

# Student Code of Conduct Policy and Procedure

## Purpose

The Objective of Gen Institute education code of conduct and disciplinary policy and procedure is to promote an environment in which students develop a positive and responsible attitude towards the work environment, customers and colleagues. As part of this, Gen Institute supports a system of informed consequence for actions.

A disciplinary procedure exists for the proper management of disciplinary issues. The procedure is designed to ensure fairness and objectivity and its primary purpose is not intended as a form of punishment but as a means of providing students with the opportunity to correct or modify their behaviour through fair and objective means.

## Scope

This policy/procedure applies to all student operations of Gen Institute.

## Policy

All students enrolled at Gen Institute are required to maintain an appropriate code of conduct at all times.

AND

Supports The registered provider can only defer or temporarily suspend the enrolment of the student on the grounds of:

- a) Compassionate or compelling circumstances (for example, illness where a medical certificate states that the student is unable to attend classes); or
- b) Misbehaviour by the student

## Guidelines

Where behaviour is deemed to be improper or inappropriate as outlined below, Gen Institute will take action in accordance with the Student Disciplinary Policy described below.

## Student Misbehaviour

Improper or inappropriate behaviour includes but is not restricted to:

- Being on Gen Institute's premises and consuming or having consumed alcohol;
- Persistent disruptive behaviour;
- Verbally abusive or hostile behaviour affecting fellow students;
- Smoking or the use of prohibited or illegal substances at Gen Institute's classes or on Gen Institute's premises;
- Deliberate misuse of Gen Institute's equipment or materials;
- Behaviour of a discriminatory nature;
- Carrying, use or being in possession of a prescribed or regulated weapon or dangerous article on Gen Institute's premises;
- Physical assault on a member of general or teaching staff, other students or members of the public or behaviour which is perceived to be threatening;
- Theft from staff or students at Gen Institute;
- Slander or harassment (whether verbal, sexual or otherwise) of staff or other students;
- Arson at Gen Institute's property;
- Wilful or malicious damage to Gen Institute property or equipment.

- Any student who has been found to willingly or accidentally activate fire or security alarms which result in the calling out of emergency services such as the fire department, police, ambulance or any other emergency service will be liable for whatever costs are incurred by their actions. Furthermore, students may be prosecuted under State or Federal laws in relation to their actions.
- Where a student has failed to attend classes for 10 consecutive days without prior approval, or without a medical certificate from a registered medical practitioner.
- Where a student has found to be cheating within the meaning of the Academic Misconduct Policy as set out on Gen Institute's website.
- Where fees, in excess of \$500, are due and payable by a student
- Conduct that is discriminatory and /or threatening on the basis of religion, culture, race, sexual differences, age, disability, or socio-economic status, whether to other students, staff members, or any other person at the Gen Institute's premises.

Improper or inappropriate behaviour may result, after appropriate investigation, in suspension of enrolment. (Refer to Deferring, Suspending or Cancelling the Students Enrolment Policy and Procedure)

### **Serious Misconduct**

Serious misconduct is deemed to be behaviour that is illegal, wilful or premeditated. This behaviour can result in immediate suspension pending investigation and may lead to expulsion.

Misconduct of a criminal nature will be reported to the appropriate authority.

### **Student Conduct**

Students enrolled at Gen Institute should adhere to the following;

- Respect of other people's rights to hold different positions and views in our society;
- Are receptive to others point of view;
- Do not discriminate against another person for their beliefs, nationality, religion, age, associations or sex;
- Not to impose their own values on other students.
- Students are given the capacity and right to learn with equal opportunity to develop their maximum potential.

### **Student Disciplinary Procedure**

#### **Procedure**

In the case where student behaviour conflicts with Gen Institute's Student's Code of Conduct, disciplinary action will be taken and the following will occur in a private and confidential manner.

In the first instance the trainer or course coordinator issues the student with an official warning about his or her behaviour, one copy of this warning goes to the student and another copy will be filed in the student's file.

#### **Note**

In relations to the non-payment of fees the student will be sent out only one warning letter (where the student fails to pay tuition fees within 7 days of due date and the amount exceeds \$500) informing them that they have 20 working days from the date after 2 days of issue to access the Gen Institute's complaints and appeals process. If the complaint and/or appeal are not upheld, or the student withdraws from the complaint and/or the appeal process, then Gen Institute must report the student

to Department of Home Affairs. The suspension or cancelling of the student's enrolment cannot take effect until the appeal process is completed unless there are extenuating circumstances relating the student's welfare.

- In the second instance of unacceptable behaviour the trainer will arrange a meeting with the Operations Manager
- The details of all disciplinary interviews and warnings will be recorded using the Academic Misconduct form. The Operations Manager will inform the student of the possible ramifications.
- A note will be placed on the Student Management System (my.gen) to identify that a disciplinary interview has taken place and that details are located on the student's file.
- Persistent disciplinary problems are to be dealt with by the Operations Manager in liaison with the trainer and Administration Manager. In the third instance the Operations Manager is to decide whether the student's behaviour shall lead to the expulsion of the student from Gen Institute.
- The details of all disciplinary interviews and warnings will be recorded using the Academic Misconduct Form
- A note will be placed on the Student Management System to identify that a disciplinary interview has taken place and that details are located on the student's file.
- If the student is on an international student visa, Gen Institute must report to the Department of Home Affairs any variation in the student's enrolment as outlined in Gen Institute's Deferral, Suspension & Cancellation policy.
- In cases of serious misconduct the Operations Manager will make an immediate decision on suspension or expulsion

### **Applicable legislation**

This Student Code of Conduct is informed by the following pieces of legislation, with which all students must comply with: -

#### **Commonwealth**

- The Education Services for Overseas Students Act 2000 (ESOS Act)
- Age Discrimination Act 2004
- National Vocational Education and Training Regulator Act 2011
- Privacy Act 1988
- Copyright Act 1968
- Age Discrimination Act 2004
- Disability Discrimination Act 1992 – Education Standards 2005
- Sex Discrimination Act 1984
- Australian Human Rights Commission Act 1986
- Student Identifiers Act 2014

#### **Victoria**

- Equal Opportunity Act 2010
- Information Privacy Act 2000
- Occupational Health and Safety Act 2004
- Working with Children Act 2005
- Racial and Religious Tolerance Act 2001
- Charter of Human Rights and Responsibilities