

STUDENT CODE OF CONDUCT AND DISCIPLINARY PROCEDURES

1. Overview

Students are entitled to engage in the educational process free from disruptive or inappropriate behaviours. To this end Kingsford Institute of Higher Education (“KIHE” or “the Institute”) is committed to ensuring that there are clearly defined standards of behaviour and conduct for all enrolled students. By adhering to this Code students will ensure that both they and their peers will be afforded a safe and productive environment in which to study.

2. Expectations

The Institute expects that all members of the broader Institute community will behave professionally and with respect for others. Therefore, students must not behave in a manner that may be considered disruptive and/or inappropriate by any reasonable standard.

2.1 Students are expected to refrain from behaviour that:

- creates significant disruption to the learning environment;
- creates an atmosphere of hostility, intimidation, ridicule, anxiety or disrespect for others;
- could be considered sexual assault or sexual harassment;
- contradicts published rules, regulations, procedures or common standards of safety;
- endangers or threatens to endanger the health or safety of others;
- damages, defaces or destroys the Institute’s property.

2.2 Furthermore, students are expected to:

- attend their scheduled learning activities regularly and punctually;
- refrain from the use of devices which may disrupt classes. e.g. mobile phones, portable entertainment equipment, etc.
- comply with reasonable direction from the Institute’s authorised representatives;
- conduct themselves in a safe and healthy manner;
- identify and report any possible hazards from equipment, facilities and the environment;
- refrain from smoking anywhere on the Institute’s premises;
- refrain from drinking and/or eating in any study area, including the library;
- refrain from the use of bad language, alcohol and drugs;
- ensure that no students, staff, or visitors to the Institute experience discriminatory, harassing or bullying behaviour;
- report any discriminatory behaviour, harassment or bullying to the Course Coordinator or the Dean;
- follow the Institute’s policies.

2.3 Consequently, students are entitled to:

- be treated with respect and dignity;
- be treated fairly with regards to all our procedures;
- learn in an environment free of discrimination and harassment;

- pursue their educational goals in a safe and supportive environment so that they have the opportunity to reach their full potential;
- expect that their privacy is respected and their personal information will be kept confidential.

3. Procedures

The following procedures for dealing with inappropriate behaviour (misconduct) are not intended to be necessary, consecutive steps. Based on the judgment of individuals dealing with claims of inappropriate behaviour, if the situation warrants immediate action, the initial steps may be omitted and the necessary action taken to remove the student from the learning environment.

- 3.1 The student will be asked by an authorised representative of the Institute to cease the inappropriate behaviour.
- 3.2 Where the student does not cease the inappropriate behaviour, they will be asked to leave that part of the learning environment. Where that individual does not leave, a member of the Executive Management Committee or security may be called to remove that individual from the learning environment where the inappropriate behaviour has occurred (e.g. classroom, library, common area and so on).
- 3.3 In all cases of inappropriate behaviour, the Dean will be notified and the details of the incident noted on the student's file.
- 3.4 Where the alleged inappropriate behaviour is notified by a complainant and no interventions (as described above) occur at that time, the complainant may first consult with the Dean to attempt informal resolution. The Dean will follow-up on such allegations in a timely manner and may communicate with the complainant and the respondent to facilitate resolution. Where the Dean cannot resolve the issue, the complainant may submit a formal grievance under the Institute's grievance handling procedures outlined in the *Student Grievance Handling Policy and Procedure*.
- 3.6 In the event that a breach of this Code has occurred, the Dean will determine the disciplinary actions that will be taken. These may include (but are not limited to):
 - a verbal warning and counselling regarding the incident of inappropriate behaviour;
 - a written warning that clearly states that the behaviour is inappropriate and outlines/identifies possible consequences including disciplinary action up to and including a suspension of study or cancellation of enrolment in the event of continuation of the inappropriate behaviour;
 - where the breach of this Code is deemed serious based on a "reasonable person" standard, immediate disciplinary action up to and including suspension of study or cancellation of enrolment.
- 3.7 *In the case that an Institute-initiated suspension of study or cancellation of enrolment due to inappropriate behaviour relates to an international student, Section 3 of the International Student Deferment, Suspension and Cancellation of Study Policy and Procedure will apply¹.*

¹ N.B. This clause will apply only once KIHE has successfully applied for CRICOS registration. It is included as a place holder.

4. Review of a decision

- 4.1 A student may request a review of a decision made under this policy on the basis that the decision is inconsistent with this policy. Requests must be made in writing and lodged with the CEO within twenty working days of the student receiving written notification of any disciplinary action taken under this policy. The CEO will respond in writing to the request for review within twenty working days and may confirm or vary the decision.
- 4.2 If a student remains dissatisfied with the outcome of their request for a review of a decision they may utilise the Institute's grievance handling procedures outlined in the *Student Grievance Handling Policy and Procedure*.

5. Education, awareness and reporting

- 5.1 Appropriate training in the procedures under this Code will be provided to all staff members.
- 5.2 Students will be informed of this Code of Conduct at orientation and in each *Unit Outline*. The Code of Conduct will also be published on the Institute's website (www.kihe.edu.au).
- 5.3 Students who are impacted by inappropriate behaviour will have access to support services through the Student Support Officer as appropriate².
- 5.4 Information on any incident involving inappropriate behaviour will be provided to the Dean. The Dean will note all incidents on the student's file in accordance with the *Privacy and Personal Information Procedures*.
- 5.5 The Dean will include reports of incidents under this Code that result in disciplinary action as part of their reports to the Executive Management Committee and Academic Board.

6. Related documents

- Unit Outline
- Student Grievance Handling Policy and Procedure
- Privacy and Personal Information Procedures
- International Student Deferment, Suspension and Cancellation of Study Policy and Procedure

7. Version history

Version	Approved by	Approval Date	Sections modified
1.0	Executive Management Committee	14 September 2023	Document creation and initial approval

Document owner: CEO

² Refer *Student Support Framework*