



## **February 11, 2010 – Board of Governors Meeting**

The following Motions were approved by the Board of Governors in the Public Session of its meeting of February 11, 2011:

### **Item 4.1**

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Agenda Title: **2010-2011 Revised Terms of Reference for the Board Finance and Property Committee**

#### **MOTION:**

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, recommend that the Board of Governors approve the proposed Terms of Reference for the Board Finance and Property Committee, as set forth in Attachment 1 to the agenda documentation.

**CARRIED**

*Note: Approved Terms of Reference will be posted on the University Governance web site at:  
<http://www.governance.ualberta.ca/en/BoardofGovernors/BoardFinanceandPropertyCommitt.aspx>*

### **Item 5.1**

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Agenda Title: **2010-2011 Revised Terms of Reference for the Board Human Resources and Compensation Committee**

#### **MOTION:**

THAT the Board of Governors, on the recommendation of the Board Human Resources and Compensation Committee, approve the proposed Terms of Reference for the Board Human Resources and Compensation Committee, as set forth in Attachment 1 to the agenda documentation.

**CARRIED**

*Note: Approved Terms of Reference will be posted on the University Governance web site at:  
<http://www.governance.ualberta.ca/BoardofGovernors/BoardHumanResourcesandCompensa.aspx>*

### **Item 6.1**

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Agenda Title: **2010-2011 Revised Terms of Reference for the Board Investment Committee**

#### **MOTION:**

THAT the Board of Governors, on the recommendation of the Board Investment Committee, approve the proposed Terms of Reference for the Board Investment Committee, as set forth in Attachment 1 to the agenda documentation.

**CARRIED**



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### Item 7.1

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Agenda Title: **Proposed New Residence Community Standards and Rescission of Existing Standards (Section 98 of the GFC Policy Manual)**

**Motion I:**

THAT the Board of Governors, on the recommendation of the Board Learning and Discovery Committee, approve the proposed new Residence Community Standards, as submitted jointly by the Offices of the Dean of Students, Student Judicial Affairs, and Residence Services and as set forth in Attachment 3, and approve the concurrent rescission of Section 98 (*Residence Community Standards*) of the GFC Policy Manual, and as set forth in Attachment 10, all to be implemented September 1, 2011, with 2010-2011 to be employed both as a transition and training year.

**CARRIED**

**Motion II:**

THAT the Board of Governors, on the recommendation of the Board Learning and Discovery Committee, delegate to the University of Alberta's Residence Services and the appropriate Residents' Associations the authority to create and revise, as necessary, the 'Residence Specific Rules' for each residence community, in accordance with the relevant Memoranda of Agreement (MOA) that will be negotiated between Residence Services and the Residents' Associations in 2010-2011, all to take effect September 1, 2011.

**CARRIED**

**Note:** *It is understood that the 'Residence Specific Rules', once established in accordance with the relevant MOA, will be provided to General Faculties Council and the Board of Governors for information prior to formal implementation.*

Agenda Documentation:

[Item 7.1 – Attachment 3: University of Alberta Residence Community Standards Policy](#)

[Item 7.1 – Attachment 10: Rescission of GFC 98](#)

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### Item 7.2

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Agenda Title: **Human Research Ethics Policy and Procedures (in UAPPOL)**

**Motion:**

THAT the Board of Governors on the recommendation of the Board Learning and Discovery Committee approve: (a) the proposed Human Ethics Research Policy (as set forth in Attachment 2), Human Research Ethics Board Structure, Application and Review Procedure (as set forth in Attachment 3); Human Research Ethics Appeals Procedure (as set forth in Attachment 4); and Human Research Ethics Policy (Appendix A) – Roles and Responsibilities of Research Ethics Boards and their Members, the Research Ethics Office and the Director of Human Research Ethics (as set forth in Attachment 5) (all in UAPPOL), as submitted by the Office of the Vice-President (Research), all to take effect upon final approval; *and* (b) the corresponding rescission of GFC Policy Manual Section 66 (*Human Research – University of Alberta Standards for the Protection of Human Research Participants*), to take effect ninety (90) days following final approval of the (above-noted) new Policy and Procedures.

**CARRIED**

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Agenda Documentation:

[Item 7.2 – Attachment 2:](#) Human Research Ethics Policy (pages 1 – 6)

[Item 7.2 – Attachment 3:](#) Human Research Ethics Board Structure, Application and Review Procedure (pages 1 – 7) Item

[Item 7.2 – Attachment 4:](#) Human Research Ethics Appeals Procedure (pages 1 – 5)

[Item 7.2 – Attachment 5:](#) Human Research Ethics Policy (Appendix A) – Roles and Responsibilities of Research Ethics Boards and their Members, the Research Ethics Office and the Director of Human Research Ethics (pages 1 – 3)

Note: The following documents were included in the agenda material received by Board Members for information:

[Item 7.2 – Attachment 6:](#) Communication and Implementation Plan for Human Research Ethics Policy and Procedure (pages 1 – 4)

[Item 7.2: Attachment 7:](#) Table of Proposed Research Ethics Boards (REB) (page 1)

[Item 7.2: Attachment 8:](#) General Ethics Review Process (Flowchart) (page 1)

Note: Final approved policy and procedures will be posted on the UAPPOL web site at:

[https://www.conman.ualberta.ca/stellent/groups/public/@ppoladmin/documents/infodoc/pp\\_ppol-home.hcsp](https://www.conman.ualberta.ca/stellent/groups/public/@ppoladmin/documents/infodoc/pp_ppol-home.hcsp)

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### Item 7.3

Agenda Title: Proposed Use of Copyright Materials Policy (in UAPPOL)

**Motion:**

THAT the Board of Governors, on the recommendation of the Board Learning and Discovery Committee, approve the proposed Use of Copyright Materials Policy (in UAPPOL), as set forth in Attachment 1 to the agenda documentation, to take effect upon final approval.

**CARRIED**

Agenda Document:

[Item 7.3: Attachment 1:](#) Use of Copyright Materials Policy

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### Item 7.4

Agenda Title: **2010-2011 Revised Terms of Reference for the Board Learning and Discovery Committee**

**MOTION:**

THAT the Board Learning and Discovery Committee recommend that the Board of Governors approve the proposed Terms of Reference for the Board Learning and Discovery Committee, as set forth in Attachment 1 to the agenda documentation.

**CARRIED**

Note: Approved Terms of Reference will be posted on the University Governance web site at:

<http://www.governance.ualberta.ca/BoardofGovernors/BoardLearningandDiscoveryCommi.aspx>

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## RESIDENCE COMMUNITY STANDARDS CONSULTATION

JULY 2009 THROUGH NOVEMBER 19, 2010

AREA	NAMES	DATES
Residence Services	Dima Utgoff, Neil Buddel	Multiple meetings; May 2009 through November 2010
	Augustana Res Life – Angela Chappel, Rob Ford, Mark Chytracek	November 4, 2009 February 18, 2010
	Residence Life Leadership Team	November 25, 2009 May 6, 2010 July 29, 2010
	Residence Area Coordinators – Chris Fukushima and Brett Philips	January 22 & 26, 2010 February 5 & 10, 2010
	Residence Services Communications – Lyndsay MacLeod	March 23, 2010
	Residence Services Management Team	August 4, 2010
Students	<b>Residents' Housing Association (RHA)</b> – Jaiman Chin Full committee Arlo Grundberg	September 25, 2009 February 11, 2010 May 12, 21 & 27, 2010 June 17, 2010 July 7, 2010 August 3 & 25, 2010
	<b>Lister</b> - Rory Tighe (LHSA)  Dustin Edwards (LHSA)  Graham Walton (LDA)	September 18, October 22, November 17, 2009, April 6 & 13, 2010  May 12, 17 & 27, June 8 & 17, August 25, 2010  September 24, 2009
	<b>HUB</b> – Matthew Benesch (HDA) Julia Pon (HCA) Ken Humphreys (HDA)	October 27, 2009 November 13, 2009 October 29, 2009, September 3, 2010
	<b>Students' Union</b> – Nick Dahod, Rory Tighe    James Eastham	October 19, 2009 May 27, 2010, June 17, 2010, July 7, 2010, August 3 & 25, September 9 & 30, October 8, November 17, 2010    September 9, November 17, 2010
	<b>Graduate Students Association</b> –	

	Roy Coulthard Andrea Rawluk  Cecilia Lee Tamara Korassa	May 28, September 17, November 4, 2010 September 9 & 17, November 15, 2010 September 9 & 17, 2010 November 17, 2010
	Open student/staff workshop	December 1, 2009
	Open student forum	March 11, 2010
	Newton Place - Sami Shariff (NPRA)	August 31, 2010
Administration	Frank Robinson, VP & Dean of Students	Multiple meetings: May 2009 through November 2010
	Doug Dawson	Updated regularly by Dima Utgoff
	VP F & O office – Mary Paul, Colleen Warren UAPPOL – Monda Wadsworth Blanche	August 20, 2009 November 13 & 30, 2009
	Residence Service Admin – Darlene Hemrick Ancillary Services – Geoffrey Rode	November 30, 2009, Regularly updated by Dima Utgoff
	Roger Epp, Augustana Faculty	September 16, 2010
Legal Counsel	Brad Hamdon, General Counsel	Regular updates
	Greg Harding, Field Law	July 3, October 6, 2009 February 24, April 20, May 11, June 3 & 10, August 26, September 14, 2010
Internal	Information & Privacy – Harry Davis	August 5 & 12, 2009
	Campus Security – Al Belanger	August 29, 2009
	Student OmbudService – Adam Williams	September 10, 2009, January 27, 2010
	Natalie Sharpe, Lara Apps Chase Hollman	March 1, 2010 August 24, 2010
	CLRC, for information and advice	November 26, 2010 February 25, 2010 September 23, 2010
	SIG, for information and advice	December 1, 2009
	University Governance – Iva Spence & Garry Bodnar	May 31, June 3 & 10, 2010 September 30, 2010
	Shana Dion, Manager, Aboriginal Student Services Centre GFC Executive, for information and	August 13, 2010 August 30, 2010

	advice	
	Council on Student Affairs, for information and advice	September 23, 2010
External	<b>MacEwan College</b> – Clint Galloway (formerly of Univ. of Colorado, Boulder)	Oct. 7, 2009 June 13, 2010
	<b>McMaster University</b> – Corinna Fitzgerald Marcia Boniferno	October 15, 2009 June 22, 2010
	<b>UBC</b> – Janice Robinson and Robbie Morrison	October 20, 2009
	<b>York University</b> - Shadell Permanand Marcelle Mullings	October 30, 2009 June 22, 2010
	<b>Ryerson University</b> – Mickey Cirak	June 21, 2010
	<b>University of Toronto</b> – Nona Robinson	July 5, 2010

## **Residence Community Standards Project Executive Summary**

### **Background**

In spring 2009, D. Eerkes was assigned the task of reviewing the discipline system in Residence Services and re-writing the Community Standards. The review had been sparked by a number of longstanding issues, primarily but not exclusively related to on-going behavioural issues in residence. The aim was to devise a comprehensive but simplified residence discipline policy that was consistent with, and integrated into, the application of other University policies and procedures.

The existing residence discipline system is an adjunct to the University's general authority and responsibility with respect to student and University affairs, and the corresponding duties, obligations and powers that arise out of the contractual relationship that exists between the University as Landlord, and the students as tenants.

The existing residence Community Standards (GFC 98) consists of separate but similar rules and procedures for each residence community. It sets out a disciplinary system much like the Code of Student Behaviour with related rules and procedures. Several of the residence communities also offer peer discipline systems, in which residents hear and adjudicate alleged violations of the Community Standards.

### **The Review**

Consultations took place with interested constituents, including Residence Services; the Dean of Students; and legal counsel (internal and external). Specific and ongoing consultation also took place throughout with representatives of residence student groups, the Students' Union and the Graduate Students' Association.

In addition, a comparative analysis was conducted of the Residence oriented discipline systems of other post-secondary institutions, and of emerging student discipline trends generally.

Several key issues identified by University constituents included:

- The status quo was not working well (in terms of prevention, deterrence or effectively addressing issues of misconduct);
- Existing procedures were set out in lengthy, complicated policies that were unwieldy and, in a number of respects, not easily understandable;
- The accompanying procedures had become very similar to the Code of Student Behaviour (COSB), with the conduct at issue often overlapping with COSB provisions;
- While the separate sets of rules for each residence were slowly becoming standardized through incremental changes brought to CLRC, differing provisions across residences readily served to generate confusion;

- Residence Life staff were expected to engage in both community building and discipline, thereby causing a level of difficulty in maintaining a trust relationship with residents;
- Finally, the contractual relationship between student residents as tenants and the University as Landlord -- as intertwined in the discipline system -- was not clearly accounted for and delineated in the existing system. This, in turn, was seen as giving rise to potential uncertainty as to the Residence Contract procedures and powers, thereby exposing the University to potential risk.

On the positive side:

- The stakeholders in (and infrastructure of) the existing system could be seen to be knowledgeable and dedicated towards common objectives; in particular, enhancing the ability of the residence community to offer a comfortable, safe and secure living environment conducive to academic study and learning;
- The existing peer discipline system could be seen as beneficial in terms of affording students with an opportunity to get involved in their community; and
- Some residences have already been successfully incorporating informal resolution and restorative remedies.

Students provided the following feedback on the current system:

- Many viewed the existing system as overly punitive with an approach that discouraged the reporting of incidents and which undermined the residence community, while at the same time wasting resources and time;
- The existing system was seen as geared towards relatively few “problem” individuals but nevertheless with an impact on all residents;
- Student residents clearly wish to be empowered to deal with residence issues themselves. They were supportive of a process designed to encourage residents to think about their decisions and that emphasized changing behaviour and learning, rather than punishment.

### **The Proposal**

Any residence-oriented discipline “policy” adopted by the University can be seen as a voluntary delegation of the University’s rights and powers to act independently of that policy. The benefit of such a delegation is that students are engaged in a participatory living environment that is supportive of their individual and common interests, and which remains conducive to academic study and learning.

Nevertheless, the scope of any such delegation has to maintain and balance the broader interests and responsibilities of the University, including in terms of the duties, obligations and powers that arise out of the contractual relationship that exists between the University as Landlord and students as tenants.



The review process has resulted in a proposal to convert the nature of the existing residence discipline system. It does so by providing a community-based model that resolves specified residence behavioural issues and incidents through a restorative justice process – and leaving and reserving incidents and issues outside of that scope to be dealt with via other existing University powers, policies and mechanisms.

Key features of the proposed Residence Community Standards include:

- Establishing a comprehensive restorative justice mechanism;
- With the aim of eliminating redundancy between processes and providing transparency, clarification of how residence-related student discipline fits into both:
  - a) the contractual relationship that exists between students as tenants and the University as Landlord; and
  - b) the University’s general discipline model for students as set out in the COSB;
    - While allowing for the restorative justice model to address a defined scope of student behaviour, incidents and issues, the University retains its discretionary authority as Landlord with respect to other or more serious conduct – preserving its ability to act independently of the restorative justice process in matters, for example, such as eviction for non-payment of rent, or in circumstances where health or safety is at risk;
    - The COSB is also left to apply to all student resident activity (the concept being that in cases where a restorative justice process is appropriate, it will be the preferred approach, with resort to the COSB being left for more serious incidents).
    - Each of these objectives is accomplished by placing with the Residence Area Coordinator the decision-making as to whether the incident or matter in question is appropriate to be addressed via the restorative justice process, or whether it should be left to be addressed as a breach of the Residence Contract, or as a violation of the COSB, or both.
- A full review of the policy will be conducted after the first and second years to allow for adjustments and refinements.

The restorative justice process, as proposed, emphasizes positive behaviour and community engagement allowing residents to identify harm caused to individuals and/or their community and agree on restorative remedies to mitigate, repair or reverse that harm. It also offers the following benefits:

- Maintains peer committees as existing under the current system, by converting them into “Restorative Teams”, who will facilitate resolution in the restorative system;
- Provides a universal policy for all residences, but allows for and encourages the “cultural” differences that exist between them;
- Acknowledges and builds on existing informal dispute resolution mechanisms; and
- Empowers more students to become involved in problem-solving and community-building.

# UNIVERSITY OF ALBERTA RESIDENCE COMMUNITY STANDARDS POLICY

## I. PREAMBLE

The primary objective of all University of Alberta Residences is to support the successful pursuit of academic studies. Living in residence provides many personal and social benefits; correspondingly, all Residents are jointly responsible for a comfortable, safe, and secure living environment conducive to academic study and learning.

The tenancy relationship between the University of Alberta (“the University”) and Residents is contractual, governed by the Residence Contract, which is administered by Residence Services and signed by the Resident. This policy forms one aspect of that tenancy relationship. It in no way restricts the University from enforcing the Residence Contract, which may include eviction or other consequences.

### A. PRINCIPLES

This policy outlines expectations for community living in an academic environment. It is based on four principles:

- a) It affirms the freedoms recognized in the Code of Student Behaviour, Section 30.1; in particular, the freedom to create, learn, study, associate, speak and write, and the associated obligations to respect these freedoms exercised by others;
- b) Every individual is equal in worth and dignity and possesses the same rights and opportunities, free from discrimination and harassment;
- c) Residence Services exists to support the academic mission of the University, allowing all students the living environment necessary to work toward their academic goals; and
- d) Residents can expect a fair and transparent process, regardless of the route taken, and have the right to seek external advice and support to affirm these processes.

### B. PURPOSE

This policy assists in outlining expectations for appropriate behaviour for students living in the University Residences in order to maintain a high standard of cooperative living in an academic setting. All University Residences are subject to this policy. It applies to every Resident in any University Residence facility, whether it is their home residence or one in which they are a guest.

This policy strives to balance interests of the Residents with the needs of the residence community, a community which is made up of individuals from diverse backgrounds, with a wide range of beliefs, opinions and values. It comprises four main objectives:

- a) To promote behaviour among Residents and their guests that creates an environment supportive to academic study and learning.
- b) To protect Residents' well-being and property, as well as that of the University.
- c) To encourage Residents to participate in the betterment of their community by resolving issues together in a responsible manner, with the goal of repairing harm and rebuilding the community.
- d) To foster growth, self-discipline, and accountability by helping Residents to understand how their actions and behaviours, both in real life and virtual environments, affect others so that they can make better decisions in the future.

### C. PROCESS

1. This policy establishes a fair and transparent process based in part on the principles of Restorative Justice. The Restorative Justice process is available for use in cases of negative, disruptive, or inappropriate behaviour where the conditions laid out in this policy are met.

This policy provides a framework to:

- a) Recognize and prevent unacceptable behaviour in the Residence Community, and
  - b) Resolve issues and provide remedies in a positive and constructive way for behaviour that harms the Residence Community or individual(s) within the Community.
2. This policy fits within a network of interconnected documents, policies and procedures related to Residences, including:
    - a) The Residence Contract (see "Information for Students on the Residence Contract", located on the Residence Services website);
    - b) Residence-specific rules on the Residence Services website, jointly approved by the University and the Residence Students' Association;
    - c) The Code of Student Behaviour, available online;
    - d) The Application for Residence;
    - e) The Residence Services acceptance letter and package;
    - f) The Housing Telephone Service Agreement, where applicable;
    - g) The Residence Internet Service Agreement, where applicable; and
    - h) Various other policies, rules and regulations adopted by the University, including as Landlord, from time to time.
  3. Residents are also members of the University Community and are therefore also subject to the Code of Student Behaviour at all times.

4. Residence Services will report annually with respect to this policy to the GFC Campus Law Review Committee (CLRC) in accordance with the CLRC Terms of Reference. A formal review of the policy and procedure will occur after the first and second years of operation and periodically thereafter as required by CLRC. The review will be conducted by a group of key stakeholders, including students and staff.

