
Student Code of Conduct (Non-Academic)

Policy No.:	5102
Category:	Education
Approving Body:	Board of Governors
Executive Sponsor:	Vice President, Students
Department Responsible:	Education
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1. Policy Statement

BCIT is committed to providing an environment that fosters learning where respect, diversity, civility, and inclusiveness are valued. Students are expected to conduct themselves in a manner consistent with these values by adhering to the standards of conduct outlined in this policy.

It is the responsibility of all Students to be familiar with this policy, and to adhere to the standards of conduct outlined in all policies and procedures of the Institute related to Student conduct. The Institute has a responsibility to evaluate, investigate, and adjudicate allegations of violations of this Student Code of Conduct in a manner that adheres to the principles of procedural fairness.

2. Purpose of Policy

The purposes of this Policy are to:

- Define the standard of general conduct expected of Students;
- Describe the process for reporting potential breaches of this policy; and
- Describe the procedure the Institute will follow when an allegation of non-academic Student misconduct is made.

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4. Who This Policy Applies To

This policy applies to BCIT Students.

5. Related Documents and Legislation

Policy 3501 – Acceptable Use of Information Technology
 Policy 4501 – Accommodation for Students with Disabilities
 Policy 5100 – Glossary of Educational Policy Terms
 Policy 7100 – Safety and Security
 Policy 7103 – Sexual Violence and Misconduct
 Policy 7150 – Occupational Health and Safety
 Policy 7200 – Cannabis Use
 Policy 7504 – Liquor Consumption on Campus
 Policy 7507 – Harassment and Discrimination

Legislation
College and Institute Act

6. Definitions

Administrative Resolution – An administrative outcome that the Director – Student Success or their designate applies when a Student is found to have violated the Student Code of Conduct (Non-Academic).

Formal Investigator – A neutral person who conducts investigations of allegations of serious violations of the Student Code of Conduct (Non-Academic) on behalf of the President. The Investigator establishes the findings of fact and submits the report to the appropriate decision maker to decide appropriate Resolutions.

Interim Measures – for the purposes of individual and community safety, non-disciplinary restrictions that are placed upon Student(s) pending the completion of an investigation. These restrictions could include but are not limited to: requiring a community member to limit their participation in non-essential educational activities, limiting contact between individuals, and/or placing interim restrictions on access to campus locations or services.

Respondent – A Student alleged to have violated the Student Code of Conduct (Non-Academic) while a Student.

Student – A person who is enrolled or who has been accepted for enrollment at the Institute in full-time or part-time courses.

Support Person – a person who may attend meetings with a Student who is the subject of a Student Conduct process, in order to provide personal support to the Student. The Support Person may not speak on behalf of the Student, but may offer support and/or guidance to them throughout the process.

Suspension – an outcome that deregisters a Student and prevents enrolment for a specified amount of time after which they may be eligible to apply for enrollment, and that will be noted on the Student's transcript. Conditions for readmission may be imposed as part of the Suspension terms.

7. Scope

This Student Code of Conduct applies to non-academic conduct of Students that:

- a) Occurs on the Institute's premises; or
- b) Involves any Institute related activity, both academic and non-academic (e.g., clubs, teams, committees), including online activities and BCIT Student Association events and locations; or
- c) Occurs off the Institute premises and is related to activities sponsored by the Institute or is alleged to have an adverse impact on another person's reasonable participation in the programs, activities, or employment at the Institute.

Each Student is responsible and accountable for their conduct. Any Student who is found in breach of this Student Code of Conduct will be subject to the disciplinary and procedural provisions of this Code. Nothing in this Code precludes the Institute from referring any matter to the appropriate law enforcement officials or from pursuing appropriate civil law remedies before, during or after disciplinary action is taken by the Institute under this Code.

Students are responsible for ensuring they are aware of, and for complying with, all policies, procedures, guidelines, rules and regulations that are applicable to the learning environments they will participate in, including learning environments that simulate workplace situations.

