



# CHAMPLAIN

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## REGIONAL COLLEGE

### **Institutional Code of Student Conduct**



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## Adoption and Revision History

Board of Governors Meeting	Resolution Number	Notes
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October 27, 2017	3077	Interim adoption pending further consultation on Article 7.11 to be undertaken prior to the January 2018 meeting of the Board of Governors.
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# Contents

<b>Section 2: Definition of Terms .....</b>	<b>2</b>
2.1 Student.....	2
2.2 Teachers and Staff .....	2
2.3 In Class.....	2
2.4 Outside of Class.....	2
<b>Section 3: Application .....</b>	<b>3</b>
<b>Section 4: General Provisions .....</b>	<b>3</b>
<b>Section 5: Roles and Responsibilities.....</b>	<b>4</b>
5.1 Director of Studies.....	4
5.2 Campus Director .....	4
5.3 Designated Administrator.....	4
5.4 Teachers.....	5
5.5 Staff.....	6
5.6 Students.....	6
<b>Section 6: Definitions of Misconduct .....</b>	<b>6</b>
6.1 Disrespectful or Disruptive Behaviour in the Classroom.....	6
6.2 Inappropriate Use of Electronic Devices and Computers.....	7
6.3 Inappropriate Use of Facilities .....	7
6.4 Illegal and Aggressive Behaviours.....	8
6.5 Unacceptable Behaviours.....	9
<b>Section 7: Sanctions for Misconduct .....</b>	<b>9</b>
7.1 Warning.....	9
7.2 Apology.....	10
7.3 Restricted Privileges .....	10
7.4 Restitution.....	10
7.5 Mandatory Participation .....	10
7.6 Fines .....	10
7.7 Peace Bonds (for infractions that occur in a student residence).....	10
7.8 Short-term Class Suspension.....	10
7.9 Long-term Class Suspension .....	10
7.10 College Suspension or Expulsion.....	11
7.11 Exceptional Measures .....	11

**Section 8: Appeals ..... 11**

- 8.1 Student Conduct Appeal Committee ..... 12
  - 8.1.1 Composition ..... 12
  - 8.1.2 Steps to Process an Appeal ..... 12
  - 8.1.3 General Functioning ..... 13

**Section 9: Confidentiality ..... 13**

**Section 10: Dissemination and Review of the Institutional Code of Student Conduct ..... 13**

- 10.1 Dissemination ..... 13
- 10.2 Review of the Institutional Code of Student Conduct ..... 14

**Section 11: Adoption ..... 14**

## Section 1: Preamble

Champlain Regional College is a learning, teaching, and work community of students, teachers and staff, committed to providing a civil and stimulating environment which is respectful of the rights, responsibilities, well-being, and dignity of all of its members.

The Institutional Code of Student Conduct (referred throughout this document as the Code) is meant as a tool towards this objective. The Code outlines the behaviours and attitudes expected of all Champlain students. It also aims at ensuring that the well being, health, and security of all members of the College community are protected.

Conduct which adversely affects the rights of a member of the College community to use and enjoy the College's learning and working environment and facilities or conduct which could adversely affect the health and safety of a member of the College community will consequently not be tolerated.

Consistent with its Mission, Values, and Vision Statement — particularly the values of respect, lifelong learning, collaboration, and a sense of community and tradition — the College seeks to take a developmental approach to student conduct<sup>1</sup> in which

The underlying philosophy is one of education and not punishment. This does not preclude the use of punitive sanctions. Rather, this means the conduct program focuses on the education and the development of the individual respondent as well as the protection of community standards.

Among the principles of such an educational approach are the following:

- The individual student is expected to accept responsibility for his or her behaviour.
- The individual student is responsible for resolving the behaviour with the aid of the interveners and mechanisms set forth in the Code.
- Incidents can be seen as a learning opportunity.
- All College personnel have an educational role to play in guiding and supporting students.

The goals of the student conduct process set forth in this Code include the following:

- To prevent a student's inappropriate behaviour from recurring in the future;
- To prevent a student's behaviour from impacting negatively on members of the College community;
- To address the cause of the inappropriate behaviour in order to help the student develop and become a positive contributor to the College community.

While the Code provides guidelines for a fair and equitable resolution in case of conduct issues, the College trusts the judgment of those intervening with students.

