

ALGONQUIN COLLEGE DIRECTIVE	NO. OF PAGES 12	DIRECTIVE NO. A21
	ORIGINATOR President's Executive Committee	
	APPROVED BY President's Executive Committee	
TITLE RIGHTS, FREEDOMS, RESPONSIBILITIES AND CODE OF CONDUCT FOR THE ALGONQUIN COLLEGE COMMUNITY	EFFECTIVE DATE 2002.06.26	REPLACES New

PREAMBLE

The mission of Algonquin College is to provide high quality, career-oriented education and training which responds to the needs of learners, to the community and to society. The College acknowledges the vital role education plays in the betterment of society, and it endeavours to promote the development of behaviour and attitudes which are relevant to a productive and fulfilling role in society.

The College exists as a corporation established under the Ministry of Colleges and Universities Act. The Act empowers the College's Board of Governors and its officers to establish policies and procedures which may cover any or all aspects of College life.

Within these twin contexts, the College has the right to make regulations, to confer rights and privileges to staff and students, and to impose sanctions which are supplementary to the general law of the land.

This document sets out the rights, freedoms, privileges, and responsibilities of those comprising the College community, as well as a Code of Conduct which serves to guide the actions of all within this community. It also details many of the avenues of redress and resolution for all legitimate difficulties and conflicts which may arise. In capturing these elements, this is both a foundation document and an umbrella document to which a variety of detailed policy, procedure, and regulatory documents relate. Nothing herein is intended to impinge upon or contravene any legislative act, charter, statute or collective agreement. Rather, the document is intended to embrace and support all relevant charters, laws, and legal agreements.

Algonquin College believes that the campus environment should promote human dignity, mutual respect, justice, security of the person, and ethical behaviour. The College further believes it should provide guidance and positive role models for its students.

POLICY

1. **Rights and Freedoms Deriving From the Canadian Charter of Rights and Freedoms**

Following are some of the fundamental freedoms, and legal and equality rights which are granted to all Canadians through the Canadian Charter of Rights and Freedoms (1995). They have been selected as those which have considerable relevance to the effective functioning of an educational community.

a. **Fundamental Rights**

Everyone has the fundamental rights to: freedom of conscience and religion; freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication; freedom of peaceful assembly; and freedom of association.

b. **Legal Rights**

Everyone has the legal rights to: life, liberty and the security of the person; security against unreasonable search or seizure; not be arbitrarily detained; and not be subjected to any cruel and unusual treatment or punishment.

c. **Redress**

Anyone whose rights or freedoms, as guaranteed by the Charter, have been infringed upon or denied may apply to a court to obtain remedy.

d. **Equality Rights**

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination based on race, national or ethnic origin, colour, religion, sex, age, mental or physical disability. The foregoing right does not preclude any law, program, or activity which has as its object the amelioration of condition of those disadvantaged because of race, national or ethnic origin, colour, religion, sex, age, mental or physical disability.

e. **Multiculturalism**

The Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canada.

f. **Aboriginal Rights**

The guarantee in the Charter shall not be construed so as to abrogate or derogate from any aboriginal treaty or other rights or freedoms that pertain to the aboriginal people of Canada.

2. Rights and Freedoms Deriving from the Ontario Human Rights Code

In the Province of Ontario individuals have further rights and protections which have been afforded them by the Ontario Human Rights Code (1993). The following excerpts have been selected for inclusion in this document due to their pertinence to the effective functioning of an educational institution.

a. Freedom from Discrimination: Services

Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap.

b. Accommodation

Every person has a right to equal treatment with respect to the occupancy of accommodation and freedom from harassment by landlord, an agent of the landlord or by an occupant of the same building because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, marital status, family status, handicap or the receipt of public assistance.

Every person who occupies accommodation has a right to freedom from harassment because of sex by the landlord, an agent of the landlord, or by an occupant of the same building.

Every sixteen- or seventeen-year-old person who has withdrawn from parental control has a right to equal treatment with respect to occupancy of and contracting for accommodation without discrimination because of age.

c. Contracts

Every person having legal capacity has a right to contract on equal terms without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap.

d. Employment

Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offenses, marital status, family status or handicap

e. Vocational Association

Every person has a right to equal treatment with respect to membership in a trade union, trade or occupational association or self-governing professions without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap.

f. Sexual Harassment

Every person has a right to be free from harassment because of sex including sexual solicitation or advance made by a person in a position to confer, grant or deny benefit or advancement.

