

HOUSING COMMUNITY LIVING STANDARDS 2022/2023

Nicola Valley Institute of Technology Student Housing, 4165 Belshaw Street, Merritt, BC V1K 1R1

The Student Housing community is a place that promotes a safe and peaceful environment that supports the academic success of students as well as their personal and social development. We aim to ensure that it is inclusive, responsible, and respectful. The Student Housing Community Living Standards (HCLS) has been created by Campus Living Centres in consultation with students and staff at colleges and universities across Canada to ensure the Student Housing environment at the Nicola Valley Institute of Technology (NVIT) achieves this goal.

1. Within the HCLS, the following items are discussed and defined: **THE PEOPLE IN THE RESIDENCE COMMUNITY** (the Residence Staff and their roles)
12. **OBJECTIVES OF THE STUDENT HOUSING COMMUNITY LIVING STANDARDS** (our goals for the community)
23. **RULES THAT AFFECT YOU IN STUDENT HOUSING** (Student Housing rules, NVIT policies & Canadian laws)
34. **STUDENT HOUSING CITIZENSHIP** (your rights, responsibilities and privileges)
45. **OFFENSES AND SANCTIONS** (rules and consequences)
56. **JUDICIAL PROCEDURES** (incident reports, meetings, and appeals)

1. THE PEOPLE IN THE RESIDENCE COMMUNITY

Our Residence Staff work hard to ensure that you have a positive experience in residence while studying at Nicola Valley Institute of Technology. Below is a list of some of those people and their roles. The objectives of the RCLS, which is explained in the next section of this document, is our expression of the commitment we make to ensuring everyone has a positive experience in residence.

HOUSING ADVISORS (HA)

The role of the HA is filled by returning students who live in residence and plan educational and social activities for the residence community. They provide valuable support and guidance to residents, while at the same time acting as a liaison with the Residence Management team. HAs complete nightly rounds of the building. The HAs are available through the Residence Life Office or the Residence Service Desk. They have the tools and knowledge to get you the answers, direction and/or assistance you need, or can simply be someone to talk to.

2. OBJECTIVES

- **To create a safe, secure, responsible and respectful community** by outlining the positive standards of behaviour expected within the Student Housing community and holding Students and their Visitors accountable for behaviour that violates these standards and encouraging Students to resolve their community living issues in a mature fashion.
- **To create an environment conducive to academic success** by promoting behaviour among Students and their Visitors that creates an effective learning environment.
- **To create an environment conducive to personal growth and development** by educating Students about the effect that their choices may have on themselves and others around them and providing Students with an opportunity to learn from their behaviour.
- **To create a fair environment** by following the Principles of Natural Justice and Procedural Fairness and clearly defining the standards and processes that Students, Visitors and Staff are expected to follow.

3. RULES THAT AFFECT YOU IN RESIDENCE

Student Housing policies and procedures are set guidelines for students that live in Student Housing on NVIT's campus. These are detailed in the Student Housing Agreement, the Student Housing website, and the HCLS. NVIT policies and procedures are related to an individual's status as a student of NVIT, which includes Student Housing. Therefore, your actions in Student Housing can also affect your academic status.

Municipal, Provincial and Federal laws and by-laws are related to you being a citizen in the city, province and country. The standards outlined by Student Housing and NVIT are informed by these laws. Student Housing and NVIT Staff aim to ensure that all of these standards of behaviour are respected and maintained.

Normally the Student Housing policies and procedures and NVIT policies and procedures act independently of one another. However, Student Housing shares all reports alleging HCLS violations with NVIT. In situations that create a concern for the safety and security of students in Student Housing and on campus, all important information will be shared between appropriate Student Housing and NVIT officials. In some cases, allegation(s) may be investigated by both the Student Housing and NVIT and the student will be subject to the sanctions under both sets of policies and procedures.

For more information about Student Housing and NVIT policies and procedures please refer to the following documents:

- The NVIT Institutional Policies: <http://www.nvit.ca/about/institutionalpolices.htm>
- The Student Housing Agreement (SHA)

SCOPE & APPLICATION

The Student Housing Community Living Standards apply to all Students and their Visitors. They are in effect:

- (a) on Student Housing property, including in all buildings and the grounds of Student Housing;
- (b) at off-campus events sponsored by Student Housing or a recognized student leadership group in Student Housing;
- (c) when the conduct of a Student has a substantial link to NVIT, direct implications for the proper functioning of Student Housing; the well-being of Students; the educational mission of NVIT; or the interests or reputation of Student Housing and/or NVIT. This includes any behaviour observed or carried out through an online medium, by using text, audio, video or images, including but not limited to, Facebook, YouTube, Instagram, and Twitter will be treated as an Offense detailed within these standards.

AUTHORITY

The HCLS is intended to be clear to all readers. If you have a question, consult a member of the Student Housing Management Team, as they have the authority to interpret the Standards. The HCLS attempts to identify a range of behaviours that constitute Offenses. Student Housing reserves the right, in extraordinary circumstances, to identify and sanction conduct that may not be specifically described, but which does not clearly support the stated Objectives of the HCLS or NVIT Policies.

PROTECTION OF PRIVACY

Student Housing respects the privacy and personal information of student housing students and will comply with the Freedom of Information and Protection of Privacy Act regarding the gathering, retention, safeguarding and disposal of personal information.

All concerning behaviours and allegations of offenses documented in Housing Reports will be made available to the Student, Campus Security and the Office of the Register, upon request.

All Housing reports, files and records, both paper-based and electronic, will be kept for a minimum of seven (7) years after the termination of the Student Housing Agreement.

4. STUDENT HOUSING CITIZENSHIP

You are a citizen of the Student Housing community and a student of NVIT. You therefore have certain rights and responsibilities. Your privileges are yours to maintain by respecting the rules of Student Housing and NVIT. Rights should NOT be confused with Privileges.

As a good citizen of our Student Housing Community, you acknowledge in a responsible way your rights, responsibilities and privileges as well as the rights, responsibilities and privileges of others. We hope that you participate in the community in a positive way, and you do your part to create and maintain an environment that encourages academic success and social growth.

