

PROCEDURE



Re: INTERIM PROCEDURES UNDER THE QUEEN'S UNIVERSITY STUDENT CODE OF CONDUCT, 2016

Contact Officer

Provost and Vice Principal (Academic)

PROCEDURE	<u>PURPOSE</u>	Pursuant to the approval of the <i>Queen's University Student Code of Conduct, 2016</i> ("Code") by the Queen's University Board of Trustees on May 6, 2016, 2016 this Interim Procedures document shall remain in effect in accordance with Section 1x.4 of the Code.
	<u>PROCEDURES</u> GENERAL PROVISIONS	<ol style="list-style-type: none"> 1. These General Provisions apply to all allegations, complaints and reports ("cases") received by the NAM Intake Office, against Students and Student Groups ("Respondent(s)") pursuant to the Code. 2. Terms in this Interim Procedure have the meaning given to them in the Code, unless they are expressly defined in this Interim Procedure. 3. The Code and this Interim Procedure do not preclude any member of the Queen's community impacted by non-academic misconduct from pursuing criminal or civil action, nor from reporting the case to an applicable professional licencing body, nor does it preclude Campus Security and Emergency Services staff from carrying out their responsibilities. 4. The NAM Intake Office's decision to refer a case to a specific NAM Unit is final and is not subject to review by any person or body. 5. The NAM Intake Office can also divert a case from the NAM System, to be addressed under the University's student-at-risk policies and practices. 6. If a staff member of the NAM Intake Office is unavailable, the University Secretary or designate has full authority to make any decision that a NAM Intake Officer is entitled to make under the Code or this Interim Procedure. 7. All notices and written communication pursuant to the Code or this Interim Procedure must be sent by email, to Students, Student Groups, faculty or staff using their @queensu.ca email address. All email attachments must be password protected. In all other cases, notices and communications must be sent by registered mail or by courier. If sent by regular mail, receipt is deemed to occur on the 3rd business day¹ after the date on the notice or other document.

¹ "business day" means Monday to Friday, excluding statutory holidays and any other day on which the University is closed, such as the Christmas Shutdown period.

<p><i>Procedures of other NAM Units</i></p>	<p>8. The Procedures set out in Paragraphs 11-91 of this Interim Procedure apply only to those cases that the NAM Intake Office refers to the Student Conduct Office.</p> <p>9. When the NAM Intake Office refers a case to any other NAM Unit, the procedures of that Unit must, at a minimum, contain the following components of procedural fairness:</p> <ul style="list-style-type: none"> (a) Information: Respondents have the right to be advised, in writing, of the allegations. (b) Rule against bias: Respondents have the right to have a case heard and decided by an unbiased decision-maker. (c) Notice: Respondents have the right to formal written notice of any proceeding. Notice should include the nature of the proceeding, including whether the proceeding will be conducted by way of written submission, oral presentation, or both. (d) Disclosure: Respondents have the right to disclosure of the evidence and information to be relied upon by the other party in the case. (e) Representation: Respondents have the right to the assistance of a University Dispute Resolution Advisor or any other person, including a legal representative. (f) Participatory Right: Respondents have the right to present evidence and arguments in response to an allegation of non-academic misconduct. (g) Reasons: Respondents have the right to be provided with written reasons for the decision made in their case.
<p>CATEGORY 2 NAM PROCEDURES</p>	<p>10. The procedures outlined below apply to cases of alleged Category 2 non-academic misconduct that are referred to the Student Conduct Office.</p> <p>11. Notwithstanding Paragraph 4 above, and notwithstanding a case of alleged non-academic misconduct having been referred to the Student Conduct Office, the Case Manager can divert the case from the NAM System to be addressed under the University’s student-at-risk policies and practices.</p> <p>12. The Procedure for cases of alleged Category 2 non-academic misconduct referred to the Student Conduct Office can be implemented at the same time as, or following, other off-campus processes, including civil or criminal proceedings.</p> <p>13. If the NAM Intake Office is aware that a case of alleged Category 2 non-academic misconduct has also resulted in criminal and/or civil proceedings against a Respondent(s), that Office, in consultation with the Provost and Vice-Principal (Academic) (the “Provost”), will first determine whether it is appropriate to defer the application of this Interim Procedure until the conclusion, or partial conclusion, of such proceedings. If, at any time after the case has been referred it subsequently becomes known that criminal and/or civil proceedings have been commenced against a Respondent(s), the Provost, will determine whether it is appropriate to defer the application of this Interim Procedure until the conclusion, or partial conclusion, of such proceedings.</p>
<p><i>Interim Measures</i></p>	<p>14. If it is decided that deferral is appropriate, the University retains the right to impose interim terms and conditions that are appropriate in the circumstances to ensure a safe campus environment. The NAM Intake Office or the Case Manager, as the case may be, can request a Notice of</p>

