



## CODE OF STUDENT CONDUCT

### 1. DATE

Adopted by Academic Council on June 3, 2016. Last updated on January 18, 2021.

### 2. PURPOSE

Marianopolis College is committed to fostering an environment where all members of its community are treated with respect and where the freedom to learn is paramount. Every Marianopolis student has a role to play in maintaining a safe and respectful learning environment.

The purpose of the Code of Student Conduct is to:

- protect each student's right to a safe and respectful learning environment
- promote behaviour that is conducive to learning
- encourage students to take responsibility for their actions
- establish roles and a process to address allegations of misconduct and any resulting sanctions.

### 3. SCOPE

The Code of Student Conduct applies to student behaviour:

- on campus
- off campus when a student is representing the College or otherwise engaged in college activities
- online when a student is using the College's computers, network, software, internal online communication systems or any websites or social media accounts that are administered by the College
- in any other context when that behaviour limits the ability of another member of the Marianopolis community to enjoy a safe and respectful environment at the College or while engaged in College activities.

### 4. DEFINITIONS

**Bullying:** repeated unwanted and aggressive behaviour by one person against another person or group of people; the behaviour can be verbal, physical or psychological and may occur in person or by technological means.

**Code:** the Marianopolis College Code of Student Conduct.

**College:** Marianopolis College as a legal entity.

**College activity:** any College-sanctioned group, club, association, trip or event, whether academic, recreational or otherwise, occurring on campus, off campus or online.

**Employees:** any person performing a service for the College for a wage. This includes faculty, staff, professionals, management, contract and occasional employees.

**College standing:** as defined in the Institutional Policy on the Evaluation of Student Achievement (IPESA).

**Harassment:** as defined in the Marianopolis College Psychological Harassment Policy.

**Sexual harassment / sexual violence:** as defined in the Marianopolis College Sexual Violence Policy.

**Stalking:** repeated unwanted attention directed at another person that reasonably makes that person fear for her or his own safety or the safety of others.

**Student:** a person who is registered in one or more courses at the College or who has completed the previous semester at the College and is eligible to return in the following semester.

## 5. STUDENT RIGHTS AND RESPONSIBILITIES

5.1 **Student Rights:** each student has the right to:

- 5.1.1 an environment that is safe, respectful and free of harassment or harm
- 5.1.2 an environment that is conducive to learning and to the free and open exchange of ideas
- 5.1.3 respectfully express opinions and disagreement so long as they do not impinge on the rights of others to do the same
- 5.1.4 fair and equal treatment, without harassment or discrimination of any kind, including that based on race, colour, sex, gender, gender identity, gender expression, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a disability or the use of any means to palliate a disability
- 5.1.5 confidentiality when reporting a breach of the Code, and when the student is the subject of or implicated in such a report
- 5.1.6 due process where a breach of the Code is alleged; this means that students will be:
  - 5.1.6.1 informed of any allegations made against them and given the opportunity to respond to such allegations

- 5.1.6.2 presented with the evidence in support of the allegations and given the opportunity to present their own evidence
- 5.1.6.3 treated fairly throughout any proceedings
- 5.1.6.4 informed of the decision regarding any allegations made against them.

**5.2 Student Responsibilities:** each student has the responsibility to:

- 5.2.1 adhere to applicable federal, provincial and municipal laws
- 5.2.2 be informed of all official regulations of the College which contain academic and non-academic policies and requirements, including: individual course outlines; the College Calendar; the Educational Services Contract; this Code; the Institutional Policy on Evaluation of Student Achievement (IPESA); and any other existing policies
- 5.2.3 treat all members of the College community respectfully
- 5.2.4 adhere to rules that are in place in specific areas of the College, such as the library, science labs, computer labs, fitness centre, etc.

## **6. MISCONDUCT**

The College has the authority to determine what behaviours constitute misconduct and to impose sanctions on students who engage in prohibited behaviour.

**6.1 Prohibited behaviours:** the following is a list of behaviours that are not compatible with the notion of a safe and respectful learning environment and are therefore prohibited. This list is not all-inclusive; any behaviour that is illegal, aggressive, disruptive, disorderly, lewd, disrespectful of people or property, or otherwise unacceptable is also prohibited:

- 6.1.1 Classroom misconduct: behaving in the classroom in a manner that interferes with the learning of other students or is contradictory to the requirements of the teacher as stated verbally by the teacher or as specified in the course outline.
- 6.1.2 Aggressive acts:
  - threatening or committing physical or verbal abuse, assault, bullying or harassment, including of a sexual nature and by technological means
  - fighting
  - stalking
  - promoting, organizing or engaging in hazing or unauthorized initiation activities
  - possessing or using dangerous materials, weapons or replicas of such items

