



**Policy No:**

**Responsibility:** Vice-President,  
Academic

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## **Student Code of Conduct Policy**

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**Approved by:** Board of Governors

**Effective:** December 15, 1998

**Revisions:** March 26, 2009; January 27, 2011

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### **Context**

Justice Institute of B.C. (JIBC) is dedicated to providing a high standard of service delivery to students and clients, consistent with JIBC's mission, vision and values. An appropriate code of conduct is necessary to ensure that we create and maintain an environment that is conducive to teaching and learning as well as safe for our students, faculty and staff. Student misconduct will be treated seriously. Failure by students to maintain appropriate standards of conduct may result in the initiation of disciplinary action by JIBC, up to and including dismissal from a specific JIBC program or from all activities at JIBC. This policy is intended to complement the JIBC Academic Integrity Policy which governs students' academic conduct.

This policy is not intended to interfere with faculty and administration's ability to deal with acts of misconduct in an informal and consensual manner, where appropriate but is intended to address major concerns about student misconduct, disruptive behaviour and safety. The policy defines types of misconduct subject to this policy, the process for reaching a finding of misconduct, the consequences of a finding of misconduct, and the appeal process. This policy is intended to apply to the students of all divisions with the following exceptions:

- (1) where legislation or JIBC's contracts requires that another process be followed instead of JIBC Student Code of Conduct policy, or
- (2) where JIBC decides that the allegation of misconduct may be more appropriately dealt with (in whole or in part) in a timely manner in another forum, such as a court or administrative tribunal or by the student's employer.

### **Policy**

Honesty, mutual respect and good citizenship is promoted and expected at JIBC. Students will conduct themselves in a manner that is respectful of the rights, well-being and property of others and that facilitates an effective learning environment. JIBC will investigate all allegations of misconduct and will apply penalties as appropriate, up to and including suspension from the program and/or institution.

## **Scope**

This policy applies to student conduct at all JIBC campuses and learning sites and will apply to student conduct off-campus and online where the student is engaged in any activities that are part of JIBC course/program requirements. It will also apply to any situations where a student is representing JIBC in any manner.

## **Definitions**

### **Student Misconduct**

Student misconduct means any action by a student that a reasonable person would consider being harmful to the institute, faculty, or other students. Acts of student misconduct subject to penalty under this policy include, but are not limited to:

- a. threatening or engaging in behaviour that a reasonable person would perceive to be intimidating or offensive, or that may endanger the health or safety of students, faculty, or staff of JIBC
- b. engaging in criminal conduct or other serious misconduct, including the possession for use, distribution, or sale of drugs, the unauthorized possession of weapons or the unauthorized use of alcohol on JIBC property or at a JIBC-sanctioned event
- c. disruption of instructional activities, including student conduct which substantially interferes with classroom, online, lab or field activities
- d. abuse or unauthorized use of JIBC buildings, rooms, property or services
- e. removal of JIBC property from the premises without prior approval from an authorized representative of JIBC
- f. interference with any JIBC safety and security equipment or procedures, including making, or causing to be made, any false report of an emergency
- g. dishonest conduct not governed by the Academic Integrity Policy, including falsification or misuse of identity cards, institute documents or records, or misrepresentation of any kind to an employee of the institute
- h. any other behaviour which significantly interferes with JIBC operations.

### **Disciplinary Probation**

Disciplinary Probation is a formal disciplinary action by JIBC and becomes part of the student's official record. The student will receive a letter making clear the finding of misconduct, and stipulates the period of time for which he/she is on probation. It gives a strong warning to the student but provides an opportunity to clearly understand JIBC expectation, to learn from experience and to incorporate the experience into his/her overall development. It may include specific sanctions and/or restrictions for student access to JIBC facilities and services and may include other requirements such as a formal written apology, additional academic work and/or counselling. It will make clear that further violations under JIBC policy will result in further disciplinary action up to and including dismissal from JIBC.

### **Disciplinary Suspension**

Suspension is a formal disciplinary action by JIBC and becomes part of the student's official record. The student is suspended from all academic and extracurricular activities at JIBC and may also be restricted from access to JIBC facilities - normally for a period of not less than one year. The student must reapply for admission at the end of the period of suspension and JIBC may stipulate additional requirements for readmission. Only the President has the authority to

suspend.

