

STUDENT CODE OF CONDUCT POLICY

Approving authority	Academic Board
Purpose	This policy outlines the values and conduct expected of all students.
Responsible Officer	Head of Student Services and Administration
Next scheduled review	August 2021
Document Location	http://www.oxford.edu.au/higher-education/policies-and-procedures/
Associated documents	Academic Integrity Policy and Procedure Student Code of Conduct Procedure Student Grievances & Appeals Policy and Procedure Student Services & Support Policy and Procedure Anti-Bullying & Harassment Policy and Procedure Anti-Discrimination Policy and Procedure Diversity and Equity Policy and Procedure

1. PRINCIPLES

The Student Code and Conduct provides the framework and clarifies the standards of conduct that are expected of students at Oxford Institute of Higher Education (henceforth 'the Institute'). The four basic principles that underpin the Code of Conduct are:

- **Fairness**

The Institute will ensure that student discipline procedures are transparent, consistent, equitable and fair, and consistent with the principles of natural justice;

- **Accountability**

The Institute will identify and specify responsibilities and accountabilities for decisions and processes in the resolution of any behavioural issue(s);

- **Appropriateness**

The Institute will define a framework of penalties which may be imposed for substantiated misconduct that is appropriate, proportionate and consistent.

- **Communication**

The Code, 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

The Code of Conduct does not cover all situations; it articulates the expectations and aspiration of the Institute in relation to student conduct, including strategies to address inappropriate conduct.

The Code of Conduct is developed as a basis for providing:

- a positive support to promote high standards of achievement and conduct; and
- articulation of responses and consequences for inappropriate conduct.

2. SCOPE

The Student Code of Conduct applies to all students who are currently enrolled at the Institute. This Code of Conduct can apply to any specified misconduct not only on campus but also, off campus while commuting to and from or participating in the Institute initiated activities or online using the Institute facilities or involving other students and/or staff of the Institute.

3. DEFINITIONS

3.1 Suspension is a disciplinary measure that involves temporary removal of a student from the Institute's approved activities for a specified period of time. Students will be allowed to return to the Institute approved activity after the suspension period has ended.

3.2 Expulsion is the process of permanently excluding the student from the Institute in which he or she is expelled.

4. POLICY

4.1 The Institute is committed to providing an environment to maximise educational opportunities to generate the best outcome for all students.

4.2 The conduct of both staff members and students at the Institute is managed supportively to achieve a positive learning environment for the benefit of all parties.

4.3 The existence of any form of assault, violence, bullying or discrimination is unacceptable and will not be tolerated at the Institute.

4.4 The Code of Conduct will ensure that both staff members and students are aware of the behavioural standards expected of students.

4.5 The Institute will undertake disciplinary measures for any specified misconduct not only on campus but also , off campus while commuting to and from or participating in the Institute initiated activities or online using the Institute facilities or involving other students and/or staff of the Institute.

5. CODE OF CONDUCT

All students are required to conduct their duties and act in a manner that promotes a safe, positive, productive and harmonious learning environment, act ethically and responsibly, and be accountable for their actions and decisions.

All students have a responsibility to comply with legislations, terms and conditions of their enrolment, the Institute policy and procedures, and this Code of Conduct.

5.1 Alcohol and Drugs

The Institute is an alcohol and drug free establishment. The consumption and or possession of alcohol and illegal drugs are strictly prohibited

5.2 Violence

Any form of assault/violence in or outside the campus is prohibited and considered a serious misconduct. The reference to assault/violence includes not only physical behaviour but oral, written, electronic, online, sexual and/or behaviour of a racial nature. Any such conduct between students and/or with staff is not acceptable and will be subject to disciplinary action.

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

5.3 Bullying

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. Any form of bullying physical, verbal or on line in or outside class is strictly prohibited.

5.4 Discrimination

Discrimination exists if and when a person or a group of people, is/are being treated less satisfactorily than another person and/group because of race, colour, nationality or ethnic origin, sex, pregnancy or marital status, age, physical disability, religion, sexual preference, trade union activities or any other characteristics specified under the Anti-Discrimination or Human Rights legislations. Discrimination and harassment in or out of class is strictly prohibited and will be subject to disciplinary action.

5.5 General Misconduct

General misconduct is where a student: acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements (e.g. non-payment of fees); misuses, damages or steals Institute's property or the property of others; alters/defaces the Institute documents or records; prejudices the good name of the Institute, or otherwise acts in an improper manner.