STUDENTS' RIGHTS

Within the Student Housing Community, you, as a Student, have the right to:

- (a) enjoy the rights and freedoms recognized by law, subject only to restrictions that ensure the welfare and advancement of the Student Housing Community, as detailed in the HCLS,
- (b) be free from discrimination, on the basis of race, ancestry, religious beliefs, physical ability, marital status, colour, place of origin, gender, mental disability, family status, source of income, age or sexual orientation,
- (c) enjoy an atmosphere intended to remain free from behaviour which is reasonably interpreted as unwelcome; including (but not limited to) remarks, jokes, or actions which demean another person and/or deny individuals their dignity and respect,
- (d) study, work, read and sleep in your unit/room without undue interference from roommates and/or floormates,

- (e) occupy your assigned unit/suite/room and use its furniture, effects and services,
- (f) access to your assigned room/unit,
- (g) expect that roommates and/or floormates will respect your personal property,
- (h) expect reasonable cooperation from others when you are sharing common rooms/facilities,
- (i) live in a clean environment, requiring a joint and equitable effort from you and your roommates and/or floormates,
- (j) reasonable privacy from roommates and/or floormates,
- (k) have your concerns considered by Student Housing Staff,
- (l) have all reported offenses investigated in a reasonable amount of time and efficient manner,
- (m) expect confidentiality from Student Housing Staff with regards to all personal and student conduct related information.

STUDENTS' RESPONSIBILITIES

With your rights come corresponding expectations of behaviour within the Student Housing Community. As a Student you have the responsibility to:

- (a) read, understand and abide by NVIT Calendar, codes, policies and regulations, guidelines and processes, including the Student Housing Agreement, the Student Housing website, and the HCLS,
- (b) recognize the authority of all Student Housing and NVIT Staff acting in the scope of their position and to be responsive and cooperative in all dealings with them,
- (c) treat with respect, civility, courtesy and consideration all Students, Student Housing Staff and NVIT Officials and conduct yourself in a way that permits them to be successful academically and/or perform their duties,
- (d) take all actions associated with good citizenship, including reporting violations of Student Housing and NVIT policies, and taking all reasonable measures to ensure the safety and security of the Student Housing Community,
- (e) seek help or resources to protect and ensure your personal health, safety and wellbeing, including addressing issues of self-harm which have the potential to occur by action or neglect, including self-abuse, eating disorders, suicide attempts, underage drinking, alcohol abuse or negligence related to health, hygiene or medications,
- (f) attempt to resolve roommate conflicts and/or community issues on your own before you ask your HA to assist you in this process,
- (g) conduct yourself and contribute in a positive and productive way to the Student Housing Community through active participation,
- (h) respect the rights, privileges and property of all other Students and their Visitors, and of the neighbouring community,
- (i) take full responsibility for the conduct of Visitors, accompany them at all times within the Student Housing Complex and ensure that Visitors are aware of, and abide by, Student Housing and NVIT policies,
- (j) conduct yourself in a way that ensures the Student Housing complex and grounds are kept in good condition, including keeping your assigned room and suite common areas in a clean and sanitary condition,
- (k) secure your personal property and obtain personal contents insurance,
- (l) permit Student Housing or NVIT Staff or its officers' entry when there is a reasonable apprehension of danger or harm, or for the purpose of inspecting the condition of the unit/suite/room and its contents,
- (m) be solely liable to NVIT for any loss or damage to your room and its furniture, telephone and effects of NVIT; liable for loss or damage to the public facilities, furniture and equipment of the Student Housing, including Common Areas; and liable for any damages caused by Visitors,
- (n) actively check your mail, voicemail and email accounts registered with Student Housing on a regular basis for messages from Student Housing Staff,
- (o) carry your NVIT ID and show it when requested by Student Housing or NVIT Staff.

STUDENTS' PRIVILEGES

Privileges enhance the lifestyle in Student Housing because they add to the pleasure of the academic and social experience. Privileges are granted to Students upon arrival, based on the principle that Students are expected to conduct themselves in accordance with the HCLS. There is an important difference between Rights and Privileges. You can expect your Rights to be respected all the time, and you can maintain Privileges with behaviour in accordance with our HCLS. Privileges can be taken away through the judicial process if conduct does not comply with our HCLS.

It is a privilege for you to:

- (a) live in Student Housing both now, and in future years,
- (b) use the Common Areas and Facilities and the furniture, equipment, effects and services present,
- (c) have unit/suite/room assignments to live with your friends,
- (d) use sound broadcast equipment, approved musical instruments, speakers and/or subwoofers,
- (e) invite and host Visitors in Student Housing,

- (f) be a Visitor in areas outside your assigned room/unit/building and/or enjoy access to the Student Housing Complex, outside your assigned room/unit/building,
- (g) participate in events and activities facilitated or sanctioned by Student Housing.

5. VIOLATIONS AND SANCTIONS (THE RULES AND CONSEQUENCES)

A violation is any unacceptable conduct, action or neglect that violates the HCLS, Student Resident Agreement or NVIT’s policies. Violations are described and classified based on three levels of increasing severity. Sanctions are the consequences for violations, which are described in detail in subsequent sections of the HCLS. At each level of offense and/or after repeated violations the severity of the sanctions will increase.

Level 1 Violations: Actions that interfere with the rights of another individual or community to the peaceful use and enjoyment of their space in Housing. Normal Point Range: 1-3

Level 2 Violations: Actions that create a significant nuisance and/or disturbance to an individual or community and/or repeated level one violations. Normal Point Range: 2-5

Level 3 Violations: Actions that endanger the safety and security of an individual; significantly compromise or damage personal or Housing/NVIT property; attack the dignity/integrity of an individual; contravene the laws of the land; and/or repeated level two violations. Any Level 3 Offense may warrant an eviction. Normal Point Range: 4-9

The Point System

The point system is designed to help define the seriousness of specific behaviours and to track the frequency and severity of a student’s HCLS violations. All violations are associated with points ranging from a value of 1 through 9. All violations have a minimum value of one point. The assigned number of points will depend upon the type of incident and/or its severity. In complex situations where multiple violations occur in the same incident, points will typically be assigned based on the most serious single violation of the HCLS.

Points remain on record until August 15 of each year, or as stipulated upon eviction. After a Resident has been found responsible for a violation, the Resident may be responsible for educational, restorative, or punitive sanctions. Points are assigned for each incident based on the table below. Points are used in determining the sanctions appropriate for a resident, given their cumulative conduct record, as outlined in the “Sanctions” section below. During sanctioning, decision makers consider a resident’s total points, including those assigned for the current violation.

