

## STUDENT NON-ACADEMIC MISCONDUCT POLICY

Policy Name: Student Non-academic Misconduct	Responsible Owner: Vice President, Student Affairs	Created: 1999
Policy Number: A20	Approval Body: Senior Management Team	Last Review/Revision: 2024 Apr
Category: Administration	Replaces: A10.02.02; formerly Standards of Student Conduct	Next Review: 2030 Apr

### TABLE OF CONTENTS

- A. PURPOSE
- B. SCOPE
- C. DEFINITIONS
- D. POLICY STATEMENTS
- E. PROCEDURES
- F. SUPPORTING FORMS, DOCUMENTS, WEBSITES, RELATED POLICIES
- G. RELATED ACTS AND REGULATIONS
- H. RELATED COLLECTIVE AGREEMENT

#### A. PURPOSE

Douglas College (the College) is committed to providing an environment that is safe, inclusive and free from Bullying and Harassment and other forms of Non-academic Misconduct. This policy describes the obligations of all Students to behave in a manner consistent with this commitment and with published [College Values](#), and establishes procedures for responding to and resolving Complaints against Students for Non-academic Misconduct.

#### B. SCOPE

This policy applies where Non-academic Misconduct is alleged to have been committed by one or more Student(s) and where the alleged incident(s) occurred

- a. on College Property;
- b. off College Property in connection with a College-related Event or Activity sponsored, organized, led or required by the College; or
- c. in other circumstances that may adversely affect the working or living environments at the College, or the College's interests or reputation.

#### Limitations of Scope

This policy does not apply to alleged incident(s) of Misconduct relating strictly to matters of academic integrity (e.g., plagiarism, cheating); in such matters, see the [Academic Integrity](#) policy.

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This policy is not intended to prohibit the respectful expression of differing viewpoints or peaceful protest; nor is it intended to fetter Students their free pursuit of scholarly knowledge or engagement in frank discussion of controversial issues in their coursework, provided that such pursuits and discussions are conducted in a civil and respectful manner.

#### Application of Other College Policies

Conduct that violates this policy may also violate other College policies, such as but not limited to the following:

- For discrimination on grounds protected under the BC Human Rights Code

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Employee: A person employed by the College, including administrators, faculty members, staff, and Students when employed by the College (e.g., as Student Assistants or Peer Tutors).

Investigator: A person appointed to investigate a Complaint

Non-academic Misconduct: Conduct by a Student that is contrary to the College's commitment to providing an environment consistent with published [College Values](#), an environment that is safe and inclusive and in which all members of the College Community are treated with civility, dignity and respect; may consist of Academic Staff (D) 2 (C) 1 and 6 of 7 (pdf) na-e6 (p) 0.7 (p) 2 [(a)-3ua (ig) 5 (e) Coe



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4. Students and other members of the College Community who file a Complaint regarding an incident of Nonacademic Misconduct can expect the College to provide the following:

- Compassion, dignity and respect in the handling of the Complaint and any subsequent Investigation;
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in a particular type of behavior, restricting access to a specific campus or specific areas of College Property; and/or suspending/placing on leave from the College or both of the Parties.

Such interim measures will be precautionary rather than disciplinary and should therefore, remain in place for as short a time as possible

9. Complaints of Non-academic Misconduct may involve confidential and sensitive information. The College recognizes its responsibility to avoid or minimize circumstances that might reasonably be expected to cause participants distress, so that those who may have (o)-3.3.2 ((a.2 (ef)13.(p)5.3 e(ts)1.

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## Safety Planning

Any member of the College Community affected by an incident of Non

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appropriate College Support Person to participate in a supportive role alongside them during any informal resolution process.

- For Students, this Support Person will normally be the Douglas Students' Union Ombudsperson, a College Counselor or a person from Indigenous Student Services;
- For unionized Employees, this Support Person will normally be a steward or union representative;
- For non-unionized Employees, this Support Person will normally be another administrator.

The person facilitating or mediating the informal resolution process may consider requests for others to serve as Support Persons they are particularly encouraged to consider intersectional factors of vulnerability and/or systemic barriers faced by persons from underrepresented or marginalized groups and to be receptive to inclusion of other Support Persons where such inclusion would serve to lessen such barriers or marginalization

4. The Complainant or Respondent may withdraw their participation from an informal resolution process at any time.

#### Submitting a Complaint of Alleged Non-academic Misconduct

If the matter cannot be resolved informally, or if the affected member(s) of the College Community do not wish to pursue informal resolution a Complaint may be filed in accordance with the procedures outlined below

##### 1. Complaints are to be submitted as follows:

- Complaints filed by an Employee against a Student should be submitted to the Complainant's Responsible Administrator.
- Complaints filed by one Student against another Student should be submitted to a College Employee with whom the Complainant feels comfortable (e.g., an instructor, a counselor, a department Chair/program Coordinator, Associate Dean or Dean of





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4. Under exceptional circumstances, where the Responsible Administrator (RA) is unable to meet the timelines set out above, the RA will inform the Complainant as soon as possible of this fact and provide a revised timeline.

#### Alternative Resolution Processes

The College recognizes that alternative resolution processes may be most appropriate when the Parties to the Complaint belong to the same group (e.g., they are both students), and less appropriate when there is a real or

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- b. Meeting separately with or requesting further information from the Complainant;
  - c. Meeting separately with or requesting further information from the Respondent;
  - d. Meeting separately with or requesting further information from any other individuals who may have information relevant to the investigation; and
  - e. Obtaining any other evidence that may be relevant to the investigation.
10. At the completion of the investigation, the Investigator will submit a written report to the Responsible Administrator (RA) who appointed the Investigator. Where the RA who received the Complaint is conducting the investigation, that RA also notify other College administrators (e.g. the Director, Safety, Security and Risk Management, Vice President, Student Affairs) and/or the RAs for the Parties, as appropriate. The report will normally include the following information:
- a. A summary of the evidence considered;
  - b. Any assessment of credibility that is required to render a determination;
  - c. The Investigator's findings of fact; and,





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5. To maintain the integrity of the investigation process, the College must ensure that both Complainants and Respondents know the Investigator's findings.
  6. Under the [Freedom of Information and Protection of Privacy Act](#), the College will authorize the disclosure of disciplinary actions it has taken against a Respondent only if such disclosure is necessary for compelling health or safety reasons (e.g., the College will normally inform Complainants of any restrictions that have been imposed upon the Respondent's movements or activities).

Retaliatory Action, Breaches of Confidentiality, and Complaints Made in Bad Faith