Mohawk College supports positive learning experiences and academic success and for its students. In doing so, the College is guided by two policy frameworks: ‘Student Rights and Responsibilities’ and ‘Student Success.’ These frameworks promote a safe and respectful environment that maximizes opportunities for student success and uphold the rights and responsibilities of members of the Mohawk College community.

1. Purpose
The purpose of this policy framework is to demonstrate Mohawk College’s commitment to fostering a safe, responsive College environment that outlines standards of conduct for the student experience and responses to resolve student issues in keeping with the principles of transparency, accountability and predictability.

2. Application and Scope
This policy framework applies to students and all stakeholders of the Mohawk College community involved with the student experience. Students registered in the Mohawk-McMaster collaborative programs follow McMaster Policy and Procedures for Academic direction and decisions however they follow Mohawk College Policy and Procedures for student services and support.

3. Definitions

“Academic Dishonesty” refers to any conscious, deliberate or reckless step or omission taken to obtain academic credit through deception and/or fraudulent means. Academic dishonesty includes but is not limited to the following examples: misrepresentation of personal credentials of achievement, plagiarism, cheating on examinations or tests, passing the work of others off as your own, and undisclosed conflicts of interest.

“Appeal” is the procedural process in which a decision is formally reviewed with the intent to correct a perceived error.

“Discrimination” means any form of unequal treatment based on an Ontario Human Rights Code ground that results in disadvantage, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. It may be obvious, or it may occur in very subtle ways.
“Expected Behaviour” refers to student actions that make Mohawk College a productive and positive place to learn and work.

“Harassment” means a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by the Ontario Human Rights Code.

Examples of harassment include, but are not limited to:

- Inappropriate or insulting remarks, gestures, jokes, innuendoes or taunting about a person based on a Protected Ground;
- Showing or circulating offensive pictures, graffiti or materials, whether in print form or using email or other electronic means;
- Singling out an individual for humiliating or demeaning ‘teasing’ or jokes because they are a member of a protected group; and/or
- Comments ridiculing an individual because of characteristics, dress, etc. that are related to a ground of discrimination.

“Inappropriate behavior” 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 of the ‘Student Behaviour Policy’).

“Mohawk College Community” refers to students, employees, contractors, visitors or guests on Mohawk campuses and/or carrying out Mohawk College activities.

“Penalties/Sanctions” are corrective responses that are imposed to address inappropriate behaviour (for a list of Corrective Measures and Responses, see Appendix C Student Behaviour Policy).

“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.

“Sexual Harassment” is a course of comment or conduct based on an individual’s sex, gender, or gender identity that is known or ought reasonably to be known to be unwelcome. Gender-based harassment is a subset of sexual harassment. It refers to behaviour that polices and reinforces traditional heterosexual gender norms.

“Student Experience” refers to conditions and actions that impact student membership and learning in the Mohawk community.

4. Principles

4.1 Safe and Respectful Learning Environment
Mohawk College is committed to establishing and maintaining a learning and working environment 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 Fairness for All
Mohawk College recognizes its obligation to ensure that all policies and procedures are fair and applied consistently. Every College community member should feel free to bring their complaints or disputes forward and those against whom allegations are made have a full and fair opportunity to address those allegations.

4.4 Administrative Rights
Mohawk College has the right to manage its own environment as it deems appropriate pursuant to the provisions set out in this policy and related procedures. The College is entitled to specific rights in order to govern action, procedures and decision making in responding to complaints or disputes which safeguards fairness for all.

4.5 Accessibility
Mohawk College is committed to standards of accessibility in keeping with Provincial Legislation by providing goods services and an environment that removes barriers physically and in accessing or understanding information.

4.6 Healthy Environment
Mohawk College is committed to maintaining a healthy campus community. Students who are experiencing health challenges which disrupt the learning environment may benefit from stepping out of the College on a voluntary or involuntary basis. Every effort will be made to support a student’s re-entry to the College when health is restored.

