STUDENT CODE OF CONDUCT POLICY - STUDENT DISCIPLINE PROCEDURES

Number: 020
PURPOSE
The purpose of the Student Code of Conduct is to ensure that there is a peaceful and conducive study and work environment at the Institute for all students and staff.

SCOPE
This Student Code of Conduct applies to all students of the Institute community, across all courses, Sites, campuses and modes of delivery.

STUDENT RIGHTS

All students have the right to:

- Be treated fairly and with respect by Institute staff and other students;
- Learn in an environment free of discrimination and harassment;
- Learn in a supportive and stimulating environment in which to pursue their goals;
- Have access to counseling if desired or required;
- Privacy concerning records that contain personal information, subject to statutory requirements;
- Be given information about assessment procedures at the beginning of the subject/competency/module and progressive results as they occur;
- Lodge a complaint without fear of retaliation or victimization;
- Have Principles of Natural Justice applied during any investigation process concerning a breach of the Student Code of Conduct.

1. STUDENT RESPONSIBILITIES

All students have a responsibility to:

1.1 Treat other students and Institute staff with respect and fairness
1.2 Follow any reasonable direction from a member of Institute staff
1.3 Refrain from swearing, drinking and eating in classrooms and other learning areas (water only allowed).

1.4 Behave responsibly by not littering, harassing fellow students or staff, damaging, stealing, modifying or misusing Institute or other student’s property.

1.5 Behave responsibly by not being under the influence of drugs and alcohol.

1.6 Refrain from using mobile phones, pagers or any other electronic devices that may disrupt classes.

1.7 Attend all scheduled classes and institute activities and

1.8 Do all assessment tasks and examinations honestly, and not engage in plagiarism, collusion or cheating.

1.9 Follow normal safety practices, including wearing approved clothing and protective equipment and following both written and verbal directions given by Institute staff.

1.10 Not to behave in a way that would offend, embarrass or threaten others.

1.11 Comply with all lawful regulations, rules or procedures of the Institute that pertain to them.

1.12 Pay all fees, charges and levied by the Institute within the required timeframe.

1.13 Attend all meetings called by the college to discuss academic or course progress.

1.14 Meet or carry out all activities agreed with the institute in relation to maintaining course progress or academic performance.

2. BREACH OF CONDUCT

A Student breach of conduct occurs when a student behaves in a manner described below:

2.1 Assaults, attempts to assault or threatens a person on the Institute premises.

2.2 Acts contrary to Equal Opportunity practices of the Institute which is committed to the prevention and elimination of discrimination on the grounds of:

- Age;
- Impairment;
- Industrial activity;
- Lawful sexual activity;
- Marital status;
- Physical features;
- Political belief or activity;
- Pregnancy;
- Race;
Religious belief or activity;
Sex;
Status as a parent or a carer;
Personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.

Disobeys or disregards any lawful direction given by an officer of the Institute.
Acts dishonestly or unfairly in connection with an examination, test, assignment or other means of assessment conducted by the Institute.
Deliberately obstructs any teaching activity, examination or meeting of the Institute.
Engages in any conduct or activity prejudicial to the management and good governance of the campus.
Deliberately obstructs or attempts to deter any officer or employee of the Institute in the performance of their duties.
Willfully damages or wrongfully deals with any Institute property.
Attends the Institute whilst under the influence of alcohol or affected by drugs, etc. or possesses, uses or traffics a drug of addiction or drug of dependence within the meaning of the Crimes Act 1958 or the Drugs Poisons and Controlled Substances Act 1981 or any Act in substitution thereof.
Carries or uses such items as firearms, knives, syringes, etc as a weapon.
Fails by or within the agreed required date or period, to pay any fee or charge payable to the Institute.
Fails to comply with OH&S regulations or willfully places another person in a position of risk or danger.
Fails to consistently and regularly attend scheduled classes and activities so that the overall attendance for a term is greater than 80%.
Constantly interrupts class time through the use or presence of mobile phones and pagers.
Uses abusive language.
Fails to attend meetings called to discuss academic or course progress.
Fails to carry out actions or engage in activities agreed with the institute to maintain course or academic progress.

3. PRINCIPLES TO BE APPLIED IN DEALING WITH BREACHES OF CONDUCT

3.1 The following principles of Natural Justice will apply:
all parties to a grievance should have the opportunity to put their case forward and have it considered;

any allegation made against a student of the Institute community should be made known to the individual concerned;

all investigations and decisions should be made impartially;

confidentiality is to be strictly maintained;

a student or friend/advocate of that student who is involved in disciplinary procedures is not to be victimized or discriminated against because of that involvement.

3.2 Resolution of behavioral problems is in the first instance to be attempted through discussion and mediation (with the assistance of the Student counseling personnel, if required).

4. PROCEDURES APPLIED TO A BREACH OF CONDUCT

4.1. If the matter is of a criminal nature, or the conduct places the personal safety of other students or Institute staff in a position of risk or danger or, there is real concern regarding willful damage or wrongful dealings of Institute property, the police will be notified immediately.

4.2 In all other matters

Teaching and other Institute staff may use their own discretion as to when they deem it necessary to put the Student Code of Conduct into place.

• Teaching and other Institute staff may direct a student to leave a classroom, activity or area of the Institute for a breach of discipline, which impacts on class learning or the performance of their duties.

• An incident report must be written, regarding the event, forwarded to the CEO, and placed on the students file.

• The student will be given a copy of the Student Code of Conduct.
For the first incident involving a student the following steps will be taken:

(a) The student will be required to speak to a nominated staff member regarding student rights and responsibilities and the process of the Student Code of Conduct Policy. This will be confirmed in writing to the student and either handed directly to the student or forwarded to the registered address.

Following this meeting

(b) A formal letter of warning may be sent to the student.

(c) The student may be notified in writing of the institute’s intent to suspend their enrolment and notify DIAC accordingly, in which case the student has 20 days to appeal this decision in accordance with the requirements of the ESOS Act.

(d) Conditions may be imposed on the student’s attendance at the Institute, which will be confirmed by way of a written agreement signed by both parties.

(e) Students may be required to pay recovery costs to the extent of any damage.

(f) Where the breach of conduct is deemed to be of a serious nature, the nominated staff member has the discretionary powers to refer the incident to the Chief Executive Officer.

For subsequent/serious instances involving a student the following steps will be taken:

(g) The student will be required to speak to the CEO or his/her delegate regarding student rights and responsibilities and the process of the Student Code of Conduct Policy. This will be confirmed in writing to the student and either handed directly to the student or forwarded to the registered address.

Following this meeting

(h) A formal letter of warning may be sent to the student.

(i) Conditions may be imposed on the student’s attendance at the Institute, which will be confirmed by way of a written agreement signed by both parties.
(j) Students may be required to pay recovery costs to the extent of any damage.

(k) The student may be notified in writing of the institute’s intent to cancel their enrolment and notify DIAC accordingly, in which case the student has 20 days to appeal this decision in accordance with the requirements of the ESOS Act.

7. STUDENT APPEAL PROCEDURES

7.1 A student has the right of appeal against any decision made by the Institute in regard to disciplinary measures imposed upon the student.

7.2 Grievances about penalties or processes dealing with misconduct are to be dealt with through the Institute’s formal appeals process outlined in the Complaints Policy and Procedures.

7.3 If as a result of misbehavior a student is sent a letter notifying them of the Institute’s intention to report them to DIAC via PRISMS for breach of visa conditions. A student can lodge an appeal to the Institute Chief Executive Officer not more than 20 days after the date on which the notice of decision was given to the student.