



<b>Policy Number:</b>	<b>SS-3200-2006</b>
<b>Policy Title:</b>	<b>Student Behaviour Policy</b>
<b>Policy Owner:</b>	<b>Dean of Students</b>
<b>Effective Date:</b>	<b>November 2013</b>
<b>Last Revised:</b>	<b>August 6, 2020</b>

### 1. Purpose

The purpose of this policy is to outline the principles of expected student behaviour in keeping with the College’s mission and shared values. It is intended to guide student behaviour, to respect and protect the rights and responsibilities of all students and staff at Mohawk College and to support staff in managing inappropriate student behaviour. It also outlines a range of responses including restorative measures and disciplinary sanctions that can be implemented depending on the severity and pattern of the behaviour in question.

### 2. Application and Scope

The Student Behaviour Policy applies to the behaviour of all full and part-time Mohawk College students, which occurs on campuses or properties owned or leased by the College and supports staff in responding to and managing student behaviour. It governs student behaviour on any College campus and Information Technology platforms.

In addition, this policy can be applied to student behaviour that occurs off campus under the following conditions:

- When a student is participating in an academic requirement off-campus (including but not limited to a Coop work term, field placement or academic group trip.)
- When a student is participating in any College sanctioned event (including but not limited to Orientation, Athletic event.)
- When such conduct threatens or affects the physical safety of students and College staff.
- When there is a real and substantive connection to the legitimate interests or reputation of the College.

Please note the examples listed above are not meant to be exhaustive.

Student Behaviour Procedure – See Appendix B for procedural response under this policy.

### 3. Definitions

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

**“Inappropriate Behaviour”** refers to actions that compromise the learning environment or experience, are disruptive, disrespectful and/or intimidating to others or behaviour that generates

serious concerns requiring an immediate response (For a list of Inappropriate Student Behaviour, see Appendix A)

**“Penalties/ Sanctions”** are corrective responses that are imposed to address inappropriate behaviour (For a list of Corrective Measures and Responses, see Appendix C)

**“Restorative Measures”** are corrective responses that focus on addressing the needs of the respective parties involved in an incident of inappropriate student behaviour, as well as the involved community, in order to repair harm, restore relationships and promote accountability.

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

#### **4. Principles**

- 4.1 **Safe and Respectful Learning Environment**-- Mohawk College is committed to establishing and maintaining a learning and working community that is safe and respectful for students and staff.
- 4.2 **Standards for Expected Student Behaviour** – Mohawk College is committed to setting and cultivating high standards for student behaviour.
- 4.3 **Risk Management/Mitigation** – Risk mitigation is an integral aspect of maintaining a safe and respectful College community.

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.

#### **5. Accountability and Compliance**

##### **5.1 Accountability Framework**

This policy has been approved by the Senior Management Team.

##### **5.2 Compliance**

The Dean of Students is responsible for monitoring the effectiveness of this Policy and associated procedure and initiating review of the Policy on a three year cycle.

#### **6. Rules/Responsibilities**

- 6.1 All members of the Mohawk College community are responsible for upholding the College Vision, Mission and Values.
- 6.2 All members of the Mohawk College community are responsible for ensuring the maintenance of an environment where respectful and appropriate behaviour is expected, valued and promoted.

- 6.3 The College will not condone and will respond to behaviour that is illegal, harmful or threatening to others or that is disruptive, abusive, intimidating or that vandalizes College property.
- 6.4 The College has the right to impose any sanction it deems appropriate pursuant to the provisions set out in this policy and related procedures.
- 6.5 The College is responsible for making this policy information known and accessible to students and staff.
- 6.6 Students are responsible for their own behaviour in any College-related activity, on or off-campus. They are expected to acquaint themselves with the principles, policies and procedures that govern student behaviour.
- 6.7 Inappropriate communication whether direct or indirect, using any medium, which results in compromising the learning environment or experience, will be managed under this policy and/or the Information Technology policy, as appropriate.
- 6.8 The College supports informal response, including restorative approaches and the use of early, informal methods of resolution, such as mediation where and when appropriate.
- 6.9 Disciplinary and/or restorative responses are available to deal with inappropriate student behaviour where appropriate. Both the nature of the behaviour and the student's previous record of conduct will determine the corrective response to remedy a particular situation.
- Disciplinary sanctions may be progressive in nature and range from verbal warning to expulsion from the College.
  - Suspension or expulsion may result from a single incident of behaviour that is critical, failure to resolve behavioural concerns at Level Two, a pattern of repeated incidents of major misconduct or failure to comply with previous disciplinary requirements.
  - Support will be offered to those affected by the misconduct including victims as well as, offenders, as appropriate.
  - Where a staff member has been seriously impacted by a student behaviour matter, Human Resources will be informed.
  - In some cases the College may turn to outside authorities –such as the police – for assistance.
- 6.10 Where the management of a student behaviour incident involves allegations against a staff member, Human Resources will be informed.