## II. RIGHTS AND RESPONSIBILITIES

### A. RESIDENT RIGHTS

Students living in residence at the University have the right to:

- a) Be treated with dignity and respect;
- b) A safe, secure environment, whether in private, shared, common or public space;
- c) A living environment free from threats, fear, intimidation, harassment or abuse;
- d) Learn, study, and express beliefs, opinions and values, while respecting the safety, security, and dignity of other community members;
- e) Communicate concerns to their peers, neighbours, roommates, Residence Life staff, or other University officials;
- f) Enjoy the social benefits of living in a residence community and equal access to common areas and their contents;
- g) Privacy and control of their private living space, within the limits of the Residence Contract;
- h) Have their personal property respected;
- i) An environment with noise levels conducive to academic pursuits, according to the guidelines established for each University Residence community; and
- j) Be free from pressure to do anything unsafe, or anything that compromises their dignity or that of another.

### B. RESIDENT RESPONSIBILITIES

Students living in residence at the University have the responsibility to:

- a) Treat other Residents and staff members with dignity and respect, including in virtual environments;
- b) Respect the property of other residents and of the University;
- c) Respect the rights of others to their beliefs, values and opinions, whether or not they agree;
- d) Foster a community in which all Residents are free to pursue their academic goals, in accordance with the University's academic mission;

- e) Be respectful when communicating concerns to peers, neighbours, roommates, and staff, and participate constructively when engaging in conflict resolution;
- f) Comply with all safety procedures and contribute to maintaining a safe environment;
- g) Respect and abide by any formal or informal agreements made with other residents, Residence Life staff or Student Staff;
- h) Only use alcohol or other drugs in a manner consistent with legislation, University policies, their own health and safety, and the health and safety of others;
- i) Act in a way that conforms to the Residence specific rules (for example, French Language at Residence Saint-Jean, the alcohol-free environment at Augustana, the Global Education program at International House, cohort and theme communities, noise designations, cleanliness expectations and other rules as outlined on the Residence Services website);
- j) Contribute to an inclusive environment in which all members of the Residence Community are allowed to participate in social, academic, and other activities.

In addition, Residents are responsible for ensuring that their guests are informed of the above rights and responsibilities and behave accordingly. Residents will be held accountable for the actions of their guests, should those actions cause Harm to an individual and/or the residence community.

### C. RESIDENCE SERVICES RESPONSIBILITIES

Residence Services has responsibility to:

- a) Foster a safe, secure and healthy environment conducive to academic success;
- b) Initiate the Restorative Justice process under this policy;
- c) Enforce the Residence Contract signed by the Resident;
- d) Investigate allegations of negative, inappropriate, or disruptive behaviour in conjunction with Campus Security Services, where appropriate; and
- e) Initiate charges under the Code of Student Behaviour where appropriate.

## **III. PROCEDURES FOR INSTANCES IN WHICH COMMUNITY STANDARDS HAVE NOT BEEN MET**

### A. PROCEDURE FOR REPORTING AND ROUTING AN INCIDENT TO THE APPROPRIATE PROCESS

- 1) These procedures do not apply in circumstances where the University acting as Landlord addresses a breach of the Residence Contract relating to non-payment of funds, or to issues of safety and security, including but not limited to disruptive, threatening or violent conduct.

- 2) Upon becoming aware of an incident, a Residence Life or Student Staff member will initiate the Residence Life reporting process.
- 3) Minor Incidents: If the incident is assessed by either a Student Staff Member or a Residence Life Staff member to be of a Minor nature, that staff member may simply resolve the situation through a discussion with the Resident; that is, develop an Informal Resolution. The staff member must summarize the Informal Resolution in writing, which will serve as confirmation of the communication (see Appendix A for an example).
- 4) Incidents that are not considered Minor must be documented in an Incident Report. An Incident Report may describe a single incident or refer to multiple Informal Resolutions with a Resident which have not solved the issue.
- 5) Upon receiving an Incident Report, the Residence Area Coordinator will make an assessment as follows:
  - i) If the Incident Report details an incident that could be addressed either through the Restorative Justice process or as a breach of the Residence Contract, an internal investigation will be initiated.
  - ii) If the Incident Report describes a violation of the Code of Student Behaviour, and the criteria for the Restorative process as identified in this policy are not met, the matter will be handled in accordance with the procedures established in the Code.

#### B. PROCEDURES FOR INTERNAL INVESTIGATIONS

- 1) Each University Residence is required to establish and communicate a means of appointing internal investigators. They may be Residence Life Staff, Student Staff or Campus Security Services. The original author of the Incident Report must not be the individual conducting the investigation.
- 2) The investigator will gather available relevant information about the incident, including collecting witness statements and documenting physical evidence. The investigator will provide a written summary of discussions with the Resident who is the subject of the Incident Report, the author of the Incident Report, and other individuals involved. If the identity of the Resident is unknown, the investigation will begin by attempting to establish the identity of the person(s) who caused the Harm.
- 3) If at any point during the investigation it becomes apparent that the incident is of a more serious or complex nature, the investigator will return the matter to the Residence Area Coordinator, who will make a decision regarding process according to Item III B.6) of this policy.
- 4) Internal investigations will normally be completed within 14 calendar days. In extenuating circumstances, discretion to allow more time shall lie with the Residence Area Coordinator. Once completed, the investigation report will be submitted to the Residence Area Coordinator.

- 5) The Restorative Justice process will be the preferred process for incidents within University Residences. An incident qualifies for the Restorative Justice process if it meets all of the following criteria:
  - a) The identity of the Resident who committed the infraction is known;
  - b) That Resident is willing to participate in a Restorative Justice process;
  - c) The Harmed Party(ies) is/are willing to participate either in person, by providing an Impact Statement or by designating a representative;
  - d) Harm to an individual, the community or property can be identified; and
  - e) The nature of the incident is appropriate to the Restorative Justice process.
- 6) In cases where the criteria for the Restorative Justice Process, as outlined above, are not met, the Residence Area Coordinator will consult with the Restorative Team Coordinator, where one exists, before making a final determination as to process. Incidents not addressed under the Restorative Justice process will be:
  - a) Forwarded to the Landlord for consideration, if the incident is a breach of the Residence Contract, or
  - b) Handled in accordance with the procedures established in the Code of Student Behaviour, if the incident details a violation of the Code.

The Resident Area Coordinator's decision as to which process will be followed is not subject to appeal.

### C. PROCEDURES FOR THE RESTORATIVE JUSTICE PROCESS

- 1) In University Residences where a Residence Restorative Team exists and is operational, it will be utilized. Where no Residence Restorative Team exists, or at times when it is not available (e.g. exam periods, Restorative Teams not available over Spring/Summer term, etc.), Residence Life Staff will fulfill the functions of the Residence Restorative Team Coordinator (the "Coordinator") and Residence Restorative Team. During shorter breaks, the participants may agree to postpone the meeting until the Residence Restorative Team is available. This option is not available during Spring/Summer terms in Residences where the Residence Restorative Team is inactive. In all cases where a restorative process is appropriate, whether or not the Residence Restorative Team is available and operational, it shall be preferred over other processes.
- 2) The meeting will be organized by the Coordinator, who will contact the Respondent(s) and the identifiable Harmed Party(ies), where they agree to participate in person rather than by Impact Statement, in order to set a time suitable to all participants.
- 3) The following procedures will be followed at the Residence Restorative Team meeting (see Appendix B for further guidelines on facilitating the restorative meeting.)

- a) The meeting will be chaired by the Coordinator. Participants in the process will include the Residence Restorative Team, the Harmed Party(ies), either in person or by Impact Statement, and the Respondent(s).
- b) The Respondent(s) and the Harmed Party(ies), where applicable, may each bring one support person. The support person will be allowed to participate in the discussions but is not a signatory to the Restorative Agreement.
- c) All participants will sign a confidentiality agreement, acknowledging the confidential nature of the discussions and confirming that information divulged in the meeting will only be disclosed as provided for in the agreement (See Appendix C).
- d) If at any point during the meeting, it becomes apparent that the criteria as listed in Item III B. 5) are no longer being met, the Coordinator will adjourn the meeting and the matter will be returned to the Residence Area Coordinator, who will make a decision regarding process according to Item III B.6) of this policy.
- e) After each party is satisfied that his or her perspective has been heard, the Coordinator will facilitate a discussion in which the participants will collectively seek to identify the Harms in need of remedy, both to individuals and to the community.
- f) When the list of Harms is complete to the satisfaction of the participants, the group will work together to generate options for restorative remedies (see Appendix D for examples of possible restorative remedies). A remedy must be:
  - a. Appropriate, relevant, and commensurate to the harm caused;
  - b. Fair and agreeable to all parties;
  - c. Realistic and achievable; and
  - d. Specific and objective enough to be measurable.
- g) When all parties agree to remedy(ies) that will satisfactorily address the Harms, the Coordinator will write the agreed upon remedy(ies) into a Restorative Agreement (see Appendix E for an example Restorative Agreement). The Restorative Agreement will include, at a minimum:
  - a. A list of the participants and their roles in the Restorative meeting;
  - b. A list of agreed remedies to repair the Harm done; and
  - c. A required completion date.
- h) The Coordinator, the Respondent(s) and the Harmed Party(ies) will sign the Restorative Agreement. Where a Harmed Party has participated by Impact Statement, the Coordinator will sign on behalf of the Harmed Party. The Restorative Agreement will become the official document of this process; all other notes generated during the meeting will be destroyed. Copies of the Restorative Agreement will be provided to:
  - a. The Respondent(s);
  - b. The Harmed Party(ies);



- c. Residence Services; and
- d. The Restorative Agreement Administrator, where one exists.
- i) The Restorative Agreement Administrator, where one exists, or Residence Life Staff will follow up with the Respondent(s) to ensure the terms of the Restorative Agreement are fulfilled. If a Respondent fails to complete the agreed remedies listed on the Restorative Agreement by the date specified, the matter will be considered a breach of the Residence Contract and forwarded to the Landlord.
- j) If no agreement can be reached, the Coordinator will return the matter to the Residence Area Coordinator, who will make a decision regarding process according to Item III B.6) of this policy.

## IV. LINKS

Residence Services Web for Current Residents

<http://www.uofaweb.ualberta.ca/residences/CurrentResidents.cfm>

Residence Specific Information:

Lister <http://www.uofaweb.ualberta.ca/residences/ListerResidents.cfm>

Residence Saint-Jean (RSJ)

<http://www.uofaweb.ualberta.ca/residences/RSJResidents.cfm>

HUB <http://www.uofaweb.ualberta.ca/residences/HUBResidents.cfm>

East Campus Village <http://www.uofaweb.ualberta.ca/residences/ECVResidents.cfm>

International House <http://www.uofaweb.ualberta.ca/residences/IHResidents.cfm>

Newton Place <http://www.uofaweb.ualberta.ca/residences/NPRResidents.cfm>

Michener Park <http://www.uofaweb.ualberta.ca/residences/MPResidents.cfm>

Graduate Residence

<http://www.uofaweb.ualberta.ca/residences/GraduateResidence.cfm>

Augustana [http://www.augustana.ualberta.ca/students/student\\_life/reslife/](http://www.augustana.ualberta.ca/students/student_life/reslife/)

Information for Students on the Residence Contract

[www.uofaweb.ualberta.ca/residences/RestorativeJusticeAndYourLease.cfm](http://www.uofaweb.ualberta.ca/residences/RestorativeJusticeAndYourLease.cfm)

Code of Student Behaviour

[http://www.uofaweb.ualberta.ca/gfcpolicymanual/content.cfm?ID\\_page=37633](http://www.uofaweb.ualberta.ca/gfcpolicymanual/content.cfm?ID_page=37633)

Student OmbudService <http://www.ualberta.ca/ombuds>

## V. DEFINITIONS

- 1) Harm – Any action which negatively affects a person, their property and/or reputation, or the Residence community for which concrete or symbolic reparation can be made.
- 2) Harmed Party – A person who was either harmed directly or is representative of a community to which harm was done.
- 3) Incident Report – A formal written record of an incident. Not all Incident Reports need to refer to contraventions of the Community Standards. An Incident Report can also document a series of lower level interventions which have not changed a behaviour, or document the need for a repair, for example.
- 4) Impact Statement – A written description of the effect or harm caused by a particular behaviour or pattern of behaviours, submitted by a Harmed Party in lieu of participating in a restorative meeting in person.
- 5) Informal Resolution – The outcome of a discussion between Residence Life Staff or Student Staff and a Resident concerning a very minor incident. A written summary of the discussion serves as confirmation of the conversation.
- 6) Landlord – An official who acts on behalf of the University of Alberta in enforcing the terms of the Residence Contract.
- 7) Minor Incidents – Incidents which can be resolved informally with a conversation and do not require a formal response. Examples include, but are not limited to, occasional noise complaints, cleaning issues, garbage disposal, etc.
- 8) Residence Area Coordinator – The individual who oversees the implementation of the restorative process and makes the decision as to which policy will be applied when an incident occurs.
- 9) Residence Contract – The Residence Agreement or Lease signed by the Resident and the University which defines the tenancy relationship.
- 10) Residence Life Staff - Professional student affairs staff employed by Residence Services, including but not limited to: Residence Coordinators (RCs), Residence Administrators, Residence Area Coordinators (RACs), and the Associate Director-Residence Life.
- 11) Residence Restorative Team – A team that facilitates restorative meetings and participates in negotiating Restorative Agreements. Each University Residence will determine whether or not a Residence Restorative Team will be formed. The Residence Restorative Team will consist of no more than four members:
  - a) The Restorative Team Coordinator, where one exists, as coordinator and Chair;
  - b) A Residence Coordinator; and
  - c) Up to two student representatives, drawn from a pool of trained volunteers.

In University Residences where no Residence Restorative Team exists, or at times when it is not available (e.g. exam periods, Spring/Summer term, etc.) the function of the Residence Restorative Team will be fulfilled by one or more Residence Life Staff members.

- 12) Residence Students' Association – An organized body of student representatives in each residence community which facilitates opportunities for involvement and represents student interests in various University processes. An umbrella organization, the Residence Halls Association (RHA), provides a unified voice on behalf of University residents. The RHA (or delegated group) may stand in for any University Residence which does not have a students' association.
- 13) Resident – A student who has signed a Residence Contract with the University and who lives in Residence.
- 14) Respondent – A participant in the Restorative Justice process whose actions or behaviours have harmed another person, the community or the institution.
- 15) Restorative Agreement – An agreement between the Residence Restorative Team, the Respondent(s) and the Harmed Party(ies), which outlines the actions the Respondent will take to restore the community, either by concrete remedies or symbolic action. The agreement must be agreed upon and signed by the Restorative Team Coordinator (on behalf of the Team), the Respondent(s) and the Harmed Party(ies).
- 16) Restorative Agreement Administrator – The individual who tracks Restorative Agreements to ensure the restorative remedies are fulfilled by the Respondent(s).
- 17) Restorative Justice – A voluntary process that emphasizes repairing the Harm caused to individuals or the community. It entails the participation of both the person(s) who caused the Harm and the Harmed Party(ies) in a mediated process in which all parties generate and agree to the resolution.
- 18) Restorative Team Coordinator – The person who organizes restorative meetings, chairs the meetings and signs the Restorative Agreement on behalf of the Restorative Team. Alternatively, this function may be fulfilled by Residence Life Staff in situations where no Residence Restorative Team exists, or at times when it is not available (e.g. exam periods, Spring/Summer term, etc.).
- 19) Student staff – Staff employed by Residence Services who are also students and Residents, including but not limited to: Floor Coordinators (FCs), Residence Assistants (RAs), Lister or HUB Community Assistants, Hall Vice Presidents and interns. See the Residence Services website for residence-specific information about student staff.
- 20) University Community - Includes those who are employed by the University, who are officially associated with the University, and those who are Students, former Students, or alumni of the University.
- 21) University Residence – Any student housing facility owned and operated by the University of Alberta. A comprehensive list of University Residences is found on the Residence Services website.

## APPENDIX A – Example Email for Informal Resolution

An informal resolution can take many forms, but the outcome must be communicated to Residents in order to protect their rights, and documented using an approved Residence Services system. Below are several suggestions on how an email or note can be composed.

Subject: Following up w/Name, Unit#

\*\*\*\*\*

Hi [student],

Just following up on the conversation we had yesterday: I wanted to thank you for agreeing to wash your dishes, and also for your willingness to consider the rest of unit, and your effect on them.

Please do not hesitate to contact me for any reason.

Sincerely,

[name]

\*\*\*\*\*

Hi [student],

Thanks for getting your dishes done so quickly last night – I and the rest of the floor appreciate it!

\*\*\*\*\*

Hi [student],

Just following up on our conversation from this morning – I understand you did not intend to disturb your neighbour by playing your stereo last night and that you feel that the complaint was unreasonable. If you'd like, I could sit down with the two of you and try to help you come to a compromise that works for both of you.

Let me know what I can do to help!

\*\*\*\*

Notation in internal Residence Services system:

[Date] [Staff name] Had a conversation with [student] in [unit #] in which he agreed to turn his stereo down to "6" after 11pm.

## **APPENDIX B – Suggested Guidelines for Chairing Restorative Meetings**

In addition to the procedures outlined in the Community Standards Policy, this document provides guidelines for ensuring that a Restorative Meeting is effective and productive for participants.

- 1) The Restorative Team Coordinator (“Coordinator”) will review the process to ensure everyone understands how it will work, and will confirm with all parties that the Coordinator and/or Team are acceptable as the facilitators of the discussions and Restorative Agreement.
- 2) The Coordinator will lead the participants in establishing ground rules for the meeting. Ground rules the participants agree on might include, but are not limited to:
  - Participants will refrain from interrupting when a participant is speaking;
  - Participants will not to discuss the matter during breaks in the meeting;
  - Participants will agree to seek clarification from the Coordinator when they do not understand a statement or procedure.
- 3) The Coordinator will confirm with all parties that their attendance is voluntary and that they understand and are willing to participate in the restorative process in good faith and under the guidelines agreed upon. If at any point a participant no longer wishes to participate in the process for any reason, he or she must inform the Coordinator. The Coordinator will adjourn the meeting and return the matter to the Residence Area Coordinator, who will make a decision regarding process according to Item III B.6) of this policy.
- 4) The Coordinator will either read aloud or summarize the Investigation Report for participants.
- 5) Once the incident is understood, the Harmed Party(ies) will be invited, one at a time, to describe the impact of the incident on them, their community, their property, or any other Harm. If a Harmed Party opts to participate by submitting an Impact Statement, the Coordinator will read that statement aloud to the other participants.
- 6) Participants can pose questions and ask for clarifications. No questions in relation to an Impact Statement should be entertained, since the author is not present.
- 7) The Respondent(s) are invited, one at a time, to provide an oral statement in which they acknowledge the impact of the Harm they caused.
- 8) Participants can pose questions and ask for clarifications.
- 9) The Coordinator will lead a discussion in which all participants suggest possible remedies to address the Harms identified. This list is negotiated among the participants until the signatories to the Agreement agree that it is complete and conforms to the criteria set out in this policy.

## APPENDIX C – Example Confidentiality Agreement

### Restorative Meeting Confidentiality

For the Restorative Justice process to be effective, it is necessary and fundamental that confidentiality be protected and preserved, including as provided for under Alberta's Freedom of Information and Protection of Privacy (FOIPP) legislation.

Participants may not disclose to anyone confidential information<sup>1</sup> gained during the course of Restorative Meetings except in accordance with the accompanying Procedures or to the extent required or permitted by law or University policy.

Records and reports of Restorative Meetings are the property of the University and shall be retained and disposed of in accordance with the retention and disposition schedule held by Residence Services.

