

## CORPORATE POLICY

**Policy Number:** AC757

**Policy Title:** Student Behaviour

**Owner:** Director, Student Services and Success Initiatives

**Approved by:** Mohawk College Council

**Effective:** June 12, 2006

**Reference:**

**Links to Other Policy:** HR402 - Human Rights Policy  
C1020 - IT Policy  
ERP810 - Incidents of Critical Behaviour

### BACKGROUND

Mohawk College is committed to establishing a learning community where all students and staff are encouraged to create a safe and respectful environment work and study environment. Mohawk College's Mission focuses on "Inspiring learning, leadership, citizenship and innovation" and our Values are the tools that guide our collective actions and personal behaviour.

### Mohawk's Vision

*Mohawk College will be the most sought after Canadian postsecondary destination: renowned for its "real world" applied innovation culture, and future ready graduates with the skills required for today and the ability to prosper from tomorrow's opportunities.* This clarity of purpose generates the strength, confidence and commitment to achieve excellence.

### Shared Values:

Our values guide our actions and decisions, define our culture, and focus on students, staff and community. Globally and locally, Mohawk students, staff and partners will:

- Foster academic excellence
- Enhance capacity for research and innovation
- Celebrate inclusiveness, collaboration and individual uniqueness
- Embrace transparency, accountability and responsibility
- Act ethically with integrity, and promote respect for all

- Promote a sustainable environment.

At Mohawk, RESPECT denotes responsibility, excellence service, people, equity, commitment and transparency.

High standards of behaviour benefit all students and staff – past, present and future - and reflect the citizenship values the College champions in its vision. The College expects that students and staff will conduct themselves in a responsible manner, on and off campus, at any College-related activity in both learning and non-learning environments.

## **Definitions**

**Expected Behaviour** refers to the actions that make Mohawk a productive and positive place to learn and work.

**Inappropriate Behaviour** refers to actions that are disruptive, disrespectful and/or intimidating to others or behaviour that generates serious concerns requiring an immediate response and/or the use of a formal approach.

**Mohawk College Community** refers to staff, students and all visitors on Mohawk Campuses and/or carrying out Mohawk College activities.

**Purpose:** This policy outlines principles of expected student behaviour; it is intended to guide student behaviour, to protect the rights of all students and staff at Mohawk College and to support staff in managing appropriate student behaviour. It also outlines a range of disciplinary sanctions that can be imposed depending on the severity and pattern of the behaviour in question.

**Scope:** This policy applies to students associated with Mohawk College and staff involved in managing student behaviour.

## **POLICY STATEMENTS**

1. All members of the Mohawk College community are responsible for upholding the College Vision, Mission and Values.
2. All members of the Mohawk College community are responsible for ensuring the maintenance of an environment where respectful and appropriate behaviour is expected and valued and promoted.
3. The College will not condone and will respond to behaviour that is illegal, harmful or threatening to others or that is disruptive, offensive, abusive, intimidating or that vandalizes College property. Sanctions will be applied to offending students as appropriate. Support will be offered to those affected, including offenders, as appropriate.

4. The College is responsible for making this policy information known and accessible to students and staff.
5. Students are responsible for their own behaviour in any College-related activity, on or off-campus. They are expected to acquaint themselves with the policies and procedures and standards of conduct that the College has defined as acceptable.
6. This Policy defines the range of disciplinary responses available to deal with the seriousness of the behaviour in question. Both the nature of the behaviour and the student's previous record of conduct will determine the sanction imposed to remedy any particular situation. Appendix A to this Policy provides specific information on the four levels of disciplinary responses/sanctions that may be applied.
  - 6.1 Disciplinary sanctions may be progressive in nature and range from verbal warning to expulsion from the College.
  - 6.2 Suspension or expulsion may result for a single critical incident, failure to resolve behavioural concerns at Level Three, a pattern of repeated incidents of major misconduct and/or failure to comply with previous disciplinary requirements.
  - 6.3 In some cases the College may turn to outside authorities –such as the police – for assistance.
7. Conduct in the Pub, Residence and Athletic Department is governed by the use of rules and/or regulations specific to the particular areas as defined by the applicable corporation. In addition, the provisions of this College Student Behaviour Policy may be applied.
8. The College supports informal response and the use of early, informal methods of resolution, such as mediation where and when appropriate.
9. The College has the right to move directly to a formal level of response and impose any sanction if it believes the effective operation of the College is impaired.
10. A student may appeal a decision that he/she is guilty of an offence or the appropriateness of the sanction applied. Appendix B outlines procedures for filing an appeal.
11. The College reserves the right, upon appeal, to impose a different sanction than that originally imposed and may establish additional sanctions to those contained in this Student Behaviour Policy.
12. Disciplinary sanctions applied may become part of a student's permanent academic record.

