
Student Code of Conduct

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Owner:	VP AR
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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 students have fundamental rights pertaining to their opportunity to learn.

NBCC recognizes these rights as well as the responsibility of the student to conduct themselves in an appropriate manner.

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

The student conduct process is designed to incorporate a developmental approach. We are 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.

PURPOSE

The purposes of this policy are to:

- define the standard of general conduct expected of students, and
- describe the procedure the College will follow when an allegation of student misconduct is made.

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 use of technology resources, including personal communications, social media, and online profiles, to engage in behavior intended or with the potential to do harm to another student or member of the NBCC community in general will be treated as having equal impact and intent as other means of communication, and is also within the scope of the policy.

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

Abuse of Authority

Is an individual's improper use of the power and/or authority inherent in a position to jeopardize another person's ability to complete their work, to undermine work performance, to threaten the economic livelihood of individuals, or in any way to interfere with or influence an individual's progress through school or career. 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:

- Intimidation
- threats of dismissal
- insults
- physical contact
- coercion

Creating a Poisoned Community Environment

Is 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.

Discrimination

Is the unequal treatment of people based on identifiable characteristics which grounds are protected by the New Brunswick Human Rights Act. This includes 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.

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.

Personal Disrespect

Is 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:

- bullying behaviour
- rumour or gossip
- isolation and exclusion
- denigration of a student, co-worker, colleague, or person in authority (face to-face or through social media)

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.

Sexual Harassment

Is 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 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:

- leering
- sexist jokes
- display of sexually offensive material
- use of sexually degrading words to describe a person
- derogatory or degrading remarks about sexual orientation
- sexually suggestive or obscene comments or gestures
- inquiries or comments about a person's sex life
- unwelcome sexual flirtations, repeated unwanted social or sexual invitations
- unwanted touching
- sexual assault

Social Media

Websites and applications that enable users to create and share content or to participate in social networking (including, but not limited to, Facebook, Twitter, Instagram, Snapchat, and group forums).

Technology Resources

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

Use of Social Media to threaten, harass or abuse.

Social media is any form of electronic or digital medium of communication including 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.

Workplace Violence

Is 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.

2.0 IMPLEMENTATION

Whenever it is possible and appropriate to do so, administrators of this policy will use developmental conversations and approaches in all interactions with students, including follow-up on matters related to this policy.

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 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 or not a matter should be addressed under this policy.
- take necessary and appropriate action 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 or not 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.

2.1 Student Conduct

2.1.1 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. operate in a climate of collaboration and respect of self, of others and of established rules and regulations.
- c. attend their program and program activities regularly and on time.
- d. complete assignments, labs, projects, and other learning activities on time.
- e. ensure that their conduct contributes to a productive learning environment.
- f. assume responsibility for the maintenance of NBCC equipment assigned to their care.
- g. use technology resources at NBCC campuses in a responsible, ethical, and legal manner.
- h. 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).
- i. Adhere to all student related policies.

- j. be aware of the criteria for successful completion of each course in which they are enrolled, as stated in the course outline.
- k. 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.
- l. 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.
- m. 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 & safety policies.

2.2 Student's Obligations

2.2.1 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 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 to use one 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 (with the exception of 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 authority or permit to be damaged, destroyed or moved without authority, 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 being on campus while intoxicated.

- i. disturb, disrupt, or otherwise interfere with 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.

2.3 Student Rights

- 2.3.1 Students may expect to learn in a healthy and safe environment.
- 2.3.2 Students may gather in a peaceful and harmonious fashion.
- 2.3.3 Students may expect the NBCC environment to be free from harassment, indignity, injury, or violence.
- 2.3.4 Students have the right to expect quality services and resources that support instruction and student life.
- 2.3.5 Students will be informed of NBCC rules, policies, guidelines and course/ program specific materials regarding study and general conditions at NBCC.
- 2.3.6 Students will receive, within the first two classes of a course:
 - a) a course outline that advises the student of assessment criteria, course objectives, evaluation methods, methodology, and availability of instructors.
 - b) information from the instructor on class participation and punctuality, marking scheme, estimated waiting period for obtaining academic results and any time related penalties for late assignments.
- 2.3.7 Students will be informed in a timely manner of any change in a course delivery schedule.
- 2.3.8 Students may, within a prescribed time period and with reasonable cause, change a course in their registration, or transfer to a different section of a course, if available, after classes have begun.
- 2.3.9 Students should expect to receive proper and impartial evaluation of their performance.
- 2.3.10 Students may review their completed assignments, once marked, unless the instructor has previously informed the students otherwise.
- 2.3.11 Students have the right to obtain their marks and NBCC certification within a reasonable time frame.