**By signing below, you agree that your participation in the Restorative Meeting process will be governed by this Agreement and that you have the responsibility to maintain confidentiality.**

DATED THIS \_\_\_ DAY OF \_\_\_\_\_ 20\_\_

Printed Name _____	Signature _____
Printed Name _____	Signature _____
Printed Name _____	Signature _____
Printed Name _____	Signature _____
Printed Name _____	Signature _____
Printed Name _____	Signature _____
Printed Name _____	Signature _____

---

<sup>1</sup> Confidential information does not include information that is in the public domain; information that is already, or is subsequently, disclosed or obtained without obligation of confidentiality; or information, the non-disclosure of which would present a risk to the public or the University community.

## APPENDIX D – Examples of Restorative Remedies

Harm can be physical, emotional, reputational or other.

The type of harm done should guide the type of remedy used to make remedies for that harm. Sometimes harm can be repaired through concrete remedies when harm is measurable and repairable. Other harms may be more difficult to measure and may not be immediately obvious. In these cases, symbolic remedies can be used to show good faith and begin to rebuild the community.

### *Concrete Remedies:*

When harm is measurable and repairable, remedies should be designed to restore the community, as far as possible, to its state before the harm was caused. Examples include, but are not limited to:

- Replace an item that has been lost or broken.
- Arrange and pay for repair of a damaged item that belongs to another resident.
- Pay for repairs of any damage caused to the University.
- Remove offensive postings, posters, websites, etc. or post corrections and/or apologies.

### *Symbolic Remedies:*

When the harm is to a person's emotions or reputation and is less quantifiable, remedies should be designed to enable the Harmed party(ies) to feel better about the situation and move forward. Examples include, but are not limited to:

- Write an apology to the Harmed Party(ies) in an attempt to rebuild trust.
- Post a correction to websites, social networking pages, etc, to set the record straight.
- Write an essay on the impact of a certain behaviour on a community.<sup>2</sup>
- Create a poster, video, presentation, or other media project on the impact of behaviour on a community.<sup>2</sup>
- Refrain from drinking alcohol/pledge to drink only in moderation as an act of good faith.
- Become an active volunteer of some kind in the Residence and/or University community.
- Perform some action "in kind" to attempt to make up for the harms caused.

Restorative remedies are context-specific; the remedies will reflect the identified Harms and the attempt to repair those Harms rather than focussing on the incident itself. In other words, similar incidents may result in different remedies, depending on the Harms identified.

---

<sup>2</sup> May be collected by the Restorative Agreement Administrator into a resource library (names and personal identifiers removed).

**APPENDIX E – Example Restorative Agreement**

**Residence Restorative Agreement**

**Date:**

<b>Participants:</b>	<b>Name</b>
Restorative Team Coordinator	
Residence Coordinator	
Residence Restorative Team Member	
Residence Restorative Team Member	
Respondent	
Harmed Party	
Harmed Party	
Harmed Party	
Support Person	
Support Person	
Support Person	

As a result of having participated in a Restorative Process, we agree that the following actions will be taken no later than [DATE]:

NAME will [write an apology to...]

NAME will [pay for damages]

NAME will [etc.]

Failure to fulfil the conditions listed here will constitute a breach of the Lease or Residence Agreement.

Signatures:

Restorative Team Coordinator :

\_\_\_\_\_

Signature

Respondent:

\_\_\_\_\_

Signature

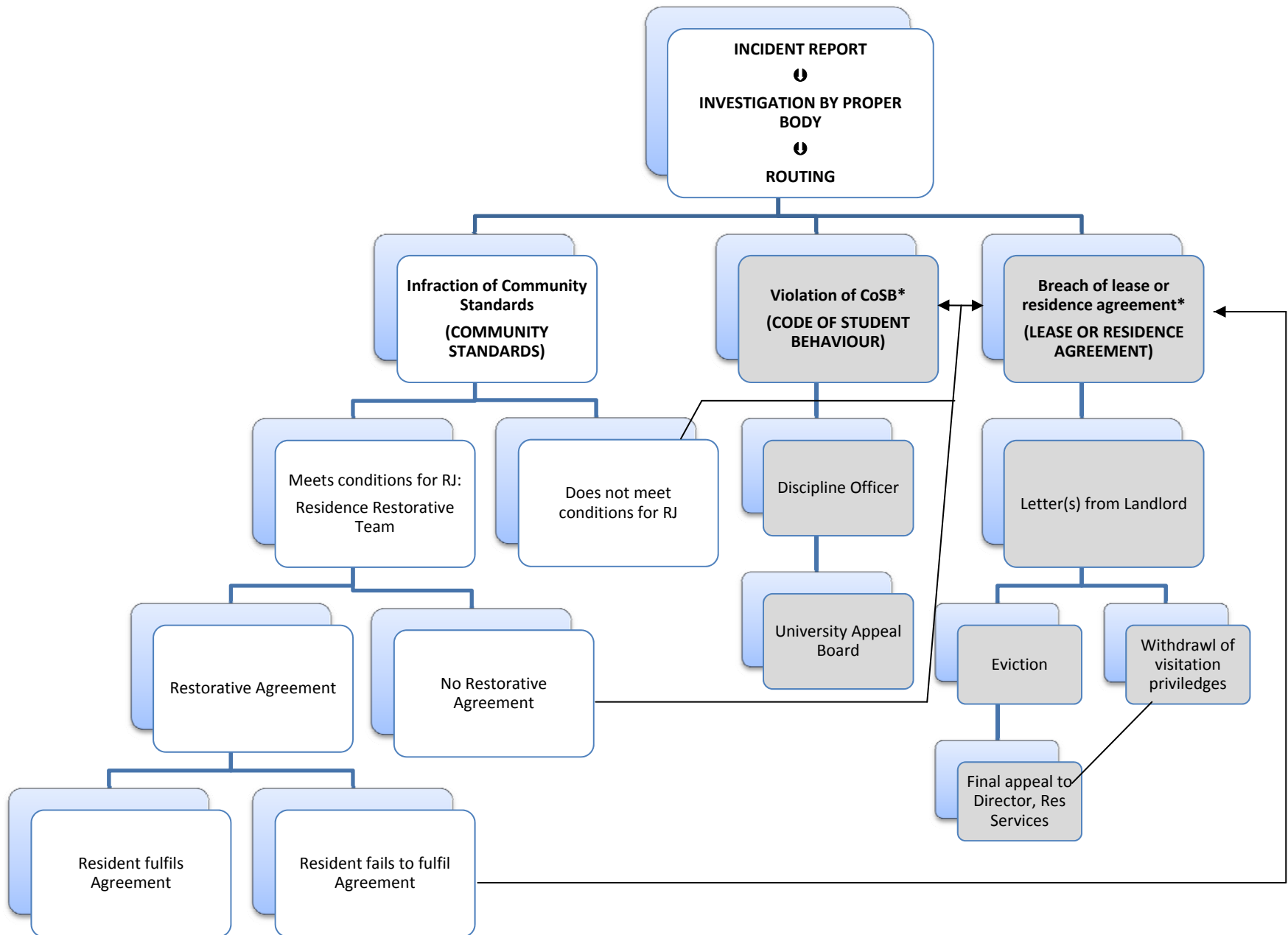
Harmed party:

\_\_\_\_\_

Signature



# RESIDENCE SERVICES PROCESSES



\* The Code of Student Behaviour and Lease processes may be engaged concurrently.

## INFORMATION FOR STUDENTS ON THE RESIDENCE CONTRACT

The Residence Contract signed by the Resident and the University of Alberta (hereafter referred to as “the Landlord”) indicates that both the Resident and the Landlord agree to the terms set out in the contract. It includes information about Residence Services policies, fees, and conditions of Residency, among other terms. Residents are responsible for understanding all of the terms and conditions in their Residence Contracts.

A breach of this contract might include failure to pay rent, damage to the unit or disruption to the community. When a Resident exhibits negative, destructive or disrespectful behaviour, the following processes will be available to address the behaviour: the Residence Community Standards and its restorative process; or the Breach of Residence Contract process described below, and/or the Code of Student Behaviour.

If the breach is contrary to the terms of the Residence Contract and has not been referred for restorative resolution under the Community Standards, the matter will be addressed by the Associate Director, Residence Administration, acting as Landlord, as a breach of the Residence Contract. In addition, Residents who fail to fulfill a Restorative Agreement, who are not able to come to a Restorative Agreement, or who continue to commit infractions of the Community Standards after completing the Restorative process will be considered in breach of their Residence Contract. A student will generally be considered in breach of their Residence Contract after having gone through two Restorative processes; however, this decision will be made by the RAC, in consultation with the RTC, on a case-by-case basis.

Note that, except in serious cases involving the health, safety and security of residents (e.g. cases of physical or emotional harm, tampering with safety equipment, etc.), the restorative justice process will be the preferred course of action from the beginning.

Where a Resident is in breach of his or her Residence Contract and the Residence Community Standards have not been invoked, the Landlord will typically follow these guidelines:

1. The Landlord will assess the type and scope of the breach, advise the accused student that he or she may access the services of the OmbudService and/or the Landlord and Tenant Advisory Board, the Student Legal Services, etc. and may take one or more of the following steps:
  - a. Require the Resident to pay for damage caused to University property;
  - b. Require the Resident to pay for cleaning resulting from the behaviour;
  - c. Require the Resident to pay arrears in his or her account;
  - d. Evict the Resident from the premises, according to the terms of the Residence Contract and the Residential Tenancies Act, where applicable.
  - e. Provide the Resident with a written warning, serving as notice that further breaches of the Residence Contract may result in eviction;

- f. Provide the Resident with a probationary letter, serving as notice that any further breach of the Residence Contract will result in eviction;
  - g. Once an individual is no longer a Resident, the Landlord may revoke visiting privileges, on a case by case basis.
    - i. An individual whose visiting privileges have been revoked may not enter any University of Alberta Residence for any reason or participate in activities organized exclusively for Residents of the University of Alberta.
    - ii. Commercial areas intended for the use of the wider University community, such as the businesses and services in HUB Mall and Newton Place and Parking and Hospitality Services in Lister Centre, are exempt.
    - iii. A former Resident who has had visiting privileges revoked may request permission from Residence Services to attend a non-Residence function in a Residence facility. The request must be in writing or by email, at least one week prior to the scheduled event.
    - iv. Any individual who has had his or her visiting privileges revoked and enters a University of Alberta Residence or participates in a Resident-only activity will be referred to Campus Security or the Office of Student Judicial Affairs for charges under the Code of Student Behaviour.
    - v. The Landlord will not consider any application to live in Residence by an individual whose visiting privileges are currently revoked.
    - vi. An individual may petition the Landlord to reinstate his or her visiting privileges one year after privileges were revoked.
2. Within 5 working days of written notice from the Landlord, the Resident may make a written request for reconsideration on the basis that the decision is patently unfair. The decision of the Director is final and binding.

## Template for Residence-Specific Rules

Each residence community will develop rules and expectations as a supplement to the Restorative Justice (RJ) process outlined in the Community Standards Policy. Residence-specific rules and expectations must comply with all applicable laws and University policies and are intended to provide students with specific expectations and process information based on the unique climate in each residence community.

These rules and expectations will be developed and approved by Residence Services and the residence students' association and posted on the Residence Services Website for each University Residence.

Headings	Information Required (and Potential Information Sources)	Last Updated
<b>1. Residence Spaces</b>	Identify and describe typical spaces in the residence related to: <ol style="list-style-type: none"> <li>a. Private space</li> <li>b. Shared space</li> <li>c. Common space</li> <li>d. Public space</li> <li>e. Restricted areas</li> </ol> (GFC 98, Residence Contract, Office of the University Architect)	
<b>2. Staff and Duties</b>	Identify the titles/duties of key staff members (e.g. Residents Assistants, Floor Coordinators, Community Assistants, etc.) in the residence  (GFC 98, job descriptions)	
<b>3. Noise</b>	Outline expectations related to Noise Levels/Quiet Hours  (GFC 98, Residence Contract, Residence Handbook)	
<b>4. Cleaning and Community Care</b>	Outline expectations related to cleaning, garbage disposal, and recycling (where, how often, etc.)  (GFC 98, Residence Handbook, Residence Contract)	
<b>5. Alcohol Consumption</b>	Outline expectations related to alcohol consumption, in compliance with University Alcohol policies and the Alberta Gaming and Liquor Act (GFC 98, Residence Handbook, Alberta Gaming	

	and Liquor Act and Regulations, University Alcohol Policy)	
<b>6. Safety</b>	Outline expectations related to safety equipment and procedures (Environmental Health and Safety, Ancillary Services, Facilities and Operations Health and Safety Officer, Residence Contract)	
<b>7. Community Programming</b>	Outline specific requirements for community programming, if applicable; e.g. French Language, bulletin boards, window coverings, etc.  (GFC 98, University Canvassing and Soliciting policy, poster policy, Office of the Dean, Campus Saint-Jean, Augustana Director, Student and Residence Services)	
<b>8. RJ Process and the Community Standards</b>	Outline the Community Standards Restorative Justice process for the community: f. Internal investigators – who will investigate incidents which may go through either the Restorative process or to the Landlord (lease enforcement)? g. How will those investigators be appointed? h. Will a Restorative Team be established for your residence? i. How will Team members be appointed? j. Who will be the Restorative Team Coordinator for your residence?	

## **Communication Plan**

Residents will be made aware of the new processes through various means:

- Residence recruiters will include information on the Restorative Justice program when they promote U of A Residences
- Information will be distributed to Residents in their acceptance package
- Residents' Rights and Responsibilities will be promoted and emphasized through various events, orientations, etc.
- Website will be updated to include comprehensive information on the Restorative Justice program
- All Residence staff (new and continuing) will be educated about the Restorative Justice process so that they can discuss it with their residents
- Front line staff will be a resource for residents wanting information on the Restorative Justice program
- Comprehensive training will be provided to Restorative Team Coordinators, Restorative Team volunteers and all staff directly involved in the Restorative Justice process
- Volunteers for the Restorative Team (in residences where peer teams will be used) will be recruited by emphasizing the professional and personal development opportunities available to volunteers
- Restorative Team volunteers will be asked to provide information to residents on how the Restorative Justice program works
- Feedback from residents will be solicited in order to facilitate the year end review of the program

University of Alberta  
**Community Standards Implementation Committee**  
**Terms of Reference**

1. Purpose

The Residence Community Standards policy requires a significant change in practice and approach to student misconduct. Accordingly, an implementation committee will be struck to ensure the implementation is intentional and comprehensive. These terms of reference provide the framework for that committee.

2. Mandate

The Implementation Committee will provide a framework for communication of the Restorative Justice process to students and staff and for staff training.

The review committed will:

- Communication
  - i. Determine who needs to be informed about the Restorative Justice process;
  - ii. Work with the Residence Services communications team to create a timeline for informing key stakeholder groups about the Restorative Justice process; and
  - iii. Determine how the information will be most effectively communicated to staff and students.
- Training
  - i. Determine what training is required by student staff and Residence Life staff;
  - ii. Determine how that training will be delivered and by whom;
  - iii. Determine a schedule for staff training; and
  - iv. Provide a framework for assessing staff.

3. Composition

- Associate Director, Residence Life (Chair)
- One Residence Area Coordinator
- One Discipline Officer, Office of Student Judicial Affairs
- One student Representative – Residence Housing Association (RHA), or designate
- One student Representative – Graduate Students' Association (GSA)
- One student representative – Students' Union (SU)

4. Meetings

The Implementation Committee will meet shortly after the Residence Community Standards Policy is approved by the Board of Governors (no later than February 25, 2011) and will meet regularly as needed throughout the spring and summer. The Implementation Committee may consult with any expert, student group or practitioner whenever necessary throughout the process.

5. Report

A report detailing recommendations for implementation of the Community Standards will be provided to the Director, Residence Services and the Vice-Provost and Dean of Students.

University of Alberta  
**Community Standards Review Committee**  
**Terms of Reference**

6. Purpose

The Residence Community Standards policy requires a review of the policy and procedure after one and two years of operation and periodically thereafter. These terms of reference provide the framework for that review.

7. Mandate

The Review Committee will make recommendations to the Dean of Students & Vice Provost with respect to the policy, procedures and implementation of the Residence Community Standards. In particular, issues and concerns raised throughout the approval process as potentially problematic will be examined.

The review committed will:

- Review the number of cases proceeding through the Community Standards procedure (Restorative Justice process) relative to the total number of behavioural incidents addressed, where the identity of the student was known;
- Review the number of successful outcomes (that is, fulfilled Restorative Agreements) relative to the total number of cases using the Restorative Justice process;
- Review and evaluate perceived barriers to students choosing the Restorative Justice process;
- Review and evaluate perceived barriers to Residence Area Coordinators routing cases through the Restorative Justice process;
- Review, evaluate and make recommendations vis-à-vis the roll-out and education processes to determine whether students were adequately informed about the Restorative Justice process;
- Review, evaluate and make recommendations vis-à-vis the effectiveness of staff training;
- Review, evaluate and make recommendations vis-à-vis the fairness and transparency of the Restorative Justice process.

8. Composition

In order to provide an unbiased review, the members of this committee will be different individuals than those on the Community Standards Implementation Committee.

- Director, Residence Services (Chair)
- One Residence Area Coordinator
- One Discipline Officer, Office of Student Judicial Affairs
- One student Representative – Residence Housing Association (RHA), or designate
- One student Representative – Graduate Students' Association (GSA)
- One student representative – Students' Union (SU)

9. Meetings

The Review Committee will meet shortly after move-out (no later than May 15) and will meet regularly as needed throughout the summer. The Review Committee may consult with any expert, student group or practitioner whenever necessary throughout the review process.



#### 10. Report

A report detailing the Community Standards Review will be provided to the Vice-Provost and Dean of Students. In addition, the report will be presented at the September CLRC meeting for information.

## Rescission of GFC 98

The proposed Residence Community Standards Policy will replace GFC Section 98 in its entirety; however, some sections of GFC 98 are or will be reflected in other policies or processes. For example, the specific rules in GFC 98 will be replaced by a set of rights and responsibilities and will use a restorative justice program to promote and enforce them. The residence-specific rules will be found on the Residence Services website specific to each residence. All issues relating to breach of Lease or Residence Agreement will be handled only under the Lease process.

The right-margin comments below indicate where the information from each section of GFC 98 is currently found, or will be migrated. Where the entire section will be found in the same place, the text for that section has been removed.

## 98. Residence Community Standards

### 98.1 Preamble

#### 98.1.1

#### 98.1.1.a. Peer and Administrative Discipline Processes

#### 98.1.2

It is assumed that the primary objective of all residents is the successful pursuit and support of academic studies. Although residence life also provides many social and cultural benefits, all residents are jointly responsible to enhance the ability of the residence community to offer a comfortable, safe and secure living environment conducive to academic study and learning.

Accordingly, the Residence Standards have been approved by the General Faculties Council through the Campus Law Review Committee as a guide to assist students in all aspects of community living and academic study and to recognize and avoid unacceptable behavior in the residence community. The community is responsible for its self-discipline to the extent of imposition and enforcement of sanctions and restitution of property in accordance with the procedures outlined. However, it must be clearly noted and understood that this procedure in no way restricts or abrogates the general power:

a. of the Associate Director - Residence Life to evict or otherwise deal with any resident under the terms of the Residence Agreement or Lease, from which there shall be no appeal;

b. of the Residence Coordinator or Residence Administrator to reprimand, place on probation, recommend eviction or otherwise discipline any resident in such manner as may be required, whether or not any incident has been referred to the Associate Director Residence Life, Discipline Officer, or Campus Security Services; whenever possible, the Residence Coordinator or Residence Administrator will conduct these duties in conjunction with the Residence Discipline System as outlined in these Standards.

c. of the Associate Director Residence Life to sanction students under the Code subject to the regulations and appeal procedures contained therein (note the limiting clause in section 30.3.1[3]).

