

Student Behaviour Management Policy

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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 North Regional TAFE (NR TAFE).

This policy refers to academic misconduct as well as unacceptable behaviour of students enrolled at NR TAFE.

3. Policy Governance

- [North Regional TAFE by-laws](#)
- [North Regional TAFE Student Code of Conduct](#)
- [Enrolment Terms and Conditions](#)
- Academic Appeals Procedure
- Standards for Registered Training Organisations (2015)

4. Key terms

Academic Misconduct	Includes (but is not limited to) behaviour such as acting dishonestly in connect with assessments, such as cheating, collusion and plagiarism.
Unacceptable Behaviour	Includes (but is not limited to) conduct which constitutes a danger to anyone's health, safety, or personal well-being such as bullying, 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.
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 NR 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.
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 or others.
Student Management Agreement	Refers to an agreement between NR TAFE and an enrolled student or their parent/guardian (where applicable) implemented to address a breach of the Student Code of Conduct.
Training Services Panel	Includes as minimum, the relevant Director Training Services, and the Executive Director Training Services, and representatives from Academic Quality and Student Support.
Appeal Committee	Includes Executive Director (ED) as chairperson, Governing Council Member/or Representative Industry Member Name and Enrolled Student Representative Name (nominated by student association or independent community member) to determine appeal outcomes.
Independent Appeal Panel	Independent Appeal Panel will consist of the Managing Director, Executive Director of Customer Engagement and a nominated third party (as appropriate).

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 NR TAFE do not harm, or bring into disrepute, the College's reputation or good standing.

6. Hostile students

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 law enforcement agency staff to assist.

7. 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 (low-level breaches only), the staff member must refer the matter to the TM of the learning area. The TM must undertake reasonable investigation into the suspected breach to

determine if the breach has occurred. The TM 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 this Policy.

8. Types of Breaches

When an incident has occurred, it is important to determine the appropriate type of breach using an Incident Risk Assessment approach.

Incident Risk Assessment

Consequences	Likelihood			
	Rare The incident is unlikely to be repeated	Unlikely The incident may occur again	Likely The incident is likely to occur again	Almost certain The incident will occur again
Insignificant No injuries or learning impacts	Low	Low	Minor	Serious
Minor No injuries. Minor disruptions	Minor	Minor	Minor	Serious
Moderate Potential injury (but nil occurred), lost time and learning setback. Damage to property	Minor	Minor	Serious	Severe
Major Minor - serious physical injury	Serious	Severe	Extreme	Extreme
Extreme Permanent disability or death	Extreme	Extreme	Extreme	Extreme

Repeated Behaviour: If the student has a history of the same incident increase the rating by the number of times it has been formally dealt with. i.e. Low risk would become minor if it was the second occurrence or serious breach if it was the third. Serious would become severe if it was the second time the same incident had occurred.

The following typical examples of behaviours which would need to be assessed using the above Incident Risk Assessment to determine the appropriate type of breach.

8.1 Low level breach

A low-level breach includes an acceptable risk and no further action required as long as risk has been minimised. Incidents include no injuries, learning impacts are rare and unlikely to be repeated. Students are provided a verbal warning. A typical example of a low-level breach is: a student is disturbing another student in class and using inappropriate language.

Refer to Appendix 1 Flowchart for Process of Managing a Breach.

8.2 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. Minor breaches are unlikely to be repeated and may not happen again so are considered tolerable with further action required to minimise risk. The HOP and TM to be notified and documented with a [Student Incident Report](#) and a copy sent to the HOP and TM. The student will be provided with a written warning using the [Notice of Penalty Relating to Breach of Conduct form](#).

Other typical examples of a minor breach include:

- Plagiarism or cheating;
- occurrences of minor littering;
- limited use of profane or cursing language;
- smoking/vaping (first offence) on college campuses;
- continued use of mobile phone during class or excursions, or
- riding bikes, skateboards or other such apparatus on campus.

In the example used above in 8.1, while this behaviour might have initially been addressed at a "Low Level," it has persisted even after a verbal warning. This may now be escalated to a Minor Breach. The lecturer will inform the student about the unacceptable language and annoyance and proceed to complete the [Student Incident Report](#) for forwarding to the appropriate parties. The student will be provided with a written warning using the [Notice of Penalty Relating to Breach of Conduct form](#).

The relevant Lecturer(s) will discuss with Principal Lecturer appropriate behaviour management strategies to be used.

