



Procedures for Student Misconduct

Approved By: Vice President, Human Resources, Student Services and International

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Replaces: Version 2015

Corresponding Policy: [Code of Conduct Policy](#)

[Harassment and Discrimination Policy](#)

[Information Technology Acceptable Use Policy](#)

[Sexual Assault and Sexual Violence Policy](#)

[Smoke Free Policy](#)

[Workplace Violence Prevention Policy](#)

Purpose

This procedure outlines how the College addresses student misconduct under the Code of Conduct Policy, including roles and responsibilities, investigation processes, sanctions, and appeal rights. The intent is to ensure a consistent, equitable, and transparent process that both deters misconduct and upholds the principles of procedural fairness, providing students with notice, the opportunity to be heard, and the right to appeal. This procedure complements, and does not replace, the rights and responsibilities outlined in the Code of Conduct Policy.

Scope

This procedure is intended as the College's process for responding to student misconduct under applicable behaviour, safety, and conduct policies.

It also applies to all events and activities related to Cambrian College, including all events, activities, conduct occurring on or off campus (including online conduct), Cambrian College sanctioned events, student-organized events, and activities of clubs or teams which are under the direct or indirect supervision of Cambrian College.

Definitions

College community: includes all registered students, both full and part-time; all paid employees; and all others associated with the College including Board of Governor members, retirees, volunteers, contractors, suppliers, and visitors.

Complainant: the person(s) who brings forward a violation of this procedure. Note: The use of “complainant” is the accepted terminology as per the Ontario Human Rights Commission.

College property: space – physical or digital – owned, controlled, or operated by the College.

Sanction: a formal educative or disciplinary response to an AIV.

Misconduct: includes behaviour that disrupts the teaching and learning process or interferes with the well-being of other students or employees or causes damage to college property. Examples include, but are not limited to, the following:

- Assault
- All forms of bullying
- All forms of discrimination, including contributing to a poisoned environment
- Racism and hate speech, including but not limited to: anti-Indigenous, anti-Black, antisemitism, and Islamophobia
- Disruptive, threatening, or violent conduct
- Harassment
- Mobbing
- Sexual assault
- Sexual harassment
- Sexual violence
- Workplace harassment
- Workplace sexual harassment

Poisoned environment: a form of discrimination created by the comments or actions of a person or group. The comments or conduct do not have to be directed at a particular individual, e.g. ongoing jokes and comments or derogatory statements made about older persons in the workplace.

Operating Procedure

1. General

- 1.1 Members of the College community are to report student misconduct that jeopardizes the safety, rights, property, or the learning environment immediately.
- 1.2 No informal resolution process is available for students once a formal complaint has been reported under this process.
- 1.3 The College will seek, provide, and respect the principles of procedural fairness in dealing with all complaints. It informs individuals or groups of allegations before taking disciplinary action and provides respondents with reasonable notice, details of the allegations, and an opportunity to respond.
- 1.4 The College follows the applicable procedures when an incident involves potential violations of multiple policies (e.g., Harassment and Discrimination, Sexual Violence) and reserves the right to apply the most appropriate procedure.
- 1.5 The College may impose sanctions on students who disrupt the learning environment, interfere with the well-being of the College community, or damage College property, up to and including suspension or expulsion.

2. Reporting a Complaint

- 2.1 Any member of the College community may report student misconduct.
- 2.2 Complaints may be submitted verbally or in writing to the Public Safety Office or through the [Online Complaint Form](#).

3. Investigation Process

- 3.1 The Public Safety Office acknowledges receipt of the complaint, notifies the respondent of the investigation, and communicates relevant information and next steps.
- 3.2 The Public Safety Office initiates the investigation with Academic leadership from the respondent's area, as well as other relevant parties where appropriate, to support the investigation process and ensure appropriate context, expertise, and coordinated response.
- 3.3 The Public Safety Office investigates the complaint, prepares an Incident Report, and

gives the respondent an opportunity to be heard. The College, at its discretion, reserves the right to hire an external investigator.

In some circumstances, the College may act on information provided by the Police to determine whether a violation has occurred and to initiate an Incident Report.