- engaging in libel, slander or defamation of character
  - promoting hatred in ideas or actions.
- 6.1.3 Acts against property:
- vandalizing, defacing, misusing, abusing, destroying or damaging College grounds, buildings, facilities, equipment or property belonging to any member of the College community
  - forging or altering any College document, records or ID card, or using any of these items in an unauthorized manner
  - stealing or attempting to steal
  - failing to follow directives regarding the posting and distribution of material at the College
  - parking on campus without authorization
  - entering the College outside authorized hours without permission
  - using College facilities or property in an unauthorized manner.
- 6.1.4 Acts involving controlled substances: possessing, purchasing, selling, manufacturing, dispensing or using drugs or alcohol in an unauthorized manner.
- 6.1.5 Commercial activity:
- gambling or participating in any games involving money or the exchange of property
  - initiating an on-campus project or activity for personal profit.
- 6.1.6 Acts that endanger safety:
- setting off a false alarm
  - driving recklessly
  - failing to vacate the building or otherwise comply with emergency evacuation procedures when an alarm is sounded.
- 6.1.7 Deceitful acts:
- knowingly or wilfully abusing a position of trust
  - inciting, aiding, being party to or deliberately concealing another person's misconduct
  - lying, misrepresenting, deceiving or making false accusations
  - recording or streaming content in any format of a person in a private location or in a classroom without the person's consent
  - using the College's name, visual identity or letterhead in an unauthorized manner.
- 6.1.8 Smoking: smoking in all its forms in non-designated areas.
- 6.1.9 Refusal to comply:
- failing to identify oneself or refusing to produce one's Marianopolis ID card when a College employee requests it
  - failing to have one's Marianopolis ID card replaced when it is lost or damaged

- failing to comply with the directives of a College employee acting in the performance of their duties
- failing to comply with the directives of a College employee during the disciplinary process.

## 7. DISCIPLINARY PROCESS

Students have a responsibility to report contraventions of this policy to a College employee. Wherever possible, the College will endeavour to investigate and conclude the case in a timely manner.

- 7.1 Misconduct in the classroom:** when misconduct occurs in the classroom, the teacher is authorized to have the student leave the classroom. The teacher may also report the incident to the Associate Dean, Student Success.
- 7.2 Misconduct outside the classroom:** when misconduct occurs within an area of the College outside the classroom or in the course of a College activity, a Marianopolis employee with supervisory responsibility is authorized to have the student leave the area or the activity. The College employee may also report the incident to the Director, Student Affairs.
- 7.3 Reported contraventions:** in instances when the Associate Dean, Student Success or the Director, Student Affairs deems that a reported contravention warrants an investigation, the following process is followed:
- 7.3.1** The Associate Dean, Student Success or the Director, Student Affairs determines the necessary steps in the investigation, which may include:
- collecting and reviewing evidence, which may include content posted online
  - interviewing relevant parties, including those who reported the contravention as well as the student(s) against whom the allegation was made
  - consulting a third party.

In cases of imminent danger or risk of danger, the Associate Dean, Student Success or the Director, Student Affairs has the authority to impose immediate and temporary suspension pending the result of the investigation.

- 7.3.2** After the Associate Dean, Student Success or the Director, Student Affairs makes a decision, the student is informed in writing of:
- the decision
  - any sanctions that will be imposed
  - the right to request an appeal, if the student was found to be in contravention of the Code.
- 7.3.3** A copy of the letter and any other relevant documents will be kept on file. The decision may become part of the student's permanent record at the College and may be taken into consideration when determining a student's college standing.

- 7.4 **Appeals:** any student found to be in contravention of the Code has the right to appeal the verdict, the sanctions and/or the procedure that was followed in making the decision. The appeal procedure is as follows:
- 7.4.1 The student must submit a written request for an appeal with the Academic Dean within one week of receiving the letter stating the decision.
  - 7.4.2 The Academic Dean will review this appeal.
  - 7.4.3 After the Academic Dean renders a decision regarding the appeal, the student will be informed of the decision in writing. The decision may become part of the student's permanent record at the College and may be taken into consideration when determining a student's college standing.
  - 7.4.4 The Academic Dean's decision is final except in cases where the Academic Dean upholds or imposes a sanction of expulsion. In such cases, the student can appeal the decision to the Director General, whose decision is final.
- 7.5 **Failure to Comply:** if a student does not comply with imposed sanction(s), the Associate Dean, Student Success or the Director, Student Affairs may impose further sanctions, up to and including expulsion.

## 8. SANCTIONS

One or more of the following sanctions may be imposed when a student is found to be in contravention of the Code:

- 8.1 **Apology:** a formal letter written by the perpetrator apologizing for the act in question. Appropriate dissemination of the apology is determined on a case by case basis.
- 8.2 **Fine:** money paid as a penalty.
- 8.3 **Loss of privileges:** exclusion from a certain area of the College and/or some or all College activities for a specified period of time.
- 8.4 **Disciplinary probation:** a specific period of time during which certain behaviours are prescribed or prohibited.
- 8.5 **Community service:** a certain number of hours of service to a specific community organization.
- 8.6 **Reparation:** compensation in money or work to replace, restore or repair lost or damaged property.
- 8.7 **Suspension:** exclusion from campus for a specified period of time. The student may be prohibited from submitting work and/or completing course evaluations.

**8.8 Expulsion:** permanent exclusion from campus and all College activities. The student cannot earn any further grades past the expulsion date.

## **9. IMPLEMENTING, REVIEWING AND REVISING THE CODE**

**9.1 Implementation:** the overall implementation of the Code is under the purview of the Academic Dean.

**9.2 Review and Revision:** the Code is reviewed every five years or at the request of the Academic Dean or the Director General. The Director, Student Affairs is responsible for overseeing its review.

## **10. RELATED POLICIES AND DOCUMENTS**

The following Marianopolis documents may be useful in further understanding the Code:

- Course Calendar
- Educational Services Contract
- Code of Employee Conduct
- Institutional Policy on the Evaluation of Student Achievement (IPESA)
- Privacy Policy
- Psychological Harassment Policy
- Sexual Violence Policy