

POLICY: Student Behaviour Policy		POLICY NUMBER: AM-010-A1
		PREVIOUS/REPLACES: Updated January 12, 2024
APPROVED BY: Executive Committee	EFFECTIVE DATE AS OF: November 1, 2021	PRIOR VERSIONS: AM-010-A1

1. Policy Statement

All Herzing College students are required to adhere to the College’s reasonable expectations of student conduct and behaviour, in keeping with the College’s mission and values. Depending on the severity and/or frequency of the inappropriate behaviour, a range of disciplinary actions may be implemented by the College including warning, probation, suspension, termination, or expulsion.

2. Scope

This policy applies to all Herzing College staff, faculty members, and students unless otherwise noted.

3. Policy Content

1. Inappropriate behaviour includes any actions that interfere with the education process, the operations of the College, are disrespectful/demeaning to other students and/or staff. This can also include, but is not limited to, such actions as swearing, alcohol or drug violations, fighting and Indecent acts or display of indecent or inappropriate materials.

2. Harassment or Discrimination

- a. The College does not condone harassment or discrimination of any student, staff, client, or visitor to the College. Students participating in harassing or discriminatory behaviour including, but not limited to, that based on racial, sexual, or sexual orientation may be subject to immediate suspension, termination or expulsion depending on the severity of the activity, to be investigated and determined by the Campus President or the Chief Operations Officer.
 - i. Racial harassment means bothering, threatening, or treating someone unfairly because of their race, colour, ancestry, birthplace, religious belief, ethnic background, citizenship, or language.
 - ii. Sexual harassment means bothering someone by saying or doing unwanted or unwelcome things of a sexual or gender-related nature including touching, making offensive jokes about women or men, making sexual suggestions or requests, staring at, or making unwelcome comments about one’s body, displaying sexually offensive pictures or being verbally abusive because of one’s gender.

- iii. Sexual orientation harassment means treating someone unequally because they are a member of the LGBT+ community. This could include making a hurtful comment or action that is known or ought to be known to be unwelcome, making homophobic jokes, or hints about a person's sexual orientation or same-sex partnership status, or displaying of disrespectful signs, caricatures, cartoons, or graffiti.
- b. In determining what constitutes harassment or discrimination, the College refers to the provincial Human Rights Code. Students requiring more specific information may refer to the specific code as posted on the Provincial website.

3. Misuse of College Property

- a. College property is for the provision of college services. Students who damage, misuse, steal or otherwise use the property in a way that is prohibited will be subject to discipline up to expulsion and required to make restitution.

4. Endangerment of Staff or Students

- a. The College is committed to the right of all College staff, students, clients, and visitors to be safe. Students who, by action or neglect, endanger the safety of themselves, or others will be subject to discipline up to expulsion.
- b. Prior to expulsion, depending on the severity and nature of the situation, the College may take intermediate steps at its discretion including warning, probation, suspension, and/or termination.

5. Process Taken Where Inappropriate Student Behaviour is Alleged

- a. **Potential imminent danger to people or property** – The person committing the action may be asked to leave the premises or the authorities may be called.
- b. **Behaviour not of immediate physical danger to people or property** – In such case the employee observing the behaviour or having knowledge of it must bring the situation to the attention of the Academic Dean and the Campus President.
 - i. The student will be told verbally and by email of the alleged behaviour and when the student is to meet with the Disciplinary Committee composed of the Campus President, the Academic Dean, and the employee(s) with firsthand knowledge of the alleged behaviour.
 - ii. The Disciplinary Committee will investigate the issue and provide the student ample opportunity to refute the allegation or to describe mitigating or contributing circumstances.
 - iii. The Disciplinary Committee will render its decision within two class days of meeting with the student. The decision can be to take no action or result in a warning, probation, suspension, termination, or expulsion.

6. Notification

- a. Students who receive discipline for any reason, will be notified in writing, either hand delivered, or by email or regular mail. The College is not responsible for non-delivery of email or regular mail if the student has not provided a valid email and home address.
- b. The notification will contain a description of the basis for the discipline, the effective date, and any other terms of the College's action. Students who dispute the facts or the decision of the Disciplinary Committee and wish to appeal, must appeal the decision in writing within one week of the notification by following the College's "AC-003-A1 Student Complaint Policy."
- c. A student whose discipline is upheld upon appeal and wishes to pursue the matter further, may apply for arbitration. Refer to the process under "AC-003-A1 Student Complaint Policy."
- d. If a student's appeal is successful and they had been suspended, terminated, or expelled, the College will arrange for the student to make up the time that they had missed since the date of suspension, termination, or expulsion specified in the written notification.
- e. Students in certificate or diploma programs may also lodge a complaint with the relevant Provincial office responsible for regulating PVI's:
 - i. In Manitoba, this can be done through their website here:
https://residents.gov.mb.ca/forms.html?d=details&pub_id=2815&filter_category=9
 - ii. In Ontario, students can access information regarding complaints on their website here:
<https://www.ontario.ca/page/private-career-college-students-rights-and-responsibilities#section-3>
 - iii. In Québec, complaints for DVS programs can be filed on the Ministry of Education website:
<https://www.quebec.ca/education/prescolaire-primaire-et-secondaire/droits-eleve/porter-plainte>

For ACS programs, the website is:

https://joindre.education.gouv.qc.ca/fr/index_fr.php

7. Settlement of Student's Accounts

- a. Settlement of a student's accounts for a student who has been expelled or terminated will be completed under the College's refund policy and according to provincial ministry regulations as applicable to all students using the last day of attendance of the student.

8. Return of Property

- a. A student who is terminated or expelled is responsible for the return of any College's property in their own possession within 10 days of the expulsion or termination and will be held financially responsible for any property not returned in good condition or as outlined in the student contract.

4. Administration

The Academic Dean, or their designee, will oversee the administration and enforcement of this policy.

5. Review

This policy will be reviewed as required by the Executive Committee in 2028.

6. Reference

- Herzing College Student Manual
- AM-003-A2 Student Complaint Policy

7. Definitions

Warning – A written notice to the student describing unacceptable behaviour and the consequences of any repetition of such behaviour.

Probation – A student status in which a student has been warned of inferior academic performance and/or unacceptable behaviour and what the student must do to avoid possible suspension or termination.

Suspension – A situation in which a student is not allowed to be on campus-and their participation in class is halted for a period ranging from a day to a semester. The student will also be apprised of their right to appeal and how to do so.

Termination – A situation in which a student is removed from enrollment in the program the student is currently pursuing. The student may apply to enroll in another program or, after a year, apply to re-enroll in the same program. The student will also be apprised of their right to appeal and how to do so.

Expulsion – A situation where a student is permanently dismissed from the College and has no right of re-enrollment at the College. The student will also be apprised of their right to appeal and how to do so.