

## NON-ACADEMIC MISCONDUCT

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Owner.

<b>Category:</b>	I. Student Experience
<b>Parent Policy:</b>	I02
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<b>Procedure Owner(s):</b>	Vice President, Student Experience Registrar & Director, Student Services

### Overview:

This procedure applies to the reporting, investigations and outcomes relating to non-academic misconduct of Olds College of Agriculture & Technology (the “College”) students, regardless of location or modality, which is determined to have a real and substantial link to the College.

Members of the College community must know, understand, and comply with College policies, procedures, and associated materials that relate to their position, employment, enrolment or other relationship with the College.

Maintaining the standards of the College’s Student’s Rights and Responsibilities is the responsibility of the College community. Non-compliance may create risk for the College and will be addressed accordingly through applicable College policies, procedures and contracts.

Any conduct on the part of a student that has, or might reasonably be seen to have, an adverse effect on the integrity or the proper functioning and daily operations of the College, or the health, safety, rights, or property of the College or its members and visitors, is subject to discipline under this policy.

The following list sets out specific examples of prohibited conduct. It is intended to help students understand the type of conduct that will be subject to sanctions. It is not an exhaustive list and students should be aware that their conduct may still be considered prohibited conduct under this policy even if it does not appear in the list below.

Prohibited conduct includes, but is not limited to, engaging in, attempting to engage in, or assisting others to engage in any of the actions described below:

1. Adversely impacts the ability or freedoms of other persons to pursue their studies, research, or work in the College or to participate in the life of the College;
2. Constitutes harassment or discrimination against any member of the College community;

3. Interferes with or poses a risk to disrupt the operation of the College or causes damage to College property or environment;
4. Is violent, threatening or endangers the health, safety or well-being of others;
5. A reasonable person would see as inappropriate;
6. Constitutes or promotes hazing;
7. Violates federal, provincial or municipal laws or this policy, the associated Procedure or other College policies, procedures, or directives;
8. Knowingly brings a false charge against any member of the College, or knowingly furnishes false information relating to the College or academic status at the College;
9. Contravenes a warning or sanction imposed under this policy or its associated Procedure or other College policies and procedures; and
10. Aids or conspires in the commission of prohibited conduct which, if committed by a student, would be prohibited conduct under this policy.

## Procedures:

Any individual or College representative (hereinafter called the Complainant), who has identified a violation, reasonably and in good faith, of the policy should attempt to put a stop to the violation by informing the individual responsible (hereinafter called the Respondent) that the Respondent's behaviour is unwelcome or inappropriate and requesting that it end.

Individuals may be accountable to both external authorities and the College for acts that constitute violations of the policy. Assessment of policy violations and related consequences can occur irrespective of any administrative, civil or criminal proceedings arising out of the same or related events.

When considering reporting and investigating violations of the policy, the College understands that an affected individual(s) may wish to control whether or how their experience will be dealt with by the police and/or the College. Normally they will retain this control; however, the College reserves the right to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without consent, if the College believes that the safety of the College community is at risk.

### Student Conduct Team

The Student Conduct Team is the group of College employees responsible for overseeing the College's response to violations of non-academic misconduct related to the policy.

This team includes:

- Registrar (Student Conduct Team Chair)
- Director, Campus and Ancillary Services
- Manager, responsible for Residence Services (or designate)
- Manager, responsible for Campus Security
- Associate Deans (Informal Response Primarily)

### Reporting and Responding

Deciding whether or not to disclose or report a violation of the policy is entirely up to the Complainant. Complainants are strongly encouraged to report; however, they are not required to report in order to obtain College support and services.

1. Individuals are encouraged to report violations of the policy as soon as possible (within ten (10) days is preferred). However, there is no required timeframe for reporting.
2. Reporting to the College does not prohibit or constitute reporting to other authorities (e.g., law enforcement).
3. Individuals have the following reporting options:
  - a. Reporting to the College (Formal or Informal)
  - b. Reporting to Police
  - c. Reporting to other External Bodies (e.g., *Alberta Human Rights Act* or initiating civil legal action)
  - d. Simultaneous Reporting – internal and external reporting options simultaneously.

Reporting and responding to violations to the policy may be informal or formal. Informal responses can be handled by members of the College community while formal responses are handled by the Student Conduct Team.

### **Informal Response**

An informal response may be appropriate when misconduct:

- is minor;
- is not a risk to safety;
- has not persisted following previous informal responses; and
- does not give rise to other concerning conduct.

