

Title of Procedure	Personal and Professional Conduct¹
Policy Number and Title	2.4.4 Student Rights, Responsibilities and Conduct
Effective Date	June 2024

PROCEDURES FOR COLLEGE EMPLOYEES

The following procedures are in support of the [2.4.4 Student Rights and Responsibilities and Conduct](#) policy and are provided to assist College employees in responding to violations of this policy (non-academic misconduct). Employees may consult with the Director of Student Affairs or their designate (Manager, Student Life), their Department Head, supervisor and/or Campus Manager for guidance at any point during the following processes.

A. VIOLATIONS OF PERSONAL AND PROFESSIONAL CONDUCT

When a student violates the personal and professional conduct guidelines outlined in the 2.4.4 Policy, the following procedures will be determined based on the violation's location and type:

A. 1 Violations occurring outside the teaching and learning environment.

- a) Violations occurring outside of a teaching and learning environment will be addressed by the Director of Student Affairs within the scope of this procedure. Any person becoming aware of a violation should report the occurrence to the Director of Student Affairs using the [Student Non-Academic Misconduct Report Form](#). (Refer to Appendix B: Examples of Student Non-Academic Misconduct).
- b) The Director of Student Affairs will meet with the involved parties to determine the appropriate course of action (e.g., investigation, alternate resolution, reparation, discipline) which will be consistent with the discipline described in Appendix A.

A. 2 Violations occurring within and/or related to the teaching and learning environment.

Violations related to the Teaching and Learning environment include, but are not limited to the classroom, emails, meetings, telephone conversations or other online media.

- A. 2. 1 Violations occurring within and/or related to the teaching and learning environment are expected to be addressed by the instructor unless safety is a concern. (Refer to Appendix B: Examples of Student Non-Academic Misconduct).
 - The instructor will meet with the student as soon as possible, and preferably prior to the next class meeting to advise the student of the unacceptable behaviors and determine appropriate interim measures, in consultation and with the support of the department head.
 - The instructor may consult with their department head and/or campus manager and the Director of Student Affairs as appropriate.

¹ Procedures adapted from North Island College's *Community Code of Academic, Personal and Professional Conduct Policy*

- A. 2. 2 If the matter cannot be resolved by the instructor, department head and/or campus manager, the concern must be referred to the Director of Student Affairs for the development of an appropriate course of action.
- Dismissal from the teaching and learning environment (e.g., asking the student to leave a class) is appropriate when the instructor determines that the teaching and learning environment is compromised (e.g., shouting, threatening gestures, etc.) In some cases, if the student will not leave, it may be appropriate to dismiss the class.
 - Following a student's dismissal from the teaching and learning environment, the student must meet with the instructor, department head and/or campus manager, and/or dean prior to returning to the teaching and learning environment. This meeting will be initiated by the instructor and should occur as soon as possible and preferably prior to the next scheduled teaching and learning time to determine an appropriate course of action.
- A. 2. 3 Unless safety is a concern, the student may return to the learning environment, pending a decision from the department head and/or campus manager, and Director of Student Affairs.

B. INTERIM MEASURES

- B. 1 Interim measures are taken to protect the safety and/or wellbeing of the College Community, including the respondent. Such measures are preliminary in nature, non-disciplinary, and do not imply the individual(s) has violated the 2.4.4 Policy. Any interim measure applied will be reviewed and renewed if necessary pending the decision from the investigation. Interim Measures may include, but are not limited to:
- a) a requirement not to contact specific person(s);
 - b) limited access to spaces, programs, software, or services;
 - c) a requirement to communicate with a College official;
 - d) temporary removal from College properties or activities.

B. 2 Failure to comply with an Interim Measure constitutes a violation of the 2.4.4 Policy.

C. SUBMITTING A NON-ACADEMIC MISCONDUCT REPORT

- C. 1 All occurrences of non-academic misconduct must be reported using the [Student Non-Academic Misconduct Report Form](#). This report is received by the Office of the Director of Student Affairs.
- C. 2 The Director of Student Affairs will determine if a matter needs to be investigated further taking into consideration other incidents or contributing factors warranting the imposition of discipline.

D. DISCIPLINE

If an investigation determines that discipline is warranted, the decision-maker and the Director of Student Affairs or their designate will meet with the student, informing them of the outcome of the investigation which can include discipline as outlined in *Discipline Related to Non-Academic Misconduct* (Appendix A).