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<sup>1</sup> Adapted from: Commission for Student Conduct and Legal Affairs.(2010). *Student conduct board manual and reference*. Washington, DC: American College Personnel Association. Retrieved from <http://www.myacpa.org/student-conduct-board-manual-reference>

## Section 2: Definition of Terms

### 2.1 Student

For the purposes of this policy, a **student** is defined as any person admitted to Champlain Regional College and either registered in one or more courses (credit or non-credit) offered by the College or receiving services (e.g., Recognition of Acquired Competency (RAC) candidates, students on co-op placement).

### 2.2 Teachers and Staff

**Teachers and staff** include all regular employees of the College, individuals employed under a contract issued by the College and individuals who have been authorized to act on behalf of the College.

### 2.3 In Class

“**In Class**” is defined as all activities for which a teacher has been assigned primary responsibility including but not limited to classroom activities, academic and field trips, stages work or internships, etc.

### 2.4 Outside of Class

“**Outside of Class**” is defined as

- all other extra-curricular activities that are supervised or sponsored using the name of the College and/or the campuses’ respective Students’ Association, whether they take place on or off the College premises;
- all other circumstances while students are on the College premises but outside of a classroom (e.g., hallways, lounges, teachers’ offices, computer labs, cafeteria, library).

## Section 3: Application

The Code is intended to cover instances of non-academic student misconduct, both inside and outside the classroom, not otherwise dealt with in College regulations and policies. Academic misconduct (e.g. cheating and plagiarism) and student academic grievances are dealt with in the [Institutional Policy on the Evaluation of Student Achievement](#) (IPESA).

The Code applies

- at any physical location, site, or venue<sup>1</sup> where activities connected to the College take place;
- on any occasion involving curricular or extra-curricular activities that are supervised or sponsored using the name of the College, whether they take place on or outside the College premises;
- at any time while present on the College premises, including outside of organized activities or classes (e.g., having lunch at the cafeteria).

## Section 4: General Provisions

Champlain Regional College is dedicated to be proactive in creating and maintaining a positive learning and working milieu. To foster this constructive educational environment, the College is committed to providing high quality education and building a respectful context conducive to students' success and development.

The Code reflects the expectation that students will conduct themselves in a manner consistent with generally accepted standards of behaviour, College regulations and policies, and departmental policies. In addition, students are subject to all local, municipal, provincial, and federal laws.

While the Code is based on common sense and mutual respect, behaviours such as physical and psychological harassment (defined and dealt with in the Champlain Regional College [Harassment Policy](#)) and illegal or aggressive acts are strictly prohibited.

Conduct that constitutes an illegal or serious act of violence including sexual assault and behaviours that could give rise to a civil claim or action may also be dealt with by the appropriate criminal or civil proceedings. In such cases, the College may also impose disciplinary sanctions that could go as far as College expulsion.

A student group or organization and its officers may be held collectively or individually responsible when they tacitly or overtly consent or encourage violations of the Code.

Attempts to commit acts prohibited by the Code may be punished to the same extent as actual violations.

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<sup>1</sup> For the Lennoxville Campus students, the Code also applies to Residences and to Bishop's University premises. In addition, the Code is applicable to Continuing Education at the three campuses.

The Code will be applied in a fair and judicious manner. The proceedings that take place in its application will be conducted in a confidential manner.

Responsibility for the enforcement of this Code is of necessity shared by a number of individuals and groups. There should be sufficient consultation and coordination amongst all parties involved in the Code's enforcement to ensure reasonable equity in the application of sanctions.

## **Section 5: Roles and Responsibilities**

This section identifies specific individuals and groups within the College who have responsibilities or are affected by specific aspects of the implementation of the Code. Procedures for dealing with misconduct are outlined when appropriate.

### **5.1 Director of Studies**

- 5.1.1. The implementation of this Code is under the joint responsibility of the Director of Studies and, at each campus of the College, the Campus Director.
- 5.1.2. As per [Article 10.2](#), the Director of Studies will assume the responsibility of conducting any review of the Code, in partnership with Campus Directors.

