

September 18, 2014

Revised Bylaws and Ongoing Policy Revision

Aurora College has three bylaws that govern student conduct, academic and performance standards, and loss of privileges, penalties, sanctions and appeals.

Bylaw #1 – *Student Conduct*

Bylaw #2 – *Academic and Performance Standards*

Bylaws #3 – *Student Loss of Privileges, Penalties, Sanctions and Appeals*

New versions of these bylaws came into effect in August when they were signed by the Honourable Jackson Lafferty, Minister of Education, Culture and Employment. These replace the original bylaws, which came into effect January 2010.

They can be found at: http://www.auroracollege.nt.ca/_live/pages/wpPages/StudentBylaws.aspx

Note: The bylaws take precedence over the policies.

The online version of the manual is now the official version of the manual.

In practical terms - this means referring to a bylaw rather than a policy when you want to know what the standards are for student conduct and academic performance or what the potential loss of privileges, penalties and sanctions are. Example: for student rights and responsibilities, refer to Bylaw 1, Section 4 instead of Policy A.02 *Code of Ethics* or D.17 *Student Conduct*.

Bylaw #2 *Academic and Performance Standards* contains a significant change. The cumulative average needed to earn an Aurora College certificate or diploma with honours is now 83%. This is a change from policy B.16 *Documents of Recognition*. The bylaw takes precedence over the policy.

Bylaw #3 *Student Loss of Privileges, Penalties, Sanctions and Appeals* distinguishes between dismissal (temporary removal) and expulsion (permanent exclusion).

Bylaw #3 *Student Loss of Privileges, Penalties, Sanctions and Appeals, Section 11* gives the President (or delegate) the authority to take immediate action in emergency situations.

The bylaws set the standards and describe the loss of privileges, penalties and sanctions; they do not go into the procedures. Until we finish creating supporting procedures for the bylaws and revising or retiring policies, we are following the procedures in the policies.

Thank you,

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AURORA COLLEGE

POLICY

Aurora College is committed to establishing a process for individuals or groups to deal with any harassment which may occur within its educational environment.

PRINCIPLES

1. Aurora College supports an individual's right to an environment that is free from harassment. (see Definitions)
2. The College recognizes that harassment may occur one time only, or many times, and may be initiated by a staff member or a student during class or out of class. It is considered to have taken place if a reasonable person ought to have known that such behaviour was inappropriate.
3. The College believes that harassment has the purpose or effect of unreasonably interfering with an individual's work or academic performance by creating an intimidating, hostile or offensive environment.

PROCEDURES

1. Anyone who is of the opinion that s/he has been or is being affected directly or indirectly by harassment may make a verbal complaint or file a written complaint (marked Personal and Confidential) with the appropriate Director or President. All complaints should be made as soon as possible after the incident(s).
2. Upon receipt, the Director shall acknowledge the complaint in writing, and shall immediately notify the President of the complaint.
3. The Director/President will assign a designated GNWT Sexual Harassment Officer external to the College to investigate the complaint in the following manner:
 - i) interview the complainant who may be accompanied by a support person of his/her choice;
 - ii) interview the alleged offender who may be accompanied by a support person of his/her choice;

AURORA COLLEGE

- iii) interview any witnesses identified by the parties involved and ensure that the discussions are kept **CONFIDENTIAL**;
 - iv) document all information. All documents are to be kept in a secure location and are not to be removed or destroyed;
 - v) determine whether the alleged misconduct constitutes harassment after assessing all the facts and circumstances including the nature of the alleged harassment, the environment and the context in which the incident(s) are alleged to have taken place;
 - vi) submit a **CONFIDENTIAL** report to the President within ten (10) working days of the complaint being filed.
4. The President shall respond in writing to both parties regarding action to be taken within five (5) working days of the decision.
 5. If harassment has been determined to have occurred, a disciplinary action, up to and including dismissal from his/her position (staff – see Human Resource Manual) or from the program (student), will be taken. The nature of the disciplinary action will depend upon the gravity of the misconduct and mitigating circumstances.
 6. Anyone filing a false complaint that involves malicious intent, as determined by the investigation, shall be subject to disciplinary action.
 7. The complainant and/or the alleged offender may appeal any decision and/or action as a result of a complaint through an independent appeals board. (see E.08) Appeals through legal channels and the Collective Agreements(s) may also be available.
 8. No documentation will be placed on the complainant's file except where there has been a false complaint that involves malicious intent. No documentation will be placed on the alleged offender's file unless the complaint is upheld.

AURORA COLLEGE

NOTE:

1. All complaints are treated as **CONFIDENTIAL**.
2. Sexual Harassment initiated by a staff member may also be dealt with under the GNWT Policy on Sexual Harassment.
3. It is the responsibility of the student to ensure that course projects and assignments are completed so that course credit is not jeopardized in the event that the student will be reinstated.
4. The College will provide academic support if required.