- D. 1 Violations of 2.4.4 Policy will result in reparations and discipline that are designed to support those impacted and to provide the opportunity for learning for the responsible party or parties.
- D. 2 Escalating levels of disruption normally results in increasing levels of reparations and discipline. The Director of Student Affairs may be consulted, as needed, to assist with the process.
- D. 3 Depending on the severity of the violation, the Director of Student Affairs, in consultation with the department head and/or campus manager will determine and communicate in writing to the student and other parties as needed, an appropriate course of action which may include but is not limited to the list as defined in Appendix A.
- D. 4 If discipline is applied, the decision-maker who submitted the [Student Non-Academic Misconduct Report Form](#) is informed if it impacts enrolment of the student and/or if the decision-maker has a business reason to be informed of the outcome. (Refer to Appendix C: Violations of Non-Academic Misconduct Procedures Workflow).

E. ALTERNATE RESOLUTION

- E. 1 Alternate resolution is a voluntary and collaborative process used to resolve an issue without resorting to a formal investigation. The goal of an alternate resolution is to promote reconciliation, settlement, or understanding among those involved. An alternate resolution process will only be used if all parties agree to participate in good faith.
- E. 2 When a request for an alternate resolution is received, the request and related information will be reviewed by the Director of Student Affairs to determine if an alternative resolution is appropriate in the situation. If an alternate resolution process is appropriate, the Director of Student Affairs will coordinate participation and the process.
- E. 3 If a resolution on the matter is reached, a written record of the agreement will be prepared and signed by the parties. The parties will receive a copy of the agreement. The original record will be maintained by the Office of the Director of Student Affairs.
- E. 4 An alternative resolution process may include, but is not limited to, coordination or facilitation of one or more of the following:
 - a) Separate meeting with the individuals involved to review the issue.
 - b) Joint meeting with the individuals involved to facilitate a conversation aimed at understanding and resolving the issue.
 - c) A review of policy and expectations with individuals involved to clarify and reinforce expectations of appropriate conduct.
 - d) Training and/or coaching to enhance understanding of appropriate conduct.
 - e) Negotiating an agreement between the individuals involved regarding future conduct, and/or
 - f) Follow-up with individuals involved after the alternate resolution process to ensure commitments to respectful conduct are being adhered to.
- E. 5 If the agreement of an alternate resolution is breached, formal discipline may be applied.

APPENDIX A

Discipline in Response to Non-Academic Misconduct

The discipline will vary according to the severity of the incident and may include, but not be limited to those cited below. The discipline may be invoked for disruptive conduct at the discretion of the appropriate decision-maker. The decision-maker will collaborate with the Director of Student Affairs in any investigation where a student's conduct may be (or perceived to be) threatening to themselves or others, violent, illegal, or uncontrollably disruptive.

- 1) Verbal Reprimand:** The student is informed that the conduct exhibited is unacceptable. Such a reprimand may be issued by a college employee when confronted by unacceptable conduct.
- 2) Removal from a Class In-Progress:** Immediate removal of a student from a class in-progress. In some cases, the instructor may postpone or cancel the class to address the disruptive behaviour. Terms and conditions for return to the class must be communicated to the student by the instructor who will inform the department head and the dean.
- 3) Written Reprimand:** Written reprimands describing expectations of student conduct for continuing in the course. They will be administered by the appropriate department head, campus manager, and/or director and copied and submitted to the Office of the Director of Student Affairs for filing.
- 4) Restriction of Activity or Access to an Area or Services:** Restriction or exclusion of a student from certain College activities, or denial of access to certain areas of the College, or to the use of certain facilities or equipment. The terms and conditions of this measure will be provided to the student in writing by the appropriate department head, campus manager, and/or director, copied to the Director of Facilities, the Vice President, Academic (VPA) and copied and submitted to the Office of the Director of Student Affairs for filing.
- 5) Recovery of Costs:** Recovery of costs is requested for damages deliberately caused by the student. The terms and conditions of the measure will be provided to the student in writing by the appropriate department head, director, and/or campus manager, copied to the VPA, and copied and submitted to the Office of the Director of Student Affairs for filing.
- 6) Removal from a Course:** Immediate exclusion of a student from a course. The terms and conditions of this measure will be provided to the student in writing by the appropriate dean, and copied to the appropriate campus manager, the VPA, the Director of Student Affairs and the Office of the Registrar and submitted to the Office of the Registrar to place on the student's official record.
- 7) Removal from a Program:** Removal of the student from the program. The terms and conditions of this measure will be provided to the student in writing by the appropriate dean, after consultation with the department head and the VPA, copied to the Director of Student Affairs and submitted to the Office of the Registrar Office for processing and to place on the student's official student.
- 8) Suspension from the College:** Refusal by the College to admit a student to any class, course, program, College service or College activity. The terms and conditions of this measure will be provided to the student in writing by the President, copied to the VPA, to Director of Student Affairs, the Registrar, the Director of Facilities and the Board of Governors, and submitted to the Office of the Registrar to process and place on the official student record.

