

PROCEDURES

Policy Name	Student Code of Conduct (Non-Academic)		
Policy #	1211b	Category	Student Services
Policy Sponsor	Associate Vice President, Student Services	Previous Revision Date	January 10, 2019
Policy Approved by	President & CEO	Revision Date	April 3, 2025
Procedures Approved by	Provost & Vice President, Academic	Review Date	April 3, 2030

See the related **POLICY**.

DEFINITIONS

- Advocate: Assists, advises, and advocates on behalf of a student who is facing concerns that have a negative impact on their academic standing, or to aid in non-academic dispute resolution. Advocates are employed by Saskatchewan Polytechnic Students' Association.
- Allegation: a complaint or report about an alleged breach of conduct as outlined in the Code.
- **Appeal:** The process where a student challenges a decision in accordance with the specific grounds outlined in the Student Code of Conduct (Non-academic) and the related procedures.
- **Appellant:** A student who is appealing an initial decision.
- **Complainant:** An individual (e.g. a student, faculty, staff, and/or member of the public) initiating the complaint process where applicable.
- **Facilitator:** An individual affiliated with Sask Polytech who mediates conflict for the purpose of clarity and resolution.
- **Formal Resolution:** An approach to resolve issues that cannot be resolved informally, which requires the implementation of a formal process.
- **Guest**: Any individual (e.g. family, friends, etc.) invited by a Sask Polytech student onto Saskatchewan Polytechnic grounds (e.g. classrooms, facilities, training sites, etc.).
- Informal resolution: An approach to resolve issues without implementing the formal process.
- Investigating officer(s): A representative of the Student Relations Office, a Sask Polytech Academic school, and/or the Associate Vice President, Student Services, or designate, who is

responsible for gathering and reviewing information related to the non-academic misconduct allegations and issuing sanctions in accordance with the Student Code of Conduct (Non-academic).

- **Interim measure:** A temporary concession, such as a hold on a student's account, that may be put in place while the investigation is being conducted.
- Misconduct: A violation identified in the Student Code of Conduct (Non-academic).
- **Respondent:** A student who is identified to have committed an alleged violation.
- **Restorative Justice**: An opportunity for safe and voluntary dialogue between students, faculty, staff, and/or communities for meaningful accountability, recognition of harms caused and their effect, with the goal of positive change through shared resolution.
- Sask Polytech Community member: Any person affiliated with Sask Polytech including, but not limited to students, faculty, staff, administration, and contracted service providers.
- Sanction: A decision or outcome issued to a student who is found responsible for a violation.
- **Support person:** An individual chosen by the student who may attend meetings, including those related to the investigation, hearing, and appeal process for the sole purpose of supporting the student. They cannot, however, speak on behalf of the student. While parties have the right to engage and be assisted by legal counsel it is the expectation that the parties will be directly communicating their positions, rather than hearing from legal counsel.
- Witness: An individual who sees or hears an incident of misconduct take place.

PROCEDURES

The Student Relations Office (SRO) manages allegations related to this Code.

Anyone at Sask Polytech, and/or any member of the public, can register a complaint or allegation with the SRO and the SRO is available to provide information and guidance about the Code and its application.

The procedure for responding to non-academic misconduct is determined, in part, by the level of violation, and whether an immediate response is required. Informal and formal resolution processes may be available, depending on the level of violation.

The safety and wellbeing of all parties associated with the incident and the allegation will be considered throughout the process.

Roles and Responsibilities

Sask Polytech community members are expected to report student conduct issues related to this Code to the SRO, Campus Safety and Security, or an academic school representative (faculty, program head, academic chair, associate dean, and/or dean).

If any behaviours raise suspicion or pose a risk to the safety and well-being of any member of the Sask Polytech community or the general public, Sask Polytech community members are expected to contact Campus Safety and Security.

Academic school representatives (faculty, program heads, academic chairs, associate deans, and/or deans) will respond to non-academic student misconduct that occurs in the classroom and/or in other associated learning environments and determine the course of action based on the level of misconduct.

The course of action is determined as follows:

- a. If a Level 1 violation can be resolved safely and efficiently through informal resolution, an academic school representative may lead this process.
- b. Where a Level 1 violation cannot be resolved informally, the case will be referred to the SRO to be addressed.
- c. When the violation is Level 2, 3, or 4, the allegation must be submitted to the SRO to be addressed.
- d. When the violation is Level 4, the SRO will consult with the Associate Vice President, Student Services, who may recommend an external investigator.

