

STUDENT MISCONDUCT PROCEDURES GUIDE

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Policy Information & Responsibilities

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December 09, 2020 – Updated policy format

–Vice President, BC College

1. Policy

Hanson College BC's Code of Conduct Policy outlines a unified general code of conduct that promotes the institution's goals of excellence and progress and is binding for all members of the Hanson community. Hanson is committed to promoting responsibility to the community by setting a model of socially acceptable behaviour throughout its campuses. Every student, employee, volunteer, and visitor has the right to a safe and respectful environment. To this end, Hanson College BC is dedicated to providing an atmosphere that is conducive to and consistent with its goals.

This document does not alter the Student's Rights and Responsibilities policy and Hanson's Code of Conduct. To ensure consistent, equitable treatment of all students under the Code of Conduct, the procedural process related to Student Misconduct is outlined in this document. The adoption of these procedures is intended to act as a deterrent to student misconduct as well as fairly advise the student of the consequences of his/her actions. The college has the right to enforce compliance with such prescribed standards through appropriate sanctions. At the same time, the student is given certain rights with respect to notice, a right to be heard, and a right of appeal.

The Student Misconduct Procedures Guide relates solely to complaints relating to student misconduct, therefore the Respondent in the complaint filed under this document must be a student. Under this document, Complainants can be any individual who is not a student, such as staff, faculty, and visitors. For procedures related to complaints made by students (i.e. the Complainant is a student), regardless on who is the Respondent, please refer to the Student Complaints policy.

Complaints relating to sexual violence and related sexual misconduct must be filed under the Sexual Violence & Misconduct policy.

2. A General Statement: Student Responsibilities and Hanson College BC Rights

Students have a fundamental responsibility to obey the general law of the land while they are within the confines of the Hanson's buildings or on Hanson's grounds and when they are working in a placement situation or any other situations where the students are under the ultimate supervision of Hanson College BC. The general law of the land includes the Criminal Code of Canada and by-laws of municipalities in which Hanson conducts classes, placements or other approved activities. Students are expected to be familiar with and comply with the general law of the land.

Hanson College BC has the right to make regulations that are supplementary to the general law of the land, and sanctions imposed by Hanson are in addition to any other sanctions, which may be imposed by the law. Examples would be regulations forbidding the possession of firearms and other weapons on Hanson's property, uttering threats, and harassment, creating disturbances and disruptions, possession and consumption of alcohol and other drugs on Hanson's property, smoking in prohibited areas and failing to maintain a safe, healthy learning environment.

The Student Rights and Responsibilities automatically bind all students upon enrolment and clearly outlines the faculty members' responsibility to maintain a classroom environment that is conducive to learning. Each

student, upon admission to Hanson College BC, contractually agrees to be governed by the rules and regulations of Hanson College BC, which among other things includes this document. The document may be amended from time to time, and any such amendments shall be binding on all students.

3. Student Misconduct

3.1. Students who behave in a manner which is disrespectful of the learning environment, disruptive to the learning process, or which otherwise interferes with the well-being of members of Hanson's community, or causes damage to Hanson's property, will be subject to disciplinary action up to and including suspension or expulsion from the College. **No informal resolution process is available for students once a formal complaint has been registered under this process.**

3.2. Infractions may include:

- a) Furnishing, with intent, false information to any Hanson College BC staff.
- b) Disruption or obstruction of teaching or learning activities, including those Hanson-directed functions on or off campus.
- c) Physical abuse, verbal abuse, threats, intimidation, harassment, and/or other conduct as a result of which members of the Hanson community feel threatened, intimidated, or endangered.
- d) Theft or damage related to the property of Hanson College BC or property of a member of the Hanson community.
- e) Any act which endangers the mental or physical health, safety, or the rights of a member of the Hanson community.
- f) Failure to comply with directions of Hanson staff or law enforcement officers acting in the performance of their duties, and/ or failure to identify one's self to these persons when requested to do so.
- g) The carrying or possession of explosives, weapons, or anything considered a weapon on the premises of Hanson College BC.
- h) The carrying or possession of dangerous chemicals on the premises of Hanson College BC except where required for academic persons.
- i) Conduct that is disorderly, lewd or indecent.
- j) Breach of peace on the premises of Hanson College BC or at functions sponsored by Hanson College BC.