Refer to Appendix 1 Flowchart for Process of Managing a Breach.

8.3 Serious breach

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

- systemic breaches of the Student Code of Conduct such as:
 - Insignificant and minor consequences where incidents are almost certain to reoccur.
 - Moderate consequences where the incident includes potential injury (but nil occurred), lost time and learning setback or damage to property. When the incident is likely to reoccur.
 - Major consequences where incidents include physical injury but is rare and unlikely to be repeated.
- a breach of a Student Management Agreement

Serious breaches are tolerable with further action required to minimise risk. Risk needs to be documented with a [Student Incident Report](#). HOP and TM to be notified and a [Student Management Agreement form](#) needs to be completed and implemented. The relevant Lecturer(s) will discuss with Principal Lecturer appropriate behaviour management strategies.

Where relevant, Aboriginal Training Services Team may develop a [Student Support Plan](#). Where there are sufficient grounds for doing so, a TM shall request an appropriate penalty be applied (refer to section 10). This must be considered and endorsed by the Training Services Panel.

The student will be advised of the penalty using the [Notice of Penalty Relating to Breach of Conduct form](#).

Refer to Appendix 1 Flowchart for Process of Managing a Breach.

8.4 Severe breach

A severe breach which constitute a danger to anyone's health, safety, or personal well-being, will not be tolerated. A severe breach of the Student Code of Conduct includes, but is not limited to, the following:

- systemic breaches of the Student Code of Conduct such as:
 - Moderate consequences where the incident includes potential injury (but nil occurred), lost time and learning setback or damage to property. When the incident almost certainly will reoccur.
 - Major consequences where incidents include physical injury which may be repeated.
- harassment, discrimination, victimisation or bullying including cyber-bullying
- property damage or theft.

In a severe breach, the student is to be removed from area and counselled. Incident needs to be documented with a [Student Incident Report](#). HOP, TM, TD and ED to be notified and a [Student Management Agreement form](#) needs to be completed and implemented before returning to course. Where relevant, Aboriginal Training Services Team may develop a [Student Support Plan](#).

Where there are sufficient grounds for doing so, a Training Manager shall request an appropriate penalty be applied (refer to section 10). This must be considered and endorsed by the Training Services Panel.

The student will be advised of the penalty using the [Notice of Penalty Relating to Breach of Conduct form](#).

Refer to Appendix 1 Flowchart for Process of Managing a Breach.

8.5 Extreme breach

An extreme breach of Student Code of Conduct includes, but is not limited to, the following:

- illegal activity
- physical or serious verbal assault (physical assault which may potentially result in permanent disability or death)
- threats to personal and public safety
- misuse of college property or funds
- the possession of any form of weaponry on NR TAFE's premises or while on excursions or undertaking work experience organised by the college

If any of these behaviours occur, regardless of the likelihood of reoccurrence, this is considered an unacceptable risk and urgent action student to be removed from area, counselled. The incident needs to be documented with a [Student Incident Report](#). HOP, TM, TD, ED and MD to

be notified and a [Student Management Agreement form](#) needs to be completed and implemented return to course may be delayed pending review.

Where relevant, Aboriginal Training Services Team may develop a [Student Support Plan](#).

Where there are sufficient grounds for doing so, a TM shall request an appropriate penalty be applied (refer to section 10). This must be considered and endorsed by the Training Services Panel.

The student will be advised of the penalty using the [Notice of Penalty Relating to Breach of Conduct form](#).

Refer to Appendix 1 Flowchart for Process of Managing a Breach.

9. Individuals to be consulted in addressing a breach

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

- Head of Programs (HOP)
- Training Manager (TM)
- Facilities Manager
- International students – International Student Coordinator
- students less than 18 years of age (not at school) - via Duty of Care process
- apprentices – Employment Based Training (EBT) team; the apprentice's employer; the AASN
- students with a disability and/or Aboriginal students – Manager Aboriginal Programs and Student Support
- VET Delivery to Secondary Schools (VDSS) students – VDSS coordinator and TM who will contact the applicable school contact person
- Where a student is less than 18 years of age or a VDSS student, the VDSS coordinator, or the relevant TM and the student's parent(s) or guardian(s) must be present during discussion with the student to address the breach.
- Training Services Panel includes as minimum, the relevant Training Manager (TM), the relevant Director Training Services, and the Executive Director Training Services, and representatives from Academic Quality and Student Support.
- Governing Council must confirm and inform student of any decision to issue a penalty prior to being imposed, which is either the expulsion of an enrolled student or refusing to re-enrol an individual.
- 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 VDSS student (these student must have an advocate and/or observer present).

