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## Student Code of Conduct (Non-Academic)

Policy No.:	5102
Category:	Education
Approving Body:	Education Council, Board of Governors
Executive Division:	Education
Department Responsible:	Education
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### Policy Statement

BCIT is committed to the overall educational, personal and professional development of its students, and to the safety of its students, employees and visitors. It is equally committed to providing an environment which fosters learning and supports respect, diversity, human rights, and the integrity of academic pursuits.

The Institute has established certain standards of behaviour and related administrative procedures to achieve these goals. These behavioural standards are based on the expectation that all persons will conduct themselves as members of a community of mature and mutually respectful individuals.

All individual members of the BCIT community are required to behave responsibly, to respect the rights of others at all times and to treat them with dignity and civility.

In addition, all individuals are expected to abide by all laws and legislation and to conduct themselves in a manner that is consistent with these ideals.

It is the responsibility of all members of the BCIT community to become familiar with these policies and expectations, to respect the rights and property of the Institute and members of the community, and to take responsibility for their own actions.

### Purpose of Policy

This policy outlines or describes:

- The behaviours, attitudes and general conduct expected by the Institute
- The types of misconduct and breaches of laws and safety codes, which are subject to investigation, discipline, or suspension
- Means of registering complaints of breaches of this code of conduct
- BCIT's responses to breaches of this code of conduct
- The respective duties and responsibilities of students, instructors, and other BCIT officials in adhering to this policy

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**Application of this Policy**

The policy is applicable to students as well as other individuals while they are on BCIT premises or in attendance at BCIT authorized or BCIT sponsored functions.

**Related Documents and Legislation**

Acts of academic misconduct such as cheating, plagiarism or other forms of academic dishonesty are addressed in BCIT policy 5104 – Academic Integrity and Appeals.

- Policy 5100 – Glossary of Educational Policy Terms
- Policy 5104 – Academic Integrity and Appeals
- Policy 7507 – Harassment and Discrimination
- Policy 7512 – BCIT Occupational Health and Safety
- Policy 7520 – Security
- Policy 7522 – Abusive or Threatening Behaviour

*BC College and Institute Act*

**Definitions**

All terms and language used in this document are consistent with Policy 5100, Glossary of Educational Policy terms.

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## Where and When This Policy Applies

BCIT's Student Code of Conduct applies to conduct that occurs on BCIT premises, at BCIT sponsored activities, and to off-campus conduct that has the potential to adversely affect the Institute Community and/or the pursuit of BCIT's objectives. The policy is applicable to students as well as other individuals while they are on BCIT premises or in attendance at BCIT-authorized or BCIT-sponsored functions.

Each student will be responsible and accountable for his or her conduct from the time of application for admission or enrolment through the actual awarding of a credential.

This includes, but is not limited to, conduct that may occur in the following times and situations:

- During the academic year
- Before classes begin or after classes end
- During periods between terms of actual enrolment
- During periods when the student may be completing a practicum or work-term for an employer or other organization, either for compensation or not, when required by a program of study at BCIT
- During a time when a student withdraws from the Institution while a disciplinary matter is pending
- Conduct that is not discovered until after a credential has been awarded

The Institute will decide whether or not to apply this policy to conduct occurring off campus, either domestically or abroad, on a case by case basis, at the discretion of the Institute or an authority acting on its behalf.

In situations where a student is located in a foreign country, that student will be required to abide by all laws of the foreign country as well as the requirements of this policy. In situations where the student is located in international waters or airspace, such as on a ship at sea or in an aircraft, the student will be required to abide by the *Shipping Act* and other laws of the flag state as well as this code of conduct.

## 1. Misconduct Subject to Disciplinary Actions

### 1.1. General misconduct

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary actions outlined in this and other BCIT policies. (This list is not exclusive.)

1. Acts of dishonesty, including but not limited to:
  - a. Furnishing false information to any BCIT official, faculty member, or office
  - b. Forgery, alteration, or misuse of any BCIT document, record, or instrument of identification
  - c. Misrepresentation, falsification of identity
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other BCIT activities, including all functions on or off campus, or of other authorized non-BCIT activities when the conduct occurs on BCIT premises.
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health, security or safety of any person.
4. Attempted or actual theft of and/or damage to property of the Institution or property of a member of the BCIT community or other personal or public property, on or off campus.

