



## Response to Violations of the Student Code of Conduct (Non-academic)

Procedure No.: 5102-PR1  
 Policy Reference: 5102  
 Category: Education  
 Department Responsible: Education Council  
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### Objectives

This procedure applies to Policy 5102, Student Code of Conduct (Non-Academic). The purpose of this Procedure is to outline the processes for Code of Conduct (non-academic) matters, including:

- Registering complaints regarding violations of Policy 5102, Student Code of Conduct
- Responding to such violations
- The formal decision-making and review process for responding to violations

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### Who Should Know About This Procedure

This procedure applies to BCIT students, employees, and other individuals whose behaviour may be governed by policy 5102.

### Other Information

Other Procedures associated with Policy 5102:  
 5100-PR1 – Student Reports/Student Performance Contracts.

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**Procedures**

**Fairness a Priority**

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

The Institute prefers mutually agreeable resolutions to disputes. Informal means of correction at an early stage are preferred; however, serious or repeated offenses require an escalation in response. Prior to any disciplinary decision:

- The Institute will make an appropriate investigation
- The student will have the opportunity to view the evidence and any charges against him/her, as well as to respond to the charges

The steps in this procedure are depicted graphically in the flow chart shown on page 3: “Decision-making and Review Process for Student Code of Conduct-Related Matters (Non-academic).”

**1. Responding to Violations of the Student Code of Conduct (Non-Academic)**

**1.1. Registering complaints**

Any member of the BCIT community may register a complaint against a student for violations of the Student Conduct Policy. The complaint is prepared in writing and directed to the dean of the school or to the Director, BCIT Safety and Security or to the Student Judicial Affairs office. In situations where the complaint is received by the dean of a school, that complaint will be forwarded to the Director, BCIT Safety and Security or the Student Judicial Affairs office for processing. Any complaint should be submitted as soon as possible after the event takes place, preferably within 24 hours.

**1.2. Intervention and Reporting**

Intervention and correction should occur as early as possible for the benefit of all parties involved. Instructors should give immediate feedback when safety violations or other forms of misconduct occur, to reinforce the bounds of appropriate and inappropriate behaviour. Informal means of correction are preferred; however, serious or repeated offenses will require an escalation in response.

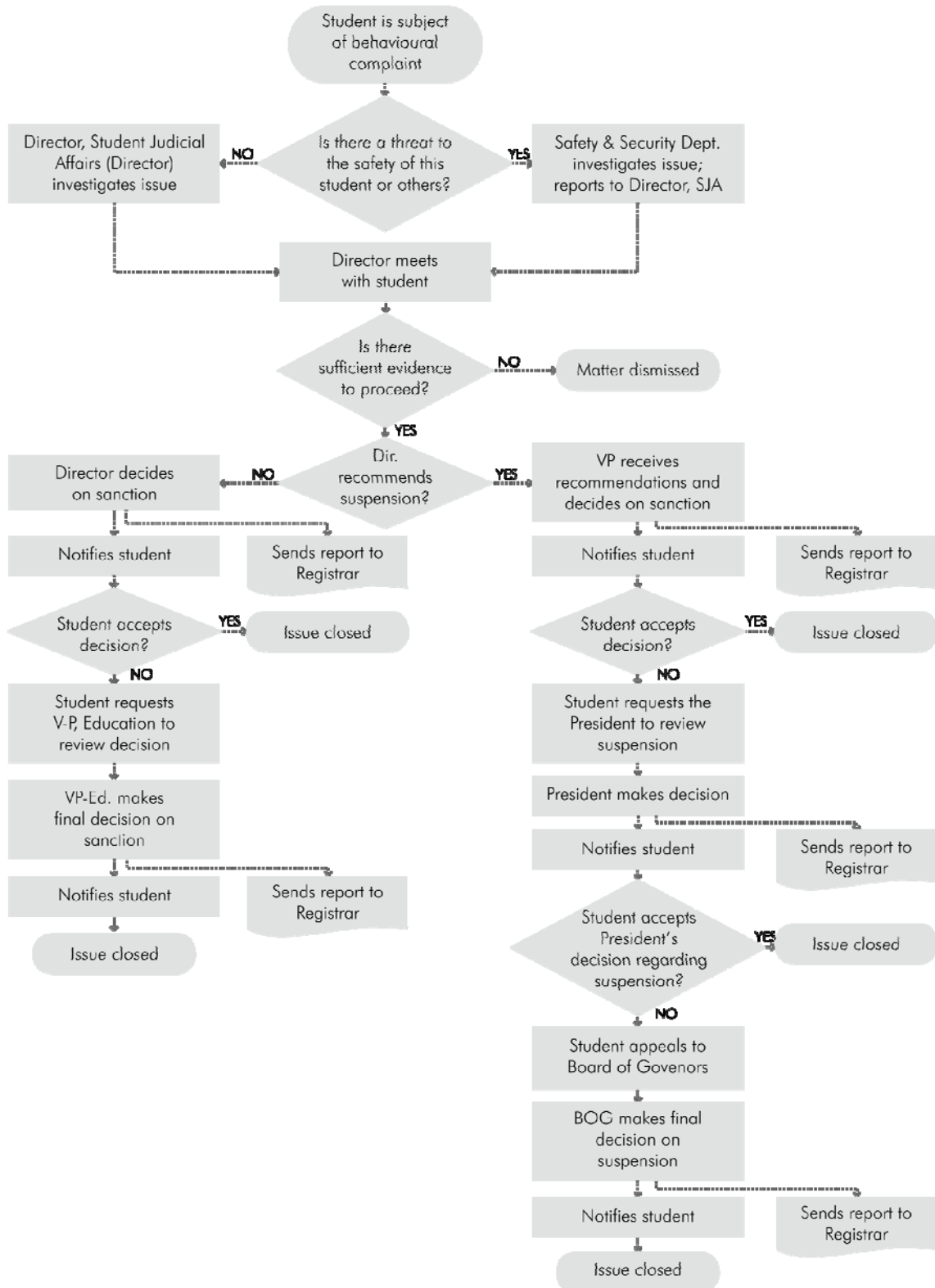
If a serious conduct violation occurs in an academic setting, the instructor/faculty member in attendance should, with prudent regard for personal safety and exercising judgement, attempt to intervene.

