Student Behaviour Management Policy

Policy number: TS01

Version: V3.0

Policy Owner: General Manager Training Services

Subject Expert: Executive Director Construction, Hospitality & Commerce

Next review date: 31 August 2023

1. PURPOSE

This policy establishes guidelines for the development and management of the Student Code of Conduct.

Each enrolled student has the right to participate in activities free from behaviour that may impair their learning, safety and well-being. Each enrolled student is also responsible for ensuring they do not adversely affect college property or the learning, work, safety and well-being of any other college individual.

The Student Code of Conduct is to be made available to all prospective and enrolled students.

2. SCOPE

This policy applies to all vocational education and training student enrolled at South Metropolitan TAFE (SM TAFE).

This policy refers to academic misbehaviour as well as general misbehaviour of students enrolled at SM TAFE.

Students who display at risk behaviours, when identified, are to be managed through the Students at Risk Policy and Procedures.

3. POLICY GOVERNANCE

- South Metropolitan TAFE by-laws
- P402 Student Code of Conduct
- Enrolment Terms and Conditions
- Academic Appeals Policy
- Standards for Registered Training Organisations (2015)

4. KEY TERMS

Academic Misbehaviour	Includes (but is not limited to) behaviour such as a student's poor attendance record or non-attendance in class; cheating and plagiarism; no submission of assessment.
Accredited course	Nationally recognised coursed that address skills requirements for industry, enterprises, and the community not covered in a nationally endorsed Training Package.

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Australian Qualifications Framework (AQF)	The national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework.
By-Laws	The rules and regulations governing the actions of SM TAFE towards its stakeholders.
DTWD: Department of Training and Workforce Development	A state government body which has been established to support the State's sustained economic expansion by leading and coordinating workforce development strategies and driving a responsive, flexible training system within a State and National framework.
General Misbehaviour	Includes (but is not limited to) behaviour such as bulling, harassment, discrimination, smoking / vaping on premises, rude and disruptive behaviour and language, and vandalism of college facilities, resources and property.
Qualification	A formal certification, issued by a relevant approved body, in recognition that a person has achieved learning outcomes or competencies relevant to identified individual, professional, industry or community needs.
Students at Risk	Includes (but is not limited to) behaviour of students showing signs of psychological, emotional or physical distress and or inflicting harm and duress onto themselves of others.
Student Management Agreement	Refers to an agreement between SM TAFE and an enrolled student or their parent/guardian (where applicable) implemented to address a breach of the Student Code of Conduct.

5. PRINCIPLES

All college staff must encourage and promote appropriate student behaviour and observance of the Student Code of Conduct.

Each enrolled student has the right to participate in activities free from behaviour that may impair their learning, safety and well-being. Each enrolled student is also responsible for ensuring they do not adversely affect college property or the learning, work, safety and well-being of any other college individual.

Students are expected to ensure their actions or inactions at all times as an identifiable student of SM TAFE do not harm, or bring into disrepute, the College's reputation or good standing.

5.1. Hostile students

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Where an enrolled student is verbally or physically hostile, whether provoked or not, a college staff member may reasonably determine, for the safety and well-being of the enrolled student and/or other individuals, that the enrolled student be removed from a college classroom or campus. College staff may engage Campus Services to assist with such removal who may in turn engage security personnel and/or law enforcement agency staff to assist.

5.2. Breaches of the Student Code of Conduct

Where a college staff member suspects an enrolled student has committed a breach of the Student Code of Conduct, and raising the issue with the student has failed to address the breach (minor breaches only), the staff member must refer the matter to the Portfolio Manager of the learning area. The Portfolio Manager must undertake reasonable investigation into the suspected breach to determine if the breach has occurred. The Portfolio Manager should consult any party (applying privacy and confidentiality) as required as part of their investigation.

Where a breach has occurred, the breach must be dealt with in accordance with the college by-laws and the Student Conduct of Conduct Breach Management Procedure.

