



## STUDENT CODE OF CONDUCT

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\* Unless otherwise indicated, this Policy will still apply beyond the review date.

### Contents

1. PURPOSE .....	2
2. SCOPE .....	2
3. POLICY STATEMENT .....	2
4. PRINCIPLES.....	2
5. AIHE RESPONSIBILITIES – STUDENT EXPECTATIONS .....	3
6. STUDENT RESPONSIBILITIES – AIHE EXPECTATIONS .....	3
7. STUDENT MISCONDUCT .....	4
8. ROLES AND RESPONSIBILITIES.....	5
9. DEFINITIONS .....	6
SCHEDULE A – Examples of Student Misconduct.....	7

### Document Control

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1.0	23/02/2018	Approved by Council
1.0a	17/6/2021	Minor typographical correction – clause 8.7

## **1. PURPOSE**

1.1 The Student Code of Conduct sets out the standard of conduct expected of students at Adelaide Institute of Higher Education (AIHE).

1.2 The Student Code of Conduct, which has the status of a policy in accordance with the AIHE Policy Framework, outlines the rights and responsibilities of students and provides the framework for dealing with instances of alleged student misconduct.

## **2. SCOPE**

2.1 The Student Code of Conduct applies to all students of AIHE.

2.2 AIHE may deal with misconduct under this policy if the individual was a student at the time of the alleged misconduct and may proceed as if the individual had continued to be a student even if the individual ceases to be a student before proceedings are started or finalised.

2.3 Academic misconduct occurs when students fail to comply with the Academic Integrity Policy and intentionally seek an advantage for themselves or another student by cheating in any form. Breaches of academic integrity are dealt with under the Academic Integrity Policy in the first instance, but may be referred for action under the Student Code of Conduct policy where the breach is repeated or significant.

## **3. POLICY STATEMENT**

3.1 AIHE values its students and recognises the importance of the overall student experience. The principles underpinning this policy recognise the mutual relationship between individual and community rights and responsibilities.

3.2 AIHE is committed to providing a welcoming, supportive and safe environment, conducive to learning and development of individuals who display the AIHE values of collaboration, personal and professional growth and development, friendship and healthy relationships, individual and collective strengths, and aspiration and opportunity.

## **4. PRINCIPLES**

4.1 AIHE will promote the principle of mutual respect by informing students of behaviour that the Institute considers appropriate. AIHE discourages inappropriate behaviour, which is defined as student misconduct.

4.2 Possible cases of student misconduct will be dealt with fairly. A student will be given the opportunity to respond to any allegation of student misconduct before a decision is made whether misconduct has occurred. Where misconduct is substantiated AIHE will impose and enforce penalties.

4.3 A student will have the right of appeal against any finding of student misconduct and any penalty that is imposed. An appeal will be determined by a person or persons not involved in the original decision.

## 5. AIHE RESPONSIBILITIES – STUDENT EXPECTATIONS

### 5.1 Students at AIHE can expect to:

- be treated with courtesy and respect;
- experience an environment free from discrimination, harassment or bullying;
- be offered a suitable orientation to their course and to AIHE, and for international students, to Australia;
- have their courses monitored for quality and integrity;
- have access to accurate and timely course advice;
- be provided with information about each subject in an appropriate accessible format before or at the time of the subject commencing;
- be provided with feedback and grading of their assignments and examinations in a timely manner;
- learn in an environment that takes account of the different characteristics of students and their varying cultural backgrounds;
- join a positive and cooperative learning environment that allows students to have reasonable access to staff to discuss issues and problems;
- have reasonable opportunities to participate in the functioning of AIHE particularly by being invited to provide feedback on subject content and teaching;
- be supported and consulted within the legislative framework applying to AIHE and its administration;
- have their personal information used internally in ways that are appropriate and released outside AIHE only with the consent and knowledge of the student or when legally required to do so; and
- have their formal appeals and complaints heard in accordance with the principles of natural justice. AIHE will endeavour to provide a harmonious work and study environment in which concerns and complaints will be addressed and resolved as effectively as possible. Student grievances will be dealt with through a clear set of procedures provided by AIHE.

### 5.2 AIHE will provide students with access to:

- student support and advocacy services, including, but not limited to counselling services and learning assistance;
- information on the nature of academic and behavioural misconduct and access to information on the sanctions likely to follow misconduct; and
- information regarding total course fees and fee increases, methods of payment, and details of cancellation and fee refund procedures.