Tier	Points Accumulated	Typical Sanction Examples
I	1 - 3	Warning, Community Service, Educational, Fine, Loss of Privileges, Restitution
II	4 - 8	All Tier I Sanctions, Communication Ban, Transfer/Relocation, Behavioural Contract, Residence Probation
III	9 +	All Tier I, and II Sanctions, Eviction, Recommendation of Charges of non-Academic Misconduct

VIOLATIONS

The violations listed in the HCLS summarize policies stated in the Student Housing Agreement (SHA) and are found to be consistent with NVIT policies and values. Where applicable, reference is made to these policies.

Level of Incident	Points Typically Assigned
LEVEL 1	1 - 3
LEVEL 2	2 - 5
LEVEL 3	4 - 9

1. ADVERTISING, SOLICITING, CAMPAIGNING AND SELLING

Note: Students or other community members who wish to campaign or advertise activities associated with the Student Housing or NVIT are required to speak with a Student Housing Staff member to seek permission to do so.

LEVEL 1	<ul style="list-style-type: none">a) Unauthorized advertising, soliciting, promoting, or selling of products, events and services in Student Housing (ranging from but not limited to online and/or printed materials).b) Unauthorized campaigning in Student Housing.
LEVEL 2	<ul style="list-style-type: none">c) Displays in windows or other prominent places promoting alcohol, illegal substances, messages of hate, pornography, or other inappropriate activities or messages.d) Unauthorized advertising, soliciting, promoting, or selling of products, events and services in Student Housing in relation to alcohol and/or illegal substances.

2. ALCOHOL

Note: The legal drinking age in British Columbia is 19 years. However, NVIT Student Housing is a substance-free community.

LEVEL 3	<ul style="list-style-type: none">a) The possession or consumption of alcohol and/or illegal substances is not permitted on or about the lands on which the housing is situated, regardless of age.b) Possession or use of alcohol and/or illegal substances is a serious offense and may result in eviction.
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3. CANNABIS

In British Columbia, a person must be 19 years of age to legally purchase or consume cannabis. As per the Canadian legislation, cannabis cannot be consumed in public, including on residence or campus grounds. The student housing building is a smoke-free environment where smoke or combustion in any form are prohibited (including smoking and vaping). Residents who are in possession of cannabis must store their cannabis in a sealed container.

Note: Students who require accommodations for possession and/or use of medical cannabis that may contradict Student Housing policies must submit a formal request to Housing Management prior to acquiring/using medical cannabis in housing.

LEVEL 1	<ul style="list-style-type: none">a) Careless or unsafe storage of cannabis or cannabis products that causes or has the potential to cause harm or disturbance to the community, (e.g., excessive odour, mold, etc.).b) Consumption of cannabis or cannabis products in unauthorized areas (e.g., lounges, hallways, common spaces, etc.).c) Attending Residence Orientation under the influence of cannabis.
LEVEL 2	<ul style="list-style-type: none">d) Smoking, vaping, or producing the odour of cannabis in Residence or on Residence grounds.e) Growing cannabis and/or producing cannabis substances in Residence (e.g., edibles, hash oil, etc.).f) Possession of more than 30 grams of dried cannabis (one ounce) or equivalent, in Residence.g) Imposing the physical effects of intoxication on the Residence community.h) Influencing, forcing and/or promoting the consumption of cannabis by a resident and/or guest on another.
LEVEL 3	<ul style="list-style-type: none">i) Consumption or possession of cannabis by Residents and guests under the legal age, or those on cannabis probation.j) Purchasing for, or supplying persons with, cannabis or cannabis substances whom are under the legal age.k) Consumption games or promotion of a social function, activity or contest in which the consumption of cannabis is either the primary focus or used as a penalty, typically in response to a specified cue or prompt.l) Possession with the intent to sell, and/or selling cannabis or cannabis substances in Residence.

4. CLEANLINESS

LEVEL 1	<ul style="list-style-type: none">a) Littering.b) Failure to keep Room/common areas in a clean and sanitary condition after use.c) Improper disposal of refuse, including leaving garbage bags outside of your unit/suite/room or outside of designated garbage areas.d) Collection of empty containers, bottles or cans that is judged by Housing Staff, for sanitary reasons, to be beyond recycling purposes.e) Failure to (follow disposal instructions of) dispose of recycling, garbage and/or organics appropriately; including, but not limited to leaving garbage/recycling bags, leaving items on compactor floor, bagging organics with a non-organic bag, failure to break down cardboard, failure to separate recycling/garbage/organics into their designated disposal areas.
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5. DAMAGES & VANDALISM

LEVEL 2	<ul style="list-style-type: none">a) Marking any surface through action or neglect, that is not deemed normal wear and tear.b) Behaviour that causes, or has the potential to cause moderate damage through actions, carelessness, or negligence.c) Failure to keep your furniture, fixtures and appliances in a good state of repair.d) Attempt to repair and/or resolve damages without consultation and subsequent permission from the Residence.e) Damage to, or alteration of Housing Community Resources such as bulletin boards, posters, decorations, etc.
LEVEL 3	<ul style="list-style-type: none">f) Behaviour that causes, or has the potential to cause significant damage through action, carelessness or negligence.g) Willful damage, vandalism or graffiti or neglect that leads to serious damage to the housing, NVIT or private property.

6. DISRUPTIVE BEHAVIOUR

LEVEL 1	<ul style="list-style-type: none">a) Throwing, dropping, kicking or knocking objects in, from, or at housing buildings, windows, or stairwells, whether intentional or unintentional.b) Participating in physically-active games or sports inside Housing or within the Housing grounds which could disturb residents, staff or the surrounding community or cause damage to facilities or personal injuries.
LEVEL 2	<ul style="list-style-type: none">c) Creating or permitting behaviour in Housing which is a nuisance or annoyance to Residents, Housing Staff, the surrounding community, or to the supplier of services authorized by Housing or NVIT. This includes pranks/raids or similar actions that could be damaging to personal, Housing or NVIT property or reputation.

