

STUDENT BEHAVIOUR MANAGEMENT POLICY AND PROCEDURE

Approving authority	School Council
Purpose	This Ozford College policy and procedure has been developed to ensure Ozford College has policies and procedures to promote a consistent and fair approach to student discipline.
Responsible Officer	Principal/High School Coordinator
Associated documents	<p>Student Handbook</p> <p>Anti-bullying and Anti-harassment Policy and Procedure</p> <p>Anti-Discrimination Policy and Procedure</p> <p>Child Safety Policy and Procedure</p> <p>Diversity, Cultural Safety and Equity Policy and Procedure</p> <p>Refusal, Deferral, Suspension and Cancellation of Student Enrolment Policy and Procedure</p> <p>Information, Communication And Technology (ICT) Acceptable Use Policy and Procedure</p> <p>Student Support and Services Policy and Procedure</p> <p>Student Complaints and Appeals Policy and Procedure</p> <p>Younger Students and Homestay Policy and Procedure</p> <p>Record Management Policy and Procedure</p>

1. RATIONALE

Ozford College (the College) is committed to providing an environment to maximise educational opportunities to generate the best outcome for all students.

The College uses a variety of approaches to promote good student behaviour and to reduce and resolve conflict between students and between students and staff which is explained in this policy.

2. SCOPE

This policy and procedures applies to all College students, staff and College students' families.

3. POLICY

- 3.1 The College is committed to providing an environment to maximise educational opportunities to generate the best outcome for all students.
- 3.2 The behaviour of both staff members and students at the College is managed supportively to achieve a positive learning environment for the benefit of all parties, the student, the College and the student's family.
- 3.3 All students are expected to comply with the Student Code of Conduct.
- 3.4 The College will undertake disciplinary measures for any behavioural incidents on-site, off-site or commuting to and from the College whilst on College's activities.
- 3.5 To facilitate a procedural fairness, disciplinary measures implemented will take into account the nature of the behaviour and steps be taken to identify and address the cause giving rise to the incident.

- 3.6 No **corporal punishment** is allowed at the College.
- 3.7 The Principal has the authority to make the final decision with regard to suspension and expulsion of a student. This power cannot be delegated. This is a legal obligation under Ministerial Order 625.

4. STUDENT CODE OF CONDUCT

- 4.1 The Student Code and Conduct provides the framework and clarifies the standards of conduct that are expected of students. The five basic principles that underpin the Code of Conduct are:

Fairness

The College will ensure that all dealings with students are transparent, consistent, equitable and fair, and consistent with the principles of natural justice. The College equally expects that student interactions with the College and other students and staff are held to the same standard.

Respect

The College as a school is a workplace, a community hub and a place of learning. Everyone involved in our school community deserves to be respected, valued and treated equally.

Accountability

The College, its students and staff have rights and responsibilities to each other. Each party will be held accountable for its actions and for any breaches or infringements on these rights and responsibilities. The College will identify and specify responsibilities and accountabilities for decisions and processes in the resolution of any behavioural issue(s);

Appropriateness

The College has defined a framework of penalties which may be imposed for substantiated misconduct that is appropriate, proportionate and consistent.

Communication

This Student Code of Conduct and the College policies and procedures will be communicated clearly to the students and the manner of resolution of any breach by any person will be consistent throughout.

- 4.2 This Code of Conduct does not cover all situations; it articulates the expectations and aspiration of the College in relation to student conduct, including strategies to address inappropriate conduct.
- 4.3 The Code of Conduct is developed as a basis for providing:
- a positive framework to promote high standards of achievement and conduct; and
 - articulation of responses and consequences for inappropriate conduct.
- 4.4 All students are required to act in a manner that promotes a safe, positive, productive and harmonious learning environment, act ethically, respectfully and responsibly, and be accountable for their actions and decisions.
- 4.5 All students have a responsibility to comply with legislation, terms and conditions of their enrolment, the College Policy and Procedures, and this Student Code of Conduct.