Members of the College community may contact a member of the Student Conduct Team to consult and receive support on informal responses to address conflict or concerning behaviours under the policy. Outcomes of an informal response may include but are not limited to:

1. Strategies for Complainant to address Respondents directly;
2. Strategies for employees to support students in addressing conflict or concerning behaviours that occur between students;
3. A verbal warning or request that the conduct stop may be used as an informal or immediate response;
4. As part of an informal response, employees are encouraged to identify and discuss supports with the students involved as a way of being proactive in preventing future breaches of policies and procedures.
5. In instances where a student's conduct poses an imminent risk to safety or impedes another student's fitness to learn/participate, the immediate response by an employee may include dismissing a student from a class or from a facility for a period of up to one working day. In such instances, a formal report to the Student Conduct Team is required and further interim measures and sanctions may be imposed.
6. Taking and maintaining an informal written record of isolated incidents is recommended to demonstrate an observable pattern of conduct when making a request for a formal response.

### **Formal Response**

Members of the College community can request a formal response by the College by submitting a formal report to a member of the Student Conduct Team. A formal report should include, where possible:

1. The nature and particulars of the allegation, including the name of the Respondent, if known;

2. The name of the Complainant and contact information, unless the Complainant wishes to remain anonymous;
3. Names of potential witnesses; and
4. Relevant evidence and supporting documentation.
5. A formal response is appropriate when the alleged misconduct:
  - a. is significant;
  - b. poses a risk to safety;
  - c. persists following previous informal responses;
  - d. gives rise to other concerning conduct.

### **Investigation And Decision Making**

The following processes are the protocol for responding to a report, which has been identified reasonably and in good faith, of the policy.

The response, resulting from the submission of a formal report, shall be followed up expeditiously in accordance with the outlined procedures.

Upon receipt of a Formal Report a Student Conduct Team Member will:

1. Evaluate the formal report to determine if the allegation should be addressed as an informal response or if a formal response is required.
2. Notify the Student Conduct Team Lead.

The Student Conduct Team Chair will:

1. Review the formal report.
2. Designate an alternate if necessary.
3. Implement interim measures if necessary.
4. Appoint an investigator if necessary.
5. Appoint a coordinator for administrative details and student care.
6. Review the Investigator's Report and related information.
7. Determine whether or not, on the balance of probabilities, if the formal report will be accepted or dismissed.
8. Determine appropriate disciplinary outcomes.

While the Student Conduct Team Chair or designated alternate is the decision-maker, they may at their discretion, consult with other members of the team relating to decision-making and determination of sanctions as necessary.

### **Investigations**

The Student Conduct Team Chair will ensure that the investigation is conducted thoroughly, fairly, and without bias. The Team Chair may appoint an investigation officer or conduct the investigation.

1. Nothing in the policy precludes the College from investigating misconduct and taking disciplinary actions without an Allegation.
2. Upon receiving an Allegation, the Investigator shall initiate and complete an investigation into the Allegation within thirty (30) working days unless a longer period is appropriate in the circumstances and the Team Chair extends the time. The Complainant and the Respondent will be advised of any extension.
3. The investigation of the Allegation may include but is not limited to:
  - a. A review of all necessary records and information associated with the alleged violation. The Investigator shall have the rights to require the production of such records from anywhere and anyone in the College;

- b. Interviewing of the Complainant, Respondent and witnesses, up to and including every individual identified in the Allegation as having broken the policy.
4. All evidence, including the identities of the Complainant, all witnesses, and the Respondent, must be kept confidential by all parties in any way associated with the investigation of the Allegation, except to the extent necessary to allow the Investigator to conduct the investigation thoroughly and fairly and the Respondent fully to defend against the Allegation.
5. Upon reviewing records and conducting interviews, the Investigator will compile an Investigator's Report.

### **Findings and Outcomes**

#### **Insufficient Evidence**

If a breach of the policy or procedure is not established on a balance of probabilities, the formal report will be dismissed, the Respondent will not be subject to warnings or sanctions, and any interim measures will be immediately terminated. Reasonable accommodations for Respondents, Complainant, and other persons may be considered by the College upon request.