8. Non-Academic Misconduct

Student non-academic misconduct is any actual or attempted conduct by a Student, or any assistance given by a Student to others to engage in such conduct, that has an adverse effect on the integrity and proper functioning of the Institute, or the health, safety, rights or property of the Institute or the Institute's Students, employees, contractors, visitors and/or volunteers. All non-academic misconduct is subject to discipline under this Code.

The following is a non-exhaustive list of examples of non-academic misconduct:

8.1 Dangerous or Disruptive Behaviour

By word or by action:

1. Disrupting Institute activities;

2. Causing disruption within the learning environment (e.g., classroom, lab, online, etc.);
3. Failing to comply with a lawful and reasonable direction made by a representative of the Institute who is authorized to make such a direction;
4. Endangering or threatening the health, safety, well-being or property of any person;
5. Harming, injuring or threatening any person directly or through a third party or electronic means;
6. Engaging in sexual violence and misconduct in violation of Policy 7103;
7. Engaging in harassment or discrimination in violation of Policy 7507;
8. Engaging in acts of initiation for the purposes of admission into or continued membership in a group organization that are dehumanizing or degrading;
9. Engaging in individual or collective acts of intimidation or threats against another person or group of people;
10. Making or conspiring to make vexatious, frivolous or malicious complaints against an Institute Student, employee, contractor, visitor or volunteer;
11. Engaging in unwelcome or persistent conduct that a Student knows, or ought to reasonably know, would cause another person to feel demeaned, intimidated, or harassed.

8.2 Damage, Destruction, or Theft

Possessing, attempting to possess, or using Institute property or the property of others without the appropriate consent or authority, including:

1. Unauthorized possession, duplication or use of keys or electronic access to any Institute premises or buildings;
2. Unauthorized entry to or use of any Institute premises or buildings;
3. Defacing Institute premises or buildings;
4. Removing or damaging books or other library material without authorization;
5. Removing or damaging Institute property (equipment, supplies, or furniture) without authorization;
6. Defacing, mutilating, damaging, intentionally misplacing, or engaging in acts that deprive others of the opportunity to access Institute material or property;
7. Any violation of BCIT Policy 3501- Acceptable Use of Information Technology.

8.3 False Information and Identification

Submitting, engaging in, or attempting to misrepresent oneself by:

1. The unauthorized use or alteration of any Institute document or record in paper or electronic form;
2. Obtaining any textbook, study aids, equipment, materials, or service by unauthorized means, including by providing false information;
3. Providing false information to any Institute representative with the intent to deceive;
4. Submitting a false, altered, or converted document, including a medical certificate, Student ID, official record, or another document to any Institute representative with the intent to deceive;
5. Impersonating an employee, contractor, or Student of the Institute.

8.4 Illegal Substances

The possession, use, offering for sale, sale, or distribution of an illegal substance is strictly prohibited. Students found to be in possession of, using, offering for sale, selling, or distributing an illegal substance will be considered in violation of this policy, and may be reported to police in accordance with provincial and/or federal laws.

8.5 Regulated Substances (e.g. Alcohol and Cannabis) and Impairment

Students must comply with all Institute policies related to substances which may cause impairment, including the Liquor Consumption on Campus policy (7504), and the Cannabis Use policy (7200).

Students must not be impaired, or disorderly, as a result of the use or consumption of alcohol, cannabis (as defined in the Cannabis Use policy) or any other substance, when they attend or participate in a BCIT course, program, clinical placement, practicum, field trip, BCIT sponsored event or volunteer activity, whether on or off of BCIT Premises.

Students must be responsible with their use or consumption of alcohol, cannabis (as defined in the Cannabis Use policy), or any other substance during the 24 hours preceding their attendance at or participation in a BCIT course, program, clinical placement, practicum, field trip, BCIT sponsored event, or volunteer activity, whether on or off BCIT Premises, and must allow sufficient time for any impairment resulting from such use or consumption to have fully dissipated.

8.6 Violation of Institute Policies

Contravention of any BCIT policy, rule, or regulation including but not limited to:

Policy 7103 – Sexual Violence and Misconduct

Policy 7507 – Harassment and Discrimination

Policy 7150 – Occupational Health and Safety

Policy 7100 – Safety and Security

Procedure 7100-PR1 – Abusive or Threatening Behaviour

8.7 Breaches of Safety Standards

Unsafe conduct in an academic setting, such as but not limited to shop floor, laboratory, or worksite that contravenes applicable safety codes rules, procedures or policies.