<p><i>Initial Exploratory Meeting</i></p>	<p>Prohibition to alter or suspend a Respondent’s access to the campus, or part of it, or for an interim period, or, ask the Provost to impose interim terms and conditions that are appropriate in the circumstances to ensure a safe campus environment.</p> <p>15. A Respondent who is subject to interim measures can seek an expedited review of the interim measures by the Chair of the University Student Appeals Board (“USAB”) by filing a request with the University Ombudsman.</p> <p>16. Upon receipt and review of an Incident Report from the NAM Intake Office, the Case Manager shall write to the Respondent(s) inviting the Respondent(s) to an initial exploratory meeting.</p> <p>The letter must:</p> <ol style="list-style-type: none"> (a) Provide the Respondent(s) with a summary of the Incident Report; (b) State the specific date, time and location of the initial exploratory meeting. <i>This must normally be scheduled within 10 business days after the case referral.</i> (c) Advise each Respondent of the right to have an advisor present at the meeting; (d) Advise the Respondent(s) that: <ul style="list-style-type: none"> • the initial exploratory meeting is the Respondent’s opportunity to explore the possibility of informally resolving the case; • any retaliatory conduct by the Respondent(s), either towards the complainant or any potential witness, is itself Category 2 non-academic misconduct subject to sanction; and, • if they do not attend the initial exploratory meeting, the Case Manager will proceed with a formal investigation of the case.
<p><i>Preliminary Informal Resolution</i></p>	<p>17. If the Respondent(s) admits to the alleged misconduct and accepts responsibility, the Case Manager and the Respondent(s) can agree, in writing, to the sanction(s). The written agreement must also specify any requirement(s) the Respondent(s) must meet/fulfill, and the deadline for doing so.</p> <p>18. Upon the timely completion of the requirements agreed to in the informal resolution the Case Manager must prepare a case report pursuant to Section VIII of the Code and provide it to the NAM Intake Office.</p>
<p><i>Violation of Informal Resolution Requirements</i></p>	<p>19. The Case Manager can, in their discretion, determine if a failure to meet any of the requirements is substantial enough to warrant negating the informal resolution. If the failure is determined to be substantial enough, the Case Manager must so advise the University Ombudsman, who will refer the case to the Student Conduct Panel, (the “Panel”) providing the Panel with the following information:</p> <ol style="list-style-type: none"> (a) information about the misconduct alleged and admitted; and, (b) the sanction(s) and requirement(s) agreed to during the informal resolution process.

*Formal
Investigation
Process*

20. The Panel shall invite each party to make a submission, orally or in writing, about the appropriate sanction(s).
21. The Panel shall only render a decision about sanction(s), which can include the original sanction(s) agreed to in the informal resolution and additional sanction(s) for failure to complete/fulfill the original sanctions(s).
22. If the Case Manager determines, based on the NAM Intake Office's Incident Report, that no informal resolution is appropriate, or, if after the initial meeting with the Respondent(s) the Case Manager determines that no informal resolution is possible at this stage, then the Case Manager will initiate a formal investigation to determine if there is sufficient evidence of non-academic misconduct to warrant further action. Normally, the investigation must start no later than 15 business days after the Case Manager received the Incident Report.
23. The Case Manager can ask that the university engage an external investigator where the subject matter of the case requires specialized knowledge or expertise.
24. Throughout the investigation the Case Manager shall observe the principles of procedural fairness, including:
 - (a) Interviewing the complainant(s) to identify the scope of the evidence available to support the case and to identify any relevant witnesses. The Case Manager must send each complainant a Notice of Investigation, requesting an interview to discuss the allegation(s).
 - (b) Interviewing relevant witness(es). The Case Manager must send a Notice of Investigation to each witness, requesting an interview; and,
 - (c) Interviewing the Respondent(s). The Case Manager must send Notice of Investigation to each Respondent, which shall:
 - provide each Respondent with the specifics of the allegation(s) against him/her;
 - invite the Respondent to meet with the Case Manager and/or provide a written response to the allegations;
 - advise the Respondent(s) of the right to have an advisor present at all meetings during the investigation;
 - advise the Respondent(s) that any retaliatory conduct is itself Category 2 non-academic misconduct, subject to sanction;
 - advise the Respondent(s) of the place, date and time that has been scheduled for the interview, which must not be earlier than 5 business days after the date on the Notice of Investigation;
 - indicate the date by which a written response, if the Respondent chooses to submit one, must be provided to the Case Manager, which must not be earlier than 5 business days after the date on the Notice of Investigation; and,
 - Advise the Respondent that if the Case Manager receives no response to the Notice of Investigation (by providing a

