

POLICY		
<p>Ref. to Legislative Frameworks:</p> <p>HESF2015: Standard 2.2 – 2.4</p> <p>SRTO2015: Standard 6.1 – 6.3 / 6.5 / 6.6 / 8.5</p> <p>National Code 2018 Standard 8.4 / 8.8</p>	Student Non-Academic Misconduct	
Version: 4.2	Policy Owner: CEO	Issued on: 06/04/2018 Review by: 06/04/2020

Revision History

Current Version	Description of Change	Policy Developer(s)	Effective Date
4.2	Updated to reflect organisational accountabilities and Student Discipline Committee's terms of reference	Quality Assurance Support Officer	06/04/2018

PURPOSE

This policy explains the principles in managing incidents of non-academic misconduct that occur in the course of studies at Academies Australasia Polytechnic (AAPoly). It forms a part of AAPoly's compliance with the relevant standards in vocational education and training, and higher education. AAPoly's obligations to provide adequate support as a provider of education services to international students in Australia are also observed in this policy. Care for students' well-being and quality of experience during their studies at AAPoly is demonstrated in this policy and the associated procedure.

POLICY STATEMENT

AAPoly students are expected to respect other students, the staff and learning facilities so that teaching and learning at AAPoly can take place safely, without disruptive problems caused by others' misconduct. Any non-academic misconduct at AAPoly is not tolerated and will be subject to disciplinary actions. While students who commit non-academic misconduct should be appropriately dealt with; the identification, investigation and disciplinary actions should always be procedurally fair.

SCOPE

This policy applies to all students with current enrolment in accredited Vocational Education and Training (VET), Higher Education (HE) courses and non-accredited or short course programs within the premises of AAPoly or when carrying out activities that are distinctly associated with AAPoly.

DEFINITIONS

Senior Lecturer, Academic Quality and Student Discipline	Designated person to receive reports on Student Misconduct (academic and non-academic)
DHA	Australian Department of Home Affairs
Non-Academic Misconduct	Student non-academic misconduct is the unacceptable or improper behaviour on the part of a student. It can occur as a single instance, a number of instances or in a pattern of behaviour and is not limited to campus or an online class space but includes physical and virtual private and public spaces such as the internet and social media.
List of Non-Academic Misconduct (not exhaustive)	1. Intentional disruption of learning and teaching activities <ul style="list-style-type: none">a. Hindering or disrupting study or work of students and staff either directly, or indirectlyb. Being disorderly or creating a disturbance to exam-writing, tutoring, teaching, studying, research, administration, and meetings. 2. Physical and verbal abuse and dangerous activity <ul style="list-style-type: none">a. Assaulting, causing or attempting to cause physical or psychological harm to another student, AAPoly staff or any other person in AAPoly premises

List of Non-Academic Misconduct (not exhaustive)

- b. Knowingly, and without just cause, cause another person to fear physical abuse or fear damage to his/her property
- c. Abusing, using abusive language or acting aggressively towards other students, staff or members of the AAPoly community directly, in class, on campus, in other locations and online in any forum or media, including but not limited to print, internet, social media, email, SMS digital or electronic communications and broadcasting forums
- d. Acting in a way that jeopardises the safety of other students, staff, visitors, and other members of the Institute's community including clients and staff at work placement organisations.
- e. Discriminating against other students or staff including but not limited to discrimination in relation to race, ethnic or national origin, gender, marital status, sexual preference, disability, age, political conviction or religious belief

3. Written and/or verbal harassment

- a. Written and/or verbal harassment includes the use of threatening, bullying, intimidating, or encouraging any such behaviour, either directly, in class, on campus or in a workplace
- b. Obscene, or racist language, or language that is otherwise abusive in the circumstances, by a student, directed to another student, an instructor, a staff member, or other employee of the AAPoly, or any other person in AAPoly's vicinity
- c. Harassing or vilifying online, in any forum or media, including but not limited to print, internet, social media, email, digital or electronic communications and broadcasting forums

4. Sexual harassment and assault

- a. Unwelcome remarks, jokes, innuendos, or taunting
- b. Displaying pornographic or other offensive or derogatory pictures
- c. Practical jokes which cause awkwardness or embarrassment
- d. Unwelcome invitations or requests, whether direct, explicit or intimidating
- e. Leering or other gestures
- f. Unnecessary physical contact such as touching, patting, pinching
- g. Physical assault

5. Unauthorised entry, misuse or damage of AAPoly facilities

- a. Unauthorised entry and/or use of computer laboratory, library, facility, room, or office
- b. Removal of books or other library and audio visual material without proper authorisation
- c. Mutilation or defacing of books or other library materials
- d. Damaging AAPoly facilities or property, or unlawfully impeding access to AAPoly facilities either deliberately or through negligence
- e. Using AAPoly library, computer laboratories or other learning support resources and facilities in a manner which is inconsistent with any condition for use of the facility or resource which has been notified to students
- f. Knowingly, and without just cause, cause another person to fear physical abuse or fear damage to him/herself and/or his/her property
- g. Creating a condition that unnecessarily endangers or threatens the health, safety, or well-being of other persons, or could cause damage to property
- h. Deliberately, negligently or unlawfully accessing, using or disclosing information of or about other students, lecturers or staff, including

