

<b>Policy Name:</b>	Student Conduct Policy
<b>Date:</b>	9 May 2024
<b>Responsible Department:</b>	Management
<b>Current Version:</b>	V3

## PURPOSE

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

## SCOPE

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This policy is applicable to all CAL staff, prospective and current 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 (as above) 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 general obligation of all students is to act in the best interest of CAL at all times. Students have three primary obligations with respect to their personal and professional conduct:

## **2.1 Academic Work Integrity**

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 that positively contributes to the proper functioning of CAL
- iv. Actively participate in the learning and assessment process
- v. Not engage in plagiarism or other academic misconduct (in accordance with CAL's Plagiarism Policy)
- vi. Ensure the proper use of referencing at all times (in accordance with CAL's guidelines)
- vii. Ensure all academic and learner-centred activities are conducted safely and do not place others at risk of harm
- viii. Become familiar with available resources and CAL processes that exist to assist them in conducting their studies appropriately
- ix. Not 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)
- iv. Always engage with other students and CAL staff members in a respectful and collegiate manner

- v. Attend meetings and other appointments (i.e. coaching calls and assessment simulation activities) at the agreed time and with all necessary preparation done beforehand to ensure optimal learning engagement
- vi. Notify CAL as soon as possible when attendance at a scheduled appointment is no longer possible (preferably prior to the appointed time to rearrange an alternative option)
- vii. Follow CAL's policies and processes for all queries or complaints 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, or 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 to make disparaging comments about CAL and its staff
- 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 at 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, group sessions, and other CAL endorsed/hosted threads in a respectful and educational 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. This is affecting the individual student's capacity to perform or 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
- Failure to progress through a course of study
- Breaching any aspect of the acceptable conduct outlined in this policy.

This clause does not apply to substandard academic performance.

**Related documents and forms:**

- Withdrawal Policy
- Complaints Policy
- Study Group Code of Conduct
- Student Handbook.

**PROCEDURE**

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**1.1 Determining Misconduct**

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

Serious misconduct includes:

- Serious or wilful breaches of discipline
- A repeat offence where the behaviour was previously identified to be inappropriate
- Offences that conflict with enrolment terms and conditions
- 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, over Zoom, in discussions groups, via email, or on social media
- Sexual harassment
- Bullying
- Improper conduct towards other students or CAL employees.

Minor misconduct includes:

- Use of obscenities
- Failure to respond to directions given by the CAL learning and development or student support teams
- 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 purposes in the event of future incidents.

### **3.1 Investigating misconduct**

Where any CAL management suspects a student has committed a breach, they should conduct an initial investigation to determine the facts.

Management should advise the student in writing and give the student an opportunity to respond.

After considering the explanation of the student, management may:

- Take no further action
- Apply appropriate 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 and/or incident in question.

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

The CEO will determine if misconduct has been found. The CEO 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. The CEO may at their discretion determine if further enquiries should be conducted or if the findings stand as documented. A full report should be provided to the CAL Board following this further enquiry. Should the breach be confirmed, the Board may take appropriate action.

A student may:

- Seek advice or have a representative of their choice during the proceedings
- Lodge an appeal regarding the decision.

Confidentiality is to be maintained at all times.

Documentation will be filed securely to ensure confidentiality. Copies of all documentation will be filed on the student's personal/admissions file for reference purposes in the event of future incidents.

### **3.2 Responding to minor misconduct offences.**

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

- First offence: first warning to be given by CAL management (a note of this will be filed in the student's record)
- Second offence: second warning to be given by CAL management (a note of this will be filed in the student's record)
- Third offence: official written warning given by the CEO (this will be filed in the student's record)
- Fourth offence: student enrolment will 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.

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

In the event a student can remedy the misconduct through immediate remedial action, the CEO 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 will be issued by the CEO, 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. The CEO will terminate the student enrolment without further investigation.

### **3.4 Serious offences resulting in termination**

The CEO has the responsibility to determine if a student enrolment is to be terminated based on evidence provided.

The decision of the CEO is final.

If the CEO is uncertain about the facts, they may consult the executive leadership team for further information. Alternatively, a third-party for decision relating to the termination of the student's enrolment. The vote of the executive leadership 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 in alignment with all relevant State and Federal Laws.

## **5. Implementation**

The policy specifies the obligations of students and CAL. It is not possible 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**

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

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

Any student or staff member can make a report of an allegation of student misconduct to the CEO.

## **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 the Student Support Team 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
3	9 May 2024	Sarah Sabell	May 2025
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	