4. Decision and Outcome

- 4.1 The Director, Public Safety confirms the decision of the College in a letter to the student and notifies the complainant(s) that the incident has been addressed.
- 4.2 The Director, Public Safety shares a copy of the letter with the Vice President, Student Services, Human Resources, and International, and other staff as appropriate. The Manager, Public Safety retains a copy in the student's official college record and shares with the Registrar in the case of suspension or expulsion.
- 4.3 The College does not issue refunds of tuition or residence fees in cases of suspension, expulsion, or residence eviction. The student must pay all outstanding fees.
- 4.4 The respondent may appeal the decision or sanctions of the College.
- 4.5 The College treats all decisions as confidential in accordance with applicable privacy legislation.

5. Sanctions

- 5.1 The College imposes sanctions based on the severity of the misconduct.
- 5.2 The College may escalate the severity of the sanction for repeat offenders.
- 5.3 The College may impose any or all of the following sanctions on a student found to have breached College regulations, policies, or rules:
 - a. **Warning:** The College notifies the student that they have violated institutional regulations and/or policies, expected standards or behaviour and warns that future violations will result in a penalty. This sanction cannot be appealed.
 - b. **Behavioural contract:** The College develops a specific contract that sets out the conditions that the student must meet to regain access to classes, placement, College-approved activities or facilities. The decision is communicated directly to the student.

6. Discipline Appeal Hearing

- 6.1 If an appeal request is warranted, the Vice President establishes a Disciplinary Appeal Committee to review the appeal, including any new information and evidence submitted by the student.
- 6.2 The Office of the Vice President, Human Resources, Student Services and International schedules a hearing within seven business days of receiving an appeal request. Notice of the Appeal Hearing shall be provided to all parties involved at least 48 hours in advance of the hearing.
- 6.3 The Disciplinary Appeal Committee, at the discretion of the Chair, may accept relevant records, exhibits, and written statements as evidence for consideration. All such evidence will be presented 48 hours in advance of the hearing and shared with all parties.
- 6.4 The respondent is expected to attend the appeal meeting. If the respondent does not attend, the College upholds the original decision and closes the appeal.
- 6.5 The Committee reviews all evidence to determine if the original decision or sanction was appropriate.
- 6.6 After the hearing, the Discipline Appeal Committee decides by majority vote whether to uphold, modify, or overturn the original disciplinary decision. The Chair casts the deciding vote in the case of a tie.
- 6.7 The Disciplinary Appeal Committee renders its decision within five business days. The Chair of the Committee communicates the decision to the student, and, if appropriate, the necessary College departments in writing. This decision is final.
- 6.8 The Chair of the Committee ensures the documentation of the written record of the appeal hearing. The College retains these records as its property.
- 6.9 The College treats all information as confidential, to the extent permitted by law and in accordance with the Freedom of Information and Protection of Privacy Act.
- 6.10 The Office of the Vice President, Human Resources, Student Services and International maintains and secures all appeal records.

7. Discipline Appeal Hearing Guidelines

- 7.1 Hearings shall be conducted in-camera.
- 7.2 The Chair of the Disciplinary Appeal Committee appoints members. Given the importance of the recommendations from this committee, all members, or their designates, are to be present for meetings to proceed.
- a. The Disciplinary Appeal Committee includes:
- Vice-President, Student Services, Human Resources and International (Chair, non-voting, except in the case of a tie)
 - One faculty member
 - One administrator
 - One support staff member
 - Recording secretary
- 7.3 If the Vice President, Student Services, Human Resources and International cannot chair the committee, they will appoint a designate.
- 7.4 Admission of any person other than committee members to the hearing shall be at the discretion of the Discipline Appeal Committee Chair.
- 7.5 The student may bring an advisor at their own expense. The student is responsible for presenting their own case; however, the advisor may make representations on their behalf.
- 7.6 In hearings involving more than one student, the Chair of the Discipline Appeal Committee may decide to hear cases separately.