**Comment [DE1]:** Replaced by Proposed Community Standards Policy

**Comment [DE2]:** Not applicable; replaced by Proposed Community Standards Policy

**Comment [DE3]:** Replaced by Proposed Community Standards Policy

**Comment [DE4]:** Residence Contract

**Comment [DE5]:** Replaced by Proposed Community Standards Policy

### 98.1.3

The Residence Community Standards shall be reviewed every three years by the Students' Associations and Residence Services. All recommendations for amendments to the Residence Community Standards shall be submitted to the Campus Law Review Committee for approval upon consultation with the Associate Director Residence Life.

**Comment [DE6]:** Replaced by Proposed Community Standards Policy

### 98.1.4

Notice of changes to the Residence Community Standards must be given to residents as per the guidelines in the Residence Services handbook following final approval by the Campus Law Review Committee or the General Faculties Council Executive Committee.

**Comment [DE7]:** Residence Contract

### 98.1.5

In early May an annual report shall be sent to the Campus Law Review Committee and the General Faculties Council Executive detailing the number and disposition of discipline cases within each residence. This report shall be prepared by the discipline administrator.

**Comment [DE8]:** Replaced by Proposed Community Standards Policy

### 98.1.6 Common Definitions

a. the term "resident" shall include any resident, student, or any group thereof in the Residence Community, against whom proceedings may be taken at the discretion of the University either individually or jointly;

**Comment [DE9]:** Replaced by Proposed Community Standards Policy

b. the term "person" shall include residents, guests, and University personnel or any group thereof;

**Comment [DE10]:** Not necessary

c. the term "Residence Life Staff" shall refer to the following:

- (i) the Associate Director Residence Life (ADRL)
- (ii) the Residence Coordinators (RC);
- (iii) the Residence Administrator;
- (iv) the Residence Intern;
- (v) the Coordinator of Student Engagement and Learning
- (vi) the Coordinator of Staff Training and Special Programmes
- (vii) the Residence Assistants (RA)
- (viii) the Floor Coordinators (FC);
- (ix) Lister Community Assistants (LCA);
- (x) the Residence Association Executive;
- (xi) the Discipline Administrator;
- (xii) the Community Service Coordinator (CSC)

**Comment [DE11]:** Residence Services website

d. The "Housing Exclusion List" (HEL) shall refer to all of the students who are no longer allowed to visit and/or live in any of the University of Alberta residences. Anyone who is evicted is automatically placed on this list.

**Comment [DE12]:** Not Applicable; replaced by Residence Contract

e. An "incident report" is any statement of complaint made by anyone living or working in our residences that describes an incident and initiates disciplinary action.

**Comment [DE13]:** Replaced by Proposed Community Standards Policy

f. the term Sanction refers to the consequence to residents whose behaviour has been found in violation of the Residence Community Standards. A complete listing of sanctions can be found in Section 98.1.8.

**Comment [DE14]:** Not Applicable – sanctions not used in Proposed Community Standards Policy

### 98.1.7 Evictable Offences

**Comment [DE15]:** Residence Contract

No resident shall intentionally or recklessly act in a manner which threatens the personal safety, health, or well being of any person, either directly or indirectly. Section A offences include, but are not limited to:

#### **1. Offences that may result in eviction from Residence and also Code of Student Behaviour charges;**

**Comment [DE16]:** Residence Contract and/or Code of Student Behaviour

#### **2. Offences that may result in eviction from residence:**

a. tampering with or misusing elevators in any way;

b. bringing, opening or possessing a keg in at any time in any area of a Residence Community without a proper University of Alberta liquor permit.

**Comment [DE17]:** Residence Contract and/or Code of Student Behaviour

c. committing three or more violations of the Residence Community Standards and/or Residence Lease;

**Comment [DE18]:** Residence Contract

d. trespassing on or tampering with any construction area in the residence community;

e. being on the roof of any University of Alberta residence building without Residence Services authority.

**Comment [DE19]:** Residence Contract and/or Code of Student Behaviour

f. violations of the Residence Community Standards arising out of a single incident in which the community service hours imposed will exceed 15.5 hours or the fine imposed exceeds \$232.50 (exclusive of damages).

**Comment [DE20]:** Not applicable

#### **3. Procedures for Section 1 (A) Offences**

If a complaint/allegation of an offence listed under Section A (1) is received, a Residence Coordinator, or Residence Administrator; a member of Campus Security Services and either the appropriate Hall Vice-President in Lister or the investigating Resident Assistant (R.A.) will meet to determine if the case will proceed through both the Residence Disciplinary process (peer discipline process or administrative discipline process) and the Code of Student Behaviour. The Code of Student Behaviour will be used only if the offence had an impact on the wider University Community as well as the Residence Community.

**Comment [DE21]:** Residence Contract and/or Code of Student Behaviour.

### 98.1.8 Sanctions

**Comment [DE22]:** Proposed Community Standards Policy (in the form of Restorative Agreement); or Residence Contract; and/or Code of Student Behaviour

## 98.2 Hub Residence Community Standards

### 98.2.1 Definitions

See section 98.1.6 of the Residence Community Standards.

## 98.2.2 Offences

Many of the offences set out below are also violations of the Code of Student Behaviour and may be pursued under both sets of regulations. The Residence Coordinator (RC) or Associate Director Residence Life (ADRL) may refer alleged violations of the Code of Student Behavior to Campus Security Services.

**Comment [DE23]:** Replaced by Proposed Community Standards Policy

### SECTION A

#### 1. Recommended Evictable Offences

**Comment [DE24]:** Residence Contract

See section 98.1.7 of the GFC Policy Manual (Residence Community Standards).

**Comment [DE25]:** Residence Contract

### SECTION B

#### 1. Order, and Conduct

No resident shall intentionally or recklessly act in a manner which threatens the personal safety, health, well-being or privacy of any person in the Residence Community, either directly or indirectly; or which otherwise creates or contributes to circumstances which seriously disrupt the orderly management and operation of the Residence Community. Section B offences include, but are not limited to:

a. in any way forcibly detaining any person, or by any means obstructing or preventing a person from entering or leaving his or her bedroom, common areas of the residential unit or public areas of the Residence Community;

b. being abusive to Residence Life Staff;

c. exhibiting disorderly or disruptive behaviour reasonably attributable to the consumption of alcohol;

d. insulting, provoking or acting in a manner which discriminates against another individual;

e. accompanying any person known to the resident to have been denied admittance to the Residence Community, whether by the Housing Exclusion List or otherwise.

**Comment [DE26]:** Replaced by Proposed Community Standards Policy or Residence Contract

f. smoking in any public, private or common area of the residence community, including residential units.

g. failing to vacate during a fire alarm unless it is explicitly stated as being a test.

h. urinating, defecating or otherwise dispersing human waste in an unacceptable manner.

**Comment [DE27]:** Residence Contract

#### 2. Property Damage

**Comment [DE28]:** Replaced by Proposed Community Standards Policy or Residence Contract

### SECTION C

#### 1. Unreasonable Noise

**Comment [DE29]:** Replaced by Proposed Community Standards Policy or Residence Contract

The primary purpose of noise regulations is to protect the rights of students to sleep, study and relax in a community of students with a variety of schedules and needs. Section C offences include, but are not limited to:

No resident shall cause unreasonable noise by any means whatsoever in the Residence Community. The determination of whether any noise is unreasonable shall be made with regard to:

a. The provisions of the quiet hours from 10 p.m. - 8 a.m. Sunday through Thursday, and from 12 a.m. - 8 a.m. Friday and Saturday;

**Comment [DE30]:** Residence Services HUB website

b. Any other such factors deemed by the HUB Discipline Committee to be relevant to the particular circumstances.

**Comment [DE31]:** Not Applicable

## 2. Liquor

**Comment [DE32]:** Alberta Liquor & Gaming Act; Alcohol at University Events Policy; Private Parties in Residence Form

## SECTION D

### 1. Obstruction of Process

**Comment [DE33]:** Replaced by Proposed Community Standards Policy or Residence Contract

No resident shall impede any Residence Life Staff in the performance of their duties in relation to any possible offence. This includes, but is not limited to:

a. not providing proper photo identification of oneself or one's guest(s) to the Residence Life Staff upon request;

b. knowingly withholding information, or providing false or incomplete information to Residence Life Staff;

c. fleeing from Residence Life Staff;

d. impeding the investigation of a possible offence;

e. failing to report any damage witnessed by the resident to Residence Life Staff;

f. misrepresenting facts in front of the HDC or the appeals board; and

**Comment [DE34]:** Not applicable

g. failing to complete the requirements of community service within a reasonable amount of time, failing to attend a scheduled community work project, and/or failing to perform community service work in an adequate and timely manner.)

**Comment [DE35]:** Residence Contract

h. failing to attend a scheduled meeting with Residence Life Staff unless there are extenuating circumstances and/or proper notice is given by the resident in question.

**Comment [DE36]:** Replaced by Proposed Community Standards Policy or Residence Contract

## SECTION E

### 1. Mischief

**Comment [DE37]:** Replaced by Proposed Community Standards Policy or Residence Contract

### 2. Disruption of Community Environment

**Comment [DE38]:** Replaced by Proposed Community Standards Policy or Residence Contract

### 98.2.3 Procedures

#### 1. Selection of Discipline Administrator

**Comment [DE39]:** Residence Services HUB website; see also University of Alberta Human Resources policies

#### 2. Selection of Discipline Committee Members

**Comment [DE40]:** Residence Services HUB website; see also University of Alberta Human Resources policies

#### 3. Removal of Discipline Administrator, and Discipline Committee Members

**Comment [DE41]:** University of Alberta Human Resources policies

#### 4. Incident Reports

**Comment [DE42]:** Replaced by Proposed Community Standards policy and staff training

#### 5. Conveyance

**Comment [DE43]:** Replaced by Proposed Community Standards Policy

#### 6. Uncontested Sanctions

**Comment [DE44]:** Not applicable; replaced by Proposed Community Standards Policy

#### 7. Review of Investigation Report and Determination of Sanction

**Comment [DE45]:** Not Applicable – replaced by Proposed Community Standards Policy

#### 8. Appeal Process

**Comment [DE46]:** Not Applicable – replaced by Proposed Community Standards Policy

#### 9. Sanctions

**Comment [DE47]:** Proposed Community Standards Policy (in the form of Restorative Agreement); or Residence Contract; and/or Code of Student Behaviour

#### 10. Discharge of Sanction

**Comment [DE48]:** Not Applicable – replaced by Proposed Community Standards Policy

### 98.AP.2 List of Acronyms

RC Residence Coordinator (replaced Assistant Residence Life Coordinator (ARLC))

HCA HUB Community Association

RDA Residence Disciplinary Administrator

HDAB HUB Disciplinary Appeal Board

HDC HUB Discipline Committee (replaced HUB Discipline Board (HDB))

HRA HUB Resident Assistant

LDA Lister Disciplinary Administrator

ADRL Assistant Director of Residence Life (replaced Residence Life Coordinator (RLC))

RLA Residence Life Assistant

**Comment [DE49]:** Residence Services HUB Website

### 98.3 Normes communautaires de la Résidence Saint-Jean (version française)\*

\*La forme masculine a été utilisée dans le but exclusif d'alléger le texte. Elle désigne donc aussi bien les personnes de sexe féminin que masculin.

**Note from the University Secretariat:** At its meeting of March 7, 2005 (Minute 55), the GFC Executive Committee AGREED that the official version of the Résidence Saint-Jean Standards (Section 98.3 of the GFC Policy Manual) should be the French version. The English version of the Résidence Saint-Jean Standards is included for information only.

**Comment [DE50]:** Note: Proposed Community Standards Policy will be provided in both English and French

## I. PRINCIPES FONDAMENTAUX ET PROCÉDURES

### 98.3.1 Définitions

En plus de l'alinéa 98.1.6 (Définitions courantes), les définitions ci-dessous s'appliquent aux Normes communautaires de la Résidence Saint-Jean :

a. Le terme « Communauté résidentielle » désigne la Résidence Saint-Jean; « Campus Saint-Jean » désigne plutôt tout autre bâtiment ou terrain situé sur le Campus Saint-Jean;

b. On entend par « zones privées » les chambres d'étude des résidents de la Résidence Saint-Jean;

c. On entend par « zones communes » :

(i) les salons;

(ii) les cuisines;

(iii) les toilettes;

(iv) les buanderies.

d. On entend par « zones publiques » :

(i) les escaliers;

(ii) la salle de repos;

(iii) les ailes de la résidence;

(iv) la salle de conférence;

(v) la salle de réunion de l'Association;

(vi) la salle d'étude;

(vii) la salle informatique;

(viii) les balcons.

### 98.3.2 Infractions

#### PARTIE A

##### 1. Infractions pouvant donner lieu à l'expulsion

#### PARTIE B

##### 1. Ordre, sécurité et conduite

**Comment [DE51]:** Residence Services Residence Saint-Jean website

**Comment [DE52]:** Replaced by Proposed Community Standards Policy

**Comment [DE53]:** Lease/ Residence Agreement and/or Code of Student Behaviour

**Comment [DE54]:** Proposed Community Standards Policy; or Residence Contract; and/or Code of Student Behaviour



## 2. Dommage à la propriété

**Comment [DE55]:** Replaced by Proposed Community Standards Policy; or Residence Contract;

### PARTIE C

Les règlements relatifs aux bruits ont été rédigés dans l'objectif principal de protéger les droits des étudiants de dormir, d'étudier et de se détendre dans un environnement où coexistent des routines et des besoins différents. Les infractions visées par la Partie C comprennent, entre autres, ce qui suit :

#### 1. Bruits déraisonnables

**Comment [DE56]:** Replaced by Proposed Community Standards Policy or Residence Contract

Aucun résident ne devra causer par quelque manière que ce soit des bruits déraisonnables dans la Communauté résidentielle. Les assistants en résidence seront responsables de déterminer ce qui constitue un bruit déraisonnable en se référant aux lignes directrices suivantes:

- a. Les périodes de silence sont de 22 h 00 à 8 h 00, du dimanche au jeudi, et de minuit à 8 h 00, le vendredi et le samedi.
- b. Les bruits pouvant être entendus dans l'unité d'un autre étudiant seront considérés comme étant déraisonnables.

Les règlements relatifs aux bruits déraisonnables tiennent également compte des vibrations émises par les infragraves (subwoofers) et par la basse. Si ces vibrations sont entendues ou ressenties dans l'unité d'un autre étudiant ou dans la zone publique/commune, cela constitue une infraction aux règlements.

**Comment [DE57]:** Residence Services RSJ website

#### 2. Boissons alcoolisées

**Comment [DE58]:** Alberta Liquor & Gaming Act; Alcohol at University Events Policy; Private Parties in Residence form

### SECTION D

#### 1. Méfaits

Aucun résident n'entreprendra d'acte susceptible de causer des perturbations nuisibles ou déraisonnables à toute autre personne. Par exemple, aucun étudiant ne devra :

- a. laisser de déchets résidentiels dans les zones communes ou publiques;
- b. fumer dans les zones privées, communes ou publiques, à l'exception des zones à l'extérieur;
- c. arroser, épandre, lancer, écraser, briser ou disperser tout matériel susceptible de causer des dommages de quelque nature que ce soit à l'Université ou aux biens personnels ou qui exige des efforts excessifs pour nettoyer;
- d. mener ni participer à un jeu, à une activité ressemblant à un sport ou à une activité récréative, etc., qui comprend du bruit excessif et qui risque d'endommager les planchers de la résidence, dans les couloirs ou dans d'autres endroits communs et zones restrictives;
- e. brûler de bougies, d'encens ou d'autre matériel inflammable dans une pièce, salle d'étude, zone commune ou zone résidentielle.

**Comment [DE59]:** Replaced by Proposed community Standards Policy or Residence Contract

**Comment [DE60]:** Residence Contract

## 2. Entraves aux processus

Aucun résident ne devra gêner un membre des Services en résidence dans l'exécution d'activités relatives à une infraction éventuelle. Par exemple, aucun étudiant ne devra :

- a. refuser de fournir sur demande une pièce d'identité valide avec photo à un membre du personnel des Services en résidence;
- b. dissimuler ou falsifier volontairement des renseignements, voire fournir des renseignements incomplets, à un membre du personnel des Services en résidence;
- c. prendre la fuite lorsqu'un membre du personnel des Services en résidence le cherche;
- d. faire obstacle à une enquête à l'égard d'une infraction éventuelle;
- e. s'abstenir de signaler un incident d'endommagement dont il a été témoin à un membre du personnel des Services en résidence;
- f. présenter des faits imprécis devant un membre du personnel des Services en résidence, le Comité disciplinaire HUB (*HUB Discipline Committee*) ou le Conseil d'appel en matière de discipline (*HUB Discipline Appeals Board*);
- g. manquer de remplir les conditions du service communautaire dans un délai raisonnable, manquer de se présenter à la date convenue à un événement de travail communautaire ou négliger d'accomplir le travail communautaire d'une manière prompte et satisfaisante.

**Comment [DE62]:** Replaced by Proposed community Standards Policy or Residence Contract

**Comment [DE63]:** Not Applicable

**Comment [DE64]:** Residence Contract

## PARTIE E

### 1. Restriction en matière de visite et violation des droits d'autrui

**Comment [DE65]:** Replaced by Proposed community Standards Policy or Residence Contract

## PARTIE F

### 1. Tâches

**Comment [DE66]:** Residence Services RSJ website

#### 98.3.3 Procédures

Veillez vous reporter à l'alinéa 98.2.3 (HUB Community Standards) pour connaître les procédures disciplinaires

**Comment [DE67]:** Replaced by Proposed Community Standards Policy

#### 98.3.4 LE FRANÇAIS, LANGUE DE COMMUNICATION

Tous les résidents ont signé une entente en vertu de laquelle ils acceptent de suivre et respecter les règlements et les normes de la Résidence Saint-Jean et d'utiliser le français comme langue de communication.

**Comment [DE68]:** Campus Saint-Jean faculty regulations

#### 98.4 East Campus Village Residence Community Standards

##### 98.4.1 Definitions

In addition to Section 98.1.6 (Common Definitions), the following definitions apply to the East Campus Village Community Standards:

a. the term "Residence Community" shall refer to the East Campus Village community, excluding International House;

b. The term "private areas" shall refer to:

- (i) the study bedrooms of the residents of the East Campus Village;
- (ii) any area in a one bedroom house or one bedroom apartment.

c. The term "common areas" shall refer to:

- (i) balconies in the walk-ups;
- (ii) living rooms;
- (iii) kitchens;
- (iv) washrooms;
- (v) dining rooms;
- (vi) laundry rooms;
- (vii) storage closets;
- (viii) the back and front yards of houses within the property line of that house (in the front yard this is determined within 6 feet of the sidewalk);
- (ix) basements.

d. The term "public areas" shall refer to:

- (i) stairwells and entranceways in the walk-ups;
- (ii) any area outside, with the exception of yard areas of the houses;
- (iii) the East Campus Students' Association (ECSA) Centre.

#### 98.4.2 Offences

Many of the offences set out below are also violations of the Code of Student Behaviour and/or municipal, provincial and federal laws, and may be pursued under any or all sets of regulations. The Residence Coordinator (RC) or Associate Director of Residence Life (ADRL) may refer alleged violations of the Code of Student Behaviour to Campus Security Services.

