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<b>Type:</b>	A - Educational (Board)	<b>Last Approved:</b> May 25, 2017
<b>Executive Responsibility:</b>	Vice-President Academic & Provost	
<b>Administrative Responsibility:</b>	Executive Director, Student Affairs	<b>Policy:</b> 32.05

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STATEMENT:

The University has the right and the responsibility to establish and enforce standards for student behaviour.

EXAMPLES OF STUDENT MISCONDUCT

These examples include but are not limited to the following:

1. Endangering the safety of any individual

Behaviour potentially endangering the safety of any individual or group in the course of University sponsored activity on campus or off (e.g. on practicum, clinical, field trip or field school).

2. Violence or threats of violence

The use or attempted use of intimidation or physical force to cause harm to a Vancouver Island University student, employee or visitor. This includes threatening behaviour (including statements) giving the recipient of that behaviour reasonable cause to believe that they are at risk.

3. Personal harassment

Abusive and/or demeaning treatment that creates an intimidating, hostile, or offensive learning or working environment for others.

4. Disruption of the learning and working environment

Conduct disruptive of the University learning and working environment. The University environment includes instructional and non-instructional activity sponsored by the University on or off campus.

5. Sexual Misconduct

A wide range of unwanted acts – physical, verbal or psychological – carried out through sexual means or by targeting sexuality. (Also see *Policy 41.17 Sexual Misconduct*).

6. Theft or vandalism

As determined by Canadian law, the theft, defacement, destruction of University or personal property on campus, or, in association with University sponsored activity, off campus.

7. Alcohol and other drug related offences

Violation of Provincial laws governing the production, use, or sale of alcohol and drugs, including their unauthorized possession or use on campus or, in association with University sponsored activity, off campus.

8. Providing false information

Knowingly furnishing false or incomplete information to an officer of the University, or on a University document.

9. Refusing reasonable requests of authorized employees

Refusal, while on institutionally owned or controlled property, to comply with a reasonable request or order of an authorized University employee.

10. Obscene, libelous and copyright material

The publication, posting or distribution of material violating the laws of libel, copyright, obscenity, or human rights.

11. Misuse of University name

Unauthorized use of the name and symbols of the University.

## PROCEDURE

### Faculty/Departmental Responsibility

When appropriate, every reasonable effort should be made to deal with student conduct concerns at the appropriate Faculty or Departmental level. This would typically include student conduct adversely affecting the learning environment. Rules and regulations governing student behaviour in programs and courses are governed by this procedure. Faculties and Departments are encouraged to create their own conduct procedures congruent with this policy.

It is the responsibility of faculty and staff to take action promoting appropriate student behaviour. In cases in which students have been identified with inappropriate behaviour, or formally charged with misconduct, should such students be interviewed or brought before a hearing, they may choose to be accompanied by an advocate/advisor. Depending on the specific circumstances the following actions may be appropriate:

- Instructor initiates conference with the student. (Most disputes will be resolved at this level.)
- Instructor initiates a jointly signed contract for improvement. (Chair/Coordinator may be involved.)
- Probation (for conduct).
- Removal from the course or program.

Any action that results in probation for conduct or course/program withdrawal must be taken in consultation with the Dean, Campus Principal, and/or Director. Any disciplinary actions concerning inappropriate student conduct and student misconduct must be reported to the appropriate Dean or pertinent administrator.

In addition to the above actions, a student letter of reprimand from the Dean's office may be appropriate.

#### Institutional Responsibility:

The Executive Director of Student Affairs has institutional responsibility for dealing with misconduct occurring outside the instructional setting. Any misconduct perceived to be in violation of institutional policy should be reported to the Office of the Executive Director of Student Affairs.

Depending on the specific circumstances the Executive Director of Student Affairs in collaboration with the appropriate Deans, Campus Principals, or Directors will take actions from among the following:

- Investigation.
- Conference with student. (Most disputes will be resolved at this level.)
- Contract for improvement (signed by Dean and student).
- Probation (for conduct).
- Removal from course or program.
- Recommended suspension in accordance with Section 61 of the *University Act*.

Students may choose to be accompanied by an advocate/advisor at all dispute meetings or conferences.

#### APPEAL

A student disciplined as a result of this policy has the right of appeal subject to the Student Conduct Appeals Policy 32.06.

#### RECORDS OF DISCIPLINARY ACTIONS

Any action taken in accordance with this policy shall be documented and sent confidentially to the Executive Director, Student Affairs. Any records of disciplinary actions are then kept in the Office of the Executive Director, Student Affairs and will be destroyed no sooner than seven (7) years after the last entry has been made.

Cross Reference Policies and Procedures:

Policy 21.03	Human Rights
Procedure 21.03.001	Human Rights – Education Initiatives and Complaint Resolution
Policy 21.05	Personal Harassment
Procedure 21.05.001	Responding to Complaints of Personal Harassment
Policy 31.06	Disruption-Free Learning and Working Environment
Procedure 31.06.001	Disruption-Free Learning and Working Environment
Policy 32.06	Student Conduct Appeals
Procedure 32.06.001	Student Conduct Appeals
Policy 41.09	Health & Safety
Policy 41.10	Prevention of Violence in the Workplace
Policy 41.17	Sexual Misconduct
Procedure 41.17.001	Sexual Misconduct
Policy 45.01	Use of Information Technology
Policy 96.01	Student Academic Code of Conduct
Procedure 96.01.001	Student Academic Code of Conduct