

Policy Name:	Student Conduct Policy
Date:	12 September 2019
Responsible dept.:	Learning & Development
Current Version:	V2

## PURPOSE

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The purpose of this policy is to ensure that the study and the physical and virtual work environment at The College for Adult Learning (CAL) is conducive to productive learning through specifying guidelines for appropriate conduct.

## SCOPE

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This policy is applicable to all CAL staff, students and other CAL stakeholders.

### 1. Overview:

CAL is committed to providing a fulfilling and rewarding learning experience that enables all students to achieve their academic potential.

This commitment is underpinned by an expectation that all members of CAL will conduct themselves in a manner consistent with its values and guiding principles.

This policy promotes integrity and ethical behaviour and guides students' dealing with fellow students, staff and the wider community.

### 2. Obligations:

The overarching obligation of all students is to act in the best interests of CAL at all times. Students have three primary obligations with respect to their personal and professional conduct:

#### 2.1 Integrity in all academic work

Students are expected to:

- i. Conduct themselves and undertake their work honestly at all times,
- ii. Behave ethically and avoid any action that would unfairly advantage themselves or disadvantage another student,

- iii. Conduct themselves in a manner which positively contributes to the proper functioning of CAL,
- iv. Actively participant in the learning process,
- v. Not engage in plagiarism or other academic misconduct,
- vi. Ensure the proper use of copyright material at all times,
- vii. Ensure all academic and learner-centred activities are conducted safely and do not place others at risk of harm,
- viii. Become familiar with the resources and CAL processes available to assist them in conducting their studies appropriately,
- ix. Not act to impair the reasonable freedom of other persons to pursue their studies.

## 2.2 Equity and respect

Students are expected to:

- i. Treat all staff, students and other stakeholders with courtesy and respect,
- ii. Respect the rights of others to be treated fairly and equitably,
- iii. Ensure all actions and work submissions are free of discrimination and harassment; including sexual harassment,
- iv. Engage with other students and CAL staff members in a respectful and collegiate manner at all times,
- v. Attend meetings and other appointments (i.e. coaching calls) made by CAL on behalf of the student at the agreed time and with all necessary preparation done beforehand to ensure optimal learning engagement,
- vi. In the event of an emergency and/or unforeseen event that precludes attendance at a scheduled appointment the student must notify CAL as soon as possible prior to the appointed time to rearrange an alternative option,
- vii. Follow CAL policies and processes when/if the student has a query or complaint to ensure respectful and immediate attention/follow-up,
- viii. Not engage in behaviour that is obscene, dangerous or could be considered to be offensive to others,

- ix. Not engage in behaviour that is considered harassment or bullying,
- x. Not engage in behaviour, nor use language, that is perceived to be threatening or intimidating,
- xi. Not use social media to harass, bully or threaten other students or CAL staff members nor make disparaging comments about CAL and its staff online,
- xii. Not cause any person to fear for their personal safety or well-being,
- xiii. Not behave in a way that disrupts or interferes with any teaching or academic activity of CAL,
- xiv. Protect and secure student login details to ensure access to the CAL online learning platform is only accessible to the enrolled student and not shared with any other third party,
- xv. Contribute to online discussions, webinars and other CAL endorsed/hosted threads in a respectful and collegiate manner.

### 2.3 CAL resources and reputation

Students are expected to:

- i. Not use CAL resources for private gain or the gain of a third party, or private business or commercial purposes, without prior permission,
- ii. Not engage in any fraudulent or corrupt conduct,
- iii. Ensure all actions or inactions as a student do not harm, or bring into disrepute, CAL's reputation,
- iv. Not use CAL's name, reputation or logo for private gain or the gain of a third party, or private business or commercial purposes, without prior written permission.

### 3. Misconduct:

This applies when there are offences committed by a student that can be construed as misconduct that is affecting the individual student's capacity to perform or which affects any of the staff and/or students of CAL. Any offences that involve some form of misconduct on the part of the student may result in disciplinary action being invoked.

Offences that are considered to be misconduct include, but are not limited to:

- Failure to abide by the values of CAL,
- Disobeying or disregarding a lawful instruction,
- Committing an act of unacceptable behaviour,
- Failure to pay enrolment/registration fees when they are due,
- Failure to follow terms and conditions of enrolment (as per the CAL enrolment form),
- Failure to progress satisfactorily through a course of study.

This clause does not apply to substandard academic performance.

**Related documents and forms:**

- CAL Withdrawal Policy and Procedure,
- CAL Complaints Policy and Procedure,
- CAL Study Group Code of Conduct
- CAL Student Handbook.

## PROCEDURE

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### 3.1 Determining Misconduct

The Director of Learning and Development will consider any notification of misbehaviour, review the evidence and, determine the type of offence committed:

Serious misbehaviour includes

- Serious or wilful breaches of discipline (see discipline policy),
- A repeat offence,
- Offences that conflict with the rules and regulations of CAL,
- Failure to pay fees as and when required,
- Improper use of official information for personal and/or malicious gain/intent,
- Unauthorised use of CAL intellectual property (including all course materials) for any reason,
- Violence or implied violence expressed in person, over the phone or electronically,
- Sexual harassment,
- Bullying,
- Improper conduct towards other students or CAL employees.

