

MARIANOPOLIS COLLEGE

POLICY ON STUDENT CONDUCT

**All students are responsible for being acquainted
with and abiding by this policy**

Approved by the Marianopolis Board of Directors

February 25, 2002

POLICY ON STUDENT CONDUCT

In keeping with the vision and mission of Marianopolis College, all members of the College community share rights and responsibilities based upon integrity and respect for one another, for self and for our environment. The College is committed to ensuring an atmosphere that promotes cooperation, courtesy, personal safety, and inclusion. It safeguards the freedom to create, to study, to play, to learn, to speak and to associate.

Student Rights

Marianopolis College will:

- ensure students' right to pursue their educational goals as well as their personal and social development by assuring, as far as possible, the resources and atmosphere that these require;
- protect, in keeping with the Québec Charter of Human Rights and Freedoms, everyone's right to be treated equally and with respect, without harassment or discrimination of any kind including that based on gender, race, ethnicity, religion, sexual orientation or handicap or the use of any means to palliate a handicap;
- in the case of breach of regulations, judge each case confidentially and independently based on established regulations and in keeping with the College vision and mission and Provincial and Federal laws;
- protect a student's right to confidentiality particularly when reporting problems and concerns to Student Services or to College faculty or staff;
- provide an atmosphere of concern and support when dealing with students in situations of conflict or discipline.

Student Responsibilities

Students have a responsibility to:

- treat all members of the College community and the College environment with respect;
- be acquainted and comply with all official publications of the College which contain academic and non-academic regulations, policies and requirements. These publications include the College Calendar, the Educational Services Contract, the Policy on Student Conduct, the Institutional Policy on Evaluation of Student Achievement (IPESA), Student Agenda, What's Up, the Library Conduct Policy and the Computer Lab Users Agreement.

INFRACTIONS OF THE POLICY ON STUDENT CONDUCT

The present Policy is by no means all-inclusive; Marianopolis College also operates within the confines of the Provincial and Federal laws. Students may be subject to disciplinary action in all cases involving illegal acts, aggression against others and self, acts against property and unacceptable behavior whether such conduct occurs against a member or non-member of the College community and whether such conduct occurs on or off the College campus. Proscribed conduct includes but is not limited to, the following:

I. Illegal or Aggressive Acts:

1. Physical threat, abuse, assault or fighting;
2. Possession or use of dangerous materials or weapons;
3. Verbal threat, abuse or assault (including malicious libel, slander or defamation of character);
4. Stalking or sexual harassment of any person;
5. Propagation of hate literature, promotion of hatred in ideas or actions;
6. Knowing or willful abuse of a position of trust;
7. Inciting, aiding, being party to, or deliberately concealing another person's misconduct;
8. Possession, buying, selling or use of drugs or alcohol on campus.

II. Acts Against Property

1. Attempted or actual theft, damage to or loss of College, staff, faculty, visitor or student property;
2. Vandalism, defacement (including graffiti) or destruction of College grounds, buildings, facilities or equipment or of property of any member of the College community;
3. Failure to follow directives regarding the posting and distribution of flyers in the College;
4. Forgery, alteration or unauthorized use of any College document, records or ID card;
5. Misuse or abuse of College property including but not limited to computers, photocopy machines, books or telephones.

III. Unacceptable Behaviours

1. Behaviour in the classroom which is contradictory to the requirements of the teacher and interferes with the learning of other students;
2. Smoking in College buildings;
3. Parking on campus without authorization;
4. Setting off a false alarm or failure to vacate the building and comply

- with emergency evacuation procedures when an alarm is sounded;
5. Reckless driving;
 6. On-campus student-initiated projects for personal profit;
 7. Failure to identify oneself, refusal to produce a Marianopolis ID card or failure to comply with the directives of staff or faculty members acting in performance of their duties;
 8. Unauthorized use of the College name, crest, letterhead or College facilities;
 9. Gambling or participating in any games involving money or the exchange of property;
 10. Entering the College outside authorized hours without permission;
 11. Disturbing the peace (i.e. inappropriate language and tone).

THE DISCIPLINARY PROCESS

All members of the College community have a responsibility to report violations of this policy immediately to one of the following: the Director of Student Services (room A-108), the Associate Academic Dean (room F-311), the Security Officer or any College faculty or staff member.

