

**McGill Student Housing and Hospitality Services
Service de logement étudiant et d'hôtellerie**

Residence Life Code of Community Living

1.0.0 Guiding Principle - RESPECT

1.0.1 The Residence Life Code of Community Living (CCL) exists to ensure a safe, comfortable, and enjoyable experience for all students living in residence halls. McGill Student Housing and Hospitality Services (SHHS) operates under a philosophy of respect at its foundation. We chose respect to be our core belief because of its comprehensiveness and versatility; respect can be showing respect for yourself, acting respectfully towards your fellow residents, respecting the staff in your building and the work they do, respect for the buildings themselves, and so much more. SHHS seeks to engage students in residence in building community and help in establishing community standards while seeking to reinforce that their choices effect those around them. Residents have the privilege of enjoying social activities as long as they do not conflict with the rights of other resident students to pursue academic endeavors, other school-related activities, or to strive for personal well-being. It is prohibited to engage in activities that result in injury to another person, or damage to property.

1.0.2 SHHS and Residence Life employs student staff, known as Floor Fellows, who live in each Residence Hall. Floor Fellows work in conjunction with Residence Life Managers, Protection Patrolers, Night Stewards, and the Associate Director, Residence Life to assist with the application of the CCL. Every reasonable effort is made to investigate all CCL infractions in a timely and effective manner.

1.1.0 Behaviour and General Conduct

1.1.1 The CCL sets out clear expectations of acceptable behaviour within the Residence community and the consequences for behaviour that is contrary to these expectations. Residents who violate community standards will be dealt with in a manner that is in accordance with the guidelines set out in the CCL and proportional to the gravity of the offence. The repeat of any offence will be addressed accordingly by the building's Residence Life Manager, or designate, and where necessary, the Associate Director, Residence Life, or designate.

1.1.2 General conduct

The resident student (resident/s) undertakes to conduct themselves, at all times, in such a manner as to ensure the well-being and peaceable enjoyment of fellow residents. Noise that interferes with another residents' reasonable use and enjoyment of residence is not acceptable. Residents must respect quiet

hours set out by Residence Life Managers (generally 11pm-9am). SHHS reserves the right to refuse to lease in future to resident students in violation of the CCL.

1.1.3 Responsible Use of Alcohol

In McGill University Residences, we work with students to create a community of mutual respect, inclusiveness, fun, and safety that is conducive to student learning. In light of this goal, it is necessary to define responsible possession and consumption of alcohol. We wish to create an environment that both supports a decision to abstain from alcohol as well as a choice to consume it responsibly. Irresponsible alcohol consumption (such as drinking too much and/or too fast) can be dangerous to one's health and safety and can negatively impact the residence community. Therefore, preventing irresponsible consumption is one of our primary concerns.

All residents and their guests must abide by these guidelines whenever they are in a McGill University residence. Violations will be enforced through the [Code of Student Conduct and Disciplinary Procedures](#) and/or the Educational Lease.

1. Possession and consumption of alcohol in McGill University Residences must conform to the laws of the province of Quebec, including, but not limited to, the law requiring that individuals must be 18 years of age or older to legally consume alcohol in Quebec.
2. Selling alcohol in McGill University Residences is not permitted.
3. Containers of alcoholic beverages that are larger than those legally available for personal purchase in Quebec are strictly prohibited within Residences.
4. The possession of open containers of alcohol and the consumption of alcohol is prohibited anywhere before the ID card access point as well as in stairwells and landings, elevators, dining halls and in front or in the back of any residence that faces a public street.
5. Consumption of alcohol is a choice and individuals are responsible for the consequences of their choices. As such, the effects of alcohol will never be accepted as an excuse or a mitigating factor for any violations of the Code of Student Conduct, Lease, or federal, provincial and/or municipal law.

1.1.4 Guest Policy

Residents are responsible for their own behaviour and that of their guests and the consequences of any behaviours that takes place in Residence at all times.

