

SOPH BEHAVIOUR MANAGEMENT POLICY

EFFECTIVE: May 13th 2019

SUPERSEDES: October 18 2017

RATIFIED BY: Orientation Advisory Board

Reviewed next: May 2021

1.0 Overview

The four goals of the Soph Behaviour Management Protocol are to:

1. Educate orientation leaders about appropriate actions, responsibilities, and expectations;
2. Maintain a living-learning environment that provides the best orientation experience for new students and orientation leaders;
3. Repair harm that is caused to individuals and communities targeted as a result of inappropriate behaviour; and
4. Protect the University, the Affiliated University Colleges, the University Students' Council, and Orientation Program from liability, lawsuit, and excessive risk as a result of conduct violations.

2.0 Complaints

- a. The Orientation program behaviour management system functions under a complaints-driven model. Any person may file a complaint against, or raise an issue involving an orientation leader, Soph, or Soph team, where it is perceived that the individual(s) or group(s) acted in a manner not in compliance with the Orientation Leader Contract, constituency-specific contract(s), Western University's Code of Student Conduct and Affiliated University College Codes of Student Conduct, and/or the spirit and goals of the Orientation program.
- b. Henceforth any submission regarding conduct will be referred to as a "complaint".
- c. Complaints can be submitted in three ways:
 - i. Through an online form found here: <https://westernusc.forms-db.com/view.php?id=179959>, Westernusc.ca, or oweek.ca.
 - ii. Complaints may also be made in person. Complainants can request an appointment by emailing studentconduct@uwo.ca.
 - iii. Complaints may also be submitted through email to studentconduct@uwo.ca. The complainant's name, contact number and brief description of the concern must be included in the email.
- d. Please note: While anonymous complaints may be received, Western will have limited ability to respond to such complaints.

2.1 Investigation Process

- a. All complaint submissions will be received and investigated by the Office of the Associate Vice-President (Student Experience). This office will be responsible for investigating the complaint, or appointing appropriate designates to investigate on their

behalf, while upholding the tenets of natural justice, and ensuring due process. All submissions will be reviewed to determine if it meets the threshold of an investigation.

- i. Where the Office of the Associate Vice-President (Student Experience) determines that the complaint shall go forward, they or the appropriate designates, will determine which interim measures, if any, are required during the investigation process.
 - ii. Should the complaint meet the threshold for investigation under the Code of Student Conduct (the "Code"), as determined by the Office of the Associate Vice-President (Student Experience), an investigation shall proceed under the Code. Interim measures may be implemented under the Soph Behaviour Management Policy such as: interim suspension from the Orientation Program.
- b. Upon the completion of the investigation report, the contents will be reviewed by the Co-Chairs of the Advisory Committee: the USC Student Programs Officer and Western's AVP Student Experience (or their designate), hereby referred to as the Advisory Designates. Upon deliberation, the Advisory Designates will determine whether the Soph(s) and/or Soph team(s) acted in a manner not in compliance with the Orientation Volunteer Contract, constituency-specific contract(s), and/or the spirit and goals of the Orientation program.
 - c. The Advisory Designates are authorized to apply whatever measures are required to address any unacceptable behaviour discovered through the investigation (see *sections 3.1 and 4.1* for sample sanctions that may be issued).
 - d. The Advisory Designates must reach a consensus as to any sanctions issued to the Soph(s) and/or Soph team.
 - e. Sanctions issued by the Advisory Designates must be fully and immediately complied with by the Soph(s) and/or Soph team. Failure to comply with the sanctions issued by the Advisory Committee may result in immediate removal from the Orientation Program (see *sections 3.1 and 4.1* for sample sanctions that may be issued).

2.2 Communication

- a. Where a complaint and/or an investigation suggests a violation of the Code of Student Conduct may have occurred, the complaint may also be referred to the Western University's Code of Student Conduct and/or Affiliated University College Codes of Student Conduct for further review and action as necessary.
- b. If an entire Soph team receives a disciplinary sanction, it will be communicated to the Co-Chairs of the Orientation Operations Committee, and their respective constituency administrator(s) when necessary.
- c. If reasonable attempts to contact individuals involved have been unsuccessful during the investigation process, a decision will be made without their input
- d. The sanctions issued by the Advisory Designates must be communicated to the Soph(s) and/or Soph team in writing and in person where appropriate by the Office of the AVP Student Experience, and may be communicated to other Orientation stakeholders as necessary.

- e. Outcomes may be shared with campus partners on a need to know basis, based on severity of incident and level of community impact.

