

POLICY AND PROCEDURES

POLICY NAME: Student Non-Academic Conduct	POLICY NUMBER: 2.2.2	CATEGORY: Academic
RESPONSIBLE EXECUTIVE: Associate Vice President/Vice Principal	APPROVED BY: Executive Council	Effective Date: September 1, 2020
NEXT FULL REVIEW DATE: August 31, 2025	REVISED:	REPLACES:

PURPOSE

This policy establishes the expected standards of conduct for students of Coquitlam College (the College) and describes the processes that will be followed should a breach of these standards occur.

SCOPE

This Policy applies to all students and staff, and addresses the non-academic conduct of students at the College campus or other off-campus or online learning environment, or where students are participating in courses, programs, or are representing the College in any College-related activity or event.

POLICY STATEMENTS

1. The College has the right and responsibility to establish and enforce standards of student conduct.
2. Honesty, mutual respect, civility and good citizenship are promoted and expected at the College. Students must conduct themselves in a manner that is respectful of the rights, well-being and property of others, and that facilitates a safe and effective learning and working environment.
3. Any breach of student non-academic conduct is unacceptable and will not be tolerated by the College. A student who is found to have breached the standards of student conduct will be held accountable and will be subject to disciplinary action up to and including expulsion.
4. All individuals involved in a reported breach of student conduct will be treated in a fair and equitable manner, in accordance with the principles of procedural fairness and natural justice.
5. Students are encouraged to report breaches of student conduct to their instructor or another College staff member.
6. The College will make every effort to protect the confidentiality of individuals named in an Incident Report.
7. Any form of retaliation and/or spreading or providing malicious or false information against any person who is involved in an investigation or procedure concerning student

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misconduct is considered harassment. The College will address these matters under the Bullying and Harassment policy.

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8. The College encourages, where appropriate, the informal resolution of student misconduct issues. Discussion and clarification of expectations can be an effective way to resolve situations and prevent escalation of inappropriate behaviour.
9. When reasonable efforts to manage student conduct are unsuccessful, instructors/staff have the right to ask the student to leave the classroom or service area for the day.
10. The office and/or Security must be notified immediately in the event that:
 - a. the student refuses to leave
 - b. the misconduct obstructs the activities of the College
 - c. there is a threat to the safety of students or staff
11. The College has the right to immediately take all necessary measures to secure the safety of students and staff. This may include the removal of a student from a classroom or other College location either temporarily or for an extended length of time, or calling the police.
12. An incident report will be completed as soon as possible after the event and submitted to the Vice President/Principal for review. A copy will be sent to the Executive Office for placing in the confidential student record.
13. If the Vice President/Principal or delegate determines that there is an immediate, ongoing or possible risk to staff, students and/or property, they may choose to impose interim measures.
14. Interim measures are put in place to protect the safety and wellbeing of staff, students and community members, and may include a ban from campus property or other necessary restrictions. Interim measures:
 - a. do not presume guilt
 - b. may be imposed immediately or at any time during the process
 - c. may remain in effect until the conclusion of the process

Informal Resolution

15. If an Instructor/staff member becomes aware of student misconduct, either through personal observation or through a third-party report, they are encouraged to meet with the student and review the circumstances of the alleged misconduct and determine if a breach of conduct has occurred.
16. The Student will have an opportunity to respond to the allegations.
 - a. If it is determined that misconduct has occurred, they may be given one opportunity to correct their behaviour without disciplinary measures being imposed.

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- b. If it is determined that misconduct has not occurred, the matter will be dropped and no further action will be taken.
17. An issue of misconduct will be referred to a formal resolution process when:
- a. there are multiple instances of misconduct by the same student
 - b. the matter is a serious breach of conduct
 - c. the informal resolution process is not engaged, such as when there are concerns regarding safety and/or power imbalance
 - d. the alleged student misconduct issue is not resolved through the informal resolution process

FORMAL RESOLUTION

18. To initiate a formal resolution process the Instructor/staff member will submit a written Incident Report to the Associate Vice President/Vice Principal (AVP/VP). In cases of urgency the Report may be made verbally and submitted in writing at a later date.
19. Based on the evidence presented in the Incident Report, the AVP/VP will determine how to proceed with a resolution. The AVP/VP may decide:
- a. The allegations do not constitute a breach of student conduct. In this case, the matter will be dropped, and no further action will be taken.
 - b. An informal resolution should be attempted. In this case, the matter will be sent back to the Instructor/staff member who submitted the Incident Report. Recommendations and/or tips for resolving the matter may be provided.
 - c. An investigation into the alleged student misconduct is required. In this case, the Instructor/staff member and student will be notified in writing, and the investigation will begin.