8.8 Misuse of Conduct Process

By word or by action:

1. Falsifying, distorting, or misrepresenting information which leads to or is presented during a Student academic integrity and non-academic conduct process;
2. Causing or attempting to influence others to falsify, distort, or misrepresent information which leads to or is presented during a Student conduct process;
3. Disrupting or interfering with a Student conduct process;
4. Attempting to discourage an individual's proper participation in, or use of, a Student conduct process;
5. Failure to comply with Resolution(s) imposed under the Student Code of Conduct.

8.9 Firearms, Explosives, Offensive Weapons

Students are not permitted to possess, carry, or store unauthorized firearms, explosives, other weapons, or hazardous chemicals on Institute premises, or use any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others. This includes but is not limited to: firearms, swords, pellet guns, archery equipment, ammunition, explosive devices, fireworks, knives, or replica weapons.

Any object wielded in a threatening or aggressive manner may be considered an offensive weapon.

9. Contravention of Other Laws

Contravention of any provision of the Criminal Code or any other federal, provincial or municipal statute, bylaw, regulation or other law is considered a violation of the Student Code of Conduct. The disciplinary procedure in this Code may be instituted without regard to the timing or outcome of civil or criminal proceedings.

The disciplinary process under this Student Code of Conduct may proceed prior to, simultaneously with, or after, civil or criminal proceedings.

10. Reporting Violations of the Student Code of Conduct

Any Student behaviour which may result in immediate or imminent harm must be reported immediately to Safety, Security and Emergency Management (SSEM) as per Policy 7100, Safety and Security, and the related procedure 7100-PR1, Response to Abusive or Threatening Behaviour.

If non-academic misconduct occurs in an academic setting, Institute instructors or staff may intervene if they determine it is safe to do so.

Any act of non-academic misconduct should be reported as soon as possible after the event takes place, preferably within 24 hours. See procedure 5102-PR1, Procedure for Violations of the Student Code of Conduct (Non-Academic).

The Director – Student Success or designate will review all reports and decide whether to proceed with an investigation and assess whether any Interim Measures are necessary. The Office of Student Life may be contacted to answer any questions regarding this policy and associated procedures.

11. Interim Measures

If a reported incident poses significant danger or risk to others or property, the incident may be referred for review to the Institute's Threat Assessment Team under the Threat Assessment Procedure (7100-PR8), or under the Response to Abusive or Threatening Behaviour Procedure (7100-PR1).

Pending the completion of the investigation should the Office of Student Life or Director – Student Success deem the incident to pose a risk to persons or property, a request for Interim Measures may be made to the Director in order to establish a safe and respectful environment. All Interim Measures will be precautionary and are not punitive or disciplinary. Interim measures may include, but will not be limited to, a requirement not to contact specific person(s), limited access to spaces or services, or a requirement to communicate with a BCIT official.

Failure to comply with an Interim Measure constitutes an act of non-academic misconduct.

12. Investigation

If an alleged incident involves actions that may violate this Code, the Director – Student Success or designate may choose to commence an investigation or delegate the investigation to an appropriately trained designate. An investigation includes but is not limited to gathering and reviewing relevant documentation, interviewing individuals who were present or have knowledge of the incident, notifying the Respondent of the allegations, and providing the Respondent with an opportunity to respond. The Respondent may choose to have a Support Person attend any investigation meetings.

In the case of serious alleged violations of this Code, the Director – Student Success may refer the matter to be investigated by a Formal Investigator who will conduct an investigation and make findings of fact.

