

Western Residence Behaviour Management Process

This document provides the details of the behaviour management process at Western University Residence. It describes the principles behind our process, how concerns arise, and how alleged concerns are addressed. This document expands on the information laid out in the [Residence Contract](#).

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Behaviour Management Principles

Our residence behavioural management process:

- Educates students in regard to their actions and responsibilities
- Protects the residence community from conduct violations
- Maintains an environment that supports learning
- Repairs any harm that is done to the community

This process has been developed keeping in mind the principles of Procedural Fairness and with the intention of upholding a respectful community. Your Neighbourhood Conduct Coordinator can also review the process with you.

Making a Complaint

Alleged violations of the Residence Contract can be reported in a variety of ways including:

- being witnessed by Housing Staff,
- reported directly to Housing Staff by a student or staff member, or
- shared with Housing by another department at Western or by a member of the community.

When a concern is received by Housing, it will be documented in an incident report and assigned to a member of the Housing team for review, fact-finding and adjudication. If in violation of an expectation in the Residence Contract, outcomes may be assigned.

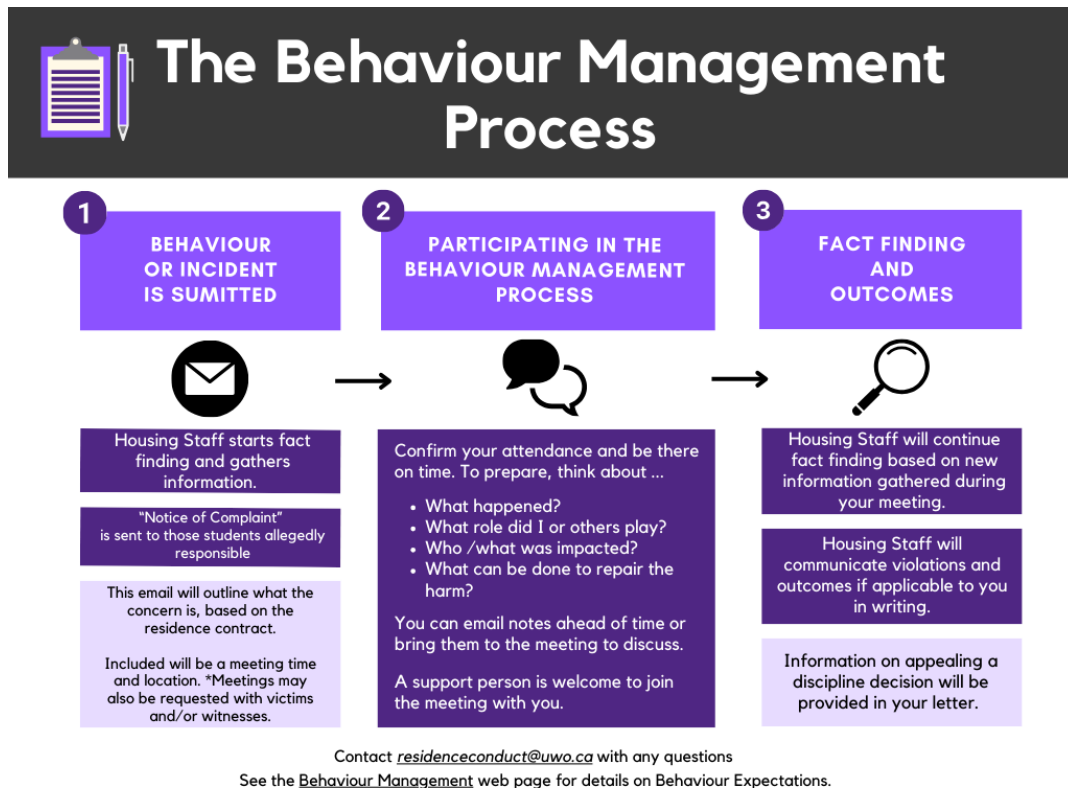
If a student believes that another Residence student's behaviour has violated their right to a safe and secure environment, or any other part of the Residence Contract, a student may make a complaint by contacting a Don, Residence Safety team member or their Residence Life Coordinator. If the person of concern is not a Residence student, the incident may be referred to the Code of Student Conduct and/or to Western Special Constables. (Complaints under the Code of Student Conduct may be submitted here: https://www.uwo.ca/health//student_support/conduct.html). Concerns of a certain magnitude may also be referred to the Code of Student Conduct and/or Western Special Constables.

Students are encouraged to make a complaint without fear of retaliation. Alleged retaliation will be followed up on.

A student has the right to withdraw a complaint should they wish to do so; however, Housing Staff may proceed with fact-finding and adjudication into a matter where there is concern for the safety and security of community members or the Residence environment.

The Process at a Glance

The following image summarizes the fact finding and decision-making process that occurs when a student is alleged to have violated a behavioural expectation as outlined in the Residence Contract.



Fact Finding

Fact Finding will begin when there are allegations that a student’s and/or guest’s behaviour may violate a behaviour expectation laid out in the Residence Contract, and it is reported to or witnessed by a member of Housing staff. Upon the discovery of an issue by Housing staff an incident report will be created documenting what was observed and the information available at the time of the report.