- 2.3.12 Students are provided with a forum to provide feedback on NBCC's programs and services.
- 2.3.13 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 health, finances, or academic performance) will be maintained in confidence. The student must consent in writing to their disclosure.
- 2.3.14 Students have a right to freedom of opinion and expression in the classroom within the context of the course content.

2.4 Addressing Potential Breaches of the Student Code of Conduct

- 2.4.1 Instructors have the right to remove a student from a training activity when they assess that the health and safety of the student or others may be in jeopardy.
- 2.4.2 In the event a NBCC staff member assesses that a student may be impaired, the student will be referred through the Program to Assist Student Success (PASS) process to begin the assessment process.
- 2.4.3 Where a potential breach of the Student Code of Conduct has been found, the Manager, Student Development or designate will be consulted and the Student Assessment policy (1115) will be followed.

2.5 Non-Disciplinary Sanctions for Breaches of Student Code of Conduct

- 2.5.1 **Verbal/Written Warning:** formal notice by the Academic Chair that a student has violated NBCC's Student Code of Conduct, and that repeated or further conduct violations may result in disciplinary action up to and including expulsion. Verbal warning is issued at the time of the incident; followed up with written warning (copied to the student, and Manager Student Development).
- 2.5.2 **Coaching conversation empowers students through encouragement and teaching.** It reinforces strengths and explores challenges with the student. Successful coaching guides students towards success but promotes independent thinking and collaboration to overcome obstacles.
- 2.5.3 **Investigative Period:** A temporary suspension from NBCC facilities and all courses, programs, and services for a period of time to allow an investigation to be completed. The student will be notified in writing of the duration and conditions of the temporary suspension.
- 2.5.4 **Interim measures, –are non-punitive.** They are conditions and/or restrictions that may be placed on a student accused of alleged misconduct. Interim measures are implemented to support a safe campus environment and to maintain the integrity of the investigation.
- 2.5.5 **Educational or developmental assignments:** Meaningful and appropriate engagement opportunities or activities to promote student learning and performance and change future behavior.

2.6 Disciplinary Sanctions for Breaches of Student Code of Conduct

- 2.6.1 Conduct Probation:** A written order that includes specific terms and conditions as part of a student's continued enrolment. Conduct probation is for a specified period of time, meant to give the student the opportunity to modify unacceptable behavior, to complete specific assignments, or to demonstrate positive behaviors in an effort to regain full student privileges. Students are returned to Good Standing when all of the conditions have been met and the conduct probation timeframe has elapsed. Students on conduct probation are subject to further disciplinary action if there are other policy breaches or violations.
- 2.6.2 Short-Term Conduct Suspension:** Suspension of a student from participating in specified College activities, courses, programs, and services for a designated period of time not to exceed 4 months
- 2.6.3 Long-Term Conduct Suspension:** Suspension of a student from all courses, programs, and services for a period not less than 4 months and which may extend up to 5 academic years. Restriction from the campus or any NBCC property may be imposed. Re-admission may occur upon approval of the Director of Student Development if the conditions of suspension are met and if there is space availability.
- 2.6.4 Expulsion:** Expulsion of a student for further or extreme violation of NBCC's Student Code of Conduct policy. Expulsion is a permanent restriction from accessing any NBCC facilities and/or registering for or attending any courses, programs or services offered by NBCC. No re-admittance to the College is possible.

3.0 OTHER RELATED DOCUMENTS

Academic Integrity (1111)

Addressing Potential Student Impairment Guideline (1300.4880)

NBCC Campus Computer Labs Student Technology Usage Guideline (1112.4801)

Program to Assist Student Success (PASS) Guideline (1000.4922)

Safety Sensitive Programs and Activities (1300.4882)

Sexual Violence (1308)

Student Appeal (1000.4809)

Student Assessment (1115)

Student Conduct Process Map (1112.5298)

Student Records (1303)