



Procedure

Procedure Name	<i>Student Resolution Office Activation Procedure</i>		
Procedure #	SR 1.1	Parent Policy	SR 1.0 Student Rights and Responsibilities
Policy Owner	Vice President, Students and Campus Life	Effective Date	February 1, 2021
Procedure Owner	Director, Campus Life Administration	Review Date	February 1, 2026
Approved by	Executive Management Committee	Approval Date	January 20, 2021

1.0 Purpose/ Background

This procedure defines how members of the NAIT community can activate the services of the Student Resolution Office.

The Student Rights and Responsibilities Policy is grounded in principles of fairness and natural justice with a focus on reintegrating students into the community after their actions have harmed others. This work is critical to the success of NAIT students and the integrity of the NAIT community. This procedure describes the different ways for members of the NAIT community to trigger a process with the Student Resolution Office, which has primary responsibility over issues arising from the Student Rights and Responsibilities Policy.

2.0 Definitions

Term	Definition
Alternative Dispute Resolution	Pathways to resolve a dispute that typically have some level of collaboration or cooperation between both a complainant and a respondent. Resolutions are recorded on a student's conduct file, which is a record housed with the Student Resolution Office. Failure to abide by the terms of an Alternative Resolution, or repeated behaviour requiring alternative resolutions, may result in a Formal Adjudication Procedure taking place.
Complainant	The person who brings forward information that a violation of this Policy may have occurred OR who was primarily impacted by the violation.
Complaint	A formal allegation of a policy violation submitted to NAIT by a complainant seeking recourse in accordance with NAIT policy and/or procedure.
Formal Adjudication	The process used when an alleged violation has taken place that cannot be resolved via Alternative Dispute Resolutions, or where an Alternative Dispute Resolution has tried and failed. The violation is investigated, and a decision of responsibility is rendered along with sanctions as appropriate.

Interim Measures	A temporary measure against a respondent that is intended to reduce the risk of harm to the NAIT community or complainant while a resolution process is underway.
Not Responsible	A declaration or determination that a student did not engage in the commission of a negative behaviour or harm.
Responsible	A declaration or determination that a student did engage in the commission of a behaviour or harm.
Sanction	Binding requirements that a student must follow resulting from formal adjudication of misconduct that is recorded on a student's conduct file.
Student Resolution Office	The organizational body responsible for administration of the Student Rights and Responsibilities policy.
Survivor	Some who have experienced Sexual Violence may choose to identify as a survivor. Individuals might be more familiar with the term "victim". NAIT uses the term survivor throughout this Policy where it applies to those who have suffered from sexual violence. Some who have experienced sexual violence believe they have overcome the violent experience and do not wish to identify with the victimization. It is the prerogative of the person who has experienced these circumstances to determine how they wish to identify. "Survivor" and "complainant" means the same thing in the execution of this policy, but every effort is made to use the term "survivor" in instances of sexual violence.
Violation	Behaviour that is contrary to one or more of the rights, or negligent of one or more of the responsibilities, listed in this Policy.

3.0 Procedures

3.1 The NAIT Student Resolution Office

- 3.1.1 This Policy affirms that the education of students is a NAIT priority. Concurrently, NAIT has an obligation to treat all members of its community fairly. The Student Resolution Office and its staff (or designates) are responsible for the execution of this policy and associated procedures with a primary focus on resolutions that are restorative and fair to everyone involved.
- 3.1.2 The Student Resolution Office:
- Hears complaints and creates Records of Information from members of the NAIT community, as defined in sections 3.2 and 3.3 of this procedure.
 - Provides multiple pathways for resolving disputes, known as "Alternative Dispute Resolutions" where possible.
 - Investigates and adjudicates formal resolutions to violations of the Student Rights and Responsibilities Policy when Alternative Dispute Resolutions are not possible.
 - Provides training and resources to the NAIT community at large to ensure awareness of Conflict Resolution Skills and the Rights and Responsibilities Policies and procedures at NAIT.
 - Maintains a roster of, and provides training for, members of the community who will be designated as the Student Resolution and Appeals Board.
 - Coordinates hearings for appeals and Student Resolution Office Conflicts of Interest by the Student Resolution and Appeals Board.

3.2 Complaints

- 3.2.1 Members of the NAIT community, including students, may issue a complaint via the Student Resolution Office when they believe a student has violated this policy. The Student Resolution Office will provide the complainant with support resources and explain the processes available.
- 3.2.2 If the complainant is not willing to participate in an Alternative Dispute Resolution procedure, or an Alternative Dispute Resolution fails, the Student Resolution Office will pursue a Formal Adjudication Process to address the complaint.

