
Student Code of Conduct

Policy Number:	1112
Key Process Area:	Student Services
Owner:	VP AISA
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POLICY STATEMENT

New Brunswick Community College (NBCC) believes that learning in an adult education setting offers holistic development of the learner. A climate of collaboration and respect of self, of others and of established rules and regulations is the setting by which an effective environment of learning is established.

NBCC recognizes that students have fundamental rights pertaining to their opportunity to learn and are responsible to conduct themselves in an appropriate manner.

PURPOSE

The purpose of this policy is to define the standard of general conduct expected of students.

SCOPE AND LIMITATIONS

This policy applies to a student's conduct from their admission to a course or program until the student has graduated or ended their enrollment at NBCC. The policy applies to conduct during all activities relating to the operations of NBCC, whether they occur on or off NBCC premises. Additionally, students are responsible for any guest that they bring to campus. This would include any NBCC sanctioned events on or off campus.

The provisions of the Student Code of Conduct shall not impinge upon students' lawful freedom of expression. All College community members are subject to all local, municipal, provincial, and federal laws. In cases where the College is aware of the potential violation of criminal law, the College may refer the incident to the appropriate law enforcement agency.

1.0 DEFINITIONS

College Community Members

Any person who studies, teaches, conducts research, or works at or under the auspices of the College, including, but not limited to any person who is an employee of the College; students of the College; visiting scholars, and any other persons while they are acting on behalf of or at the request of the College; and a contractor engaged by the College.

Major Misconduct

Conduct which breaches the students' express or implied obligations as set out in the Student Code of Conduct, and is also threatening, aggressive, harassing, discriminatory, violent, or harmful or potentially harmful to property or individuals. It also includes recurring minor misconduct (even if the student had acknowledged their responsibility for previous minor misconduct).

Minor Misconduct

A breach of the Student Code of Conduct policy that has had a limited impact on the rights or academic experience of others but may have created a disturbance or had an impact on the operation of the college community.

Procedural Fairness

The process that ensures that an individual who is alleged to be in violation of a policy is given fair consideration in the determination of responsibility.

Respondent

A student who is alleged to have engaged in prohibited conduct.

Technology Resources

Including but not limited to computing devices, communication devices, hardware, software, applications, storage, and other network infrastructure authorized for use by college students.

2.0 STUDENT RIGHTS

- 2.1 Students may expect to learn in a healthy and safe environment.
- 2.2 Students may gather in a peaceful and harmonious fashion.
- 2.3 Students may expect the NBCC environment to be free from harassment, indignity, injury, or violence.
- 2.4 Students have the right to expect quality services and resources that support instruction and student life.
- 2.5 Students will be informed of the location of all NBCC policies, guidelines and any course or program specific materials regarding study and general conditions at NBCC.
- 2.6 Students are provided with a forum to provide feedback on NBCC's programs and services.
- 2.7 The confidentiality of all information regarding students will be respected. Within the generally accepted rules of ethics employees and staff members may access student records in performing their professional duties. Confidential student information (meaning private and sensitive information related to issues such as a student's health, finances, or academic performance) will be maintained in confidence. The student must consent in writing to their disclosure.
- 2.8 Students have a right to freedom of opinion and expression in the classroom within the context of the course content.

3.0 STUDENT RESPONSIBILITIES

It is the responsibility of all students to be familiar with this policy and to adhere to the standards of student conduct outlined in NBCC policies and procedures. The College has a responsibility to evaluate, investigate, and adjudicate allegations of violations of the Student Code of Conduct policy in a manner that adheres to the principles of procedural fairness.