<p><i>Insufficient Evidence of Category 2 NAM</i></p>	<p>written response to the allegations and/or confirming attendance at the interview) the Case Manager will proceed with the investigation and will draw any reasonable conclusions based on the information that is available at the conclusion of the investigation.</p> <p>25. A Notice of Investigation constitutes a direction of a University official for the purposes of the Code.</p> <p>26. As part of the investigation the Case Manager is entitled to, and should if they deem it appropriate, meet with, seek assistance from, or consult with, any member of the University community who might have relevant knowledge of the incident and/or the Respondent(s) (including Faculty Deans, administrators and staff), or who have specific expertise with regard to the substance of the allegation (e.g. the Human Rights Office, the Equity Office, the Department of Athletics and Recreation, Residence, etc.).</p> <p>27. The formal investigative process must normally be completed by the Case Manager within 10 business days after all interviews are completed.</p> <p>28. During the investigation, the Case Manager must instruct all persons interviewed that:</p> <ul style="list-style-type: none"> (a) the interview/investigation process is confidential; (b) any information communicated by or to the Case Manager during the investigation is not to be disclosed to, or discussed with, others (except with an advisor from whom the person is seeking assistance related to the case, or, a counsellor, physician, support person or the like); and, (c) failure to abide by this confidentiality requirement will compromise the integrity of the investigative process, and constitutes Category 2 non-academic misconduct. <p>29. If the Case Manager concludes that the evidence does not support a finding of Category 2 non-academic misconduct, the Case Manager shall send a written notice to the complainant, if any, and to the Respondent(s), along with a case report to the NAM Intake Office, advising either:</p> <ul style="list-style-type: none"> (a) that the evidence does not support a finding of non-academic misconduct; or, (b) that, while the evidence does not support a finding of Category 2 non-academic misconduct, the evidence could support a finding of other non-academic misconduct. <p>30. Upon receiving the case report, the NAM Intake Office must either:</p> <ul style="list-style-type: none"> (a) close the file if the case report is as described in 28(a) above; or, (b) refer the case to the most appropriate of the Alma Mater Society (“AMS”), the Society of Graduate and Professional Student (“SGPS”), the Athletics & Recreation Department, or, Residences, if the case report is as described in 29(b) above. When referring a case under this provision, the NAM Intake Office must provide a copy of the case report to the receiving office.
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<p>Sufficient Evidence - Informal Resolution Process</p>	<p>31. If the Case Manager concludes that the evidence obtained could support a finding of Category 2 non-academic misconduct and concludes that an informal resolution at this stage is appropriate, the Case Manager retains the discretion to pursue such resolution with the Respondent(s), following the process described in Paragraphs 17-21 above.</p>
<p>Sufficient Evidence - Referral to Student Conduct Panel</p>	<p>32. If no informal resolution is reached, or, if the Case Manager determines that an informal resolution is not appropriate, the Case Manager must provide the NAM Intake Office with a case report outlining the conclusion(s) of the investigation and the reason(s) therefor. The NAM Intake Office will refer the case to a Student Conduct Panel.</p>
<p>STUDENT CONDUCT PANEL</p>	<p>33. Normally a Student Conduct Panel will consist of one faculty member, one Student, and one staff member. The Chair of the Student Conduct Panel (the “Chair”) will normally be a faculty member, but in any case must be someone with university tribunal experience.</p> <p>34. All members of a Panel will normally be appointed by the University Ombudsman from a roster of individuals who have indicated their willingness to serve on a Student Conduct Panel. The roster will be maintained and managed by the NAM Intake Office.</p> <p>35. The University Ombudsman can engage external panelists to hear cases where the subject matter requires specialized knowledge or expertise.</p> <p>36. The Office of the University Ombudsman will provide training and education to members of the roster about their roles and responsibilities on a Student Conduct Panel.</p> <p>37. The NAM Intake Office must provide a copy of the case report to each member appointed to the Student Conduct Panel and to the Respondent(s) within 3 business days of the members’ appointment.</p> <p>38. Appointments to a Student Conduct Panel must take into consideration:</p> <ul style="list-style-type: none"> (a) The availability of individuals to serve on the Panel; and, (b) The need to avoid bias, a reasonable apprehension of bias, and, conflict of interest.
<p>Student Conduct Panel Procedures</p>	<p>39. After receiving the case report, the Student Conduct Panel can, if it deems necessary, request additional information/document(s) from a party. The Panel must provide the other party with all information/documents so obtained.</p> <p>40. A Student Conduct Panel is not bound by strict legal procedures. The procedural guidelines outlined below are designed to assist the parties in preparing and presenting their case(s), and to ensure they are given a fair opportunity to be heard. The procedural guidelines need not, however, be followed strictly or in their entirety, provided that the requirements of procedural fairness are satisfied.</p> <p>41. Parties: The parties in a proceeding before a Student Conduct Panel are:</p> <ul style="list-style-type: none"> (a) The Case Manager, or, a person appointed by the Provost to represent the Student Conduct Office; and, (b) the Respondent(s). <p>42. Notice: The parties must be given at least 10 business days’ written notice of the proceeding. The Notice of Proceeding must include:</p>