Residents may welcome no more than two (2) guests at a time, and guests must be signed in. Residents are always responsible for accompanying their guest(s). Residents are liable and responsible for the behavior of the guest(s) and ensuring their adherence to regulations and community standards. Guests may be required to leave immediately if situation warrants - based on length of stay or behavior.

1.1.5 Lock Outs

Students in Residence with leases longer than the eight (8) month educational lease who misplace or lose their keys and require the assistance of Security to get into the premises during the summer months (May – August) may be subject to a minimum fee of \$50.

2.0.0 Unacceptable Behaviour

Unacceptable behaviour is behavior which is inconsistent with the above principles and objectives. Ignorance, non-active participation, anger, and alcohol or substance abuse do not diminish a resident's responsibility for such behaviour. Resident students are expected to cooperate and be compliant with SHHS staff. Residents and their guests are responsible for observing the terms of the CCL as well as McGill's [Code of Student Conduct and Disciplinary Procedures](#) at all times.

Furthermore, if a Resident is aware of a problem, they are expected to advise the appropriate personnel so that steps may be taken to prevent the situation from escalating, persisting or reoccurring. Residents are strongly encouraged to come forward to report problems or infractions. When possible, and in accordance with the law, the University will keep confidential the identity of the person who reports such problems/infractions. Examples of unacceptable behaviour include, but are not limited to:

2.1 Smoking

Quebec Law prohibits smoking in all closed areas of educational institutions. All McGill buildings are non-smoking. This includes electronic cigarettes and vapes.

- Residents may not smoke in their room, in corridors, stairwells, common areas or anywhere else inside Residence buildings.
- Residents may only smoke outside, in designated smoking areas.

Residents found smoking anywhere inside Residence buildings may face a minimum fine of \$250.

- Subsequent offences will result in disciplinary action under the CCL and/or the Code of Student Conduct and Disciplinary Procedures, which may include additional fines.
- Residents are also advised that under Quebec lease law, landlords have the right to evict tenants found smoking in their buildings in violation of no smoking rules expressly stipulated in their leases and in the rules of the building.
- Residents are also liable for the cost of cleaning and/or damages caused by smoke of any kind.
- Residents are responsible and liable for their guests' behaviors for all no smoking regulations.

2.2 Harassment

Every individual has the right to an environment characterized by mutual respect and shares the responsibility to treat all members of the University community with respect and without harassment.

As per [McGill's Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law](#), harassment “means any vexatious behaviour by one Member of the University Community towards another Member of the University Community in the form of repeated hostile or unwanted conduct, verbal comments, actions or gestures, that affect the dignity or psychological or physical integrity of a Member of the University Community and that result in a harmful environment for such an individual.” (article 2.7). This includes all possible forms of communication, direct or indirect, and includes social media. Incidences of harassment may be reported by SHHS, but will be dealt with under University policy.

2.3 Violence

Violence or physical aggression or any threat thereof in Residence will not be tolerated. This includes [sexual violence](#).

2.4 Illegal Drugs

Within the limits allowed by law, students in Residence are prohibited from possessing, cultivating, using, and distributing illegal drugs and/or using medication for purposes other than those they were prescribed. If we suspect that you are not complying with these rules, a Residence Life Manager, Night Steward and/or McGill Security may explore the situation. Drug dealing is a criminal offence and anyone found guilty of dealing drugs will be dealt with accordingly and will potentially face criminal charges depending on the nature of the situation.

Pending the legalization of cannabis in Canada, McGill's policy on cannabis on campus will apply to all SHHS and residence buildings.

2.5 Fire Safety

It is a serious offence to tamper with and/or cause damage to fire safety and prevention equipment (including but not limited to smoke detectors, fire hoses, pull stations, sprinkler heads, fire extinguishers, emergency lighting, breaker switches and fire exit doors). Tampering with fire safety equipment places lives in danger and will not be tolerated.