### **5.2 Campus Director**

- 5.2.1. At each location, the Campus Director has the responsibility for the application of the Code.
- 5.2.2. In cases of appeals pertaining to long-term class suspension and College suspension, as per [Section 8](#), the Campus Director returns a decision within three (3) working days of receipt of the recommendation of the Student Conduct Appeal Committee. In all other cases of appeal, the decision of the Campus Director will be returned within five (5) working days.
- 5.2.3. As per [Article 10.2](#), the Campus Director works in partnership with the Director of Studies on reviews of the Code.

### **5.3 Designated Administrator**

- 5.3.1. Various administrators are designated by their respective Campus Director to assume responsibility for the application of various articles of the Code. Any modifications in the designation of responsibilities will be communicated to the campus community by appropriate means.
- 5.3.2. The Designated Administrator is responsible for dealing with infractions of the Code and
  - will investigate to determine the facts of the cases in violation of the Code;



- may attempt to mediate the situation or proceed with immediate disciplinary actions;
- may impose the sanctions described in [Section 7](#); with the exception of [Article 7.11](#) in which case the Campus Director is responsible;
- will ensure a fair hearing for the student.

For cases of a serious nature, the Designated Academic Administrator will consult with the Campus Director.

## 5.4 Teachers

- 5.4.1. Teachers are responsible for determining the appropriateness of student behaviour in the classroom.
- 5.4.2. As per Article 5.3.2 of the [Institutional Policy on the Evaluation of Student Achievement](#) (IPESA), teachers have the right and the responsibility to act when a student's behaviour is detrimental to the safety and well-being of either themselves or others when such behaviour disrupts the learning in the class, as long as doing so does not place them or others in danger.
- 5.4.3. Teachers who observe minor infractions of the Code are encouraged to intervene and deal with the situation in an appropriate manner. Teachers are invited to report these infractions to the Designated Administrator to facilitate the documentation pertaining to potential patterns of behaviour.
- 5.4.4. Serious infractions of the Code should be reported to the Designated Administrator and/or Security as soon as possible after the incident.
- 5.4.5. If a student demonstrates misconduct in class, a teacher may require that the student leave the class for the remainder of that class period ([Article 7.8: Short-term Class Suspension](#)). The student must be given the reasons for this sanction.
- 5.4.6. If a student refuses to abide by a teacher's decision to be removed from the classroom ([Article 7.8: Short-term Class Suspension](#)), the teacher may immediately refer the matter to the Designated Administrator and/or Security. In exceptional circumstances, the teacher may cancel the class and then refer the matter to the Designated Administrator.
- 5.4.7. If a teacher requires a student to leave class on a second occasion, the teacher must give the Designated Administrator written notification within two working days of this incident, including the reasons for which the student was required to leave class on both occasions.
- 5.4.8. If a teacher wishes a student to be made subject to a Long-term Class Suspension ([Article 7.9](#)), a written request detailing the reasons for this action must be provided to the Designated Administrator. A copy of this request should be provided to the student in question. Decisions regarding long-term class suspension will be made by the Designated Administrator.
- 5.4.9. Teachers must make known to students what uses of electronic devices, if any, are appropriate or authorized in their classroom context.

## 5.5 Staff

- 5.5.1. Staff who observe minor infractions of the Code are encouraged to intervene and deal with the situation in an appropriate manner.
- 5.5.2. Serious infractions of the Code should be reported to the Designated Administrator and/or Security as soon as possible after the incident.

## 5.6 Students

- 5.6.1. All students registered in credit courses at Champlain Regional College must have a valid college identification card. Students must present this card in order to receive College services or to have access to College facilities. Students may be asked to provide this identification card upon the request of College personnel or their representatives.
- 5.6.2. Continuing Education students, students “*en commandite*”, and individuals receiving other services from the College may not be issued an official college identification card. They are still held accountable by the Code of Student Conduct and may be asked to provide other photo identification upon the request of College personnel or their representatives.
- 5.6.3. Students are expected to behave respectfully and adhere to the institutional values.
- 5.6.4. Students are expected to be familiar with the contents of the current Code, to respect its provisions, and act as responsible citizens.
- 5.6.5. Students are encouraged to report serious infractions of the Code to the Designated Administrator and/or Security as soon as possible after the incident.
- 5.6.6. Students who wish to appeal a sanction must abide by the appeal process described in [Section 8](#).