In Cases of Classroom Disruption

The teacher:

- is authorized to determine and has the responsibility for communicating clearly the appropriateness of student behaviour in the classroom;
- has the discretion to take appropriate action to maintain an environment conducive to learning. Such action may include removal of a student or students for the duration of a class;
- will report incidents to the Associate Academic Dean who will identify and pursue a resolution. If the situation remains unresolved, the complaint will be forwarded for disciplinary action as follows:

In All Cases Requiring Immediate Action: Danger or Risk of Danger

For incidents which constitute an immediate and serious danger or risk of danger to any member or members of the College community or to College property:

- i. If possible, the Director of Student Services and the Associate

Academic Dean (or their delegates in the case of conflict of interest or lack of availability) will meet with the alleged offender(s) immediately. If requested, the Security Officer shall attend the meeting.

- ii. If action is required, the Director of Student Services and the Associate Academic Dean will submit a written statement immediately to the Academic Dean with a rationale for temporary suspension of the alleged offender(s).
- iii. A formal written statement from the Academic Dean to the alleged offender(s) will provide a rationale for and conditions of the suspension.
- iv. Notification of such an exclusion must be sent immediately to relevant College personnel.
- v. A committee of no more than 5 people including at least one member of the College Emergency Crisis Team and the President of Congress will meet immediately to consider any precautionary measures needed and will observe the following timelines.

Timelines for Disciplinary Action

These timelines will be used for all contraventions to this Policy.

I. Within 24 hours

- i. The Director of Student Services and the Associate Academic Dean (or their delegates in the case of conflict of interest or lack of availability) will initiate a review of the incident, including interviews with all relevant parties.
- ii. If the Director of Student Services and the Associate Dean, following their review of the incident, conclude that the accusation is unfounded, they will advise the Director General in writing.
- iii. If the Director of Student Services and the Associate Dean determine that the accusation is founded, they will attempt to discuss a resolution with the party/ies concerned.
- iv. If a resolution can be reached with the party/ies concerned at this stage, the Director of Student Services and the Associate Academic Dean will make a decision that sets out the resolution, including sanctions.
- v. This decision will be submitted in writing to the student(s) without delay.

- vi. Should there be no resolution at this stage and should there be grounds to proceed, a written report will be made by the Director of Student Services and the Associate Academic Dean and submitted to all parties concerned.

II. Within 48 hours of Receipt of the Report

- i. Within the above time frame, a Disciplinary Panel of 3 members of the College community will be called together by the Director of Student Services and the Associate Academic Dean to review the report and interview relevant parties. In cases deemed appropriate, a student can be invited to become one of the members.
- ii. This panel will select its chair.
- iii. The panel is authorized to call and question all parties concerned and review all relevant documents in order to come to a final conclusion about responsibility and the need for sanctions.

III. Within one week of the Conclusion of Panel Deliberations

- i. A final report from the Disciplinary Panel, with recommendations for sanctions if required, will be submitted to the Director of Student Services and the Associate Academic Dean within one week of its last meeting. Should sanctions be recommended, the report will suggest timelines and the person responsible for implementing the sanctions.
- ii. The Director of Student Services and the Associate Academic Dean will communicate their final decision in writing to the student(s).
- iii. Where possible, all sanctions will be imposed within one week of the deposit of the report.
- iv. One week after the imposition of sanctions, the person responsible for implementing the sanctions will report to the Director of Student Services or the Associate Academic Dean regarding the status of the sanctions.
- v. Should imposed sanctions be ignored, the Director of Student Services and the Associate Academic Dean will make a recommendation to the Academic Dean regarding appropriate action that may include expulsion or legal action.

IV. Appeals

- i. Any student found in breach of this policy has the right of appeal. Said appeal must be deposited with the Director General within one week of imposition of sanctions.
- ii. Following the request of the appellant, a decision will be made by the Director General about whether imposed sanctions remain in place during the Appeal process.
- iii. The appeal will be heard by the Director General who will review all relevant documents and make a decision within two weeks of the appeal about whether procedures were correctly followed and whether the sanctions imposed are appropriate.
- iv. The Director General will communicate this decision immediately to the appellant in writing.
- v. The Director General may decide that the appeal be denied and the sanctions originally proposed stand, that the appeal be accepted in part, that the sanctions be modified and what the sanctions should be, or that the appeal be accepted and the sanctions reversed.
- vi. The decision of the Director General is final.

All files of disciplinary cases heard will be kept with the Director of Student Services for at least the duration of the student's stay at the College. Access to documents will be limited to the student(s) in question and authorized College personnel. Files may be kept for five years.

