

Student Code of Conduct and Misconduct Procedures

Document Owner	Executive Principal		
Responsible Officer	Director of Studies		
Review Date	18/10/2022		
Related Documents	<i>Academic Integrity Policy and Procedure</i> <i>Discrimination, Bullying and Harassment Prevention Policy</i> <i>Equity and Diversity Framework</i> <i>Fraud and Corruption Control Policy</i> <i>Fraud and Corruption Control Procedure</i> <i>Legislative and Regulatory Compliance</i> <i>National Code Compliance</i> <i>Privacy Policy</i> <i>Student Support Framework</i> <i>Work Health and Safety Policy and Procedure</i>		
Version	Authorised by	Approved	Effective Date
2.0	Chief Executive Officer	18/10/2019	1/01/2020

1. Introduction

The Australian College of Business Intelligence (ACBI) is dedicated to students and providing the optimal learning and teaching experience in a diverse community environment. It is the College's responsibility to ensure that students are satisfied with their engagement and experience within the College. However, to achieve this, it is also expected that students are responsible for their own academic and personal progress and is explicitly stated in the *Student Code of Conduct*.

ACBI is committed to:

- High academic expectations, intellectual rigour and high-quality education;
- High standards of ethical behavior;
- Intellectual freedom and social responsibility;
- Recognition of the importance of ideas and the pursuit of critical and open inquiry; and
- Tolerance, honesty and respect as the hallmarks of relationships throughout the ACBI community.

All students are expected to be aware and act in alliance with these values

2. Scope

All ACBI students are required to act in accordance with the *Student Code of Conduct*, which should be read simultaneous to the College's other policies. This Code also applies to activities that occur on the College's property and conduct in online examinations and/or online academic work.

3. Definitions

Bullying: when people repeatedly and intentionally use words or actions against someone or a group of people to cause distress and risk to their wellbeing.

Discrimination: treating someone unfairly, less favourably, or differently based on their race, colour, nationality, descent, ethnicity, religion, ethno-religious background, sexual preference, socio-economic background, disability, or other personal characteristics.

Harassment: any form of unwelcome, unreciprocated, and often repeated behaviour which makes a person feel uncomfortable or intimidated, including unwanted or uninvited sexual behaviour that is offensive, intimidating or humiliating.

Procedural fairness: a fair and proper procedure appropriate to the circumstances, where decisions are made without bias and are supported by evidence and communicated with reasons.

Student: a person enrolled in a course at the Australian College of Business Intelligence.

Worker: staff and contractor engaged by the Australian College of Business Intelligence

4. Student Expectations and Responsibilities

a) General Student Expectations and Responsibilities

Subject	Student's Expectations	College's Expectation of Students
Co-operation and Compliance	<p>To be able to work without disturbance.</p> <p>To be able to learn and attain my best results.</p> <p>Expect that fellow students or employees of the College will also act with responsibility.</p>	<p>Not disturb or interfere with the learning of other students, employees of the College.</p> <p>Should be prepared for lessons prior to when they start in order to maximize learning.</p> <p>Act with responsibly and care.</p>
Environment	<p>Should feel safe at all times during time at the College.</p> <p>Should feel happy and satisfied at the College.</p> <p>For the College environment to be clean.</p>	<p>Expected to consider the safety of other students and employees of the College.</p> <p>Should consider the happiness of other people at the College at all times.</p> <p>Should not litter.</p>
Harassment	<p>Should not experience any form of discrimination against or harassment or bullying whilst on the College.</p>	<p>Should not engage or encourage in any forms of bullying, teasing or harassing of other students.</p>
Politeness	<p>Expected to be treated in a polite manner by other students and employees of the College.</p> <p>Expected to be treated fairly by others.</p> <p>Expect others to treat you with consideration.</p>	<p>Expected to treat others (students, consultants, contractors and members of the public politely.</p> <p>Treat others in a manner that is fair.</p> <p>Provide consideration for other people of the College.</p>
Respect	<p>Expect that the property that I</p>	<p>That students will not touch or take</p>

	bring will be kept safe whilst on College.	property belonging to another student without permission.
	Expect that the property owned by the College will not be vandalized.	Expected that students do not vandalize any property owned by the College.
	Expect that my ideas, beliefs and expression will be tolerated and respected.	Students tolerate and respect the ideas, beliefs and expression of other fellow students and stakeholders who are part of the college and its operations

b) College's Expectations of Students in relation to the College's resources and reputation

- Ensure that student actions and/or inactions will not harm or disrepute the College's reputation;
- Not use the College's title, reputation or brand for private gain or private commercial purposes without explicit permission by the College;
- Disengage in behavior that is deemed fraudulent or corrupt;
- Disengage in behavior that will damage or cause a detriment to the College's property;
- Not participate in the College's learning experience if under the influence of drugs or alcohol; and
- Not engage or interact with the use, supply or process of any drug, substance or weapon at the College.

c) Academic Conduct

- Maintain current information in the student information system and to adhere to the key dates and deadlines;
- Read all official correspondence received from the College, including email;
- Act ethically and honestly in the preparation, conduct, submission and publication of academic work and/or assessments;
- Act ethically and honestly in the preparation, conduct, submission of academic work and throughout all assessments – informal and formal;

d) Learning, Teaching and Research Responsibilities

The College is dedicated to providing students with the best possible learning, teaching and researching environment by:

- Providing a healthy and encouraging academic environment that enables student participation through debates to which students can express and vocalize their opinions and viewpoints;
- Considering course selection through criteria that is valid, explicit, fair and reliable;
- Enrolling in courses that hold high standards, satisfy professional requirements and align with the most up-to-date research and study disciplines;
- Providing staff that are academically qualified and competent;
- Receiving timely and accurate information in regard to the College's content, objectives, cost and course assessment tasks;
- Receiving relevant feedback from staff on assessment tasks;
- Allowing students to provide feedback on the College's style of teaching, learning and research environment; and

e) Providing Students with the best College Experience

The College is devoted to delivering the best College experience that we can through ensuring students:

