
**Procedure for Violations of the Student
Code of Conduct
[Draft revision]**

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Policy Reference:	5102
Category:	Students
Approving Body:	Board of Governors
Executive Sponsor:	Provost and Vice President, Academic
Current Approved Date:	[TBD; pending]

Objectives

This procedure forms part of Policy 5102 Student Code of Conduct, and outlines the process by which the Institute responds to suspected or alleged violations of the policy.

Who this Procedure Applies To

This procedure applies to the conduct of BCIT students, and includes duties and responsibilities for BCIT students, faculty, and other employees.

Application of Other Policies

Circumstances relevant to this Procedure may also be addressed specifically in other BCIT policies and procedures. In such cases the processes and response mechanisms of the other policies may instead be followed (e.g., Policy 3501 Acceptable Use of Information Technology).

Principles

BCIT is committed to providing a safe and respectful environment for all members of the BCIT community. Students must conduct themselves in accordance with Policy 5102 Student Code of Conduct, which outlines expectations of student behaviour.

The Institute has a responsibility to investigate, evaluate, and adjudicate allegations of violations of the Student Code of Conduct in a procedurally fair manner while also, whenever possible, providing learning opportunities for students found responsible for such violations. It is in the best interest of all parties that BCIT intervenes in and corrects misconduct (safety-related or otherwise) as early as possible.

This document outlines the Institute's procedures when responding to alleged violations of the Student Code of Conduct.

Procedures**1. Reporting Incidents of Student Misconduct**

Non-academic Misconduct should be reported as soon as possible after the event, as follows below.

Any member of the BCIT community who believes a student has violated the Student Code of Conduct should report the alleged incident to the Student Life Office without delay, whenever possible. The report should be made using the BCIT Student Conduct Report Form.

In cases when a person experiences or witnesses an act of abusive, threatening, violent, or intimidating behaviour, the individual should immediately report the incident to BCIT Security, or a member of the Safety, Security, and Emergency Management Department.

(See: Policy 7100 Safety and Security, and Procedure 7100-PR1 Response to Abusive or Threatening Behaviour.)

The Student Life Office may be contacted to answer any questions regarding application of these procedures and the associated Policy.

2. Contravention of Other Policies

In some instances, a student's actions may engage or violate more than one Institute policy. Where multiple policies apply, the Senior Director, Student Success will consult with other BCIT leaders and affected parties (as appropriate) to determine which process should be applied, which takes precedence, and whether multiple procedures are warranted. Whenever possible a single procedure should be used, to minimize potential trauma and avoid redundancy.

Unless otherwise directed or notified by appropriate authorities regarding procedural conflict, the investigatory and disciplinary procedures in the Policy may begin and be completed without regard to the timing or outcome of any civil, criminal, or other external investigations or proceedings.

3. Review and Response to Reports

All reported incidents received under this procedure are reviewed by the Student Life Office to determine if the incident involves any potential violation of a BCIT policy and the policy under which an investigation should be pursued. Where appropriate, the incident may be referred to another BCIT department for follow-up. Upon review of a reported incident, the Senior Director, Student Success, or delegate, may determine that it does not fall under the scope of the Student Code of Conduct and may close the report.

If Non-academic Misconduct occurs within an academic setting instructors and staff may intervene. Interventions may include:

- de-escalating the situation
- addressing immediate safety and wellbeing concerns
- clarifying expectations for conduct in accordance with Institute policy
- minimizing disruptions to learning
- checking in with the student privately to offer support
- connecting the student with academic or wellness resources
- providing guidance on conflict resolution skills
- encouraging positive engagement in the learning environment

Instructors or staff may require a student to leave the class or learning environment for up to 24 hours only, for the purposes of immediate management of the situation.

In cases involving immediate safety or security issues, instructors should promptly report the incident to Safety, Security and Emergency Management (SSEM).

In cases involving episodic, ongoing, or escalating conduct, faculty or staff should promptly make a report (see section 1, above) or contact the Student Life Office or the relevant Associate Dean for guidance on next steps.

If emergencies, threats of violence, or student behavior potentially resulting in immediate harm to persons or property are reported to the Student Life Office the incident will be referred to SSEM for evaluation and review without delay.

Upon receipt of a report of an alleged violation of the Student Code of Conduct, the Student Life Office or SSEM will take actions to address any immediate safety concern, which may include Interim Measures (discussed below).