5. Failure to comply with directions of BCIT officials or law enforcement officers acting in performance of their duties, and/or failure to identify oneself to these persons when requested to do so.
6. Unauthorized possession, duplication or use of keys to any BCIT premises, or unauthorized entry to or use of BCIT premises.
7. Violation of any BCIT policy, rule, or regulation published in hard copy or available electronically on the BCIT website.
8. Violation of any federal, provincial, or municipal law or statute.
9. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law.
10. Use or possession of open alcoholic beverages, manufacturing or distribution of alcoholic beverages (except as expressly permitted by BCIT regulations and/or contractual agreements on authorized or licensed premises), or public intoxication. Alcoholic beverages may not, in any circumstances, be used by, possessed by, or distributed to any person who has not attained the legal age for such activity in the Province of British Columbia.
11. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on BCIT premises, or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
12. Participating in a disorderly on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of BCIT and/or infringes on the rights of other members of the BCIT community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
13. Unreasonable obstruction of the free flow of pedestrian or vehicular traffic on BCIT premises or at BCIT sponsored or supervised functions.
14. Conduct that is disorderly, lewd, or indecent; conduct that violates the privacy of other persons; breach of peace; or aiding, abetting, or procuring another person to breach the peace on BCIT premises or at functions sponsored by, or participated in by, BCIT or members of the academic community.

Such conduct includes but is not limited to:

Any unauthorized use of electronic or other devices to make an audio or video record of any person while on BCIT premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room or restroom.

15. Theft or other abuse of computer facilities and resources as identified by BCIT Policy 3501, Responsible Use of Computer Technology at BCIT.
16. Abuse of the student conduct system, including but not limited to:
  - a. Failure to obey the notice from a BCIT official to appear for a meeting or hearing as part of the student conduct system
  - b. Falsification, distortion, or misrepresentation of information before any hearing or decision review board
  - c. Disruption or interference with the orderly conduct of any hearing or decision review board
  - d. Completion of to a behavioural contract in bad faith
  - e. Attempting to discourage an individual's proper participation in, or use of, the student conduct system

- f. Attempting to influence the impartiality of a member of a decision review board prior to, and/or during the course of, a decision review board hearing
- g. Harassment (verbal or physical) and/or intimidation of a member of a decision review board prior to, during, and/or after a decision review board hearing
- h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct
- i. Influencing or attempting to influence another person to commit an abuse of the Student Code of Conduct

### **1.2. Violations of laws or codes**

When a student is charged with conduct that potentially violates both the Criminal Code of Canada and this Student Code of Conduct, BCIT disciplinary proceedings may be instituted against the student without regard to the timing or outcome of civil or criminal litigation in court, or criminal arrest and prosecution.

Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings on or off campus, at the discretion of BCIT.

In the event that criminal charges (for misconduct that also violated BCIT rules) are dismissed, reduced, or resolved in favour of or against the defendant, determinations made or sanctions imposed under this Student Code of Conduct are not subject to change.

Breaches of the BCIT Student Code of Conduct, and/or laws of a foreign country, and/or the Shipping Act of a foreign state as previously stated, could result in prosecution according to the laws of the foreign country or flag state as well as discipline according to the policies of BCIT.

### **1.3. Breaches of safety standards or codes**

The safety standards and procedures adopted by BCIT encompass the safety concerns of all people, either on or off campus, in a classroom, shop, lab, clinical setting, office, or other situation.

Recognizing that BCIT learning environments simulate workplace situations, it is mandatory that all relevant safety procedures, guidelines and regulations are adhered to for the protection of everyone. Good safety practices ensure student and employee safety and minimize misuse of and damage to equipment. The Institute will ensure that students are appropriately trained and supervised in the correct and safe use of equipment, and in safety procedures related to their respective learning activities.

Students are responsible for their own safety, and for the safety of others who may be affected by their behaviour. BCIT disciplinary actions may proceed against a student charged with flouting safety codes, or with other unsafe conduct that could potentially harm or that does harm the student, other persons, or BCIT facilities or equipment.

## **2. Registering complaints**

Any member of the BCIT community may register a complaint against a student for violations of the Student Conduct Policy. See procedure 5102-PR1, Response to Violations of the Student Code of Conduct (Non-Academic).

## **3. BCIT Response to Violations of Student Code of Conduct**

BCIT has a number of tools with which to respond to misconduct; for detailed procedures on the best way to respond to misconduct, see Procedure 5102-PR1, Response to Violations of the Student Code of Conduct (Non-academic).

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### 3.1. Annual Report

The Vice-President, Education will publish an annual report on disciplinary action associated with infractions of this code.

### 3.2. Fairness a Priority

BCIT aims to be fair, reasonable, and consistent when dealing with students, and has established procedures for handling any and all alleged violations of this code of conduct.

- The Institute prefers mutually agreeable resolutions to disputes.
- Formal steps are taken only after informal attempts (when practicable) to address misconduct have not been successful.
- The student will have the opportunity to view the evidence and any charges against him/her, as well as to respond to these charges.