Investigation

20. Investigations will be completed by an internal Investigator, or an external Investigator if there is a perceived conflict of interest or when an internal Investigator is not available.
21. The purpose of the investigation is to gather facts and statements relevant to the behavior or incident in question. The Investigator will determine an appropriate process for the investigation, which may include:
- a. a review of relevant information and documents
 - b. obtaining written submissions
 - c. meeting with the parties involved or any witnesses deemed relevant to the investigation
22. If the student fails to cooperate with the investigation or to be reasonably available for a meeting, the investigation will proceed without the input of the student.

23. The investigator will issue a written report to the AVP/VP which will include:
 - a. an overview of the incident and investigation process
 - b. the determination of whether or not, based on a balance of probabilities, a violation occurred
 - c. recommendations for disciplinary measures if applicable

24. The AVP/VP will inform the student in writing of the decision and will include any disciplinary measure(s) and a rationale. A copy will be sent to the Instructor/staff member and a copy sent to the Executive Office for placing in the confidential student record.

DISCIPLINARY MEASURES

25. The determination of appropriate disciplinary measure(s) will include consideration of the nature and seriousness of the misconduct, the context in which the misconduct occurred, whether the student has previously engaged in misconduct, and any other factors that may be relevant to the decision.

26. A student who is found to have breached the standards of conduct may be subject to one or more of the following disciplinary measures:
 - a. Warning or reprimand: A verbal or written warning or reprimand.

 - b. Student Conduct Contract: A formal written contract, signed by the Student to confirm agreement to its terms, specifying conditions and standards of conduct the Student is required to abide by. Failure to meet the requirements of this contract may lead to further disciplinary or corrective measures.

 - c. Restriction or prohibition of access or use: Conditions that are imposed to limit or ban, for a specified period of time, a student's right to access or use the College's lands, equipment, facilities, services, or other activities held by, on, or in association with the College.

 - d. Probation: Provisions that are put in place to monitor academic or behavioural activity and/or performance. A probation letter will be issued to the student and will include the requirements that must be met in order to continue in a course, program, activity or as a student at the College, and the timelines for meeting the requirements. The determination of requirements and the timeframe are specific to the situation. Probation is considered complete if the student meets all requirements within the specified period of time.

 - e. Suspension: Preventing participation in academic and other activities at the College for a specified period of time. It may also include restricting access to College facilities.

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- f. Expulsion: The removal from all College programs, courses and activities in which a student is registered or participates in. Restrictions may be placed on the Student's ability to register in a College course or program in the future.
- g. Discretionary Measure: Any other disciplinary or corrective measure that the College determines is warranted under the circumstances, such as taking the necessary action to immediately remove the person the campus.

Appealing Disciplinary Measures (excluding Suspension or Expulsion)

- 17. A student may appeal a disciplinary decision to the Vice President/Principal. This appeal does not apply to a recommendation to suspend or expel the student from the College. See section on *Decision to Suspend or Expel*.
- 18. The grounds for appealing a disciplinary decision are limited to the following:
 - a. the decision process lacked procedural fairness
 - b. the disciplinary measure(s) imposed were unreasonable
 - c. there is relevant new information that was not available at the time the decision was made and that may have influenced the outcome
- 19. The student must submit an Appeal Form to the Office of the Registrar no later than 10 business days from the date the disciplinary decision was made.
- 20. An Appeal Fee of \$50 must be paid at the time the Form is submitted. If an Appeal is successful, the Appeal Fee will be refunded.
- 21. The Registrar will review the Form to confirm that it is fully completed and that the required documentation is attached. Incomplete forms will be returned to the Student along with a specified timeline for submitting the completed form; usually 5 business days. If the form is not fully completed and submitted within the specified timeline, the Misconduct Appeal Form will become null and void. The Appeal Fee is non-refundable in this circumstance. If time permits, the student may submit a new Form and pay another Appeal Fee.
- 22. The VP/P will review all relevant information and, if necessary, may request further information from any of the parties involved, and/or arrange to meet with any of the parties involved to discuss their case.
- 23. If the grounds for an appeal are established, the Principal will determine how the appeal will be resolved. The courses of action are:
 - a. uphold the initial decision
 - b. reverse the initial decision and submit a new decision
- 24. The VP/P will communicate the appeal decision with rationale and any course of action/outcome, in writing, to the student. A copy will be sent to the Executive Office to be included in the confidential student record.
- 25. The decision by the Vice President/Principal is final.