## **MONITORING**

The Director, Student Services and Success Initiatives is responsible for monitoring the effectiveness of this Policy and associated procedures and initiating review of the policy and/or associated procedures according to the cycle established by Corporate Services.

## **POLICY REVISION DATE**

## **ATTACHMENTS**

Appendix A – Implementation Procedures

Attachment A- Student Behaviour Complaint Form for Formal Complaints

Attachment B – Student Behaviour Policy Flow Chart

## **SPECIFIC LINKS**

**APPENDIX A**  
**PROCEDURES FOR THE IMPLEMENTATION OF POLICY AC#757**

**P1. College Response to Inappropriate Student Behaviour**

Examples of behaviours that are not acceptable include but are not limited to the following:

- Behaviour which violates a provincial or federal law
- Behaviour which interferes with or obstructs College and or Student Government business as defined by the corporation
- Verbal abuse including jokes, derogatory comments
- Alcohol and drug violations including inappropriate behaviour resulting from alcohol and drug use
- Fighting
- Dissemination of slanderous, defamatory or libelous material regarding any member of the College community
- Theft
- Vandalism
- Serious inappropriate actions
- Indecent public acts
- Unauthorized, disruptive cell phone use
- Loud, disruptive interactions or activity
- Unwanted physical contact such as pushing or shoving
- Swearing
- Taunting/derogatory comments/inappropriate joking
- Late arrival to class accompanied by noisy interruptions
- Violation of established learning environment rules
- Disruptive and/or inappropriate questioning and commenting
- Unapproved solicitation
- Inappropriate attire
- A pattern of repeated offences

**Level One – Initial Informal Response**

- (i) Students are encouraged to try to resolve issues directly, peer to peer, provided they feel comfortable and safe in taking such action.
- (ii) If a student observes or experiences behavior that is inappropriate that he/she cannot resolve, he/she should report it to a college staff member with the understanding that confidentiality will be maintained as far as possible. It should be noted that confidentiality does not mean anonymity.
- (iii) If a College staff member observes or receives a report of inappropriate student behaviour, he/she should attempt to address the concerns informally and directly. The student will be advised that the behaviour is

in violation of the Student Behaviour Policy, asked to stop the activity and/or move the activity to an appropriate location.

Additional responses may include referral to College supports and/or temporary withdrawal from the environment. The student may be required to meet with the member of college staff to review his/her behaviour. Sanctions may be applied as appropriate.

### **Level Two: Informal College Response**

- (i) If it has not been possible to resolve the issues at the initial informal response level, or if incidents of inappropriate behaviour continue or the student fails to comply with the directions given, the student will be referred to the appropriate Associate Dean, Director, Manager or designate of his/her program area.
- (ii) The Associate Dean, Director or Manager will meet with the student(s) involved and attempt to informally and directly resolve the concerns surrounding the inappropriate behaviour.
- (iii) To support resolution of the concerns, the Dispute Resolution Facilitator, the Manager of Security, a Manager in Student Services or a staff member from the area may be called upon by the Associate Dean, Director or Manager and be included in the meeting with the student as appropriate.

### **Level Three: Formal College Response**

- (i) If it has not been possible to manage the behaviour at Level One or Two, or if behaviour escalates to a serious level of concern, or a single incident considered to be of a serious nature warrants an immediate response, the incident will be referred to the Director of Student Services and Success Initiatives (or designate).
- (ii) The incident should be reported immediately to the Director/Manager or Associate Dean who is responsible for the student, program, or area in which the incident occurred, if that person has not already been informed or involved.
- (iii) *A Student Behaviour Complaint Form for Formal Complaints* (See Attachment A) must be completed by the Associate Dean, Director/Manager and forwarded to the Director of Student Services and Success Initiatives (or designate) to move the complaint forward from Level Two to Level Three.