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

- Withholding results (refer to section 12)
- 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
- 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 TM shall recommend to Training Services panel one or more of the above-mentioned penalties be applied. This must be reviewed and a recommended decision is provided to Managing Director via Briefing note. Notification of these penalties must be confirmed by the Governing Council prior to being imposed. A notice confirming the penalty issued must be provided by the Governing Council to the applicable student within 28 days of the penalty being imposed. Please refer to [Notice of Penalty Relating to Misconduct Form](#).

11. Suspension and exclusion from learning and assessment activities

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 (refer to section 10). A notice confirming the penalty issued must be provided by the Governing Council to the applicable student within 28 days of the penalty being imposed. Please refer to [Notice of Penalty Relating to Misconduct Form](#).

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 TM 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 (RPL) in accordance with [RPL - Recognition Prior Learning Procedure.docx](#) 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.

12. Withholding results

Where an individual is entitled to an award (for completion of a qualification), but has finished serving a penalty issued by NR TAFE, or retains NR 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.

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 (refer to section 10). A notice confirming the penalty issued must be provided by the Governing Council to the applicable student within 28 days of the penalty being imposed. Please refer to [Notice of Penalty Relating to Misconduct Form](#).

13. 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 using the [Appeal of Misconduct Penalty form](#) and received by the TM within twenty-eight (28) days of the individual receiving the college's decision, penalty or resolution.

Grounds for Appeal may include:

- Disciplinary action was not taken in accordance with [North Regional TAFE's Student Code of Conduct](#) and [Student Management Behavior Policy](#) or
- The disciplinary action taken is unjust.

An appeal shall be reviewed by an Appeal Committee including a Executive Director (chairperson) and Governing Council Member/or Representative Industry Member and an enrolled Student Representative nominated by student association or independent community member, who will make a decision with respect to the appeal in consultation with individuals they deem necessary. Relevant cultural sensitivities should be considered when forming the student appeals committee from time to time. If the appellant student has a disability, the chairperson of the student appeal committee may seek guidance and advice as required. If it is known that the appellant student has an advocate, the advocate will be contacted to assist in relation to the hearing of the appeal.

A member of the student appeals committee may not hear or determine an appeal if, in respect to that member, the appeal and the student concerned, there is or is likely to be an actual or perceived bias or conflict of interest.

A decision with respect to an appeal must be made and communicated to the individual making the appeal within twenty-eight days (28) days of the college receiving the appeal.

If student determine the issue remains unresolved, an Independent Panel is convened to review issue and evidence and determine if decision from appeal committee will be upheld or not supported. Independent Panel will consist of the Managing Director, Executive Director of Customer Engagement and a nominated third party (as appropriate).

Refer to Appendix 2 Flowchart for Process of Managing Appeals.