# Section 6: Definitions of Misconduct

This section of the Code outlines, in a **non-exhaustive manner**, actions which the College considers to be non-academic misconduct offences.

While students are expected to respect the law at all times and behave in a manner that shows respect for fellow members of the Champlain community, the Code specifically prohibits, **but is not limited to**, such acts as:

## 6.1 Disrespectful or Disruptive Behaviour in the Classroom

- 6.1.1. Teachers have the authority to determine the appropriateness of student behaviour in the classroom. They have the discretion to take appropriate action to maintain an environment conducive to learning.

- 6.1.2 Such action may require that a student or students leave the class for the remainder of that class period ([Article 7.8: Short-term Class Suspension](#)). Serious infractions will be reported to the Designated Administrator and/or Security as soon as possible after the incident.
- 6.1.3 As per Section 3.5 of the [Institutional Policy on the Evaluation of Student Achievement](#) (IPESA), some accommodations for students with special needs may be required in some cases regarding what is acceptable behaviour in an educational context or what is a legitimate use of electronic devices and computers for this clientele.

## **6.2 Inappropriate Use of Electronic Devices and Computers**

- 6.2.1 Cyberbullying and the use of abusive, hostile, offending, or discriminatory language in e-mails, social media and other electronic communication.
- 6.2.2 Using cell phones and all other communication devices in the classroom is prohibited unless authorized by the individual teacher.
- 6.2.3 Using computers or electronic devices in the classroom for reasons unrelated to learning activities specified by the teacher.
- 6.2.4 Misuse or inappropriate use of computers in the library and computer labs interfering with their pedagogical use.
- 6.2.5 Misusing the College technology, communication systems, and Internet services. Examples of misuse include but are not limited to the downloading of files such as games, movies, or music, mass mailing or spamming, browsing of inappropriate contents on the Internet, and other unauthorized or illegal activities.
- 6.2.6 Breaching the right to privacy or the right to confidentiality of another member of the college community.

## **6.3 Inappropriate Use of Facilities**

- 6.3.1 Unauthorized removal of College furnishings, equipment, or communication systems.
- 6.3.2 Irresponsible driving on College owned, shared, or rented property.
- 6.3.3 Setting off a false alarm.
- 6.3.4 Unauthorized display, advertising, selling, or solicitation, or engaging in commercial activities on College premises or using college-managed technology or on-line presence linked to the College to do likewise.
- 6.3.5 Polluting College facilities or grounds by not making use of available recycling bins, garbage receptacles, or ashtrays.
- 6.3.6 Unauthorized use or possession of school keys.
- 6.3.7 Being on College property outside of authorized hours.
- 6.3.8 Failing to ensure the security of equipment for which one is responsible.

- 6.3.9 Unauthorized use of or presence in restricted College premises, facilities, or property.
- 6.3.10 Consumption of food and/or beverages in areas where this is prohibited (these identified areas may include science and language laboratories, rooms with computer equipment, athletic facilities, the library, etc.).

## **6.4 Illegal and Aggressive Behaviours**

In the examples of illegal and aggressive behaviours presented below, the items marked with an asterisk (\*) are proscribed behaviours whether they take place via direct interaction between people or via any other kind of printed or electronic media, **including all types of electronic communications** (e.g., texting, Facebook, Twitter).

- 6.4.1 Physically or sexually assaulting, stalking, physically abusing, physically intimidating, or extorting money or belongings from another member of the College community.
- 6.4.2 Threatening, verbally abusing, or verbally intimidating another member of the College community. \*
- 6.4.3 Engaging in vexatious comments or conduct that is known or ought to reasonably be known to be unwelcome, including physically, sexually, or psychologically harassing (as defined in the [College Harassment Policy](#)) another member of the College community. \*
- 6.4.4 Starting or spreading rumours, including malicious libel, slander, or defamation of character. \*
- 6.4.5 Discriminating against or promoting negative prejudgements or hatred in ideas, words, images, or actions about another member of the College community based on their gender, disability, sexual orientation, religious belief, political conviction, ethnic background, or age. \*
- 6.4.6 Using or possessing any weapon or dangerous material.
- 6.4.7 Theft, destruction, or intentional or reckless damage to the property of other members of the College community.
- 6.4.8 Theft of College property or services.
- 6.4.9 Defacing College property with graffiti, misusing or damaging College grounds, buildings, facilities or equipment.
- 6.4.10 Being under the influence of, using, distributing or possessing unprescribed illegal drugs.
- 6.4.11 Acting in any way that endangers the health, safety or well-being of self and others.
- 6.4.12 Engaging in unruly behaviour, disturbing the peace, disrupting or obstructing College activities.