5.3. Minor breach

A minor breach is any breach which is not a serious breach and that does not materially impact any individual or college property. Typical examples of a minor breach include:

- occurrences of minor littering;
- limited use of profane or cursing language;
- smoking (first offence) on college campuses; or
- riding bikes, skateboards or other such apparatus on campus.

5.4. Serious breach

A serious breach of the Student Code of Conduct includes any of the following;

- a breach of a Student Management Agreement;
- systemic breaches of the Student Code of Conduct.

5.5. Severe breach

A severe breach of the Student Code of Conduct Includes, but is not limited to, the following;

- harassment, discrimination, victimisation or bullying including cyber-bullying;
- property damage or theft.

5.6. Extreme breach

Extreme misconduct and/or illegal activity includes, but is not limited to, the following;

- physical or serious verbal assault;
- threats to personal and public safety;
- misuse of college property or funds;

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- the possession of any form of weaponry on SM TAFE's premises or while on excursions or undertaking work experience organised by the college.

5.7. Individuals to be consulted in addressing a breach

The relevant individual(s) must also be consulted (applying privacy and confidentiality) in addressing a serious breach of the Student Code of Conduct:

- Head of Programs
- Portfolio Manager
- international students - Manager International Relations;
- Campus Manager
- students less than 18 years of age - Coordinator Duty of Care for Minors / VET in Schools;
- apprentices – the apprenticeship management team; the apprentice's employer; the AASN
- students with a disability and Aboriginal students – Manager Student Support Services; or
- VET in Schools students –applicable school contact person and Manager Education Pathways or Coordinator Duty of Care for Minors / VET in Schools.

Where a severe breach of the Student Code of Conduct has occurred the in addition to the above the Executive Director must also be consulted.

Where an extreme breach of the Student Code of Conduct has occurred in addition to the above the General Manager must also be consulted.

A student must be given the option of having the relevant individual(s) from the above mentioned list, a family member or associate present during discussion, to act as an advocate and/or observer, to support the student to address the breach of the Student Code of Conduct, except where the student is less than 18 years of age or a VET in schools student.

Where a student is less than 18 years of age or a VET in Schools student, the Coordinator Duty of Care for Minors / VET in Schools or Manager Education Pathways and the student's parent(s) or guardian(s) must be present during discussion with the student to address the breach.

5.8. Penalties for a breach of the Student Code of Conduct

All breaches of the Student Code of Conduct shall be addressed in accordance with the college by-laws and the Student Code of Conduct Breach Management Procedure.

A serious to extreme breach may be addressed by applying one or more of the following penalties:

- suspension of all or any of the privileges of the enrolled student;
- exclusion of the enrolled student from learning and assessment activities where practicable to do so;

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- withholding examination results of the enrolled student;
- suspending the enrolled student for a period not exceeding 2 semesters, from any course or courses;
- expulsion of the enrolled student from the college; or
- refusing to re-enrol the individual as a college student.
- imposing a fine or penalty to the student as specified in the by-laws.

Where there are sufficient grounds for doing so, a Portfolio Manager shall request one or more of the abovementioned penalties be applied. This must be endorsed by the relevant Executive Director and the General Manager Training Services.

Any decision to issue a penalty which is either the expulsion of an enrolled student or refusing to re-enrol an individual must be confirmed by the Governing Council prior to being imposed.

A notice confirming the penalty issued must be provided to the applicable student within 28 days of the penalty being imposed.

5.9. Suspension and exclusion from learning and assessment activities

Enrolled students are expected to continue with study while on suspension or during exclusion from learning and assessment activities. The nature of such study will be determined by the student's lecturer(s) in consultation with the relevant Portfolio Manager and individuals consulted in addressing the breach (e.g. an employer).