In addition, serious or repeated offences must be reported to the teaching associate dean. In such cases, 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. Further information is provided in Procedure 5100-PR1, Student Reports/Student Performance Contracts.

The Director, Student Judicial Affairs receives complaints or Student Reports regarding student misconduct, and deals directly with the offending (or accused) student. The Director will ensure that an investigation takes place, and will inform the student of all charges.

Outside of academic settings, all allegations of inappropriate behaviour are to be reported promptly to BCIT Safety and Security, BCIT Housing, or to the BCIT Finance Department, for investigation. The investigating department will ensure that the student’s program associate dean is notified in a timely manner.

**Diagram 1: Decision-making and Review Process for Student Code of Conduct-Related Matters (Non-Academic)**



### **1.3. Investigation**

During the investigation, the student will be advised of any allegation against him/her, and will be provided with all information, data, and evidence substantiating the allegation. The student will also be provided with the opportunity to state his or her recollection of the events and to provide any supporting evidence. Any opportunity for an agreeable resolution is to be sought at all times.

### **1.4. Decision on Discipline**

Once the Student Judicial Affairs Office has reviewed all documentation and evidence, and prior to any discipline being levied, if the allegation is considered to have been proven, the office will research the student's permanent file in Student Records, to determine whether previous infractions have occurred. The Student Judicial Affairs office will review the procedures that have been followed, as well as all evidence associated with the event.

If the investigation determines that the student has violated the code of conduct, the Director will determine a suitable sanction. The incident and the sanction will be recorded in the student's file. Depending on nature of the infraction, discipline for code of conduct violations may range from a verbal warning to suspension from the Institute. If the Director determines that a suspension is warranted, the Director will make the recommendation to an appropriate individual as described in section 1.6 below.

If the allegation is determined to be unfounded, the Director will dismiss the matter.

In cases where the recommended discipline does NOT involve suspension, the decision will be made by the Director, Student Judicial Affairs. In these cases the student will be notified in writing of the decision by the Student Judicial Affairs office. The written advisement will include a list of the options available to the student.

In cases where the recommendation is for suspension, the Student Judicial Affairs office will advise the appropriate party (as described in section 1.6) of the recommendation. The Vice-President Education will make the decision for action. Any such suspensions will be for a period of time considered to be appropriate in light of the offending behaviour.

The student will be notified of this decision, in writing, by the vice-president. The written advisement will include a list of the options available to the student.

Sanctions for violations will be reviewed on an annual basis by the Vice-President, Education.

### **1.5. Repeat Offences**

Repeat offences will not be tolerated and multiple minor infractions may lead to suspension. Normally, students will be provided with the opportunity to demonstrate their ability to correct inappropriate behaviour. However, some situations may be judged to be serious enough to warrant suspension on the first offence.

### **1.6. Authority for the decision to suspend**

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. However, a dean or associate dean or the Director, BCIT Safety and Security may temporarily remove a student from the learning environment for alleged violations of conduct pending an investigation of the matter if, in the opinion of the dean or associate dean or Director, BCIT Safety and Security, removal of the student is necessary to ensure the educational environment is conducive to learning and working and complies with normal expectations of safety.

Students suspended from the Institute have the right to appeal to the Board of Governors to review the decision for suspension.

### **1.7. Referrals**

BCIT strongly recommends that students be referred to, and consult with, the appropriate services, for assistance or guidance. This includes, but is not limited to: Counselling and Student Development, Disability Resource Centre, Harassment and Discrimination, Medical Services, Office of the Registrar, BCIT Safety and Security, Student Judicial Affairs office, Student Association Advocate, etc.

### **1.8. Retention of Documents**

All documents, associated with the investigation and any resulting discipline concerning a violation of the standards of conduct, will be retained. The relevant offices or authorities will forward these documents to the Office of the Registrar for inclusion in the student's file.

## **2. Student's Request for Review**

Students may request a review of decisions involving suspension arising from conduct-related activities:

If the decision is for suspension, the request for a review should be forwarded directly to the Office of the President.

If the decision is for discipline other than suspension, the request for a review should be forwarded to the Office of the Vice-President, Education.

The request for review should be made in the form of a letter addressed to the appropriate official of BCIT.

## **3. Appeal of Suspension**

Subsequent to the above proceedings and reviews, students wishing to appeal a decision for suspension or expulsion have the right to appeal to the BCIT Board of Governors.

Refer to the Secretary, Board of Governors for advice on the appropriate procedure to be followed for appeals to the Board.

Requests to the BCIT Board of Governors for an appeal of a decision of suspension must be received by the Secretary to the Board no later than 20 business days from the date of the decision to be appealed.

## **Forms Associated With This Procedure**

None

## **Amendment History**

Policy 5002 was retired in January 2009, and this procedure 5102-PR1 is one of a series of policies and procedures created to replace it.

1. Created 2009 Jan 27