- 6.4.13 Inciting, aiding, being party to, causing or deliberately concealing another person's misconduct.
- 6.4.14 Committing indecent acts and/or using obscene, profane, or abusive language. \*

## 6.5 Unacceptable Behaviours

- 6.5.1 Hazing.
- 6.5.2 Smoking in an area where it is prohibited.
- 6.5.3 Gambling.
- 6.5.4 Unauthorized use of the College's name or logos.
- 6.5.5 Intentionally providing false information to the College.
- 6.5.6 Making false statements to College personnel, including college security personnel, acting in performance of their duties.
- 6.5.7 Involvement in the forgery, unauthorized alteration, or unauthorized use, of any College document or instrument of identification.
- 6.5.8 Failing to comply with the directives of College personnel, including College security personnel, acting in performance of their duties.
- 6.5.9 Failure to wear clothing that respects the norms of hygiene, health and security or the regulations pertaining to science laboratories and athletic facilities.

## Section 7: Sanctions for Misconduct

The principles underlying this Code are educational and whenever appropriate the College encourages informal resolution of minor incidents. However, the College must make every effort to ensure the safety and security of all members of the Champlain Community.

Designated Administrators are responsible for dealing with infractions of the Code (as per [Article 5.3](#)) and may impose one or more sanctions from the following range of penalties for a given breach of the Code with the exception of the sanctions described in [Article 7.11](#) in which case the Campus Director will be responsible.

Teachers have the authority to impose a short-term suspension ([Article 7.8](#)).

### 7.1 Warning

The student is warned verbally or in writing that further misconduct may result in more severe disciplinary action. Written warnings may specify the sanction to be applied in the event of further, continued, or repeated misconduct within a stated period of time.

## 7.2 Apology

Obligation for the student to issue a verbal or written apology to persons, groups, or organizations offended by the student's behaviour.

## 7.3 Restricted Privileges

Restricted privileges for the student such as

- exclusion from certain College activities;
- restricted access to certain areas of the campus, or the entire campus;
- restricted use of certain services, facilities or equipment (e.g., the College may block access to Omnivox);
- withdrawal of a student's privileges as a student at Champlain Regional College (notification will be placed in the student's file).

## 7.4 Restitution

Reimbursement to the College or to other persons, groups, or organizations for damages incurred as a result of a violation of this code.

## 7.5 Mandatory Participation

Requirement to participate in an **appropriate** community service (community work) or attend designated activities, such as education courses.

## 7.6 Fines

Monetary penalty as defined by the campuses.

## 7.7 Peace Bonds (for infractions that occur in a student residence)

Deposit of an amount defined by the campus, refundable at the end of the term if no further misconduct by a residence student has taken place.

## 7.8 Short-term Class Suspension

Exclusion of a student by a teacher from a classroom for the remainder of the class period. Teachers are invited to report such suspensions to the Designated Administrator to facilitate the documentation pertaining to potential patterns of behaviour.

## 7.9 Long-term Class Suspension

Exclusion of a student from a classroom for a prolonged period determined by the Designated Administrator. For this sanction to be applied, a written request detailing the reasons for this action must be provided to the Designated Administrator by the teacher

involved in the incident. A copy of this request should also be provided to the student in question. Decisions regarding long-term class suspension will be made by the Designated Administrator.

### **7.10 College Suspension or Expulsion**

Exclusion from all classes and other privileges and activities for a specific period of time determined by the Designated Administrator. The student is barred from the premises and must remit his/her student identification card and any material belonging to the College. Notification will be placed in the student's file.

### **7.11 Exceptional Measures**

In exceptional circumstances, when there are reasonable grounds to believe that the student's continued presence on campus will present a high degree of danger to another person or persons, the Designated Administrator may recommend to the Campus Director that the student be immediately excluded from the campus. The exclusion from campus under such circumstances will be for a period of time not exceeding seven (7) school days.