4.6 Alcohol and Drugs

The College is an alcohol and drug free establishment. The consumption and or possession of alcohol and illegal drugs on the College premises are strictly prohibited at all times. Students are forbidden from being involved in College activities whilst under the influence of alcohol or illegal drugs. Smoking is prohibited on the property and within 4 metres of entrances and exits. Illegal activity will be reported to the relevant authorities.

4.7 Assault/Violence

Any form of assault/ violence in or outside the campus is prohibited and considered to be serious misconduct. The reference to violence includes not only physical assault and/or battery but oral, written, electronic and online threats.

It also includes assault or threats of a sexual nature and discriminatory behaviour and/or assaults or threats on the basis of race, gender or sexual preference or any other characteristics specified under Anti-Discrimination or Human Rights legislation.

Any such conduct, whether between students, directed at staff or directed by students to parties outside the campus is not acceptable and will be subject to disciplinary action.

The possession or threat of possession of weapons or objects that can be used as a weapon is strictly prohibited and may constitute a criminal activity and be reported accordingly.

4.8 Bullying and Harassment

Everyone has a right not to be bullied or harassed. Bullying and harassment (including cyber bullying) in any form or manner are unacceptable. Any form of bullying physical, verbal or online in or outside class is strictly prohibited.

It is irrelevant whether or not the inappropriate behaviour was intended. It is important to understand that it is the person subjected to the behaviour who determines whether the behaviour is welcome or unwelcome. Individuals may react differently and the College recognises that comments and behaviour that do not offend one person may offend another.

Bullying, including cyber bullying, is a repeated unreasonable behaviour directed toward another person/student, or a group of students, or staff member, that creates a risk to health and safety.

Examples of behaviour that could be bullying include, but are not limited to:

- excluding someone from workplace/learning activities
- giving someone the majority of unpleasant tasks
- verbal abuse
- abuse using electronic formats such as text messages, phone calls or posting messages or video recordings on websites
- humiliating someone through sarcasm or insults
- intimidation
- initiation practices
- sabotaging someone's work

- 'practical jokes'

Cyberbullying is bullying or harassment that happens by means of technology. For example, using the internet, social media or a mobile phone to hurt, harass or embarrass someone.

Harassment is a type of discrimination and can take many forms. It may involve inappropriate actions, behaviour, comments or physical contact that is objectionable or cause offence. Harassment may be seen to have occurred if the behaviour makes the victim feel:

- offended and humiliated
- intimidated or frightened; or
- uncomfortable on campus

Any form of bullying or harassment physical, verbal or online in or outside class is strictly prohibited.

The College's **Anti-discrimination and Harassment Policy and Procedure** sets out the College processes for addressing bullying and harassment.

4.9 Discrimination

The College is an equal opportunity and culturally safe workplace and learning environment for staff and students.

The College believes that all staff and students should be able to work and study in an environment (in or out of class) free from discrimination, victimisation, vilification and the seeking of unnecessary information on which discrimination might be based. The College considers these behaviours unacceptable and they will not be tolerated. Direct discrimination occurs when a person (or a group of people) is singled out for worse treatment, compared to others in similar circumstances, because of one or more of the attributes listed above. Direct discrimination may involve:

- making offensive 'jokes' about another worker's racial or ethnic background, sex, sexuality, age or impairment;
- expressing negative stereotypes about particular groups or using stereotypes as a basis for decisions about work e.g. 'Women with young children shouldn't work.' or 'Older workers can't learn new skills';
- using selection processes based on irrelevant attributes such as age, race or impairment rather than on skills really needed for the job.

Indirect discrimination occurs when one rule applies to all, but in fact disadvantages a person (or group of people) because they are unable, or less able to comply with the rule because they have an attribute listed above. The fact that the disadvantage was not intended is not an excuse.

The College will act quickly to ensure that unlawful discrimination does not occur or continue to occur for either students or staff. The College's **Anti-discrimination and**

Harassment Policy and Procedure sets out the College processes for addressing bullying and harassment.

