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| **EFFECTIVE:** | January 2020 | **SUPERSEDED BY:** | HUCSC Constitution, HUCSC Bylaw 1  |
| **AUTHORITY:** | HUCSC GA | **RATIFIED BY:** | HUCSC GA |
| **RELATED DOCUMENTS:** |  | **DATE:** | January 2020 |

**PREAMBLE**

The Huron University College Students’ Council is proud to form a community that welcomes creative expression and constructive discussion while recognizing that reasonable standards of conduct must be upheld. While we strive to create an inclusive community, we also acknowledge the colonial underpinnings of our campus and the systemic barriers that disproportionately disadvantage marginalized communities at Huron. We strive to dismantle discriminatory systems of oppression and work towards making our campus more equitable.

This policy ensures that every space the HUCSC or any HUCSC ratified group directly runs, operates out of, or uses for any of its events is safe for all members of the Huron community. Additionally, this policy ensures that all people and groups associated with the HUCSC act in a manner that is consistent with our vision of an open, dynamic, and welcoming community that is free from harassment or discrimination of any kind.

Where appropriate, application of this Policy should take place in consultation with other resources available at Huron, the HUCSC or Western - including Western’s Equity Services, Huron’s Community Safety Office, and HUCSC’s Equity AVP - in order to make informed decisions.

**1.00 DEFINITIONS**

1.01 “Act” or “Act of Expression” include but are not limited to:

(1) Posting, or causing any person to post, textual or graphical displays or displays that combine both text and graphics; and,

(2) Using speech or other forms of communication or causing any person to speak or use other forms of communication.

1.02 “Community space” means any space, online and offline, that the HUCSC or any HUCSC ratified group directly or officially runs, manages, operates out of, or uses for any events;

1.03 “Infringer” means a person in violation of or accused of violating this Policy;

**2.00 APPLICATION**

2.01 This Policy shall apply to:

(1) All persons and groups that use, or attempt to use, community space under the jurisdiction of the HUCSC, including but not limited to the HUCSC Council Offices, the Beaver Dam and Student Activities Centre, and the Music Room;

(2) All members, staff, volunteers, or other persons or groups reasonably considered a part of the HUCSC who are acting on behalf of or in any way representing the HUCSC at Huron, Western, or any of Western’s affiliated colleges; and,

(3) Off-campus acts by an individual acting as, or presenting themselves as acting as, a designated representative of either the HUCSC or a student organization ratified by the HUCSC.

**3.00 PROHIBITED CONDUCT**

3.01 Acts of expression within a community space are strictly prohibited if such acts are deemed objectionable according to this Policy by the HUCSC President and Vice-President Finance and Administration, the Clubs Standing Committee, or the Executive Council. Without limiting the generality of the foregoing, the following list sets out specific examples of objectionable acts of expression. This list is illustrative only and is not intended to define objectionable acts in exhaustive or exclusive terms. Acts that are deemed objectionable may include those that:

(1) Willfully promote unjustified hatred against any identifiable group including but not limited to those groups outlined within the Ontario Human Rights Code;

(2) Breach the Huron Student Code of Conduct or the Western Code of Student Conduct;

(3) Cause a disruption that obstructs or impairs the ability of any person or group from carrying out their legitimate activities, including speaking or associating with others;

(4) Constitute misconduct or dangerous activity against any person, including but not limited to:

1. Assault, harassment, intimidation, threats or coercion;
2. Conduct that threatens or endangers the health or safety of any person or group;
3. Knowingly, or where one can be reasonably expected to have known, creating a condition that endangers the health, safety, or well-being of any person;
4. Coercing, enticing, or inciting a person to commit an act that is humiliating or demeaning to that person or others.

(5) Knowingly provide false information to any group or person;

(6) Violate published University policies, rules or regulations;

(7) Aid or encourage others in the commission of an act prohibited under this Policy or attempt to commit an act prohibited under this Policy;

(8) Fail to comply with any sanctions imposed by the Executive Council or Clubs Standing Committee for infringing this Policy;

(9) Partake in any other act that has, or might reasonably be seen to have, an adverse effect on the image or the function of the HUCSC or the health, safety, or rights of other persons or groups.

1. **ACTS OF EXPRESSION BY CLUBS**

4.01 During an Act:

1. Immediate Authority: The HUCSC President and Vice-President Finance and Administration have the authority to decide whether an act of expression infringes on this Policy and to terminate the act immediately.

i. The person or group in violation has the right to request that the termination notice and explanation be submitted in writing.

(2) Disciplinary Authority: All decisions to terminate an act made by those identified above will come before the Clubs Standing Committee within four weeks to allow the Committee to decide whether to take further disciplinary action.

i. The Clubs Coordinator shall make a recommendation to the Clubs Standing Committee on what further disciplinary action should be taken based on the following:

a. Those who exercise immediate authority shall, collectively, provide a written report of the incident to the Clubs Coordinator; and,

b. The infringer shall provide a written statement to the Clubs Coordinator.

ii. The Clubs Standing Committee shall make its decision in accordance with this Policy and with the Clubs Policy.

