

# COLLEGE POLICY

---

<b>POLICY TYPE:</b>	Academic
<b>POLICY TITLE:</b>	Student Conduct
<b>POLICY NO.:</b>	ADMIN-248 (formerly ACAD-115)
<b>RESPONSIBILITY:</b>	Vice-President, Student Affairs
<b>APPROVED BY:</b>	Durham College Leadership Team (DCLT)
<b>EFFECTIVE DATE:</b>	April 2015
<b>REVISED DATE(S):</b>	September 2015
<b>REVIEW DATE:</b>	March 2016

---

## 1. Introduction

Articulation of student rights, explicit expectations for student conduct and fair and transparent procedures for early intervention create the foundation for all students to share in a positive and supportive experience at Durham College. Identifying quickly, and responding effectively to, instances of non-academic misconduct, is vital to maintaining a respectful and inclusive learning environment.

## 2. Purpose

This policy articulates the responsibilities of students at Durham College, and provides a framework for addressing non-academic misconduct by students.

## 3. Definitions

### 3.1. Digital Citizenship

Involves the understanding that on-line conduct, regardless of where or when the conduct occurs, can have the same impact on the learning environment as in-person comments and behaviours. Social media that is used in a manner that is harassing, threatening, hateful, discriminatory or in any way has an adverse impact on the college environment or the college's reputation is unacceptable and may be subject to sanctions under the Student Conduct Policy.

### 3.2. Investigative Report

A full un-redacted report prepared by the Office of Campus Safety containing details of an investigation that provides the basis for allegations of non-academic misconduct pursuant to Formal Resolution disposition under this procedure. This report is only provided to the Student Conduct Committee or Appeals Committee for review in order to respect the privacy of all parties, as per Freedom of Information and Protection of Privacy Act legislation.

### **3.3. Investigative Summary**

A report prepared by the Office of Campus Safety containing details of an investigation that provides the basis for allegations of non-academic misconduct pursuant to Informal and Formal Resolution dispositions under this procedure. This report is redacted to comply with the principles of Freedom of Information and Protection of Privacy Act legislation and is provided to the student who is the subject of the complaint.

### **3.4. Non-academic Misconduct**

Refers to those student activities, comments, and behaviours, not directly related to the learning process that do not respect the rights of others or that fail to uphold the responsibilities agreed to by registering as a student at Durham College. These activities and behaviours include, but are not limited to: violations of federal, provincial or municipal laws; threats of harm or actual harm to a person's physical or mental well-being; disruption of or interference with college objectives, activities, facilities or operations; damage to the real or personal property of the college or its members; use of college property or facilities without authorization; and violations of college policies or procedures.

### **3.5. Office of Campus Safety**

A Durham College department committed to protecting the rights of everyone on campus while ensuring a professional, respectful and safe campus environment. In the context of this policy, the Office of Campus Safety is responsible for accepting complaints and initiating the investigation of complaints.

### **3.6. Progressive Discipline**

A process that promotes positive student behaviour and enables the college to choose from a continuum of interventions and supports to address inappropriate student behaviour.

### **3.7. Sanction**

An intervention connected to a violation of a responsibility, used as a means of enforcing responsibilities.

### **3.8. Student**

Refers to any person who has contracted with Durham College for educational or training services.

#### 4. Policy statements

The mission, vision and values of Durham College will be the basis for the implementation and enforcement of this policy.