4.10 General Misconduct

General misconduct is where a student acts in a manner not consistent with the College policies and procedures. The following examples indicate the kinds of general misconduct which constitute student general misconduct. They are for illustrative purposes and are not intended to be exhaustive. Student misconduct occurs when a student:

- acts dishonestly in relation to admission to the College;
- knowingly makes any false or misleading representation about things that concern the student as a student of the College or breaches any of the College rules;
- fails to comply with the College rules or legal obligations including visa requirements;
- prejudices the good name or reputation of the College;
- prejudices the good order and governance of the College or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of the College;
- fails to comply with conditions agreed in the contract including paying fees on time;
- wilfully disobeys or disregards any lawful order or direction from College personnel;
- refuses to identify him or herself when lawfully asked to do so by a staff member;
- fails to comply with any penalty imposed for breach of conduct;
- misbehaves in a class, meeting or other activity under the control or supervision of the College, or on the premises or other premises to which the student has access as a student;
- wilfully disobeys or disregards any lawful order or direction from Ozford personnel and/or refuses to identify him or herself when lawfully asked to do so by a staff member;
- obstructs any member of staff in the performance of their duties;
- alters any College documents or records;
- harasses or intimidates another student, a member of staff, a visitor, or any other person while the student is engaged in study or other activity as a student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- breaches any confidence of the College;
- misuses any facility in a manner which is illegal or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the premises while acting as a College student, in a manner which is illegal or which is or will be detrimental to the rights or property of others;
- steals, destroys or damages a facility or property of the College or for which the College is responsible.

4.11 Academic Misconduct

The College is committed to promoting academic integrity among students and staff and ensuring all assessment of student learning is undertaken in accord with the highest levels of academic integrity.

All College students are expected to study with integrity and not plagiarise other people's work.

The concept of plagiarism is often unfamiliar to international students. Plagiarism is presenting another person's work without adequate acknowledgement of its source. Plagiarism is not acceptable and is considered stealing or cheating in Australia. Some examples of plagiarism:

- a sequence of words incorporated without quotation marks and referencing to acknowledge the owner's work.
- an unacknowledged passage paraphrased or copied from another's person work.
- the use of ideas or images created by others as though it were the student's own work.

All teachers are expected to be able to identify copied work ie. it will have a different communication style than the student's work. Teachers are provided with access to software that can identify content that is copied from other sources.

Students must comply with the following rules for integrity and authentication of School-based Assessment:

- A student must ensure that all unacknowledged work submitted for assessment is genuinely their own work.
- A student must acknowledge all resources used, including:
 - text, websites and source material
 - the name and status of any person who provided assistance and the type of assistance provided.
- A student must not receive undue assistance from another person in the preparation and submission of work.
 - Acceptable levels of assistance include:
 - the incorporation of ideas or material derived from other sources (for example, by reading, viewing or note taking), but which has been transformed by the student and used in a new context
 - prompting and general advice from another person or source, which leads to refinements and/or self-correction.
 - Unacceptable forms of assistance include:
 - use of, or copying, another person's work or other resources without acknowledgment
 - corrections or improvements made or dictated by another person.
- A student must not submit the same piece of work for assessment in more than one study, or more than once within a study.
- A student must not knowingly assist another student in a breach of rules.

Students are required to comply with all rules for examinations conducted by or on behalf of the VCAA, as well as the day to-day rules of the institution providing the venue for examinations.

4.12 Use of ICT Facilities and Services

Information systems and computer networks are an integral part of the College's operation. The College has made a substantial investment to create and protect these systems. ICT facilities and services are provided to users to support the strategic objectives of the College.

Users must take responsibility for using ICT facilities and services in an ethical secure and legal manner; having regard for the objectives of the College and the privacy, rights and sensitivities of other people.

4.13 Privacy

While the College desires to provide a reasonable level of privacy, users should be aware that the data they create or store on College resources, or while using College resources, is the property of Ozford College.