1. Determining the Level of Misconduct:

The following is a list of examples of prohibited conduct, escalating from Level 1 to Level 4 based on severity of the misconduct, potential impact, and/or threat. The list is not exhaustive. Sask Polytech may categorize and re-categorize misconduct at its discretion. Any conduct that violates the laws and regulations of Canada, Saskatchewan, or the municipalities where Sask Polytech operates will be considered a violation of this Code. Students are responsible for their own conduct, as well the conduct of any guests they invite to campus.

Misconduct Level	Violation
Level 1 "Incidents classified as Level 1 have a limited impact on the rights or academic experience of others, but may create a disturbance or impact the operation of the campus community. Such incidents include but are not limited to:"	 a. Smoking, including e-cigarettes and vaping, in unauthorized areas. b. Failing to provide proper photo identification while on campus to an employee acting within the scope of their position (e.g.: Security). c. Creating a disturbance in a public place such as unreasonable noise or non-threatening behaviour. d. Disregard for scent safe standard. e. Unprofessional or disrespectful communication.
Level 2 "Incidents classified as Level 2 have a significant impact on the rights or academic experience of others but may not pose a threat or danger to other individuals in the community. Such incidents include but are not limited to:"	 a. Disruptive behaviour is defined as inciting someone to prevent or preventing others from carrying out their legitimate activities, in or outside of learning environments. b. Disorderly conduct, including public intoxication, physical or verbal altercation, unlawful assembly. c. Indecent conduct, including profanity and lewd gestures, with intent to shock, disrupt, insult, or offend. d. Unauthorized use of Sask Polytech facilities or equipment. e. Use of Sask Polytech facilities or equipment for reasons other than intended or generally accepted.

	 f. Not complying with the directions of or providing false information to a Sask Polytech official, including Health, Safety and Security representatives, acting in their capacity as an employee. g. Failure to comply with a sanction imposed by this Code, other policy or regulation recognized by Sask Polytech. h. Violation of provincial liquor laws on campus, including
	 the possession or consumption of alcoholic beverages in unauthorized areas. i. Violation of provincial laws prohibiting the consumption of cannabis products in public spaces. j. Attendance at any training, educational, laboratory, practicum, work experience or cooperative placements while under the influence of drugs, alcohol, or similar substances. k. Assisting or failing to reasonably respond/intervene to anyone engaged or committing prohibited conduct.
Level 3 "Incidents classified as Level 3 have a significant impact on the rights or academic experiences of others, and in addition pose a threat or danger to individuals in the community. Such incidents include but are not limited to:"	 a. Bullying, coercion, degradation, shunning, gossip for any purpose. b. Neglect of safety and health procedures and practices, or the creation of safety or health hazards for anyone, including oneself. c. Hazing activities endangering or seeming to endanger the mental or physical health and safety of individuals for the purpose of initiation, admission into or affiliation with any campus club, group, team, or organization. d. Use, recording of or dissemination of information, including audio or visual images of an individual that is unwelcome and/or known or ought reasonably to be known to cause harm or distress. e. Obtaining, accessing, or disclosing personal or confidential information pertaining to a member of the community without that person's consent. f. Making false allegations, retaliating against individuals who submit or investigate an allegation under the Code, or otherwise engaging in vexatious conduct. g. Repeated or severe disruptive behaviour inside or outside of learning environments.
Level 4 "Incidents classified as Level 4 pose a danger or threat to individuals, are in many cases illegal, and in most cases have already caused physical or psychological harm. Such incidents include but are not limited to:"	 a. Sexual assault / violence as defined in the Sexual Assault Policy. b. Assault, threats of harm or intimidation, inciting or facilitating acts of violence. c. Harassment or discrimination against an individual or group based on any of the prohibited grounds: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex, sexual orientation, age, marital status, family status, disability, gender identity, gender expression, or receipt of public assistance. d. Displaying or distributing obscene, abusive, illegal, graphic, discriminatory or malicious materials. e. Theft or damage to Sask Polytech property.