- 4.1. The Office of Campus Safety is responsible for accepting complaints and initiating the investigation of complaints.
- 4.2. Upon enrolment, students have responsibilities while they are on any Durham College facility, or engaged in college related activities off-campus. Students are responsible for their own actions and choices. Student responsibilities include, but are not limited, to the following:
  - 4.2.1. Comply with federal, provincial, and municipal laws and regulations.
  - 4.2.2. Comply with all college and program policies and procedures, included but not limited to the Sexual Violence and Harassment and Discrimination policies and procedures.
  - 4.2.3. Respect the rights of other members of the campus community, including students, staff, faculty and visitors to Durham College. Maintain a respectful learning environment.
  - 4.2.4. Behave according to the college's values.
  - 4.2.5. Demonstrate personal integrity, professionalism and accountability at all times.
  - 4.2.6. Comply with directions of any college employee in the proper performance of his or her duties.
  - 4.2.7. Refrain from making allegations or complaints against other members of the college community that are deemed to be false, frivolous, vexatious or in bad faith.
  - 4.2.8. Refrain from retaliating against individuals for participating in proceedings under this policy.
  - 4.2.9. Refrain from representing the college, unless authorized to do so.
  - 4.2.10. Arrange appropriate childcare, as children are not permitted to attend class or related activities.
  - 4.2.11. Seek express permission, in advance, from the professor and accept responsibility for the behaviour of any guest(s) they bring to class, either physically or digitally.
  - 4.2.12. Refrain from unauthorized or surreptitious recording and/or

dissemination of photographs, video recordings, and/or audio recordings.

- 4.2.13. Refrain from any other activity that would constitute a breach of privacy.
- 4.2.14. Demonstrate respect for persons and property at all times.
- 4.2.15. Demonstrate respectful digital citizenship.
- 4.3. Durham College shall provide information and guidance about the nature of, and sanctions for, non-academic misconduct.
- 4.4. All suspected instances of non-academic misconduct shall be reported in writing to the Office of Campus Safety within 15 business days of the misconduct being identified.
- 4.5. Allegations of misconduct shall be investigated by the Office of Campus Safety using the principles of procedural fairness.
- 4.6. Documentation made in relation to investigations shall be maintained within the Office of Campus Safety.
- 4.7. Any member of the community has the right to make a complaint without fear of reprisal.
- 4.8. Students alleged to have committed an act of non-academic misconduct have the right to appeal the sanction.
- 4.9. Students who knowingly, reasonably ought to have known, or recklessly breach this policy are subject to sanctions. Sanctions for breaches of this policy shall be based on a progressive discipline approach to encouraging appropriate conduct and shall be commensurate with the nature of the offence. Sanctions shall range from verbal and/or written warnings to dismissal from the college.

## **5. Accessibility for Ontarians with Disabilities Act (AODA) considerations**

AODA standards have been considered in the development of this policy and it adheres to the principles outlined in the AODA standards and the college's commitment to accessibility as demonstrated by the Accessibility Plan (ADMIN-203).

## **6. Roles and Responsibilities**

It is the responsibility of the vice-presidents, Academic and Student Affairs to ensure this policy is fully implemented.

A detailed description of roles and responsibilities relating to this policy is provided in the Student Conduct Procedure ADMIN 248.1 (formerly ACAD 115.1).

## **7. Non-compliance implications**

Non-compliance with this policy may place students at risk, impact the learning environment and/or result in a sanction.

## **8. Communications plan**

A message will be posted on ICE alerting faculty and staff when new or revised policies and procedures are added to ICE. A message will be posted on MyCampus alerting students when new or revised policies and procedures are added.

## **9. Related policies, procedures and directives**

- Durham College Academic Integrity Policy ACAD-101 and Procedure ACAD-101.1
- Durham College Acceptable Use of Information Technology Policy ADMIN-206 and Procedure ADMIN-206.1
- Durham College Accessibility Policy ADMIN-203
- Durham College Harassment and Discrimination Policy ADMIN-202 and Procedure ADMIN-202.1
- Durham College Recognition of Student Organizations Policy ADMIN-205
- Durham College Students-at-Risk Policy ACAD-114 and Procedure ACAD-114.1
- Durham College Student Conduct Procedure ADMIN-248.1 (formerly ACAD-115.1)
- Durham College Sexual Violence Policy ADMIN-244 and Procedure ADMIN-244.1
- Ontario Human Rights Code