

HOLLAND COLLEGE		
Quality Process A09	Issue Date: April 14, 2022	Revision: NINE
Title: Student Misconduct		Page 1 of 8
Authorized by: Sandy MacDonald, President of Holland College		

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1. PURPOSE:

1.1 To provide a process for addressing student misconduct.

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2. SCOPE:

2.1 All cases involving allegations of academic dishonesty, breach of the Student Code of Conduct as provided in Board Regulation 50-01-2, breach of any policy with respect to student attendance, or breach of any other code adopted by a program and approved by the Director/Executive Director/Vice President.

2.2 This process applies to all Holland College students, including all institutes, branches and departments of the College.

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3. RELATED PROCESS, DOCUMENTS & DEFINITIONS:

3.1 [Holland College Student Code of Conduct](#) as provided in Board Regulation [50-01-2](#).

3.2 Administrative Regulation [50-01-2](#) (Student Attendance, Progress, Discipline & Appeals)

3.3 Quality Process [A10](#) – Student Appeals

3.4 Quality Process [C03](#) – Student Support Services

3.5 Quality Form [012.pdf](#) – Student Misconduct Notice.

3.6 Quality Form [013.pdf](#) ([013.docx](#)) – Student Request for Appeal.

3.7 Quality Form 007 – Post Secondary Student Exit/Change of Status (on-line form)

3.8 Quality Form 054 – Continuing Education Course Student Exit Form

3.9 Quality Form 060 – Adult Education Student Exit Form (on-line form)

3.10 Quality Form [151.pdf](#) ([151.docx](#)) - Referral for Student Support Services

3.11 Atlantic Police Academy Student/Cadet Core Program Standing Orders

3.12 [Flowchart of the process](#)

Some forms are generated from the Student Information System and must be obtained from the Admissions Office.

DEFINITIONS:

3.13 The term “**Director**” referred to herein means the appropriate Director, Executive Director, or Vice-President (“VP”).

3.14 Probation (student): A sanction imposed on a student because of i) their lack of progress in a program or course or ii) their failure to uphold the Student Code of Conduct, which permits the student to remain in a program or course subject to certain terms and conditions. Probation may not exceed the time to the end of the student’s current semester/intersession/term plus one additional semester/intersession/term, unless the extension is approved by the Director/Executive Director/VP as provided in this process.

Notwithstanding the above, programs that are not on a semester/term schedule and are less than 36 weeks in duration, probation may extend to the end of the program.

3.15 Disciplinary Suspension (student): A time-limited removal from the College and coincident removal of all rights and privileges associated with registration, which is imposed for student misconduct. A Disciplinary Suspension cannot exceed one (1) month in duration.

3.16 Dismissal From College: A disciplinary action to formally dismiss a student from the College. Dismissal means removal from the premises, revocation of registration, and forfeiture of fees.

3.17 Exited: An administrative process to initiate a change in a student’s enrollment status at the College from active to inactive. An exit may result from, but is not exclusive to, program graduation, successful completion of a course, voluntary withdraw, failure to meet academic conditions outlined in a student’s Academic Probation, Concern, or Alert notices, or lack of attendance. Students exited for academic integrity violations as outlined in the Student Code of Conduct (Board Regulation 50-01-2) will only be permitted to reapply to a College program after an absence of one full academic year.

3.18 Designate: A Holland College staff member identified or assigned by a departmental Manager.

4. RESPONSIBILITIES:

- 4.1 President:** for ensuring overall institutional and operational compliance with this process.
- 4.2 Director/Executive Director/VP:** for ensuring their departments comply with this process and for approving or denying the extension of a period of Disciplinary Probation as provided in this process.
- 4.3 Learning Manager/Instructor/Designate:** for attempting to resolve student misconduct situations informally, for completing and maintaining required documentation, for initiating this process as they deem necessary, for referring students to student support services, for imposing disciplinary sanctions where authorized to do so, for making reports and recommendations, as required pursuant to this process, to their Program Manager.
- 4.4 Program Manager:** for receiving reports and recommendations, and for making decisions where and when appropriate as required by this process. In some cases where there is no assigned Program Instructor, the Program Manager or designate will assume the role of the Learning Manager/Instructor for this process.