Receiving a Notice of Complaint

Housing will send a Notice of Complaint to any student whom, after review of the incident report, is alleged to have violated a behaviour expectation laid out in the Residence Contract. This Notice of Complaint will contain details of the allegations including when and where the incident is believed to have occurred. The Notice will also identify a tentative date and location of a fact finding meeting with a member of Housing staff to discuss the incident. Students are welcome to provide written statements to share their perspective if they wish to do so and/or bring evidence they feel supports their perspective to the fact-finding meeting.

Students also have the opportunity to bring a support person with them to this meeting. This person is there to support the student emotionally but is not able to speak on the student’s behalf. The support person is also not to have been directly involved in the incident under discussion.

If a student does not respond to meeting requests or does not attend a scheduled meeting, without providing a reason, Housing Staff may proceed with fact-finding and decide if the student is in violation and assign outcomes, without a student’s participation.

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During the meeting, a student will receive a verbal summary of the incident from the Housing Staff member conducting the investigation and will be given the opportunity to respond with their perspective of the incident and relevant information. The Housing Staff member will likely have questions for the respondent during the meeting and may even require a follow up meeting in some cases.

Collecting Information

When appropriate, the Housing Staff member will use various methods to collect evidence such as meeting with relevant parties and reviewing OneCard, keycard and meal plan records, among other information, to collect information about the case.

Confidentiality and Privacy

Information shared with Housing staff during fact finding will be considered confidential. However, confidentiality may not be assured in the following circumstances:

- When an individual is at imminent risk of self-harm
- When an individual is at imminent risk of harming another and/or
- There are reasonable grounds to believe there is a risk to the Residence and/or Western Community or the Community at large.

Interim Measures

When a situation arises where the health and safety of an individual or the community are of concern, interim measures may be issued as a temporary resolution. Interim measures may be issued at any time during the fact-finding and adjudication process and will not be construed as evidence of either guilt or a finding of violation.

Housing may review interim measures throughout the process to ensure measures remain necessary and appropriate to the circumstances.

Interim measures can include but are not limited to:

- Issuing a Trespass from any Residence buildings of concern
- A No Contact Order
- Removal of privileges such as guests, specific locations in residence, or ability to consume legal substances.
- The temporary move of a student to a different room on campus
- The temporary move of a student to a space off campus
- A suspension from Residence for a certain period

Decision Making

Once the Housing professional has completed their fact finding, a decision will be made based on the standard of proof known as Balance of Probabilities. This means that after collecting the available evidence the investigator believes it is more likely than not that the behaviour in question was in violation of the Residence Contract.

Housing and Ancillary Services

If a student is found to have violated the Contract, outcomes will be assigned to the student taking into consideration the severity of the incident, the impacts on the community, the student’s previous conduct history as well the accountability and remorse demonstrated by the student.

Decision Letter

This decision will be outlined in a letter that will be sent electronically to the student’s Western e-mail address including reasons for the decision, important information about outcomes and information about how to appeal the decision should the student wish to do so.

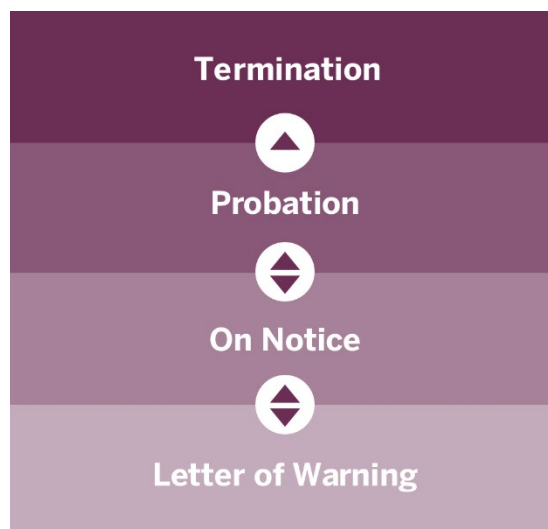
Informal Resolution

In cases where all parties are residence students, the Housing Staff member assigned to a case may offer the students the opportunity to participate in an informal resolution process to resolve a matter through mutual agreement. Informal resolution may take place after a Notice of Complaint is issued to a student but before a decision is issued by Housing Staff.

Informal processes are not permitted when Housing is considered to be the complainant (ie. In cases of damages, smoking in residence, situations pertaining to alcohol, cannabis and controlled substances etc.).

Types of Sanctions

As indicated by the behaviour management ladder on the next page, Housing believes in progressive discipline. We determine appropriate consequences and/or support to help residents improve behaviour, while taking into account their individual circumstances. The goal is to help prevent inappropriate student behaviour from reoccurring. Within this context, the severity of the behaviour, its impact on others and/or behaviour that escalates or is repeated may result in more serious consequences.