## **Section 8: Appeals**

All appeals must be made to the Campus Director within five (5) working days of the student's receipt of the decision to impose a sanction of the Code. The decision of the Campus Director is final.

Appeals regarding **Long-term Class Suspension, College Suspension or Expulsion, and Exceptional Measures** will be immediately referred to the Student Conduct Appeal Committee. In such cases, the Campus Director will return a decision within three (3) working days of receipt of the recommendation of the Student Conduct Appeal Committee. In all other cases, the decision of the Campus Director will be returned within five (5) working days.

## 8.1 Student Conduct Appeal Committee

### 8.1.1 Composition

The committee consists of five (5) people<sup>1</sup>:

- A Designated Administrator, *ex officio*, chair;
- 1 student, selected by the local Students' Association;
- 1 teacher, selected by the local Teachers Union;
- 1 professional, selected by the local Non-Teaching Professionals Union;
- 1 staff member, selected by the local Support Staff Union.

In the situation where a committee member is involved in the case at hand, a substitute must be named.

For appeals involving a student registered in Continuing Education, the composition of the Student Conduct Appeal Committee may vary, as established by the Campus Director.

### 8.1.2 Steps to Process an Appeal

- (a) When an appeal is received, the Chair of the Student Conduct Appeal Committee will convene a meeting without undue delay, and, whenever possible, the Committee's deliberations will be completed within five (5) working days.
- (b) The Chair will advise the student within two (2) working days, in writing, of the meeting date, and will invite the student to be heard at the Committee's meeting.
- (c) The Chair of the Committee will invite and hear all individuals suggested by any member of the Committee or by the student.
- (d) The Student Conduct Appeal Committee will make its recommendation to the Campus Director.
- (e) The Campus Director will return a decision within three (3) working days of receipt of the recommendation of the Student Conduct Appeal Committee.
- (f) The decision will be communicated to the student in writing.
- (g) In the event that the Campus Director chooses not to accept the recommendation(s) of the Student Conduct Appeal Committee, the reasons for such a decision will be provided to the Committee in writing.

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<sup>1</sup> Each campus may want to consider when is the most appropriate time/period for selecting the members of this committee (i.e., every year, every semester, in an ad hoc fashion, etc.) to ensure an effective functioning of the Committee in case of appeals.



### 8.1.3 General Functioning

- Witnesses and other people invited by the Committee are present only during their testimony.
- A student witness at an appeal Committee has the right to be accompanied by an individual of their choice.
- Attendance at deliberations is limited to the Committee members only.
- The Committee will ensure that due process governs the proceedings and that the case is treated on its individual merits.
- All Student Conduct Appeal Committee sessions are closed to persons whose attendance is not required to ensure the confidentiality of all deliberations.

## Section 9: Confidentiality

All letters to students concerning disciplinary matters will be marked confidential.

Letters and reports concerning a student's misconduct

- will be dealt with in a way that guarantees confidentiality;
- can be consulted only by College personnel directly involved with the procedures of the Code and with the authorization of the Designated Administrator;
- may be added to a student's official file.

## Section 10: Dissemination and Review of the Institutional Code of Student Conduct

The implementation of this Code is under the joint responsibility of the Director of Studies and, at each campus of the College, the Campus Director.

### 10.1 Dissemination

- 10.1.1. Either the full Code or a summary of relevant sections shall be published annually in the Student Handbook or equivalent document provided to students at each campus.
- 10.1.2 In the event that students are initially only provided with a summary, they must also be provided with information on how to obtain a copy of the full Code.

10.1.3 An electronic version of the full Code shall be made readily available on the websites of each campus, as well as on the main College website.

10.1.4 A copy of the Code shall be distributed electronically or otherwise to all teachers and other College personnel affected by the Code.

## **10.2 Review of the Institutional Code of Student Conduct**

10.2.1. The Director of Studies will assume the responsibility of conducting any review of the Code, in partnership with Campus Directors.

10.2.2 In addition, a review of the Code may be initiated by the Board of Governors.

## **Section 11: Adoption**

The Board of Governors of Champlain Regional College is empowered by the [General and Vocational Colleges Act](#) to adopt regulations necessary for the effective functioning of the institution.

The present Code comes into effect once it is formally approved by Champlain Regional College's Board of Governors.