Every person has a right to be free from reprisal or threat of reprisal for the rejection of a sexual advance or solicitation and every person has a right to claim and enforce his or her rights and to participate in proceedings under the Ontario Human Rights Act without reprisal or threat of reprisal.

g. Infringement of Rights

No person shall infringe or do, directly or indirectly, anything that infringes any of the rights stipulated in the foregoing.

h. Pregnancy

The right to equal treatment without discrimination because of sex includes the right to equal treatment without discrimination because a woman is or may become pregnant.

i. Announced Intention to Discriminate

A right stipulated in the foregoing is infringed by a person who publishes or displays before the public or causes the publication or display of any notice, sign, symbol, emblem, or other similar representation that indicates the intention of the person to infringe or to incite the infringement of a right.

j. Equity Programs

A right stipulated in the foregoing is not infringed by the implementation of a special program designed to relieve hardship or economic disadvantage or to assist persons or groups achieve equal opportunity.

k. Canadian Citizenship

A right to freedom from discrimination on the basis of Citizenship is not infringed where Canadian citizenship is a requirement, qualification or consideration imposed by law.

I. Redress

Where a person believes that a right of the person under the Ontario Human Rights Act has been infringed, the person may file a complaint with the Ontario Human Rights Commission.

CAVEAT

It is emphasized that the two preceding sections are neither verbatim nor complete version of the Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code. Copies of both can be found in the Human Resources Department of the College or in the Resource Centres for reference purposes. Copies can be purchased from government publishing agents.

3. Rights, Freedoms, Privileges and Responsibilities that Apply to Members of the College Community

Algonquin College will make every effort to ensure that all members of its community can realize the following expectations.

a. Respect for Human Dignity

All persons should expect to be treated with respect and in a civil manner at all times by other members of the College community.

b. Fair and Impartial Evaluation

All persons can expect to be graded or evaluated in a fair and impartial manner and to be protected by well-defined procedures against capricious evaluation. Students will be provided with course outlines at the beginning of their courses which include the basis upon which they will be graded. Staff members will be given job descriptions and will be informed of the basis upon which their performance will be judged.

c. Access to Policies and Procedures and Interpretation of Policy

All persons will be provided with access to policies and procedures which govern their College environment. All persons can expect to be provided with clarification and the rationale for policies and procedures upon inquiry and can make representation for change to policies and procedures.

d. Access to and Protection from Improper Disclosure of Records

All persons will be provided with the opportunity to examine their personnel files, to challenge the contents of these files, and to add refuting documentation as dictated by freedom of information and privacy legislation, and as outlined in College policy. This right does not impede normal access to records by College officials in the conduct of their duties. All persons may expect the College to comply with privacy laws to protect files from improper disclosure.

- e. Protection from Reprisal as a Result of Exercising Any Right**
All persons should expect to be protected against any reprisal or threat of reprisal as a result of exercising any legal right or from making any legitimate complaint or appeal.
- f. Freedom from Abuse of Authority**
All persons should expect to be free from abuse as a result of the improper use of authority. Such abuse could take the form of intimidation, threats, or coercion, etc.
- g. Freedom from Harassment**
All persons should expect a campus environment which is free from harassment, intimidation, threats, and physical, emotional or psychological abuse.
- h. Freedom from Ridicule and Humiliation**
All persons should expect to be free from deliberate ridicule or other forms of humiliation by those in authority in a classroom, learning, or work environment.
- i. Security of the Person and Personal Property**
All persons should expect to have their person and their personal property respected by other members of the College community, and to be free from unreasonable search and seizure.
- j. Healthy Physical Environment**
All persons should expect to have a healthy physical environment on campus such as that which is prescribed in the Occupational Health and Safety Act Revised Statutes of Ontario (1990).
- k. Freedom from Undue Interference or Disruption**
All persons should expect to be able to work or study without undue interference or disruption by others with the expectation that appropriate measures will be implemented by authorities in order to maintain this right.
- l. Natural Justice**
All persons should expect to have the laws of natural justice prevail in official procedures. This implies the provision of: impartial arbiters; advanced written notice of all complaints; sufficient time to prepare oneself for a hearing; opportunity to testify, present evidence and question adverse witnesses where this would not constitute intimidation; early access to all information and documentation upon which judgements are to be made; the right to an advisor; the right to appeal; and the right to timely resolution of issues following guidelines set out in College directives.