4. Interim Measures

After initial review of a reported incident and pending completion of an investigation or resolution of a Complaint, the SDSS or their designate may deem the Respondent to pose a risk to persons or property and implement Interim Measures reasonably required to:

- ensure the physical and psychological safety of persons;
- safeguard the security of property;
- prevent interference with witnesses; or,
- protect the integrity of the investigation.

Failure to comply with an Interim Measure constitutes Non-academic Misconduct.

The SDSS, or their designate, will decide any Interim Measures and communicate all such measures in writing to the Respondent. Interim Measures are temporary and non-punitive: they must be reviewed regularly by the SDSS or their designate. The Respondent can appeal Interim Measures to the Associate Vice President, Students while the measures are in place.

5. Informal Resolution and Alternative Dispute Resolution

In cases where, after an initial review of the reported incident, the SDSS or their designate determines that the alleged violation is relatively minor, they may recommend that the incident be resolved informally without recourse to investigation and disciplinary under this procedure.

Informal resolution may include:

- a verbal warning to the Respondent;
- alternative Dispute Resolution, which may include mediation, restorative justice, or culturally appropriate services; and,
- coaching for some or all the parties involved.

The SDSS may collaborate with campus partners, including the Respect, Diversity, and Inclusion Office or Indigenous Initiatives and Partnerships, to resolve the situation informally.

A Respondent suspected of a Policy violation for which the SDSS or their designate believes an informal response is appropriate, will be sent a Notice of Alleged Violation by email. This notice will outline the nature of the alleged violation, the sections of the Policy that may have been violated,

the recommendation for an informal resolution, and provide the Respondent a date for meeting with the SDSS, or delegate, to discuss the informal resolution.

When agreed upon by all parties involved in the reported incident, Alternative Dispute Resolutions may be facilitated by individuals or entities outside the Student Life Office who are trained in these methods. Alternative resolutions may take place before, during, after, or in substitution of an investigation. Evidence from Alternative Dispute Resolution (ongoing, completed, or discontinued) will not be used in future investigations.

6. Notice of Investigation

A student suspected of violating the Student Code of Conduct will receive a Notice of Investigation by email. This notice will outline the nature of the alleged violation, the sections of the Code that may have been violated, and provide the Respondent with the date of a meeting with the Investigator providing the Respondent an opportunity to give their account of the alleged incident.

All Students affected by a reported incident are encouraged to seek guidance from the BCIT Student Association Advocacy department regarding the Student Code of Conduct investigation process, and to bring a Support Person to any related interviews.

7. Investigation

When informal resolution is not possible or reasonable, or all parties do not agree to proceed by way of Alternative Dispute Resolution or it is unsuccessful, the reported incident will be investigated in accordance with the provisions below.

An investigation will be conducted by the SDSS or their designate to gather and confirm the accuracy and details of the incident. The Investigator will collect and review relevant evidence, including meeting with individuals having information in the matter. Respondents are expected to participate in the investigative process. If they choose not to, the investigation will move forward regardless. Regardless of their participation in an investigation, the Respondent is required to follow any Interim Measures imposed.

In the case of alleged serious violations of the Student Code of Conduct, or as otherwise needed, the SDSS may appoint an external Investigator. After completing the investigation, the external Investigator will report their findings to the SDSS.

8. Findings and Decision Making

After completing an investigation, the Investigator will make findings of fact on a balance of probabilities. The SDSS or their designate will then determine whether a violation of this Policy has occurred. If a Student is found to have violated this Policy, the SDSS will decide whether Sanctions, Alternative Resolutions, or both, are appropriate by considering the relevant contextual factors, including but not limited to:

- a) extent of the misconduct;
- b) impact of the misconduct;
- c) inadvertent or deliberate nature of the misconduct;

- d) whether the act in question is an isolated incident or part of a pattern of misconduct;
- e) whether the behaviour can reasonably be understood to be related to a protected characteristic or other extending circumstances; and,
- f) any other mitigating or aggravating circumstances.

If after completing an investigation the decision-maker believes that an Alternative Dispute Resolution may be appropriate, they will consult with the Respondent and those affected by the Respondent's behaviour to determine if a form of Alternative Dispute Resolution would be welcomed. If all parties agree that an Alternative Dispute Resolution is most appropriate and using such measures will not harm those involved, the decision-maker is responsible for organizing the resolution.