7. FACILITIES AND FURNITURE

LEVEL 1	<ul style="list-style-type: none">a) Removal of furniture, appliances, window screens or other fixtures from assigned rooms/units or common spaces and placing them elsewhere.b) Removal of furniture, appliances, or other fixtures from assigned Common Areas and placing them elsewhere.
LEVEL 2	<ul style="list-style-type: none">c) Alteration, renovation or removal of Rooms, furniture, or equipment.d) Installation of unauthorized furnishings, equipment or devices. This includes internet and phone.e) Failure to keep access clear to electrical panel, heating unit and maintenance access.

8. FIRE SAFETY

LEVEL 1	<ul style="list-style-type: none">a) Propping open a fire door, which includes room/suite/unit doors. This may include using the deadbolt or another item to prevent it from locking and/or to hold the door open.
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LEVEL 2	<ul style="list-style-type: none"> b) Possession or use of candles, incense, lava lamps, open coil hot plates, flame cooking devices, indoor barbecues, deep fryers and the like. Cooking devices without an automatic shutdown are not allowed in residence. c) Covering or removing smoke and/or heat detectors. d) Blocking hallways, stairwells, exits and access to fire safety equipment. e) Leaving food unattended while cooking. f) Shallow/deep frying is not permitted.
LEVEL 3	<ul style="list-style-type: none"> g) Possession or use of explosive or flammable material (e.g., firecrackers, fireworks and barbecue propane tanks). h) Discharging, tampering with, covering or operating any fire prevention or detection equipment for any purpose other than the control of a fire. i) Actions or neglect that leads to a fire, and/or the activation of the building fire alarm system.

9. GUESTS AND VISITORS

<ol style="list-style-type: none"> 1. A guest is any person who is invited to, accompanied on, accepted or admitted to the housing property where they do not currently reside. 2. Residents must sign in their guests at the front desk before they enter the Housing. 3. The guest must leave one piece of photo identification with the front desk. The front desk will not accept passports or health cards as forms of photo identification. 4. No visitors will be granted access into the Housing after 12:00am. 5. Residents may sign-in up to two (2) guests at a time. 6. While each guest is in the Housing, the Resident must remain in the company of the guest at all times until the guest is signed out. 7. The guest must sign-out and collect photo identification with the front desk each time they leave housing property, regardless of the length of time spent off property. 8. Residents are permitted to have up to a maximum of two (2) consecutive overnight guests and no more than ten (10) overnight guests in any one (1) given month. 9. Guests should not in any way interfere with the rights of a roommate or other Resident to privacy, access, sleep or study at any time or anywhere within the Housing. 10. Failure to be present does not mitigate or relieve the resident's responsibility for their guest's behaviour. Residents are responsible for their guest's behaviour whether they participated in, condoned or were aware of that guest's behaviour or not. The specific sanction(s) will be determined by the list of possible sanctions for the offense(s) committed by the guest. 11. NVIT Housing requires any guests 16 years or younger visiting the Housing without a parent/guardian to have a signed form of consent from their parent/guardian. This form will also include contact information for the parent/guardian. The Housing reserves the right to call a parent/guardian in the event of a medical emergency or due to behavioural conduct. 12. A guest who remains in Housing beyond 2:00 am is considered an overnight guest. 13. Requests for exceptions to the Guests and Visitors Policy may be submitted to Housing Management prior to the arrival of the guest. 	
LEVEL 1	<ul style="list-style-type: none"> a) Failure to sign-in/sign-out Guests at the front desk. b) Failure of Resident to be with their Guest at all times in Housing. c) Permitting a guest to stay over the limit of two (2) nights consecutively or ten nights (10) in any given month (1) without approval from management.
LEVEL 2	<ul style="list-style-type: none"> d) Hosting a Guest during NVIT's Orientation Week or when Exam Quiet Hours are in effect. e) Living or permitting someone else to live in a room/unit without an approved assignment from Housing.
LEVEL 3	<ul style="list-style-type: none"> f) Hosting a guest who violates the HCLS. All residents are responsible for the actions and behaviours of guests signed in with them, at all times, while in the Housing. g) Hosting a guest who has been issued a trespass, or similar notice restricting them from the Housing property.

10. HARASSMENT AND DISCRIMINATION

Note: Every individual has a right to a safe, respectful environment that is free from attacks on their dignity/integrity. Harassment is defined as any attention or conduct (oral, written, graphic, electronic or physical) by an individual or group who knows, or ought to reasonably know, that such attention or conduct is unwelcome, unwanted, offensive or intimidating. Bullying and hazing will be considered harassment under this policy. Discrimination is any behaviour that is based in or leads to unjust or prejudiced treatment of persons or things, often on the grounds of sex, race, religion, age, gender/gender identity, etc. This includes but is not limited to: making stereotypical assumptions based on a person's presumed traits, excluding persons, denying benefits to someone or imposing burdens upon them.

NOTE 2: Decisions about the difference between level 2 and 3 offenses will be based on the definitions previously given.

LEVEL 2 & LEVEL 3

- a) Failure to abide by the NVIT Code of Conduct or related legislation or policies which defines harassment and discrimination.
- b) Any conduct that could be deemed as bullying, including cyber bullying, or bullying on social media, be it via a group or an individual.
- c) Any statement, action, or display that could be deemed as inappropriate or derogatory towards an individual or a group.

11. ILLEGAL SUBSTANCES & ACTIVITIES

Note: Any observations about the behaviour, speech, odour or physical surroundings of an individual that cause suspicion of illegal activity will be investigated and/or reported (NVIT Student Housing is drug free). Under the principles of the Standard of Proof, repeated suspicious behavior pertaining to illegal activities may result in Student Housing applying the full measures of discipline outlined below.

LEVEL 2

- a) Attending Housing Orientation, or other housing events, under the influence of illegal substances.
- b) Using or being under the influence of an illegal or un-prescribed substance in housing.

LEVEL 3

- c) Possession of paraphernalia associated with the use of illegal substances.
- d) Possessing, making, selling or otherwise distributing an illegal or un-prescribed substance or Student Housing.
- e) Possession or use of medication for purposes other than those for which they were prescribed
- f) Any behaviour or activities that contravene the laws of the land

12. NOISE AND QUIET HOURS

Consideration Hours are in effect 24 hours a day, 7 days a week. Noise levels at any time should not detract from any resident's ability to pursue academic endeavours or to enjoy a peaceful living environment. An individual's right to reasonable quiet supersedes another's right to make noise. The following items are prohibited: large musical instruments (i.e. drum sets), surround sound systems or noise producing devices such as subwoofers and PA systems.

