
Heritage College Administrative Procedure #6 Relating to Breaches of the Rules of Student Conduct

Subject: Procedures relating to breaches of the rules of student conduct as set out in *Heritage College Policy #24 concerning Standards of Student Conduct*.

Administrator: Director of Student Services.

Issuing Service: Student Services

Coming into Force: September 19, 2000.

Revised: N/A

Purpose

The purpose of this document is to provide standard procedures relating to the application of *Heritage College Policy #24 concerning Standards of Student Conduct*.

Application

These procedures apply to all students of Heritage College.

Procedures

1) Breaches of the Rules of Student Conduct Involving Neither Physical Violence nor Statute Violation

1.1 Outside the Classroom

In instances which *do not* involve physical violence or statute violations the employee should, in cooperation with the Director of Student Services, follow the procedures described below:

1. In cases of minor breaches of rules, a verbal reprimand may be given.
2. In cases of major or repeated breaches of rules, the Director of Student Services may place a student on probation¹.

¹ See Section 3 for related procedures.

Heritage College Administrative Procedure #6 Relating to Breaches of the Rules of Student Conduct

1.2 Inside the Classroom

1.2.1 First Instance of Disruptive Behaviour

The teacher informs the class of College Policy #24, explains to the student(s) that disruptive behaviour on the part of one student or a small group may jeopardize their own or the success of other students in the course.

1.2.2 Second Instance of Disruptive Behaviour

The teacher should remind the student(s) that they have received an initial warning and ask the student(s) to leave. The student(s) may return to the next class. The teacher may decide, depending on the circumstances, to speak to the student(s) individually upon the student(s) return to the class, indicating that a third disruption will lead to more serious consequences.

1.2.3 Third Instance of Disruptive Behaviour

The teacher should ask the student(s) to leave immediately and go directly to see, or to make an appointment to see, the Academic Dean. The Dean will, during the course of an interview with the student(s), obtain from the student(s) a commitment that, if permission is granted for a return to the classroom, the disruptive behaviour will not recur. The student(s) will be asked to sign a statement to that effect; the statement will also affirm that the consequences of breaking the agreement will be serious and may lead to suspension from the course and/or the College. A copy of the signed statement may be put in the student's(s') file.

2) Breaches of the Rules of Student Conduct Involving Physical Violence or Statute Violation.

In instances which involve:

- significant disruption of the learning environment
- physical violence to another person or to College property
- possession of intoxicating beverages, drugs or weapons

Heritage College Administrative Procedure #6 Relating to Breaches of the Rules of Student Conduct

- failure to comply with reasonable direction from College employees, security personnel or law enforcement officers acting in the performance of their duties, on or off campus
- a student aiding, abetting or acting as an accomplice in the commission of any of the foregoing rule violations

The College employee shall:

- Take whatever prudent action that individual feels is necessary to ameliorate the situation (e.g., notify security, the police, the nurse, etc.).
- Immediately present a verbal report to the Director of Student Services (or a delegate).
- As soon as possible, submit a written report (signed and dated) to the Director of Student Services.

Upon receipt of a report (as described in the three preceding points, the Director of Student Services (or a delegate) shall take the following actions:

- When appropriate, ensure that security personnel, police and/or medical staff have been notified.
- Depending on the urgency of the circumstances and the severity of the infraction, take the following disciplinary action(s):
 - Issue a reprimand.
 - Place the student on probation², which should be duly recorded.
 - At the Director of Student Services' discretion, convene a meeting of the Student Discipline Committee³ as soon as possible, but in any event not later than four (4) instructional weekdays from the date of the incident. The student will remain in class until the results of the hearing are finalized, unless there is reason to believe that the safety of others is in jeopardy.
 - If there is reason to believe that the safety of others is jeopardized, the Director of Student Services will recommend to the Director General

² See Section 3 for related procedures.

³ The composition and mandate of the Student Discipline Committee are defined in article 7 of *Heritage College Policy #24 concerning the Standards of Student Conduct*.

Heritage College Administrative Procedure #6 Relating to Breaches of the Rules of Student Conduct

suspension of the student pending the outcome of the Student Discipline Committee hearing.

3) Cases Involving Probation⁴.

In cases where a student is placed on probation for breaching the rules of student conduct, the following procedures apply:

1. As soon as possible, the Director of Student Services or the Academic Dean will write a memorandum to the student stating that the student is on a probationary status. The memo to the student must contain the following items:
 - a description of the rule(s) violated, including the time, place and names of witnesses (if applicable);
 - a clear statement that the student's conduct was inappropriate and in violation of the rule(s);
 - a defined period of time during which the student must not repeat the inappropriate conduct or violate any other rule(s) of conduct;
 - a statement noting that the consequence of breaching the probation during this period will be further action by the Director General on the recommendation of the Director of Student Services;
 - the student's signature acknowledging receipt of a copy of the memorandum.

It must be emphasized that the student's signature on the memorandum in no way constitutes an admission of guilt, rather it is an acknowledgement of the student's receipt of a copy of the memorandum.
2. If a student violates the terms of probation, the Director of Student Services shall be informed.

All cases must be documented in writing.

⁴ Probation—a period of time not exceeding a semester. In cases where students are 17 years of age and under, parents or legal guardians will be notified.

Heritage College Administrative Procedure #6 Relating to Breaches of the Rules of Student Conduct

4) Student Discipline Committee⁵ Hearing Procedures.

The Director of Student Services will distribute written background information to all parties.

1. The Committee Chair will introduce all parties and outline the procedures to be followed at the hearing.
2. Individuals who allege that the student has engaged in inappropriate and disruptive conduct will give evidence. The student, or a representative⁶ on the student's behalf, will have the opportunity to question these individuals.
3. The student will be provided with the opportunity to give evidence personally and through witnesses.
4. Each party will have an opportunity to respond to the statements.
5. The Committee will determine any other individuals to be interviewed.
6. Committee members may ask questions of both parties.
7. The Committee will then deliberate in private and determine if allegations of misconduct are valid. If the allegations are found to be valid, the Committee may undertake any of the following actions:
 - reprimand the student;
 - draw up and put into effect a contract between the student and the College, a breach of which could result in other disciplinary action;
 - recommend to the Director General that the student be suspended;
 - recommend to the Director General that the student be expelled;⁷

⁵ The composition and mandate of the Student Discipline Committee are defined in article 7 of *Heritage College Policy #24 concerning the Standards of Student Conduct*.

⁶ If the student intends to bring counsel to the hearing, the student must so advise the Director of Student Services before the hearing takes place. More than one advisor may be allowed at the discretion of the Committee.

⁷ The discipline imposed pursuant to the recommendations of the Student Discipline Committee is subject to appeal under the provisions of article 8 of *Heritage College Policy #24 concerning Standards of Student Conduct*.

Heritage College Administrative Procedure #6 Relating to Breaches of the Rules of Student Conduct

- recommend other action(s) to the appropriate senior College administrator.
8. The Director General will communicate the decision to the student within three days of receiving the Committee's recommendations.

Revision

These procedures will be reviewed at least every three years, or when deemed necessary.

Heritage College Administrative Procedure #6 Relating to Breaches of the Rules of Student Conduct

Related Document⁸

This document is to be used in conjunction with:

- *Heritage College Policy #24 concerning Standards of Student Conduct.*
- *The Heritage College Charter of Rights and Responsibilities.*
- *Heritage College Policy #6 concerning a Respectful Workplace Free of Discrimination and Harassment.*

⁸ Copies of these documents are available from Student Services or from the Director General's office.