9. Accommodation

Requests for accommodation on grounds protected by the *British Columbia Human Rights Code* should be submitted to Student Success as early as possible in the investigation process. Such requests will be assessed and reasonably accommodated to the point of undue hardship, considering all relevant factors, including the safety and wellbeing of others.

Where a Respondent asserts that their conduct was related to a characteristic protected by the *British Columbia Human Rights Code*, the decisionmaker may consult with appropriate Institute experts (including Student Health Services; Accessibility Services; the Respect, Diversity, and Inclusion Department; Counselling and Student Development; legal representatives; and other relevant professionals). These consultations may include the review of relevant medical or human rights-related documentation for the purpose of determining contextually appropriate and reasonable accommodations.

Where conduct is found to constitute a violation of the Student Code of Conduct but is determined to be non-culpable in nature, the Institute may respond under appropriate policies or processes other than the Student Code of Conduct.

10. Sanctions, Alternative Resolutions and Referral to the President

If BCIT determines that no Policy violation occurred, the Respondent will be informed in writing that the matter is dismissed.

If the SDSS or their designate finds that a violation has occurred, they may recommend Alternative Dispute Resolutions pursuant to Section 5, above, or may resolve the matter by imposing one or more Sanctions, which may include but not be limited to:

- a) Formal Warning – issue a written warning to the Student, with a copy to be placed on the Respondent's student conduct file;
- b) Restitution – assess and recover costs to rectify the damage or loss caused by the Respondent;
- c) Support Agreement – develop an agreement with the Respondent setting out expected behaviours, limitations, obligations, and associated timeframes;

- d) Educational Activity – require the Respondent to complete a project or participate in a learning activity with the intent of understanding and contributing to the reparation of harm caused and of trust lost as a result of the misconduct;
- e) Referral to Services – connect a Respondent with personal or professional resources to assist them to address issues found to be a factor in the conduct. Engagement with referred services may be mandatory or optional; and,
- f) Loss of Privileges – deny a Respondent access to non-essential services for a specified time.

In cases where the Student does not complete the administered Sanctions to the satisfaction of the SDSS (or designate) or refuses to reasonably participate in the investigation process, the SDSS may choose to place an Academic Hold on the Student's record.

If the incident is so serious as to warrant Suspension, the SDSS or their designate will refer the matter 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, without limitation, the following:

1. closing the matter; or,
2. referring the matter back to the SDSS, with or without recommendations regarding Sanctions; or,
3. imposing a Suspension.

Where appropriate and consistent with applicable privacy requirements, those directly involved in the incident will be informed of the matter's resolution. A copy of the findings and outcomes will be placed in the Respondent's student conduct file. There may be cases in which the decision-maker shares the outcomes with Deans, Associate Deans, instructors, or other BCIT parties (see Section 12 below).

11. Appeals

The Respondent may appeal findings and any outcome imposed to the Decision Review Board. An appeal should be made within 15 business days, in writing, as outlined by Procedure 5104-PR2 – Decision Review Board.

In the case of a Suspension imposed by the President, a Student may appeal to the Board of Governors by submitting a written request in accordance with Procedure 5104-PR3 Institutional Appeal Tribunal.

12. Confidentiality

The process is strictly confidential, meaning that information related to the incident, investigation, and outcomes will only be shared with individuals who require access as part of their job responsibilities or as is necessary for their safety and wellbeing. Breaching confidentiality—such as disclosing details to unauthorized parties—may itself be subject to investigation and disciplinary

action under this Policy. BCIT adheres to its legal privacy obligations and to its Policy 6700 Freedom of Information and Protection of Privacy.

13. Retention of Documents

All documents associated with the investigation of violations of the Student Code of Conduct and any resulting discipline will be retained and managed by the Student Life Office.

Information and records created under this Policy and procedure are administered in accordance with Policy 6700 Freedom of Information and Protection of Privacy.

Forms Associated with This Procedure

BCIT Student Conduct Report Form

Amendment History

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

1. Created (v1) 2009 Jan 27
2. Revised (v2) 2019 May 28
3. Revised (draft v3) 2026 Mmm dd [pending approval]

Scheduled Review Date

[upon Board approval - 2026 Mmd dd - TBD]; however, the executive sponsor may initiate review at any time.