

**POLICY GROUP:** NCT 100 Student Records, Rights & Responsibilities

**POLICY TITLE:** Student Code of Conduct

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### **A. Background and Definitions**

Niagara College - Toronto is committed to maintaining a high standard of Civility in the interaction between members of the college community. All students are responsible for complying with the Student Code of Conduct, its related procedures and all applicable college policies.

**Civility:** A range of behaviours including courtesy, respect for the privacy and dignity of others, acting in good faith and with respect.

**College Activity:** An activity approved and/or supported by the College on or off-campus. This may include, but is not limited to, co-op, academic placements, field trips (domestic and international), competitions, co-curricular experiences, or any other events supervised, approved and/or sponsored by the college or personnel acting in the course of their duties.

**Complainant:** An individual who brings forward a complaint alleging a violation of the Student Code of Conduct.

**Conduct Meeting:** A meeting initiated by the Student Rights & Responsibilities Office (SRRO) to gather information and/or to provide Respondents with an opportunity to respond to allegations of Misconduct.

**Interim Measure:** A course of action immediately imposed on a student before the College makes a final determination about the alleged Misconduct. An Interim Measure is not considered a finding of Misconduct.

**Misconduct:** The failure to comply with, or violation of the Student Code of Conduct.

**Progressive Discipline:** The process of imposing Sanctions with consequences increasing in severity when a student's behavior continues to be in violation of the Student Code of Conduct.

**Respondent:** A student against whom a complaint has been made alleging a violation of the Student Code of Conduct.

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**Sanction:** A range of imposed consequences for having been found in violation of the Student Code of Conduct.

**Student:** For the purposes of this policy, a student is considered to be an individual who is registered and attending classes at Niagara College – Toronto.

**Student Rights and Responsibilities Office (SRRO):** College Administrators appointed to oversee and implement the Student Code of Conduct.

### **B. Purpose**

The Student Code of Conduct provides guidelines for appropriate behaviour for all college students and a framework for addressing non-academic Misconduct.

### **C. Scope**

This policy applies to all Niagara College - Toronto students registered and attending classes at the Niagara College – Toronto.

### **D. Policy Statements**

1. A student has the right to:
  - a) A learning environment which supports civility and safety;
  - b) Have their personal privacy appropriately respected by others;
  - c) Be free from any form of harassment or discrimination; and
  - d) Fair procedures and processes under this Code without the fear of reprisal.
2. A student is responsible for:
  - a) Ensuring their conduct aligns with the Student Code of Conduct;
  - b) Respecting the rights of other members of the college community to a safe and respectful environment, therefore refraining from any conduct deemed to be inappropriate;
  - c) Refraining from endangering the health, safety, rights, or property of the college and its community members;
  - d) Ensuring civility and respect when engaging in the learning environment;

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- e) Complying with all college policies, the Criminal Code of Canada and any other federal, provincial or municipal law; and
  - f) Monitoring their college email and learning management system (e.g. CANVAS) for any communication from college employees, responding in a timely manner and attending scheduled meetings.
3. Investigations under the Student Code of Conduct and determinations of Misconduct will be carried out by the SRRO.
4. Where an investigation leads the SRRO to determine that the behaviour in question is related to a health condition, the condition will be taken into account in the processing of the complaint.
5. Misconduct under this policy includes any action that violates the Criminal Code of Canada, Provincial Offences Act or any other applicable legislation. Misconduct under this Code includes, but is not limited to:
- a) Behaviour that is aggressive, threatening, violent, offensive, intimidating, bullying, stalking, coercive, or disruptive conduct negatively impacting services and activities;
  - b) Inciting behaviour, that if undertaken, would be in violation of any college policy;
  - c) The use of language that is aggressive, intimidating, threatening, demeaning and/or offensive;
  - d) Disorderly or indecent behaviour;
  - e) Coercing or enticing a person to commit an act that is humiliating, demeaning, illegal, or puts them in danger;
  - f) Misuse, destruction, vandalizing, removal or theft of property that is not the student's own;
  - g) Unauthorized access to or presence in college facilities;
  - h) Tampering with emergency telephones, fire protection equipment, or any other emergency equipment;
  - i) Accessing, obtaining or disclosing all or any part of confidential records pertaining to a member of the college community without that person's expressed consent;
  - j) The use of technology contrary to policies on computer and network use, or that violates any applicable copyright, criminal and/or human rights law, including, but not limited to harassing, threatening, downloading, storing, distributing