SANCTIONS

These sanctions take precedence over all other requirements and considerations, including those on course outlines and extra-curricular agreements.

Students having been found to have acted in contravention of this College Policy will face the imposition of one or more of the following sanctions, depending on the gravity of the offense. The College reserves the right to take legal action if warranted.

Expulsion

Termination of student status and exclusion from campus. The conditions of re-admission, if any, will be stated in the order of expulsion. Tuition will be refunded on a pro rata basis after any debts have been cleared.

Suspension

Exclusion from the College campus and all College activities (including classes, tests, exams or supplemental work) for a specified period of time. It should be noted that none of the above school work can be made up at a later date.

Prohibition

Exclusion from a certain area or activity of the College for a specified period of time.

Disciplinary Probation

A specified period of time during which a student is under supervision for violation of regulations. Counselling may be mandatory. Further misconduct or refusal to comply with any requirements such as counselling will result in formal action including the possibility of expulsion.

Restitution

Reparation to the College or individual for damages. This payment can take the form of community service or financial compensation.

Loss of Privileges

Revocation of specified privileges or exclusion from participation in extra-curricular activities for a specified period of time. The President of Congress may be informed of any loss of privileges.

Apology

A formal apology written to the victim(s) by the student whose conduct has been found offensive to persons, groups or organizations. A decision will be made about appropriate dissemination of the apology on a case-by-case basis.

Reprimand

A verbal or written notice that continuation or repetition of a wrongful act will result in further disciplinary action.

CLARIFICATIONS AND DEFINITIONS:

College Community

The College Community is made up of all members of the faculty, staff, student body, alumni and invited guests of Marianopolis College.

**Computer Lab/
Library Regulations**

Use of Computer Labs and the Library is a privilege that is non-transferable. Besides having a responsibility to conform to copyright laws specified on their contract, students must respect written guidelines for lab and library use.

Confidentiality	The right to non-disclosure of information. The College reserves the right to confer with relevant individuals and bodies on specific issues.
Discrimination	<p>An act, behaviour or practice which treats an individual or group inequitably for any reason including race, religious belief, color, gender, physical or mental handicap, the use of any means to palliate a handicap, marital status, age, ancestry, place of origin, family status, source of income, sexual orientation or political belief. It can be overt or covert, admitted or denied, intentional or unintentional.</p> <p>Acts, behaviours and practices at Marianopolis should reflect the vision and mission of the institution. This means, for instance, that though proponents of hate literature who deride or victimize others may be expressing their personal views, they and their actions are subject to this policy, to the collective rights of the College community and to the law.</p>
Drugs and Alcohol	Students shall not attend classes or participate in any on-campus activity while under the influence of a controlled or illegal substance. The use of performance-enhancing drugs, such as anabolic steroids in school athletics or on campus is prohibited.
Parking	There is no student parking on campus. Vehicles parked without authorization will be towed at the owner's risk and expense. The College is not responsible for any damage to vehicles when on College grounds or when towed.
Safety in Labs	The lab experience is an indispensable part of each science program. It is of utmost importance that the student respects her/his safety and the safety of peers, equipment and the College by adhering to the specific rules and guidelines outlined by each lab department and discipline.
Sexual Harassment	According to College policy, sexual harassment is described as: a) unwanted attention of a sexual nature that interferes with the performance or environment of an individual; and/or b) implied or expressed promise of reward for complying with a sexually-oriented request; and/or c) implied or expressed

threat of reprisal, actual reprisal, or the denial of opportunity for refusal to comply with a sexually-oriented request.

Sexual harassment is an abuse of power over another person, and can include, but is not limited to, such behaviours as:

- making undesired and unnecessary touches, such as caresses, pinches or kisses;
- making sexist jokes;
- using sexually degrading language used to describe a person;
- making sexually suggestive or obscene comments and/or gestures;
- making unwelcome inquiries or comments about a person's sex life;
- forwarding sexually offensive materials by e-mail;
- displaying sexually offensive material;
- leering at a person's body;
- stalking (behaviour that causes a person to fear for her or his safety);
- making requests for sexual favours;
- sexual assaulting a person.

Smoking

Smoking in College buildings (including in vestibules) is strictly prohibited by law and College policy. For a 1st offense, a verbal and written warning will be given; 2nd and 3rd offenses will be dealt with through the above disciplinary process.

Violence

Violence includes physical or verbal assault by a group or individual, endangering or threatening to endanger the health, safety or personal well-being of self or others. Acts of harassment, including sexual or racial harassment are considered acts of violence.

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