	 Tampering with emergency equipment and facilities including life-saving equipment. Intentionally creating hazardous conditions that put the community at risk. Use, possession or distribution of illegal drugs, controlled substances, nonprescription drugs, and/or prescription drugs not prescribed to the person in possession of these drugs. Possession of firearms or other dangerous weapons or replicas or chemicals not expressly authorized by Sask
j.	Polytech or otherwise a part of an academic program.
J	substances without express written permission by Sask Polytech.
k	K. Forgery, misuse, duplication or alteration of any document, record or Sask Polytech brand for the purpose of personal or academic gain within Sask Polytech.
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n	n. Intentional unauthorized entry.
	 Failure to comply with a law enforcement officer or to sanctions imposed by law related to Sask Polytech participation.

2. Filing a Complaint

When filing a complaint, the complainant's report should include, if possible, the following:

- a. Name(s) of the student(s) involved and subject to the complaint.
- b. Date(s), time(s) and location(s) of the act/incident.
- c. Detailed description of the witnessed act/incident.
- d. Name(s) of witnesses (if known).
- e. Contact information of the individual submitting the complaint

3. Responding to a Complaint:

- a. For complaints made by or referred to the SRO, they will determine whether a complaint is within the jurisdiction of the Code and if an investigation is appropriate. For an investigation to proceed, the complainant is encouraged to submit a written statement with specific details of the complaint (see Section 3).
- b. To support the investigation, the identity of the complainant may need to be disclosed to third parties, including witnesses.
- c. The SRO may review an allegation and any supporting materials to determine whether or not an investigation is warranted in the circumstances.
- d. If the SRO determines an investigation is not appropriate, the complaint will be dismissed and the complainant will be informed in writing. The decision of the SRO to dismiss a complaint without an investigation is final and cannot be appealed.

- e. The SRO Coordinator will collaborate with the appropriate academic school representatives on a possible Level 1 violation.
- f. The SRO may recommend an informal resolution process such as conflict coaching, mediation, or a restorative justice process, rather than an investigation if this is an appropriate pathway that has not been pursued. Representatives from other student support units may be called upon to participate in the informal resolution process based on the circumstances of the violation, the individuals involved, and the desired approach to resolution.
- g. The SRO at its discretion may pause an investigation to ensure the safety or well-being of any individual, or to allow other proceedings to conclude.

4. Responding to a Possible Violation of Non-Academic Conduct During an Apprenticeship, Practicum, Clinical Placement, or Work Placement

Policy 1211b Student Code of Conduct (Non-Academic) will remain in effect throughout an apprenticeship, practicum, clinical placement, or work placement. Violations of this Code during a professional placement will be investigated and sanctions imposed as outlined in this document. Policy 1211b will apply regardless of the existence of, and in addition to, misconduct policies with partner agencies offering placements; however, additional sanctions may be imposed at the discretion of the partner agency based on their professional conduct policies.

5. Investigating a Complaint:

The investigation is an information-gathering process which includes all parties involved. All reasonable efforts will be made to inform the respondent (the student alleged to have violated the Code) of the allegation and to provide the opportunity for the respondent to give a written and/or verbal response to the investigating officer. If an individual refuses to participate in an investigation, the investigation and outcome(s) will be based on the available information.

Oversight of the investigation is determined based on the level of misconduct:

- a. Academic school representatives including faculty, program heads, academic chairs, associate deans, or deans may act as investigating officers for Level 1 violations, and they may enact informal resolutions for Level 1 violations. In an informal process, academic school representatives may act as facilitators to bring respondent(s) and complainant(s) together to discuss the allegation, the impact of the behaviour, and possible resolution(s).
- b. SRO representatives may act as investigating officers on Level 1, 2, 3, and 4 violations. SRO representatives will collaborate with and solicit support from academic school representatives and Campus Safety and Security representatives for investigations, where appropriate.
- c. SRO representatives will consult with the Associate Vice President, Student Services for investigations of Level 4 investigations.
- d. Campus Safety and Security may collaborate on information gathering, serve as the Sask Polytech liaison with law enforcement agencies, lead threat assessment processes, and assist in the development of safety plans as needed.

- e. To support the investigation, the identity of the complainant(s) may need to be disclosed to third parties, including witnesses.
- f. The complainant(s) and the respondent(s) will be invited to provide the names of witnesses. If either party intends to call more than 3 witnesses, prior notice must be given. All parties involved in the complaint may have a support person of their choosing present throughout the process.
- g. In appropriate circumstances, investigations or resolution processes may be adjourned for a reasonable period of time at the discretion of the individual(s) conducting the investigation or resolution process.