- (a) a statement of the time, place and purpose of the proceeding; and
 - (b) a statement that if a party does not attend the proceeding, the Panel can proceed in the party's absence and that the party will not be given any further notice of the proceeding.
43. **Scheduling:** The proceeding will be scheduled by the Chair (or delegate). The Chair will try to set a time and date for the proceeding that is convenient for the parties. However, if it is clear that a party has been notified in writing of the scheduled time and date for the proceeding, the Panel can proceed in that party's absence.
44. Normally a proceeding must be scheduled within 15 business days after the date on the Notice of Proceeding. The Chair can extend this time limit if a written request for an extension is submitted and if the Chair is satisfied:
- (a) that the reason given for the delay is valid; and,
 - (b) that the delay will not prejudice the other party.
45. **Right to Representation and Assistance:** Every Respondent has the right to the assistance of a University Dispute Resolution Advisor or other person, including a legal representative, in a proceeding before a Student Conduct Panel. Respondent(s) can appear before the Panel on their own, but are encouraged to seek representation or assistance.
46. Whether or not a Respondent(s) has representation, members of a Student Conduct Panel is entitled to question the Respondent(s) directly. While a Respondent(s) cannot be compelled to answer questions, the failure to do so might lead to an adverse inference.
47. **Evidence:** All Respondents are entitled to receive details of the allegation(s) before a proceeding starts. Normally this information will be in the case report. A party seeking further details, information or documents must direct their request to the Chair. The Chair must ask the other party for submissions about the request, and will issue a written direction to the parties.
48. A Panel can allow oral, documentary or other evidence that it deems relevant to the proceeding, whether or not such evidence would be admissible in a court; the Panel must determine its credibility and weight.
49. If the Student Conduct Panel satisfies itself as to the authenticity of a copy of a record or document, the Panel can accept the copy as evidence, without requiring the original record or document to be produced.
50. The Panel can require a party to produce documentary or other physical evidence at any time before or during the proceeding if it deems the evidence to be relevant. The Panel must provide the other party with a copy of such evidence.
51. The Panel must not hear evidence or receive or representations about the case without all parties present, unless, having been provided with a Notice of Proceeding, a party fails to attend the proceeding.
52. **Attendance of Witnesses:** Each party must provide the Chair with a list of witnesses at least 5 business days before the proceeding is scheduled to start. The Chair must provide the list(s) the other party at least 3 business days before the proceeding is scheduled to start.
53. If a party believes that a person has relevant evidence, the party can ask

the Chair, in writing, to formally invite that the individual attend the proceeding as a witness. The party's written request to the Chair must include the following information about the requested witness:

- (a) Full name;
 - (b) Status (*i.e.* faculty, staff, Student or other);
 - (c) Current contact information;
 - (d) A summary of the evidence the person is expected to give at the proceeding; and,
 - (e) A statement outlining the relevance of the evidence.
54. The Chair will send a written invitation to the person if the Chair believes that the requested witness is likely to have relevant evidence. The Chair has no authority to compel a witness to attend a proceeding.
55. The Chair will advise the parties of the identity of all persons who accept the Chair's invitation to attend the proceeding, and will indicate which party requested the person's attendance at the proceeding.
56. Witnesses are not expected to be sworn or affirmed.
57. **Examination of Witnesses:** At the proceeding a party or their representative is entitled to, examine and cross-examine witnesses as in Chair's discretion is reasonably required for a full and fair disclosure of all relevant matters at issue in the case.
58. The Chair can limit examination and cross-examination of a witness when the Chair is satisfied that the examination has been sufficient to fully and fairly disclose all relevant matters, or if the Chair believes the questioning is irrelevant or abusive.
59. **Open/Closed Proceedings:** Any party to a proceeding before a Student Conduct Panel can request that the proceeding be closed to observers. The Chair will grant the request if he/she is of the opinion that the interests of any person affected by the proceeding outweigh the desirability of conducting an open proceeding.
60. It is up to the Chair to decide who is permitted to be present at any stage of a proceeding.
61. **Order of Proceedings:** The Student Conduct Office representative will first present the findings of the investigation and call witnesses. The Respondent(s) will be given an opportunity to cross-examine the witness. The Student Conduct Office representative will then be permitted to address any *new* points that arose from cross examination.
62. The Respondent(s) will next present evidence and call witnesses. The Student Conduct Office representative will be given an opportunity to cross-examine the witness. The Respondent(s) will then be permitted to address any *new* points that arose from cross examination
63. The Student Conduct Office representative can present evidence in response to evidence presented by the Respondent(s).
64. At any time during a witness' evidence members of the Panel can ask for clarification or further information from the witness.
65. The parties will be permitted to summarize their respective cases and make closing statements.

<p><i>Sanction Proceeding</i></p>	<p>66. The Chair can alter the order described above in the interests of fairness.</p> <p>(f) Adjournment: The Panel can agree to an adjournment request at any time during a proceeding if the Panel is satisfied that the reason for doing so is valid and that the delay will not prejudice the other party.</p> <p>67. Time Limits: Normally time limits will be extended during exam or holiday periods. The Chair of a Panel retains the discretion to extend time limits as circumstances may require; in exceptional circumstances the Chair can also abridge time limits provided that a party to a proceeding is not prejudiced thereby.</p> <p>68. Alternate Dispute Resolution: The Chair can, at any stage before a the Panel makes its decision, defer the case to allow the parties to participate in an alternative dispute resolution process to resolving the case or an issue arising in the case if:</p> <p>(a) the Chair decides that alternative dispute resolution is appropriate for the case; and</p> <p>(b) the parties consent to participating in the alternative dispute resolution process.</p> <p>69. Where the parties participate in an alternative dispute resolution process, time-lines for resolving the dispute must be established and agreed upon or determined by the Chair. Normally, the deferral period for an alternative dispute resolution process will not exceed 4 weeks. If at the conclusion of 4 weeks the parties have not reached agreement, either party can request that the proceeding be scheduled or re-commenced, as the case may be.</p> <p>70. No person called upon to facilitate a dispute resolution process can be required to give oral evidence or to produce any document or other record in a proceeding.</p> <p>71. Decision: The decision of a Student Conduct Panel, if not unanimous, must be based on the decision of the majority of its members.</p> <p>72. The burden of proof, which lies with the Student Conduct Office, required to prove a case of Category 2 non-academic misconduct is the <i>balance of probabilities</i>. This means that the evidence the Panel regards as reliable and credible supports the conclusion that it is more likely than not that a Respondent engaged in the non-academic misconduct alleged.</p> <p>73. Every decision of a Student Conduct Panel must include a statement about the Respondent's right to appeal its decision to the University Student Appeal Board ("USAB"). The decision must also provide information about the deadline for appealing and reference the University Ombudsman as a resource for information and advice.</p> <p>74. Notification of Decision: Normally, within 3 business days after the conclusion of the proceeding, the Chair will notify the parties and the NAM Intake Office in writing of the Panel's decision.</p> <p>75. If the Panel decides that the alleged non-academic misconduct has not been proven on a balance of probabilities, then within a further 10 business days, the Chair will issue the Panel's formal written decision, which must include the Panel's supporting reasons.</p> <p>76. If the Panel decides that the alleged non-academic misconduct has been proven on a balance of probabilities, then within a further 10 business</p>
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	<p>days, the Panel will re-convene to hear the parties' submissions about appropriate sanction(s) ("Sanction Proceeding").</p> <p>77. Among the factors that a Panel can consider in determining sanction(s) are:</p> <ul style="list-style-type: none"> (a) the intent of a Respondent; (b) the impact of the misconduct on: <ul style="list-style-type: none"> • the complainant, if any; • the University community; • the University (including any impact on its reputation and/or its goodwill in the community); and • the broader community; (c) the presence or absence of past findings of non-academic misconduct on the part of a Respondent; and, (d) the presence of mitigating or aggravating factors. <p>78. Sanctions must be proportionate to the misconduct and/or the harm arising from it.</p>
<p><i>Available Sanctions</i></p>	<p>79. Sanctions should, where appropriate, be educational, developmental and progressive</p> <p>80. Sanctions that can be imposed by a Student Conduct Panel include those stated in the <i>Queen's University Student Code of Conduct, 2016</i>, the <i>Residence Student Conduct process ("ResRules")</i> and/or the <i>Athletics & Recreation Non-Academic Discipline Judicial Process (Discipline Policy)</i>, as applicable, but do <u>not</u> include a requirement to withdraw. If a sanction from the <i>ResRules</i> or the <i>Athletics & Recreation Discipline Policy</i> is imposed, the senior administrator in the applicable office shall be notified of the sanction and will be responsible for ensuring it is met by the Student in a timely fashion.</p> <p>81. A Student Conduct Panel can recommend to the Provost that a Respondent be Required to Withdraw from studies at the University. The Provost can endorse the recommendation and require the Respondent to withdraw from studies at the University. The requirement to withdraw may be limited to a specified period of time. In the event that a Respondent is Required to Withdraw, their transcript will bear a notation, during the period for withdrawal, indicating that the Respondent was required to withdraw from the University for Non-academic Misconduct.</p> <p>82. If the panel intends to impose a sanction provided for in either the <i>ResRules</i> or the <i>Athletics & Recreation Non-Academic Discipline Judicial Process (Discipline Policy)</i>, it must consult with those offices before making a decision on sanction(s).</p>
<p><i>Timing of Sanction(s)</i></p>	<p>83. Within 5 business days after the Sanction Proceeding ends, the Chair will issue the Panel's formal written decision on the merits of the case and on any sanction(s). The decision must include the Panel's supporting reasons.</p> <p>84. Sanctions will not normally be put into effect until a Respondent has either exhausted all internal channels of appeal, or the time for filing an appeal has expired.</p> <p>85. Any interim measures will continue during the appeal period unless the</p>

