

Selkirk College Policies and Procedures		Title and number	3400 Student Code of Conduct- Rights and Responsibilities		
		Replaces	B3002		
		Effective	2002-03-15	Next review :	2014.09.21
Executive Responsibility	Administrative Responsibility	Recommended by Policy Review Committee	2009.09.21		
Dean of Student Development /Registrar	Dean of Student Development/Registrar	Recommended/Approved by Education Council	N/A		
		Approved by President	2009.09.26		

1 POLICY

A. PURPOSE AND SCOPE

This code of conduct applies to all registered students at Selkirk College. It is intended to establish the student's general rights and responsibilities and to act as a guide for students as well as for all College personnel.

This code will provide examples of conduct that may be subject to disciplinary action by the College, provide examples of sanctions that may be imposed, and set out the disciplinary procedures that the College will follow. Nothing in this code shall be construed to prohibit peaceful assemblies and demonstrating, lawful picketing, or to inhibit free speech as guaranteed by law.

This code applies to:

- i. Conduct that occurs on the premises of the College or its affiliated campuses and/or centres.
- ii. Off campus conduct when the individual is acting as a designated representative of the College and/or student organization recognized by the College.
- iii. All online instruction provided by the College.

Any student found responsible for misconduct is subject to the disciplinary sanction of this code, regardless of actions or inactions of civil authorities.

2. POLICY

Selkirk College recognizes and believes that students have rights. Inherent with any right goes responsibility; students, therefore, are expected to conduct themselves in the best interest of the College and themselves. They are expected to apply themselves to their studies and act with propriety and conformity with College policies, rules and regulations. If students do not accept and live up to these responsibilities as outlined, the College reserves the right to take such action as, in its opinion, the case warrants.

3. RIGHTS

- A. The following defines the specific rights and responsibilities of the student:
- i. Students shall have the right to assemble
 - ii. The student press must be free, within legal bounds, of censure or control; its publishers and editors must be free to define policies regarding editorials and publication of information.
 - iii. Students have a right to a healthy and safe environment.
 - iv. Students have a right to be free from physical, sexual or mental harassment, indignity, injury or violence.
 - v. The confidentiality of all information regarding students including students' evaluations must be respected unless they consent in writing to its disclosure. Nevertheless, staff members whose professional duties require it, may within the generally accepted rules of ethics, have access to the students' records.
 - vi. Students have a right to request and be informed of, prior to registration, the extent of College related expenses to be incurred during their studies at the College and to be made aware of any services offered to them.
 - vii. Students have a right to request and receive, at the beginning of the course, notice of the availability (time and place) of their instructor/s and staff members responsible for all services offered.
 - viii. Students may make representations in front of any consulting decision-making body of the College with regard to any aspect of their rights, according to procedures in effect at the College.
 - ix. Students have the right to refer to any documents contained in their student records.
 - x. Students have the right to add documents to their student records, including written document refuting the contents of documents of a disparaging nature.
 - xi. Students have the right to be provided, at the beginning of a course, with written course descriptions including means of student assessment and to be assured that these will not be substantially changed.
 - xii. Students have the right to be informed, at the beginning of the course, of methodologies, assignments to be handed in, penalties for delays, and the estimated waiting period for obtaining academic results. Further, students have the right to be informed in advance of any substantial changes in the preceding items.

- xiii. Students have a right to know, at the beginning of the course, the requirements regarding class attendance and punctuality in courses in which they are currently registered.
- ix. Students may, within a prescribed time period and for a reasonable cause, change a course in their registration, or transfer to a different section of a course, if available, after classes have begun.
- x. Students have a right to be informed of any change in course schedule.
- xi. Students have a right to be informed of and provided with the number of classroom hours and the length of term established in the College calendar.
- xii. Students have a right to freedom of opinion and expression in the classroom within the context of the course content.
- xiii. Students have a right to proper and impartial evaluation of their performance.
- xiv. Students have the right to obtain their marks and College certification within a reasonable time frame.
- xv. Students have the right to request and receive all rules, policies or guidelines regarding study and general conditions at the College.
- xvi. Students have the right to obtain their completed assignments, once marked, unless the instructor has previously informed the students otherwise.
- xvii. Students have the right to be provided with instructors who possess appropriate knowledge and teaching skills in relation to their course of instruction.
- xviii. Students have the right to appropriate services and resources that support instruction and student life.
- xix. Students have the right to an opportunity to provide feedback on the College's programs and services.