On completion of suspension or exclusion, an enrolled student in consultation with their lecturer(s) and the relevant individual(s) will determine an appropriate method for the enrolled student to resume study at the college. Such methods may include but are not limited to the following:

- requiring the enrolled student to re-enrol in units which were partially completed prior to suspension or exclusion;
- undertaking recognition of prior learning in accordance with relevant college policy for any informal or non-formal learning undertaken by the enrolled student during their suspension or exclusion; or
- making arrangements for enrolled students to undertake assessments and receive training missed during suspension or exclusion.

Under all instances, the student is responsible for any associated fees related to their academic course enrolment as deemed appropriate by the college.

The academic progress of other college students must not be compromised by the method chosen for an enrolled student to resume study following suspension or exclusion.

5.10. Withholding results

Where an individual is entitled to an award in accordance with the college's Academic Award and Records Policy, but has finished serving a penalty issued by SM TAFE, or

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retains SM TAFE property without lawful reason, the individual's award may be withheld until:

- the penalty is paid or served;
- the property returned; or
- the college is reimbursed for the cost of the property.

5.11. Appeal of decision

An individual may appeal the college's decision of an individual's breach of the Student Code of Conduct or the resolution to address their grievance. The appeal must be in writing and received by the Manager Training Administration Services within seven business days of the individual receiving the college's decision, penalty or resolution.

An appeal relating to academic misbehaviour shall be reviewed by the General Manager Training Services who will make a decision with respect to the appeal in consultation with individuals they deem necessary.

A decision with respect to an appeal must be made and communicated to the individual making the appeal within 10 business days of the college receiving the appeal.

An appeal relating to general misbehaviour shall be reviewed by the General Manager Training Services or Organisational Services (depending on the type of misbehaviour) who will make a decision with respect to the appeal in consultation with individuals they deem necessary.

A decision with respect to an appeal must be made and communicated to the individual making the appeal within 10 business days of the college receiving the appeal.

5.12. Learning and assessment undertaken off premises

Where an enrolled student is undertaking learning and assessment activities off campus (e.g. work placement) the enrolled student must comply with rules and regulations of the off-campus employer/operator/business in addition to the Student Code of Conduct. In Instances where such rules and regulations conflict with the Student Code of Conduct, these are to be managed on a case by case basis by the relevant Portfolio Manager in consultation with the individuals they deem necessary.

6. DOCUMENTS SUPPORTING THIS POLICY

6.1. Policies

TS01 Student Behaviour Management Policy

QD10 VET Academic Appeals

6.2. Procedures

TS0101 Student Code of Conduct Breach Management Procedure (Flow Chart)

QD1001 VET Academic Appeals procedure

6.3. Forms

TS010101 Student Management Agreement Form

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    TS010102 Student Behaviour Investigation form

    TS010103 Notice of Penalty Relating to Misconduct

    TS010104 Student Behaviour Assessment

    TS010105 Student Incident Report – Level 1

    PL040101 Customer Complaint Form

6.4. Other

    TS0102 Student Code of Conduct

7. POLICY REVIEW AND COMMUNICATION

All staff will be notified of new policies and policy changes and the documents will be available on the QMS.

8. POLICY APPROVAL

Approved and Endorsed:

Terry Durant

Managing Director

Date: 28 March 2018

9. DOCUMENT HISTORY AND VERSION CONTROL

Version	Date Approved	Approved by	Brief Description
V1.0	08/02/2017	Managing Director	Student Code of Conduct
V2.0	28/03/2018	Managing Director	Student Code of Conduct
V2.1	02/08/2019	ED Construction, Hospitality & Commerce	Principles updated.
V2.2	24/05/2021	ED Construction, Hospitality & Commerce	Updated Copyright on website version. Updated TS0101 procedure – Process for managing breaches and appeals.
V2.3	11/08/2022		TS010101 updated according to AVETMISS Standards
V2.4	23/02/2023	General Manager Organisational Services	Policy structure updated – Key terms changed to key definitions.

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V3.0	28/06/2023	CORPEX	Separation of Student Code of Conduct from policy. Policy renamed to Student Behaviour Management Policy.

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