4.7 Responsive Intervention
Mohawk College recognizes that disputes, misconduct and complaints are an expected part of the College environment and is committed to ensuring responses are timely, efficient and appropriate to support the remedy of a particular incident or situation.

4.8 Constructive Partnerships
All members of the Mohawk College community are responsible for maintaining and promoting an environment that is responsive, resolution focused and free of discrimination and harassment.

4.9 Privacy and Confidentiality
Mohawk College is committed to protecting the privacy of individuals and the confidentiality of data. The sharing or disclosing of information is governed by the College’s ‘Privacy and Legal Statements’ and the ‘Access to Student Records Policy.’
5. Accountability and Compliance

5.1 Accountability Framework
This policy has been approved by the Senior Leadership Team.

5.2 Compliance
The Dean of Students is responsible for monitoring the effectiveness of this policy and initiating the review of the policy on a three-year cycle.

6. Rules

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 Mohawk 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 vandalized College policy.

6.4 Mohawk College is responsible for making this Policy Framework known and accessible to students and staff.

6.5 Students are responsible for their own behaviour in any College-related activity, on or off-campus. They are expected to acquaint themselves with the principles, policies and procedures that govern student behaviour.

6.6 Employees are expected to abide by the Mohawk College Code of Conduct and any applicable professional standards or regulatory bodies.

6.7 Mohawk College supports informal responses, including restorative approaches and the use of early, informal methods of resolution, such as mediation where and when appropriate.

6.8 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 and/or failure to comply with previous disciplinary requirements.

Approved by SLT January 18, 2017
• 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.
• The College may turn to outside authorities—such as the police—for assistance

6.9 Sanctions against employees or student respondents may not be shared with the complainant subject to privacy laws, regulatory bodies, Terms of Employment and/or Collective Agreements

6.10 Where the management of a student behaviour incident involves allegations against a staff member, Human Resources will be informed and involved to the extent required.

6.11 Facilities managed by third parties are governed by their respective rules and/or regulations. The provisions of the ‘Student Behaviour Policy’ will be applied where necessary.

6.12 A student may appeal a sanction decision according to the appeal process identified under the appropriate policy.

6.13 Mohawk 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.

6.15 Mohawk College may at its sole discretion terminate a relationship with a student if that relationship becomes frustrated and attempts to resolve and restore the relationship are unsuccessful.

7. Policy Revision Date

7.1 Revision Date
January 2019

7.2 Responsibility
The Dean of Students will review this policy every three years or earlier when required.

8. Specific Links
CS-1317-2012 Harassment Policy
CS-1401-1979 Health and Safety Policy
CS-1502-2002 Information Technology Use & Security Policy
GC-4200-2013 Social Media Policy
GC-4300-2013 Accessibility (AODA) Policy
GC-4301-1982 Human Rights Policy
GC-4302-2015 Sexual Assault and Violence Policy

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SS-3105-2009 Academic Appeals Policy
SS-3106-1978 Access to Student Records Policy
SS-3200-2006 Student Behaviour Policy
SS-3201-2013 Academic Accommodation for Students with Disabilities Policy
SS-3203-2008 Academic Honesty Policy
SS-3204-2006 Student Complaint Procedure
ERP801 Emergency Response Policy
ERP810 Reporting and Responding to Violence Procedure
ERP802 Internal Crisis Communication Procedure
ERP809 Emergency Lockdown Procedure
ERP811 Health Risk to College Community Procedure
Mohawk College Privacy and Legal Statements

*Human Rights Code*
https://www.ontario.ca/laws/statute/90h19

*Accessibility for Ontarians with Disabilities Act*
https://www.ontario.ca/laws/statute/05a11

*Freedom of Information and Protection of Privacy Act*
https://www.ontario.ca/laws/statute/90f31

*Personal Health Information Protection Act*
https://www.ontario.ca/laws/statute/04p03