

<b>HOLLAND COLLEGE</b>		
<b>Quality Process A09</b>	<b>Issue Date: August 26, 2024</b>	<b>Revision: TEN</b>
<b>Title: Student Misconduct</b>		<b>Page 1 of 8</b>
<b>Authorized by: Sandy MacDonald, President &amp; CEO of Holland College</b>		

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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** Appendix A - Flowchart of the process for Academic Misconduct

**3.13** Appendix B – Flowchart of the process for Non-Academic Misconduct

**3.14** Appendix C - Academic Misconduct Violation & Sanction Guidelines

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

**DEFINITIONS:**

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

**3.16 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.

**3.17 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.

**3.18 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.

**3.19 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.

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

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## 4. RESPONSIBILITIES:

- 4.1 President & CEO:** 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 sanctions 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 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 – Academic Violations**

- 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) Educational advice and direction
  - b) Resubmission of properly cited and referenced work
  - c) Resubmission of assessment
  - d) Supplemental assessment
  - e) Grade reduction
  - f) Grade of zero on 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/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/D shall prepare and submit a QF012 for approval to the student's Program Manager, outlining their findings with respect to the alleged incident(s) and may recommend one of the following sanctions:

- a)** Grade of "F" on the course
- b)** Removal from the course, clinical, practicum, or WIL setting
- c)** Extension of course, clinical, practicum, or WIL setting
- d)** Exit from the program
- 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** For further guidance with regards to examples of Academic Misconduct and suggested corresponding sanctions, please refer to "Academic Misconduct Violation & Sanction Guidelines"

### **SANCTIONS – Non-Academic Violations**

**5.14** 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;

**5.15** The LM/I/PM/D shall record any disciplinary sanction imposed under paragraph 5.14 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.

**5.16** Where the LM/I/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 5.14, the LM/I/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.

**5.17** 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.

**5.18** Before imposing a sanction referred to in paragraph 5.14 or 5.16 for a non-academic incident, the Designate who issues a QF012 will consult with the student's Program Manager.

**5.19** For any disciplinary sanction imposed under paragraph 5.16 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.

**5.20** 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**

**5.21** 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.

**5.22** Where a recommendation is made by a LM/I/PM/D pursuant to paragraph 5.20 (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.

**5.23** Where a report and recommendation to extend a period of Probation is made under paragraph 5.16(b)(i), or a report and recommendation of dismissal is made under paragraph 5.16(b)(ii), the provisions of paragraphs 5.17-5.20 shall apply.

## **CRISIS SITUATIONS**

**5.24** 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 5.27 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.

**5.25** 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.

**5.26** 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.

**5.27** The VP may impose a suspension to a student as identified in relation to paragraph 5.26:

- 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**

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

**5.29** 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.

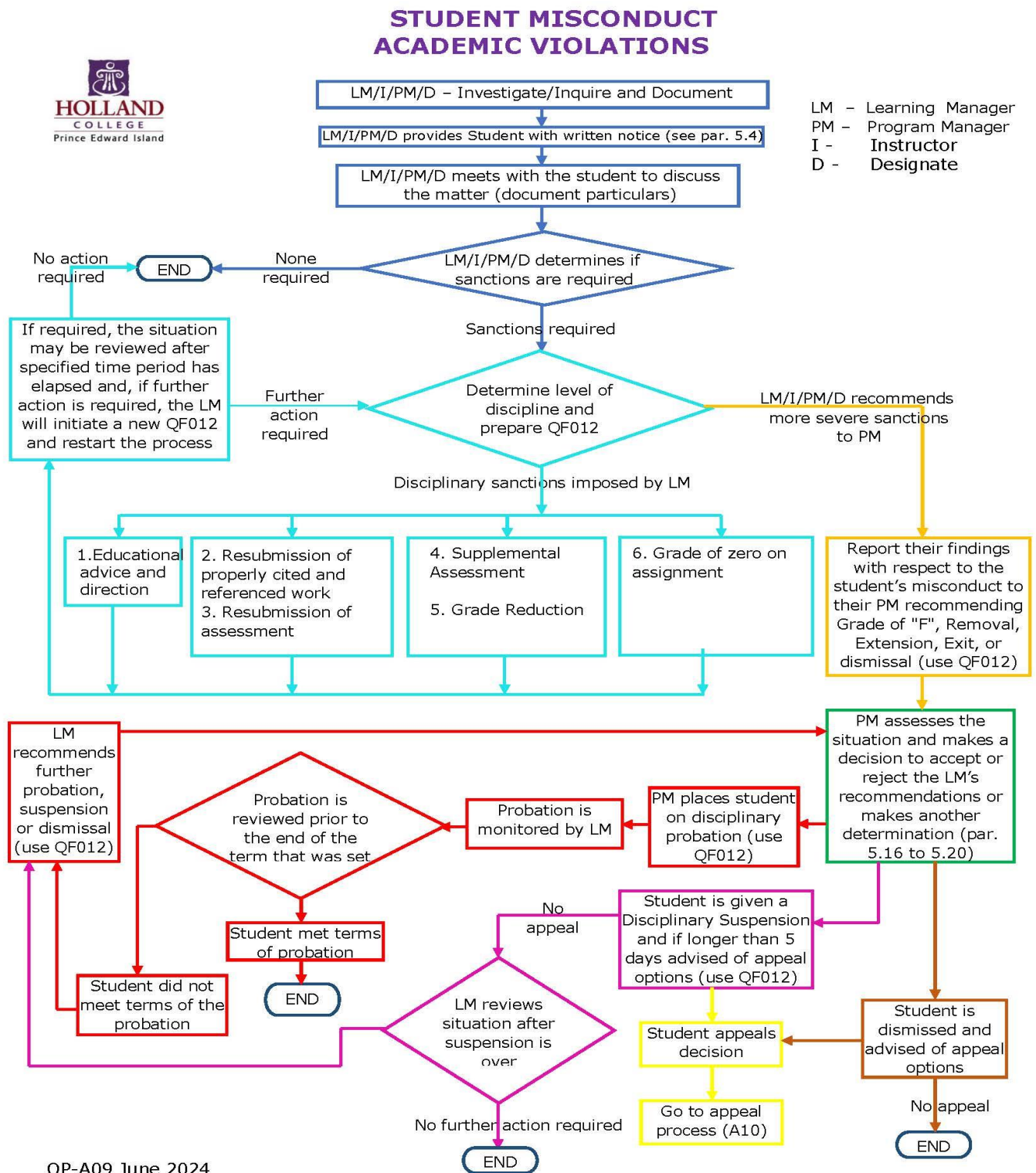
**5.30** Where there is no appeal from a dismissal, the Program Manager shall cause the appropriate student exit form to be completed and delivered to the Admissions Office.