6. Determining Decision(s) and Outcome(s):

- a. Cases are assessed based on the *balance of probabilities* whether information shows it is more likely than not that the alleged events and/or violation occurred.
- b. For cases where the student is found to be responsible for engaging in prohibited conduct, a number of factors can contribute to the determination of the sanction(s) to be imposed:
 - i. relative harm or impact on the rights of others.
 - ii. severity of the violation, and whether it is cumulative or repeated.
 - iii. comparable sanctions for similar violations.
 - iv. acceptance of responsibility.
 - v. willingness to restore the relationship or resolve the situation.
 - vi. other applicable mitigating factors.
- c. The case may be resolved by the investigating officer(s), who will confirm the outcome and reasons for the decision in writing, and any sanctions, to the respondent. If a sanction(s) is issued, the student will also be notified of the option to appeal and the appeal process. If the investigating officer concludes that there has been no misconduct, all parties will be informed in writing and there will be no further proceedings.
- d. If the investigating officer is not able to resolve the case, or if the case involves sanctions under the responsibility of the Associate Vice President, Student Services (see Section 8), the case will be forwarded to the Associate Vice President, Student Services for resolution. They will host a meeting with the student and an investigating officer to view the facts of the case. A decision will be made within ten (10) business days of the scheduled meeting date. The Associate Dean of the Academic school will join the AVP, Student Services in rendering a decision.
- e. The investigating officers are not bound by the strict rules of evidence; subject to the provisions of this Policy/Procedures they may govern their procedure as appropriate.
- f. Throughout the investigative process, all reasonable efforts will be made to minimize disruption to the academic progress of any student who is a party to the complaint.
- g. As per The Local Authority Freedom of Information and Protection of Privacy Act the details of an investigation, including outcomes, cannot be disclosed to the complainant. As a result, the appeals process is intended for the student(s) who is identified to have committed a violation of this Code, for whom sanctions have been issued.

7. Sanction(s) and Resolution(s)

Sanctions and resolutions imposed by the investigating officers:		
Sanction / Resolution	Description	
Written warning	An official letter indicating that a student has been found responsible for prohibited conduct; the need for awareness, caution, or corrective action; and subsequent violations will result in further disciplinary action up to and including expulsion. Requests are considered by an SRO representative.	
Developmental, Educational, or Restorative Initiatives	 Participation in leadership opportunities, awareness, health, or safety programs; reflective learning or personal success exercises; projects, seminars, and other assignments as warranted; community service to the institution or to the larger community; restorative justice processes. In order to engage in a restorative justice process, the following conditions must be met: a. The party(ies) responsible for the non-academic misconduct must take responsibility for the misconduct; b. All parties involved must agree to participate in the restorative justice process; c. All parties involved in the incident must agree to work together to determine how best to repair harms caused. If parties withdraw from the process or the process is deemed to have failed, the investigation will resume and the SRO will render a decision. 	
Restitution	Compensation (monetary or material replacement) for loss of or damage to property, or services rendered.	
Student Conduct Agreement	The student chooses to engage, with set parameters, in the support services offered by the institution. A description of the terms, signed by the student, which outlines expectations that the student must adhere to in order to participate in all or some activities normally considered to be the rights of community members.	
Loss of Privileges / Non- essential Services	Removal of academic privileges or services that do not preclude academic progress (e.g. removing ability to attend campus other than for scheduled classes, extra-curricular activities, etc.).	
Restriction	A ban or formal trespass notice from a specified area of campus (e.g. licensed facilities, athletic facilities) or campus as a whole, or	

	a no-contact order between community members, for a designated period of time.
Non-academic Probation	A period of time (minimum one consecutive academic semester not including the term of the incident or minimum of four months for non-semester programs) where the student is given the opportunity to modify unacceptable behavior, to complete specific assignments, and/or to demonstrate a positive contribution to the community in an effort to regain student privileges within the institutional community. The student is subject to further disciplinary action for any further violations.
	After the specified period of time, the student may apply for a review of the probationary status to the SRO. The student will meet with an investigating officer from the SRO and demonstrate significant contributions, both of an academic and co-curricular nature, to the institutional community. The investigating officer will determine if the student's status will be lifted within ten (10) business days of the meeting. The decision of the investigating officer is final and not subject to appeal.