3.3 Record of Information

- 3.3.1 Students who do not wish to file a formal complaint may file a Record of Information with the Student Resolution Office, which identifies knowledge of behaviours that they believe are or may be a violation of this Policy, or may be indicative of a student of concern. The Student Resolution Office will document the Record of Information and provide resources to the student, such as Conflict Coaching or other NAIT support services.
- 3.3.2 If the student wishes to pursue a formal complaint at a later date, the Student Resolution Office will use the original documentation to support the complaint if available.
- 3.3.3 There is no time limit or expiry for a student who desires to turn a Record of Information into a complaint; however, it should be noted that the ability to collect information on a case is diminished when significant time has passed.
- 3.3.4 In the event of a Record of Information or a series of Records of Information that represent a risk to the health and safety of the community, the Threat Assessment Team or, where appropriate, other organizations with the ability to take action will be notified. The Threat Assessment Team may decide to engage the Student Resolution Office in a formal adjudication process or take other steps to ensure the safety of the community.
- 3.3.5 Disclosures and Records of Information related to sexual violence will be dealt with in accordance with HS 3.0: Gender Based and Sexual Violence Prevention and Response Policy.
 - Barring significant risks to health and safety, survivors will have the right to choose their level of disclosure and the level of process. It is the survivor's right to report to NAIT, authorities like Edmonton Police Services or the RCMP, neither, or both.
 - If a student chooses to formally report sexual violence, the Student Resolution Office will work with the survivor to explore a resolution process that will best address the needs of the survivor. However, the Student Resolution Office reserves the right to limit the Alternative Dispute Resolution options available to survivors if it is reasonable to believe there is a significant risk of causing further harm to the survivor and/or NAIT community.

3.4 Interim Measures

- 3.4.1 NAIT has an obligation to maintain a positive and healthy academic environment for all students. Instructors are strongly encouraged to attempt to resolve behavioural issues as part of their classroom management before

requesting or implementing any interim measures or filing a complaint. Instructors are welcome to consult with the Student Resolution Office for guidance.

- 3.4.2 If a student's behaviour cannot be resolved in the classroom, Instructors and Deans (or designates) have the right to issue interim measures to prevent further harm from occurring while the student's case is being addressed through a dispute resolution procedure.
- 3.4.3 Allowable interim measures and authorities for decisions are as follows:
 - 3.4.3.1 Instructors may eject students from their current class for the duration of the class if a student is engaging in behaviours contrary to this Policy. The instructor may be able to resolve the behaviour at the outset of the next class, which would avoid a formal complaint, but the Student Resolution Office should be notified of the resolution to ensure an accurate record in case of repeat behaviours.
 - 3.4.3.2 Deans (or designates) may issue specific and written behavioural expectations that students must follow but must file a complaint with the Student Resolution Office to start a dispute resolution procedure within 3 business days of issuing the interim measures.
 - 3.4.3.3 Behavioural expectations may limit access to a class, a course, a program, a school, specific NAIT properties and events, or all NAIT properties and events. The expectations should be the minimum required to mitigate the risk to the community.
 - 3.4.3.4 Behavioural expectations may be extended beyond 3 business days provided that an appropriate procedure under this Policy has begun. This decision rests with the Dean (or designate) in consultation with the Student Resolution Office.
 - 3.4.3.5 Should the student be found "Not Responsible" under this policy, the School is obligated to make reasonable accommodations to ensure the student is provided with the education they missed during the period of the interim measures. Schools should explore options for providing this education in other ways during the interim measures to meet the educational needs of the student while mitigating the risk to the community.

3.5 Threat Assessment Team

- 3.5.1 The Student Resolution Office may serve as a pathway to the Threat Assessment Team for cases that may pose a risk to the NAIT community.
- 3.5.2 The Student Resolution Office or designate will, with appropriate training, assess disclosures and cases to triage them to the Threat Assessment Team.
- 3.5.3 Activities and purpose of the Threat Assessment Team are defined in CS 1.1.1: Threat Assessment Team Procedure takes precedence over this procedure.

3.6 NAIT Protective Services

- 3.6.1 The Student Resolution Office will notify Protective Services of behaviour that poses a risk to the security of the NAIT community. Protective Services and the Student Resolution Office are meant to be complementary and collaborative departments in the service of student security, safety, well-being and accountability.

- 3.6.2 Protective Services may serve as a complainant under the Student Rights and Responsibilities Policy should they, in the course of their work, identify a potential violation. The Student Resolution Office will investigate these complaints and attempt to resolve the issue through Alternative Dispute Resolutions or Formal Adjudicated Procedures. The Student Resolution Office reserves the right to accept Protective Services investigations as substitutes for Student Resolution Office investigations, but this is not required.
- 3.6.3 Investigations are primarily handled through the Student Resolution Office; however, in some cases, the Student Resolution Office may request that NAIT Protective Services assist with or take over an investigation. The Manager of NAIT Protective Services or designate reserves the right to deny this request for any reason. If neither the Student Resolution Office nor Protective Services can investigate a case, the case will be referred to a qualified external third party. A qualified third party is an individual or firm that has experience with Post-Secondary student conduct. The solicitation and selection of the third party will be the responsibility of the Student Resolution Office.

3.7 Continuing Education

3.7.1 For the purposes of student conduct in NAIT's department of Continuing Education (CE), the following equivalencies of position titles is recognized:

- Dean = Executive Director in CE
- Associate Dean = Executive Director in CE
- Department Head = Portfolio Manager in CE
- Program Chair = Portfolio Manager in CE

4.0 Exceptions to the Procedure

4.1 Exceptions to this procedure must be documented and formally approved by the Policy Lead.

Procedure exceptions must include:

- The nature of the exception
- A reasonable explanation for why the procedure exception is required
- Confirmation that the exception aligns with the general principles
- Any risks created by the procedure exception and how they will be managed.

5.0 Related Documentation

HS 3.0: Gender Based and Sexual Violence Prevention and Response Policy and procedures

CS 1.1.1: Threat Assessment Team Procedure

HR 6.0: Respectful Workplace Policy

HR 6.1: Respectful Workplace Procedure

Document History

<i>Date</i>	<i>Action/ Change</i>
January 2021	Three-year review complete. Minor revisions.
November 28, 2023	Changed policy owner and policy lead