<p><i>Appeal of Immediate Sanction(s)</i></p>	<p>Panel's decision indicates otherwise.</p> <p>86. Notwithstanding Paragraph 84, in exceptional circumstances where the Student Conduct Panel is satisfied that the interests of other Students, faculty, staff or any other member of the University community could be significantly adversely affected the Panel can order that a sanction(s) be put into effect immediately.</p> <p>87. A Respondent(s) who is subject to immediate sanction(s) under Paragraph 86 can appeal that decision to the Chair of USAB by filing a completed Notice of Appeal with Office of the University Ombudsman on or before the deadline for appealing stated in the Panel's decision.</p> <p>88. The Chair of USAB will hear and decide the appeal within 2 business days from the date of its filing. The immediate sanction issued by the Student Conduct Panel will not take effect until the matter is decided by the Chair of USAB.</p>
<p><i>Appeal from Student Conduct Panel Decision</i></p>	<p>89. A party to proceeding before a Student Conduct Panel can appeal the Panel's decision, or the endorsement of a Requirement to Withdraw, to the USAB on any ground(s) permitted by, and in accordance with the appeal procedure outlined in, the <i>Senate Policy on Student Appeals, Rights and Discipline</i>.</p>
<p>ADDITIONAL MATTERS</p>	<p>90. Additional Procedures: With respect to any procedural matter that is not specifically addressed in this Interim Procedure, the Student Conduct Panel is entitled, after hearing submissions from the parties and considering the requirements of procedural fairness, to determine an appropriate procedure.</p> <p>91. Any procedural requirement contained in this Interim Procedure can be waived with the agreement of the Student Conduct Panel and each party.</p> <p>92. Any matter of process or procedure not addressed by the Code, or by this Interim Procedure, but which might be necessary for the proper administration or management of the NAM System, can be established from time to time by the University Secretary and the has good and valid authority to do so. Where the University Secretary exercises this authority, it must be reported to the next regular meeting of the NAM Governance Committee.</p>