Any other sanction deemed appropriate in the circumstances, excluding those below.

Sanctions administered with the approval of the Associate Vice President, Student Services or designate, in collaboration with the Associate Dean of respective academic school or designate:

Sanction	Description
De-registration	Single/multiple course de-registration including partial or total loss of marks and tuition fees for the course(s).
Suspension*	Suspension from the institution for a period of up to two (2) years from the date of the incident. The student will not be permitted to register and will retain none of the privileges accorded to students. Suspensions may result in a notation on a student's academic record and transcript. This notation will be expunged from the student's record and transcript upon graduation or following the suspension period.
Expulsion*	Expulsion from the institution. The notation of expulsion is permanent on a student's academic record and transcript, unless a student makes a request to the Office of the Registrar to have the

	notation expunged from their academic record no sooner than five (5) years after the date of the expulsion.
Rescinding a credential	Rescinding a credential following graduation, or after having a credential conferred.
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Any other sanction or penalty deemed appropriate in the circumstances.

*Students who have been expelled or suspended will not receive credit for any studies partially completed at Sask Polytech during the semester that the suspension or expulsion was assigned. A student who wishes to be considered for readmission after this period of time must make an application to the Registration Office for readmission that will be evaluated on the basis of eligibility to continue.

8. Requesting an Appeal

- a. A student who has been issued sanctions can ask to have a sanction overturned or amended by submitting a Request for Non-Academic Conduct Appeal Form to the Enrolment Services within five (5) business days of the date on the written decision.
- b. An appeal is available only when at least one of the following grounds is alleged:
 - i. a substantial procedural error has been made or a bias present in the process;
 - ii. new information is available that is likely to change the outcome; or,
 - iii. sanction(s) imposed is disproportionate to or inconsistent with the nature of the offence.
- c. For the appeal of an initial decision made by an investigating officer, the Associate Vice President, Student Services will determine and confirm in writing if the request for an appeal is granted within five (5) business days of receipt of the request. For the appeal of an initial decision made by the Associate Vice President, Student Services, the Provost & Vice President, Academic will determine and confirm in writing if the request for an appeal is granted, within five (5) business days of receipt of the request for an appeal is granted, within five (5) business days of receipt of the request for an appeal. If granted, the Associate Vice President or Provost & Vice President Academic, respectively, will convene a hearing within ten (10) business days. The decision of the appeal panel is final with no further right of appeal within Saskatchewan Polytechnic.
- d. If a hearing is granted, all parties will be notified by a written Notice of Appeal which presents the basis of the appeal, the process of the appeal, and any other details necessary for a fair hearing.
- e. All witnesses must be identified to the Chair of the Appeals Committee at least five (5) business days before the appeal hearing, and both the appellant and original decision-maker must be notified of the participation of any witnesses in advance of the hearing. The appellant and/or decision-maker are responsible for ensuring the availability of witnesses for the scheduled date, time, and location of the appeal hearing. A minimum of five (5) business days prior to the appeal hearing, a written response by the decision maker indicating the rationale for the decision; a list of witnesses, if applicable; the original summary document and any other information or materials that were considered in the original decision will be submitted to the appellant.

- f. The decision to deny an appeal request is final with no further right of appeal within Sask Polytech.
- g. Submitting a request for an appeal or receiving an appeal hearing does not postpone the decision which is being appealed. If the student is deemed to be a risk to the safety and wellbeing of self or any member of the Sask Polytech community, the student will not be allowed on Sask Polytech property, except to attend the appeal hearing, until the appeal process has been completed. Where possible, the student may participate in regular or modified classes or other academic activities when there is no imminent risk to the safety or well-being of community members.

9. Non-academic Conduct Appeal Committee and Appeal Panel

The Office of the Associate Vice President (AVP), Student Services maintains a roster of twelve (12) individuals per campus who serve on the Appeal Committee, and the AVP Student Services convenes an appeal panel of three members from the Committee, including a Dean or Associate Dean (who will act as panel chair); a staff or faculty member; and a student identified by the Sask Polytech Students' Association. No Appeal Committee member will be from the academic school where the appellant is enrolled.