2.3 Appeal Process

- a. Provided there are sufficient grounds (see 2.3b), the Soph(s) and/or Soph team may appeal the decision to an appeals board, comprised of members who are not involved in the Advisory Designates' investigation or initial decision. The appeals committee will be comprised of:
 - i. One designate from Student Experience
 - ii. One designate from the University Students' Council
 - iii. One designate from either Housing, Brescia, Kings or Huron administration, or other administrative office as necessary.
- b. There are three possible grounds for appeal:
 - 1. *The sanction is too severe for the behaviour in question:* The sanction imposed is too harsh, either because it is disproportionate to the wrongdoing or because it is not similar to other sanctions imposed for similar infractions. A full explanation for why the sanction is excessive must be provided in the appeal.
 - 2. *Information that was unavailable at the time of the decision is now available:* The appellant must establish that the Advisory Committee did not have complete information about the circumstances surrounding the behaviour at the time of the decision. Note: Sophs are morally obligated to cooperate in the investigation. They are to be certain to "tell the whole story" at the time of the investigation. Withholding or tainting information in order to rely on those grounds for appeal will be considered obstruction. Dishonesty, collusion, or deliberate attempts to cover up the facts may result in further disciplinary sanctions.
 - 3. *The accuracy or credibility of the investigation process was biased:* The appellant can establish that the investigation process was biased. Such bias might involve a conflict of interest or a preconceived notion about what happened, which reasonably could have tainted the fair assessment of the information collected during the investigation.
- c. An appeal may be submitted to the Office of the Associate Vice-President, Student Experience via email: orappeal@uwo.ca or in person (WSS, 2nd Floor, Room 2120).
- d. The appellant must submit a minimum one-page outline of which of the 3 grounds for appeal they are appealing on, and why they believe they are not in violation of the Orientation Leader Contract, constituency-specific contract(s), and/or the spirit and goals of the Orientation program, or why they have not caused harm to an individual, the USC, the University, or the Affiliated University Colleges.
- e. The appeal must be presented in writing within five (5) business days of the Advisory Designates' Committee's decision being communicated to the Soph(s) and/or Soph team(s).

- f. Advisory Delegates will also submit a one-page report to the appeals committee outlining their decision rationale.
- g. A decision will be communicated to the appellant from the appeals committee within two (2) weeks of the appeal submission.

3.0 Behaviours Resulting in Soph Team Sanctioning

This protocol applies to group behaviours or actions which are not in compliance with the Orientation Leader Contract, constituency-specific contract(s), Western University's Code of Student Conduct and Affiliated University College Codes of Student Conduct, and/or the spirit and goals of the Orientation program, or which have caused harm to an individual, the USC, the University, or the Affiliated University Colleges.

The following examples do not comprise an exhaustive list:

- a. Cheers, dances, Soph team demonstrations, or uniform artwork containing inappropriate content or innuendo, including but not limited to: harassment; profane language or vulgar words; sexual innuendo; racist, homophobic, xenophobic, or sexist content; and actions offensive to students of various religious and/or cultural backgrounds.
- b. Cheers, dances, Soph team demonstrations, or uniform artwork or activities that contain any content that may be damaging to the reputation of the USC, the University, and/or the Affiliated University Colleges.
- c. Items placed in the "Orientation kits" not reviewed and approved by the Orientation Operations Committee.
- d. Events and/or activities organized and executed by Soph teams during Orientation Week that have not been reviewed by the Orientation Operations Committee.
- e. Reckless or destructive activities that may cause personal injury and/or property damage.
- f. Purposeful disregard of the expectations outlined within this protocol and orientation volunteer contracts, or demonstrated defiance toward the spirit and goals of the Orientation Program.
- g. Recruitment, training, or any other selection activities that have not been reviewed and approved the Orientation Operations Committee. Specifically, any activities that are conducted by a Soph team that could be considered to be inappropriate, unwelcoming, unfair, inequitable, or hazing.
- h. The showing of any video at a recruiting, training, Soph social, or Orientation Week event that has not been reviewed and approved the Orientation Operations Committee.
- i. Fundraising events organized and executed by Soph teams before, during, or after Orientation Week that have not been reviewed and approved by the Orientation Operations Committee.
- j. Any Soph team activity or event organized and executed by the Soph team that does not meet the spirit and goals of Orientation Week, violates Canadian law, creates exposure to unacceptable legal liability or poses reputation risk for the USC, the University, and/or the Affiliated University Colleges.

- k. Acts (verbal or physical) by a Soph team done onto others intended to be demeaning or degrading.
- l. Acts of inter-constituency rivalry by a Soph team that threaten the safety (physical or psychological) and inclusivity of members of the campus community. Such acts would include cheers or behaviours that imply the students of one constituency are “better” or “superior” to those of another constituency. Such behaviours serve to splinter the greater Western community and serve to intimidate the Sophs and new students of other constituencies.
- m. Soph teams that violate the spending limits and terms of the Soph uniform and new student t-shirt policy set by the Orientation Operations Committee.
- n. Soph teams that enter agreements with external or commercial organizations for the purpose of sponsorship, or the marketing of goods and services on campus without the express permission of the USC and the University or the Affiliated University Colleges.
- o. The sale or distribution of items or services by a Soph team without review and approval the Orientation Operations Committee.

