

LEARNER CODE OF CONDUCT PROCEDURE

PLAIN LANGUAGE SUMMARY

Parent Policy

What is this procedure for?

This is the procedure for the **Learner Code of Conduct** Policy.

A **Code of Conduct** is a list of rules for your actions or behavior. **Conduct** means behavior.

Purpose

What is the purpose of this procedure?

This procedure tells us how to follow the **Learner Code of Conduct**.

Scope and Compliance

Who does the procedure affect?

This procedure is for all learners at Bow Valley College.

All learners at Bow Valley College are responsible for knowing and following the **Learner Code of Conduct** policy and procedure.

Procedures

What procedures do you have to follow?

1. General procedure

- 1.1. If you see someone **violate** the Code of Conduct, you are supposed to do something as long as you are safe. You should always tell security or a supervisor as quickly as possible.

When you **violate** the Code of Conduct, it means you break the rules.

- 1.2. When someone violates the Learner Code of Conduct, the College will follow this procedure. A College employee will fill out the correct forms.
- 1.3. The College will respond to a Learner Code of Conduct Report within five business days.
- 1.4. If you feel you have a Code of Conduct concern about another learner you may contact any College employee. They will help you follow this procedure.
 - instructor
 - coordinator
 - dean
 - director
 - student affairs officer
 - counselor
- 1.5. College employees can get advice about the Code of Conduct from their supervisors or Learner Success Services.
- 1.6. Employees should use their judgement when they respond to an **incident**.
 - They may follow Common First Steps (informal response).
 - They may make a Learner Code of Conduct Report (formal response).
- 1.7. If an employee does not know what to do, they should talk to their supervisor. It is a good idea to keep a written record of all **incidents** with learners. Sometimes a learner can be involved in many small incidents.

An **incident** is when something happens. In this case, it is when someone violates the Code of Conduct.
- 1.8. If a learner is involved in a Code of Conduct complaint and they withdraw from the College, the investigation will still continue and the learner may still face **sanctions**.

Sanctions are a penalty or punishment when you break a rule.
- 1.9. If a learner's actions **violate** other College policies, they will also be investigated by the right department and they may also face penalties under these policies.

1.10. If a Code of Conduct complaint appears **malicious**, the College will investigate it. If you make a malicious Code of Conduct complaint, you may face **sanctions**.

When an accusation is **malicious** it means that it is not true and was made to hurt someone.

1.11. You should give any complaint of **misconduct** by a College employee to the Director of Human Resources. If the complaint involves a learner and an employee, the Director of Human Resources and the Director of Learner Success Services will work together to decide on the procedure.

Misconduct is when an employee breaks a serious rule.

2. Response

There are two levels of response.

2.1. Common first steps (informal response)

You should use common first steps for smaller **incidents** that break the rules (for example, a learner yelling or using bad language). In this response, you request that the behavior stop.

2.1.1. Check that you are safe. Check that other people are safe.

2.1.2. If it is safe, approach the person who is breaking the rule. Tell them who you are. If it is not safe, report the incident to security or a supervisor immediately.

2.1.3. Tell the person the behavior that is violating the Code of Conduct. Ask them to change the behavior.

2.1.4. When you speak to the person:

- Make sure your language and voice are respectful.
- Describe the behavior, not the person.
- Ask for the behavior to change in a reasonable amount of time.
- You may tell them what will happen if they do not change the behavior.

2.1.5. Fill out the correct form or email summary about the incident and give it to your supervisor. Make sure you include the date. Make sure you describe the behavior.

2.2. Code of conduct report (formal response)

You should use a formal response when an informal response did not work. For example, when a learner keeps yelling at an instructor after they have been asked to stop. A formal response should also be used for more serious **incidents**. For example, threats of violence, physical fighting, or unwanted sexual advances.

2.2.1. You must take Common First Steps. You must also fill out a Learner Code of Conduct Report and give it to the Director of Learner Success Services.

2.2.2. The Director of Learner Success Services will review all Code of Conduct Reports. They will follow this procedure.

2.2.3. The Director of Learner Success Services will choose basic or complex action.

3. Actions

There are two levels of response to a formal Code of Conduct complaint.