- Students are responsible for exercising good judgment regarding personal use of College resources.
- Students must not copy, duplicate (except for backup purposes), disclose, or allow anyone else to copy or duplicate any confidential information.
- The use of personal data storage devices to transfer stored data to or from the College's ICT resources is strictly prohibited unless undertaken with the full knowledge and written approval of the ICT Services Manager and meets the security requirements
- The College will monitor users' use of the College's resources. The College will monitor access and audit networks and systems (including electronic mail systems and information stored in the network) on a periodic basis for any business purpose including but not limited to:
 - security, network and maintenance purposes;
 - assessing the level of personal use;
 - accessing or retrieving email or data that may have been deleted;
 - ensuring that there is no illegal or improper use of email or the internet;
 - monitoring potential breaches of confidential information;
 - assessing any violations that may constitute harassment or discrimination;
 - investigating complaints of users, clients or suppliers;
 - obtaining all data about the use of email and the internet for strategic purposes; and,
 - assessing whether this policy is being adhered to and identifying any possible breaches.

4.14 ICT Security

Students are responsible for the security of their passwords and the use of College resources via their accounts.

- Passwords must remain secure, and students should refrain from disclosing their password to any person and, from sharing accounts.
- The use of personal data storage devices to transfer stored data to or from the College's IT resources is strictly prohibited unless undertaken with the full knowledge and written approval of the ITS Services Manager and meets the security requirements. Any external or personal equipment that students wish to be connected to the College's networks must first be approved by the ITS Services

team. Approval is dependent on there being an active antivirus program running on the equipment within current antivirus definitions.

- All PCs, laptops, tablets, mobile devices and workstations should be secured by logging off or locking the workstation when the system is unattended.
- The accessing, storing and working on 'Cloud' services must abide by the Ozford policies with regards to access, privacy, security and data breach.
- Students must not copy, duplicate (except for backup purposes), disclose, or allow anyone else to copy or duplicate any confidential information.

4.15 External ICT Equipment / Cloud services and solutions

- Any external or personal equipment that students wish to be connected to the College's networks must first be approved by the ITS Services team. Approval is dependent on there being an active antivirus program running on the equipment within current antivirus definitions.
- The accessing, storing and working on 'Cloud' services must abide by the same legislations and the College policies with regards to access, privacy, security and data breach.

4.16 Electronic Mail Guidelines

- The College email accounts are provided for academic and study related communications.
- The contents and size of student email accounts will be defined by the IT services division.
- Some types of emails and attachments will be blocked by the systems to help secure the environment from spam, viruses, worms or other harmful software.

4.17 Personal Mobile Phone, Hand Devices and Computers (personal ICT)

Personal mobile phone, hand devices and computers are the personal belongings of students. It is the student's responsibility to ensure they are kept secured and safe.

Students are expected to use their personal ICT in a safe, responsible and ethical manner at all times. This includes:

- keeping the device on silent during class times; only making or answering calls or messages outside of lesson times (except for approved learning purposes);
- respecting others and communicating with others in a supportive manner, never verbally or in writing participating in bullying (for example, harassing phone calls/text messages, forwarding messages and supporting others in harmful, inappropriate or hurtful online behaviours);
- protecting own privacy; not giving out any personal details, including name, telephone number, address, passwords and images;
- protecting the privacy of others; never posting or forwarding their personal details or images without their consent - carefully considering the content before uploading or posting online;
- Investigating the terms and conditions (e.g. age restrictions, parental consent requirements). If unclear seek further explanation from a teacher/manager;
- not bringing to the College or downloading unauthorised programs, including games;
- respecting the privacy of others; only taking photos or recording sound or video when formal consent has been given or when recording is part of an approved lesson; and,

- obtaining appropriate (written) consent from individuals who appear in images or sound and video recordings before forwarding them to other people or posting/uploading them to online spaces.