8. Returning after Suspension or Expulsion

- 8.1 The following process is intended to create a supporting environment for students and faculty and is in place to ensure the successful re-entry of students into the academic environment following a suspension or expulsion.
- 8.2 Once a student has completed their suspension or expulsion period and they wish to re-enroll at Cambrian College, the student must:
- a. Submit in writing a request for re-admission to the Registrar at least two months prior to the intended re-enrolment date.
 - b. Demonstrate in writing, with documented evidence, that all the conditions of their suspension/expulsion have been satisfied.

- 8.3 The College will determine if the conditions, outlined above, have been satisfied.
- 8.4 If the College is satisfied, the student must gain admission into the program through the regular application process (the student should note that requesting re-admission two months prior to the intended re-enrolment date does not guarantee admission, particularly when first round of admission often happens six (6) months prior to the start of the academic year). Refer to the [Admissions Policy](#).
- 8.5 If the student gains admission, the College communicates the decision to the Academic Dean. The student meets with the Academic Dean of the school they are entering and the Manager, Public Safety, as required. A Behavioural Contract may be drafted and signed by the Academic Dean and the student and shared with relevant parties as required. The Behavioural Contract will be retained within the Academic School.
- 8.6 The Academic Dean will notify faculty (as required) that will be instructing the student for the full duration of the student's behavioural contract to make them aware of the conditions of the behavioural contract and the reason(s) for the original suspension/expulsion.
- 8.7 Should the student change departments, the Academic Dean will inform the Academic Dean of the school to which the student has transferred, and that Academic Dean will inform faculty where appropriate.

Supporting Documents

- [Online Complaint Form](#)

Related Policies

- [Admissions Policy](#)
- [Code of Conduct Policy](#)
- [Harassment and Discrimination Policy](#)
- [Information Technology Acceptable Use Policy](#)
- [Sexual Assault and Sexual Violence Policy](#)
- [Smoke Free Policy](#)
- [Workplace Violence Prevention Policy](#)

Appendix A: Examples of Student Misconduct

Student Misconduct may include, but is not limited to:

- a. Furnishing, with intent, false information to any College staff.
- b. Disruption or obstruction of teaching or learning activities, including those College -directed functions on or off campus.
- c. Physical abuse, verbal abuse, threats, intimidation, harassment, sexual assault or sexual violence, and/or other conduct which results in members of the College community feeling threatened, intimidated, or endangered (see [Harassment and Discrimination Policy](#) and [Sexual Assault and Sexual Violence Policy](#)).
- d. Theft or damage related to the property of the College, or property of a member of the College community.
- e. Any act which endangers the mental or physical health, safety, or the rights of a member of the College community.
- f. Failure to comply with directions of college staff or law enforcements officers acting in the performance of their duties, and/or failure to identify one's self to these persons when requested to do so.
- g. The carrying or possession of explosives, weapons, or anything considered a weapon on college premises (see [Workplace Violence Prevention Policy](#)).
- h. The carrying or possession of dangerous chemicals on college premises except where required for academic reasons.
- i. Conduct that is disorderly, lewd, or indecent.
- j. Breach of peace on college premises or at functions sponsored by the College.
- k. Recording a private conversation without consent.
- l. Counselling, prompting, or otherwise aiding to commit infractions.
- m. Forgery of a document, permit, or instrument of identification, or tampering with official records (see [Academic Integrity Policy](#)).
- n. Being intoxicated while participating in or attending any learning activity.
- o. Buying, selling, in possession of, or using any illegal substances while on campus or in residence.
- p. Creating a false alarm on college property.
- q. Breaching the College's [Smoke Free Policy](#).
- r. Breaching the [Information Technology Acceptable Use Policy](#), including:

- Inappropriate use of computer resources as outlined in the Computer User Agreement signed by all students.
 - Use or display of pornographic material while on any college campus. This includes use of college computers to access pornographic internet sites.
 - Cyber-bullying in the form of threats, harassment, and/or intimidation.
- s. Repeated violation of college and/or residence rules and regulations.
 - t. Bringing a false charge against any member of the College community.
 - u. Charged with committing a crime while on any college property.