room capacity limits are in effect at all times. Violations of residence room capacity limits can result in sanctions under the Residence Life Code of Conduct.

Maximum Room Capacity refers to the total number of individuals permitted to be present in a residence room at one time. This includes all residents of the room and any guests (e.g. fellow residents, sign-ins, etc.). **The maximum capacity for any residence room is six people .**

Maximum Overnight Capacity refers to the total number of individuals permitted overnight (i.e. using the residence room for sleeping accommodations). This includes all residents of the room and any guests. Please refer to the following maximum overnight capacity limits by room type:

Room Description	Maximum Overnight Capacity
3-person shared unit	6-person maximum
2-person shared unit	4-person maximum
1-person unit	2-person maximum

Residents in shared accommodations are asked to communicate prior to a guest arrive to ensure maximum overnight capacities are not exceeded.

7. VIOLATIONS

Violations of Appendix A ("Guests in Residence") will be processed under the Residence Life Code of Conduct. Residents who are found in violation of Appendix A may face sanctions and may lose their guest privileges for a specific amount of time and/or additional requirements. The University may also elect to issue a No Trespass Order to anyone deemed an Unwelcome Person.

APPENDIX B – DEFINITIONS

Complainant – The person who submits an official complaint against a student (or students) for any breach of this Code. The University may also be a Complainant if a student whose behaviour is in breach of this Code is identified in a university Incident Report.

Incident Report – an electronic document completed by Residence Life staff (e.g. Dons, ADs, RAs) or Security staff to provide an account of an incident in residence that affects or involves a member or members of that residence community. It may be used to document a medical emergency, a visit by police or security, an issue of concern, or a potential violation of the Residence Life Code of Conduct.

Mediation – refers to a voluntary process where a third-party facilitates a face to face dialogue between two or more parties and helps the parties arrive at reconciliation or a mutually agreeable resolution.

Misconduct – Behaviour or actions by students that breach this Code or fall short of the standard for student responsibilities as laid out in Section 3 (“Residence Community Standards”).

Natural Justice – or procedural fairness, ensures the following:

- that a student has the right to know the allegation(s) against him/her;
- that a student has the right to present a defense;
- that any decision is made after reasonable investigation and due consideration of relevant evidence; and
- that any decision is made free from bias.

Respondent – A student who is the subject of a formal complaint or Incident Report under this Code. In the case of an appeal, the person or party that contents against the appeal. A student who has been accused of misconduct or in the context of an Appeal, the person or party that contends against an appeal.

Restorative Justice – a philosophy of justice that is based on specific principles and practices. In the context of this Code, restorative justice is a process for resolving an incident by focusing on redressing the harm caused, holding offenders accountable for their actions and, as often as possible, engaging the community in the resolution of the incident and identified "harm."

Student – Any person admitted to or enrolled at Mount Allison University, full-time or part-time, pursuing non-credit, undergraduate or graduate studies, whether or not the individual is currently registered in courses or is currently a candidate for a degree or certificate. An individual is considered to be a student during periods before or between terms, including, but not limited to athletic training camps, University Orientation, residence staff training, and Winter break, or periods during which the student may be serving a suspension or required by the University to withdraw from courses. The Code applies to students on exchange programs that are coordinated by Mount Allison University at other universities, as well as Students on approved leaves of absence or visiting students.

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APPENDIX C – COVID-19 MEASURES

The Government of New Brunswick has implemented a number of measures in response to the coronavirus pandemic. These include the declaration of a State of Emergency.

The State of Emergency is managed by the Government of New Brunswick through the use of a [Mandatory Order](#) that outlines rules and conditions aimed at reducing the spread of the COVID-19 virus. Individuals and organizations in New Brunswick, including Mount Allison, are legally required to comply with the terms of the Mandatory Order.

Mount Allison has taken action to mitigate the impact of COVID-19 and comply with the Mandatory Order and all related legislation. This includes the University's Operational Plan, other plans, and changes to University procedures and processes.

Students are expected to comply with the University and government policies, plans and directives related to COVID-19. Failure to do so can lead to action under this Code.

University plans can be found [here](#). Government of New Brunswick resources can be found [here](#). Basic expectations of students include, but are not limited to:

- Monitoring and adhering to travel restrictions and self-isolation requirements as issued by the Province of New Brunswick;
- Maintaining physical distancing requirements (2m);
- Wearing non-medical face masks, as expected, directed, or required;
- Limiting the size of indoor and outdoor gatherings;
- Cooperating with University staff and Public Health officials as part of any personalized or University COVID-19 response plan.

Student compliance with the University's COVID-19 measures will be administered through the [Student Code of Conduct](#) and the [Residence Life Code of Conduct](#). Student compliance with the Province's Mandatory Order in off-campus settings will be enforced by local bylaws, as well as provincial and federal law as applicable.

In that regard, the following policy will remain in effect until formally rescinded by the University:

Whereas Mount Allison and residents of New Brunswick, including students, are legally required to comply with the Province of New Brunswick's Mandatory Order, and whereas students are required to comply with any and all University policies, procedures, and directives related to COVID-19, the following clause herein goes into effect and will remain in effect until formally rescinded by the University:

Failure to Comply with Stated Health & Safety Measures

Any action or inaction by a student or students that undermines or violates the health and safety measures put in place by Mount Allison in relation to COVID-19 and New Brunswick's Mandatory Order will be deemed an offence under the Code of Conduct.