- Are being treated in a courteous and respectful manner by other employees of the College community;
- Are being treated fairly and impartially under the College's policy, procedures and practice;
- Have the opportunity to engage and participate with the College's decision-making processes;
- Are being treated in an equitable manner that is void from all forms of unlawful discrimination and harassment or sexual harassment;
- Have access to support services that experience personal, academic or disability related difficulties;
- Have access to their own records;
- Are entitled to respect and protection of their own privacy;
- Have the opportunity to complain about an academic or administrative decision, through the *Grievances and Complaints Form*, if the student believes that it is a decision that has been made based on inappropriate criteria; and

5. Student Misconduct Procedure

If a student's conduct involves a concern of the safety of a student, staff or other students then these concerns should be referred to the College's Student Support Officer (studentsupport@acbi.edu.au) who will provide assistance and act in the best interests of the student. The matter will be referred to the Director of Studies. Allegations of student misconduct must be made in written form.

5.1 Fairness Procedure

- 1. The College will apply procedure principles that are fair and just by:**
 - Holding the presumption that the student is innocent until proven guilty or cleared through strong evidence;
 - Providing the student with the right to be heard without bias
Providing the right to be informed of allegations by giving reasons and an opportunity to respond to these.
- 2. Student will be given the opportunity to rectify any information, to explain circumstances and to make a submission to the penalty/ies that may be imposed**
 - Any staff members involved in the allegation will not be able to contribute to the determination of the misconducted matter.
- 3. Students are entitled to notices of allegations of student misconduct against them**
 - These allegations may be amended prior to the determination.
- 4. If the student has previously engaged in past misconduct, then the College will not take this into consideration when determining if the student is guilty of the most current misconduct**
 - However, the College will take into consideration past breaches of misconduct if there have been multiple offences when determining the penalty/ies to be imposed.
- 5. If multiple allegations that are similar arise around the same time, then the Director of**

Studies may determine to consider it as one allegation.	
6. The standard of proof is to be determined by the Director of Studies upon evaluating that the evidence justifies the allegation against the student.	
7. The College will attempt to investigate and determine the allegations as swiftly and timely as possible	
<ul style="list-style-type: none"> The specified time period may be extended under the power of the Director of Studies. 	
8. Different conditions will lead to different procedures:	<u>If it is an act of academic misconduct:</u>
	Refer to the <i>Academic Integrity Policy and Procedure</i> .
	<u>If it is an act other than academic misconduct:</u>
	<ul style="list-style-type: none"> i) Student is asked to attend an interview that responds to the allegations ii) If misconduct is not proven, then there is will be no further action iii) If misconduct is proven and a penalty is not warranted, then it will be noted on the student's profile and there will be no further action i) If misconduct is proven and a penalty is warranted, then the penalties will be as followed by the table below in which the student will be notified iv) Student can lodge their right to appeal refer to the Complaints and Grievances Policy
	<u>Appeals can be made only on the grounds of:</u>
	<ul style="list-style-type: none"> i) There was a lack of procedural fairness ii) The determination was made unreasonably and/or could not have been supported by the evidence iii) Provision of new evidence that was not available at the time to the student or Director of Studies during the investigation process.
	For further details, refer to the <i>Student Complaints and Appeals Policy and Procedure</i> .

6. Penalties for Misconduct

Student Misconduct	Penalties for Misconduct
Behaviour that is deemed unlawful, discriminatory, sexually inappropriate, bullying, harassing, invading another person's privacy or causes one to fear for their safety.	The College will: <ul style="list-style-type: none"> Provide a formal warning Suspend or exclude the student Seek remedial educative action
Behaviour that is disruptive of any	The College will:

teaching or learning activity conducted by the College.	<ul style="list-style-type: none"> • Provide a formal warning • Reduce student's marks in the course • Fail the course • Seek remedial educative action
Misuse of College's Property, failing to treat staff and students in a respectable manner.	<p>The College will:</p> <ul style="list-style-type: none"> • Provide a formal warning • Withdraw the student's access to the College's property for a period of time (must not exceed the remainder of the current term) • Restitution of damages • Seek remedial educative action
Misuse of the College's information technology or computing resources.	<p>The College will:</p> <ul style="list-style-type: none"> • Provide a formal warning • Withdraw the student's ability to access the College's technology facilities • Seek remedial educative action
Academic misconduct.	Refer to the <i>Academic Integrity Policy and Procedure</i> .
Serious misconduct in relation to the entry into a course or receiving an award the student is not eligible for.	<p>The College will:</p> <ul style="list-style-type: none"> • Revoke the award • Record invalid grades on an academic statement • Suspend or exclude the student

A decision to suspend, exclude or expulse a student for breach of the Code of Conduct must be referred to the Chief Executive Officer for approval.

Determinations relating to major or repeated breaches of the Code of Conduct must be referred to the Chief Executive Officer for approval.

Document History

Version	Date	Author	Reason	Sections
1.0	8/06/2018		Initial Policies based on changes of the National Code 2018	All
1.1	6/09/2019	Fabio Mejia	Reviewed and revised	Various
1.2	3/10/2019	Stephen Andrews & Laura Mao	Draft reviewed, revised and finalised in response to Management Team feedback.	All
1.3	7/10/2019	Julien Marechal	Alignment with Delegations Policy and Register	Section 7
1.4	16/10/2019	Deirdre D'Souza	Revised in response to feedback from Stephen Andrews & Laura Mao.	All
2.0	18/10/2019	-	CEO approval	All