

STUDENT NON-ACADEMIC CONDUCT

Section:	Academic / Student (AC)
Subject:	Student Performance and Behaviour
Legislation:	
Effective:	June 5, 2020
Revision:	February 22, 2021; December 8, 2021; December 14, 2023; January 13, 2025

APPROVED: _____
President and CEO

POLICY

The policy of the Board of Governors is for SAIT to have a student code of conduct that establishes clear expectations for student behavior and that promotes and aligns with SAIT's FIRST principles of fairness, integrity, respect, safety and transparency. SAIT expects students to behave towards other members of the SAIT community in ways that embody these principles.

PROCEDURE

DEFINITIONS

Balance of probabilities	The standard of proof that is met when something is more likely to be true than not true.
Collude	When two or more people act together to engage in non-academic misconduct or to encourage others to engage in non-academic misconduct.
Complainant	A person who alleges that a student has committed an act of non-academic misconduct.
Facilities	Any building, ground or area that SAIT owns, uses or occupies and that is under the jurisdiction of SAIT's Board of Governors.

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Non-academic misconduct	A violation of civil or criminal laws, a violation of SAIT's policies or procedures, conduct that threatens the safety, well-being of or dignity of and respect for members of the SAIT community, and/or any behavior that adversely affects SAIT, a member of the SAIT community, or SAIT's reputation, educational mission and objectives.
SAIT campus	SAIT's main campus and all satellite campuses, including virtual/digital campuses.
SAIT community	SAIT's governors, employees, students, contractors, consultants, agents, volunteers and visitors.
SAIT-sponsored function	An event which SAIT has organized and which benefits SAIT. It is not open to the public: attendance is limited to members of the SAIT community and their invited guests. This includes but is not limited to student functions, student club meetings and employee functions.
Student	For the purpose of this procedure, a student is a person who is enrolled in a SAIT program or course, who is an applicant to SAIT, who is participating in a youth activity at SAIT or who is participating in learning activities at SAIT through corporate training initiatives.
Work-integrated learning (WIL)	Activities that formally integrate a student's academic learning in a SAIT program or course with quality experiences within a workplace or practical setting.
Youth activity	A registered program, non-registered program, SAIT event or non-SAIT event involving youth on the SAIT campus, or that SAIT deems to be a youth activity given the nature of the activity and the participants. See procedure AD.1.12.1 Youth Activities on Campus for further information, including a definition of "youth".

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GOVERNING PRINCIPLES

1. SAIT seeks to promote the personal, educational and social well-being and development of its students. SAIT's approach to student non-academic conduct reflects these goals. It is intended to be educational, to prevent future student misconduct, to address breaches proportionately to their severity, and to repair harm done to the SAIT community. Where possible, sanctions focus on helping students to learn from their mistakes and to develop the skills they need to succeed both in their education and in their future employment.
2. All members of the SAIT community share the responsibility to create a working and learning environment where student non-academic misconduct is discouraged, reported and addressed.
3. This procedure applies to students while engaged in any activity related to their studies or association with SAIT. It applies to, for instance:
 - a) The workplace and learning environment both on and off the SAIT campus (for example, home offices, SAIT's residences, SAIT-sponsored functions, SAIT-supported initiatives, business trips, conferences, social gatherings, online communications, and telephone calls).
 - b) SAIT-related educational activities, such as field trips, study abroad activities and work-integrated learning sites.
4. An act of student non-academic misconduct may breach more than one SAIT procedure and/or amount to a civil or criminal law matter. SAIT has the right to address student non-academic misconduct under another procedure and/or to refer the matter to the appropriate civil or criminal authority.
5. A student is assumed not to have committed an act of non-academic misconduct unless the contrary is established. Decisions are based on the balance of probabilities.
6. If several students are involved in an alleged act of non-academic misconduct, each student will be treated individually in accordance with this procedure.
7. A student who assists or colludes with someone in an act or an attempted act of non-academic misconduct has committed non-academic misconduct.
8. A student who attempts to commit non-academic misconduct will be subject to the same consequences and sanctions as if the act had occurred.

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9. A SAIT employee referred to in this procedure may delegate authority to take the steps set out in this procedure.
10. The timelines set out in this procedure are considered necessary for the fair disposition of hearings. However, depending on the nature and complexity of the particular alleged misconduct, there may be circumstances where timelines need to be adapted or extended, as determined by the Office of Community Conduct in consultation with stakeholders.
11. Meetings and hearings under this procedure are not open to the public (i.e., are “in camera”) and shall not be recorded or transcribed.
12. Notices and letters to students may be sent by e-mail to both the student’s SAIT e-mail address and the student’s preferred e-mail address as per SAIT’s student database, or sent in hard copy by courier or by registered mail, faxed, or physically handed to the student in a witness’s presence.
13. Confidentiality will be maintained to the extent practicable and appropriate under the circumstances and as permitted by law.

PROCEDURE

A. Types of Student Non-Academic Misconduct

1. See Schedule A Examples of Student Non-Academic Misconduct, an Associated Document to this procedure, for examples of non-academic misconduct.