- k) Counselling, prompting, soliciting or otherwise aiding to commit infractions.
- l) Forgery of a document, permit or instrument of identification, or tampering with official records. (See Cheating Policy)
- m) Being intoxicated while participating in or attending any learning activity.
- n) Buying, selling, in possession or using any illegal substances while on campus or residence.
- o) Creating a false alarm on Hanson property.
- p) Breaching Hanson's "No Smoking Policy".
- q) Inappropriate use of computer resources as outlined in the Computer User Agreement.
- r) Use or display of pornographic material while on any Hanson College BC campus. This includes use of Hanson computers to access pornographic Internet sites.
- s) Repeated violation of Hanson College BC rules and regulations.
- t) Bringing a false charge against any member of the Hanson community.
- u) Cyber-bullying in the form of threats, harassment and /or intimidation.
- v) Charged with committing a crime committed while on any college property.

4. Process for Registering a Complaint

The following steps outline the procedures for registering a complaint:

- 4.1.** To file a complaint under this document, the Respondent must be a student and the Complainant can be any individual other than a student. If the Complainant is a student, regardless of who the Respondent is, please file a complaint under the Student Complaints Policy.
- 4.2.** The complainant (who is a staff/faculty/visitor) completes a Student Misconduct – Formal Complaint Form and submits the completed form to the Student Services Department. An Incident Report can also be used in lieu of a formal complaint form.
- 4.3.** All members of the Hanson community have responsibility for reporting student misbehaviour to the Student Services Department or Academics Department.
- 4.4.** Behavior that may result in jeopardizing the good order and proper functioning of Hanson, or endangers the health, safety, rights or property of members of the Hanson community, or negatively impacts the learning environment and/or campus living environment must be reported immediately.
- 4.5.** The Student Services Department will thoroughly investigate the incident and write an incident report.

- 4.6. In some circumstances Hanson may act on information provided by the Police and use this as facts to determine whether a violation of the Students Procedures for Misconduct has taken place use this to initiate an Incident Report.
- 4.7. The Student Services Officer will consult with the Associate Director, Student Services and Director, Academics (when appropriate) and, depending upon the nature of the infraction, will either impose disciplinary action or may call upon selected members of the Hanson Community to collectively form an ad hoc Disciplinary Advisory Group to determine the appropriate disciplinary action.
- 4.8. The decision of the Ad Hoc Disciplinary Advisory Group will be documented.
- 4.9. In all cases where the nature of the incident could result in suspension or expulsion, an ad hoc Disciplinary Advisory Committee will review all the pertinent information and render a decision on the discipline to be imposed.
- 4.10. The student will be advised of the disciplinary action in the most expedient manner.
- 4.11. The decision of the ad hoc Disciplinary Advisory Committee will be confirmed in writing by the Principal in a letter addressed to the student.
- 4.12. A copy of this letter is kept in the Academics office with a second copy being maintained in the Student Services Department's office. A copy of the letter will be shared with the appropriate Academic staff members.
- 4.13. Due to the confidential nature of the investigation and disciplinary process and the Freedom of Information legislation, the decision will be treated as confidential.

5. Discipline

- 5.1. Disciplinary action will reflect the severity of the misconduct and vary accordingly.
- 5.2. The severity of discipline for repeat offenders will result in an escalation in sanctions.
- 5.3. Any or all of the following sanctions may be imposed upon a student found to have committed breach of Hanson regulations, policies and infractions:
 - 5.3.1 **Admonition and Warning:** a notice to the student that he or she is violating or has violated an institutional regulation or expected standards or behaviour and that future violations will result in a penalty (Cannot be appealed).
 - 5.3.2 **Probation:** a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation during the probationary period.
 - 5.3.3 **Behavioural contract:** a signed agreement between the student, and Administrator responsible for enforcing the conditions of the contract. It specifies conditions that must be met and adhered to by the student, in return for re- admission to class, placement, or a Hanson-approved activity or facilities. Failure to meet the terms of the contract may result in suspension or expulsion of the student. A behavioural contract may be used in conjunction with probation.
 - 5.3.4 **Loss of Privileges:** denial of specified privileges, denial of access to some or all Hanson College BC facilities for a designated period of time.

