



## Medicine Hat College Procedure STUDENT NON-ACADEMIC MISCONDUCT

Procedure #: PR-SD-04-01  
Procedure Authority: Dean of Students/Registrar  
Executive Sponsor: Vice-President, Academic and Provost  
Approved by: Vice-President, Academic and Provost  
Effective Date: November 18, 2020

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### 1. PURPOSE

This procedure outlines the steps to be followed in incidences of Student Non-Academic Misconduct.

These procedures do not apply to student academic misconduct. For these, please refer to Student Academic Misconduct in the Medicine Hat College (MHC) College Calendar.

### 2. POLICY

SD-04: Student Non-Academic Misconduct (the **Policy**)

### 3. DEFINITIONS

All terms used throughout these procedures that are not otherwise defined herein shall have the meanings ascribed to such under the Policy.

- **Parties:** any person involved in the incident.
- **Working Days:** any day from Monday to Friday when the college is open. Holidays and weekends are not considered working days.

### 4. INFORMATION, PRIVACY, CONFIDENTIALITY AND SECURITY

Employees must handle the collection, use and distribution of all information in ways that respects individual privacy, protects MHC's interests and complies with all applicable privacy legislation, including but not limited to the Freedom of Information and Protection of Privacy Act.

The college will make every effort to ensure that incidences are handled in such a ways as to keep information in confidence except as necessary to investigate the incident. All parties of an incident are expected to maintain confidentiality.

Records should be retained or destroyed according to GA-05-01 Appendix B - Records Retention and Disposition Schedule. Employees must not alter, distort, conceal or destroy any document, record, or object for the purpose of impeding or obstructing any investigation conducted by MHC or any government or regulatory agency.

**5. CONFLICT OF INTEREST**

Should the nature of an incident place any party responsible for acting under these procedures in a conflict of interest as defined by the college’s policy HR-10: Code of Conduct, a college executive who has no involvement in the situation will be responsible for identifying an alternate.

**6. RULES OF PROCEDURE FAIRNESS**

Throughout this process, all parties involved shall be entitled to fair treatment which includes

- (a) reasonable notice of any meeting at which attendance is requested;
- (b) reasonable notice of the filing of a complaint and of its nature and substance so as to be able to respond to it;
- (c) bringing information to the attention of the decision-maker;
- (d) consideration as to whether there are any obstacles or factors which might hinder a person’s ability to respond to an allegation or complaint, or to make a submission on any matter, and otherwise make appropriate allowances so that a person’s submission or response will be taken into consideration;
- (e) allowing students to bring a support person (Students’ Association representative);
- (f) decisions being made without bias or the appearance of bias;
- (g) acting only on relevant information or evidence;
- (h) decision-makers giving genuine and proper consideration to the particular merits of a person’s case before reaching their decision. However, previous incidents where the accused has been a party, will be taken into account and may be considered a factor in determining the outcome of the investigation and subsequent penalties.

**7. PROCEDURE**

ACTION	RESPONSIBILITY
<b>INCIDENT OF STUDENT NON-ACADEMIC MISCONDUCT OCCURS</b>	
Respond immediately to any incident occurring in classrooms, laboratory, shops and other assigned teaching learning/activity settings.	Activity supervisor
Respond immediately to any incident occurring on campus but outside of direct learning environment (e.g. common areas of the college, including but not limited to hallways, parking lot, washrooms.)	Individual who witnesses