B. Student Non-Academic Misconduct Procedures

1. See Schedule B, an Associated Document to this procedure, for non-academic misconduct procedures.
2. See Schedule C, an Associated Document to this procedure, for non-academic misconduct appeal procedures.
3. See Schedule D, an Associated Document to this procedure, for non-academic misconduct hearing processes and principles.

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C. Interim Removal from the Learning Environment for up to 24 Hours

1. An instructor, academic chair/coordinator, manager, associate dean/associate director or director, safety and community services, may authorize a student's interim removal from a learning environment, including but not limited to a classroom, lab, testing centre or work-integrated learning site, for up to 24 hours in situations where the student is creating a significant disruption or poses a potential immediate threat to the safety and/or property of others.
2. The instructor, academic chair/coordinator, manager, associate dean/director or director, safety and community services, must, as soon as possible, advise the dean/director and the Office of Community Conduct of the student's interim removal from the learning environment.
3. A student's absence from gradable course assessments as a result of being removed from the learning environment on this basis shall be managed as per procedure [AC.3.8.1 Attendance Requirements](#) or procedure [AC.3.8.2 Attendance Requirements–Apprenticeship](#).

D. Temporary Suspension from SAIT

1. The director, office of community conduct, may at any stage of proceedings under this procedure, under procedure [AC.3.4.3 Student Academic Conduct](#) or under procedure [AC.3.4.5 Student Behaviours of Concern](#), and upon consultation with the student's dean/director and the vice president, academic, temporarily suspend the student from SAIT's learning environment and/or facilities where the student is creating a significant disruption or poses a potential immediate threat to the safety and/or property of others.
2. A student may appeal a temporary suspension by sending a letter or e-mail to student.appeals@sait.ca within two business days of being advised of this temporary suspension, setting out the grounds for the appeal. The student's request for the appeal shall follow the process set out in Part 1, Schedule C, an Associated Document to this procedure.
3. A student's absence from gradable course assessments as a result of being temporarily suspended shall be managed as per procedure [AC.3.8.1 Attendance Requirements](#) or procedure [AC.3.8.2 Attendance Requirements–Apprenticeship](#).

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E. Sanctions for Student Non-Academic Misconduct

1. Sanctions for student non-academic misconduct are set out in Schedule E, an Associated Document to this procedure, and are governed by the following principles.
 - a) SAIT may consider the following specific factors and any other factors it deems relevant when determining a sanction for student non-academic misconduct:
 - i) If there has been a previous finding of academic or non-academic misconduct against the student. A subsequent act of non-academic misconduct will usually result in a more severe sanction than for a first act.
 - ii) The non-academic misconduct's circumstances, severity, effect and impact on others.
 - iii) If there are multiple allegations of misconduct against that student.
 - iv) The student's personal circumstances.
 - v) SAIT's previous decisions involving similar facts and circumstances and the need for consistency in decision-making.
2. A sanction of suspension or expulsion shall usually not be put into effect until the student has exhausted internal channels of appeal or has allowed the time to appeal to lapse, subject to section D of this procedure.
3. Sanctions other than expulsion are noted on the student's record for a period of seven years. An expulsion is permanently noted on the student's record.
4. The sanctions of suspension and expulsion are noted on the student's transcript for seven years (for suspension) or permanently (for expulsion).
5. Alternative resolution measures as provided for in Schedule B, an Associated Document to this procedure, are not considered sanctions. They are not noted on either the student's record or transcript.

F. Bad Faith Allegations

1. If a member of the SAIT community makes an allegation of non-academic misconduct in bad faith or to purposely annoy, embarrass or harm a student, that individual may be subject to the sanctions set out in procedure [HR.4.4.1 Corrective Action](#)

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[Procedures](#) (in the case of a member of the SAIT community other than a student) or to the non-academic misconduct sanctions set out in this procedure (in the case of a student).

G. Protection from Reprisals or Retaliation

1. No one shall retaliate, engage in reprisals or threaten to retaliate against an individual for making an allegation of non-academic misconduct under this procedure, for having participated or cooperated in an investigation or hearing or having been associated with someone who has proceeded under this procedure.
2. Anyone engaged in such conduct may be subject to the sanctions set out in procedure [HR.4.4.1 Corrective Action Procedures](#) (in the case of an individual who is a member of the SAIT community other than a student) or to the non-academic misconduct sanctions set out in this procedure (in the case of a student).

ASSOCIATED DOCUMENTS

Schedule A	Examples of Student Non-Academic Misconduct
Schedule B	Student Non-Academic Misconduct Procedures
Schedule C	Student Non-Academic Misconduct Appeal Procedures
Schedule D	Student Non-Academic Misconduct Hearing Processes and Principles
Schedule E	Student Non-Academic Misconduct Sanctions

POLICY/PROCEDURE REFERENCE

AC.3.4	Student Code of Conduct policy
AC.3.4.2	Student Rights and Responsibilities procedure
AC.3.4.3	Student Academic Conduct procedure
AC.3.4.5	Student Behaviours of Concern procedure

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