3.1 Soph Team Disciplinary Sanctions

The following are examples, though not intended to be an exhaustive list, of potential sanctions. Sanctions may be applied to both current and subsequent Soph teams.

- a. A Soph team may be required to attend an educational seminar or a training session which addresses the impact of their behaviour on, and the systemic issues facing individuals or groups in marginalized communities.
- b. A Soph team may be required to participate in a community service learning activity.
- c. A Soph team may lose its right to have student leaders participate in the selection of its leadership team (i.e., Head Soph and Programming Assistants).
- d. A Soph team may lose the right to choose its uniform articles, colours, artwork, and/or theme.
- e. A Soph team may lose the right to participate in Soph Rally, Opening Ceremonies, and/or Closing Ceremonies.

4.0 Behaviours Resulting in Individual Soph Sanctioning

This protocol applies to individual behaviours or actions which are not in compliance with the Orientation Leader Contract, constituency-specific contract(s), Western University’s Code of Student Conduct and Affiliated University College Codes of Student Conduct, and/or the spirit and goals of the Orientation program, or which have caused harm to an individual, the USC, the University, or the Affiliated University Colleges.

The following examples do not comprise an exhaustive list:

- a. Inappropriate sexual actions or innuendos directed towards another student.
- b. Failure to be candid or forthcoming during an investigation, or misrepresenting the truth.
- c. Inappropriate cheers or t-shirt artwork.
- d. Any action that violates the spirit and goals of the Orientation program.
- e. Homophobic, sexist, racist, xenophobic, or discriminatory remarks or actions.

- f. Missing Soph training sessions or team meetings without a reasonable excuse.
- g. Violating the laws of Canada and Ontario, the Human Rights Codes for Canada and Ontario, the Residence Handbook and Understandings, the Codes of Student Conduct, and all other regulations of The University of Western Ontario and the Affiliated University Colleges.
- h. Violating any applicable regulations, bylaws and statutes, and/or University or USC risk management policies.
- i. Causing damage or creating the potential for damage to the reputation of the USC, the University, and the Affiliated University Colleges.
- j. Not upholding the policies and procedures governing Orientation Week activities, as set by the Operations Committee.
- k. Disrespectful behaviour or disparaging comments directed toward other Sophs, Soph teams, students, staff members, or faculty.
- l. Violating the Orientation Leader Contract and/or constituency-specific contracts.
- m. Any behaviours listed in *section 3.0* of this protocol.

4.1 Individual Soph Disciplinary Sanctions

Western's Orientation Program believes in a progressive discipline model and determines appropriate outcomes to promote learning, while also balancing individual circumstances, and the impact on first-year students and fellow student leaders. While the Orientation Leader Behaviour Management Ladder is a progressive model, it is not always linear in nature and the disciplinary sanction may escalate as the result of a single incident.



Orientation Disciplinary Sanctions include the following:

1. *Verbal Warning*
 - a. A verbal warning on behalf of the Orientation Program regarding the Orientation Leader's behaviour.
2. *Letter of Warning*
 - a. An official warning on behalf of the Orientation Program regarding the Orientation Leader's behaviour.
3. *Probation*
 - a. The Orientation Leader is permitted to continue in their role but will be unable to apply for a future orientation leadership positions for a period of up to 19 months. Any future incidents involving the Orientation Leader will result in De-Sophing.
4. *De-Sophing*
 - a. Immediate removal from the Orientation Program. The Orientation Leader will be unable to apply for a future orientation leadership positions for a period up to 19 months.

Orientation Discretionary Sanctions may be issued in conjunction with an Orientation Disciplinary Sanction. Orientation Discretionary Sanctions include the following:

- *Educational and Restorative Sanctions*
 - The Orientation Program emphasizes appropriate conflict resolution methods, educational opportunities, and restorative sanctions, when appropriate. Educational or restorative sanctions may form part of a disciplinary sanction and include, but are not limited to, the following:
 - Cannabis Seminar
 - Alcohol Seminar
 - Apology Letter and/or Facilitated Discussion
 - Mediation
 - Written Reflection
 - Meeting with Campus Partners (e.g. Equity Services, Campus Police, Housing, Communications)
 - Restorative Conference
 - Educational and/or restorative sanctions require the Orientation Leader to take responsibility and accountability for their behaviour and will be assigned, when appropriate, in conjunction with a disciplinary sanction on the Orientation Behaviour Management Ladder.
- *Alcohol Behaviour Contract*
 - Incidents that come to the attention of the Orientation Program involving alcohol may result in an Alcohol Behaviour Contract in conjunction with a disciplinary sanction on the Orientation Behaviour Management Ladder.

- The Alcohol Behaviour Contract will prohibit Orientation Leaders from consuming alcohol at any orientation-sanctioned programs. Programs include, but are not limited to, the following:
 - Soph Training
 - Soph Socials
 - Soph Retreat
 - Soph Formal