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:

- contravenes any rules or acts;
- prejudices the good name or reputation of the Institute;

- prejudices the good order and governance of the Institute or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of the Institute;
 - fails to comply with conditions agreed in the contract;
 - fails to comply with the overseas student visa conditions;
 - wilfully disobeys or disregards any lawful order or direction from the Institute personnel;
 - refuses to identify him or herself when lawfully asked to do so by a staff member of the Institute;
 - 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 Institute, or on Institute premises or other premises to which the student has access as a student of the Institute;
 - obstructs any member of staff in the performance of their duties;
 - acts dishonestly in relation to admission to the Institute;
 - knowingly makes any false or misleading representation about things that concern the student as a student of the Institute or breaches any of the Institute rules;
 - alters any documents or records;
 - harasses or intimidates another student, a member of staff, a visitor to the Institute, or any other person while the student is engaged in study or other activity as an Institute 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 Institute;
 - 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 Institute premises while acting as an the Institute 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 Institute or for which the Institute is responsible
- See also: Occupational Health and Safety Policy and Procedures

5.6 Academic Misconduct

The Institute 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. Matters relating to Academic Misconduct is covered in the Academic Integrity Policy and Procedures.

5.7 Promotion of Code of Conduct

The Code of Conduct will be explained to students during orientation and be made available to students in the Student handbook.

5.8 Code of Conduct Implementation

The Code of Conduct is implemented throughout the Institute using a positive reinforcement and restorative approach. Any staff member with reasonable grounds to believe that a student has committed misconduct can address the students' conduct so that it does not recur.

Matters are required to be reported to the Head of Department or the Academic Dean if staff members have reasonable ground to believe that extra support and interventions are required to address the students' misconduct. Where an allegation of misconduct is made against a student, an investigation of the matter will commence in accordance with the Institute's established complaints and appeals policy and procedures.

During this process the institute will ensure;

- The students is treated fairly, with dignity and with due regard to his or her privacy and with due regard for natural justice.

Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misbehaviour will be penalised more leniently than subsequent instances of misbehaviour.

5.9 Disciplinary Measures

Students may be subject to disciplinary measures if the allegation is verified and upheld.

In ensuring that 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's age;
- the circumstances surrounding the inappropriate conduct;
- the interest, health, safety and wellbeing of the student(s);
- the impact on the student's engagement;
- a duty of care to the student(s); and
- the family circumstances of the student(s).

5.10 Penalties

Penalties that are able to be imposed include

- an initial verbal warning;
- temporary restrictions to access to specific facilities or services;
- written warning(s);
- a financial penalty in accordance to students acceptance agreement;
- requiring the student to pay for the cost of any damage;
- time limited suspension of enrolment;
- suspension and/or possible expulsion for a period of time from the Institute; or
- a permanent expulsion and a possible referral to the relevant authority or authorities in the event that the conduct constitutes a serious breach of the legislation.

Suspension is a serious disciplinary action and as such should only be utilised in the event that other disciplinary measures have failed to result in a satisfactory outcome.

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

Students may appeal to the Institute against the penalties imposed.

Students wishing to appeal will be referred to the Institute's Students Grievances and Appeal Policy and Procedures.

5.11 Exceptional circumstances

In some cases where the student's misconduct is severe and his or her continued presence on the campus is seen to be a threat to the safety other students and/or staff and/or the Institute facilities, the Institute's Executive Management Team has the right to cancel the student's enrolment.

Severe misconduct includes but not limited to:

- harasses or intimidates another student, a member of staff, a visitor to the Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- 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 Institute premises while acting as an the Institute 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 Institute or for which the Institute is responsible.

Students will be notified via phone call and /or written notification in cases of serious discipline actions being taken such as suspension and expulsion. An accurate record is kept with respect to any inappropriate behaviour, disciplinary actions taken and resolutions on the student management system.

Students may appeal to the Institute against the penalties imposed.

Students wishing to appeal will be referred to the Institute's Students Grievances and Appeal Policy and Procedures.

6. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meet the requirements of the HES Threshold Standards the policy will be;

- 6.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 6.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 6.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier);
- 6.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

7 FEEDBACK

Feedback or comments on this policy is welcomed by the listed Responsible officers of the Institute.

8 ACKNOWLEDGEMENTS

This Code of Conduct was initially developed with reference to the following institutions' policies:
CQUniversity, *Student Misconduct Procedures*, December 2013

9 VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	March 2016	Initial issue	AB
2.0	August 2018	Internal review	AB
Related legislation/ regulation/standard	ESOS National Code 2018 Standard 8		