Residents who cover, remove, disable or otherwise tamper with fire safety and prevention equipment

- face an immediate **\$250 minimum fine and disciplinary action**.
- **are financially responsible for damages and/or other costs** resulting from tampering with fire safety equipment or from their actions which result in damage to fire safety equipment.
- A second offence will result in eviction and immediate referral to the [Committee on Student Discipline](#).

Candles, hookahs/shishas, incense and similar objects pose a significant fire risk and may not be used in Residence Buildings. Deep fat frying likewise poses a significant fire risk and is not allowed.

Residents found using candles, hookahs/shishas, incense and/or other flammable materials, and/or deep fat frying anywhere inside Residence buildings face an immediate minimum fine of \$100

Subsequent offences will result in additional fines and disciplinary action.

Residents who cause an alarm and/or fire and/or other damage:

- are financially responsible for damages and/or other costs resulting from their actions.
- are financially responsible for all fees and fines charged to the University by the City of Montreal (current minimum charge for emergency services: \$3,000 plus taxes)
- face an immediate **\$250 minimum fine and disciplinary action.**
- Residents are responsible and liable for their guests' behaviors for all fire safety regulations

2.6. Damage to University Property

Residents are financially responsible for damages to SHHS property and/or other costs resulting from their actions. Damage costs will be charged to the student responsible for the damage, including but not limited to:

- a minimum \$800 charge for service calls for stuck elevators caused by jumping, dancing or other sudden forceful movements that cause an elevator to stop
- other damage charges will include the invoiced cost of the repair, administrative charges, amounts for lost revenue and any other reasonable associated costs.
- Damage charges invoiced to the responsible student are payable to the front desk of their residence hall within 30 days, after which the charge will be assessed to their Student Fee Account and appear on their e-Bill.

2.7 Inappropriate/Illegal Entry

Entering another resident's room or disturbing another resident's property is not permitted. Locked-out Residents may gain access to their room via Accommodations Staff or Night Stewards. Manipulating the lock, door, or window is strictly prohibited. Entry or exit via unauthorized doors is not allowed, nor is propping open doors and allowing access to non-residents who are not guests. (Note: In cases of emergency, Residence Life staff reserve the right to enter residents' rooms).

2.8 Commercial use of residence property

Solicitation and using Residence space for commercial purposes is strictly prohibited.

2.9 Raids or Inappropriate or Destructive Pranks

Initiating, encouraging, supporting, or participating in raids and/or pranks that are disruptive, offensive, or hostile to residents and/or staff is prohibited. Examples include, but are not limited to: water fights, dismantling and removing and/or relocating Residence/personal property, etc.

3.0 Concerning Behaviour

Any resident student that exhibits concerning behaviour may be subject to interventions by SHHS. Actions and interventions taken are meant to be supportive in nature to the student and shall not be considered disciplinary actions, and will be done in accordance with University policies. Interventions by Residence Life may include adhering to a behavioural contract with various conditions, the pursuit of a leave of absence from Residence or other actions deemed suitable by Residence Life and the University.

If there is a clear and imminent danger or risk, designated staff members, including Floor Fellows, are immediately empowered to take appropriate steps pursuant to University policies and/or contacting

Security who may, after evaluating the urgency of the situation, contact the appropriate resources and/or departments.

Emergencies: In the event of an emergency situation, as deemed by SHHS staff, the Senior Director, SHHS, or Designate, or Associate Director, Residence Life, or designate, reserves the right to contact a resident student's emergency contacts as provided to the unit with their consent.

Nothing in this section is intended to supersede any University policy.

4.0 Process for Alleged Violations and Decision-Making

Any inappropriate behaviour or breach of the CCL will result in an investigation by Residence Life staff. This investigation is to determine the relevant facts and preponderance of evidence as to the behaviour suspected and/or observed.