**Comment [DE69]:** Residence Service ECV website

**Comment [DE70]:** Replaced by Proposed Community Standards Policy

## SECTION A

### 1. Recommended Evictable Offences

**Comment [DE71]:** Residence Contract and or Code of Student Behaviour

## SECTION B

### 1. Order and Conduct

**Comment [DE72]:** Replaced by Proposed Community Standards Policy or Residence Contract

No resident shall intentionally or recklessly act in a manner which threatens the personal safety, health, well-being or privacy of any person in the Residence Community, either directly or indirectly; or which otherwise creates or contributes to circumstances which seriously disrupt the orderly management and operation of the Residence Community. Section B offences include, but are not limited to:

- a. forcibly detaining any person, or by any means obstructing or preventing a person from entering or leaving private, public or common areas of the residential unit or public areas of the Residence Community;
- b. being abusive to Residence Life Staff;
- c. exhibiting disorderly or disruptive behaviour reasonably attributable to the consumption of alcohol;
- d. insulting, provoking, or acting in a manner which discriminates against another individual;
- e. accompanying any person known to the resident to have been denied admittance to the Residence Community, whether by the Housing Exclusion List or otherwise.

f. smoking in any private, public or common area of the residence community, including residential units.

g. failing to vacate during a fire alarm unless it is explicitly stated as being a test.

h. urinating, defecating or otherwise dispersing human waste in an unacceptable manner.

**Comment [DE73]:** Residence Contract

### 2. Property Damage

**Comment [DE74]:** Replaced by Proposed Community Standards Policy or Residence Contract

## SECTION C

### 1. Unreasonable Noise

**Comment [DE75]:** Replaced by Proposed Community Standards Policy or Residence Contract

The primary purpose of noise regulations is to protect the rights of students to sleep, study and relax in a community of students with a variety of schedules and needs. Section C offences include, but are not limited to:

No resident shall cause unreasonable noise by any means whatsoever in the Residence Community. The determination of whether any noise is unreasonable shall be made with regard to:

a. the provisions of the quiet hours from 11:00 p.m. - 8:00 a.m. Sunday - Thursday; 2:00 a.m. - 10:00 a.m. Friday and Saturday.

b. during exam periods, quiet hours will extend to 24 hours.

**Comment [DE76]:** Residence Services ECV website

c. any other such factors deemed by the HUB Discipline Committee (HDC) or HUB Discipline Appeals Board (HDAB) to be relevant to the particular circumstances.

**Comment [DE77]:** Not applicable

## 2. Liquor

**Comment [DE78]:** Alberta Gaming & Liquor Act; Alcohol at University Events Policy; Private Parties in Residence form

## SECTION D

### 1. Obstruction of Process

**Comment [DE79]:** Replaced by Proposed Community Standards Policy or Residence Contract

No resident shall impede any Residence Life Staff in the performance of their duties in relation to any possible offence. This includes, but is not limited to:

a. not providing proper photo identification of oneself or one's guest(s) to the Residence Life Staff upon request;

b. knowingly withholding information, or providing false or incomplete information to Residence life Staff;

c. fleeing from Residence Life Staff;

d. impeding the investigation of a possible offence;

e. failing to report any damage witnessed by the resident to Residence Life Staff;

f. misrepresenting facts in front of the HDC or the appeals board;

**Comment [DE80]:** Not applicable

g. failing to complete the requirements of community service within a reasonable amount of time, failing to attend a scheduled community work project, and/or failing to perform community service work in an adequate and timely manner.

**Comment [DE81]:** Residence Contract

h. failing to attend a scheduled meeting with Residence Life Staff unless there are extenuating circumstances and/or proper notice is given by the resident in question

**Comment [DE82]:** Replaced by Proposed Community Standards Policy or Residence Contract

## SECTION E

### 1. Mischief

**Comment [DE83]:** Replaced by Proposed Community Standards Policy or Residence Contract

### 2. Disruption of Community Environment

**Comment [DE84]:** Replaced by Proposed Community Standards Policy or Residence Contract

### 98.4.3 Procedures

Please refer to Section 98.2.3 (in the HUB Community Standards) for discipline procedures

**Comment [DE85]:** Proposed Community Standards Policy

## 98.5 Newton Place Residence Community Standards

### 98.5.1 Definitions

In the Newton Place Community Standards:

- a. the term "Residence Community" shall refer to Newton Place;
- b. The term "private areas" shall refer to apartments, balconies and bachelor storage facilities of Newton Place.
- c. The term "common areas" shall refer to:
  - (i) the Newton Place Lobby;
  - (ii) the Newton Place Community Centre;
  - (iii) garbage and laundry rooms.
- d. The term "public areas" shall refer to:
  - (i) elevators, stairwells, hallways, and entranceways;
  - (ii) the courtyard and volleyball court.

Please refer to section 98.1.6 for additional definitions

**Comment [DE86]:** Residence Services Newton Place website

### 98.5.2 Offences

Many of the offences set out below are also violations of the Code of Student Behaviour and/or municipal, provincial and federal laws, and may be pursued under any or all sets of regulations. The Residence Coordinator (RC) or Associate Director of Residence Life (ADRL) may refer alleged violations of the Code of Student Behaviour to Campus Security Services.

**Comment [DE87]:** Replaced by Proposed Community Standards Policy

## **SECTION A**

### **1. Recommended Evictable Offences**

**Comment [DE88]:** Residence Contract and/or Code of Student Behaviour

## **SECTION B**

### **1. Order and Conduct**

**Comment [DE89]:** Replaced by Proposed Community Standards Policy or Residence Contract

No resident shall intentionally or recklessly act in a manner which threatens the personal safety, health, well-being or privacy of any person in the Residence Community, either directly or indirectly;

or which otherwise creates or contributes to circumstances which seriously disrupt the orderly management and operation of the Residence Community. Section B offences include, but are not limited to:

- a. forcibly detaining any person, or by any means obstructing or preventing a person from entering or leaving public, private or common areas of Newton Place;
- b. being abusive to Residence Life Staff;
- c. exhibiting disorderly or disruptive behaviour reasonably attributable to the consumption of alcohol;
- d. insulting, provoking, or acting in a manner which discriminates against another individual;
- e. accompanying any person known to the resident to have been denied admittance to the Residence Community, whether by the Housing Exclusion List or otherwise.
- f. smoking in any private, public or common area of the residence community, including residential units.
- g. failing to vacate during a fire alarm unless it is explicitly stated as being a test.
- h. urinating, defecating or otherwise dispersing human waste in an unacceptable manner.

## 2. Property Damage

**Comment [DE90]:** Residence Contract

**Comment [DE91]:** Replaced by Proposed Community Standards Policy or Residence Contract

## SECTION C

### 1. Unreasonable Noise

**Comment [DE92]:** Proposed Community Standards Policy or Residence Contract

The primary purpose of noise regulations is to protect the rights of Newton Place Residents to sleep, study, and relax in a community made up of people with a variety of schedules and needs. Unreasonable noise is defined as noise that is a consistent and unreasonable disruption of the Residence Community, or as noise that contravenes any of the regulations listed below.

a. Noise shall not exceed a level where it can be heard coming from an apartment in such a way as to cause unreasonable inconvenience to other residents in the building.

b. Quiet hours shall be considered to be in effect in Newton Place during the following hours:

Sunday - Thursday 11pm to 8 am

Friday and Saturday 12 am to 10 am

c. During exam periods noise shall not exceed a level where it can be heard coming from an apartment. Exam periods will be determined by the Newton Place Residents' Association (NPRA) and Residence Services.

**Comment [DE93]:** Residence Services Newton Place Website

d. Any other such factors deemed by the HUB Discipline Committee (HDC) or the appeals board to be relevant to the particular circumstances.

**Comment [DE94]:** Not applicable

## 2. Liquor

**Comment [DE95]:** Alberta Gaming & Liquor Act; Alcohol at University Events Policy; Private Parties in Residence form

## SECTION D

### 1. Obstruction of Process

**Comment [DE96]:** Replaced by Proposed Community Standards Policy or Residence Contract

No resident shall impede any Residence Life Staff in the performance of their duties in relation to any possible offence. This includes, but is not limited to:

- a. not providing proper photo identification of oneself or one's guest(s) to the Residence Life Staff upon request;
- b. knowingly withholding information, or providing false or incomplete information to Residence life Staff;
- c. fleeing from Residence Life Staff;
- d. impeding the investigation of a possible offence;
- e. failing to report any damage witnessed by the resident to Residence Life Staff;
- f. misrepresenting facts in front of the HDC or the appeals board;
- g. failing to complete the requirements of community service within a reasonable amount of time, failing to attend a scheduled community work project, and/or failing to perform community service work in an adequate and timely manner.
- h. failing to attend a scheduled meeting with Residence Life Staff unless there are extenuating circumstances and/or proper notice is given by the resident in question.

**Comment [DE97]:** Not applicable

**Comment [DE98]:** Residence Contract

**Comment [DE99]:** Replaced by Proposed Community Standards Policy or Residence Contract

## SECTION E

### 1. Mischief

**Comment [DE100]:** Proposed Community Standards Policy or Residence Contract

### 2. Disruption of Community Environment

**Comment [DE101]:** Replaced by Proposed Community Standards Policy or Residence Contract

#### 98.5.3 Procedures

Please refer to Section 98.2.3 (in the HUB Community Standards) for discipline procedures



## 98.6 International House Residence Community Standards

### 98.6.1 Definitions

In addition to Section 98.1.6 (Common Definitions), the following definitions apply to the International House Community Standards:

- a. the term "Residence Community" shall refer to International House;
- b. The term "private areas" shall refer to the study bedrooms of the residents of International House;
- c. The term "common areas" shall refer to:
  - (i) floor lounges;
  - (ii) kitchens;
  - (iii) laundry rooms;
  - (iv) storage closets.
- d. The term "public areas" shall refer to:
  - (i) stairwells and entranceways;
  - (ii) resident wings;
  - (iii) common lounge;
  - (iv) meeting room;
  - (v) meeting room washrooms;
  - (vi) the bike storage room;
  - (vii) the East Campus Students' Association (ECSA) Center.

### 98.6.2 Offences

Many of the offences set out below are also violations of the Code of Student Behaviour and/or municipal, provincial and federal laws, and may be pursued under any or all sets of regulations. The Residence Coordinator (RC) or Assistant Director of Residence Life (ADRL) may refer alleged violations of the Code of Student Behaviour to Campus Security Services.

## **SECTION A**

### **1. Recommended Evictable Offences**

**Comment [DE103]:** Residence Services I-House website

**Comment [DE104]:** Residence Services I-House website

**Comment [DE105]:** Replaced by Proposed Community Standards Policy

**Comment [DE106]:** Residence Contract

See section 98.1.7 of the GFC Policy Manual

## SECTION B

### 1. Order and Conduct

No resident shall intentionally or recklessly act in a manner which threatens the personal safety, health, well-being or privacy of any person in the Residence Community, either directly or indirectly; or which otherwise creates or contributes to circumstances which seriously disrupt the orderly management and operation of the Residence Community. Section B offences include, but are not limited to:

- a. forcibly detaining any person, or by any means obstructing or preventing a person from entering or leaving private, public or common areas of the residential unit or public areas of the Residence Community;
- b. being abusive to Residence Life Staff;
- c. exhibiting disorderly or disruptive behaviour reasonably attributable to the consumption of alcohol;
- d. insulting, provoking, or acting in a manner which discriminates against another individual;
- e. accompanying any person known to the resident to have been denied admittance to the Residence Community, whether by the Housing Exclusion List.

f. smoking in any private, public or common area of the residence community, including residential units;

g. failing to vacate during a fire alarm unless it is explicitly stated as being a test;

h. urinating, defecating or otherwise dispersing human waste in an unacceptable manner.

### 2. Property Damage

## SECTION C

The primary purpose of noise regulations is to protect the rights of students to sleep, study and relax in a community of students with a variety of schedules and needs. Section C offences include, but are not limited to:

### 1. Unreasonable Noise

No resident shall cause unreasonable noise by any means whatsoever in the Residence Community. The determination of whether any noise is unreasonable shall be made by the Resident Assistants and will use the following guidelines:

a. the provisions of the quiet hours from 10:00 p.m. - 8:00 a.m. Sunday - Thursday; 12:00 a.m. - 10:00 a.m. Friday and Saturday;

**Comment [DE107]:** Replaced by Proposed Community Standards Policy or Residence Contract

**Comment [DE108]:** Residence Contract

**Comment [DE109]:** Replaced by Proposed Community Standards Policy or Residence Contract

**Comment [DE110]:** Replaced by Proposed Community Standards Policy or Residence Contract

b. during exam periods, quiet hours will extend to 24 hours;

c. Noise that can be heard in another student's room will be considered unreasonable. Noise includes vibrations created by subwoofers and bass. These vibrations will be viewed as a noise violation if they can be heard or felt in another student's room or common/public areas.

## 2. Liquor

**Comment [DE111]:** Residence Services I-House website

**Comment [DE112]:** Alberta Gaming & Liquor Act; Alcohol at University Events Policy; Private Parties in Residence form

## SECTION D

### 1. Obstruction of Process

No resident shall impede any Residence Life Staff in the performance of their duties in relation to any possible offence. This includes, but is not limited to:

- a. not providing proper photo identification of oneself or one's guest(s) to the Residence Life Staff upon request;
- b. knowingly withholding information, or providing false or incomplete information to Residence Life Staff;
- c. fleeing from Residence Life Staff;
- d. impeding the investigation of a possible offence;
- e. failing to report any damage witnessed by the resident to Residence Life Staff;

**Comment [DE113]:** Replaced by Proposed Community Standards Policy or Residence Contract

f. misrepresenting facts in front of the HDC or the appeals board;

**Comment [DE114]:** Not applicable

g. failing to complete the requirements of community service within a reasonable amount of time, failing to attend a scheduled community work project, and/or failing to perform community service work in an adequate and timely manner.

**Comment [DE115]:** Residence Contract

h. failing to attend a scheduled meeting with Residence Life Staff unless there are extenuating circumstances and/or proper notice is given by the resident in questions.

**Comment [DE116]:** Replaced by Proposed Community Standards Policy or Residence Contract

## SECTION E

### 1. Mischief

**Comment [DE117]:** Replaced by Proposed Community Standards Policy or Residence Contract

### 2. Disruption of Community Environment

**Comment [DE118]:** P Replaced by Proposed Community Standards Policy or Residence Contract

### 98.6.3 Procedures

Please refer to Section 98.2.3 (in the HUB Community Standards) for discipline procedures.

**Comment [DE119]:** Replaced by Proposed Community Standards Policy

## 98.7 Lister Residence Community Standards

### 98.7.1 Definitions

In the Community Standards:

a. The terms "the Residence Community" and "Lister Hall" shall refer to the Lister Residence Complex.

b. The term "night" shall refer to the time period:

(i) from Sunday to Thursday, between 23:00 and 07:00 hours;

(ii) on Friday and Saturday, from 02:00 and 09:00 hours the following morning.

c. The term "private areas" shall refer to the study bedrooms of the residents of Lister Hall.

d. The term "common areas" shall refer to:

(i) resident wings and wing washrooms;

(ii) floor lounges;

(iii) floor service centers;

(iv) floor storage and recycling rooms;

(v) floor lounge washrooms.

e. The term "public areas" shall refer to:

(i) elevators, stairwells, and entranceways;

(ii) the Mackenzie, Kelsey, and Henday libraries;

(iii) the entire ground floor of the complex, excluding resident wings and guest suites;

(iv) the main Lister Hall building.

(v) the David Tuckey gymnasium;

(iv) the University of Alberta Conference Centre.

f. The acronyms LDC and LDAB shall refer to the Lister Disciplinary Committee and the Lister Disciplinary Appeals Board, respectively.

g. The term "keg" shall refer to a container capable of holding 6.0 liters of alcohol or more, which requires tapping and/or cannot be resealed.

Comment [DE120]: Not Applicable

h. The term "calendar days" shall refer to any set of consecutive days, but shall be exclusive of official University of Alberta holidays.

i. The term "event" shall refer to any official event of the Lister Hall Students Association, or any official event of the Schaffer, Mackenzie, Kelsey, or Henday Hall Associations.

j. The term "working day" shall refer to any calendar day excluding Saturday and Sunday.

Please refer to section 98.1.6 for additional definitions.

**Comment [DE121]:** Residence Services Lister website

### **98.7.2 Offences**

Many of the offences set out below are also violations of the Code of Student Behaviour and may be pursued under both sets of regulations. The Associate Director of Residence Life may refer alleged violations of the Code of Student Behaviour to Campus Security Services.

The following are offences under the Community Standards and may be enforced anywhere within the Residence Community or at an event thereof.

**Comment [DE122]:** Replaced by Proposed Community Standards Policy

## **SECTION A**

### **1. Evictable offences**

See section 98.1.7 of the GFC Policy Manual (Residence Community Standards)

**Comment [DE123]:** Residence Contract

## **SECTION B**

### **1. Order and Conduct**

**Comment [DE124]:** Replaced by Proposed Community Standards Policy or Residence Contract and/or Code of Student Behaviour

No Resident shall intentionally or recklessly act in a manner which directly or indirectly threatens the personal safety, health, well being or privacy of any person in the Residence Community. No resident shall contribute to circumstances which seriously disrupt the orderly management and operation of the Residence Community. This includes, but is not limited to:

- a. being abusive to Residence Staff;
- b. in any way forcibly detaining a person, or by any means obstructing or preventing a person from entering or leaving his/her room or other areas of the Residence Community;
- c. forcibly or against the will of any person placing, submerging, detaining or otherwise putting any resident in a bathtub or shower;
- d. registering or accompanying any person known to the resident to have been denied admittance to the Residence Community, whether by the Housing Exclusion List or otherwise.
- e. urinating, defecating or otherwise dispersing human waste in an unacceptable manner.

f. smoking in any private, public or common area of the residence community, including residential units;

g. failing to vacate during a fire alarm unless it is explicitly stated as being a test;

h. insulting provoking, or acting in a manner which discriminates against another individual.

## 2. Property Damage

**Comment [DE125]:** Residence Contract

**Comment [DE126]:** Proposed Community Standards Policy or Residence Contract and/or Code of Student Behaviour

**Comment [DE127]:** Replaced by Proposed Community Standards Policy or Residence Contract

## SECTION C

### 1. Unreasonable Noise

It is expected that in a primarily undergraduate residence, there will be a certain amount of sound attributable to the normal daily activities of students. The primary purpose of noise regulations for the residence is to protect the rights of students to sleep, study, and relax in a community made up of people with a variety of schedules and needs. The determination of whether any noise is unreasonable shall be made by the incident report author and will use the following guidelines:

a. The provisions of the quiet hours are from 11:00pm - 8:00am Sunday - Thursday; 2:00am -10:00am Friday and Saturday;

b. Noise that can be heard from a bedroom or wing at any time by other floors, or at night by others in the wing. Other floors shall not hear noise from the lounge at any time.

**Comment [DE128]:** Replaced by Proposed Community Standards Policy or Residence Contract

**Comment [DE129]:** Residence Services Lister website

### 2. Quiet Hours

During the University's final exam period, quiet hours shall be determined by the Lister Hall Student's Association's Joint Council. During this quiet hour period, all floors shall be Very Quiet. Very Quiet is defined as a noise that exceeds a level where it can be heard coming from a bedroom or wing at anytime. In addition, noise from the lounge shall not be heard in the wings at anytime, noise from the wings shall not be heard in any bedroom at any time. Stress relief hours shall also be determined by the Joint Council, and shall be a minimum of 2 hours per day, and a maximum of 4 hours per day. During stress relief hours, noise should be enforced as outlined in (1).