4.18 Prohibited Activities

Under no circumstances is a student authorised to engage in any activity that is illegal under local, state, federal or international law while using College resources.

The following activities are expressly prohibited:

- Violation of the rights of any person or entity protected by confidentiality, copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including but not limited to the installation or distribution of "pirated" or other software products that are not appropriately licensed for use, or the duplication or transmission of copyrighted or otherwise protected materials. This prohibition also applies to materials that are considered "Confidential";
- Sending spam using College resources;
- The use of any peer-to-peer file sharing software or websites, including but not limited to BitTorrent, eMule, LimeWire, Ares, KaZAA, Grokster or Morpheus;
- The use of any IRC or messenger software or websites, including but not limited to Facebook Messenger or other "Messengers", IRC or "chat" clients (except that, for the avoidance of doubt, Voice Over IP products are allowed for the College purposes only, where the person has first registered the name and service with the ICT services division and obtained consent to such use);
- Unless specifically for academic or business purposes, posting or subscribing to newsgroups, online discussion boards or email list groups;
- Using Ozford resources to actively engage in procuring or transmitting material that is in violation of sexual harassment, privacy, discrimination or workplace laws including but not limited material which is offensive, obscene, threatening, pornographic, defamatory, discriminatory, insulting, inappropriate, disruptive, intimidating or in violation of a person's privacy;
- Effecting disruptions to, or interfering with, any other computer or network;
- Using any form of network monitoring which will intercept data not specifically intended for the student or staff, unless this activity is a part of the person's role and responsibilities
- Circumventing user authentication or security of any host, network or account;
- Providing information about, or lists of, the College's staff or students to any third party;
- Activities which discredit Ozford College, its staff or students;
- Using electronic mail or the internet for political, religious, private commercial, personal profit making, gambling or personal advertising purposes;
- Unauthorised use, or forging, of email header information;
- Connecting to the Internet, or sending email through, an anonymous proxy server or similar conveyance designed to obfuscate the user's identity;
- Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type;
- Installing any software that is not approved by the ITS Services team;
- Unauthorised copying of College information to a personal USB memory stick, hard disk or removable storage player (whether it is a music player or otherwise); and
- The 'ripping', copying or storage of music for any purpose.

For further information, please refer to the **Information, Communication Technology Acceptable Use Policy and Procedure**.

4.19 Building Regulations

Students are required to comply with the regulations of the building, including:

- No smoking in the building.
- No smoking within 4 meters of building entrance.
- Not pressing the emergency button in the lift unless there is an emergency.
- Not using or interfering with emergency equipment, such as fire extinguishers and fire alarms, unless in the case of a genuine emergency.

Penalties apply to those caught breaking the building regulations.

4.20 Dress Code

The College does not impose compulsory uniform for students, instead all students are encouraged to learn responsibility with their choice of clothing dress in an appropriate manner.

For health and safety reasons students must wear shoes at all times and thongs or open shoes are not permitted. Hats and sunglasses are not to be worn within the building and must be removed upon request of a staff member unless written permission has been granted by College Staff.

Students may be asked to go home and change if any dress items are deemed inappropriate.

4.21 Review

As required by Ministerial Order 1359 Managing the Risk of Child Abuse in Schools and School Boarding Premises, this policy is reviewed after any significant child safety incident, or at least every two years, and improved where applicable.

5. Procedure

Promotion of Code of Conduct

- 5.1 The Code of Conduct is made available in the Student Handbook which is available on the College website. All new students will be given a copy of the Student Handbook and the Code of Conduct explained to student during compulsory student orientation.

Ongoing Support

- 5.2 Students are provided with support to improve their understanding and encourage compliance with this Code of Conduct. Students attend weekly mentor sessions where they are provided with course related information and information related to adjusting to study and life at the College.
- 5.3 Students who are encountering difficulties understanding or identified as at risk of not meeting course, attendance and code of conduct requirements will be referred to the High School Coordinator or Student Welfare Officer for further individual support.