4.1 In all such cases, an incident report will be written by a Residence Life Staff and submitted to the respective Residence Life Manager, or designate. If you are involved in a situation or incident, you will be contacted via your McGill University email address by a Residence Life staff member, in a timely and efficient manner, to have a follow-up conversation about what has occurred. You will be made aware of the alleged behaviour, and given an opportunity to respond, as well as to discuss your involvement and responsibility. The focus of the conversation will be on the harms caused by the behaviour and the impact on the community. You are afforded these basic elements of due process also including the right to an advisor, and the right to appeal. From there, the Residence Life Manager will work to determine the appropriate course of action which, depending on the situation, typically include fines, community service, behavioural contracts, letters of apology, and/or a recommendation to seek the cancellation of the lease. Decisions will be based on clear, convincing and reliable evidence which also requires the decision-maker to take into account conflicting evidence, meaning the student has the opportunity to present their side of the situation. The decision rendered by the Residence Life Manager, or designate, will be communicated back to the resident student either during the in-person meeting or via their McGill University email address. The decision may be reviewed by the Associate Director, Residence Life, or designate, and/or may be escalated to the [Office of the Dean of Students](#) through the [Code of Student Conduct and Disciplinary Procedures](#).

4.2 Appeals

Resident students have the right to appeal penalties and/or administrative decisions taken against them by SHHS through its enforcement and application of the CCL. A resident who is the subject of such a penalty or administrative decision may appeal by forwarding their written statement of appeal to Associate Director, Residence Life, or designate, no later five (5) business days from the date on which the penalty was assessed or administrative action taken. If necessary, a meeting between the Associate Director, Residence Life, or designate, and the resident may be arranged to discuss and clarify the points of the appeal. If the resident students chooses to have assistance with their appeal, such a meeting may

be attended by an advisor. The decision of an appeal heard by the Associate Director, Residence Life will be final.

The appeal must be made on at least one of the following grounds:

- Relevant evidence that emerges which was not available at the time of the original decision;
- There was clear evidence of bias in the hearing or original decision;

or

- The non-academic misconduct procedures were not followed and the outcome of the case might have been substantially affected by this failure;

or

- The severity of the sanction imposed reasonably exceeds the nature of the offence for reasons identified by the resident student.

Appeals are never to be submitted frivolously. An appeal submitted that is not based on the above grounds will not be heard.

4.3 Appeal Process

4.3.1 The appeal is submitted electronically, in writing, within five (5) business days of the Residence Life Manager's original decision to the Associate Director, Residence Life, or designate.

4.3.2 The Associate Director, or designate, reviews the appeal letter to determine if there are grounds for appeal.

4.3.3 The resident students is notified electronically, in writing, of the determination if there are grounds for appeal.

a) If there are grounds, the Associate Director notifies the resident and sets up a meeting within one (1) week at a mutually agreeable time

b) If not, the Associate Director notifies the resident that there are no grounds for appeal, and the appeal process is complete.

4.3.4 In the case of a) above, the Associate Director, or designate, may call the resident student or any other person related to the case for subsequent questioning and clarification.

4.3.5 Once the questioning is concluded, the Associate Director, or designate, may find the resident in violation or not in violation of the alleged offence and may impose new sanction(s), sustain the original sanction(s) or reduce the sanction(s) made by the Residence Life Manager.

4.3.6 The Associate Director, or designate, will notify the resident student electronically in writing of the outcome within five (5) working days and will meet, in person, if required.

4.4 Activities that may result in the University seeking the cancellation of the lease include the following:

- Activities that constitute an offence under the [Code of Student Conduct and Disciplinary Procedures](#), including illegal activities, OR
- Activities that are contrary to other University and Residence Life policies, including this Code of Community Living (CCL), AND
- That adversely affect the learning environment of students, including residence life.

In the event that a decision results in the cancellation of a residents' lease, resident students will be asked to leave Residence property with fifteen (15) business day's notice and will be banned from returning to all Residence properties.

Notwithstanding, the University may choose to, and reserves the right to, terminate the lease by giving the resident student five (5) business days' notice if the resident student breaches the Code, the Lease, or University policies as per the Code of Student Conduct and Disciplinary Procedures