- m. Reasonable Accommodation**
All persons should expect that reasonable accommodation will be made once a special need relating to a disability has been identified.
 - n. Lodging of Complaints**
All persons may lodge complaints regarding their courses, services, environment, policies, or any aspect of campus life with College officials. Students also have the opportunity to lodge complaints with the assistance of the Ombudsperson.
 - o. Awareness of Services**
All persons should expect to be informed, by suitable means, of College services available to them so that they can choose to take advantage of services provided by the College and by the Students' Association or student council.
 - p. Representation of the Individual by a Group**
All persons should expect to be able to become members of a students' association or council, a labour union, or the Administrative Staff Association, depending upon their status, and to expect such a group to consider their needs and views, and to represent their interests according to the charters of the respective groups.
- 4. A Note on Limitations to Rights, Freedoms and Privileges**
Limitations to rights, freedom and privileges can be imposed by legal authorities, by College disciplinary sanctions, through changes in status, or by the overriding rights of others. Anyone having a query about such matters should seek assistance from the sources listed in the Appendix.
- a. Responsibility to Honour the Code of Conduct**
All persons have the responsibility to honour the College's Code of Conduct in spirit and in deed.
 - b. Responsibility to Become Informed**
All persons have the responsibility to make reasonable efforts to apprise themselves of the rules and regulations governing their particular academic or work environment, and of any service they may use.
 - c. Responsibility to Recognize and Respect the Legitimate Exercise of Authority**
All persons have the responsibility to recognize and respect the legitimate exercise of authority whether it be the authority of a professor in a teaching environment, an officer in an administrative service, or a protective security officer performing security duties.

- d. Responsibility to Lodge Complaints in a Timely Manner According to Established Procedures**
All persons have the responsibility to lodge complaints in a timely manner and according to procedures, where these have been established.
- e. Responsibility to Assist in the Maintenance of Good Order in the Learning Environment**
All persons have the responsibility to assist in all reasonable ways to maintain good order and an environment which is conducive to the learning process.
- f. Responsibility Towards College Property and Premises**
All persons have a responsibility to take good care of College and Students' Association property, and to leave premises in a clean and proper order after use.
- g. Responsibilities Shared By Students and Professors**
There has always existed an implicit learning contract between professors and students which is designed to facilitate and maximize the opportunity for student success. Some of the basic elements of this contract are listed below.
- h. Responsibility to Apprise Oneself of Academic Regulations**
Students and professors have a responsibility to acquaint themselves with regulations which are applicable to their academic life, e.g. policies regarding grading, plagiarism, etc. (Reference should be made to the College calendar, the student handbook and school or departmental policies.) Students also have a responsibility to become acquainted with the content of all received course outlines.
- i. Responsibility to Respect Time Allocations**
Students and professors have a mutual responsibility to respect the time allocations for classes.
- j. Responsibility Regarding Missed Classes**
The professor, with the assistance of the academic department, has a responsibility to provide students with alternative opportunities to compensate for a class which must be cancelled. Students have a responsibility to make up on their own time for classes which they cannot attend.
- k. Responsibility to be Aware of Examination Schedules**
Students and professors have the responsibility to apprise themselves of examination timetables and locations.

5. Reasonable Expectations for All Learners

The College will provide the conditions necessary to meet the following expectations of learners.