**Comment [DE130]:** Residence Services Lister website

### 3. Liquor

**Comment [DE131]:** Alberta Gaming & Liquor Act; Alcohol at University Events policy; Private Parties in Residence form

## SECTION D

### 1. Obstruction of Process

No resident shall impede any Residence Life Staff in the performance of their duties in relation to any possible offence. This includes, but is not limited to:

a. not providing proper photo identification of oneself or one's guest(s) to Residence Life Staff upon request;

**Comment [DE132]:** Replaced by Proposed Community Standards Policy or Residence Contract

- b. failing or refusing to allow any Residence Life Staff to examine the contents of any container suspected of containing alcohol;
- c. knowingly withholding information, or providing false or incomplete information to Residence life Staff;
- d. fleeing from Residence Life Staff;
- e. impeding the investigation of a possible offence;
- f. failing to report any damage witnessed by the resident to Residence Life Staff;

g. misrepresenting facts in front of the Lister Disciplinary Committee or the appeals board.

**Comment [DE133]:** Not applicable

h. failing to attend a scheduled meeting with Residence Life Staff unless there are extenuating circumstances and/or proper notice is given by the resident in question;

**Comment [DE134]:** Replaced by Proposed Community Standards Policy or Residence Contract

i. using the Acceptance of Penalty process (see IV.5) to delay his/her appearance before LDC.

**Comment [DE135]:** Not applicable

## SECTION E

### 1. Mischief

**Comment [DE136]:** Replaced by Proposed Community Standards Policy or Residence Contract

### 2. Disruption of the Community Environment

**Comment [DE137]:** Replaced by Proposed Community Standards Policy or Residence Contract

#### 98.7.3 Procedures

### 1. Selection of Discipline Administrator

**Comment [DE138]:** Residence Services Lister website; University of Alberta Human Resources policies

### 2. Selection of Discipline Committee Members

**Comment [DE139]:** Residence Services Lister website; University of Alberta Human Resources policies

### 3. Removal of Discipline Administrator and Discipline Committee Members

**Comment [DE140]:** University of Alberta Human Resources policies

### 4. Incident Reports

**Comment [DE141]:** Replaced by Proposed Community Standards Policy and staff training

### 5. Conveyance

**Comment [DE142]:** Replaced by Proposed Community Standards Policy

### 6. Uncontested Sanctions

**Comment [DE143]:** Not applicable; replaced by Proposed Community Standards Policy

### 7. Review of Investigation Report and Determination of Sanctions

**Comment [DE144]:** Not applicable; replaced by Proposed Community Standards Policy

8. Appeal Process

**Comment [DE145]:** Not applicable; replaced by Proposed Community Standards Policy

9. Sanctions

**Comment [DE146]:** Proposed Community Standards Policy (in the form of Restorative Agreement); or Residence Contract; and/or Code of Student Behaviour

10. Discharge of Sanction

**Comment [DE147]:** Not applicable; replaced by Proposed Community Standards Policy



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This document is the parent policy for any associated procedures or appendices. Questions regarding this policy should be addressed to the Office of Administrative Responsibility.					

## Human Research Ethics Policy

<b>Office of Accountability:</b>	Vice-President (Research)
<b>Office of Administrative Responsibility:</b>	Research Ethics Office
<b>Approver:</b>	Board of Governors General Faculties Council
<b>Scope:</b>	Compliance with this policy extends to all persons who conduct <b>Research Involving Humans</b> within the jurisdiction or under the auspices of the University of Alberta.

### Overview

The University of Alberta serves the community by the dissemination of knowledge through teaching and the discovery of knowledge through **Research**. The University of Alberta is committed to excellence in Research based on the highest national and international standards.

### Purpose

To adopt core principles and ethical principles for the conduct of Research Involving Humans.

To identify the relationship between this **Policy** and the **Tri-Council Policy Statement** and the **Tri-Council MOU**.

To provide that Research Involving Humans may not be commenced by a **Researcher** unless first approved in accordance with this Policy and its **Procedures** and if approved may only be undertaken in accordance with any such **Approval** and any requirements or conditions contained in or imposed in accordance with this Policy and its Procedures.

To establish the jurisdiction and mandate of the **REBs** and to define the key elements in the structure and implementation of this Policy and its Procedures.

To authorize an REB to accept the review of decisions of an external research ethics board.

## POLICY

### 1. CORE PRINCIPLES AND ETHICAL PRINCIPLES

Researchers contribute to human welfare by acquiring knowledge and applying it to human problems. In the design and conduct of Research Involving Humans, they are obliged to:

- a) pursue Research Involving Humans as capably as their knowledge permits; and

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- b) respect human dignity which requires that Research Involving Humans be conducted in a manner that is sensitive to the inherent worth of all human beings and the respect and consideration they are due.

The following core principles, together with the following ethical principles which are incorporated within those core principles, are adopted by the University of Alberta as foundational core principles and ethical principles to be applied in the implementation of this Policy and its Procedures:

#### Core Principles

- Respect for persons – a recognition of the intrinsic value of human beings and the respect and consideration they are due
- Concern for welfare – a holistic concept that refers to how a person or group is faring
- Justice – refers to the obligation to treat people fairly and equitably

#### Ethical Principles

- Respect for human dignity
- Respect for free and informed consent
- Respect for vulnerable persons
- Respect for privacy and confidentiality
- Respect for justice and inclusiveness
- Balancing harms and benefits
- Minimizing harm
- Maximizing benefits

These core principles and ethical principles shall be interpreted having regard to any interpretation or commentary on the same contained in the most recent Tri-Council Policy Statement containing such core principles or ethical principles as the case may be

If any change to the Tri-Council Policy Statement results in its inclusion of a core principle or ethical principle that has not been adopted by the University of Alberta through this Policy the **Vice-President (Research)** may make a written determination adopting such core principle or ethical principle as a part of this Policy.

## 2. RELATIONSHIP TO TRI-COUNCIL POLICY STATEMENT AND TRI-COUNCIL MOU

The University of Alberta adopts as a part of this Policy the articles of the Tri-Council Policy Statement to apply in the implementation of this Policy and its Procedures and shall be guided by the application sections of the articles.

In the event of any conflict between any adopted article of the Tri-Council Policy Statement and any other provision of this Policy or its Procedures, the adopted article shall apply and take precedence.

If additional requirements to the adopted articles are imposed pursuant to this Policy or its Procedures or are dictated by provincial, territorial, federal, international or other requirements, those additional requirements shall not be considered to be in conflict with any adopted article of the Tri-Council Policy and shall also be applied in the implementation of this Policy and its Procedures.

This Policy and its Procedures conforms to the requirements of the Tri-Council MOU.

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### 3. RESEARCH REQUIRING ETHICS REVIEW

Research Involving Humans may not be commenced by a Researcher, including through contact with, or recruitment of, potential **Participants**, until ethics approval has been requested and an Approval has been granted pursuant to this Policy and its Procedures unless otherwise specifically permitted in this Policy and its Procedures. An Approval must subsist for the duration of the participation of humans in the Research, or for the duration of the funding of the Research, whichever is greater. An Approval is initially issued only for a maximum of twelve months and it is the responsibility of the Researcher to apply for any required renewal of the Approval in accordance with the Procedures.

### 4. JURISDICTION AND MANDATE OF THE RESEARCH ETHICS BOARDS

The University of Alberta establishes such number of REBs organized around specific ethics concerns as determined appropriate from time to time by the Vice-President (Research). The University of Alberta will provide sufficient financial and administrative resources to support the REBs in the fulfillment of their duties. The REBs shall be independent in their decision-making on individual ethics applications, and are accountable to the Vice-President (Research) for their ethics review processes.

All REBs shall be responsible for and capable of considering the full range of core principles and ethical principles of this Policy. Each REB shall have a specific area of focused expertise and must also be capable of considering a broad range of potential research methods, contexts, populations and risk. The REBs are mandated to approve, reject, propose modifications to, or terminate the approval of any proposed or ongoing research that is subject to review under this Policy. Researchers should choose the REB most suitable to the specific research project for which Approval is sought and need not restrict themselves to only one REB for all projects they undertake.

The University of Alberta establishes a **Research Ethics Board Oversight Committee** reporting to the Vice-President (Research) to oversee the governance and performance of REBs; to ensure compliance of individual REBs with this Policy and its Procedures; to periodically review and when deemed appropriate recommend to the Vice-President (Research) changes to this Policy and its Procedures; to hear appeals of REB decisions as necessary; and to develop additional processes or procedures necessary or useful for the operations of the REBs.

In the case of applications for Approval of Research which will be funded in whole or in part with funds emanating from the Canadian federal government, the Procedures shall enable an Applicant to submit an application for an Approval in either the English language or the French language.

### 5. RECOGNITION OF DECISION OF EXTERNAL REB

Where an Approval for Research Involving Humans is required from an REB pursuant to this Policy and ethics approval is also required from a research ethics board of one or more other institutions pursuant to the human research ethics policy of that other institution(s) - sometimes referred to as multi-jurisdiction reviews - the REB may accept the review of the research ethics board of one of those other institutions if permitted by, and in accordance with the requirements of, the Tri-Council Policy Statement and if approved by, and in accordance with the requirements of, the Vice-President (Research).

### DEFINITIONS

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [▲Top](#)

**Research Involving Humans**

Research involving Participants.

Research involving human remains, cadavers, tissues, biological fluids,

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	<p>embryos or fetuses.</p> <p>Research involving <b>Secondary Use of Data</b></p> <p>Research involving Participants does not include the following Research which is deemed excluded from such term:</p> <ul style="list-style-type: none"> <li>- Research about a living individual based on published or publicly available information, documents, records, works, performances or archival materials which involves no interaction with that individual or a third party;</li> <li>- Research about a living individual based on observation of participation by that individual in public events where that individual is seeking public visibility which involves no interaction with that individual or a third party.</li> </ul>
<p><b>Secondary Use of Data</b></p>	<p>Refers to the use in Research of data contained in records collected for a purpose other than the proposed Research itself. Common examples are patient or school records or biological specimens, originally obtained or produced for therapeutic, educational or other research purposes, but subsequently are proposed for use in Research Involving Humans.</p> <p>Also refers to instances in which data is obtained for one REB approved project, but subsequently are proposed for use in new Research Involving Humans.</p>
<p><b>Research</b></p>	<p>An undertaking intended to extend knowledge through a disciplined inquiry or systematic investigation.</p> <p>The following activities, in the absence of a specific element of research, do not generally fall within this definition:</p> <ul style="list-style-type: none"> <li>-Procedures and practices exclusively used for pedagogic purposes including classroom discussion, practicum observation, student-teacher interviews and consultations, interviews and consultations with experts for teaching and learning purposes, testing within normal educational requirements and teaching evaluations</li> <li>-Normal practice of a profession including medicine, law and engineering</li> <li>-Quality assurance studies and performance reviews of an organization or its employees or students within the mandate of the organization or according to the terms and condition of employment or training.</li> </ul>
<p><b>Policy</b></p>	<p>The University of Alberta Human Research Ethics Policy.</p>
<p><b>Tri-Council Policy Statement</b></p>	<p>Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, Social Sciences and Humanities Research Council of Canada, <i>Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans</i>. 1998 (with 2000, 2002 and 2005 amendments), an evolving policy, as further amended or replaced from time to time.</p> <p>These Agencies will consider funding (or continued funding) only to individuals and institutions that certify that they comply with this Policy</p>

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	regarding research involving human subjects.
<b>Tri-Council MOU</b>	Tri-Council Memorandum of Understanding: Roles and Responsibilities in the Management of Federal Grants and Awards.
<b>Researcher</b>	<p>A person who:</p> <ul style="list-style-type: none"> <li>- is a <b>Member</b> who conducts or advances Research either: <ul style="list-style-type: none"> <li>(i) in that capacity;</li> <li>(ii) as Supplementary Professional Activity as defined in the University of Alberta Faculty Agreement; or</li> <li>(iii) otherwise under the auspices of the University of Alberta;</li> </ul> </li> <li>- is a Member who accesses University of Alberta students or staff as Participants;</li> <li>- is not a Member but conducts Research within the jurisdiction of the University of Alberta.</li> </ul>
<b>Member</b>	Person who is a member of the faculty, the emeritus faculty or the staff of the University of Alberta or who is a sessional instructor, administrator, student, post-doctoral fellow, visiting or adjunct scholar, fellow, chair, paid or unpaid research associate or assistant of or at the University of Alberta and any person in a like position.
<b>Procedures</b>	The Procedures, from time to time, in force with respect to the Policy.
<b>Approval</b>	An ethics approval granted in accordance with the Policy and its Procedures by an REB for proposed Research Involving Humans.
<b>REB</b>	Research Ethics Board authorized by the Vice-President (Research) to review and approve, propose modifications to, reject or terminate Research Involving Humans using the considerations set out in this Policy.
<b>Vice-President (Research)</b>	Vice-President (Research) of the University of Alberta
<b>Participant</b>	<p>A living individual who is the subject or one of the subjects of Research Involving Humans.</p> <p>An identifiable individual, living or deceased:</p> <ul style="list-style-type: none"> <li>-whose body is the human remains or cadaver;</li> <li>-from whose body was obtained human remains, tissue, biological fluid, embryo or foetus;</li> </ul> <p>which is the subject of Research Involving Humans.</p>
<b>Research Ethics Board Oversight Committee</b>	Body established by the Vice-President (Research) to oversee the relevant function and performance of REBs and to develop and review procedures to ensure compliance of the REBs with this Policy and its Procedures.

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## **RELATED LINKS**

Should a link fail, please contact [uappol@ualberta.ca](mailto:uappol@ualberta.ca). [[▲ Top](#)]

[Human Ethics Research Online \(HERO\)](#) (University of Alberta)

[Research and Scholarship Integrity Policy](#) (University of Alberta)

[Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans \(TCPS\)](#) (Government of Canada)

Go to:

[\[Purpose\]](#)[\[PROCEDURE\]](#)[\[DEFINITIONS\]](#)[\[FORMS\]](#)[\[RELATED LINKS\]](#)

This procedure is governed by its parent policy. Questions regarding this procedure should be addressed to the Office of Administrative Responsibility.

## Human Research Ethics Board Structure, Application and Review Procedure

<b>Office of Administrative Responsibility:</b>	Research Ethics Office
<b>Approver:</b>	Vice-President (Research)
<b>Scope:</b>	Compliance with this policy extends to all persons who conduct <b>Research Involving Humans</b> within the jurisdiction or under the auspices of the University of Alberta.

### Overview

The University of Alberta serves the community by the dissemination of knowledge through teaching and the discovery of knowledge through **Research**. The University of Alberta is committed to excellence in Research based on the highest national and international standards which resulted in the adoption by the University of Alberta of the **Policy** and requires a statement of the structure of **REBs**, the decision making and review requirements of REBs and the application and review process.

### Purpose

- Define the structure of REBs at the University of Alberta.
- Define the decision making and review requirements for ethics review of Research Involving Humans.
- Describe the basic procedures for application and ethics review of Research Involving Humans.

## PROCEDURE

### 1. STRUCTURE OF REBs AND GENERAL CONSIDERATIONS

- a. The University of Alberta through the Vice-President (Research) shall establish such number of REBs as determined appropriate from time to time by the Vice-President (Research) which REBs shall be organized around specific ethics concerns.
- b. It is the joint responsibility of the **Researcher** and the REB to ensure the ethical conduct of Research Involving Humans.
- c. The REBs shall apply the core principles and ethical principles adopted pursuant to the Policy in review of an application, in order to consider the implications of the research proposal in the application at various levels: the individual, institutional, organizational, community, cultural and societal. The REB and its members should not base their approval on epistemological, ontological, methodological or theoretical preferences, but should be aware of, and be willing to consider and suggest, a range of approaches to promote the ethical conduct of Research Involving Humans.

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d. The decision making by REBs at the University of Alberta shall be guided by a proportionate approach to ethics assessment. The more potentially harmful the proposed research is to Participants, the greater shall be the ethical scrutiny that it receives. Ethics review shall be based upon fully detailed ethics applications submitted for review through the HERO system. HERO records will be the official records of the initial assessment and ongoing review of human research. Approval by only one of the four REBs is necessary and no ethics application shall require approval from more than one REB. An **Applicant** may not submit the same application to more than one REB.

## 2. DECISION MAKING AND REVIEW REQUIREMENTS

a. The REB Chair (or designate) will make a preliminary determination whether proposed Research Involving Humans in an application for **Approval** involves more than **Minimal Risk**.

b. If the determination of the REB Chair (or designate) is that such proposed Research Involving Humans does not involve more than Minimal Risk the application may be referred by the REB Chair (or designate) for Delegated Review. In the case of Delegated Review the decision of the delegated reviewer to issue an Approval shall be final and will be reported to the full REB for information only and the decision of the delegated reviewer to refuse to issue an Approval shall result in the application for Approval being referred for Full Board Review. The REB Chair (or designate) will ensure sufficient opportunity for the full REB to discuss, but not vary, Delegated Reviews which have resulted in the issuance of Approvals to permit the REB to maintain surveillance over the decisions made through Delegated Review.

c. If the determination of the REB Chair (or designate) is that such proposed Research Involving Humans involves more than Minimal Risk the application shall be referred for Full Board Review. In the case of Full Board Review any associated requests by the REB for clarification or revisions and any final decision, will be provided to the applicant by the REB Chair with the assistance of the REBA.

d. While the disposition of any individual review rests solely and exclusively with either the REB or, in the event of an appeal, with the **Research Ethics Board Oversight Committee**, the REBs are accountable to the University of Alberta for their processes and procedures. In the event of a disagreement as to the interpretation or application of process or procedures, other than the Procedures, the Director of Human Research Ethics shall have final authority.

e. An Approval, in the absence of a renewal, is valid for twelve (12) months from the date of issuance. Where Research Involving Humans requires ongoing REB approval pursuant to the Policy in excess of the period for which an Approval applies, it is the responsibility of the Applicant to ensure that an application for renewal of the Approval, including reporting of any changes to the study protocol or staff (including any adverse events in the Research) is made in sufficient time prior to the expiry date of the Approval to permit prior review of that application for renewal. A maximum of three consecutive twelve (12) months renewals of an Approval may be applied for by an Applicant without a fully detailed application and typically those renewal applications will be handled by Delegated Review. An application for any fourth consecutive twelve (12) month renewal will require a new, fully detailed application for renewal of the Approval.

f. During the period in which an Approval is valid, should an Applicant need to change any aspect of the Research Involving Humans to which such Approval applies, the Applicant should discuss the change with the **REBA** and, for changes determined to be substantive by the REBA, shall typically submit a request for amendment to the REB that issued the Approval. This request will be considered according to the proportionate approach to review regarding the risk associated with the change proposed as well as the degree of departure from the original proposal. A limited number of non-administrative amendment approvals will be allowed, after which time a fully detailed application may be requested by the REB.

g. Exceptions to review procedures that are stated in this Procedure to apply "typically" will be considered by the REB Chair on a case-by-case basis. An Applicant must justify the need for the exception, appealing to other obligations to meet particular criteria set out by specific research contexts,



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agreements or international requirements. REBs will endeavor to review these exceptions as quickly as possible once all necessary information has been provided by the applicant.

### 3. APPLICATION AND REVIEW PROCESSES

#### General Requirements

All applications for human ethics review at the U of A will be routed through *Human Ethics Research Online* (HERO), an online application, distribution, and data management system. Applicants will choose one REB to review their application. The receiving REB may redirect any application that would be more suitably reviewed by another REB and notify the Applicant as necessary. Upon completion and submission, applications for REB review shall be received by a REBA or an REB Chair following which the REB Chair (or designate) shall make assessment referred to in Section 2 above. Where special case research, for instance stem cell research or research funded by the US Department of Health and Human Services requires unique ethics review processes, those requirements shall be met through modification to regular Full Board Review processes.

