Governing Documents: Students

BYLAW: STUDENT DISCIPLINE

Effective Date: January 1, 2009

Revised Date: 

Review Date: 

Approving Body: Board of Governors

Authority: University of Manitoba Act
Section #16(1)d

Implementation: President delegated to the University Secretary

Contact: University Secretary

Applies to: Students; Faculty/School Councils

1.0 Reason for Bylaw

The Student Discipline Bylaw and related Procedures provide guidance to those individuals charged with administering disciplinary action ("Disciplinary Authority") while, at the same time, outlining the prohibited conduct and the right of appeal.

2.0 Rule/Principle

2.1 As members of the University Community, students have an obligation to act with academic integrity and in a fair and reasonable manner toward their peers, faculty, staff, administration and the physical property of the University. Academic integrity and personal conduct, both on-campus and off-campus in university-sanctioned activities, are critical elements in achieving these obligations.

2.2 Students will be subject to disciplinary action under this bylaw, for the following matters regardless of whether such behaviour is covered by other University governing documents; (bylaws, policies, procedures and regulations).

2.2.1 Academic dishonesty including, but not limited to:

(a) academic/scientific fraud;
(b) cheating on exams or tests;
(c) contravention of academic regulations;
(d) re-submitting own previous course work as new work;
(e) examination personation;
(f) inappropriate collaboration; and
(g) plagiarism (i.e., passing off the thoughts, writings and work of another person as one's own).

2.2.2 Inappropriate behaviour including, but not limited to:

(a) abuse of computer privileges;
(b) alcohol and substance abuse;
(c) breach of residence hall regulations;
(d) disorderly, violent or threatening behaviour;
(e) false or misleading information made for any purpose including information in connection with:
(i) application for admission;
(ii) application for awards;
(iii) medical certificates;
(iv) letters of permission;
(v) transfer of credits; and
(vi) transcript/student records matters;

(f) harassment and unlawful discrimination;
(g) indecent exposure;
(h) theft;
(i) unprofessional conduct; and
(j) vandalism.

2.3 The specific jurisdiction for each of the Disciplinary Authorities is set out in "Table 1: Jurisdiction of Disciplinary Authorities" ("Table 1") which follows this Bylaw. For the purposes of this document and the related Procedures document, references to Faculty/School will include University 1 and Dean/Director will include the Director of University 1.

2.4 The specific disciplinary actions available for each Disciplinary Authority are set out in "Table 2: Disciplinary Actions Available to Disciplinary Authorities" ("Table 2") which follows this Bylaw.

2.5 Disciplinary Authorities having the closest connection with the particular alleged disciplinary matter are encouraged whenever possible and appropriate to resolve student disciplinary matters informally in the first instance.

2.6 Students who make complaints or appeals which are found by the Disciplinary Authority to be frivolous or made for an improper purpose, may be subject to disciplinary action.

2.7 If the disciplinary matter relates to a criminal offence, the Disciplinary Authority shall provide relevant information to Campus Security Services for potential follow-up by the appropriate policing authority.

2.8 Students have a right to appeal disciplinary actions made by a Disciplinary Authority excluding the decisions of the University Discipline Committee ("UDC") which are final decisions.

2.9 Students are advised that the Disciplinary Authority to whom an appeal has been made may impose a more severe disciplinary action than previously recommended by a lower disciplinary body should the hearing panel, after reviewing the evidence presented by all parties, consider the original disciplinary action insufficient.

2.10 Students are afforded the right to representation when dealing with disciplinary matters in the first instance and with respect to appeals; and both are subject to the limitations set out in the related Procedures [See sections 2.10.3., 2.10.4 and 2.17.5].

2.11 No disciplinary action shall be implemented until the time for appeal has elapsed or until the Student has waived in writing the right to appeal, whichever occurs first. The only exceptions to this rule shall be:

(a) where the disciplinary action would be entered on the academic records of the Student, the Registrar shall be notified by the Disciplinary Authority implementing such disciplinary action, and shall not issue any academic transcripts until the appeal has been disposed of;

(b) where the disciplinary action relating to academic dishonesty or academic fraud may result in a change to the Student's transcript, the Registrar shall be notified by the Disciplinary Authority implementing such disciplinary action, and shall not issue any transcripts until the appeal has been disposed of;

(c) where changes in the Student's courses and/or program are directly related to the matter under disciplinary consideration, such changes shall not be permitted; and
(d) where the disciplinary action were not implemented, the safety of members of the University Community would be compromised.

2.12 Related Procedures are set out in the Governing Document entitled Procedures: Student Discipline.

3.0 Accountability

3.1 The University Secretary is responsible for advising the President that a formal review of this Bylaw is required.

3.2 The University Secretary is responsible for the communication, administration and interpretation of this Bylaw.

4.0 Secondary Documents

4.1 The Board of Governors may approve Regulations, Policies and Procedures which are secondary to and comply with this Bylaw.

5.0 Review

5.1 Formal Bylaw reviews will be conducted every ten (10) years.

5.2 In the interim, this Bylaw may be revised or rescinded if the Approving Body deems necessary.

5.3 If this Bylaw is revised or rescinded, all Secondary Documents will be reviewed as soon as reasonably possible in order to ensure that they:

(a) comply with the revised Bylaw; or
(b) are, in turn, rescinded.

6.0 Effect on Previous Statements

6.1 This Bylaw supersedes:

(a) all previous Board/Senate Bylaws, Regulations, Rules, Policies and Procedures, and resolutions on the subject matter contained herein;
(b) the previous Faculty/School Council Bylaw, Regulations, Procedures, and resolutions on the subject matter contained herein; and
(c) Bylaw 27: Student Discipline Bylaw and Policy 1202 Student Discipline Bylaw.

7.0 Cross References

Cross referenced to:

(1) Procedures: Student Discipline
(2) Policy: Respectful Work and Learning Environment
(3) Procedures: Respectful Work and Learning Environment
(4) Policy: Examination Regulations
(5) Policy: Inappropriate and Disruptive Behaviour
(6) Policy: Violent and Threatening Behaviour
(7) Procedures: Violent and Threatening Behaviour