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5. PROCESS:

INVESTIGATION PROCESS

- 5.1** Incidents of student misconduct which are, in the opinion of the Learning Manager/Instructor, Program Manager or Designate, not serious enough to warrant any of the sanctions mentioned in paragraphs [5.9](#) or [5.11](#) shall be dealt with informally at the department level. Departments shall exercise their own discretion in dealing with such instances, but shall ensure that the matter is dealt with fairly.
- 5.2** Instructional staff may exclude a student from a lesson or activity, but must report the incident within twenty-four (24) hours to the Program Manager.
- 5.3** Before imposing or recommending any disciplinary sanction referred to in paragraphs [5.9](#) or [5.11](#) on a student, a Learning Manager/Instructor/Program Manager/Designate (LM/I/PM/D) shall investigate and document any alleged incident(s) of student misconduct.
- 5.4** As soon as reasonably possible following that investigation and before imposing or recommending any such disciplinary sanction, the LM/I/PM/D who has investigated the incident(s), or in their absence, another LM/I/PM/D, shall give the student written notice of the following:

- a) a description of the alleged incident(s) of student misconduct;
 - b) particulars of any information obtained by them in relation to the alleged incidents;
 - c) possible sanctions which may be imposed.
- 5.5** After the student has received this notice and has had a reasonable opportunity to review it, the LM/I/PM/D shall give the student an appropriate opportunity to meet with the LM/I/PM/D to discuss the matter.
- 5.6** The LM/I/PM/D shall consider whether the student should be referred to student support services. Referrals are made by completing a QF151 and sending it to the appropriate student support service. (see Quality Process C03 for details)
- Note:** It is the student's personal choice whether or not they take advantage of the support provided by student services. It is the responsibility of the program or department staff to document any and all action taken and, when they deem it necessary, to make the referral.
- 5.7** The LM/I/PM/D shall document particulars of this meeting. All discussions with the student with respect to the alleged incident(s) will respect the privacy of the student.
- 5.8** A Program Manager/Manager who receives a report and recommendation on student discipline shall ensure that the alleged incident(s) has/have been appropriately investigated and all required steps completed.

SANCTIONS

- 5.9** Following their investigation, the LM/I/PM/D may dismiss the allegation, or find that the student has committed the alleged incident(s) of student misconduct and impose one or more of the following sanctions:
- a) a verbal reprimand,
 - b) a written reprimand;
 - c) assignment of a mark of zero or removal of ratings/grade for an assignment, test or examination in respect of which a breach was committed;
 - d) assignment of failure in or cancellation of credit, ratings/grade or achievement for any program in respect of which a breach was committed;
 - e) removal from a work integrated learning assignment for all or part of the term of that assignment.

- 5.10** The LM/I/PM/D shall record any disciplinary sanction imposed under paragraph [5.9](#) on a Quality Form 012, give the student a copy, and request that they sign it. The original of this form is to be maintained in the LM/I/PM/D's files. When referrals are sent to student support services, a copy of the QF012 will be forwarded with the QF151.
- 5.11** Where the LM/I/PM/D finds that the student has committed the alleged incident(s) of student misconduct, but is of the opinion that the disciplinary sanction should be more severe than those referred to in paragraph [5.9](#), the LM/I/PM/D shall prepare and submit a QF012 for approval to the student's Program Manager, or their manager if the incident is non-academic in nature, outlining their findings with respect to the alleged incident(s) and may recommend one of the following sanctions:
- a)** a period of Probation not to exceed the time to the end of the student's current semester/intersession/term plus one additional semester/intersession/term, or for programs that are not on a semester/term schedule and are less than 36 weeks in duration, disciplinary probation may extend to the end of the program.
 - b)** Loss of campus privileges for a designated period of time
 - c)** Residence suspension for a designated period of time, after which the student is eligible to apply to return. Conditions for re-admission to residence, if applicable, are to be specified with the student
 - d)** a period of Disciplinary Suspension not exceeding one (1) month; or
 - e)** dismissal from the College.
- 5.12** The Program Manager/Manager may accept or reject the LM/I/PM/D's findings or recommendations or may otherwise make such findings as they deem appropriate and may dispose of the matter as they deem just.
- 5.13** Before imposing a sanction referred to in paragraph 5.11 for a non-academic incident, the Designate who issues a QF012 will consult with the student's Program Manager.
- 5.14** For any disciplinary sanction imposed under paragraph [5.11](#) the Program Manager/Manager shall give a copy of the QF012 (that includes the report/recommendations) to the student and ensure that the student is given an appropriate opportunity to be heard by and discuss the matter with the Program Manager.
- 5.15** The Program Manager/Manager shall notify the student of their decision and, if the decision is appealable (see A10), shall:

- a) notify the student of their right to appeal;
- b) give the student a copy of:
 - Board Regulation 50-01-2 (Student Code of Conduct);
 - Quality Process A09 (Student Misconduct);
 - Quality Process A10 (Student Appeals);
 - Quality Form 013 - Student Request for Appeal.