The University does not seek to be deliberately punitive in enforcing this “Failure to Comply” clause. It is our hope that both education and common sense are sufficient — that students will understand, respect, and comply with the measures that have been put in place to mitigate the risk of a COVID-19 outbreak at Mount Allison.

These are exceptional times. The measures put in place are context-specific and will remain in effect only as long as necessary. In the meantime, we must do what’s necessary to protect the health and safety of the campus community. If students are unwilling to comply and, in so doing, endanger their health and the health of those around them, action will be taken under the Code.

SCOPE

The administration of this clause will be limited to students’ on-campus conduct. In certain, exceptional cases, if a student’s off-campus conduct adversely affects the health and safety of Mount Allison’s on-campus community, action is permitted under the Code of Conduct.

STAGES OF ACTION

With education as the principal and preferred tool for compliance, **reminders** will generally serve as the first form of action when enforcing the University’s health and safety measures. If reminders do not bring about compliance, **incident reports** will be written and submitted to the COVID-19 Conduct Panel for formal adjudication.

NOTE: reminders may not be issued in all situations. Any behaviour that is in violation of University health and safety directives and/or New Brunswick Public Health regulations may be documented in the form of an incident report and submitted to the COVID-19 Conduct Panel independent of any reminder.

Failure by the University to bring to the attention of a student a violation of a COVID-19 related policy, plan, or directive does not absolve the student from sanctions or mean the University condones or authorizes such activity.

Students have an obligation to exercise personal responsibility with respect to their conduct (e.g. physical distancing, hand washing, mask wearing, etc.) that is medically-confirmed to help mitigate the risk of COVID-19 transmission. Ultimately, it is an individual’s responsibility to ensure their own safety relative to COVID-19, as well as to proactively take the precautions necessary to ensure the safety of others.

ADJUDICATION

The University will form a special COVID-19 Conduct Panel to review and adjudicate COVID-19-related incident reports and complaints. The Conduct Panel will meet as required to review all incident reports from the preceding week.

Students will be notified in writing of the alleged violation(s). Students will be invited to respond in writing to the alleged violation(s). A student’s written response must be submitted to the COVID-19 Conduct Panel at least 24 hours prior to the Panel’s next scheduled meeting. All written responses should be submitted to studentlife@mta.ca.

In the event a student is notified of an alleged violation less than 48 hours before the next meeting of the COVID-19 Conduct Panel, the case will not be reviewed by the Panel until the following week. If the Panel requires more information from the student(s) in question, the student(s) will be invited to

provide an additional written submission or join the review session. Unless otherwise arranged, the review session will be conducted on the basis of written submissions.

If a student declines to submit a written statement or meet with the COVID-19 Conduct Panel, the Panel will still meet and render a decision. A decision will be communicated to the student(s) in question within 48 hours of the review session. The University reserves the right to impose temporary measures in the time before a final decision is reached.

In instances when a student is subject to multiple violations under the Code as part of the same incident report or complaint, adjudication may be referred to the full University Judicial Panel for the purpose of one, all-encompassing hearing.

In instances when the COVID-19 Conduct Panel is unable to meet or greater expediency is required, an incident report may be referred for direct resolution under Section 11 of the Student Code of Conduct or Section 7 of the Residence Life Code of Conduct.

APPEALS

If a student wishes to appeal a decision based on the grounds for appeal listed in the Student Code of Conduct and the Residence Life Code of Conduct, they have five business days from the date/time of the decision to do so. Appeals must be submitted in writing to studentlife@mta.ca. Appeals will be reviewed by the University Appeal Panel. The Appeal Panel will meet weekly to review any outstanding appeals. Unless otherwise arranged, appeals will be adjudicated on the basis of written submissions. A decision will be communicated to the student(s) within 48 hours of the Appeal Panel review. The decision of the Appeal Panel is final and cannot be appealed again.

SANCTIONS

Refer to Section 4.3 of the [Residence Life Code of Conduct](#) and Section 7 of the [Student Code of Conduct](#) for lists of possible sanctions. When appropriate, education leading to understanding and future compliance will be pursued as desired outcomes. More serious infractions and repeat violations will warrant more serious consequences. Decisions by the COVID-19 Conduct Panel will be kept on file in the Student Life Office only for as long as Appendix B remains in effect. Sanctions assigned by the COVID-19 Conduct Panel may be used in the consideration of other sanctions for future or related violations under the Residence Life Code of Conduct or the Student Code of Conduct.

SELF-ISOLATION

Mount Allison has a legal requirement to comply with New Brunswick Public Health measures and directives for self-isolation in university residences. Any violations of University and/or provincial self-isolation requirements during the residence self-isolation period will be referred to the Student Life Office for direct resolution by the Residence Life Manager. Appeals will be heard by the Director of Student Life & International Services. Sanctions issued during the self-isolation period include fines up to \$500 and/or suspension or eviction from residence.