- 6.11 Conduct managed by the MSA Pub, College Residence, and Athletic Recreation Centre is governed by the use of rules and/or regulations specific to the particular area as defined by the applicable corporation or facility. In addition, the provisions of this College Student Behaviour Policy may be applied.
- 6.12 A student may appeal a sanction decision. Appendix D outlines procedures for filing an appeal.
- 6.13 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.
- 6.14 Disciplinary sanctions applied may become part of a student's permanent College record.

## **7. Policy Revision Date**

### **7.1 Revision Date**

November 2016.

### **7.2 Responsibility**

The Dean of Students will review this policy every three years or earlier where required.

## **8. Attachments:**

Appendix A – Inappropriate Student Behaviour  
Appendix B – Student Behaviour Procedure  
Appendix C – Corrective Measures and Responses  
Appendix D – Student Behaviour Appeal Procedure  
Appendix E – Re-entry Process  
Attachment 1- Student Behaviour Policy Flow Chart

## **9. Specific Links**

HR402 - Human Rights Policy  
C1020 – Information Technology Policy  
ERP801- Emergency Response Policy  
ERP810- Reporting and Responding to Violence Procedure  
ERP802 - Internal Crisis Communication Procedure  
ERP809 - Emergency Lockdown Procedure  
HR402 – Harassment Policy



## **APPENDIX A**

### **Inappropriate Student Behaviour**

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

- A pattern of repeated offences;
- Alcohol and drug violations including inappropriate behaviour resulting from alcohol and drug use;
- Attempts to divert the class time/attention in support of any personal, political, religious, or social agenda;
- Behaviour which violates a provincial or federal law, including all Public Health regulations, including, the Quarantine Act;
- Behaviour which violates college policies, protocols or directives.
- Behaviour which interferes with or obstructs College or Student Government business;
- Disruptive or inappropriate actions at events off-campus that are readily identifiable with the College or any part of it;
- Disruptive and/or inappropriate questioning and commenting;
- Dissemination of slanderous, defamatory or libelous material regarding any member of the College community using any medium;
- Fighting;
- Inappropriate attire;
- Indecent public acts;
- Intentionally creating hazardous conditions that put the College community at risk ;
- Late arrival to class accompanied by noisy interruptions;
- Loud, disruptive interactions or activity;
- Swearing;
- Taunting/derogatory comments/inappropriate joking;
- Theft;
- Unapproved solicitation;
- Unauthorized, disruptive cell phone use;
- Unwanted physical contact such as pushing or shoving;
- Use of communication and information technologies, on and off campus, which are directed at College community members;
- Using online forums to complain about another class or defame staff;
- Vandalism;
- Verbal abuse including jokes, derogatory comments, cyber bullying;
- Violation of established learning environment rules.



## APPENDIX B Student Behaviour Procedure

### Level One

- (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 behaviour 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. Such reporting shall not be provided anonymously. 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.
- (iv) Additional responses may include referral to College resources for support or information.
- (v) Students may be temporarily dismissed from the learning environment and may be required to meet with the member of College staff to review his/her behaviour prior to returning to the learning environment.
- (vi) For behaviour deemed not to be manageable by the persons directly involved, referrals are to the Manager, Student Rights and Responsibilities.
- (vii) For safety or security specific concerns, referrals are made to the Security Operations Centre.**

### Level Two

- (i) If it has not been possible to manage the behaviour at Level One, or if behaviour escalates to a greater level of concern or a single serious incident warrants an immediate response, the incident will be referred to the Manager, Student Rights and Responsibilities.
- (ii) If the behaviour escalates to a risk or concern of personal or physical safety, involved parties are to make every effort to keep themselves free from harm, contact the Security Operations Centre, or the Manager, Security or designate immediately.
- (iii) The Manager, Student Rights and Responsibilities in conjunction with the Manager, Security, will consult with all relevant parties involved with the student(s) behavioural concerns and meet with the student(s) to understand and begin to review and address the concerns.

- (iv) Student behaviour incidents and concerns should be reported 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.
- (v) A formal review of the student behaviour incident or concern(s) and/or investigation may be conducted, as required.
- (vi) An interim student suspension may be issued during the period of review, as appropriate to the circumstances.
- (vii) If a formal review and/or investigation is required, it will be completed by the Manager, Security or designate within five (5) working days. Where appropriate, College administrative staff may extend the time frames for conducting a review and generating the report to a maximum of ten (10) working days.
- (viii) A report of the findings of the review will be generated and provided to the Dean of Students and the Academic area Associate Dean/ Dean of the student's program or Service area Manager/Director.
- (ix) Sanctions will be applied as appropriate informed by the findings of the review.
- (x) Decisions regarding a sanction will be made by the Dean of Students informed by the Manager, Student Rights and Responsibilities and the Manager, Security, and in consultation with the area Dean/Associate Dean/Director/Manager, as appropriate.
- (xi) Corrective measures and responses, including sanctions, will be communicated directly to the student in person where possible.
- (xii) In the case of suspension, a written letter outlining the sanction and rationale will be provided to the student by the Manager, Security, the Manager, Student Rights and Responsibilities and/or Dean of Students as required.