4.02 After an Act:

(1) Any person or group may file a complaint under this Policy with the Clubs Standing Committee.

i. A complaint must include:

a. An outline of the circumstances of the alleged contravention of this Policy;

b. The name of the infringer; and,

c. The name and signature of the complainant and the date signed.

(2) The Clubs Coordinator shall inform the infringer within 24 hours that a complaint has been issued against them and that a hearing will be conducted by the Clubs Standing Committee.

(3) The Clubs Coordinator must bring the complaint before the Clubs Standing Committee for discussion and to decide the appropriate course of action.

* + 1. The Clubs Standing Committee shall conduct a hearing in accordance with the Clubs Policy;
		2. All those involved in the incident, including the infringer, may

 submit a written statement to the Clubs Standing Committee.

4.03 The Clubs Standing Committee shall provide a written report outlining its decision and reasons used to arrive at its decision to the infringer and the complainant.

4.04 Throughout the complaint process, the nature and details of the complaint will be kept confidential by the Clubs Standing Committee, the Clubs Coordinator, and all resources consulted.

**5.00 OTHER PERSONS OR GROUPS ASSOCIATED WITH THE HUCSC**

5.01 This section applies to all persons or groups affiliated with the HUCSC other than those organizations ratified through the clubs procedure. This includes, but is not limited to:

(1) Members, both Ordinary and Resource, of Council;

(2) Volunteers or employees of the HUCSC; and,

(3) Members of intramural teams or other teams sponsored by, funded by, or representing the HUCSC.

5.02 During an Act:

(1) Immediate Authority: The HUCSC President and Vice-President Finance and Administration have the authority to decide whether an act of expression infringes this policy and to terminate the act immediately.

i. The person or group in violation has the right to request that the termination notice and explanation be submitted in writing.

 (2) Disciplinary Authority: All decisions to terminate an act made by those identified above will come before the Executive Council within four weeks to allow the Committee to decide whether to take further disciplinary action.

i. The Speaker shall make a recommendation to the Executive Council on what further disciplinary action should be taken based on the following:

a. Those who exercise immediate authority shall, collectively, provide a written report of the incident to the Speaker; and,

b. The infringer shall provide a written statement to the Speaker.

 ii. The Executive Council shall make its decision in accordance with this Policy and with the Clubs Policy.

5.03 After an Act:

(1) Any person or group may file a complaint under this Policy with the Executive Council.

 i. A complaint must include:

 a. An outline of the circumstances of the alleged contravention of this Policy;

 b. The name of the infringer; and,

 c. The name and signature of the complainant and the date signed.

(2) The Speaker shall inform the infringer within 24 hours that a complaint has been issued against and that a hearing will be conducted by the Executive Council.

 (3) The Speaker must bring the complaint before the Executive Council for discussion and to decide the appropriate course of action.

 i. The Executive Council shall conduct a hearing in accordance with this Policy;

 ii. All those involved in the incident, including the infringer, may submit a written statement to the Executive Council.

5.04 The Executive Council shall provide a written report outlining its decision and reasons used to arrive at its decision to the infringer and the complainant.

5.05 Throughout the complaint process, the nature and details of the complaint will be kept confidential by the Executive Council, the Speaker, and all resources consulted.

**6.00 SANCTIONS**

6.01 Any student found responsible for misconduct may be subject to the disciplinary sanctions of this Policy, regardless of the action or inaction of civil authorities. Nothing in this Policy precludes the HUCSC from referring an individual matter to the appropriate law enforcement agency before, during, or after disciplinary action is taken by the Executive Council or Clubs Standing Committee under this Policy.

6.02 The Executive Council may impose one or more sanctions for infringing this Policy, including, but not limited to:

(1) Restricting or banning access to use HUCSC community space for acts of expression for a period of time to be determined by the Executive Council or Clubs Standing Committee;

(2) Imposing conditions to access HUCSC community space, such as requiring consultation with the Executive Council before usage of such space for acts of expression, or public or private apologies

6.03 Where a club has infringed this Policy, those with Immediate Authority will make recommendations to the Clubs Standing Committee who will decide the appropriate sanctions according to this Policy and the Clubs Policy.

6.04 Where an individual council member, volunteer, or staff member violates this policy, sanctions may include suspensions, dismissal, and denial of co-curricular recognition.

**7.00 PROCEDURAL AUTHORITY**

7.01 Further Procedures necessary for the effective and efficient implementation of this policy shall be established and amended as necessary by the General Assembly.

(1) The scope of such Procedures is limited to the scope of this Policy.

(2) In the event of any conflict, this Policy supersedes any documents created under it.

(3) Any new Procedures and amendments to any existing Procedures must be ratified by Council before taking effect.