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- inappropriate material, or sending messages which are pornographic, obscene, abusive, threatening, malicious and/or defamatory;
- k) The use, possession or distribution of restricted substances while on college property or while attending a college activity;
  - l) The illegal possession or consumption of alcohol on campus outside of a residence, licensed events or licensed areas;
  - m) Smoking in areas other than the designated smoking areas;
  - n) The cultivation of cannabis on college property;
  - o) Unauthorized use of electronic or other devices to make or disseminate an audio, video, photographic or digital record of any person while on college property, or at a college activity, without the prior knowledge and effective consent of the individual(s), when it is reasonable to believe that the recording or nature in which it is played, shown, distributed or displayed, is likely to be unwelcome or cause distress to any person;
  - p) No photography or electronic recording is permitted in the classroom, laboratory or other learning environment except as expressly agreed to by the individuals, or as approved by the College as an accommodation;
  - q) Engaging in behavior contrary to the College's Sexual Violence policy;
  - r) Refusal to present student identification or other identification in lieu of student identification, when requested by a college authority, providing the college student identification of another person, possession, distribution and/or false or altered identification of any type;
  - s) Entry to closed or restricted college facilities or remaining within college facilities after closing, refusing to leave when asked by college authorities;
  - t) Use, misuse, possession, storage, distribution or threat of use of weapons, explosives, replica firearms, ammunition and/or dangerous chemicals on college property, or while attending a college activity. Articles of faith (such as a Kirpan) are not considered weapons and are therefore exempt; and
  - u) Providing false or misleading information, including falsifying documents, impersonation, forging, altering or misusing any college document or record.
6. In situations where there is a potential risk to, and/or threat to the safety of any member of the college community, the SRRO may act unilaterally without a Conduct Meeting, to impose an Interim Measure upon the Respondent(s) which is not considered a finding of Misconduct.

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7. When a Complainant comes forward, an investigation may be conducted into the alleged Misconduct by the SRRO. The Respondent will have an opportunity to respond to the allegations and advise the investigator of any mitigating circumstances prior to the imposition of a Sanction.
8. The College will strive to hold a Conduct Meeting in a timely manner without unreasonable delay, especially in the case where an Interim Measure is imposed.
9. The College may impose a Sanction on a student found in violation of the Student Code of Conduct, within the principles of Progressive Discipline. A Sanction will take into account the full context and circumstances under which the Misconduct occurred, including severity, the degree to which it was deliberate, the harm caused, and whether the Misconduct was an isolated incident or part of repeated acts.
10. When the College becomes aware of legal proceedings for conduct outside of the College, which may pose a risk to the college community, a student may be subject to an Interim Measure. The determination of a Sanction may require the student to disclose the result of legal proceedings, including conditions and orders related to the offence, and any interaction with law enforcement authorities related to that Misconduct.
11. A student found to have violated the Student Code of Conduct, may appeal a Sanction through the Student Code of Conduct Appeals procedure.

#### **E. Related Documents**

Policies: NCT 400 Sexual & Gender-Based Violence  
NCT 400 Smoking on Campus  
NCT 400 Harassment & Discrimination

Procedures: NCT 100 Student Code of Conduct  
NCT 100 Student Code of Conduct Appeals

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#### **F. Document History**

<b>Date</b>	<b>Approval/Review/Key Change(s)</b>
June 14, 2024	New
July 11, 2024	<ul style="list-style-type: none"> <li>• Minor nomenclature updates (i.e. addition of Toronto following Niagara College and changed SSD to SRRO)</li> <li>• Student definition updated to an individual who is “registered and attending classes at Niagara College – Toronto”, per the policy Scope.</li> </ul>