MONITORING PROBATION

5.16 The LM/I/PM/D will, during the term of any Probation review the particulars of the Probation, including compliance with the terms/conditions set out in the Probation, with the student. Prior to the end of the term of any Probation, the LM/I/PM/D shall meet with the student to conduct a final review of the student's compliance with the terms/conditions of the Probation, at which time the LM/I/PM/D may decide:

- a) that the student's Probation should end when its original term expires; or
- b) to submit a report to their Program Manager/Manager outlining the student's non-compliance with the terms/conditions and recommending that:
 - (i) the Probation be extended; or
 - (ii) that student be dismissed from the College.

5.17 Where a recommendation is made by a LM/I/PM/D pursuant to paragraph 5.17(b)(i), and accepted by the Program Manager/Manager, to extend a period of Probation beyond the term set out in paragraph [3.14](#), the Program Manager/Manager shall seek the approval of the Director/Executive Director/VP.

5.18 Where a report and recommendation to extend a period of Probation is made under paragraph 6.16(b)(i), or a report and recommendation of dismissal is made under paragraph 6.16(b)(ii), the provisions of paragraphs [5.12 to 5.15](#) shall apply.

CRISIS SITUATIONS

5.19 If, in the opinion of a member of the College staff, a student's continuing presence in the College will significantly interfere with the operations or programs of the College, the staff member may, without prior notice, order the student to leave the College premises notwithstanding any other provision of this or any other process, regulation or guideline, and impose an immediate interim Disciplinary Suspension against the student. Paragraph [5.22](#) does not apply to Disciplinary Suspensions imposed under this paragraph. If the student

refuses to leave the premises, the staff member will call the appropriate law enforcement agency.

5.20 The staff member shall, as soon as possible after asking the student to leave the premises, report the matter to the relevant Director/Executive Director/VP or, in their absence, the relevant Department Manager/Program Manager, or in their absence the VP of Academic & Applied Research or the VP of Corporate Services, Strategic Development & Stakeholder Relations.

5.21 In situations where a student has been charged criminally from conduct on College property or in relation to the College community, the relevant Department Manager/Program Manager shall notify details of the incident to the VP of Corporate Services, Strategic Development and Stakeholder Relations or in their absence, the VP of Academic and Applied Research.

5.22 The VP may impose a suspension to a student as identified in relation to paragraph 5.21:

- a) To ensure the safety and well-being of member of the College community
- b) To ensure the student's own physical or emotional safety and well-being; or
- c) If the student presents a defined threat of disruption and/or interference with normal College operations.

STUDENT APPEAL

5.23 The appeal process is set out in Quality Process A10 (Student Appeals).

5.24 In most circumstances, once the Student Request for Appeal has been received and acknowledged, the Student will be permitted to remain in the applicable program, and any related residence, until the Appeal Tribunal's decision has been rendered. However, the responsible Director/Executive Director has the discretion to make the determination that the Student not continue in the program pending the appeal. In exercising this discretion, the Director/Executive Director shall consider such circumstances as are reasonable, including but not limited to:

- a) Any safety or related concerns including the wellbeing of students, staff or others;
- b) Integrity of the College and its programs;
- c) The reputation of the College;
- d) The functioning of the applicable program;

- e) Any potential disruption to other students, staff or College programs.

If the Student does remain in the program pending the appeal, the Director/Executive Director has the discretion and authority to impose any appropriate conditions and parameters on the Student, as are reasonable in the circumstances.

- 5.25** Where there is no appeal from a dismissal, the Program Manager shall cause the appropriate student exit form to be completed and delivered to the Admissions Office.

MISCELLANEOUS

- 5.26** If the person responsible for any step under these processes is absent or unavailable the President may appoint another to act in their stead.

- 5.27** Where any matter arises during proceedings which are not otherwise provided for, the person or body responsible for that step shall have the power to determine the process that will be followed.

- 5.28** The person responsible for a step may extend or abridge any time limit prescribed or set in relation to that step.

- 5.29** Notice may be given by delivering the document to the person or their duly appointed representative:

- a) by personal delivery;
- b) by regular, registered, or certified mail to the last known address of the person;
- c) by courier, including priority post, to the last known address of the person;
- d) email to the last known email address of the person.

- 5.30** Notice shall be deemed effective:

- a) by personal delivery on the day of delivery;
- b) by mail, on the fifth day after the day of mailing;
- c) by courier, on the second day after the documentation is given to the courier;
- d) by email to the last known email address of the person.

- 5.31** No proceeding hereunder is invalid because of a defect or irregularity in form.