The Director of Student Services and Success Initiatives (designate) or Manager of Security will complete the form if the complaint moves

directly to Level Three and will forward copies to the appropriate Manager or Associate Dean.

- (iv) The Director of Student Services and Success Initiatives (designate), in consultation with the appropriate Associate Deans and/or Managers, will meet with the student(s) involved and attempt resolution of the concerns. A formal review may be conducted, as required. If a review is required, it will be completed by the Manager of Security and Parking Services within five (5) working days. A report of the findings of the review will be generated. In extenuating circumstances, college administrative staff may extend the time frames for conducting a review and generating the report to a maximum of ten (10) working days. A temporary suspension may be issued and sanctions applied as appropriate, pending the results of the review.

#### **Level Four: Formal College Response - Critical Incident**

If it is determined that the continued presence of a student on Campus constitutes a significant risk of danger to the College, i.e., the student's behavior is threatening and critical, or the behavior constitutes an intolerable interference with the College's mission, a temporary suspension will be issued by the Manager of Security and Parking Services to allow for an investigation period, and/or management of the behaviour under ERP810 - Incidents of Critical Behaviour.

#### **P2. Options - Penalties/Sanctions**

Sanctions may be used independently or in combination and must balance the needs of the student(s) and the interests of the College. Disciplinary action must be reasonable and reflect the severity of the misconduct. Repeat or multiple violations shall increase the severity of the sanctions applied. When determining an appropriate sanction, the following must be considered:

- Circumstances of the incident(s);
- Severity of the misconduct including the effects on other members of the College community;
- The deliberateness or inadvertence of the misconduct;
- The significance of the misconduct as an isolated incident or as part of a pattern of misbehavior.

**Temporary Suspension** If it is determined that the continued presence of a student on campus constitutes a significant risk of danger to the College community or intolerable interference with the College's mission, an interim suspension will be given. The purpose of the short-term suspension is to allow for a formal review period. Interim suspensions are issued by Security for serious breaches of conduct including but not limited to weapon possession, assaults causing bodily harm, harassments and threats.

The student must be informed immediately, in writing, of the reasons for the suspension and must be afforded the opportunity to respond. Temporary suspension must be reviewed within three working days. The suspension may be extended for a period of no more than ten working days in order to complete the formal review.

**Verbal Warning** A verbal warning refers to a verbal statement to a person or group indicating that their actions are unacceptable and that continuation of such conduct may be cause for more severe disciplinary action.

**Temporary Dismissal** Temporary dismissal refers to an order by a professor, lab technician, placement supervisor, librarian, counselor or other College employee in a position of authority, directing a student to immediately leave the classroom, laboratory, placement, resource center or other area of a campus. Temporary dismissals are of limited duration only, for a period not exceeding one working day and may be issued for disruptions of a non-serious nature.

**Loss of Privileges** This references removal of specified privileges for a designated period of time, which do not directly impact on a student's academic activity, including but not limited to access to College facilities, services and activities. This penalty may be confirmed in writing.

**Written Warning** This refers to a written notice given by a College employee informing the student that his/her actions have violated a College regulation or expected standard of behaviour and that any repetition of the conduct may lead to more severe disciplinary action. A Behaviour Contract can be issued in conjunction with a written warning.

**Behaviour Contract** A required written agreement the terms of which are mutually agreed to by the student and the College. A behaviour contract will specify measurable behaviour and required actions that must be met by the student. Resources may be recommended to assist the student in meeting the behavioural outcomes. Contracts will be facilitated and monitored by the Director of Student Services and Success Initiatives. Failure to meet the terms of the contract will result in more severe disciplinary action or possible suspension or expulsion from the College.

Behaviour Contracts may include but are not limited to the following:

- **Formal Apology** – Requirement to provide a verbal or written apology to the complainants or College.
- **Referral to Counselling or Dispute Resolution Services** - Requirement to undergo counseling, mediation or dispute resolution for a specified period.
- **Education Program or Project** – Completion of specific activities considered appropriate which may include but are not limited to

participation in education seminars, and completion of written assignments.

- **Community Service** – Participation in service work on the College campus or in the community.

Agreements must be in writing and signed by the student and include an expiry date.