14. Learning and assessment undertaken off premises

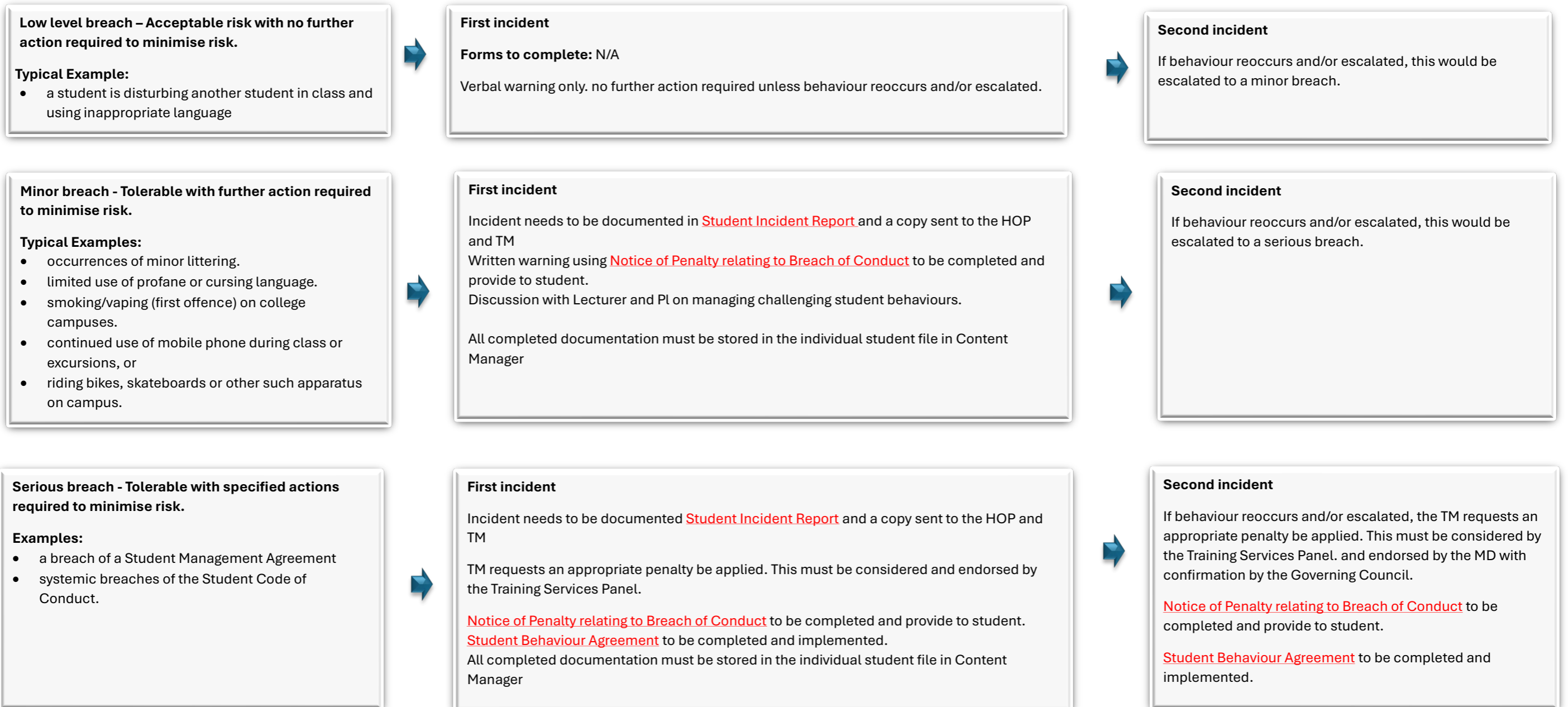
Where an enrolled student is undertaking learning and assessment activities off campus (e.g. work placement) the enrolled student must comply with rules and regulations of the off-campus employer/operator/business in addition to North Regional TAFE's Student Code of Conduct.

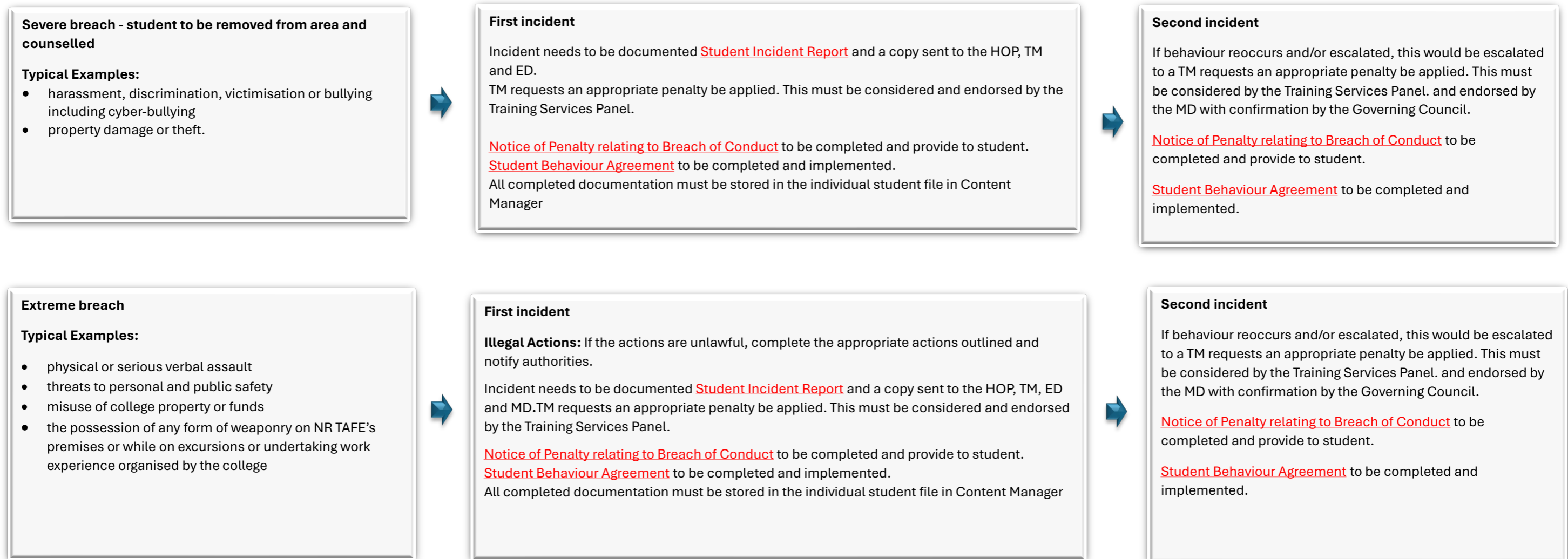
In instances where such rules and regulations conflict with the Student Code of Conduct, these are to be managed on a case-by-case basis by the relevant TM in consultation with the individuals they deem necessary.