4. **RESPONSIBILITIES**

- A. Students must conduct themselves in a responsible manner. Any of the following shall constitute improper student conduct:
 - i. Dishonesty, such as knowingly furnishing false information to the College.
 - ii. Forgery, alteration, or misuse of documents, records, identification, email or other electronic information

- iii. Violation of copyright laws.
 - iv. Use, possession, or distribution of illegal drugs and other substances on campuses / centres or at any College-sponsored event.
 - v. Use, possession, or distribution of alcoholic beverages on College property or appearance at the College or any College-sponsored event while under the influence of alcohol, except where alcohol is permitted.
 - vi. Possession or use of firearms, dangerous chemicals, substances, instruments, or other weapon which can be used to inflict bodily harm on any individual or damage to a building or grounds of College property.
 - vii. Use of computers for unauthorized purposes and engaging in any activity aimed at compromising computer systems or network security.
 - viii. Use of foul language – cursing and swearing in classes, laboratories, shops, and in general on College property.
 - ix. Cheating, plagiarism, fraud, deceit, or other forms of academic dishonesty.
 - x. Threatening or subjecting any person, student or staff, to verbal harassment (swearing, cursing, foul language), physical, sexual, or, mental harassment, indignity, injury or violence.
 - xi. Disturbing, disrupting, or otherwise interfering with studies, laboratories, lectures, work or other activities of fellow students or staff.
 - xii. Intentionally damaging, destroying or moving without authority or permitting to be damaged, destroyed or moved without authority, the property of the College, or of any student or staff member.
 - xiii. Using or entering College property without authorization.
 - xiv. Participating in unauthorized or hazardous activities.
 - iv. Failing to obey the authorized instructions of College officials or employees acting in the performance of their duties and failing to obey all published or posted regulations relating to the use and entry of College buildings and facilities.
 - v. Failing to obtain approval, or failing to follow procedures as required under College policies and regulations.
- B. It is students' responsibilities to acquaint themselves with course outlines, content, evaluation methods, methodology, availability of their instructors (time and place) including the rescheduling or replacement of classes.
- C. Student must respect other people's health and right to security.
- D. Students are responsible for communicating with their instructors and/or counsellors in order to solve any problems encountered.

- E. Students are responsible for attending class and exercising punctuality.
- F. Students are responsible for handing their assignments to instructors within the required deadlines, or for making prior arrangements with the instructors concerned.
- G. Students are responsible for taking advantage of educational activities offered to them and for taking part in meetings where topics concerning them will be discussed.
- H. Students are responsible for taking advantage of services offered to them by the College in order to ensure proper orientation to their studies, academic progress and general development.
- I. Students are responsible for fulfilling their obligations, as agreed upon in conjunction with the College, with regards to the use of goods and services at their disposal.
- J. In conjunction with their freedom of the press and of expression, students are required to respect normal standards of responsible journalism by avoiding material of a libellous or indecent nature, unfounded allegations, slighting of personal dignity and malevolent insinuations.
- K. Students are responsible to meet all financial obligations to the College.
- L. Students are responsible to give accurate and complete information for all official records required by the College.

5. **ATTENDANCE RESPONSIBILITIES/REGULATIONS**

The hours of attendance will be established and regulated by the administration of the College. Punctual and regular attendance for scheduled classes, laboratory sessions and all of the scheduled learning activities is expected of all students.

Where absenteeism adversely affects students' progress and performance, dismissal from the College may result.

6. **COMPLAINT PROCEDURE: STUDENT CODE OF CONDUCT**

Informal discussion between persons directly involved in a possible violation of the Student Code of conduct is essential throughout the complaint process. An acceptable solution should be sought before the persons directly involved in the dispute have assumed an official or public position.

If no resolution is reached through informal means, the member of the College community who observed an action that may constitute a violation of the Student Code of Conduct will file an incident report with the Director of Student Services/Registrar.

Step 1-Formal Complaint: Incident Report

A written incident report of an alleged violation of the Student Code of Conduct will be given

to the Director of Student Services/Registrar. The written incident report is the formal charge and should include a description of the alleged behaviour and documentation. The Director of Student Services/Registrar may choose to begin an informal investigation of the allegation prior to official notification to the student. In cases involving disruptive behaviour or verbal or physical abuse, the Program Dean may immediately suspend the student while a complete investigation is being completed.