Quiet Hours are observed in Housing: Sunday to Thursday: 11:00pm - 8:00am; Friday and Saturday evenings: 1:00am - 8:00am.

Exam Quiet Hours begin 1 week prior to the exam start dates in both December and April. Quiet Hours are extended to 23 hours a day. Housing will define a Relaxed Hour during the evening when programming by Housing Staff may occur. Housing Management reserves the ability to alter quiet hours at any time to suit the needs of the community.

As a general rule, noise from your room/unit that is audible outside your room, including in hallways, common areas, neighbouring units or buildings, will be addressed by Housing Staff during quiet hours.

LEVEL 1

- a) Non-compliance with Consideration Hours or Quiet Hours.
- b) Possession of loud musical instruments.
- c) Use of musical instruments without the use of headphones or sound equipment such as surround sound systems, or noise producing devices such as subwoofers or PA systems.

LEVEL 2

- d) Non-compliance with Exam Quiet Hours.
- e) Excessive noise that interferes with the academic work of Students and/or significantly disturbs the Student Housing community and/or our neighbouring communities.

13. PETS

LEVEL 2	a) Keeping any animal or pet in residence, with the exception of fish in one small aquarium, no larger than 3 gallons.
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14. RESPECT AND COOPERATION

LEVEL 2	a) Failure to respond to the written or verbal direction of Student Housing or NVIT Staff. b) Demonstrated lack of respect, civility, courtesy, or cooperation with a member of the community, including students, visitors, Student Housing staff, and NVIT Staff. c) Failure to provide identification, or providing false identification when asked from a Student Housing or NVIT Staff. d) Providing a false report of an incident or impeding an investigation.
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15. RESTRICTED AREAS AND UNAUTHORIZED ENTRY

LEVEL 3	a) Unauthorized entry into restricted areas of Student Housing, including rooftops, basements, utility rooms, offices, etc. b) Entry into another student's room without the consent of that student.
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16. SAFETY AND SECURITY

LEVEL 1	a) Improper use of an emergency exit. b) Footwear must be used within all Interior and exterior common areas of the Housing.
LEVEL 2	c) Covering, tampering with, or removing the PA system. d) Permitting entry of any individual (resident, non-resident or other) into Housing, either by opening a door or giving Housing keys or swipe cards to that individual. e) Overloading or tampering with electrical systems. f) Unsafe storage, disposal and/or use of prescribed medication and related medical devices such as needles, prescription drugs, and pill bottles.
LEVEL 3	g) Tampering with video surveillance equipment or systems. h) Failure to evacuate during an alarm. i) Careless driving on Housing grounds. j) Actions, carelessness or neglect that causes an elevator to stall and/or require repair.

17. SEXUAL VIOLENCE

Sexual Violence is a broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This violence takes different forms against another person without their consent. This includes but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

Note: The Institution's student code of conduct and other policies regarding sexual violence will take precedence over the Housing Community Living Standards.

LEVEL 3	a) Any behaviour deemed to be sexual violence.
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18. SMOKING

This is a smoke-free campus. Smoking is prohibited on all campus grounds, including in Student Housing and on campus grounds.

LEVEL 3	<ul style="list-style-type: none"> a) Smoking in Housing, including the use of e-cigarettes, hookahs, and vaporizers. b) Possession of large smoking paraphernalia (e.g., bong, hookahs, etc.) more than 30 centimetres in height. c) Smoking on Student Housing or campus grounds.
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19. TECHNOLOGY MISUSE

LEVEL 2	<ul style="list-style-type: none"> a) Failure to abide by NVIT Internet & technology usage policies. b) Installing/use of a personal internet router.
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LEVEL 3	<ul style="list-style-type: none"> c) Interference with the technology of the Student Housing, NVIT or another Student. d) Copyright infringement (i.e. illegally downloading music, movies or other media using the Student Housing internet connection).
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20. UNAUTHORIZED ACTIVITIES

Note: All organized events, activities or gatherings that have the potential to cause a disturbance must be approved by the Student Housing Management to ensure compliance with fire safety, noise and other applicable policies. Student Housing Management will not approve any event that involves or is presumed to involve the use of alcohol or other substances.

Note 2: Maximum capacity of a student housing room is defined as the number of residents that live in the room plus two additional people each.

LEVEL 2	<ul style="list-style-type: none"> a) Any gathering over the maximum capacity of a Student Housing room and/or the volume of music or people violates the noise policy.
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21. UNAUTHORIZED ARTICLES AND THEFT

Theft refers to the act of taking another person’s property in Student Housing without their permission.

Note: Only Refrigeration appliance supplied with the Room are to be used. No others, including mini fridges, are to be brought into the Room. Irons, toaster ovens, coffee makers, electric kettles protected by an automatic “shut off” may be used. In order for appliances to be approved for use in Student Housing, they must bear a visible serial number and a CSA or RL identification tag.

LEVEL 1	<ul style="list-style-type: none"> a) Possession of equipment, keys, appliances or furnishings not authorized by Student Housing or NVIT.
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LEVEL 3	<ul style="list-style-type: none"> b) Theft or possession of stolen property.
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22. VIOLENCE AND AGGRESSION

Note: Violent or aggressive behaviour of any kind is not permitted in Student Housing. This includes behaviour such as physical force potentially causing hurt or damage to someone/something, and/or behaviour that threatens another member of the community. Violence and aggression includes but is not limited to physical or verbal acts.

LEVEL 3	<ul style="list-style-type: none"> a) Any communication or behaviour that is perceived as offensive, abusive, unwanted, aggressive or threatening. b) Any behaviour (consensual or not) that causes or has the potential/intent to cause physical or emotional harm. These behaviours include, but are not limited to: hitting, punching, slapping, kicking, pushing, pulling, bullying, stalking, fighting, intimidation, retaliation and threats of violence. c) Any behaviour deemed to be a physical assault.
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23. WEAPONS

Note: A weapon is defined as any device that is designed for (or could be used for) the purpose to intimidate, threaten, harm or kill. Examples of weapons include and are not limited to: handguns, rifles, air guns, pellet guns, paintball guns, BB guns, crossbows, swords, hunting knives, fishing knives, martial arts weapons, brass knuckles, replica weapons, or any other prohibited device as defined in the Criminal Code of Canada. Ammunition is defined by any replica or real materials fired, scattered, dropped, detonated from any weapon. This includes live and dead bullets, arrows, grenades, etc. Ammunition and replica ammunition are also prohibited in housing.