**Formal Official Warning** This refers to a written notice given by a Director or an Associate Dean informing the student that his/her actions have violated a College regulation or expected standard of behaviour and that any repetition of the conduct will lead to more severe disciplinary action. A Behaviour Contract can be issued in conjunction with an official warning.

**Probation** This penalty constitutes a loss of good standing at the College. It is designed to allow the student to attend classes and placements but normally limits access to college facilities and services, such as the Gym and the Pub, and participation in campus activities. It may include specific terms and conditions outlined in a behaviour contract. Probation is generally levied for a designated period of time and serves as a warning of more severe disciplinary sanctions if the student further violates any College regulation. Resources may be recommended to assist the student in meeting the required actions.

**Restitution** This involves compensation for loss, damage or injury, reimbursement for vandalism or misappropriation of property. Restitution must be made within a specified period of time and the College may withhold grades, diplomas or future registration until terms of the restitution are met.

**Suspension** This refers to separation of the student from an individual course or all courses for a definite period of time, after which time the student is eligible to apply to return. Conditions for re-entry may be specified. This penalty may result in failing (F) grades or a compulsory withdrawal (W) for the courses in which the student is registered at the time of suspension. No fees will be refunded. The College does not accept liability for the student's academic eligibility in the subsequent semesters or any financial consequences that may arise as a result of the suspension.

**College Expulsion** A student may be expelled when the offense committed is serious enough that the student's continued presence at the College poses a clear threat to the safety and well being of the College community. The student's official record will read: *Involuntary Withdrawal – Student Misconduct*. This penalty will result in failing (F) grades or compulsory withdrawal (W) for the semester in which the student is registered at the time of the expulsion. No fees will be refunded. A Trespass Order will be issued by the Manager of Security.

**NOTE: All decisions under this policy regarding suspensions and expulsions must involve the Associate Dean, Director of Student Services and Success Initiatives and Manager of Security and receive approval from a member of the Senior Management Team.**

**Re-Entry Plan** Applicable to those students who have been suspended or expelled, this references a written agreement between the student and the Director of Student Services and Success Initiatives that specifies the required actions that must be taken by the student in return for re-admission to the College.

**Reserved Right** The College reserves the right to impose any sanction, summarily and without notice if, in the judgment of the College, the operation of the institution would be seriously impaired. The College also reserves the right to impose a different sanction after a determination of violation than the sanction originally opposed and may establish additional penalties.

**Police Services** The police may be called in cases of alleged criminal activity or offenses including but not limited to physical assault, threat to kill or harm, possession of weapon, damage of property, stalking, bomb threat, or any other violation of the general laws which in the opinion of the College constitutes behaviour that seriously impairs the proper functioning of the College community.

### **Student Appeals Procedures**

- P3. Any Level Three or Level Four decision may be appealed by the individual whose conduct is being questioned, provided that written notice of the appeal is filed with the Registrar along with a \$25.00 appeal fee (refundable if successful) within ten (10) working days of the date on which the decision was rendered. The notice of appeal must include:
- Copy of the decision being appealed;
  - The reason or grounds for the appeal;
  - Any documents in support of the appeal;
  - Names of any witnesses the student wishes to have in attendance;
  - Identification of the type of resolution sought.
- P4. The Appeal Hearing procedure, managed by the Registrar, must be scheduled to take place within ten (10) working days of the date of filing of the appeal. Written notice of the Appeal hearing must be provided to all parties.

- P5. The Appeal process will be conducted as a formal hearing before a full panel of the Student Behaviour Appeal Committee. The Student Behaviour Appeal Committee will include the following members (or designates):
- Director, Student Services and Success Initiatives – Chair (non-voting)
  - 1 Faculty member
  - 1 Non Faculty member
  - 2 Students (1 from MSA or MCACES Board and 1 student at large)
  - 1 Associate Dean

Any witnesses the student has identified to support his/her appeal should be present at the meeting.

The Appeal panel must not include any individual who has had prior involvement in the cases, including as a witness.

- P6. The Student Behaviour Appeal Committee will render a written decision within five (5) working days of the hearing and provide a copy of the decision to those individuals identified in the notice of hearing, as well as any other individuals who attended the hearing who indicated a desire to receive a copy of the decision. The Committee's decision is final.