	<p>while on work placement</p> <ul style="list-style-type: none"> i. Breach confidentiality or privacy requirements or obligations in respect of the institute or its staff, students or other relevant parties j. Impersonating another student, or arranging for anyone to impersonate a student, in an examination, assessment task, an assessment requirement or in any other related activity; <p>6. False or Fraudulent Representation</p> <ul style="list-style-type: none"> a. Making a false or fraudulent representation, or submit falsified or fraudulent information or documentation to AAPoly, b. Impersonating another student, or arranging for anyone to impersonate a student, in an examination, assessment task, an assessment requirement or in any other AAPoly related activity c. Using the AAPoly's name, logo, trade mark, seal or other symbol without permission of the CEO or her nominee d. Using any other name, logo, trade mark, seal or symbol which so closely resembles AAPoly's as to be likely to deceive <p>7. Criminal Behaviour</p> <ul style="list-style-type: none"> a. Engaging in offensive behaviour, consuming illicit drugs and/or alcohol or engaging in any unlawful activity on AAPoly campuses or areas related to AAPoly such as placement organisations or internships b. Attending an academic activity including placement, adversely affected by alcohol or other drugs impacting on the safety or performance of other students and/or other members of AAPoly community c. Carrying weapons to school or work placement, or using weapons in school or work placement against students, lecturers, staff, visitors or other people authorised on the premises d. Engaging in terrorism activities inside or outside AAPoly which could endanger public e. Breaching any laws in undertaking any AAPoly activity, including criminal law and laws relating to copyright, discrimination, harassment and defamation
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POLICY GUIDELINES AND PRINCIPLES

1. During orientation, AAPoly provides a Student Code of Conduct and Social Media Use Policy for students to clarify the general principles and acceptable behaviour standards that apply during the course of their studies at AAPoly. Students are expected to read and understand the Code of Conduct and demonstrate behaviour consistent with their understanding.
2. Academic and non-academic staff members of AAPoly are to familiarise themselves with the Student Code of Conduct in order to be able to assist the students in understanding and practising the acceptable behaviour.
3. Allegations of non-academic misconduct must be immediately reported to Student Services and Senior Lecturer, Academic Quality and Student Discipline. All reporting must be formalised in a written report of the incident including time, date and description (including photographic evidence) in addition to the identification of participants who are involved.
4. Students may exercise their rights to appeal to the decision on disciplinary actions for non-academic misconduct, as afforded to them by AAPoly Complaints and Appeals policy and procedure.

5. All allegations of non-academic misconduct will be investigated by the Senior Lecturer, Academic Quality and Student Discipline or his/her nominee.
 - a. If alleged misconduct is reported and the person/s involved is/are known to AAPoly, the Senior Lecturer, Academic Quality and Student Discipline will interview the said parties (for example student/s, witnesses, staff), formally document all relevant information and compile any medical or photographic evidence that is provided.
 - b. If alleged misconduct is reported but the person/s who committed the misconduct is/are not known to AAPoly, the Senior Lecturer, Academic Quality and Student Discipline will investigate the case. The investigation may include one or a combination of the following methods i.e. checking the surveillance camera footage, interviewing involved parties (including other students, AAPoly staff, building management staff and/or members of the emergency services dealing with the incident) and/or contacting witnesses
6. By enrolling at AAPoly, students agree to abide by the Student Code of Conduct, including in social media usage, and demonstrate behaviour that
 - a. promotes mutual respect among students and staff,
 - b. ensures that AAPoly facilities and services are appropriately used
 - c. allows AAPoly students and staff to carry out their activities safely and without unreasonable disruptions

RESPONSIBILITIES

- The CEO maintains this policy and communicates it to the Academic Dean, Faculty Heads and Management of AAPoly.
- Designated Head of Student Services (DH-SS) and Heads of Academic Departments will communicate the policy to all students and permanent or sessional staff members in their teams for consistent implementation across the academic departments.
- DH-SS will support the Senior Lecturer, Academic Quality and Student Discipline in gathering evidence relevant to the misconduct allegation and manage the communications between the investigation team with the student(s)
- Student Counsellors or their nominees will assist the student in the investigation and responding to the outcomes.

FEEDBACK

Queries or feedback about this policy should be directed to the Academic Dean through academicdean@aapoly.edu.au. The Dean will respond to the written question or feedback within two (2) weeks from the receipt, unless an extenuating circumstance requires an immediate response or action. The feedback and subsequent outcome will be documented in the version register which will form a part of quality assurance and continuous improvement of AAPoly.

References

Source	Document Title	Version/Date
Internal	AAPoly Academic Board Charter	v3.0 05072017
	Student Code of Conduct and Social Media Use Policy	v1.3 06042018
	Student Complaints and Appeals Policy and Procedure	v4.3 05042018
	Student Non-Academic Misconduct Policy	v4.2 06042018
External	ASQA Standards for Registered Training Organisations	2015
	Higher Education Standards Framework	2015
	Australian Government's National Code of Practice for Providers of Education and Training to Overseas Students	2018