Learning Projects

Learning Projects may form part of a disciplinary sanction. These conditions may include (but are not limited to) writing an apology, participating in educational seminars, completing a written reflection,

Housing and Ancillary Services

attending meetings with community partners or participating in awareness programs. You can see specific examples of Learning Projects by clicking the Learning Projects link on the [behaviour management](#) web page.

Notice of Trespass

Housing reserves the right to restrict access to any residences and their grounds through the Trespass to Property Act. Any violation of a notice of trespass may result in charges under the Trespass to Property Act and a complaint under the Code of Student Conduct and/or additional sanctions under the Contract.

Suspensions

A residence suspension temporarily bans a student from residence for a defined period of time, after which they may be eligible to return. If a student is eligible to return, conditions for readmission may be specified. In the event of a suspension, students will be denied access to any of the residences and their grounds during the suspension and will be charged under the Trespass to Property Act if a suspension is violated. All regular residence fees and charges will apply throughout the suspension period. The reasons for a suspension may include but are not limited to:

- Ensuring the safety and wellbeing of members of the Housing community or the preservation of Housing property;
- A student violating a behavioural contract;
- A student posing a risk to the normal operations of Housing; or
- A student was involved or is alleged to have been involved in a serious incident while the investigation of such incident is ongoing.

Relocation

Housing reserves the right to relocate residents off campus, or to another room or building within the residence system as a response to violations or alleged violations of their Contract, Code of Student Conduct or Gender-Based and Sexual Violence Policy. Residents are responsible for any additional fee increase resulting from a room or building change and are responsible for transporting all of their belongings to their new room or building.

Termination

Severe or persistent misconduct may result in the termination of a student's Contract.

Students will be held financially responsible for the full amount of their fees if their Contract is terminated. Western University reserves the right to collect such payment for any outstanding residence room and meal plan overhead charges. Housing reserves the right to terminate a Contract for a single violation which, in the view of Housing, represents a significant departure from the behaviour expected of residents or which endangers the safety or wellbeing of the community (e.g., physical and/or sexual aggression, display of a weapon, theft, misuse of fire-safety equipment, use/possession/trafficking of illegal drugs, etc.).

Housing and Ancillary Services

In addition to termination, a student may also receive a one-year Notice of Trespass, prohibiting access to all residences. A student's parent/guardian/emergency contact will be notified of Contract termination if you are under the age of 18.

Remember, serious behaviour that may warrant termination of a student's Residence Contract may result in a less serious sanction if they come forward and take ownership of and responsibility for their actions, they cooperate during the incident follow-up and investigation, and are truthful throughout the entire process.

Additional Consequences of Discipline

If a student's status reaches "On Probation" or "Termination", they will be denied the opportunity to become a Student Leader in residence. Eligibility to live in any on-campus building operated by Housing will be suspended for the following specified terms:

- On Probation: two academic years
- Termination: five academic years

Behaviour resulting in On Probation status will result in a student's ineligibility for winter break stay, extended stays or early arrival periods. A student may also be subject to disciplinary sanctions based on Western's Code of Student Conduct depending on the nature of the behaviour. It is expected that the student will familiarize themselves with the Code. The Code can be found at <https://www.uwo.ca/univsec/pdf/board/code.pdf>. In severe cases, Housing may refer a matter to Western Special Constable Service and/or the Office of Student Support & Case Management.

The residences are not a sanctuary separate and apart from the laws of our country or from community standards. Housing may share information about serious incidents and behaviour with Western Special Constable Service and Western's Conduct Case Manager. Housing will notify Western Special Constable Service and/or the London Police Service if a crime is committed in residence or otherwise. Housing may conduct an investigation and impose disciplinary sanctions in addition to any criminal charges or sentences.

Housing reserves the right to notify a student's parent/guardian/ emergency contact about unlawful activity or any behaviour that threatens the safety or wellbeing of a student or the community.

Substance Use Concerns

Western Housing takes an educational approach to alcohol and cannabis consumption. Students who overconsume might be assigned 1:1 informational meetings, alcohol/cannabis workbooks and seminars, safe consumption planning and check-ins, or access to campus and community resources. When the substance use has become an impact to the Community, is causing the student serious harm, and/or is a repetitive behaviour, Housing may implement a Substance Behaviour Contract. The Substance Behaviour Contract restricts the consumption and possession of alcohol and cannabis and being under the influence of alcohol and cannabis while in residence. In significant cases, a student may have their residence contract terminated.

Housing and Ancillary Services

We acknowledge that Western University is located on the traditional lands of the Anishinaabek, Haudenosaunee, Lúnaapéewak and Chonnonton Nations, on lands connected with the London Township and Sombra Treaties of 1796 and the Dish with One Spoon Covenant Wampum.

With this, we respect the longstanding relationships that Indigenous Nations have to this land, as they are the original caretakers. We acknowledge historical and ongoing injustices that Indigenous Peoples (e.g. First Nations, Métis and Inuit) endure in Canada, and we accept responsibility as a public institution to contribute toward revealing and correcting miseducation as well as renewing respectful relationships with Indigenous communities through our teaching, research and community service.

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