10. Appeal Hearing

- a. A private and confidential oral hearing will take place in front of the appeal panel. The appeal panel will review the documentation related to the original decision.
- b. The appellant bears the onus of proof, and a decision will be rendered based on a balance of probabilities. The student is entitled to procedural fairness which includes but is not limited to the following components:
 - i. The student must know the allegations against them, including the information that led to the initial decision.
 - ii. The student must be given an opportunity to correct or contradict any information or assertions made in support of the initial decision.
 - iii. The panel must make its decision without bias or reasonable apprehension of bias.
- c. The appellant will present their case and call any witnesses-they have identified.
- d. The original decision maker will then present the information used to make the original decision and call any witnesses they have identified.
- e. Witnesses called by either the appellant or original decision maker shall be invited individually to present their information and will be dismissed by the Chair of the Appeal Panel once they have been questioned by the other party to the appeal, and by the appeal panel. Witnesses may be asked to return to answer any further questions of the panel.
- f. Once the formal presentations are complete, the appellant may direct questions to the original decision maker and any witnesses through the Chair, and the original decision maker may ask further questions to the appellant and of their witnesses.
- g. The appeal panel may ask questions of all parties and witnesses and may request additional written or documentary information.
- h. The Chair of the Appeal Committee may give directions throughout the appeal hearing for the purpose of maintaining order, including asking anyone in attendance to leave the hearing if any

behaviour is deemed by the Chair of the Appeal Committee to impede the process. The information presented at the hearing must relate to or bear directly upon the outcome.

- i. Any procedural issue that arises in the course of a hearing, including issues respecting adjournments and the terms of such adjournments, will be considered by the panel, but the decision of the Chair is final with respect to any such procedural issues.
- j. The appeal panel shall deliberate privately and shall reach a decision by majority vote. If an appellant satisfies the appeal panel that an error occurred based upon the permitted grounds of this Policy/Procedure then they can grant any remedy that would have been available to the original decision makers including: upholding the decision and outcome; imposing a lesser outcome; or granting the resolution requested by the student. No monetary awards can be issued by the appeal panel.
- k. The appeal panel has the power to reserve its decision for further consideration and will render a decision within five (5) days.
- I. The decision of the appeal panel, including written reasons, shall be in writing and signed by the Chair of the Appeal Committee.
- m. Copies of the decision, along with its reasons shall be sent to the student (Appellant) and the original decision maker.
- n. The appellant may have a support person of their choosing in an advisory capacity present throughout the proceedings or they may choose to contact the Student Advocate from the Saskatchewan Polytechnic Students' Association.
- o. The decision of the panel will be final and binding on all parties with no further right of appeal within Sask Polytech.
- p. Every attempt will be made to meet the timelines set out in this Code unless circumstances cause a delay.

11. Records & Reporting

- a. In all cases, a record of the allegation and outcome(s) will be forwarded to and retained by the SRO. Records of student conduct action are filed in the SRO for three (3) years.
- b. Sanctions related to loss of privileges / non-essential services, restrictions, non-academic probation, de-registration, suspension, expulsion, and rescinding a credential will be copied to Enrolment Services for actions and notations on the student's academic file and transcript. Sanctions associated with restitution in the form of a monetary payment may also be copied to Enrolment Services Office and added to the student's account.
- c. The Manager of Health, Safety, and Security will be notified of sanctions related to loss of privileges / non-essential services, restriction, suspension, and expulsion.

- d. As appropriate, copies of allegations and outcomes will be forwarded to the Associate Dean of the academic school where the student is registered.
- e. All files are confidential and subject to *The Local Authority Freedom of Information and Protection of Privacy Act* and accompanying regulations.
- f. Sask Polytech's SRO shall report annually to the Provost & Vice President, Academic summarizing the number of incidents and students involved, including the categories of prohibited conduct, the range of outcomes imposed by the institution, the number of appeals and the outcome of such appeals. The report will contain no identifying personal information. Portions of the report will be made publicly available.
- g. Should a request be made and all parties agree, an appeal hearing may be recorded (this is not common practice). Upon written request, a respondent may review the audio recording and make appropriate arrangements for it to be transcribed on Sask Polytech property. Arrangements for a transcriber and all associated costs involved in the transcription will be the responsibility of the requesting individual.