



**DECISION OF THE ADJUDICATOR  
STUDENT NON-ACADEMIC MISCONDUCT**

**BETWEEN**

[REDACTED]  
**APPELLANT**

**AND**

**RYAN FLANNAGAN  
ASSOCIATE VICE-PRESIDENT STUDENT EXPERIENCE  
RESPONDENT**

**AUGUST 2018**

Adjudicator: Dr. Cheryl Collier, Associate Vice-President Academic (Acting)

Appellant: self-represented

Respondent: self-represented

**DECISION**

**Facts:**

[REDACTED] is not disputing that on December 11, 2017, he stole a MacBook computer, laptop charger, credit cards and cash. This finding of non-academic misconduct resulted in a sanction decision, issued on April 17, 2018 by the Associate Vice-President, Student Experience of denial of registration from the program until December 1, 2018 and exclusion from campus residence indefinitely. [REDACTED] is appealing the sanction on the grounds that the Associate Vice-President, Student Experience's decision is clearly unreasonable or unsupportable on the evidence.

The appeal of the sanction decision was granted on June 19, 2018 and proceeded by written submissions.

**Submissions:**

In his submissions, [REDACTED] refers to only one sanction which he consistently typifies as a "suspension" and makes a point of not actually requesting "a full removal of the suspension" but "a lighter disciplinary action" considering the hardship the sanctions will and have already caused him. In neither of the two submissions to the Adjudicator, does [REDACTED] reference the exclusion from residence. Accordingly, I will not assess the merits of the appeal in relation to this particular sanction and as such it will remain in place.

The original investigator of this act of non-academic misconduct initially made a recommendation of a suspension from the university, alongside exclusion from campus residence, after finding ██████████ was responsible for the theft. The AVP, Student Experience instead imposed the lesser sanction of "denial of registration" noting that ██████████ was fortunate to have not had to face criminal charges in this case. The investigating officer also noted that ██████████ was fortunate to have avoided criminal charges in this case.

In regard to the sanction of "denial of registration", the Adjudicator notes that this sanction is not the same as a "suspension". The denial of registration sanction relates to denial of registration in a course or in a program. The denial of registration does not preclude the student from taking classes at another institution or transferring to another program. A suspension is a harsher sanction that would involve a transcript notation and a related inability for ██████████ to take classes at another institution or in another program.

██████████ argues in his written submissions that the inability to register in his program for the Intersession/Summer and Fall 2018 semesters would cause him to exceed his study permit duration which he notes ends on July 31, 2019. In reviewing ██████████ progress through his program (Honours Economics), the Adjudicator notes that ██████████ is not currently on track to complete his program before July 31, 2019, even if he were permitted to register in Fall 2018. ██████████ also does not address his ability to transfer to another program or to take courses at another institution during the timeframe of the denial of registration sanction.

██████████ repeatedly raises the impact of the "suspension" on his relationship to his parents. Beyond the fact that ██████████ does not seem to recognize the lesser severity of the denial of registration sanction compared to an actual suspension, the argument regarding this hardship as being unreasonable considering the circumstances of the misconduct is not supported by the evidence provided in his written submissions and the sanction seems completely reasonable per the facts of this case.

#### **Adjudicator's Decision:**

██████████ alleges in his written submissions that the sanctions imposed by the Associate Vice-President (AVP), Student Experience are unreasonable, yet fails to make a convincing case in support of this argument. Considering the facts, and the AVP, Student Experience's imposition of the lesser sanction of denial of registration, alongside the need for the University to ensure that acts of theft on campus do not go unpunished, I conclude that the original sanctions imposed by the AVP, Student Experience seem quite reasonable and supportable on the evidence. As such, the appeal is denied.

Signed: this 9th day of August 2018



Dr. Cheryl Collier  
Adjudicator,  
Associate Vice-President Academic (Acting)  
Professor of Political Science