13. Administrative Resolution

If the investigation finds that a Student violated the Student Code of Conduct (Non-Academic), the Director – Student Success or their designate may resolve the situation using an Administrative Resolution. An Administrative Resolution may include one or more of the following outcomes:

1. Formal Warning – issue a written warning to the Student, with a copy to be placed on the Student's conduct file;
2. Restitution – assess and recover costs to rectify the damage or loss caused by the Student;
3. Apology – require the Student write a letter of apology to any person(s) adversely affected by the Student's behaviour;
4. Behavioural Agreement – develop a behavioural agreement that sets out expected behaviours, limitations, obligations, and associated timeframes;
5. Educational Activity – require the Student to complete a project, with the intent of understanding and/or contributing to the reparation of harm caused and/or reparation of trust lost as a result of the misconduct;
6. Referral to Services – connect a Student with a personal or professional resource to assist them to address issues that were found to be a factor in the conduct; and/or
7. Loss of Privileges – deny a Student access to non-essential services for a specified period of time.

14. Referral to the President

If an investigation finds misconduct by a Student that may warrant disciplinary action, the matter shall be referred to the President for decision. The President shall consider the investigation report, and may request additional information.

The President will then issue a decision, which may include but shall not be limited to the following:

1. Close the matter; or
2. Refer the matter back to the Director – Student Success, with or without recommendations, if the President determines that an Administrative Resolution is sufficient; or
3. Suspension – a temporary or permanent requirement for a Student to be prohibited from enrolling for a period of time. A Suspension will be noted on a Student's transcript.

15. Appeals

A Student who has been issued an Administrative Resolution as a result of a violation of the Student Code of Conduct may appeal the Administrative Resolution to a Decision Review Board under Procedure 5104 -PR2 –Decision Review Board.

A Student who has been suspended by the President may appeal the Suspension to the BCIT Board of Governors under Procedure 5104- PR3- Institutional Appeal Tribunal.

16. Records and Reporting

All documents, associated with an investigation and any resulting outcome concerning a violation of this Code of Conduct, will be handled in compliance with British Columbia's *Freedom of Information and Protection of Privacy Act* and will be maintained separately from a Student's academic file. The only Student Code of Conduct resolutions that will be noted on a Student's permanent academic record will be Suspensions.

In the event that an individual is both a Student and an employee, Human Resources may be notified of the suspected non-academic misconduct, and if the matter also relates to the employment relationship with the Institution, Human Resources may take all appropriate steps to address the matter.

An annual statistical report of all Student Code of Conduct reports and outcomes will be presented to Education Council. This report shall not include identifying information about any of the individuals involved in the reported incidents.

17. Duties and Responsibilities

BCIT Housing

BCIT Housing will investigate alleged misconduct that takes place in Student residences, depending on the nature of the incident, and may refer cases to the Office of Student Life.

Board of Governors

The Board of Governors will hear appeals from disciplinary decisions made by the President.

Director – Student Success

The Director, or their designate, will collect and review reports of suspected breaches of the Student Code of Conduct (Non-Academic) and assign or conduct an investigation of incidents. Once the investigation is completed the Director or designate will decide an outcome or refer the matter to the President for discipline.

Office of Student Life

The Office of Student Life will provide guidance of the policy for Students, staff, and faculty and will maintain the official Student conduct file. The Office of Student Life is responsible to identify and assign a Formal Investigator when required.

Decision Review Board

The Decision Review Board (DRB) conducts appeal hearings of outcomes of violations of the Student Code of Conduct (Non-Academic) except for Suspensions by the President.

The President of BCIT

The President of BCIT will receive findings of significant violations of the Student Code of Conduct and decide discipline outcomes. The President is the only BCIT official who may choose to suspend a Student.

Safety, Security and Emergency Management (SSEM)

The SSEM may receive and review incidents of alleged violations of the Student Code of Conduct (Non-Academic) and forward the findings to the Director – Student Success.

18. Procedures Associated With This Policy

5102- PR1 – Procedure for Violations of Student Code of Conduct (Non-Academic)

5104- PR2 – Decision Review Board

5104-PR3 – Institutional Appeal Tribunal

19. Forms Associated With This Policy

Incident Report Form (Procedure 5102-PR1) Amendment History

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| 1. Created | 2009 Jan 27 |
| 2. Revision 1 | 2019 May 28 |

20. Scheduled Review Date

2024 MMM DD