### 3.3. Intervention and Reporting

When misconduct occurs, instructors should give immediate feedback, to reinforce the bounds of appropriate and inappropriate behaviour.

When informal means of correction have been unsuccessful, BCIT's response will escalate. This may include removal of the student from the learning environment, formal reports, a permanent record in the student's file, or other sanctions.

### 3.4. Investigation

Prior to any disciplinary decision, the relevant department will conduct an appropriate investigation, depending on the nature of the incident.

### 3.5. Discipline/Suspension

Depending on the nature of an offence, BCIT will apply discipline that may range from verbal warnings to suspension, and could include civil or criminal charges.

### 3.6. Referrals

As appropriate, BCIT will refer students to services such as BCIT Mediation Services, Counselling, Medical Services, Student Association Advocate, and others.

### 3.7. Retention of Documents

All documents, associated with the investigation and any resulting discipline concerning a violation of this code of conduct, are to be gathered and retained in the student's file in the Office of the Registrar.

## 4. Review of Decisions

Students may appeal decisions made regarding suspension or other discipline. See Procedure 5102-PR1 for details.

## Duties and Responsibilities

### BCIT Housing

BCIT Housing may investigate misconduct that takes place in student residences, depending on the nature of the incident.

### Board of Governors

The Board of Governors will hear appeals from students who have been suspended from the Institute.

## Duties and Responsibilities

### Deans and Associate Deans

A dean or associate dean may temporarily remove a student from the learning environment for alleged violations of conduct, pending an investigation of the matter, if that authority deems the student's removal necessary to maintain an environment that is safe, and conducive to learning and working. All such removals will be referred to the Director, Student Judicial Affairs as well as to BCIT Safety and Security.

### Director, Student Judicial Affairs

The Director, Student Judicial Affairs receives complaints or Student Reports regarding student misconduct, and deals directly with the offending student. The Director will ensure that an investigation takes place, will inform the student of all charges, and may apply a sanction. See Procedure 5100-PR1, for more details.

### Finance Department

The BCIT Finance Department will investigate misconduct related to breaches of financially-related laws or Finance Department policies.

### Instructors

Instructors must provide students with appropriate training and supervision in the correct and safe use of equipment, and in safety procedures related to their respective learning activities and environment. Instructors must immediately stop and correct any unsafe practices.

It is in the best interests of all parties that intervention and correction of misconduct (safety-related or otherwise) occurs as early as possible, thus instructors must give immediate feedback to establish and reinforce the bounds of appropriate and inappropriate behaviour.

If a serious conduct violation occurs in an academic setting, the instructor/faculty member in attendance should, with prudent regard for personal safety and exercising judgement, attempt to intervene.

In addition, serious or repeated offences must be reported to the teaching associate dean. In addition, instructors will create a Student Report, to be sent to the chief instructor or associate dean, and that person will send the report to the Director, Student Judicial Affairs. See Procedure 5100-PR1, Student Reports/Student Performance Contracts, for details.

### The President of BCIT

The President of BCIT will receive applications from students requesting a review of decisions regarding suspension.

The President, or the Vice-President, Education, or the Vice-President, Student Services, or the Chief Financial Officer as designates, are the only individuals with the authority to suspend students.

### Registrar

The Registrar will receive all documents associated with investigations of misconduct, and any resulting discipline, and maintain these documents in the student's file.

### Safety and Security Department

The Safety and Security Department may investigate violations of the Student Code of Conduct and written complaints of same. Any complaint should be submitted as soon as possible after the event takes place, preferably within 24 hours.

## Duties and Responsibilities

### Students

Students and all persons on BCIT property or at BCIT sponsored events are required to behave responsibly, to respect the rights of others at all times and to treat them with dignity and civility.

In addition, students are responsible for their own safety, and for the safety of others who may be affected by their behaviour. In the BCIT learning environment, many students and teaching staff are exposed to industrial machinery and processes. Adherence to safety codes and practices is essential.

### Vice-President, Education

The Vice-President, Education:

- Will review sanctions for violations annually
- Will publish an annual report on disciplinary action taken by the Institute
- Has the authority to suspend students
- Will receive applications from students requesting a review of disciplinary decisions other than suspension.

## Procedures Associated With This Policy

5102-PR1 – Response to Violations of the Student Code of Conduct (Non-Academic)

5100-PR1 – Student Reports/Student Performance Contracts

## Forms Associated With This Policy

See Procedure 5102-PR1.

## Special Situations

None.

## Amendment History

Policy 5002 was retired January 2009, and this policy 5102 is one of a series of policies and procedures created to replace it.

1. Created                      2009 Jan 27

## Scheduled Review Date

2011 Jan 01