Step 2-Notice to the Student

The Director of Student Services/Registrar must notify the accused student with a written memorandum which includes the following:

- ▶ The nature and date of the alleged violation
- ▶ Instructions on how to request a meeting
- ▶ The consequences of the student's failure to schedule a meeting

The Director of Student Services/Registrar will send to the student an official copy of the Selkirk College Student Code of Conduct, along with the memorandum pertaining to the alleged violation. A copy of this memorandum will be filed simultaneously with the Dean of the relevant program and the individual who initiated the formal complaint. After the student requests a meeting and at least ten (10) working days before the suggested date of the meeting, the Director of Student Services/Registrar will notify the Program Dean and charging party of the date.

The student has the right to select an advocate (excluding a lawyer) to insure he/she understands the alleged violation and his/her rights under the Student Code of Conduct. The advocate's role is limited to clarifying the student's due process rights under the Student Code of Conduct.

The student must contact the Director of Student Services/Registrar within seven (7) working days after the student is notified of the violation; otherwise, the Director of Student Services/Registrar may assess a suitable penalty.

Step 3-Meeting with the Director of Student Services/Registrar

The Director of Student Services/Registrar will meet with the student and the individual who initiated the formal complaint, separately or together, at the Dean's discretion. The individual who initiated the formal complaint will present facts in support of the Student Code of Conduct violation. The accused student has the right to review the facts and/or witnesses, present additional facts, and respond to the accusations. At the conclusion of the meeting, the Director of Student Services/Registrar may determine that the student did not violate the Student Code of Conduct, in which case the matter is closed.

Alternately, the Director of Student Services/Registrar may find the student in violation of the Student Code of Conduct, in which case the Director of Student Services/Registrar may impose a penalty. The student will be advised of the decision in writing by the Director of Student Services/Registrar. A copy of the decision will be given to the appropriate Dean and the charging party. If the penalty is probation, restitution, reprimand, or exclusion, the student has no appeal, and the matter is closed.

Step 4-Appeal to the Student Conduct Review Committee (SCRC)

If the penalty assessed is withholding an academic record, certificate, diploma or Associate Degree, or suspension, the student may appeal. The student must then submit a written and signed notice stating the basis for an appeal. The notice must be submitted to the Director of Student Services/Registrar within five (5) working days of the student's receipt of the decision. Failure to file an appeal within five (5) working days constitutes acceptance of the decision. If the student files a written and signed notice within the required time period, the Director of Student Services/Registrar will notify the student of the time and place for a meeting with the Student Conduct Review Committee (SCRC). The notification of hearing will be delivered to the student at least ten (10) working days prior to the hearing. This ten (10) day notification may be waived by mutual agreement of both parties if the student wishes to expedite the hearing.

Step 5-Hearing Before the Student Conduct Review Committee (SCRC)

The Director of Student Services/Registrar will convene a Student Conduct Review Committee (SCRC) and provide instructions on procedures to the committee. The SCRC, selected by the Director of Student Services/Registrar, consists of the following members:

1. Two students
2. Two faculty members
3. A fifth person acceptable to the two students and two faculty members

The chairperson of the SCRC is elected by the members. A recording secretary will be appointed by the Director of Student Services/Registrar.

The recording secretary will take notes and make a tape recording of the hearing. The proceedings must remain confidential. Instructions from the Director of Student Services/Registrar shall include the need for confidentiality in this process. Faculty, staff, or students who know the student requesting the hearing will be exempt from the committee. The Director of Student Services/Registrar should not be present during the formal part of the hearing.

SCRC Hearing Procedures

1. The hearing will be closed to the public to protect privacy and maintain confidentiality of the persons involved. A person may assert the privilege against self-incrimination by remaining silent in the hearing and such silence cannot be used against the student. The hearing committee will make a recommendation on the evidence presented.
2. The student may present witnesses on his/her behalf. These witnesses will speak directly to the issue or violation and not to the general character of the student. The number of witnesses may be limited by the SCRC.
3. The chairperson reviews the procedures with all parties.
4. Only the committee and student may ask questions.
5. The student may hear all testimony.
6. The student may question each witness.

7. Each witness will be limited to ten minutes for testimony.
8. Each witness may be questioned for no more than ten minutes.
9. No witness can listen to testimony before or after his/her testimony.
10. The individual initiating the formal complaint testifies first; then his/her witnesses.
11. The student presents his/her response; then his/her witnesses.
12. Witnesses shall not be interrupted during their testimony.
13. The hearing will proceed in a calm and orderly manner following all of these procedures.
14. If the procedures are not followed, the SCRC chairperson will close the proceedings and make a recommendation on only the information that has been presented.
15. Any verbal abuse or threats directed toward members of the SCRC or witnesses may result in violation of the Student Code of Conduct and/or discontinuance of the process.