**ATTACHMENT A**  
**Student Behaviour Complaint for Formal College Response**

**STUDENT (whose behaviour is a concern):**

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Last Name	First Name	Middle Name
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Student #

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Street	City/Town	Postal Code	Telephone #
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cell #                      e-mail

**OTHER INDIVIDUALS INVOLVED (please check all that apply and provide appropriate contact information):**

**student**

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Last Name Department/Program/Campus	First Name	Student # (if applicable)
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Street	City/Town	Postal Code	Telephone #
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cell #                      e-mail

**administrator**

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Last Name Department/Program/Campus	First Name
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Street	City/Town	Postal Code	Telephone #
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cell #                      e-mail

**faculty**

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Last Name Department/Program/Campus	First Name
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Street	City/Town	Postal Code	Telephone #
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cell #                      e-mail

**other staff member**

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Last Name Department/Program/Campus	First Name
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Street	City/Town	Postal Code	Telephone #
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cell #                      e-mail

**member of the community**

\_\_\_\_\_  
Last Name First Name  
Department/Program/Campus

\_\_\_\_\_  
Street City/Town Postal Code Telephone #

cell # e-mail

**DESCRIPTION OF INAPPROPRIATE BEHAVIOUR (be as specific as possible and use extra pages as needed):**

Date(s)/Time(s) of Incident:  
\_\_\_\_\_

Location: \_\_\_\_\_ Witnesses: \_\_\_\_\_

Section(s) of Behaviour Policy allegedly violated:  
\_\_\_\_\_

Circumstances (events leading up to incident, actions taken, follow-up, etc.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Resolution Attempted:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This form has been completed by (please print):  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ E-mail: \_\_\_\_\_



Reason(s):

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**NOTIFICATION**

Date of notification of Complaint Resolution/Decision: \_\_\_\_\_

Copies to:

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**ATTACHMENT B**  
**Student Behaviour Policy Flow Chart**

<b>College Response</b>	<b>Timeline</b>	<b>Responsibility</b>
<p><b>Level 1 – Initial Informal Response</b> Attempt to resolve student to student if possible or by staff in classroom, service area etc. where inappropriate student behaviour occurred Move to level 2 if no resolution</p>	Immediately	<p>Student</p> <p>College employee who observes or receives report of inappropriate student behaviour</p>
<p><b>Level 2 – Informal College Response</b> Student referred to appropriate Associate Dean, Director, Manager or designate of program area or service area Move to level 3 if no resolution</p>	Following Level 1	Associate Dean, Director, Manager or designate of program or service area, with support as outlined in Student Behaviour procedure, as required
<p><b>Level 3 – Formal College Response</b> Student Behaviour Complaint form completed by Associate Dean, Director, Manager or designate who moves the complaint forward. Director, Student Services and Success Initiatives (or designate) meets with the student Move to level 4 if no resolution</p>	Within five (5) working days to a maximum of ten (10) working days by exception, if no resolution at Level 2	Director, Student Services and Success Initiatives (or designate)
<p><b>Level 4 – Formal College Response – Critical Incident</b> Temporary Suspension and/or conducting a formal review/meeting Note: please refer to policy statement 6.2</p>	Within five (5) working days if no resolution at Level 3	<p>Director of Student Services and Success Initiatives (or designate), Manager, Security re: temporary suspension</p> <p>Director of Student Services and Success Initiatives (or designate) re: suspension or expulsion</p>

### Behaviour Policy Appeals Flow Chart

<b>Activity</b>	<b>Timeline</b>	<b>Responsibility</b>
Appeal Initiated by Student \$25 fee paid to Registrar	Within ten (10) working days of the date decision was rendered to student	Student Registrar (responsible for establishing the appeal meeting)
Appeal Hearing Set up	Within ten (10) working days of the date of filing the appeal	Director of Student Services and Success Initiatives
Appeal Conducted	Within ten (10) working days of the date of filing the appeal	Director of Student Services and Success Initiatives (Chair) 1 Faculty member 1 Non Faculty member 2 Students (1 from MSA or MCACES Board and 1 student at large) 1 Associate Dean
Final Decision Communicated to Student	Within five (5) working of the hearing	Director of Student Services and Success Initiatives