LEVEL 3

- a) Possession, storage, use or threatened use of a weapon and/or replica weapons.

SANCTIONS

Sanctions are consequences for behaviour that violates the HCLS, Student Housing Agreement, or NVIT policies. These sanctions are explained in detail, including any relevant deadlines or payment information in a Decision Letter written by Housing Staff. Sanctions are intended to be primarily educational and restorative in nature. Sanctions may be used independently or in combination for any single violation. Repeated and/or multiple violations shall increase the severity of sanctions applied, as determined by a resident's point total. In most circumstances, the following range of sanctions may be assigned to residents at each tier of cumulative point totals.

Tier I Residents with 1-3 Total Points

- a) **Warnings** - a verbal or written caution that continuation or repetition of the offending behaviour will constitute more serious sanctions in the future.
- b) **Community Service** - tasks or roles assigned as sanctions, which contribute positively to the reputation, welfare or condition of the Housing or surrounding community.
- c) **Disposal/Removal of Items** - removal of items from the Housing that violate the Housing Community Living Standards.
- d) **Educational Sanctions** - tasks assigned as a sanction designed to promote learning and development.
- e) **Fines** - a sanction applied to a Resident whereby they are required to pay a monetary fee.
- f) **Loss of Privileges** - a sanction that places restrictions on certain privileges of the Resident.
- g) **Restitution** - payment for damage or loss experienced by NVIT, Housing, Residents, Guests or others.

Tier II Residents with 4-8 Total Points

- h) All Tier I Sanctions.
- i) **Communication Ban** - a sanction that limits the privilege of a Resident to communicate freely with another Resident.
- j) **Transfer/Relocation** - a sanction that will reassign accommodation either within the Housing Complex or to a location off campus
- k) **Persona non grata (PNG) or Trespass Notice** - a sanction given to an individual who is denied the privilege to enter Housing. The PNG individual is also prohibited from attending any housing events which occur outside of the building. A copy of the PNG letter is filed with Campus Security. A PNG individual found or seen in housing at any time will be reported to Campus Security and may be subject to further sanctions under Housing or NVIT policies.
- l) **Denial of Readmission to Housing** - a sanction given to a Resident who will not be permitted to live in housing in the future.
- m) **Housing Probation** - a sanction applied as a deterrent against future violations. Any future violations of the HCLS of any kind may result in eviction.
- n) **Behavioural Contract** - a signed contract between a Resident and Housing Management addressing behaviour that may or may not be covered by the HCLS, to comply with conditions of conduct and to refrain from specified conduct as detailed in the Behavioural Contract. Violations of the terms a behavioural contract may lead to eviction.

Tier III Residents with 9+ points

- o) All Tier I and II Sanctions.
- p) **Eviction** - termination of the Resident's Student Housing Agreement (contract) with the Housing.
- q) **Recommendation for Charges of Non-Academic Misconduct** - a sanction where Housing Staff make a formal recommendation to NVIT to investigate and/or charge the Resident with non-academic misconduct.

PRIMARY AND SECONDARY CONTACTS

Every resident is required to identify two people as their Primary and Secondary contacts. It is suggested that these people are parents or legal guardians of the resident, as they serve as emergency contacts. They may also be contacted if any other significant concerns

or problems arise with the resident, such as significant violations of the Housing rules, late payments or fees, or concern for their well-being. Sections 5.01 and 5.02 of the SHA provide more details about the Primary and Secondary Contacts.

6. JUDICIAL PROCEDURES

PRINCIPLES OF NATURAL JUSTICE AND PROCEDURAL FAIRNESS

The Principles of Natural Justice and Procedural Fairness must prevail in Judicial

Procedures to uphold the principle that justice must not only be done, but be seen to be done. The principles are explained below:

- (a) The Student has the right to be informed of the allegation(s) of Offense(s).
- (b) The Student is entitled to an opportunity to respond to allegation(s) of Offense(s) at a meeting with Student Housing Staff and is also entitled to a reasonable notice of the time, place and nature of the meeting.
- (c) The Student is presumed not to be guilty of the alleged Offense(s) until an impartial and unbiased Decision-maker has determined the Offense(s).
- (d) The Student is entitled to reasonable disclosure of evidence of the Incident Report prior to a decision. Fact-finding occurs at a meeting with the Decision-Maker.
- (e) At meetings to discuss level three offenses, the Student is entitled to call a reasonable number of witnesses to the meeting to discuss alleged Offense(s). This must be arranged with the decision-maker prior to the meeting.
- (f) The Student is entitled to be advised in writing of the Decision about the alleged Offense(s) and the Sanction(s) applied, (if any). The Decision about guilt or innocence and any associated Sanction(s) should be made within a reasonable time.

STANDARD OF PROOF

The information necessary to prove that an offense has occurred is referred to as the standard of proof. Outside of a criminal court of law, the model used in most civil cases and in fact by most educational institutions is called the Balance of Probabilities. This is the standard of proof used by Campus Living Centres within NVIT Student Housing. The standard of proof has been met if at the conclusion of an investigation, based on all credible information, the Student Housing Staff believes that the incident reported probably occurred. This means that the information provided in the Incident Report and in the judicial meeting demonstrated that the violation is more likely than not to have occurred. The standard of proof for criminal cases is beyond a reasonable doubt, which does not apply in Student Housing Judicial Procedures.

INCIDENT REPORTS AND JUDICIAL MEETINGS

A summary of the Judicial Process is presented in the chart following this section.

Student Housing Staff will record behaviours, actions or negligence that may be Offenses against HCLS in Incident Reports. When necessary, the Incident Report may also include appendices, such as e-mails, photographs, or Security, Police, or Fire reports. Student Housing Staff will notify the Student(s) of the alleged Offense(s) and will notify them of a meeting to discuss the matter.