Breach of Code of Conduct and Disciplinary Measures

- 5.4 Students in breach of the Code of Conduct will be subject to disciplinary action.
- 5.5 To facilitate a procedural fairness, disciplinary measures implemented will take into account the nature of the behaviour and steps be taken to identify and address the cause giving rise to the incident. The disciplinary actions include and may occur in the following order:
1. an initial verbal warning;
 2. extra duties assigned;
 3. time limited withdrawal from class;
 4. detentions;
 5. conduct card arrangement;
 6. written warning(s);
 7. suspension and/or possible expulsion for a period of time from the College; and
 8. a permanent expulsion and a possible referral to the relevant authority or authorities in the event the behaviour constitutes a serious breach of the legislation.
- 5.6 In ensuring fairness is exercised throughout the process of implementation of disciplinary action, the staff member should take into consideration the following:
- the nature of the behaviour;
 - the student age;
 - the circumstances surrounding inappropriate behaviour;
 - the interest, health, safety and wellbeing of the student(s);
 - the impact on student's engagement;
 - a duty of care to student(s); and
 - the family circumstances of the student(s).
- 5.7 The families (Parents/guardians/carers) will be engaged in this process and asked to participate, by acting as an advocate for the student and supporting implementation of any agreed actions.

Suspension

- 5.8 Suspension is a serious disciplinary action and as such should only be utilised in the event other disciplinary measures have failed to affect a satisfactory outcome. A student shall not be suspended for a period of time greater than nine school days in any one school year.

Expulsion

- 5.9 Expulsion is a severe form of sanction and to be exercised only in the most serious circumstances.

When an expulsion may occur

- 5.10 The Principal may cancel a student's enrolment and expel a student from the College if, whilst attending the College, travelling to and from the College or engaging in any College related activity away from College (including when travelling to or from that activity) the student:
- Acts dishonestly in relation to admission to the College;
 - Knowingly makes any false or misleading representation about things that concern the student as a student of the College;
 - Alters or provides false statement in any College documents or records;

- Consistently engages in behaviour that bullies, harasses, vilifies, defames, degrades or humiliates another person based on age; breastfeeding; gender; identity; impairment; industrial activity; lawful sexual activity; marital status; parent/ carer status or status as a carer; physical features; political belief or activity; pregnancy; race; religious belief or activity; sex; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes
 - Abuses a child, ie. a child abuse incident.
 - Breaches any confidence of the College;
 - Misuses any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the College premises while acting as an Ozford student, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;
 - Causes significant damage to or destruction of facility or property of the College or for which the College is responsible
 - Commits or attempts to commit or is knowingly involved in the theft of property
 - Possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons
 - Fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
 - Consistently behaves in an unproductive manner that interferes with and poses a danger, whether actual, perceived or threatened, to the health, safety or wellbeing or educational opportunities of any person
- 5.11 The student's behaviour must be of such a magnitude that having regard to the need of the student to receive an education; to maintain the health, safety and wellbeing of other students and staff at the school; and to maintain the effectiveness of the school's educational programs, expulsion is considered the only available mechanism. The **Refusal, Deferral, Suspension and Cancellation of Student Enrolment Policy and Procedure** must be implemented when in expulsion is being considered.
- 5.12 The Principal has the authority to make the final decision with regard to suspension and expulsion of a student. This power cannot be delegated. This is a legal obligation under Ministerial Order 625.
- 5.13 The student's family (Parents/guardians/carers of students under the age of 18) will be notified via phone call and/or written notification in cases of serious discipline action being taken such as suspension and expulsion.
- 5.14 An accurate record is kept with respect to any inappropriate behaviour, disciplinary actions taken and resolution on the student management system.

Complaints and Appeals

- 5.15 If the student or their family is not satisfied with the College behaviour management process, they may access the **Student Complaints and Appeals Policy and Procedure**.

6. FEEDBACK

Feedback or comments on this policy and procedure is welcomed by the listed responsible officer.