

# LICENSEE CONDUCT POLICY

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## Table of Contents

PURPOSE.....	2
OBJECTIVE .....	2
APPLICATION AND SCOPE.....	3
DEFINITIONS .....	3
1. POLICY REQUIREMENTS.....	3
2. VIOLATIONS PROHIBITED UNDER THIS POLICY .....	3
3. REMEDIES AND PENALTIES .....	4
4. DECISIONS .....	5
5. INTERIM MEASURES.....	6

<p><b>GUIDING DOCUMENT(S)</b></p> <p>College Act, s. 37, 38</p> <p>Code of Professional Conduct</p> <p>College By-law, s. 28.10(d), 28.10(e)</p> <p>Good Character and Good Conduct Regulation</p>	<p><b>DOCUMENT TYPE</b></p> <p>External</p> <p>Public-facing</p>
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## PURPOSE

This policy outlines:

- Licensee, instructor, mentor and College staff rights to a civil, safe, and respectful Learning Environment, teaching environment and/or work environment;
- the remedies and penalties for Violations of the Licensee Conduct Policy; and
- the decision-making process and any interim measures to be taken, should a Violation of this policy occur.

## OBJECTIVE

Licensees enrolled in education Programs or Courses at the College of Immigration and Citizenship Consultants (the College) are entitled to learning, studying, and working in an environment that is civil, safe, and respectful of their rights, well-being and dignity. This policy addresses licensees’ Conduct and actions that have a negative impact on other licensees, instructors, mentors, and/or College staff, and an adverse effect on the Learning Environment, teaching environment and work environment.

## APPLICATION AND SCOPE

This policy applies to all licensees enrolled in Programs or Courses offered by the College and to former licensees who have enrolled in or completed a College education Program or Course.

## INTRODUCTION

Licensees enrolled in College education Programs or Courses must ensure their Conduct does not negatively impact the Learning Environment, teaching environment and work environment.

## DEFINITIONS

In this policy, capitalized terms, unless otherwise defined herein, have the same meaning as they do in the By-law and/or the Regulations.

**Conduct** – refers to the manner in which a licensee behaves especially in a particular context such as a Learning Environment. [*conduite*]

**Course** – means a set of classes or a plan of study on a particular subject. Courses may be offered online, face-to-face or as a combination of the two. [*cours*]

**Learning Environment** – means any shared forum, whether digital or physical (e.g., virtual discussion boards, physical classrooms, etc.) where licensees exchange communications and perform activities to complete Course or Program requirements. [*milieu d'apprentissage*]

**Violation** – refers to the act of doing something that is not allowed by rule, Regulation, By-law, policy or law. [*infraction*]

## 1. POLICY REQUIREMENTS

### General

- 1.1 It is expected that licensees enrolled in a College education Program or Course conduct themselves in ways that do not negatively impact the Learning Environment and teaching environment and work environment.

## 2. VIOLATIONS PROHIBITED UNDER THIS POLICY

- 2.1 The Violations described are not intended to be exhaustive, but to provide reasonable guidance to licensees, instructors, mentors and College staff. Violations may consist of a single act, repeated acts, or form part of a pattern of behaviour that, as a whole, constitutes a Violation.
- 2.2 Disruption to learning, teaching and work – Licensees must not behave in disruptive ways that obstruct the Learning Environment, teaching environment or work environment.

- 2.3 Malicious or untrue material – Licensees must not distribute malicious materials or information they know to be untrue about the College, instructors, mentors, staff or other licensees.
- 2.4 Unauthorized entry and/or presence – Licensees must not enter, use or let someone else use or have access to Learning Environments in which they are not authorized or permitted to access.
- 2.5 Impersonation of another person – Licensees must not impersonate another person, or have another person impersonate another, in any Learning Environment in connection with any form (physical, written, digital) of education work.
- 2.6 Non-compliance with Program guidelines, or directions from instructors or mentors – Licensees are required to comply with guidelines for Program participation and directions of instructors, mentors and College staff acting in the legitimate performance of their duties .
- 2.7 Aggressive, threatening or offensive behaviour – Licensees must not act in a bullying or intimidating manner that is physically or verbally aggressive, and must not threaten harm to anyone.
- 2.8 Harassment – Licensees must not utter unwelcome or repeated remarks or words, nor carry out unwelcome or repeated actions or make unwelcome or repeated gestures any of which are known, or should be known, to be demeaning towards an individual or group.

### **3. REMEDIES AND PENALTIES**

Licensees who fail to comply with the Licensee Conduct Policy will be subject to the remedies and penalties outlined below:

#### 3.1 Remedies

The following remedies may be imposed for a Violation of the Licensee Conduct Policy:

- Verbal and/or written apology – An apology to the other licensees, instructors, mentors and/or College staff impacted by the action/behaviour;
- Apology – An expression of regret for the Violation in a satisfactory form and/or a face-to-face meeting to discuss the offending behaviour;
- Written reprimand – A notice in writing to the licensee that the licensee has committed or is committing a Violation;

- Written explanation of behaviour expectations – Document setting out the professional behaviour expected from the licensee, the consequences if the conditions stipulated therein are not respected and the possible range of actions to be taken; or
- Mediation with impacted parties – Participation of the licensee to the development of a plan to correct the action/behaviour.

### 3.2 Penalties

The following penalties may be imposed for a Violation of the Licensee Conduct Policy or for failure by a licensee to comply with the remedies and penalties assigned under this policy as a result of the Violation:

- Restriction on accessing education environments – Prohibition or limitation on accessing Learning Environments, restricting contact with specific person(s), for a defined period of time;
- De-enrollment from a Course or Program;
- Report of the action/behaviour to the police;
- Referral of the matter to the Registration Department where the Conduct may be investigated and may affect the licensee’s ability to meet ongoing Good Character, Good Conduct obligations; in addition, the Registrar may under section 38 of the College Act:
  - suspend the licensee’s licence;
  - revoke the licensee’s suspended licence; or
  - take or require any other action set out in the Regulations.

## 4. DECISIONS

- 4.1 The burden of proof is on the College to demonstrate that the Violation has occurred and that the remedy or penalty is reasonable given the nature of the licensee’s Conduct.
- 4.2 Decisions will be made by the Director, Professional Standards, Research, Education and Policy based on a balance of probabilities, meaning the evidence shows it is more likely than not the alleged Violation occurred.
- 4.3 The degree of probability should be proportionate to the seriousness of the offence allegation and the gravity of the potential remedy and/or penalty.

## 5. INTERIM MEASURES

- 5.1 Disruption of instructional activities may be dealt with by the appropriate instructor, mentor or College staff as a matter of classroom management.
- 5.2 The instructor, mentor or College staff may require the licensee to leave the class for the remainder of the particular class or ask the licensee to reregister and attend a future offering of the class.
- 5.3 Any disruption that results in the removal of a licensee must be reported to the Director, Professional Standards, Research, Education and Policy.

### APPROVAL AND REVIEW

	<b>Details</b> <i>If relevant, add notes to alert readers about the modifications to the document (e.g., updated wording from Council to College)</i>	<b>Approval Authority</b>	<b>Date</b>
Original Approval	N/A	Board of Directors	2021/04/16
Approval of modifications /updates	Updates and modifications to Licensee Conduct Policy (formerly Learner Conduct Policy) submitted for approval.	Board of Directors	2023/03/10