The purpose of a Judicial Meeting between a Student and a Student Housing Staff member is to investigate allegations of offenses detailed in an Incident Report. This is the opportunity for Students to be heard and explain their behaviour to the Student Housing Staff member. While these meetings must comply with the Principles of Natural Justice and Procedural Fairness and may result in formal sanctions, they are not designed to be highly formal in nature. At the conclusion of the meeting the Student Housing Staff member will follow-up with the Student in writing with a Decision Letter, which will outline all necessary decisions about offenses, sanctions and any related deadlines. If the Student fails to attend the Judicial Meeting with the Student Housing Staff member, the Student Housing Staff member may choose to proceed and make a decision based upon all evidence available.

COMMUNICATION BETWEEN STUDENT(S) AND STUDENT HOUSING STAFF

Student Housing Staff will endeavor to communicate with Students via the following methods to discuss Incident Reports, deliver Decision Letters, and any other important aspects of the judicial process: (a) a telephone call to the student's phone provided to them in their room or the phone number on their student housing application, (b) an e-mail to their NVIT e-mail account or the account provided in their application, (c) a letter placed in a Students mailbox or under a Students room door, or (d) in person. Attempts to contact and communicate with a Student are deemed to be satisfactory when any two of the above methods have been used by Student Housing Staff.

STUDENT HOUSING JUDICIAL PROCESS		
Incident Report <i>Alleged violations of the HCLS are documented by Student Housing Staff in an Incident Report</i>		
Alleged Level 1 & 2 Offenses Judicial Meeting with HC and/or Residence Life Manager Student(s) meet with the HC and/or Residence Life Manager to review the Incident Report.	Alleged Level 3 Offenses Judicial Meeting with GM Student(s) meet with the GM to review the Incident Report	
Decision Letter HC and/or Residence Life Manager communicates decision about allegations, offenses, and sanctions to Student(s) in writing.	Incident Referred to GM In situations where Student(s) are repeat offenders, the Incident will be referred to the GM.	Decision Letter <i>GM communicates decision about allegations, offenses, and sanctions to Student(s) in writing.</i>

STUDENT EMERGENCY PROCEDURES

Although the three levels of Offences and the Judicial Procedures are intended to apply to most situations related to behaviour, there are conditions that warrant a heightened level of concern for safety, security, health and wellbeing. These conditions require special authority and guidelines. The following procedures ensure a swift, effective response to conditions to protect Student's, other individuals, and the Institution. In consultation with the Institution, and in accordance with the Institution's emergency procedures and protocols, the General Manager of Student Housing is granted extraordinary authority to respond to Student Housing Emergencies.

STUDENT EMERGENCY AUTHORITY

In consultation with the Institution, and in accordance with the Institution's emergency procedures and protocols, the General Manager is authorized to determine if Student Emergency conditions exist, which is defined by the following:

- (a) evidence that a Student or staff has been harmed or appears to be in danger of harm,
- (b) evidence that a Student or staff has harmed or poses a threat to harm another individual or the community,
- (c) Student or staff has inflicted self-harm or appears to be in danger of doing so.

In response to a Student Emergency Situation, the General Manager is authorized to:

- (a) determine, quickly and directly, Student Housing's response to a Student Emergency
- (b) act in all matters associated with a Student Emergency
- (c) suspend other rules in order to invoke a swift response to a Student Emergency
- (d) share any and all related information with Security Services, the Police or emergency response personnel.

STUDENT EMERGENCY RESPONSE AND SANCTIONS

In consultation with the Institution, and in accordance with the Institution's emergency procedures and protocols, the General Manager is authorized to:

- (a) turn the matter immediately over to appropriate authorities
- (b) immediately relocate the Student (s) involved in a Student Emergency within Student Housing or off campus, pending a meeting with the Student
- (c) authorize an Exclusion, which takes effect immediately and without notice, pending a meeting with the Student, having the effect that a Student identified by the General Manager or other Student Housing Staff as being involved in a Student Emergency:
 - a. is prohibited from accessing any service or facility of the Student Housing
 - b. may be escorted from Student Housing and/or the campus
- (d) determine Sanction(s) at Levels 1, 2, and 3 (including eviction), following a meeting with the Student.

**NICOLA VALLEY INSTITUTE OF TECHNOLOGY STUDENT HOUSING
COMPLAINT/APEAL PROCESS**

Outcome of Judicial Process	Decision Letter from HC and/or Residence Life Manager for Level 1 & 2 Offences	Decision Letter from GM for Level 3 Offences or Level 1 & 2 Repeat Offences	Decision Letter from GM for Eviction
Informal Complaint	Student and HC and/or Residence Life Manager Meeting <i>Student presents new information and/or alternate sanctions to HC and/or Residence Life Manager for consideration.</i>	Student and GM Meeting <i>Student presents new information and/or alternate sanctions to GM for consideration.</i>	No Informal Complaint
Appeal Request	No Appeal Request Form	Appeal Request Form <i>Student meets with designated NVIT employee(s) to receive & complete the form to request a Formal Appeal</i>	Appeal Request Form <i>Student meets with designated NVIT employee(s) to receive & complete the form to request a Formal Appeal</i>
Formal Appeal	Appeal Meeting with GM Student presents new information and/or alternate sanctions to GM for consideration	Meeting with Appeal Hearing Committee Student meets with Appeal Hearing Committee for final decision.	Meeting with Appeal Hearing Committee Student meets with Appeal Hearing Committee for final decision.

APPEAL PROCEDURES

A summary of the Appeal Procedures is presented in the chart following this section. The following general principles apply to all appeals:

- (a) The Principles of Natural Justice and Procedural Fairness must prevail in Appeal Procedures to ensure compliance with the principle that justice must not only be done, but be seen to be done.
- (b) Any student found in violation of the RLCS is entitled to submit an appeal, based in the grounds for an appeal mentioned below.
- (c) A student has 72 hours from the date they receive their Decision Letter to start the appeal process. Staff will endeavour to respond to appeal requests within 72 hours of receiving them.
- (d) Depending on the original decision rendered the appeal process proceeds via one of two processes: the Appeal Process or the Eviction Appeal Process, which are detailed below.

THE APPEAL PROCESS

Students may choose to follow up with the decision maker by scheduling a meeting in order to better understand the decision or sanction(s) related to their incident. Should a student believe that there are issues with the finding of responsibility or sanctions related to their incident, they always have the right to appeal the decision.