3.1 It is the student's responsibility to:

- a. conduct themselves in a manner that is consistent with the core values embraced by the College community and reflected in its various codes and policies.
- b. familiarize themselves with NBCC policies and guidelines.
- c. operate in a climate of collaboration and respect for self, of others and of established rules

- and regulations.
- d. ensure that their conduct contributes to a productive learning environment.
 - e. assume responsibility for the maintenance of NBCC equipment assigned to their care.
 - f. use technology resources authorized for student use at NBCC campuses in a responsible, ethical, and legal manner.
 - g. where the student is enrolled in a safety sensitive program or safety sensitive activity, to disclose to a NBCC Learning Strategist the consumption of any prescribed medication(s) and/or existence of any medical condition(s) which the student understands to have the potential to cause impairment. Examples of safety sensitive programs and safety sensitive activities are set out in the document Safety Sensitive Programs and Activities (1300.4882).
 - h. adhere to all student related policies.
 - i. communicate with their instructors and/or coordinating instructors, and staff regarding needs, concerns or issues that may impact their successful learning in a respectful way.
 - j. adhere to various dress codes and requirements as set forth by their respective programs and approved by NBCC. Proper dress attire which meets safety, industry, and professional standards, while on work term/practicum/job exposure or field placement is required.
 - k. observe and adhere to all safety policies. This includes the use of safety equipment, materials and clothing as mandated by industry standards and occupational health and safety policies.

3.2 Student Behaviours

3.2.1 The following behaviours are unacceptable:

- a. **Personal Disrespect**-objectionable or offensive behaviour that is directed at an individual and is known, or ought reasonably to be known, to be unwelcome. This includes objectionable conduct, comments or displays made on either a one-time or continuous basis that demeans, belittles or causes personal humiliation or embarrassment. Examples include, but are not limited to:
 - i. bullying behaviour
 - ii. rumour or gossip
 - iii. isolation and exclusion
 - iv. denigration of a student, co-worker, colleague, person in authority (face-to-face or through social media), or members of public with whom they interact as a result of their employment
- b. **Discrimination**-the unequal treatment of people based on identifiable characteristics which grounds are protected by the *New Brunswick Human Rights Act* such as but not limited to race, colour, religion, national origin, ancestry, place of origin, age, physical disability, mental disability, marital status, family status, sexual orientation, gender identity or expression, sex (includes pregnancy, the possibility of pregnancy or circumstances related to pregnancy), social condition, political belief or activity.
- c. **Sexual Harassment**-any conduct, comment, gesture or contact of a sexual nature that is likely to cause offence or humiliation to an individual. It is conduct or comments of a sexual nature that is known, or ought reasonably to be known, to be unwelcome. Sexual

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- harassment includes behaviour that might reasonably be perceived by a person as placing a condition of a sexual nature on employment or any opportunity for training or promotion. Examples include, but are not limited to:
- i. leering
 - ii. sexist jokes
 - iii. display of sexually offensive material
 - iv. use of sexually degrading words to describe a person
 - v. derogatory or degrading remarks about sexual orientation
 - vi. sexually suggestive or obscene comments or gestures
 - vii. inquiries or comments about a person's sex life
 - viii. unwelcome sexual flirtations, repeated unwanted social or sexual invitations
 - ix. unwanted touching
 - x. sexual assault
- d. **Abuse of Authority**-an individual's improper use of the power and/or authority inherent in a position to jeopardize other employee's jobs, to undermine job performance, to threaten the economic livelihood of College Community Members, or in any way to interfere with or unduly influence a College Community Member's career or education. It is the exercise of authority in a manner serving no legitimate work or educational purpose and ought reasonably to be known to be inappropriate. Examples include, but are not limited to:
- i. intimidation
 - ii. threats of dismissal or other negative consequence
 - iii. insults
 - iv. physical contact
 - v. coercion
- e. **Creating a Poisoned Community Environment**-usually characterized by demonstrating offensive or intimidating behaviour that creates a negative community environment. It can be directed at an individual, a group or no one in particular. A poisoned community environment can be created by employees, by a manager or where there is generally little or no effort by an authority figure to restrain or correct the offensive or hostile behaviour of those under their supervision.
- f. **Violence**-physical violence and psychological violence, including bullying, mobbing, teasing, ridicule or any other act or words that could psychologically offend or isolate a person in the workplace or learning community.
- g. **Use of Social Media** to threaten, harass or abuse. Social media is any form of electronic or digital medium of communication including but not limited to email, voice mail, Facebook, Twitter, instant messaging, texting, sexting and blogging. The misuse of social media and its impact is not restricted to the physical workplace and learning community.

