

STUDENT RIGHTS & RESPONSIBILITIES

Frequently Asked Questions (FAQ)

What are “Temporary Conditions”?

By the Student Code policy, “temporary conditions” are interim measures that can be imposed by [Campus Security Services](#) (e.g. Investigative Suspension Order – a non-disciplinary measure) and the Student Code of Conduct Office while the investigation and adjudication processes last, not to impact and/or protect the parties involved in the alleged incidents being discussed, investigated, and adjudicated (e.g., no-contact orders, restricted campus access, online study).

What happens if a student is named as “Respondent”?

A Major Case under the Student Code will be opened, and a preliminary investigation will be conducted by [Campus Security Services](#), where the student will be interviewed. If, after their risk assessment, a safety concern is deemed, [Campus Security Services](#) can impose an Investigative Suspension Order. Accommodation can be implemented while the student is being investigated and the Student Code is in effect.

After all the evidence is gathered, [Campus Security Services](#) will hand an Investigative Case Report to the Student Code of Conduct Office to adjudicate the Major Case. Before making any decisions, the student will receive a summary of the allegations brought forward in writing. If the student wishes to present additional and/or new information that they believe is important regarding the allegations, they can send a written response or meet with the Code of Conduct Coordinator to advocate their case within five college business days.

After that period, the Student Code of Conduct Office will decide, based on the information available and on a balance of probabilities, as per the policy process. If it is concluded that an offence occurred under the Student Code, corrective sanctions are warranted. A decision letter outlining the outcome will be sent to the student after that. Additionally, a meeting can be held by the Code of Conduct Coordinator with the student before sending the decision.

Are only Complainants and Survivors able to access support and resources at the College?

No, Respondents can access resources, including a support person, legal and counselling support. Access to the College support can only be affected if they are suspended or if an expulsion occurs. They can be found [here](#) (additional support for military-connected students can be found [here](#)).

How does the Student Code affect students?

The Student Code affects the way students conduct themselves during their time at Fanshawe College. It outlines the behaviours not suitable for a College environment and applies from admission through completion of programs or courses, including before and after classes as well as between semesters.

Does the Student Code apply to visitors on campus?

Yes. Students are responsible for informing visitors invited to the College, residence or College event of the rules and regulations in place and ensuring visitors understand and comply with such rules. They are also co-responsible for their visitors’ behaviour while on campus.

Are sanctions in effect if a student appeals their case?

Yes. Sanctions are in effect from when a student receives the sanction until a final decision is rendered.

Will offences and student files be kept confidential?

Yes. Information is only shared on a need-to-know basis. Confidentiality is maintained at its highest level but is subject to the College's obligation to conduct thorough investigations and to the requirements of the law. The College is not permitted to discuss details with parents and external parties or otherwise unless written consent is provided by the student who is 18+ under the [Freedom of Information \("FOI"\)](#) process. Most of the sanctions under the Student Code do not affect the student's progression, only suspensions and expulsions, which can impact official transcripts, but if that happens, only Fs and/or Ws will be displayed, and the matter involving them will not be disclosed.

Student Code cases are confidential and non-visible to external and general background checks. However, it is important to clarify that most police services reach out to post-secondary education institutions for an academic and security check as part of the application process for a police officer. Given that the application forms for a police service include a consent form for the release of information, student involvement with [Campus Security Services](#) would be disclosed should the respective service make an inquiry. Programs that involve a legal background or working with vulnerable people could also ask that. Therefore, the general recommendation if the student was involved in a Student Code case at the College, is being honest about it – this can be used or disclosed as a learning opportunity (for example: how the incident helped the student to understand themselves, any lessons learnt, challenges overcome, and improvements along the way).

What is the burden of finding “guilt” (when the Respondent is considered as “Responsible”) or innocence (when the Respondent is considered as “Not Responsible”)?

The process uses a “balance of probability.” If a student is more likely to have committed the alleged misconduct than not, they can be found Responsible under the Student Code and can have sanctions imposed. It is important to point out, though, that only extreme cases lead to suspensions and expulsions, and definite decisions are only taken after the student is allowed to be heard and/or advocated.

Can students be criminally charged if their conduct causes the Student Code to be applied?

Yes. A finding under one system does not necessarily translate into the same finding under the other. If the Police are involved, [Campus Security Services](#) will pause their preliminary investigation until further notice. When the Police either does not respond or terminates its response to a report or complaint, the College reserves the right to initiate or continue its investigation and respond to such report or complaint under the Student Code process. It is important to clarify that the Student Code of Conduct Office might take into consideration the police involvement and/or sanctions or conditions applied by them, in a manner that does not double-sanction the student for the same matter.

What is non-academic misconduct?

Non-academic misconduct refers to behaviour that are not outlined in policy [A136: Academic Integrity](#) and that may negatively affect the College community, learning environment, safety, wellbeing, or College operations. Examples may include:

- Harassment
- Bullying
- Threatening behaviour
- Violence

- Stalking
- Retaliation
- Misuse of technology
- Fraud
- Property damage
- Disruptive conduct
- Failure to comply with College policies

How do I report a concern?

Concerns regarding non-academic student misconduct can be reported through [Campus Security Services](#) or studentconduct@fanshawec.ca. Reports may be submitted by:

- Students
- Employees
- Community members
- External partners

Will the College investigate if I do not want to participate?

The College will consider your wishes whenever possible. However, there may be situations where the College has legal, safety, institutional, or community obligations that require it to proceed even if a complainant chooses not to participate. Examples may include:

- Serious safety concerns, such as self-harm or when there is an infant involved
- Violence
- Sexual violence
- Threats
- Pattern behaviour
- Significant community impact

Will I have an opportunity to respond?

Yes. Students who are the subject of allegations will normally be informed of the concerns and provided an opportunity to respond before a decision is made. This is part of the College's commitment to procedural fairness.

Can I bring a support person to meetings?

Yes. Students may bring a support person to meetings in accordance with College procedures. Support persons may provide emotional support but generally do not participate directly in the investigation or adjudication process or are allowed to speak / advocate on a student's behalf, unless otherwise permitted.

How long do investigations take?

Investigation timelines vary depending on:

- Complexity of the matter
- Number of parties involved
- Availability of evidence
- Accommodation requirements
- External investigations or legal processes

The College strives to complete investigations as efficiently and fairly as possible.

What is an Investigative Suspension Order (ISO)?

An Investigative Suspension Order (ISO) is a temporary safety measure that may be issued while an investigation is underway by Campus Security Services or local police. An ISO:

- Is not a disciplinary sanction
- Does not mean a finding has been made
- Is intended to address immediate safety, security, or wellbeing concerns pending review