Decision to Suspend or Expel

- 26. Only the Vice President/Principal has the authority to suspend or expel a student.
- 27. The Vice President/Principal will review all relevant information and may choose to meet with the parties involved to gather information relating to the decision.

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28. The Vice President/Principal will communicate the final decision with rationale, in writing, to the student. A copy will be sent to Board of Governors, the Instructor/staff member and the Executive Office to be included in the confidential student record.
29. The decision of the Vice President/Principal is final and cannot be appealed.

DEFINITIONS

Balance of probabilities: The standard of proof used in investigations and hearings is that the alleged violation is “more likely than not” to have occurred based on the evidence.

Investigator: A College staff member who conducts an investigation of student misconduct complaints and/or reports.

Misconduct: Unacceptable or improper behaviour which may include one or more of the following: (Specific examples of student misconduct can be found in Appendix A.)

- a. Dishonesty: Knowingly providing false or incomplete information to any College staff member; forgery; alteration or misuse of any College document, record or form of identification; misrepresentation or falsification of identity, status or documentation.
- b. Disruption or obstruction of College business, including learning, teaching, administration and other events and activities on or off College property.
- c. Use of College computers or electronic equipment or systems in contravention of the College policies and procedures on such matters.
- d. Actual or attempted theft or damage, misuse, vandalism, defacement or destruction of College property or the property of any student, employee or visitor.
- e. Failure or refusal to comply with a reasonable request or direction from an authorized College staff member.
- f. Refusal to identify oneself to an authorized staff member when asked to do so.
- g. Possession, copying or use of keys, access cards or any other mechanism for entering College premises without advance authorization.
- h. Use or possession of open alcoholic drinks on College property. Alcoholic drinks may not be used or possessed by or distributed to any person who has not reached the legal age for this activity in the Province of British Columbia.
- i. Being under the influence of alcohol, cannabis or any substance on College property to the point of impairment.
- j. Use, possession, manufacturing or distribution of any controlled substances except as expressly permitted by law.

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- k. Illegal or unauthorized possession of firearms, explosives, other weapons or dangerous chemicals on College property or use of any such items, even if possessed legally, in a manner that threatens, harms or intimidates others.
- l. Unlawful actions on College property, physical or virtual, in violation of the *Criminal Code of Canada* or any other federal and/or provincial legislation and regulations or municipal by-laws.
- m. Unauthorized use of the College name, reputation, symbols or logo.
- n. Violation of any College policy, rule or regulation published by the College or available on the College website.
- o. Aiding and/or encouraging any of the misconduct listed above.
- p. Any other conduct that is deemed to be in violation of the College's student conduct expectations and values as set forth by the College. Refer to Appendix A for examples.

Student: A person who has completed an application to the College and has received a student number.

Confidential Student Record: A file held by Student Services that contains information relating to a student's non-academic information; may include reports relating to disability, accommodation or misconduct.

Related Documents

- 1.3.2 Prevention of Bullying and Harassment
- 1.3.3 Sexual Misconduct Policy
- Incident Report template
- Conduct Appeal Form
- Procedural Fairness Best Practice Guidelines for Independent Schools, 2007, Federation of Independent School Associations British Columbia (FISABC)
- Criminal Code of Canada

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Appendix A

Student Non-Academic Misconduct

Examples of student misconduct are:

- Using a cell phone in the classroom without instructor approval. This includes audio and/or video recording of lectures or other classroom activities.
- Pulling the fire alarm for any reason other than to report a fire. Violators may be charged a \$75 reset fee or be suspended or expelled.
- Consuming unauthorized food or beverages in a classroom or the gym
- Smoking or vaping anywhere on campus property. Violators may have a written record of the offence in their confidential student record or face suspension.
- Speeding anywhere on College property.
- Speech or action that disrupts or interferes with the ability of students to learn, the ability of an instructor to teach, or the ability of an employee to provide services.
- Extreme or unreasonable demands for attention or special treatment from instructors or employees, including the overuse of email to communicate with Instructors or staff.
- Repeated interruption of classes and/or services with remarks that are irrelevant, rude or inappropriate.
- Speech or action that is clearly unrelated to learning and that demeans or creates an atmosphere of hostility, intimidation, ridicule or anxiety among other students or staff.
- Abusive or bullying behaviours, violence, threats of violence, or conduct which threatens or endangers the health or safety of any person.

These examples represent a diverse range of student misconduct that may, under specific circumstances, be referred to other College policies, such as Bullying and Harassment or Sexual Misconduct, or to the Police, such as when the Criminal Code of Canada is breached.