3.2.2 Students are not permitted to:

- a. demonstrate behavior that threatens to subject any person, student, or staff, to physical, sexual, mental, or verbal harassment. All NBCC employees and students are entitled to work and learn in a respectful and harassment-free environment. NBCC will not tolerate any form of disruptive and disrespectful conduct, including disrespectful conduct or harassment that is sexual in nature or is based upon but not limited to race, ethnic origin, age, sex, marital status, disability, sexual orientation, or any other form of discrimination prohibited by the Human Rights Act.

- b. coerce other students in support of any personal political, religious, or social agenda, or use a program or class as a forum to complain about another program or class or member of the instructional staff.
- c. use or possess any weapons, firearms, explosives (including fireworks) and dangerous or hazardous substances (except for authorized training exercises) at any NBCC-related event, whether occurring on NBCC property or not.
- d. use or possess illegal drugs, misuse prescribed drugs or be under the influence of illegal drugs while on NBCC property or attending NBCC- related events whether occurring on NBCC property or not.
- e. intentionally damage, destroy or move without having authority or permission, the property of NBCC, or of any student or staff member.
- f. engage in improper student conduct such as cheating, plagiarism, fraud, deceit, or other forms of academic dishonesty.
- g. forge, alter, or misuse NBCC's name, or the name of any NBCC employee on documents, records, correspondence, or identification.
- h. use (with the exception of authorized training exercises) or possess alcoholic beverages on NBCC property (with the exception of sanctioned college social activities) or be present on campus while intoxicated.
- i. disturb, disrupt, or otherwise interfere with the learning activities of other students or staff. This includes the disruptive use of all hand-held or portable communication or telecommunication devices.
- j. use, enter or remain on NBCC property without authorization, or attempt to block access to or from a NBCC facility or disrupt the scheduled use of any NBCC facility.
- k. fail to obey the authorized instructions of NBCC officials or employees performing their duties or fail to obey all published or posted regulations relating to the use and entry of NBCC buildings and facilities.
- l. fail to follow policy as required by NBCC policies and regulations.
- m. engage in any form of unauthorized gambling or gaming while on campus.

4.0 IMPLEMENTATION

4.1 Addressing Breaches of the Student Code of Conduct

The process of addressing potential breaches of the Student Code of Conduct is designed to incorporate a developmental approach. NBCC is committed to encouraging critical reflection and taking accountability for one's actions. Where possible and appropriate, education and provision of support services shall be used to attempt informal resolution of a matter before proceeding to formal disciplinary procedures.

Program-specific professional organizations and associations may have their own code of ethics, with which students shall comply. To the extent that they do not conflict with this policy, any

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violations shall be handled in accordance with the code of ethics of such professional organization or association.

The College reserves the right to:

- determine whether a matter should be addressed under this policy.
- take necessary and appropriate actions to protect the safety and welfare of individuals on campus or the campus community as a whole notwithstanding this policy.
- use information provided by external agencies such as the police or the courts.
- determine whether behavioural restrictions should be put in place regardless of the location of the incident or the actions of external agencies such as the police or the courts.

The College may also invoke, in place of or in addition to its own procedures, civil, criminal, or other remedies which may be available to it as a matter of law.

4.2 Student Appeal

If a student believes they have been falsely accused, they may appeal using the steps outlined in the Student Appeal (1000.4809) process.

5.0 OTHER RELATED DOCUMENTS

Academic Integrity (1111)

Addressing Breaches of the Student Code of Conduct

Addressing Potential Student Impairment Guideline (1300.4880)

Maintaining a Respectful Community (4202)

NBCC Campus Computer Labs Student Technology Usage Guideline (1112.4801)

PASS Guideline (1000.4922)

Safety Sensitive Programs and Activities (1300.4882)

Sexual and Gender-Based Violence (1308)

Student Appeal (1000.4809)

Student Records (1303)