#### Delegated Review

In the case of a Delegated Review, the REBA on instructions of the REB Chair (or designate) shall send the application to a single designated member of the REB for review. This person is delegated the authority to both review and approve the application. This can be an Associate Chair who conducts all the Delegated Reviews, or can be any voting member of the REB designated by the REB Chair. The following process is used:

- a. The delegated reviewer shall either confirm or reject the preliminary determination of the Chair (or designate) referred to in Section 2 a. of this Procedure that the application is no more than Minimal Risk and therefore suitable for Delegated Review.
- b. If the delegated reviewer rejects the preliminary determination that the proposed Research Involving Humans in an application for Approval is no more than Minimal Risk the application shall be referred to Full Board Review.
- c. If the delegated reviewer confirms the preliminary determination that the proposed Research Involving Humans in an application for Approval is no more than Minimal Risk, then the single designated reviewer shall proceed with an assessment of the application and may request changes to the study protocol and supporting materials judged to be necessary to bring the proposed work into compliance with the Policy and its Procedures.
- d. This Delegated Review process is normally completed in writing, supported by the REBA.
- e. The Applicant shall respond to the requests of the delegated reviewer and if the delegated reviewer is satisfied with such response the delegated reviewer shall issue the Approval.
- f. The issuance of an Approval through a Delegated Review shall be then reported to the Full Board at its next meeting for information.

#### Full Board Review

- a. In the case of a Full Board Review, the application is distributed to all members of the REB, but is specifically reviewed by two designated reviewers as well as the REB Chair or Associate Chair, and the community member(s) who is/are required to participate in all Full Board Reviews. In those cases where the REB Chair and or one of the designated reviewers feels additional expertise, beyond that of the regular REB membership, is necessary for appropriate review, the assistance of a member of the Expert Resource Pool will be sought.

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- b. Typically the Applicant (and the supervisor in the case of research trainees) shall attend the REB meeting at which the application of the Applicant is being considered.
- c. The designated reviewers shall to the extent they deem the same necessary discuss the application with the applicant until they are satisfied that they understand the research procedures sufficiently to determine the ethical implications of the proposed Research Involving Humans.
- d. The designated reviewers shall to the extent they deem the same appropriate also specifically discuss the relevant ethical implications of the proposed Research Involving Humans with the Applicant.
- e. The rest of the REB will be entitled to ask questions of the applicant and the community member will comment on the application. These discussions typically take about fifteen (15) minutes per applicant.
- g. Following the meeting, the REBA will send a memo detailing the REB's requirements to ensure the proposed Research Involving Humans and supporting materials (such as an information letter or oral consent procedure) comply with University of Alberta standards.
- h. Once the Applicant responds to these requests to the satisfaction of the REB Chair, an Approval will be issued.
- i. The REB Chair and the delegated reviewer can request additional reviews of full board and delegated applications at any time during the review process. Typically such additional reviews would be provided by members of the **REB Expert Resource Pool**.

DEFINITIONS

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [\[▲Top\]](#)

<b>Research Involving Humans</b>	<p><b>Research involving Participants.</b></p> <p>Research involving human remains, cadavers, tissues, biological fluids, embryos or fetuses.</p> <p>Research involving <b>Secondary Use of Data</b></p> <p>Research involving Participants does not include the following Research which is deemed excluded from such term:</p> <ul style="list-style-type: none"> <li>- Research about a living individual based on published or publicly available information, documents, records, works, performances or archival materials which involves no interaction with that individual or a third party;</li> <li>- Research about a living individual based on observation of participation by that individual in public events where that individual is seeking public visibility which involves no interaction with that individual or a third party.</li> </ul>
<b>Research</b>	<p>An undertaking intended to extend knowledge through a disciplined inquiry or systematic investigation.</p> <p>The following activities, in the absence of a specific element of research, do not generally fall within this definition:</p>

	<p>-Procedures and practices exclusively used for pedagogic purposes including classroom discussion, practicum observation, student-teacher interviews and consultations, interviews and consultations with experts for teaching and learning purposes, testing within normal educational requirements and teaching evaluations</p> <p>-Normal practice of a profession including medicine, law and engineering</p> <p>-Quality assurance studies and performance reviews of an organization or its employees or students within the mandate of the organization or according to the terms and condition of employment or training.</p>
<b>Participant</b>	<p>A living individual who is the subject or one of the subjects of Research Involving Humans.</p> <p>An identifiable individual, living or deceased:</p> <ul style="list-style-type: none"> <li>-whose body is the human remains or cadaver;</li> <li>-from whose body was obtained human remains, tissue, biological fluid, embryo or foetus;</li> </ul> <p>which is the subject of Research Involving Humans.</p>
<b>Secondary Use of Data</b>	<p>Refers to the use in Research of data contained in records collected for a purpose other than the proposed Research itself. Common examples are patient or school records or biological specimens, originally obtained or produced for therapeutic, educational or other research purposes, but subsequently are proposed for use in Research Involving Humans.</p> <p>Also refers to instances in which data is obtained for one REB approved project, but subsequently are proposed for use in new Research Involving Humans.</p>
<b>Policy</b>	The University of Alberta Human Research Ethics Policy.
<b>REB</b>	Research Ethics Board authorized by the <b>Vice-President (Research)</b> to review and approve, propose modifications to, reject or terminate Research Involving Humans using the considerations set out in this Policy.
<b>Vice-President (Research)</b>	Vice-President (Research) of the University of Alberta
<b>Researcher</b>	<p>A person who:</p> <ul style="list-style-type: none"> <li>- is a <b>Member</b> who conducts or advances Research either: <ul style="list-style-type: none"> <li>(i) in that capacity;</li> <li>(ii) as Supplementary Professional Activity as defined in the University of Alberta Faculty Agreement; or</li> <li>(iii) otherwise under the auspices of the University of Alberta;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- is a Member who accesses University of Alberta students or staff as Participants;</li> <li>- is not a Member but conducts Research within the jurisdiction of the University of Alberta.</li> </ul>
<b>Member</b>	Person who is a member of the faculty, the emeritus faculty or the staff of the University of Alberta or who is a sessional instructor, administrator, student, post-doctoral fellow, visiting or adjunct scholar, fellow, chair, paid or unpaid research associate or assistant of or at the University of Alberta and any person in a like position.
<b>Applicant</b>	A person that submits an application for an Approval to an REB.
<b>Approval</b>	An ethics approval granted in accordance with the Policy and its <b>Procedures</b> by an REB for proposed Research Involving Humans.
<b>Procedures</b>	The Procedures, from time to time, in force with respect to the <b>Policy</b> .
<b>Minimal Risk</b>	The level of risk where the probability and magnitude of possible harms and discomforts to Participants from participation in Research Involving Humans is no greater in and of themselves than ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.
<b>Research Ethics Board Oversight Committee</b>	Body established by the Vice-President (Research) to oversee the relevant function and performance of REBs and to develop and review procedures to ensure compliance of the REBs with this Policy and its Procedures.
<b>REBA</b>	Research Ethics Board Administrator
<b>REB Expert Resource Pool</b>	A pool of individuals, maintained by the Research Ethics Office, who may be called on as ad-hoc advisors to, and guest reviewers for, the REBs in order to ensure the best possible inclusion of specialized expertise in the review of ethics applications.

## **RELATED LINKS**

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[Human Ethics Research Online \(HERO\)](#) (University of Alberta)

[Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans \(TCPS\)](#) (Government of Canada)

**DEVELOPMENT LEAD:** Wendy M. Rodgers [wendy.rodgers@ualberta.ca](mailto:wendy.rodgers@ualberta.ca)

Attachment 3

**DRAFT DATE:** 21 August 2010

**PARENT POLICY:** Human Research Ethics Policy

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Go to:

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This procedure is governed by its parent policy. Questions regarding this procedure should be addressed to the Office of Administrative Responsibility.

## Human Research Ethics Appeals Procedure

<b>Office of Administrative Responsibility:</b>	Research Ethics Office
<b>Approver:</b>	Vice-President (Research)
<b>Scope:</b>	Compliance with this policy extends to all persons who conduct <b>Research Involving Humans</b> within the jurisdiction or under the auspices of the University of Alberta.

### Overview

A **Researcher** has the right to request, and **REBs** have an obligation to provide, reconsideration of decisions affecting Research Involving Humans. In cases where a Researcher and an REB cannot achieve agreement through discussion and reconsideration, the Researcher may appeal a REB **decision** in accordance with this Appeals Procedure.

### Purpose

To describe the basic procedure for appealing decisions of REBs.

## PROCEDURE

The following steps are to be followed in an appeal of a REB decision:

- a. If, after exhausting all reasonable informal attempts to resolve disagreements cooperatively, an **Applicant** continues to dispute an REB decision, the Applicant may appeal that decision to the **Research Ethics Board Oversight Committee**. The Research Ethics Board Oversight Committee may, as part of the appeal process, determine whether reasonable attempts to resolve the disagreement have been exhausted and if it determines such reasonable attempts have not been exhausted may require the Applicant and REB to continue those reasonable attempts.
- b. The Research Ethics Board Oversight Committee shall hear an appeal from the same Applicant against the same decision only once.
- c. An appeal of a REB decision may only be made by an Applicant in writing outlining the grounds for the appeal and accompanied by supporting documentation submitted to the Administrative Director - Research Ethics Office within thirty (30) working days (days that the administrative offices of the University of Alberta are open for business) of receipt by the applicant of that written REB decision. The timelines below may be modified at the discretion of the Chair of Research Ethics Board Oversight Committee.
- d. The Administrative Director - Research Ethics Office shall acknowledge receipt of the appeal in writing to the Applicant and will forward a copy to the Chair of the Research Ethics Board Oversight

Committee and to the **Responding Chair**, with a requirement that the Responding Chair provide a written response to the appeal to the Research Ethics Board Oversight Committee within ten (10) working days of receipt of the request.

- e. The written response of the Responding Chair will minimally include the following information:
- i) all documents available at the REB meetings related to the decision being appealed; and
  - iii) response to the appellant's grounds for appeal.

The Administrative Director – Research Ethics Office shall ensure that both the Applicant and the Responding Chair receive copies of all materials provided.

f. The Research Ethics Board Oversight Committee may request additional material, seek advice from expert witnesses and may have a resource person or persons attend any or all portions of its hearings.

g. A member of the Research Ethics Board Oversight Committee must in advance of the hearing of any appeal disclose real or potential conflicts of interests to the Research Ethics Board Oversight Committee and if any such real or potential conflict of interests is disclosed that member will not be called upon to participate in the hearing of that appeal. The Responding Chair may not sit as a member of the Research Ethics Board Oversight Committee for the hearing of that appeal.

h. Both the Applicant and the Responding Chair have the right to challenge any member of the Research Ethics Board Oversight Committee regarding conflicts of interests. Challenges may only be made on the grounds that the member has a real or potential conflict of interests and must include written reasons to support the challenge. The Administrative Director – Research Ethics Office will make the final decision regarding whether or not a real or potential conflict of interests exists.

i. The Administrative Director - Research Ethics Office will convene a meeting of the Research Ethics Board Oversight Committee within thirty (30) working days of receipt of the appeal. That meeting will include provision for presentations by the Applicant and the Responding Chair.

j. The Applicant will present the grounds for the appeal and speak to the issues. The Responding Chair will present the reasons for the decision of the REB and speak to the issues. Both sides and the Research Ethics Board Oversight Committee may call witnesses and question the parties.

k. The Research Ethics Board Oversight Committee, having heard the oral presentations of both parties and having reviewed the written presentation and supporting documentation, shall following in camera deliberations, reach a decision by majority vote.

l. If the appeal is upheld, the Research Ethics Board Oversight Committee will make arrangements to review the REB application de-novo. This review should be completed as soon as reasonably possible following the appeal hearing.

m. If the appeal is denied, the decision of the REB shall stand.

n. The Chair of the Research Ethics Board Oversight Committee shall, within ten (10) days of the appeal hearing, provide a written decision to the Administrative Director - Research Ethics Office. The Administrative Director - Research Ethics Office will transmit the decision to the appellant and respondent; the latter for implementation and follow-up as required, and to such other parties as deemed appropriate by the Research Ethics Board Oversight Committee.

o. All decisions made by the Research Ethics Board Oversight Committee are final and binding.

#### DEFINITIONS

Any definitions listed in the following table apply to this document only with no implied or intended
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institution-wide use. <a href="#">▲Top</a>	
<p><b>Research Involving Humans</b></p>	<p><b>Research involving Participants.</b></p> <p>Research involving human remains, cadavers, tissues, biological fluids, embryos or fetuses.</p> <p>Research involving <b>Secondary Use of Data</b></p> <p>Research involving Participants does not include the following Research which is deemed excluded from such term:</p> <ul style="list-style-type: none"> <li>- Research about a living individual based on published or publicly available information, documents, records, works, performances or archival materials which involves no interaction with that individual or a third party;</li> <li>- Research about a living individual based on observation of participation by that individual in public events where that individual is seeking public visibility which involves no interaction with that individual or a third party.</li> </ul>
<p><b>Research</b></p>	<p>An undertaking intended to extend knowledge through a disciplined inquiry or systematic investigation.</p> <p>The following activities, in the absence of a specific element of research, do not generally fall within this definition:</p> <ul style="list-style-type: none"> <li>-Procedures and practices exclusively used for pedagogic purposes including classroom discussion, practicum observation, student-teacher interviews and consultations, interviews and consultations with experts for teaching and learning purposes, testing within normal educational requirements and teaching evaluations</li> <li>-Normal practice of a profession including medicine, law and engineering</li> </ul> <p>-Quality assurance studies and performance reviews of an organization or its employees or students within the mandate of the organization or according to the terms and condition of employment or training.</p>
<p><b>Participant</b></p>	<p>A living individual who is the subject or one of the subjects of Research Involving Humans.</p> <p>An identifiable individual, living or deceased:</p> <ul style="list-style-type: none"> <li>-whose body is the human remains or cadaver;</li> <li>-from whose body was obtained human remains, tissue, biological fluid, embryo or foetus;</li> </ul> <p>which is the subject of Research Involving Humans.</p>
<p><b>Secondary Use of Data</b></p>	<p>Refers to the use in Research of data contained in records collected for a purpose other than the proposed Research itself. Common examples are patient or school records or biological specimens,</p>



	<p>originally obtained or produced for therapeutic, educational or other research purposes, but subsequently are proposed for use in Research Involving Humans.</p> <p>Also refers to instances in which data is obtained for one REB approved project, but subsequently are proposed for use in new Research Involving Humans.</p>
<b>Researcher</b>	<p>A person who:</p> <ul style="list-style-type: none"> <li>- is a <b>Member</b> who conducts or advances Research either: <ul style="list-style-type: none"> <li>(i) in that capacity;</li> <li>(ii) as Supplementary Professional Activity as defined in the University of Alberta Faculty Agreement; or</li> <li>(iii) otherwise under the auspices of the University of Alberta;</li> </ul> </li> <li>- is a Member who accesses University of Alberta students or staff as Participants;</li> <li>- is not a Member but conducts Research within the jurisdiction of the University of Alberta.</li> </ul>
<b>Member</b>	<p>Person who is a member of the faculty, the emeritus faculty or the staff of the University of Alberta or who is a sessional instructor, administrator, student, post-doctoral fellow, visiting or adjunct scholar, fellow, chair, paid or unpaid research associate or assistant of or at the University of Alberta and any person in a like position.</p>
<b>REB</b>	<p>Research Ethics Board authorized by the <b>Vice-President (Research)</b> to review and approve, propose modifications to, reject or terminate Research Involving Humans using the considerations set out in this <b>Policy</b>.</p>
<b>Vice-President (Research)</b>	<p>Vice-President (Research) of the University of Alberta</p>
<b>Policy</b>	<p>The University of Alberta Human Research Ethics Policy.</p>
<b>Applicant</b>	<p>A person that submits an application for an Approval to an REB.</p>
<b>Procedures</b>	<p>The Procedures, from time to time, in force with respect to the Policy.</p>
<b>Research Ethics Board Oversight Committee</b>	<p>Body established by the Vice-President (Research) to oversee the relevant function and performance of REBs and to develop and review procedures to ensure compliance of the REBs with this Policy and its Procedures.</p>
<b>Responding Chair</b>	<p>The Chair of an REB the decision of which is the subject of an appeal pursuant to the Procedures or the designate of that Chair.</p>

DEVELOPMENT LEAD: Wendy M. Rodgers [wendy.rodgers@ualberta.ca](mailto:wendy.rodgers@ualberta.ca)

Attachment 4

VERSION 6 DRAFT DATE 21 October 2010

PARENT POLICY: Human Research Ethics Policy

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## **RELATED LINKS**

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[Human Ethics Research Online \(HERO\)](#) (University of Alberta)

[Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans \(TCPS\)](#) (Government of Canada)

This document is an appendix to its parent policy. Questions regarding this document should be addressed to the Office of Administrative Responsibility.

## Human Research Ethics Policy (Appendix A) - Roles and Responsibilities of Research Ethics Boards and their Members, the Research Ethics Office and the Director of Human Research Ethics

<b>Office of Administrative Responsibility:</b>	Research Ethics Office
<b>Approver:</b>	Vice-President (Research)

### 1. RESEARCH ETHICS BOARD (REB) MEMBERSHIP, ROLES AND RESPONSIBILITIES

#### a) Membership of REBs

Potential REB members (who include REB Chairs) shall be recruited through nomination by the Director of Human Research Ethics, REB chairs, current REB members, the **Research Ethics Board Oversight Committee** or researchers at the University of Alberta, and by other organizations and institutions participating in the University of Alberta ethics review process by special agreement. REB Chairs shall be appointed by the Vice-President (Research) in consultation with the Director of Human Research Ethics. REB size and composition will be determined by the Research Ethics Board Oversight Committee following receipt of recommendation of the Director of Human Research Ethics and in consultation with the REB Chairs and members. REB members, other than the Chair, will be appointed by the Director of Human Research Ethics. The guiding principle is to ensure that the membership is of adequate size and composition to manage effectively the REB's workload and to ensure a reasonable pool of expertise to review applications within each REB, recognizing they may also draw on the specialized expertise of the Expert Resource Pool. The maintenance and adjustment of REB membership shall be managed by the Research Ethics Board Oversight Committee and may be reviewed from time to time to meet the needs of the REBs and the research community.

#### b) Roles and Responsibilities

REB members shall fully acquaint themselves with the **Policy** and its **Procedures** and any other relevant policies for ethics review, including in particular the **Tri-Council Policy Statement**. Members are expected to be fully engaged with, and to maintain high levels of participation in, REB meetings and discussions. Members who do not attend, or fail to actively participate in, three consecutive meetings will be asked to reaffirm their commitment to the REB. Such members, other than the REB Chair may be replaced at the discretion of the Chair in consultation with the Director of Human Research Ethics, or, in the case of a member who is an REB chair, by the Director of Human Research Ethics. REB members must be aware of and declare when first aware of the same and when otherwise required by the Procedures any real or potential conflicts of interests relevant to the REB activities in general and to specific REB applications and applicants.

### 2. DIRECTOR OF HUMAN RESEARCH ETHICS ROLES AND RESPONSIBILITIES

The Director of Human Research Ethics shall oversee the processes of research ethics review, the evaluation of REBs and their members, the provision and evaluation of REB education and training, and the provision of researcher education regarding ethical conduct of research. The Director of Human Research Ethics shall send an annual letter to Department Chairs or Deans for consideration in annual evaluations, copied to the Vice-President (Research), detailing the nature of the duties and responsibilities of and commenting on the performance of a REB member on the REB.

The Director of Human Research Ethics is responsible for the operationalization of the Procedures and shall direct the REBs on those Procedures and other processes and procedures implemented on behalf of the Research Ethics Board Oversight Committee. The Director of Human Research Ethics and the Research Ethics Office are responsible for REB replenishment, education and training of REB members and researchers, and the securing of associated resources.

The Director of Human Research Ethics shall also act as the Integrity Policy Officer, as laid out in the Research and Scholarship Integrity Policy for the University of Alberta.