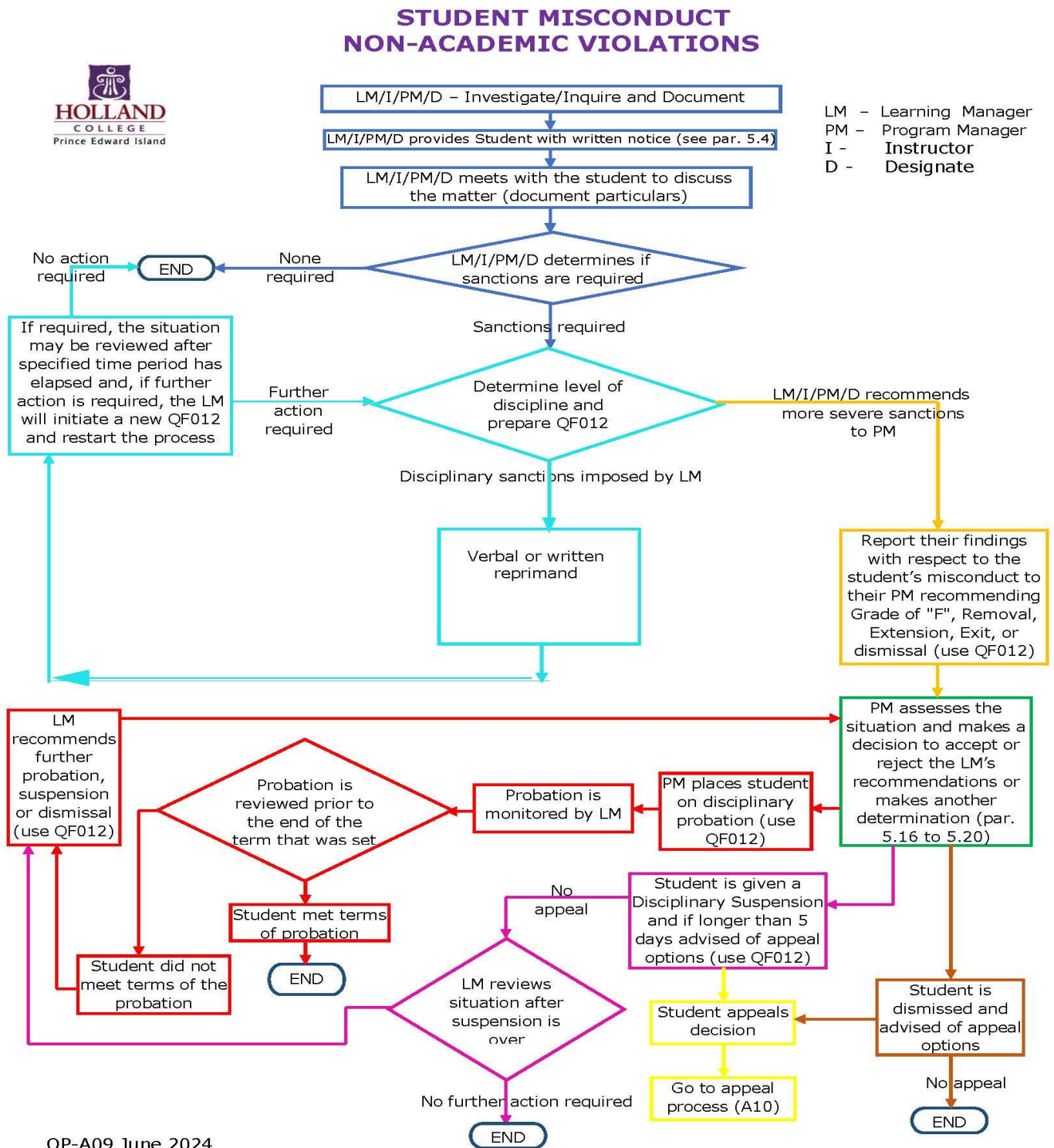
## **MISCELLANEOUS**

- 5.31** If the person responsible for any step under these processes is absent or unavailable the President may appoint another to act in their stead.
- 5.32** 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.
- 5.33** The person responsible for a step may extend or abridge any time limit prescribed or set in relation to that step.
- 5.34** 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.
- 5.35** 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.
- 5.36** No proceeding hereunder is invalid because of a defect or irregularity in form.

## Appendix A Flowchart for the Process for Academic Misconduct



## Appendix B Flowchart for the Process for Non-Academic Misconduct



## **Appendix C Academic Misconduct Violation & Sanction Guidelines**

Students who commit acts of academic misconduct will be subject to disciplinary action(s) in the form of academic sanction(s), and these guidelines provide guidance for consistency and fairness in the application of these sanctions. Academic sanctions are assigned according to the nature, extent, and repetition of the act(s) of academic misconduct. A first violation may result in a sanction up to Level Three. Repeated violations of academic integrity will result in more serious sanctions.

The PM/LM/I/D should exercise their discretion in applying progressive disciplinary actions that are fair, equitable, transparent, and proportionate to the act(s) for which actions are being applied. In all cases, the Instructor/Learning Manager is responsible to coach the student to ensure that the academic misconduct violation and sanction(s) is understood and resolved.

Learning Managers/Instructors are also responsible for ensuring that students are aware of the Code of Conduct and their responsibilities regarding academic integrity, advising students of the consequences for breaches of academic integrity, ensuring that breaches of academic integrity are dealt with in a reasonable and progressive manner, and providing reasonable measures to ensure that opportunities for academic misconduct are minimized.