Step 6-SCRC Recommendations

1. The committee will deliberate immediately after the hearing.
2. The vote will be a secret, paper ballot to be counted by the committee chair.
3. The recommendation(s) must reflect the vote of at least three of the five committee members. The vote must indicate that "a preponderance of the facts" submitted indicates that a violation of the Student Code of Conduct did occur and the severity of the punishment was merited.
4. The recommendation(s) will be written, signed by each committee member, and forwarded to the Director of Student Services/Registrar and the Dean.
5. The SCRC recommendation(s) to the Director of Student Services/Registrar and the Program Dean is confidential and will remain confidential. Even if the student or the person bringing the complaint or any witness voluntarily fail to appear before the SCRC after receiving notification, the SCRC has full authority to proceed to a recommendation(s). The SCRC may make one of the following recommendations or other recommendations relating to resolution of the matter:
 1. The penalty imposed be upheld.
 - a. The penalty imposed be changed and a harsher penalty be imposed; or
 - b. No penalty should be imposed.

Step 7-Final Decision

The College President, within five (5) working days, shall review the recommendation of the SCRC and shall provide the student written notice of his/her final decision and shall provide a copy of that decision to the Director of Student Services/Registrar and the charging party. The decision of the President is final. The Office of the Director of Student Services/Registrar will be the official repository of records regarding decisions or actions involving the appeal process.

7. IMMEDIATELY SUSPENSION FORM COLLEGE PROPERTY

1. If an instructor, faculty, staff member, or a student believes that an individual is engaging in disruptive activities they may:

- a. Inform the individual that such behaviour is in violation of the Selkirk College Student Code of Conduct and may result in the person's suspension.
 - b. Notify the Program Dean if a threat to their safety or the safety of others is clearly evident.
 - c. Notify the Director of Student Services/Registrar, his/her designee or, in his/her absence, the College President, of the incident.
2. A student may be immediately suspended from College property when his/her conduct causes or precipitates situations which include, but are not limited to:
 - a. The threat to the peace, safety, or welfare of any person or group.
 - b. The disruption of or threat to educational activities.
 - c. The possibility of physical property of the College being damaged.

The decision to suspend a student rests with the Director of Student Services/Registrar or his/her designee. The suspension remains in effect until a final decision has been made by the College President.

A suspension from one campus applies to all campuses and activities sponsored by Selkirk College.

8. DISCIPLINARY PENALTIES

Progressive disciplinary penalties that may be imposed on a student for misconduct, violation of law, and/or college rules and policies include:

- A. **Restitution:** Restitution is a repayment. The student must pay for damages to property or for loss of property.
- B. **Reprimand:** A reprimand is a written statement of student misconduct which places on record that a student's conduct in a specific instance did not meet the standards expected at the College. A written reprimand from the Director of Student Services/Registrar to the student serves as a warning that continued conduct of the type described in the reprimand or other misconduct may result in formal discipline against the student. At the end of a specified amount of time defined and stated in the reprimand, the student who has displayed inappropriate conduct will be automatically removed from reprimanded status by the Director of Student Services/Registrar.
- C. **Probation:** Probation is a formal action for violation of College rules and regulations placing conditions upon the student's continued attendance at Selkirk College. After close evaluation of the individual case, the Director of Student Services/Registrar may restrict the College-related activities of a student. The Director of Student Services/Registrar will specify, in writing, the period of probation and the conditions, including a warning that further violations may result in more severe disciplinary action. Disciplinary probation may be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment at the College.
- D. **Temporary suspension:** A temporary suspension is the prohibition of a student's participation in specific activities of the College for a specified length of time. During the period of suspension, the student cannot participate as a member of the College community in any activity. The conditions of the temporary suspension will be in writing and remain in effect until the Director of Student Services/Registrar is satisfied that the obligations to the College have been met.

- E. **Withholding of an academic record or certificate, diploma, or associate degree:** The student cannot obtain a copy of his/her transcript or receive a degree if a disciplinary case is pending final disposition.
- F. **Suspension-time specific:** A time-specific suspension is total exclusion from College property or College sponsored activities for a specified period of time. A student who has committed a serious violation of College rules or regulations is dismissed from the College. A student has the right to petition the College for readmission and to present assurances that such violations will not occur again. The Director of Student Services/Registrar may readmit the student to the College. If readmitted, the student may be disciplined as a condition of readmission. All documentation pertaining to a time-specific suspension will be on file in the office of the Director of Student Services/Registrar.

Other relevant policies:

3300 Student with Specific Disabilities

Key words:

Registrar, Rights, Responsibilities, Suspensio