NOTE: Suspensions may be appealed to the Board of Governors.

APPENDIX B

Examples of Student Non-Academic Misconduct

Misconduct examples may include but are not limited to:

- **Sexualized Violence:** This includes any sexual act or act targeting a person's sexuality, whether the act is physical or psychological in nature that is committed, threatened, or attempted against a person, without the person's consent. (Refer to the *4.8.8 Sexualized Violence Prevention and Response Policy*)
Examples: Sexual assault, sexual exploitation, sexual harassment, stalking, indecent exposure, voyeurism, and the distribution of a sexually explicit image.
- **Assault or Threatening Conduct:** This includes any physical, written, or verbal assault directed at any individual or group affiliated with the College Community that occurs within any College related activity that could result in physical, mental, or emotional harm, or harassment.
Examples: Hitting, slapping, punching another person; continued unwanted contact with, or stalking of another person; harassment and persistent requests to change grades, cyber attacking; using threatening language; communicating in any manner an image, picture or graphic that is threatening.
- **Conduct Endangering the Safety of Self or Others:** This includes any conduct that potentially or endangers the safety of a person in any College-related activity.
Examples: Tampering with fire access doors or discharging fire extinguishers; unsafe operation of a motor vehicle; unsafe conduct in a science lab, unacceptable use of tools, materials, equipment, or procedures that places a person at risk; risk of self-harm or violence towards others that disrupts the learning environment.
- **Failure to Comply with Reasonable Requests of College Employees:** This includes any failure to comply with a reasonable request or directive of any College employee, issued to protect the rights, privileges or safety of any member of the College Community.
Examples: Failure to leave a building during a fire alarm; failure to comply with college smoking policies; refusal to remove a vehicle parked in a fire lane; refusal to remove weapons from campus; failure to vacate a college service or instructional area when directed.
- **Disruptive Conduct/Disorderly Conduct:** This includes any conduct that interferes with the provision of college services or instruction or that interferes with any member of the College Community.
Examples: Verbal outbursts, physical gestures, actions, or interruptions which limit or interfere with the provision of college services or instructional activities; unwarranted and unreasonable disturbances during any College-related activity.
- **Unauthorized Entry or Presence:** This includes any unauthorized act of entering, remaining in, or allowing others to have access to areas of the College.
Examples: To enter or allow others to gain entry to labs or shops outside of authorized times and conditions; or unauthorized presence in any College office or area.
- **Misuse of Information:** This includes any falsification, alteration or misuse of personal identification, electronic identification, records, or documents.
Examples: Unauthorized alteration of grades or records; unacceptable use of computer password access privileges or registration privileges; refusal to produce valid identification upon request.

- **Theft of Personal or College Property:** This includes any theft (attempted or actual) or unauthorized removal of property belonging to the College, or to any member of the College Community.
Examples: Theft of library resources; theft of personal property such as a knapsack or purse; or unauthorized duplication of computer software belonging to the College.
- **Vandalism/Intentional Damage or Misuse of Personal or College Property:** This includes any intentional altering of, or damage to, any resource or property belonging to the College or to property of any member of the College Community.
Examples: Damaging library books; defacing College buildings; or damaging vehicles.
- **Violation of Federal, Provincial or Municipal Laws, Statutes or Regulations:** This includes any conduct that violates the laws, statutes, or regulations of any applicable authority.
Examples: Violations of B.C. Liquor Control Act; possession, use or sale of illicit substances such as steroids or drugs; possession of weapons on campus; violations of the Motor Vehicle Act; issuing a false fire alarm; or failure to comply with Workers' Compensation Board of BC regulations.
- **Disrespectful or Demeaning Conduct:** This includes any statement, publication, notice, sign, symbol, emblem, or other representation which gives a member of the College Community reasonable cause to believe that he or she has suffered hatred or contempt.
Examples: Language, cartoons, photos, symbols, inappropriate written comments, etc., which expose a person, or a group, or class of persons to pornography, hatred, or contempt.
- **Making False, Frivolous or Vexatious Complaints:** This includes any complaint that is intentionally made by a person who knows it is false, frivolous, or vexatious.
Examples: Alleging a theft of personal property that is untrue; alleging an assault that is found to be false; making a false allegation about another student's behaviour.

APPENDIX C

Violations of Non-Academic Misconduct Procedures Workflow

Employee may consult with the Director of Student Affairs, their department head, and/or Campus Manager to discuss the alleged violation and potential discipline at any time during this