## 6. STUDENT RESPONSIBILITIES – AIHE EXPECTATIONS

### 6.1 Students at AIHE are expected to:

- treat staff members and other students with courtesy and respect;
- act in a way that respects the rights and welfare of all members of the AIHE community. Students have a responsibility to be aware of and understand cultures other than their own, and to be sensitive and tolerant to these cultural diversities;
- act responsibly and courteously towards others when representing AIHE on placements, internships, field trips and other AIHE sponsored activities;
- be familiar with information relevant to their subjects and course as per the information made available to them; and
- maintain their up-to-date contact details on the student information management system in order that AIHE can maintain appropriate contact with them as necessary.

## 6.2 Students are responsible for:

- making themselves aware of all AIHE policies and procedures pertaining to their rights and responsibilities as students, and to abide by those regulations as well as relevant external legislation;
- participating actively and positively in the teaching-learning process and complying with the requirements of their course;
- producing honest work. Cheating, plagiarism, fabrication or falsification of data is not acceptable. Students are also expected to be aware of their rights and responsibilities regarding the proper use of copyright material;
- monitoring their own progress within the teaching-learning environment and the academic program. Students may expect to have reasonable access to academic staff for assistance and to the various academic support services;
- participating in the functioning of AIHE by providing feedback on their experience as students, including their subject and course experience; and
- treating AIHE property with respect.

## 7. STUDENT MISCONDUCT

7.1 Failure to observe the Student Code of Conduct is dealt with as misconduct and the student will be subject to disciplinary action that is appropriate, proportionate, fair and consistent with the principles of natural justice.

7.2 Any member of the AIHE community may report an allegation of misconduct against a student by writing to the General Manager. Written allegations from external people or organisations will also be considered under this policy when the allegations relate to the conduct of a student while participating in activities associated with their study, including activities outside AIHE facilities. The Head of School may also initiate action against a student without a report from a third party.

7.3 Minor misconduct is where the extent, seriousness or impact of the breach of the Student Code is not substantial and where the student has not been previously counselled about the standard of conduct required.

7.3.1 Minor misconduct will be dealt with through a process placing emphasis on resolving matters at the local level using an educative approach.

7.4 Major misconduct, which has a significant impact and which, if substantiated, is likely to result in the imposition of a penalty under this policy, will be dealt with formally.

7.4.1 Complaints of major misconduct, including repeated breaches of the Student Code, will be referred to the General Manager for investigation, who may then delegate responsibility for resolving the complaint to an appropriate AIHE staff member depending on the nature of the complaint.

7.4.2 In cases of major misconduct, the General Manager (or delegate) will refer the matter to the Chair Student Misconduct Board.

7.4.3 In cases of criminal offences (e.g. drug use on AIHE premises, sexual assault, etc.) the General Manager will immediately refer the case to relevant external authorities (e.g. police).

7.5 The Student Misconduct Board will have the following composition:

- a Chairperson with relevant expertise appointed by the Head of School for a term of two (2) years. If the Chairperson is not available to act on a matter, the Head of School may appoint an alternative Chairperson; and
- two academic staff members who have not been involved in the matter, each appointed by the Head of School in consultation with the Chairperson to hear a specific matter, having regard to their expertise and experience relevant to the role of the Board, availability to serve and the need to achieve gender balance as far as practicable.

## 8. ROLES AND RESPONSIBILITIES

8.1 Academic Board will develop strategies to promote the principles and practice embodied in the Student Code of Conduct, and establish and maintain appropriate procedures to oversee and monitor School implementation of the policy and Student Misconduct Procedure.

8.2 AIHE staff:

- a) where they believe that a student has committed or may be committing student misconduct will in the first instance give students reasonable directions to cease and desist from the inappropriate behaviour
  - to ensure the safety of the student or of any other person;
  - to prevent damage to or destruction of AIHE property or facilities;
  - for the proper performance of the staff member's duties regarding the custody, maintenance or use of AIHE property or facilities;
  - to ensure the orderly and proper conduct of any teaching or learning group; examination; event or ceremony of AIHE; and any meeting of Council or a board, committee or other body constituted pursuant to AIHE's policies and procedures; or
  - for the maintenance of good order;
- b) will report the alleged student misconduct to the General Manager.

8.3 The Head of School:

- will ensure that all academic staff are aware of:
  - the need to introduce and reinforce student understanding of the Student Code of Conduct; and
  - their power to give students reasonable directions in relation to appropriate student conduct; and
  - their responsibility to report suspected student misconduct to the General Manager;
- may initiate action against a student without a report from a third party where they suspect student misconduct;
- will appoint the Chairperson to the Student Misconduct Board in accordance with clause 7.5;
- in consultation with the Chairperson of the Board, will appoint two academic members to hear a specific matter that cannot be resolved through informal processes; and
- provide advice to the General Manager and Secretary to the Board.