- (a) The Appeal Process is in place for all decisions excluding Eviction.
- (b) Students may complete an Appeal Request Form and submit it to the Student Housing Office, within 72 hours of receiving the decision letter. The student requesting an appeal must demonstrate that they have grounds, which includes providing evidence of one of the following items:
 - i. **Bias:** Alleged and reasonable apprehension of bias of the Decision-maker who imposed the sanction(s).
 - ii. **Procedural Fairness:** Alleged substantive failure by the Decision-maker to comply with the Principles of Natural Justice and Procedural Fairness, which may have affected the decision.
 - iii. **New information:** Substantive new evidence which could not have been available to the Decision-maker when making the decision.
 - iv. **Alternative Sanctions:** The resident may request for their sanction(s) to be altered because the sanction(s) assigned are unduly burdensome, either because they are disproportionate to the violation and escalating conduct

process, or because circumstances individual to the respondent render the sanction(s) more burdensome than they would typically be.

- (c) Once the Appeal Request Form is received, a Housing Manager other than the initial decision maker will review the appeal request within 72 hours. If the appeal is granted, the GM (or designate) will set-up an Appeal Meeting with the resident(s).
- (d) The individual or committee considering the appeal may, after reviewing the case:
 - i. uphold the findings and/or sanctions;
 - ii. reverse the findings; or
 - iii. reverse or modify the sanctions.
- (e) During an appeal, all sanctions (minus financial sanctions) remain valid until they are reversed or modified by the individual or committee hearing the appeal. Financial sanctions will not be applied until a decision has been made.
- (f) All decisions made in an appeal are final and are not subject to further appeals.

THE EVICTION PROCESS

- (a) If the student has grounds for an appeal, the student may complete the Appeal Request Form and submit it to the Designated NVIT employee(s), within 72 hours of receiving the eviction. The student requesting the appeal must demonstrate that they have grounds, which includes providing evidence of one of the following items:
 - i. **Bias:** Alleged and reasonable apprehension of bias of the Decision-maker who imposed the sanction(s).
 - ii. **Procedural Fairness:** Alleged substantive failure by the Decision-maker to comply with the Principles of Natural Justice and Procedural Fairness, which may have affected the decision.
 - iii. **New information:** Substantive new evidence which could not have been available to the Decision-maker when making the decision.
- (b) Once an eviction Appeal Request Form is received, Designated NVIT employee(s) (or designate) will review the grounds for the appeal and make a decision to either deny the appeal or set-up an Eviction Appeal Hearing. The student(s) will be contacted within 72 hours to notify them of this outcome.
- (c) If the appeal is granted, the designated NVIT employee(s) will set-up the Eviction Appeal Committee, which will be comprised of three (3) members of the Housing Advisory Committee. One of the members of the Eviction Appeal Committee must be a student, and one member must be a member of Student Housing Senior Management. Students appealing an eviction will be provided with additional information about Appeal Hearing procedures.
- (d) The Eviction Appeal Committee will communicate a decision in writing to the student. The committee will review all evidence and may decide to:
 - i. uphold the findings and/or sanctions;
 - ii. reverse the findings; or
 - iii. reverse or reduce the sanctions.
- (e) During an appeal, all sanctions (minus financial sanctions) remain valid until they are reversed or modified by the individual or committee hearing the appeal. Financial sanctions will not be applied until a decision has been made.
- (f) All decisions made in an Eviction Appeal Hearing are final and are not subject to further appeals.

APPEAL MEETING PROCEDURES (Levels 1 - 3)

In this section, the student appealing the eviction is referred to as the appellant.

1. The hearing will proceed as scheduled, even if the appellant does not attend.
2. The appellant may bring witnesses to the appeal hearing. Participation of witnesses shall be limited to providing evidence and responding to questions from the appeal committee. Witnesses may be present at the hearing only when providing evidence or responding to questions from the appeal committee.
3. The appellant may bring one support person to the appeal hearing; however, support persons shall not participate in the appeal unless called on by the Chair to do so. Participants are required to provide the name and relationship of their support person to the Appeal Committee a minimum of 48 hours prior to the hearing.

EVICTION APPEAL HEARING PROCEDURES

In this section, the student appealing the eviction is referred to as the appellant and the Student Housing staff whose decision is being appealed is referred to as the respondent.

1. The hearing will proceed as scheduled, even if the appellant or the respondent do not attend.
2. The appellant and respondent may bring witnesses to the appeal hearing. Participation of witnesses shall be limited to providing evidence and responding to questions from the appeal committee. Witnesses may be present at the hearing only when providing evidence or responding to questions from the appeal committee.
3. The appellant and respondent may bring one support person to the appeal hearing; however, support persons shall not participate in the appeal unless called on by the Chair to do so. Participants are required to provide the name and relationship of their support person to the Appeal Committee a minimum of 48 hours prior to the hearing.

4. The appeal hearing shall proceed as follows:
 - a. An initial briefing and review of the case by the committee members;
 - b. Presentation of the case by the appellant;
 - c. Presentation of information by the respondent;
 - d. Subsequent re-examination of either party or any witnesses if required.
5. Each appeal shall be considered independently and on its own merits.
6. The Appeal Committee will carefully consider only:
 - a. The appeal grounds;
 - b. The evidence supporting the grounds presented orally (during the hearing);
 - c. The written evidence presented in the appeal letter, appeal request form and supporting documents;
 - d. The written evidence presented in the respondent's response submission;
 - e. Any written evidence accepted by the appeal committee from the appellant or respondent during the hearing, providing that the appellant and respondent both had a reasonable opportunity to read, understand and respond to the document.
7. At no time should the committee deal with any matter outside the specific concerns set out in the request for appeal.
8. The burden of proof in a disciplinary appeal rests with the appellant, who must make a case to convince the appeal committee to decide in the appellant's favour.
9. All information reviewed and discussed during an appeal shall remain confidential.
10. In addressing the appellant's specific concern(s), the appeal committee should feel free to direct the parties to provide and produce additional material or witnesses directly related to the appeal.

STUDENT HOUSING APPEAL PROCESS	
Appeal Request Form Resident completes this form to request an appeal	
Levels 1-3 Appeal Process	Appeal Meeting with Manager Student presents appeal based on listed grounds to a Manager for consideration. All decisions made by the Manager hearing the appeal are final.
Eviction Appeals	Appeal Meeting with Eviction Appeal Committee Student (appellant) and Student Housing Staff (respondent) meet with the committee for consideration of the eviction appeal. All decisions made by the Eviction Appeal Committee are final.