### **Level Three: Critical Behaviour Incident**

- (i) Behaviour is considered critical when:
  - the continued presence of a student on campus constitutes or is a significant risk of danger to the College;
  - the student's behaviour is threatening or presents a clear and present danger to any person or College property;
  - the behaviour constitutes an intolerable interference with the College's mission;
  - there is significant risk to further allegations against the student; and/or
  - serious breaches of conduct have occurred, including but not limited to weapon possession, harassments and threats.
- (ii) An interim suspension will be issued by the Manager, Security or designate to allow for an investigation period.

- (iii) The student must be informed immediately, in writing, of the reasons for the interim suspension and must be afforded the opportunity to respond. Interim suspensions must be reviewed within five working days. The interim suspension may be extended for a period of no more than ten (10) working days in order to complete the formal review.
- (iv) Management of the matter under ERP810-Reporting and Responding to Violence Procedure will be considered when serious, imminent, life threatening injuries occur.
- (v) A report of the findings of the review will be generated and provided to the Dean of Students.
- (vi) Final decisions regarding suspensions and expulsions reside with the Dean of Students, informed by the Manager, Security and in consultation with a Mohawk Executive as required.
- (vii) A written letter outlining the final decision and rationale will be communicated to the suspended or expelled student by the Manager, Security and/or Dean of Students.





## Appendix C Corrective Measures and Responses

### Options – Sanctions/Restorative Measures

Sanctions and restorative measures 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 of the misconduct;
- The significance of the misconduct as an isolated incident or as part of a pattern of misbehaviour.

**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.

**Restorative Measure** An intervention intended to assist a student to repair harm, restore relationships and promote self- accountability. This may include mediation or facilitated meeting between the student and others involved in an incident, a referral for counselling or medical assessment, conflict coaching or apologies.

**Temporary Dismissal** Temporary dismissal refers to an order by a professor, lab technician, placement supervisor, librarian, counsellor 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 outlining the terms and conditions by which the student must abide by in order to remain as a student in 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 Manager, Student Rights and Responsibilities. Failure to abide by the terms of the contract will result in more severe disciplinary action or possible suspension or expulsion from the College.

**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 Athletic and Recreation Centre 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.

**Interim Suspension** A suspension issued by the Manager, Security or designate to allow for an investigation period, when there is a significant risk to further allegations against the student and/or serious breaches of conduct including but not limited to weapon possession, assaults causing bodily harm, harassments and threats.

**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 wellbeing 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, Security.

**Re-entry Plan** Students seeking re-entry to the College following suspension or expulsion are required to establish a Re-entry Plan, a written agreement between the student and the College that specifies the required actions which must be taken by the student in return for re-admission to the College. (For further description, see Appendix E.)

**NOTE: All decisions under this policy regarding suspensions and expulsions must involve the Dean of Students, as the Senior Management Team member, and the Manager, Security. A Mohawk Executive Group member should be consulted as required, or informed.**

**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.



## **Appendix D Student Behaviour Appeal Procedures**

- (i) Any Level Two or Three 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:
- 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.
- (ii) The Appeal Hearing procedure, managed by the Registrar's Office, 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.
- (iii) The Appeal process will be conducted as a formal hearing before a panel of the Appeal Committee. The Appeal Committee will include the following members (or designates):
- i. Registrar – Chair (non-voting)
  - ii. 1 Faculty member
  - iii. 1 Non Faculty member
  - iv. 2 Students (1 from MSA or MCACES Board and 1 student at large)
  - v. 1 Associate Dean
- (iv) 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.
- (v) The Student Behaviour Appeal Committee will render a written decision within five (5) working days of the Appeal 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.



## **Appendix E Re-entry Process**

Re-Entry Plan is applicable to those students who have been suspended or expelled and are seeking readmission to the College. The Re-entry Plan references a written agreement between the student and the College that specifies the required actions which must be taken by the student in return for re-admission to the College.

Students seeking re-entry to the College following suspension or expulsion are required to contact the Manager, Security to make this request.

A meeting will be arranged between the student, the Director, Student Rights and Responsibilities Office and the Manager, Security or designate to explore the student's circumstances and to determine whether the behaviours that led to the suspension or expulsion were now appropriately managed and no longer a source of concern. Consultation will be undertaken as appropriate. Final re-entry plans are to be approved by the Dean of Students.