#### **Sufficient Evidence**

If a breach of the policy is established on a balance of probabilities, the Student Conduct Team Lead, with consideration to all relevant circumstances, including any investigator's report, and considering:

- the safety of the College community;
- any identified support needs of Complainant and Respondents;
- restorative justice principles, where appropriate;
- interim measures which have been applied to the student prior to responses;
- the severity of the breach;
- aggravating or mitigating circumstances; and
- the Respondent's acknowledgement and commitments with respect to the breach,

**shall impose one or more of the following:**

- **Warning:** A written warning to the student.
- **Conduct Probation:** A written reprimand and order for a designated probationary period in which a student must fulfill certain conditions and have good conduct or otherwise be subject to the imposition of further sanctions or alternative resolution as listed within these procedures.
- **Restitution:** Payment of costs, or compensation for loss, damage, or injury that may be monetary or in the form of appropriate service or material replacement.
- **Apology:** Issuance of a statement, apology, or retraction in an appropriate form in public or in private.
- **Loss of Privileges:** A denial of specified privileges for a specified period of time. Privileges are those that if restricted may affect full participation in campus life but not make it impossible to complete academic requirements.
- **Restriction or Prohibition of Access or Use:** A denial for a specified period of time, or conditions imposed on, a student's right to access or use of any part or all of the College's lands, equipment, facilities, services, activities,

programs, meetings, or events or those held by, on, or in association with the College.

- **Fines:** Levying of a fine. Fines will not normally exceed \$1,000.
- **Loss of Fees:** Forfeiture or loss of payments, fees, or refunds.
- **Relocation or Exclusion from Residence:** Relocation from a residence or exclusion of the student from residence for any specified period of time.
- **Deregistration or Termination** – Removal of the student from one or more courses for one or more terms (which may require re-application for admission to a program or faculty, or termination from any internship, practicum, or research project).
- **Suspension from the College:** Suspension of the student from the College for a specified period of time after which the student is eligible to return. Conditions for readmission may be imposed. Suspension will normally also result in deregistration and/or the placement of an academic hold.
- **Expulsion from the College:** Expulsion of the student from the College.

Sanctions for non-academic misconduct shall not ordinarily be recorded on a student's transcript unless the student is on probation, suspended or expelled. In the case of suspension, the transcript notation shall be removed upon lapsing of the suspension.

Refusal to comply with sanctions under this policy is itself a serious offense and may result in suspension for up to two years or expulsion from the institution.

Where monetary sanctions are imposed, or where sanctions have financial implications for students, the costs to the College and the degree of financial hardship imposed upon the student, if any, will be taken into consideration.

### **Alternative Resolution Process**

With the consent of a Student Conduct Team member, the Respondent, and any person directly and substantially affected by a breach or breaches, a sanction may consist of or include alternative measures.

Alternative measures may incorporate principles of restorative justice including a written or oral apology; community service; an educational assignment such as a reflective essay, or participation in a College service, program, a workshop, or webinar.

### **Mediation**

Mediation can only occur with the consent of both Complainant and Respondent and in accordance with the established guidelines. If mediation is chosen, the parties will attempt to resolve the issue(s), using the following process:

1. Either party may make a written request for resolution through mediation to the Registrar or Student Conduct Team Member who will convey the request to the other party.
2. The Registrar will select (or act as) an experienced mediator.
3. The mediator will inform the parties of the procedures to be followed.
4. Both the mediator chosen and the format of the mediation procedure must be acceptable to both parties.
5. Mediation proceedings are confidential and communications made by each party during mediation are made without prejudice.

6. A mediated resolution of the complaint results in a written agreement setting out the terms of the resolution and if a proposed resolution involves the College, the College must also agree to the resolution.

### Appeals

Students have the right to appeal any decision made under the policy. Appeals must be made in accordance with the Student Disputes, Complaints and Appeals Procedure.

### Education

Increased awareness and sensitivity to the issues of policy violation and the demonstration of high standards of personal conduct by all members of the College community are the goals of this policy. The College will provide access to information and education regarding the policy through articles in employee and student orientation sessions.

### Confidentiality

All persons involved in a report and/or investigation under this policy and procedure are entitled to confidentiality as required by law and College policy, and where otherwise appropriate. The College treats all reports as confidential, subject to the following:

- When an individual is judged to be at imminent risk of harming self and/or others;
- There are reasonable grounds to believe that Members of the College Community or wider community may be at risk of harm;
- Reporting and/or conducting an investigation is required by law, by the College's policies, or by an external body with appropriate authority.
- Complainants and Respondents are free to disclose their own experiences and stories;
- Confidentiality is subject to the provisions of the Access to *Information Act (ATIA)*, the *Protection of Privacy Act (POPA)*, other legislation, and College policy.