- 5.3.5 Restitution:** compensation for loss, damage or injury. This may take the form of monetary or material replacements.
 - 5.3.6 Temporary Suspension:** a period not exceeding 5 days where a student will be temporarily not allowed on the Hanson College BC campus.
 - 5.3.7 Suspension:** separation from Hanson College BC for a definite period of time, after which the student is eligible to apply to return. Conditions for re-admission and registration will be specified.
 - 5.3.8 Expulsion:** permanent removal of the student from Hanson College BC. The student's official record will read: Involuntary Withdrawal-Student Misconduct.
 - 5.3.9** Fines will be levied when they would be considered as a deterrent from repeating the inappropriate behaviour.
 - 5.3.10** Eviction from residence.
 - 5.3.11** Trespass to property.
- 5.4.** In the event of a suspension, expulsion and/or eviction from residence, no refund of tuition or residence fees will occur. The student must pay all outstanding fees.
 - 5.5.** Disciplinary decisions and sanctions shall be made part of the student's official record for administrative purposes and maintained in the Student Services Office.
 - 5.6.** In cases of suspension or expulsion, the Principal will initiate a letter communicating the decision to the student with copies being sent to the Director, Academics. Student Services will keep a copy of the letter on file as part of the student's official records and as part of the Complaints File.
 - 5.7.** If the complainant or respondent disagrees with the disciplinary decision and/or sanctions, an appeal can be made to a Discipline Appeal Committee. Any appeals made can be recorded on the complaint form used.
- 5.8. Discipline Appeal Hearing Guidelines**
- I. Hearings shall be held within five (5) school days after a request has been received.
 - II. Notice of the Appeal Hearing shall be given to all parties involved at least 48 hours prior to the hearing.
 - III. Hearings shall be conducted in-camera.
 - IV. Admission of any person other than committee members and witnesses to the hearing shall be at the discretion of the Discipline Appeal Committee Chair.
 - V. The student has the right to be assisted by an advisor he/she chooses, at his/her own expense. While the student is responsible for presenting his/her own case, the advisor may make representations on behalf of the student to the Appeal Committee.
 - VI. In hearings involving more than one student, the Chair of the Discipline Appeal Committee at his/her discretion may permit the hearings concerning each student to be conducted separately.
 - VII. The Disciplinary Appeal Committee, at the discretion of the Chair, may accept pertinent records, exhibits and written statements as evidence for consideration. All such evidence will be presented 48 hours in advance of the hearing and shared with all parties.
 - VIII. Witnesses, who may be subject to questions from anyone in the room, can be asked to participate but must be identified in the letter requesting the Appeal.

- IX. After the hearing, the Discipline Appeal Committee shall determine, by majority vote, whether the original disciplinary decisions and/or sanctions should be upheld, modified or overturned. In case of a tie, the Chair will cast the tie breaking vote)
- X. The decision of the Disciplinary Appeal Committee shall be rendered within five (5) school days and communicated to the student and, if appropriate, the necessary College departments in writing. This decision is **final**.
- XI. The Chair of the Committee shall be responsible for the preparation of written record of the appeal hearing. The records shall be the property of the College.
- XII. All information will be treated confidentially to the extent permitted by law and in accordance with the Freedom of Information and Protection of Privacy Act. Records of all appeals will be maintained and secured by the Director, Academics.

6. Returning after Suspension or Expulsion

- 6.1. The following process is intended to create a supporting environment for students and faculty and is in place to ensure the successful re-entry of students into the academic environment following a suspension or expulsion.
- 6.2. Once a student has completed their suspension or expulsion period and they wish to re-enroll at Hanson College BC the student must:
 - Submit in writing a request for re-admission to the Manager of Records and Registration at least two (2) months prior to the intended re-enrolment date.
 - Demonstrate in writing, with documented evidence, that all of the conditions of their suspension/expulsion have been satisfied.

6.3. Approval for re-admission

- 6.3.1. The ad hoc Disciplinary Advisory Committee will determine if the conditions, outlined above, have been satisfied.
- 6.3.2. If the ad hoc Disciplinary Advisory Committee is satisfied, the student must:
 - 6.3.2.1. Gain admission into the program through the regular application process (the student should note that requesting readmission two (2) months prior to the intended re-enrolment date does not guarantee admission).
 - 6.3.2.2. If the student gains admission, then the student will meet with the Director, Academics of the school they are entering, and the Associate Director, Student Services to draw up a Behavioural Contract for their return. The two (Associate) Directors and the student will be given copies of the Behavioural Contract, signed all present. The Director, Academics will notify all faculty that will be instructing the student, for the full duration of the student's behavioural contract, and make faculty aware of the conditions of the behavioural contract and the reason(s) for the original suspension/expulsion. Should the student change campuses the Director, Academics will inform the Director, Academics or designate of the campus to which the student has transferred and that Director, Academics will inform his/her faculty as above.