3.1. Basic action

If the Code of Conduct complaint is very clear you should follow basic action. For example, if there are several consistent reports or there is security video of the **incident**. Basic action will happen for clear cases no matter how serious the incident is.

- For applicants, Learner Success Services will give the Code of Conduct Report to the Director of Enrolment Services and Registrar.
- For registered learners, Learner Success Services will give the Code of Conduct Report to the Program Coordinator.

3.1.1. The Registrar or Coordinator will meet with the people involved and collect necessary information to decide how to respond.

3.1.2. The Registrar or Coordinator should meet with the Director of Learner Success Services about the recommendations for an appropriate response or **sanctions**.

3.1.3. The Director of Learner Success Services and the Dean will review the decision of the Registrar or Coordinator. The Dean may choose more **sanctions**. The Dean may use the complex response instead.

3.2. Complex action

If a Learner Code of Conduct complaint is serious or complex (complicated), then the Director of Learner Success Services or the Dean may choose a formal investigation.

This can happen if it is unclear what happened, there are conflicting reports, or the incident affected several departments.

3.2.1. For a formal investigation, the College will make a committee to handle the investigation. The committee may include:

- Director of Learner Success Services as chair (or another person chosen by a Vice President if the report involves the Director)
- the Occupational Health and Safety Specialist
- two other Deans or Directors who are not involved in the complaint
- the Director of Enrolment Services and Registrar (if the complaint involves an applicant)
- the Vice President (Learning), Vice President (Enrolment and Learner Services) and the Director of Human Resources

3.2.2. Committee members must be **impartial**. They must understand the Code of Conduct Report and other documents.

Someone who is **impartial** will make a fair decision based on the evidence. They are not on anyone's side.

3.2.3. The Committee will review the Report and all documents. The Committee will recommend a response or **sanctions**.

3.2.4. The Committee may interview anyone involved. The interview does not have to include all members of the Committee.

3.2.5. The Committee will make a written report to the chair and recommend a response or **sanctions**.

4. Sanctions

If you **violate** the Code of Conduct, you may face a penalty or **sanctions**. The penalty may include:

- **Verbal warning:** A verbal warning is a spoken warning. Any member of the Bow Valley College can give a verbal warning, including learners.
- **Written warning:** This is a warning in writing. A Supervisor, Coordinator, or anyone in a higher position can give a written warning.
- **Dismissal from a classroom or place for a short period of time, for the rest of the class, or for a day:** An instructor, supervisor, or anyone in a higher position can ask

you to leave a place for a period of time. They can ask this when the behavior causes a safety risk or is disruptive. They can ask Security to help.

- **Suspension:** A learner can be suspended. This means the learner is still registered but may not study at the College for a period of time. Sometimes a learner can be suspended while a Coordinator investigates.
- **Withdrawal:** A learner can be withdrawn from a course or a program for a period of time. This means the learner is not allowed to study for that time. A Coordinator or anyone in a higher position can withdraw a learner.
- **Refusal of service:** A Coordinator or anyone in a higher position can restrict your access to services. They can also refuse access to services. These services include food services, registration, Learner Success Services, library, parking, and bookstore.
- **Payment of fines:** The Director of Learner Success Services can decide that the learner must pay a fine.
- **Refusal to accept an application to study:** A Dean or Registrar can refuse to accept an application to study at the College.
- **Restricting or refusing access to the College campuses:** When someone has unsafe behavior, they can be restricted or refused access to Bow Valley College locations. This can happen during an investigation. It can also happen after the investigation. Only a Vice President can restrict or refuse access to the College.
- **Involving the police or courts:** Any member of the College community may call 911. Victims of **misconduct** have the right to involve the police or courts if it is appropriate. College employees who involve the police or courts must follow College procedures.

4.1.1. The sanctions should match the type of behavior. When you choose the sanction, think about:

- How serious was the behavior?
- Was there a safety risk?
- How often did the behavior happen?
- How long did the behavior last?