### **Restitution**

An individual may be required to compensate for lost or stolen items belonging to JIBC, its employees or students and may be required to make financial compensation for damage to any JIBC property.

### **Procedures**

1. When a faculty member determines, either through personal observation or through a third party report, that a student has committed any act contrary to this policy, the faculty member and manager responsible for the program shall meet with the student and review the circumstances of the suspected violation within the context of this policy and course guidelines. Where there is agreement that a violation of this policy has occurred, knowingly or unknowingly and depending on the facts and circumstances, including the seriousness of the violation, the faculty member and manager responsible for the program may reach an appropriate informal resolution with the student, which may include a verbal or written warning. A record of the informal resolution will be documented in the student database by the manager responsible for the program. Any more serious penalties, including any penalty that will result in a failing grade for the course, must be determined through the formal investigation procedures below.
2. Where a faculty member or a JIBC staff member determines that a perceived violation of this policy by a student or an applicant to JIBC was denied by the student/applicant, or was a deliberate act of student misconduct and/or was a serious violation of policy warranting formal actions, the faculty member or staff member shall complete a formal Report of Violation of the Policy on Code of Conduct (a "Report"), and submit that to the manager responsible for the program and shall advise the Dean/Director that this has been done. This report should be in writing, but in cases of urgency may be made verbally and confirmed in writing as soon as possible (the "Report".)
3. Where there is a risk of injury or harm to person(s) or to property, security personnel, the police or other appropriate external agencies should be notified as soon as possible. A written report of such referral will be given promptly to the Dean/Director. Where there is a risk of injury or harm to any person or property, the student may be required to leave JIBC property immediately pending and during an investigation into the allegation of misconduct.
4. In all cases where any violation of this policy has occurred more than once by the student, a formal Report shall be completed and submitted to the responsible Dean/Director

### **Investigating allegations of Student Misconduct**

1. The Dean/Director or his/her designate will, upon receipt of the Report, consider the alleged act(s) of misconduct and decide:
  - a. that the allegations, if true, do not constitute misconduct under the Student Code of Conduct Policy and decline to act on the Report; or
  - b. that the matter should be addressed under another policy or in another forum, and refer the Report to the appropriate person; or
  - c. that the matter should be addressed under the Student Code of Conduct Policy.

The Dean/Director will notify the person who made the Report of this decision.

2. If the Dean/Director determines that the matter should be addressed under the Student Code of Conduct Policy, she/he will refer the Report to a senior staff member (the "Investigator") to conduct a fact-finding investigation into the allegation(s) of misconduct in the manner the Investigator deems appropriate and to report back to the Dean/Director.
3. The Investigator will advise the student of the process that will be followed. The process will include an opportunity for the student to respond to the allegation(s) of misconduct
4. Normally, investigations will be concluded within ten (10) working days of receipt of the Report by the Dean/Director, however the time period may be longer for complicated matters or where persons with information relevant to the investigation are not available during that time period. If the Investigator extends the time period, the Investigator will advise the Dean/Director, the student and the person who made the Report.
5. The Investigator will advise the Dean/Director, in writing, of the results of the investigation.
6. The Dean/Director will review the results of the investigation with the student, and the student will have an opportunity to respond.
7. The Dean/Director will determine whether the student has committed student misconduct and, if so, what discipline is appropriate. Disciplinary action may include, but is not limited to, one or more of the following:
  - a. verbal warning
  - b. written reprimand
  - c. performance contract
  - d. a notation on the student's transcript for a specified period of time
  - e. disciplinary probation
  - f. an order for restitution by the student
  - g. referral to the President with a recommendation that the student be suspended for a certain period of time, indefinitely or permanently (disciplinary suspension)
8. The Student will be advised of the Dean/Director's decision in writing within twenty (20) working days of receipt of the results of the investigation. The Dean/Director's decision will set out the allegation of misconduct, the key facts upon which the Dean/Director relied to reach her/his decision, any aggravating or mitigating circumstances, and her/his decision. A record of the disciplinary action shall be documented in the student database.

### **Appeal**

9. This appeal process applies to all findings of student misconduct under this Student Code of Conduct Policy.
10. When the Dean/Director has determined that the student is guilty of misconduct and discipline has been imposed under paragraph 7, the student may appeal the decision. To commence an appeal, the student must deliver a Notice of Appeal to the Vice-President,

Academic within twenty (20) working days of the Dean/Director's decision.