<b>SERIOUS INCIDENT RESPONSE</b>	
Individuals witnessing Student Non-Academic Misconduct in common areas of the college should report to the activity supervisor. If the activity supervisor is not available or when the observed misconduct cannot be managed by the activity supervisor in the location that they are responsible for, report the incident directly to Campus Security. This includes actions of violence.	Activity supervisor or individual call Campus Security immediately
If the activity supervisor is unable to provide resolution or if it is of a serious enough nature, the incident should be reported to their supervisor.	Individual or activity supervisor, Manager, or Campus Security
<b>STEP ONE: INFORMAL RESOLUTION</b>	
Where possible and appropriate to do so, incidents of Student Non-Academic Misconduct should be dealt with informally by activity supervisors or between students.	Activity supervisor or students
The informal process will include the following <ul style="list-style-type: none"> <li>• consulting with all parties involved,</li> <li>• assessing whether the incident can be handled informally, and</li> <li>• setting expectations and agreement on future behavior.</li> </ul>	Activity supervisor or students
Disciplinary action that could be imposed include the following <ul style="list-style-type: none"> <li>(i) warning - approved by activity supervisor,</li> <li>(ii) removal from activity - approved by activity supervisor, or</li> <li>(iii) Suspension for up to 3 days - approved by Dean.</li> </ul>	Activity supervisor or Dean
<b>STEP TWO: FORMAL RESOLUTION</b>	
If there is no resolution of the incident through step one or if the incident is serious in nature, the incident requires formal resolution.	
A written report indicating a complaint of Student Non-Academic Misconduct is completed and sent to the Manager, Student Supports.	Activity supervisor or student
Upon receiving a report of a complaint, an investigation will be done. The investigation consists of the Manager, Student Supports meeting separately with those accused of the wrongdoing and the person or persons who reported the incident, in order to determine the nature of the offence. In certain circumstances, the Manager, Student Supports may impose temporary sanctions while an investigation is underway to ensure the safety and well-being of the Medicine Hat College community.	Manager, Student Supports

<p>If the Manager, Student Supports determines based on the balance of probability, that an offence has occurred, a letter is written outlining the validity of the report and the sanctions and remedies to be imposed. Copies of this letter go to the student and Dean of Students/Registrar.</p>	<p>Manager, Student Supports</p>
<p>Disciplinary action that could be imposed include the following                  (i) warning - approved by Manager, Student Supports;                  (ii) suspension for longer than three days - approved by Dean of Students/Registrar upon recommendation of Manager, Student Supports;                  (iii) dismissal (for one year- must submit application for re-admission) - approved by Dean of Student Services /Registrar upon recommendation of Manager, Student Supports; or                  (iv) expulsion - approved by Dean of Students/Registrar.</p>	<p>As indicated</p>
<p>The Manager, Student Supports or Dean of Student Services /Registrar shall notify the student or students in writing of the action and the penalty to be imposed. Copies of this letter will be forwarded to the Vice-President, Academic and Provost.</p>	<p>Manager, Student Supports or Dean of Student Services /Registrar</p>
<p><b>APPEAL PROCEDURE</b></p>	
<p>The student can appeal the penalty for Student Non-Academic Misconduct by notifying the office of the Vice-President, Academic and Provost in writing within 20 working days from the date of the Registrar's/Manager, Student Supports decision.</p>	<p>Student</p>
<p>An appeal committee is formed. The committee will comprise of the following                  • Vice-President, Academic and Provost;                  • a student recommended by the Students' Association (from a different program than, and unknown to the accused); and                  • one neutral college administrator or faculty member recommended by the Vice-President, Academic and Provost.</p>	<p>Vice-President, Academic and Provost</p>
<p>The appeal committee will review the written documentation and hear from all parties concerned in the matter. The committee shall make a decision within 20 working days from the date the student or students filed the appeal. The decision of the committee is final. A written document outlining the committee's decision is sent to the student and the Dean of Student Services/Registrar.</p>	<p>Vice-President, Academic and Provost</p>
<p><b>DOCUMENTATION</b></p>	
<p>A letter outlining the result of the investigation and the penalty to be imposed is placed on the student's official record - formal resolution only. For complaints resolved informally nothing will be placed on the student's official record.</p>	<p>Dean of Student Services/Registrar</p>

ORIGINAL COPY SIGNED

Vicky Roy  
Vice-President, Academic and Provost

Date: November 18, 2020

**DOCUMENT HISTORY**

September 2015	New procedure
November 2020	Reviewed procedure approved