

## Student Code of Conduct

### Purpose

- The Objective of this policy is to promote an environment in which students have a positive and responsible commitment to and attitude towards their studies, all fellow students and staff and the environment in which they study.
- When a student fails to meet the standards expected, demonstrates inappropriate behavior or serious misconduct (particularly when it affects others) then there is a disciplinary procedure for the proper management of the issue(s). 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 behavior through fair and objective means.
- KIA will always retain the right, in cases of Misconduct, to exclude a student pending investigation. Where there has been a breach (or suspected breach) of the law, then KIA may elect to report the incident to the appropriate authorities.
- In the event of serious misconduct or an action by a student that can affect the safety of them, or other student or anyone else (including all KIA staff), then KIA may immediately suspend a student for up to 10 working days pending investigation.

### Responsibility

CEO, Training Manager, Student Services, Teaching Staff

### Definitions

**Study Conduct** – to diligently carry out study as directed by the Trainer in a positive manner with the issue of the registered qualification as the goal. This is to include attendance.

Good **Student Conduct** is positive behavior by a student to his fellow students, staff or any other individual.

**Improper or Inappropriate Behavior** - behavior by a student that is disruptive, counterproductive to harmonious classroom activities or is demeaning to another person – whether student, staff or any other person.

**Serious Misconduct** is deemed to be behavior that is illegal, willful or premeditated.

**Persistent Misconduct** occurs when the misbehavior is repeated more than twice during the student's enrolment at KIA.

### Requirements / Process

#### Policy

All students enrolled at Kensington Institute of Australia (KIA) are required to comply with this KIA Code of Conduct at all times.

#### Guidelines

Where behavior is deemed to be improper or inappropriate as outlined below, the institute will take action in accordance to the Student Disciplinary Policy described below.

#### Study Conduct

- KIA wants all students to succeed and leave KIA having had a positive experience both educationally and socially. To achieve this, all students are expected to come to all scheduled classes on time and complete and submit assessments within the expected timeframes.
- KIA offers support services to students who need assistance to achieve their education goals including academic support and re-sitting assessments.
- Students are expected to be committed to their studies and in order to succeed by attending classes, completing assessments and actively participating in class.
- Prime amongst these is the requirement to attend classes. ALL students are expected to attend class at the times it is scheduled. For International students, unsatisfactory attendance

has implications for their Student Visa see Attendance Policy if applicable.

- Where the student is also failing to meet course progress requirements, then the Course Progress Policy will be applied including the development and monitoring of an intervention plan. For international students, unsatisfactory course progress has implications for their student visa.

### Student Conduct

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

### Improper or Inappropriate Behaviour

- Improper or inappropriate behaviour includes but is not restricted to:
- Failure to attend as defined in the Attendance Policy.
- Being on Kensington Institute of Australia premises and consuming or having consumed and under the influence of alcohol or non-medically prescribed drugs;
- Persistent disruptive behaviour;
- Verbally abusive or hostile behaviour affecting fellow students or staff;
- Smoking or the use of prohibited or illegal substances at Kensington Institute of Australia classes or on Kensington Institute of Australia premises;
- Deliberate misuse of Kensington Institute of Australia equipment or materials;
- Behaviour of a discriminatory nature;
- Carriage, use or being in possession of a prescribed or regulated weapon or dangerous article on Kensington Institute of Australia premises;
- Physical assault on staff, other students or members of the public or behaviour which is perceived to be threatening;
- Theft from staff or students at Kensington Institute of Australia;
- Slander or harassment (whether verbal, sexual or otherwise) of staff or other students;
- Arson of Kensington Institute of Australia property;
- Wilful or malicious damage to Kensington Institute of Australia 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.
- Improper or inappropriate behavior may result upon investigation in suspension of enrolment.

### Serious Misconduct

- Serious misconduct is deemed to be behavior that is illegal, willful or premeditated. This behavior can result in immediate suspension pending investigation and may lead to expulsion. For international students, misconduct has serious implications for their student visa.

- Misconduct of a criminal nature will be reported to the appropriate authority including the police for prosecution as appropriate.

### Student Disciplinary Procedure

Where student behavior breaches with this Code of Conduct disciplinary action will be taken and the following will apply in a confidential manner.

Investigation:

- The Student Support Manager will meet with the student to discuss the incident, provide the student with the opportunity to present their perspective of the incident including any supporting evidence and discuss the possible consequences.
- The Training Manager will meet with the Student Support Manager to review the incident and establish whether or not the incident is serious misconduct and determine actions to be taken including consequences for the student.
- If the incident is not serious misconduct, the Student Support Manager will meet with the student to discuss the actions and consequences.
- If the incident is serious misconduct, the Director of Operations will meet with the student to discuss the actions and consequences.
- All meetings are to be formally recorded on a Student Interview Form and filed on the Student file.
- Following the meeting a formal letter must be sent to the student identifying the issue and actions. This letter is to include the right to access the Complaints and Appeals procedure if the student feels they have been unfairly treated. All communications will be filed on the student's file.
- 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.
- The CEO or his delegate will deal with any repeated or serious misconduct.
- Temporary Suspension - KIA may after due consideration temporarily suspend a student for misconduct. This will be for a maximum of four weeks.
- Expulsion - In the review of the behavior consideration will be given as to whether the student's behavior constitutes cause for expulsion from Kensington Institute of Australia. Factors that can be cited as reasons to expel are –
  - Safety of student or others
  - Failure to respond to repeated action plans to correct behavior or study issues
  - Willful damage to others and property
  - Disruptive behavior that will cause discomfort or disquiet to others
- Reporting of International Students to authorities will be undertaken after the student has been informed of the opportunity to access the complaints and appeals process and after any such complaint or appeals process is completed unless extenuating circumstances relating to the welfare of the student apply.
- KIA will report to the TPS director if a student defaults from the starting the course within 5 business days.

*References:*

*RTOs 2015: 5.1, 8.6*