### 3. RESEARCH ETHICS OFFICE ROLES AND RESPONSIBILITIES

The Research Ethics Office (REO) is responsible for providing administrative support for the activities of the REBs and the Director of Human Research Ethics. Such support shall include recruitment, supervision, training and management of **REB Administrators**, business management of the **Human Ethics Research Online (HERO)** system, liaison with internal and external offices on ethics administration issues, (e.g., Research Services Office), support for educational and training activities and the like.

The REO is responsible for providing opportunities and resources for the education of REB members. REB members are required to participate in the appropriate education and training opportunities provided. The Director of Human Research Ethics shall ensure that the education and training offered is current, relevant, elucidates the University of Alberta's ethics policies and is available widely across the University of Alberta.

To augment the expertise of the REBs, the REO shall maintain a pool of individuals who may be called on as ad-hoc advisors to, and guest reviewers for, the REBs in order to ensure the best possible inclusion of specialized expertise in the review of ethics applications. Members of the Expert Resource Pool shall be 'on-call' to the REB chairs and may attend REB meetings and provide reports as requested, but shall not vote on any motion before any REB.

### 4. THE RESEARCH ETHICS BOARD OVERSIGHT COMMITTEE ROLES AND RESPONSIBILITIES

The Research Ethics Board Oversight Committee shall be responsible for developing, implementing and monitoring University of Alberta policy concerning human research ethics. It shall be responsible for ensuring the consistent interpretation and application of relevant policy by the REBs, as well as monitoring the consistency and equity of procedures, record keeping, decision-making, and performance standards across the REBs. The Research Ethics Board Oversight Committee shall serve as an appeal body when necessary.

To deal with situations where questions arise about the need for REB review in a specific instance, the Research Ethics Board Oversight Committee shall develop operational procedures to determine if a REB review is necessary and to deal appropriately with proportionate review. The Director of Human Research Ethics will implement the procedure to decide if REB review is required. The Research Ethics Board Oversight Committee is responsible for reviewing relevant policies and procedures, from time to time, to ensure their currency and relevance to national and

other level policies. In collaboration with the Director of Human Research Ethics, these policies and procedures can be revised, subject to normal University of Alberta approval procedures in order to maintain compliance with relevant policies and procedures inside and outside the University. The Research Ethics Board Oversight Committee shall provide bi-annual reports to the Vice-President (Research). The Research Ethics Board Oversight Committee shall be made up of 50% of members drawn from the University of Alberta and the other communities the REBs serve, who are independent of the REBs and the Research Ethics Office (REO), and 50% of members drawn from the REBs and REO. The overall composition of the Research Ethics Board Oversight Committee shall be as diverse as is reasonable within the scope of human participant research activity within the University of Alberta research community and should comprise a minimum of ten (10) and a maximum of twenty (20) members.

## **RELATED LINKS**

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Do not delete RELATED LINKS heading or above message. A link to the parent Policy and a list of all of its Procedures and Appendices will be generated below automatically at publication.

Further RELATED LINKS are not recommended for APPENDIX documents.

[Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans \(TCPS\)](#)  
(Government of Canada)

## **Communication and Implementation Plan for Human Research Ethics Policy and Procedures**

The communication and implementation of the proposed Policy and Procedures and new Research Ethics Board (REB) structure are explicitly linked, and all educational and informational aspects of implementation need to be coordinated.

### Background

Currently, all ethics applications, excluding those from faculty and students in the School of Business and the Faculty of Engineering, are prepared and managed on-line using Human Ethics Research On-line (HERO). For researchers already using HERO, the REB reorganization and implementation of the new policy will have only limited impact on their day to day work. The REBs themselves will retain the same review procedures. However, REB members who have traditionally only reviewed applications from colleagues from the same unit will likely find themselves reviewing applications from a wider pool of applicants.

**The bulk of the organizational and other changes associated with the proposed Policy and Procedures and new REB structure will affect the HERO system and training and other materials related to the REBs. These changes will be managed by staff within REO and AIS.**

We are seeking Board approval of the new policy and procedures with an implementation date approximately 90 days from approval. Board approval is anticipated on 11 February 2011. Taking into consideration the winter break, we are targeting implementation for mid-May 2011. This planned delay between approval and implementation of the new Policy and Procedures will enable the Research Ethics Office to complete the associated system and documentation changes, and deliver up to date training without compromising regular REB work.

### Communication Plan

Due to the two rounds of consultations with the U of A community leading up to the proposed policy changes, University of Alberta and affiliated researchers and administrators do have some knowledge that change is coming as well as the nature and scope of the change.

Following Board approval, REO staff will:

- ❖ Communicate the scope and effects of the Policy and Procedures changes through:
  - Electronic distribution of two page document (summary and Frequently Asked Questions (FAQs), see examples attached) via: HERO system to active researchers; standard campus distributions lists (Deans, Directors and Chairs); Research Facilitators; Northern Alberta Clinical Trials and Research Centre (NACTRC) distribution system; FGSR; and REB Chairs, members and administrators
  - Delivery of a number of one hour information sessions by REO staff at various locations on campus and within Alberta Health Services (AHS) facilities over the 90 day period
  - Letters to industry sponsors of research

- The new policy and procedures, a summary of changes, FAQs as well as information about the new REB structure, chairs and members (as they are recruited) will be posted on the REO and HERO websites. Faculties and Departments with high volume human participant research will be invited to post updated links and information on their research web-pages
- Information about the new policy and procedures, a summary of changes and FAQs will be circulated to AHS and Covenant Health administrators and researchers
- School of Business and Faculty of Engineering researchers and students will be offered special sessions that include the above information as well as additional details about the online system
- The University REBs will continue to support researchers from Alberta Health Services and Covenant Health. Accordingly, this proposal aligns with Alberta and other ethics harmonization efforts. Information sessions and supporting documents will be developed and delivered to AHS and Covenant Health administrators and researchers via information sessions, letters to researchers and articles in AHS and Covenant publications.
- Seek coverage in U of A publications including Folio, Target Point and Express News
- Complete revision of the existing Health Research Ethics Review Process Agreement (1997) with AHS (formerly Capital Health) and Covenant Health (formerly Caritas) governing the Health Research Ethics Board. The Agreement requires the University to give 90 days' notice to AHS and Covenant Health of a change in its policy prior to implementation.

## Some Frequently Asked Questions

### 1. How will I know which REB to choose?

Detailed descriptions of the REBs' areas of specialization will be available. This will be supplemented with information about the REB members, which enable applicants to further distinguish between REBs the same way they distinguish between review committees at the Tri-Council agencies. REB review of some research, for instance clinical trials or a study funded by NIH, must meet certain criteria so these studies will be restricted to one REB.

### 2. What if I choose the wrong REB?

The REB coordinators (one per REB, all housed within REO) will all be familiar with the mandates of all the REBs. Within HERO, they can all see and transfer studies between REBs if that is necessary. These transfers would involve consultation with the researchers and REB Chairs as required. Applicants may then have to add details to their existing online application, they will not have to create new applications.

### 3. Won't fewer, bigger REBs mean longer delays in getting my study approved?

Each REB will have its own coordinator and the coordinators will be cross-trained to provide back-up for one another during absences or high volume periods. All the REBs will provide both delegated review of below minimal risk studies and full board review of studies above minimal risk. The former tends to be a faster process because it is not dependent on scheduled meeting dates. The full-time REB coordinators are trained to assess applications for completeness and clarity. They can and do work with applicants to refine the applications which reduces the burden on REB members who are conducting their reviews **in addition** to their regular academic and other duties. More and improved ethics education will support researchers, particularly graduate students and junior faculty, in preparing better REB applications. Finally, our Cross-Canada survey of REBs revealed NO relationship between the number of submissions to REBs and turnaround times at large institutions. In fact there was an advantage in turnaround times to delegated reviews.

### 4. How can someone from Extension review an application from Nursing?





Ethics review is not scientific review. While the reviewers have to be generally familiar with the domain of the proposed research and associated methodologies, their knowledge of the potential risks to the participants of the proposed research is crucial. The REB coordinators will match applications and reviewers by research domain and method to the degree possible. A reviewer can either request a second opinion or request a study be assigned to another reviewer, if additional or other expertise is required. Our experience in the already merged REBs is that we have talented and willing reviewers across the U of A campus who are more than able to review outside their disciplines and generally enjoy the opportunity to learn more about the work of colleagues in other areas.

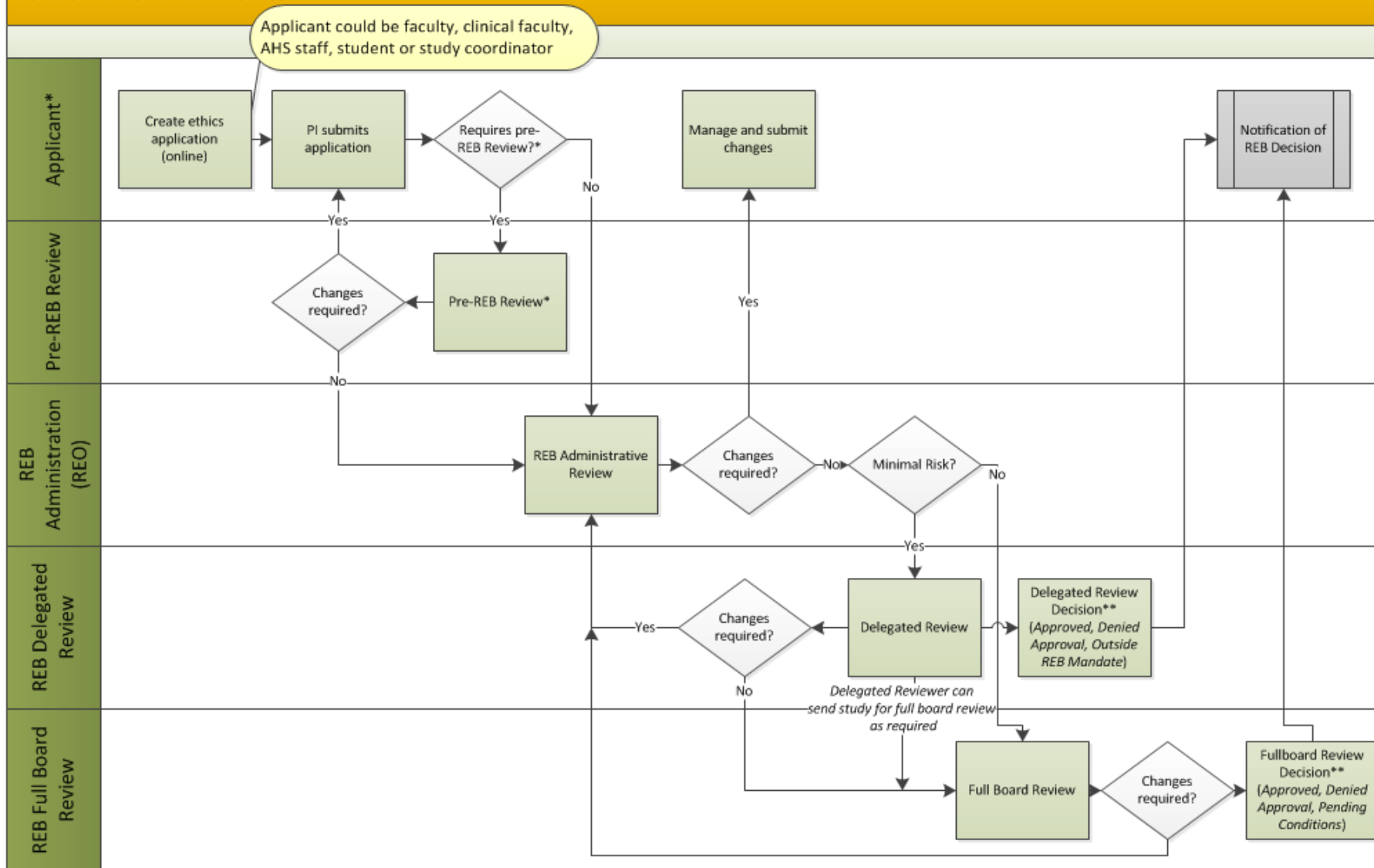


**5. Can I apply in French?**

Two of the existing boards currently have the capacity to review minimal risk ethics applications submitted in French. In the proposed structure, Boards 1, 2 and 3 will all have the ability to review minimal risk applications submitted in French. Review of minimal risk applications by Board 4 will typically require involvement of additional reviewers through the Expert Resource Pool. The REBs would be able to conduct full board reviews of French language ethics application for above minimal risk research only by relying on translators and interpreters.

**Appendix 1**  
**Table describing the proposed REBs**

REB 1	REB 2	REB 3	REB 4
			
<p>Observational, interviews, ethnography, auto-ethnography, community based, focus group, iterative, participatory action research, vulnerable or protected populations, community involvement, aboriginal, international, qualitative research</p> <p><b>Capacity to review French language minimal risk ethics applications</b></p>	<p>Privacy, data-sharing, surveys, questionnaires, anonymity, confidentiality, HIA, FOIPP, privacy assessment, secondary use of data, longitudinal, internet research, personally identifying information, industry research panels</p> <p><b>Capacity to review French language minimal risk ethics applications</b></p>	<p>Interventions, multi-methods, education, learning, training, uptake, changing outcomes, behavioral change, experimental design, performance improvement, knowledge to action, organizational change</p> <p><b>Capacity to review French language minimal risk ethics applications</b></p>	<p>Clinical trials, clinical care, Health Canada, FDA, HHS, NIH, pharmaceutical, stem cells, genetics, Phases I-IV, drugs, biological products, devices, radiology, natural health products, process of care changes</p> <p><b>Additional reviewers would have to be involved to review French language minimal risk ethics applications</b></p>



\*Pre-REB Review: Depending on the application, pre-REB review can include any one or combination of the following: supervisor approval for student research, ancillary biohazard and radiation review, departmental or equivalent sign off. These reviewers can return the application and request changes and clarifications from the study team.

\*\*REB Decision: If Approved, a notification may also be sent to the Research Services Offices, Alberta Health Services or Covenant, depending on study grant and fund management.

Go to:	<a href="#">[Overview]</a>	<a href="#">[Purpose]</a>	<a href="#">[POLICY]</a>	<a href="#">[DEFINITIONS]</a>	<a href="#">[RELATED LINKS]</a>
This document is the parent policy for any associated procedures or appendices. Questions regarding this policy should be addressed to the Office of Administrative Responsibility.					

## Use of Copyright Materials Policy

<b>Office of Accountability:</b>	Provost and Vice President (Academic)
<b>Office of Administrative Responsibility:</b>	Vice-Provost (Learning Services)
<b>Approver:</b>	Board of Governors
<b>Scope:</b>	Compliance with University policy extends to all members of the University community.

### Overview

The University of Alberta is committed to ethical behaviour and integrity in all activities including the **use of copyright materials**.

All individuals at the University of Alberta using copyright materials will comply with the federally legislated **Copyright Act and related laws**, which includes protection of the **rights of ownership** of copyright owners, and recognition of **user rights** in relation to copyright materials owned by others.

This policy does not deal with acknowledging, defining or dividing the ownership rights in copyright material created by any person who is subject to the University's policies, including, without limitation, **members** of the University of Alberta community. For information on these ownership rights, refer to the University of Alberta's copyright regulations.

### Purpose

The policy outlines the University's position on the use of copyright material by members of the institution. Effectively, this policy will:

- state the University's position on the interpretation and application of the *Copyright Act* and related laws;
- state the University's position on the legal use of copyright materials by members of this institution;
- serve to limit the potential legal liability of the University and its members for copyright **infringement** through the exercise of due diligence when using copyright material;
- be the basis to identify and implement specific procedures to effect compliance with **copyright laws**.

### POLICY

The University of Alberta is committed to compliance with copyright laws. The *Copyright Act* and related laws, as well as related University policy and procedure govern the utilization of all copyright works by

members of the institution. All members of the University will endeavour to inform themselves of their legal duty and conduct their actions accordingly.

To use copyright works, members of the University will have a number of options, depending on the copyright works to be used. In some cases, the University has acquired **licences** allowing **users** access to specific works for limited uses pursuant to negotiated contract terms. Some uses of copyright works may fall within the user rights provided under the *Copyright Act* and related laws for which no permission is required. Some further uses may require a process of seeking an express permission from the **author** or **copyright owner** prior to use. Where information and/or clarification are required to facilitate compliance, users may consult with the University **Copyright and Licensing Office**.

As unauthorized use of copyright works is contrary to law and subject to legal recourse, it is the responsibility of each member at the University to exercise care in ensuring proper authorization has been obtained for their particular use. In addition to the entitlement of a copyright owner or their **licensing agent** to hold the University or its members accountable for **infringement**, the University takes breaches of policy seriously.

Deans, Directors, Chairs and Unit heads are responsible for taking reasonable steps to implement the policy and ensure the necessary supports are in place to facilitate ongoing compliance. Non-compliance with this policy constitutes misconduct and may be pursued under the applicable collective agreements, University policy, or law.

## **DEFINITIONS**

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [▲ Top](#)

<b>Author</b>	The person(s) who created and fixed the form of the copyright work, and who are normally the first owner(s) of the copyright in the work.
<b>Copyright Act and Related Laws / Copyright Laws</b>	A Federal Act governing matters related to copyright, including regulations thereunder, including case law which interprets the <i>Copyright Act</i> .
<b>Copyright and Licensing Office</b>	A division of Learning Services. The Copyright and Licensing Office centralizes the management of copyright issues for the University community; providing information and guidance related to copyright laws, policy and procedures.
<b>Copyright Material / Work</b>	Any original literary, dramatic, musical or artistic work created with skill and judgment and fixed in tangible form.
<b>Copyright Owner / Rightsholder</b>	The legal owner of a copyright work who can assert the rights of ownership.
<b>Infringement</b>	It is an infringement of copyright for any person to do, without the consent of the owner of the copyright, anything that the <i>Copyright Act</i> specifies the owner of the copyright has the exclusive right to do.
<b>Licences</b>	Agreements between copyright owners or their licensing agents and end-users to allow for the use of their copyright works by granting prior

	permission that may be subject to certain terms.
<b>Licensing Agent</b>	An individual or organization authorized by the copyright owner to act on their behalf.
<b>Members</b>	University of Alberta faculty, staff, students and post-doctoral fellows.
<b>Rights of Ownership</b>	<p>In relation to a copyright work, Section 3(1) of the <i>Copyright Act</i> refers to copyright ownership as the sole right to produce or reproduce the work or any substantial part thereof in any material form whatever, to perform the work or any substantial part thereof in public or, if the work is unpublished, to publish the work or any substantial part thereof. Moreover, copyright owners are solely entitled to exploit rights related to translation; conversion; recording; adaptation; communication by telecommunication; public exhibition; rental rights; and have the right to authorize any of the above.</p> <p>Respectively, Sections 15, 18, and 21 of the <i>Copyright Act</i> deal with: performers' rights; rights of sound recording makers; rights of broadcasters.</p>
<b>Use/User</b>	Use of a copyright work can include reproduction, transmission, public performance, display and translation. A user is any individual and/or party that makes use of copyright material owned by another.
<b>User Rights</b>	Specific legal rights provided by the <i>Copyright Act</i> to facilitate limited use of copyright works without the need for the consent of the copyright owner. Most significant for the University are the right of "fair dealing", and the specific exceptions for educational institutions, libraries, archives and museums.

## **RELATED LINKS**

Should a link fail, please contact [uappol@ualberta.ca](mailto:uappol@ualberta.ca). [[▲Top](#)]

- [Copyright Act and Regulations](#) (Department of Justice, Canada)
- [Copyright and Licensing Office](#) (University of Alberta)
- [Frequently Asked Questions](#) (University of Alberta)
- [Human Resources – Academic Staff Agreements](#) (University of Alberta) (Note: The University's copyright regulations are appended to the agreements.)