In order to support the student's ability to manage his or her behaviour appropriately within the learning environment, a behavioural contract may be issued which clearly outlines the expectations for student's behaviour and the potential consequences should the student breach the terms of the behavioural contract. Behavioural contracts are reviewed and re-issued as required with the start of each subsequent semester the student attends.



**ATTACHMENT 1  
Student Behaviour Policy Flow Chart**

<b>College Response</b>	<b>Timeline</b>	<b>Responsibility</b>
<p><b>PLEASE NOTE: For safety or Security specific concerns, referrals are made to the Security Operations Centre.</b></p>	<p><b>Immediately</b></p>	<p><b>Student or College employee who observes or receives report of inappropriate student behaviour.</b></p>
<p><b>Level 1</b></p> <p>Responses to address inappropriate behavior:</p> <p>For students, peer to peer if comfortable.</p> <p>For staff, attempt to address the concerns informally and directly.</p> <p>Referral to College resources for additional support if required.</p> <p>Temporary student dismissal from the learning environment, as appropriate.</p> <p>Referral to the Manager, Student Rights and Responsibilities for behaviour deemed to be not manageable by the persons directly involved.</p>	<p>Immediately or a.s.a.p.</p>	<p>Student or College employee who observes or receives report of inappropriate student behaviour.</p>
<p><b>Level 2</b></p> <p>Referral to Manager, Student Rights and Responsibilities</p> <p>Matter reviewed by Manager, Student Rights and Responsibilities in conjunction with the Manager, Security or designate.</p> <p>Incidents and concerns reported to Director/Manager or Associate Dean who is responsible for the student, program, or area in which the incident occurred, if not already informed or involved.</p> <p>Formal review of the student behaviour incident or concern(s) may be conducted. Completed by the Manager,</p>	<p>Directly or following Level 1</p>	<p>Student or College employee who observes or receives report of inappropriate student behaviour.</p> <p>Director, Student Rights and Responsibilities Office Manager, Security or designate.</p> <p>College employee who observes or receives report of inappropriate student behaviour.</p> <p>Manager, Security</p>

<p>Security or designate within five (5) working days or maximum of ten (10) working days, with extension.</p> <p>Report of findings provided to Dean of Students, Academic area Associate Dean/ Dean of the student's program or Service area.</p> <p>Sanction decision made by Dean of Students informed by Manager Student Rights and Responsibilities and Manager, Security and in consultation with area administrator, as appropriate.</p> <p>In the case of suspension, a written letter outlining the sanction and rationale will be provided to the student.</p>		<p>Manager, Security</p> <p>Dean of Students</p> <p>Director, Student Rights and Responsibilities Office, Manager, Security, Dean of Students as appropriate.</p>
<p><b>Level 3 Critical Behavioural Incident</b></p>		
<p>Interim suspension issued by the Manager, Security to allow for an investigation period</p> <p>Management of the matter under ERP810-Reporting and Responding to Violence Procedure will be considered when serious, imminent, life threatening injuries occur.</p> <p>Final decisions regarding suspensions and expulsions reside with the Dean of Students, informed by the Manager, Security and in consultation with a Mohawk Executive if required.</p> <p>Written letter outlining the final decision and rationale provided to a suspended or expelled student.</p>	<p>Immediately/as indicated</p>	<p>Manager, Security</p> <p>Dean of Students</p> <p>Dean of Students Mohawk Executive</p> <p>Manager, Security and/or Dean of Students.</p>
<p><b>Re-Entry Process</b></p> <p>Students seeking re-entry to the College following suspension or expulsion are required to contact the Manager, Security to make this</p>		<p>Student</p>

<p>request.</p> <p>Meeting with student, Manager, Student Rights and Responsibilities and Manager, Security to explore the student's circumstances, develop re-entry plan where indicated.</p> <p>Re-entry plans approved by Dean of Students</p> <p>Behavioural contracts may be issued</p>		<p>Manager, Student Rights and Responsibilities Manager, Security</p> <p>Dean of Students</p> <p>Director, Student Rights and Responsibilities Office</p>
<p><b>APPEAL PROCEDURE</b> <b>Activity</b></p>	<p><b>Timeline</b></p>	<p><b>Responsibility</b></p>
<p>Appeal initiated by Student. Written Notice of Appeal filed and \$25 fee paid to Registrar.</p>	<p>Within ten (10) working days of the date decision was rendered to student</p>	<p>Student Registrar's Office</p>
<p>Appeal Hearing Set up</p>	<p>Within ten (10) working days of the date of filing the appeal</p>	<p>Registrar's Office</p>
<p>Appeal Conducted</p>	<p>Within ten (10) working days of the date of filing the appeal</p>	<p>Registrar (Chair) 1 Faculty member 1 Non Faculty member 2 Students (1 from MSA or MCACES Board and 1 student at large) 1 Associate Dean</p>