The LM/I/PM/D shall record any disciplinary sanction on a Student Misconduct Notice (QF012), 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 as well as a copy sent to the Registrar's Office. When referrals are sent to student support services, a copy of the QF012 will be forwarded with the Referral for Academic Support Services (QF151).

Normally, the first documented Academic Integrity violation can be addressed informally by meeting with the student to discuss the Code of Conduct, student misconduct policies, and course/program guidelines. During this meeting, remedial learning activities, including educational advice and direction, as well as the opportunity to correct and resubmit the assessment, may be provided as the imposed sanction. Documentation/notes of the meeting with the student is required and is to be maintained in the LM/I/PM/D's files.

Depending on the severity of the violation, the LM/I/PM/D may choose to use Quality Form 012 to document the first Academic Integrity violation and corresponding sanctions.

Second offenses are to be documented on a Quality Form 012 with more severe disciplinary sanctions typically imposed and the potential consequences of further offenses to be discussed. Students are to be informed both in writing on the

QF012 and during the misconduct meeting that "Continued breaches of the Code of Conduct can result in further sanctions up to removal from the program."

Third offenses are to be documented on a Quality Form 012 with more severe disciplinary sanctions imposed and the potential consequences of further offenses to be discussed. Students are to be informed both in writing on the QF012 and during the misconduct meeting that "Continued breaches of the Code of Conduct with respect to Academic Integrity will result in removal from the program."