Minor misconduct includes:

- Use of abusive language, insulting words and/or obscenities,
- Failure to submit assessment work in a timely manner,
- Failure to respond to directions given by the CAL academic team,
- Failure to respond to notices issued by CAL.

The disciplinary breach must be fully documented. Should a formal investigation be required, this document would form primary evidence in the investigation.

It may be deemed that the incident be recorded as a verbal warning. Should this be the case, this should be indicated and filed for reference.

### 3.2 Investigating misconduct

Where the Director of Learning and Development suspects that a student has committed a breach, they should initially conduct a preliminary investigation to ascertain the facts.

The Director of Learning and Development should advise the student in writing and give the student an opportunity to respond.

After considering the explanation of the student, the Director of Learning and Development may:

- Take no further action,
- Apply the resulting disciplinary action,
- Initiate further investigation.

In the event a decision is taken to initiate further investigation, this should be carried out by a member of management not directly connected with the student.

A full report on the outcomes of the investigation must be presented to the full management team.

The management team will determine if an act of misconduct has been found. The Director of Learning and Development must document the findings in writing to the student and may impose appropriate penalties depending on whether the breach is defined as serious or minor.

If the student denies the findings, the student is required to respond within seven working days and the Director of Learning and Development may at her/his sole discretion determine if further enquiries should be conducted or if the findings stand as documented. A full report should be provided to the CEO following this further enquiry. Should the breach be confirmed, the CEO may take appropriate action.

A student may seek advice or have a representative of their choice during the proceedings.

A student may lodge an appeal regarding the decision.

Confidentiality is to be maintained at all times.

Documentation should be confidentially filed. Copies of all documentation should be filed on the student's personal file/admissions file.

### **3.3 Responding to minor misbehaviour offences.**

Where an offence is deemed as minor, the following disciplinary action may take place:

- First offence: 1<sup>st</sup> verbal warning to be given by the L & D manager (a note of this is to be filed in the student's record),
- Second offence: 2<sup>nd</sup> verbal warning to be given by the L & D manager (a note of this is to be filed in the student's record),
- Third offence: Written warning given by the Director of Learning and Development (this is to be filed in the student's record),
- Fourth offence: Student enrolment is to be cancelled.

Where a student continually displays misconduct, a series of minor breaches may be collectively reviewed to be a serious breach of behaviour and appropriate disciplinary action taken.

### **3.4 Responding to a serious misconduct offence**

In the event a student is able to remedy the misconduct through immediate remedial action, the Director of Learning and Development may determine no further action is to be taken.

When a serious misconduct offence is deemed not possible to remedy, the following action may take place:

- First and final written warning; issues by the Director of Learning and Development, OR
- Termination of enrolment (see below).

In the event a first written warning is issued, and further serious misconduct takes place, this will be automatically treated as a repeat offence of a serious misconduct and the Director of Learning and Development must terminate the student enrolment without further investigation.

### **3.5 Serious offences resulting in termination**

A decision to terminate a student enrolment must be submitted to the CEO together with all documented evidence. The CEO has the sole responsibility to determine if a student enrolment is to be terminated based on the evidence provided. The decision of the CEO is final.

In the event that the CEO is uncertain about the facts, he/she may consult the management team for further information or for a third-party decision relating to the termination of the student enrolment. The vote of the management team is carried in the majority and is final.

Where a student enrolment is terminated for a serious offence, the student must pay for their course in full. No refunds or any other financial considerations apply.

#### **4. Framework**

This policy operates under the auspices of all relevant State and Federal Laws.

#### **5. Implementation**

The policy specifies the obligations of students and CAL. It is not possible, however, to cover every circumstance and situation. If a circumstance or situation arises which is not expressly covered, individuals must apply the broad principle of the policy.

#### **6. Roles and Responsibilities**

6.1 The CEO has a responsibility to supervise the discipline of CAL with power to impose penalties for breach of discipline or for misconduct of any kind.

6.2 The department managers have overall responsibility for the operation of the Student Conduct Policy and Procedure.

6.3 Any student or staff member can make a report of an allegation of student misconduct to the Director of Learning and Development.

#### **7. Support and Advice**

If an individual is unsure about their obligations in any circumstance or situation, they should seek guidance from the relevant department manager prior to taking any action.

#### **8. Complaints**

Sometimes it will be more appropriate to handle a matter as a grievance rather than an allegation of misconduct. Any student can seek advice from Student Support on how to lodge a grievance about a fellow student, an employee of CAL or a CAL decision.



Policy Administration			
Version	Date Approved	Approved by	Next Review Due
1	06 June 2018	Helen Sabell	June 2020
2	12 September 2019	Sarah Sabell	September 2020
Compliance References			
Statutory		N/A	
Industry		Vocational Education and Training (VET)	
Document Located		E:\Public Documents\03_CAL Operations\CAL Policies\02_CAL POLICIES STUDENTS	