8.4 The General Manager will:

- make an initial assessment regarding reports of student misconduct;
- investigate and resolve, or delegate the investigation and resolution of, all allegations of student misconduct;
- in cases of major misconduct, refer the matter to the Student Misconduct Board;
- in consultation with the Head of School, appoint a Secretary to the Board; and
- maintain a register of cases of suspected and proven student misconduct.

8.5 The Chairperson of the Student Misconduct Board will review cases of alleged major misconduct that are referred to them by the General Manager and determine whether the allegation has sufficient merit to be investigated by the Board.

8.6 The Student Misconduct Board will investigate cases of major misconduct as defined in this Policy and cases of significant academic misconduct that have been referred to it in accordance with the provisions of the Academic Integrity Policy (specifically refer clauses 7.4.2b-d in the Academic Integrity Procedure).

8.7 The student has a right to access support and advocacy services in the case of alleged student misconduct.

## 9. DEFINITIONS

9.1 See the AIHE Glossary of Terms for definitions.

## Student Code of Conduct

### SCHEDULE A – Examples of Student Misconduct

Student misconduct includes, but is not limited to:

- a) any conduct that impairs the reasonable freedom of others to pursue their studies or research or to participate in the life of AIHE;
- b) offensive language including swearing and yelling;
- c) aggressive and threatening behaviour of any form including bullying and intimidation of staff or students. This includes any type of behaviour, or series of similar or different behaviours, that unfairly or unreasonably puts down, belittles, undermines, controls, abuses, scares, intimidates, excludes, offends or embarrasses another student or staff member, that creates a risk to health and safety (including emotional or psychological health);
- d) stealing, vandalising or causing wilful damage to AIHE or student property;
- e) disruptive behaviour that interferes with either their own or another student's ability to participate in class as required by the lecturer, including:
  - i. any behaviour that disrupts class and prevents fellow students from studying; and
  - ii. noisy or other anti-social behaviour during class;
- f) discrimination, sexual harassment and victimisation including acting in any other way that is inconsistent with State and Commonwealth anti-discrimination laws;
- g) harassment, which includes conduct that unreasonably interferes with an individual's work or academic performance or of creating an intimidating, hostile or offensive work or learning environment for that individual;
- h) causing physical harm to another or engaging in any act which endangers the mental or physical health or safety of a staff member or student;
- i) attending class under the influence of alcohol or illegal drugs;
- j) manufacturing, distributing, selling, offering for sale, or possessing any illegal drug;
- k) possessing or consuming alcoholic beverages at AIHE except during events or in circumstances authorised by AIHE;
- l) any other conduct that is otherwise unlawful or in breach of AIHE's policies and procedures;
- m) disobeying or disregarding an order or direction of a member of staff, including a direction regarding safety;
- n) providing false written or oral information including:
  - i. false identification to AIHE or staff;
  - ii. failure to give full and accurate details of citizenship or residency status at the time of initial enrolment, failure to produce evidence of residency status if required to do so by AIHE staff, and to give full accurate particulars of any change in residency status within 14 days of any such change;
  - iii. forgery, alteration, or misuse of AIHE documents or records; and
  - iv. making false complaints or allegations including providing false information in relation any misconduct or grievance investigation;
- o) unauthorised transferring, lending, presenting, borrowing or altering of someone else's AIHE identification;

- p) misuse of information technology including theft or abuse of information technology, e.g. computer, electronic mail, voice mail, telephone, fax, including but not limited to:
  - i. unauthorised entry into a file to use, read or change the contents, or for any other purpose;
  - ii. unauthorised transfer or distribution of a file; and
  - iii. unauthorised use of another individual's identification and password;
- q) use of information technology to:
  - i. interfere with the work of another student or staff member;
  - ii. send obscene or threatening messages; and
  - iii. interfere with normal operations of AIHE systems;
- r) breaking any criminal law on campus or breaking any criminal law off-campus that interferes with AIHE's organisational objectives, mission, responsibilities or reputation;
- s) unauthorised use or possession of property or resources belonging to AIHE or an AIHE staff member or other person whose property is at AIHE and removal of or damage to AIHE property without authorisation from a staff member;
- t) unauthorised use or alteration of safety devices, fire alarms, fire extinguishers or other emergency systems;
- u) unauthorised use, distribution, duplication or possession of any key(s) issued for any AIHE building, studio, facility, or room;
- v) breaching AIHE policy about designated non-smoking areas;
- w) unauthorised entry into any AIHE building, structure or facility, or onto AIHE property; and
- x) any other breach of AIHE policy or procedures.