5. Communication

- 5.1. If the response is more than a verbal warning, then the College must tell the learner about the **sanctions** in writing.
- 5.2. The employees involved with the Code of Conduct complaint only hear the necessary information, to follow the Freedom of Information and Protection law (FOIP).
- 5.3. If a learner is suspended or withdrawn for **violating** the Code of Conduct, then the College must communicate this information in writing. The College must include how long the suspension or withdrawal will last and any other conditions. The College must communicate the information to:
 - the learner
 - the Director of Learning Success Services (it will become part of the Learner Conduct record)
 - the Dean
 - the Registrar (it will be written on the learner's Permanent Academic Record)
 - College security if the **sanction** involves restricting access to the College campus
 - other College employees if necessary
- 5.4. A chosen College employee will look at all formal communications to make sure they are clear, consistent, and follow the Learner Code of Conduct Policy and Procedure.
- 5.5. Any formal communication to a learner that explains a decision or sanction must include a statement that says the learner may **appeal** the decision. The communication must include a printed copy of the Learner Appeals Policy.

When you **appeal** a decision, you ask the College to look at it again.

6. Documentation

- 6.1. Give all Learner Code of Conduct Reports, supporting documentation, and written communications to the Direction of Learner Success Services. They will keep a secure file in Learner Success Services that is separate from the learner's Permanent Academic Record.
- 6.2. The Permanent Academic Record will have a note that says there is a **conduct** record.

6.3. A learner's academic transcript or other record may have a note if the learners has been suspended, withdrawn, or denied admission to the College as a **sanction**.

6.4. Reports and documentation are **confidential**. This follows the law and Bow Valley College policies.

If something is **confidential**, it means it is secret. It will only be told to people who need to know.

6.5. The Coordinator will also give a copy of the Learner Code of Conduct Report, supporting documentation, and written communications to the Dean or Director.

7. Appeals

7.1. Learners may **appeal** Code of Conduct decisions. You should follow the Learner Appeals Policy.

7.2. If a Vice President decides to restrict access to the College, you may appeal this decision to the President of Bow Valley College. You may only appeal this decision:

- if there is new information that was not available during the investigation
- if the appeals policy was **allegedly** not followed

Allegedly means that you say something is true but it has not been proven yet.

Definitions

Applicant: An applicant is someone who has applied to study at the College but has not been admitted yet. Applicants must follow the Learner Code of Conduct. Applicants face penalties if they violate the Code of Conduct.

Complainant: The complainant is the person who thinks that someone else has violated the Code of Conduct. The complainant starts the Code of Conduct procedure.

Discrimination: Discrimination is when you treat someone unfairly because of:

- race
- religion
- skin colour
- gender (sex)
- gender identity or expression (how you dress or show your sex)
- sexual orientation (if you are gay, straight, bisexual, or other)
- physical or mental disability

- if you are married
- if you have family
- how much money you make or where you work
- age
- where you come from

Dismissal: Dismissal is when an instructor tells a learner to leave the classroom for the rest of the day.

Harassment: Harassment is when someone is bothering you. Harassment can be verbal (or spoken) or physical (involving touching).

Learner: A learner is someone who is registered at the College. They can be registered for credit or non-credit courses. In this procedure, “learner” also means applicants.

Learner Conduct Record: Your Learner Conduct Record is a file of your Code of Conduct Report, any documentation, and copies of communication about the Code of Conduct. The College keeps the Learner Conduct Record separate from your Permanent Academic Record. They are only connected if you have been withdrawn or restricted from accessing the College.

Permanent Academic Record: This is a record of your academic program and grades at the College. When you ask for a transcript, it is made from your Permanent Academic Record.

Practicum/work placement: This is any placement that is part of your academic program. In a practicum you are in contact with the public. They can include hospital rotations, clinical placements, and other work placements.

Respondent: The respondent is the person who is accused of violating the Code of Conduct.

Safety: Safety is when you feel like no one will hurt you, either physically, emotionally, or mentally.

Sanctions: Sanctions are a penalty or punishment when you violate the Code of Conduct.

Suspension: Suspension is when you are not allowed to come to class for a period of time.

Violence: Violence is when someone hurts someone else either physically or non-physically. It is also violence if someone tries or threatens to hurt someone.

Withdrawal: Withdrawal is when you are formally asked to leave a course or a program.