11. The student's Notice of Appeal must include:
  - a. A copy of the decision being appealed
  - b. A statement from the student setting out the basis for the appeal, which must be one or more of the following:
    - i. that there was procedural unfairness in the process before the Dean/Director or the Investigator
    - ii. that the penalty imposed was inappropriate
    - iii. that new evidence has emerged that was not available for the investigation and which casts significant doubt on the accuracy of the Dean/Director's decision
  - c. The resolution sought on the appeal
  - d. Any relevant information and supporting documentation
  - e. Contact information for the student
12. The Vice-President, Academic, may delegate responsibility for the appeal to the Registrar or other designate. In this Policy, the person hearing the appeal is referred to as the "Vice President".
13. Subject to privacy concerns, the Vice-President will disclose the Investigation Report to the Student, if a written report was provided by the Investigator.
14. The Vice-President will determine the procedure to be followed on the appeal, which procedure will include the right of the student to make submissions in response to the case against him or her. The Vice-President will notify the student and may notify any person who may be required to participate in the appeal of the procedure that will be followed on the appeal.
15. The Vice-President will endeavour to conduct the appeal within ten (10) working days of receipt of the Notice of Appeal, but that period may be extended if the appeal is complicated or if the student or others with information that should be considered are not available within that time period. If the Vice-President extends the time period, the Vice-President will advise the Dean/Director, the student and the person who made the Report.
16. At the conclusion of the appeal and in any event within approximately ten (10) working days of the conclusion of the appeal, the Vice-President will deliver a decision. The Vice-President may extend the time for delivery of the decision with notice to the Dean/Director, the student and the person who made the Report.
17. The Vice-President may:
  - a. uphold the decision of the Dean/Director
  - b. reverse the decision of the Dean/Director
  - c. return the decision to the Dean/Director for reconsideration based on new evidence submitted by the Student or

- d. vary the discipline imposed by the Dean/Director.
- 18. The decision of the Vice-President is final, except in cases where the decision is a referral to the President with a recommendation that the student be suspended.

### **Decision to Suspend**

- 19. The President has the authority under the College and Institute Act to suspend a student for just cause. The President will notify the student, in writing, of his or her decision to suspend the student and the terms, if any, of the disciplinary suspension.
- 20. Disciplinary Suspension is a formal disciplinary action by JIBC and becomes part of the student's official record. The student is suspended from all academic and extracurricular activities at JIBC and may also be restricted from access to JIBC facilities - normally for a period of not less than one year. The student must reapply for admission at the end of the period of suspension and JIBC may stipulate additional requirements for readmission. Only the President has the authority to suspend.

### **Appeals of Suspensions**

- 21. If the President suspends a student, the student has a right of appeal to the JIBC Board of Governors (the Board).
- 22. To bring an appeal to the Board, the student must file a Notice of Appeal to the Board within twenty (20) working days of the President's decision. The Notice of Appeal to the Board must contain:
  - a. a copy of the President's decision
  - b. a copy of the Vice-President's decision (if any)
  - c. a copy of the Dean/Director's decision (if any)
  - d. the allegation(s) of procedural unfairness that the student relies on for the appeal
  - e. the resolution sought on the appeal
  - f. any relevant information, and supporting documentation
  - g. contact information for the student.
- 23. The Appeal to the Board will be conducted in accordance with the Board's Student Appeal Guidelines in place at the time.

### **Privacy and Confidentiality**

- 24. Confidentiality: All persons involved in the investigation will be advised that they are required to keep the allegation and information relating to the allegation confidential, and they are not to disclose the allegation or information to others, except as may be expressly permitted or as required by law. Participants should be aware that confidentiality is expected, but that anonymity cannot be guaranteed.
- 25. Application of the Freedom of Information and Protection of Privacy Act ("FIPPA"): Investigations into allegations of student misconduct require frank and confidential

communications and JIBC takes the position that documents and information acquired through the investigation process may be an unreasonable invasion of individuals' personal privacy. Records of the investigation will be disclosed only to the extent permitted under JIBC policy on Freedom of Information and Protection of Privacy Policy and/or as compellable under the BC Freedom of Information and Protection of Privacy Act.

### **Related References**

- [Academic Integrity Policy](#)
- [Harassment Policy](#)
- [Student Records Policy](#)
- [Academic Appeals Policy](#)