#### Level 1 (Minor) violations:

Level 1 violations are less serious violations of academic integrity. They may occur because of inexperience or lack of understanding of the principles of academic integrity. These violations are often characterized by lack of premeditation or planning and might involve ignorance or errors in judgement. Level 1 violations are generally quite limited in extent, involve a small fraction of the total course work, occur on a minor assignment, or quiz, or constitute a small portion of an assignment or the overall course grade. Below are a few examples of violations typical of Level 1 violations, when committed by a student as a first-time offense:

#### Level One Academic Misconduct examples:

- Attempts at proper citation and referencing has occurred but is incomplete
- Failing to cite or give proper acknowledgement to textual, visual, or any other source in a small section of an assignment (e.g. a short quotation or paraphrase, misplacing citation information, etc.)
- Citing a source that does not exist
- Failing to follow instructions resulting in a violation on a minor portion of an assessment (e.g. unauthorized collaboration on an assignment required to be individual work, unauthorized use of AI on an assignment when it is not permitted, etc.)
- Unauthorized sharing of course materials
- Plagiarism on a minor assignment or a very limited portion of a major assignment
- Cheating on a quiz or minor assignment
- Asking another person to make substantial corrections or alterations to improve an assignment
- Using an unauthorized aid in assessments, examinations, or other forms of testing
- Resubmitting minor portions of previous work to satisfy the assessment requirements of more than one course without permission
- Copying from external resources to support learning (e.g. tracing from art photographs, copying computer coding, etc.)

Level One Academic Misconduct Sanction examples:

- Provide educational advice and direction
- Resubmission of properly cited and referenced work
- Resubmission of assessment
- Supplemental assessment
- Grade reduction
- Grade of zero on assignment

Level 2 (Moderate) violations:

Level 2 violations are more serious violations of academic integrity that affect a more significant portion of the course work, when compared to Level 1 violations. An alleged second violation of the Student Code of Conduct may also be characterized as a Level 2 violation. Level 2 violations are often characterized by dishonesty of a more severe nature or deceit that affects a more significant aspect or portion of the coursework than Level 1, substantial premeditation or planning, and/or clearly dishonest or malicious intent. Below are some examples of typical Level 2 violations:

Level Two Academic Misconduct examples:

- Substantial plagiarism on a major assignment (e.g. copy and pasting material directly from a source on a significant portion of an assignment without attempt to quote, paraphrase, cite, or summarize)
- Cheating or using unauthorized materials, devices, or other source materials for a major examination/assessment
- Failing to follow instructions resulting in a violation on a significant portion of an assessment (e.g. unauthorized collaboration on an assignment required to be individual work, unauthorized use of AI on an assignment when it is not permitted, etc.)
- Providing other learners with assessment information
- Misrepresentation (e.g. using or attempting to use another student's answers, or providing answers to other students, facilitating academic dishonesty by another student)
- Re-submitting the same work, or major portions of previous work to satisfy the assessment requirements of more than one course without permission
- Committing the same Level One misconduct for a second time
- Multiple Level One violations

Level Two Academic Misconduct Sanction examples:

- Provide educational advice and direction
- Resubmission of properly cited and referenced work
- Resubmission of assessment
- Supplemental assessment
- Grade reduction
- Grade of zero on assignment



### Level 3 (Major) Violations:

Level 3 violations are serious breaches of the Student Code of Conduct or extreme cases of dishonesty or maliciousness. These violations include deceit that involves a significant or essential portion of work to be done to meet course requirements or is preceded by one or more violations at Levels One and Two. When a student is accused of a Level 3 violation that includes alleged serious violations of a professional code of conduct, or when it is reasonable to believe that the student is likely to cause harm to others, they may be removed from the course, clinical, practicum, or WIL setting while the investigation is undertaken.

#### Level Three Academic Misconduct examples:

- Contract cheating
- Falsifying, altering, or fabricating documents, data, records, correspondence, academic documents, research results, references, or research sources
- Presenting the work of another as one's own
- Misrepresentation (e.g. impersonating another, or permitting someone to impersonate you, either in person or electronically, for academic assessment, unauthorized use of another's identification/username and password)
- Cheating and/or plagiarism on a capstone project
- Intentionally destroying or altering another student's work
- Coordinating an organized cheating scheme
- Violation of a Professional Code of Conduct
- Multiple Student Misconduct Notices (QF012)
- Committing the same Level Two violation for a second time
- Multiple Level One and/or Level Two violations

#### Level Three Academic Misconduct Sanction examples:

- Provide educational advice and direction
- Resubmission of assessment
- Supplemental assessment
- Grade reduction
- Grade of zero on assignment
- Grade of "F" on course
- Removal from course, clinical, practicum, or WIL setting if the potential to harm self or others exists
- Extension of course, clinical, practicum, or WIL setting
- Exit from the program
- Dismissal from the College



### Considerations:

In determining whether a student's actions constitute academic misconduct, instructors may consider the following factors:

- a student's level of study: developing citation skills requires regular opportunities for practice
- a student's linguistic, cultural or contextual knowledge of North American concepts of ownership, intellectual property and citation practices
- whether a student may have misapplied previously learned conventions for documenting sources in a new course context
- whether there has been a demonstrable misunderstanding of the requirements of an assignment
- whether a lack of clear guidelines, assessment expectations, instruction, or resources directly contributed to the student's actions

The presence of any of these factors does not absolve students of their responsibility for academic misconduct; however, it may influence an instructor to consider remedial learning activities as a principal response.