- a. **Academic Advising**
Students should expect to be able to access academic advice from professors and to be informed of their professors' availability for consultation.
- b. **Competent Teaching**
Students should expect the College to provide professors who possess appropriate knowledge and teaching skills.
- c. **Information Concerning Academic Requirements**
Students should expect to be informed in a timely manner of all requirements for graduation.
- d. **Information Regarding Program - Related Expenses**
Students should expect to be informed of all anticipated program related expenses they will incur.
- e. **Appeal of Grades and Academic Decisions**
Students should expect to be able to appeal grades and decisions affecting them.
- f. **Class Cancellation**
In the event of a class cancellation, students should expect that the College will make arrangements to provide them with all the promised assistance needed to meet the learning outcomes.
- g. **Program Councils**
Students in full-time programs should expect the College to establish a Program Council for their program or cluster of programs, and expect to be able to nominate representatives to this Council, and further, to be allowed within reason to speak to Council meetings.
- h. **Expression of Opinion**
Students should expect to be allowed to express personal opinions in the classroom and in written work when these opinions relate to the course content, except where the expression of such opinions interferes with the rights of others, or clearly disrupts the learning environment.
- i. **Freedom from Unreasonable End of Term Academic Demands**
During the last week of scheduled classes in any given term, students should be free from the imposition of new assignments or tests which had not previously been identified in the course outline.

- j. Freedom from Commercial Exploitation and Political Pressure**
Students should expect to be free from commercial exploitation and from the exercise of undue political influence by staff members in the learning environment.

- k. Redress and Resolution Routes**
The College recognizes the necessity for individuals to address specific concerns, to present petitions, to lodge complaints, to present cases, and to appeal rules, regulations and decisions. It also recognizes the need to develop disciplinary procedures, which in certain cases may include the curtailing or withdrawal of certain rights and privileges. It is therefore important to note that there exists a number of policies which relate to specific types of conduct, misconduct, and discipline. These frequently describe special resolution routes including appeal procedures. They also note specific offices of assistance. A selected list of these are provided in the Appendix.

Appendix to Rights, Freedoms, Responsibilities and Code of Conduct For the Algonquin College Community

Relevant Policies, Resolution Routes and Offices Of Assistance

Note: This list is selective and subject to change over time.

Policies Relevant to Staff and Students

Harassment and Discrimination
Special Allowances for Individual Students
No Smoking Policy
Faculty Consultation
Course Evaluation

Policies Relevant to Students

Academic Appeal
Student Misconduct
Course Outlines
Grading System
Program/Departmental Councils
Evaluation of Student Learning
Unreturned College Property and Unpaid Debts
Involuntary Withdrawal
Student Complaints
Academic Discipline
Review of Final Grades

Policies and Agreements Relevant to Staff

Conflict of Interest
Collective Agreements
Terms and Conditions of Employment for Administrators
Performance Appraisal

Depending upon the nature of the issue at hand, an individual may be advised to address a query, concern or complaint to a specific office. However, in general, the following offices are recommended to assist students with such issues:

Academic Advisors
The Student's Program Department
Vice-President, Student Life and Human Resources
Ombudsperson
Counselling
Students' Association or Council
The Director, Student Services

Similarly, staff may wish to obtain assistance from one of the following:

Human Resources Department
Administrative Staff Association or OPSEU Locals
Human Resource/Employment Equity

The foregoing document, Rights, Freedom, Responsibilities and Code of Conduct for the Algonquin College Community, was approved by the College Academic Council and subsequently by the President's Executive Committee on June 10, 1998.

The Algonquin College Code of Conduct

The following Code of Conduct applies to students and staff of Algonquin College while at all College locations and while representing or carrying out activities related to the College at any off-campus location.

All members of the Algonquin Community will undertake to:

- conduct themselves in a manner which respects and promotes the dignity of others, and interact with others in the community in a spirit of co-operation, goodwill, and mutual respect
- conduct themselves in an honest and ethical manner, refraining from using their position or power to exploit any other individual, refraining from misrepresenting themselves, their work or qualifications in any manner, and refraining from violence, abuse, harassment, and discrimination of all kind
- assist in the maintenance of good order within their environment and refrain from creating a disturbance or a disruption to activities
- refrain from trespassing on or causing damage to College property
- refrain from creating or causing to create a false alarm or false threat
- refrain from carrying a weapon or dangerous substances except where required for academic or work purposes
- refrain from violating specific regulations of the institution such as the illegal possession, sale or use of alcohol or drugs or smoking anywhere other than in a designated location
- conduct themselves in an environmentally sound manner
- co-operate with officials acting in the performance of their duties including identifying themselves and the nature of their business on campus when so requested

(Original signed by)

President