### Multiple or Concurrent Proceedings

The College may proceed with its own student conduct process regardless of any external civil or criminal proceedings. The College's conduct process is independent, and uses a standard of proof based on the balance of probabilities. The outcome of external proceedings will not determine the outcome of the College's conduct process, although they may inform the findings where appropriate.

### Definitions:

**Allegation:** A report made in good faith that a student has breached the Student Policy of Conduct. It may lead to informal resolution, formal investigation, or disciplinary action.

**Appeal:** A student's right to request a review of a decision made under the Student Policy of Conduct, as outlined in the Student Disputes, Complaints and Appeals Procedure.

**Balance of Probabilities:** The standard of proof used to determine if a breach of the policy occurred. It means the evidence indicates it is more likely than not that

the allegation is true.

**Complainant:** Any individual who submits a concern or complaint regarding a suspected breach of the Student Policy Code of Conduct.

**Conduct Probation:** A formal sanction involving a probationary period during which the student must meet certain conditions and maintain appropriate conduct, or face further disciplinary action.

**Deregistration or Termination:** A sanction that removes a student from one or more courses, terms, or experiential learning components (e.g., internships, practicums). Reapplication may be required.

**Expulsion:** The permanent removal of a student from the College due to serious or repeated violations of the policy. Noted on the student's transcript.

**Fine:** A monetary penalty not normally exceeding \$1,000, imposed as a disciplinary sanction.

**Formal Report:** A documented complaint submitted to the Student Conduct Team, providing details of the alleged misconduct, the Respondent's name (if known), witness information, and supporting evidence.

**Formal Response:** An institutional response initiated by the Student Conduct Team when allegations involve significant misconduct, safety risks, repeat behaviour, or other serious concerns.

**Imminent Risk:** A situation where a student's behaviour may immediately harm themselves or others, requiring swift intervention (e.g., temporary dismissal from class).

**Informal Response:** A resolution approach used when misconduct is minor, non-threatening, and isolated. It may include verbal warnings, mediation, or educational support.

**Interim Measures:** Temporary conditions imposed on a student while an investigation is ongoing (e.g., removal from a space or program) to protect safety and ensure fairness.

**Investigation:** The process of gathering evidence, reviewing documents, and interviewing involved parties to determine whether a violation of the policy has occurred.

**Investigator:** An appointed person (internal or external) responsible for conducting an impartial and thorough investigation into formal allegations.

**Investigator's Report:** The formal documentation of findings following an investigation, which is reviewed by the Student Conduct Team Lead to determine next steps.

**Loss of Fees:** A disciplinary outcome that involves forfeiture of tuition or other College-related fees or refunds.

**Loss of Privileges:** Temporary denial of specified privileges (e.g., participation in

campus activities) that does not affect academic program completion.

**Mediation:** A voluntary, confidential process in which a neutral third party helps the reporter and Respondent reach a mutually agreed resolution.

**Probation:** See Conduct Probation

**Relocation or Exclusion from Residence:** A sanction that involves moving a student to a different residence location or barring them from residence facilities for a specified time.

**Respondent:** The individual (student) alleged to have violated the Student Policy of Conduct.

**Restitution:** A requirement to repay or compensate for loss, damage, or injury. May be in the form of money, services, or material replacement.

**Restriction or Prohibition of Access or Use:** A sanction limiting or denying a student's ability to access specific College services, spaces, programs, or events for a period of time.

**Sanction (Disciplinary Outcome):** An outcome imposed when a student is found responsible for misconduct. Sanctions may be educational, restorative, restrictive, or punitive.

**Student Conduct Team:** A group of College staff members responsible for managing non-academic misconduct reports and coordinating investigations and outcomes.

**Student Conduct Team Lead:** The primary decision-maker in formal responses to policy violations, typically the Registrar or their designate.

**Suspension:** A temporary removal of a student from the College for a defined period. Conditions may apply for reinstatement. Suspension is noted on the transcript but removed once the term lapses.

**Warning:** A written notice advising the student that their behaviour was inappropriate and that further misconduct may result in more severe consequences.

#### Related Information:

[I02 Student Rights & Responsibilities Policy](#)  
[I02 Impairment from the Use of Alcohol, Cannabis, other Drugs & Substances Procedure](#)  
[I02 Student Disputes, Complaints & Appeals Procedure](#)  
[I02 Academic Misconduct Procedure](#)

#### Review Period:

3 years

#### Revision History:

New: November 2025