15. Record management requirements

All completed documentation must be stored in the relevant Student folder in Content Manager.

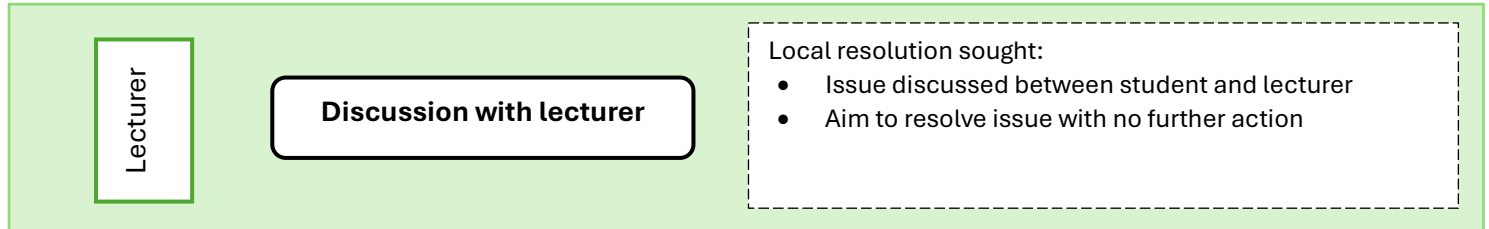
Appendix 1 Flowchart for Process of Managing a Breach



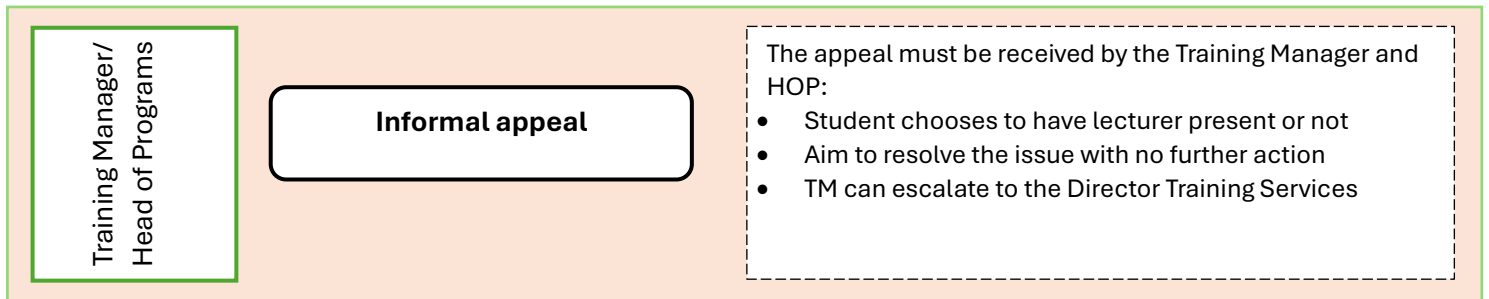


NOTE:
 Where a student is less than 18 years of age or a VDSS student, the VDSS coordinator, or the relevant Training Manager and the student’s parent(s) or guardian(s) **must be** present during discussion with the student to address the breach. All other students will be provided this as an option.
 Where a student identifies as Aboriginal, the Aboriginal Support Team may be present during discussion with the student to address the breach.
 Where the student identifies with accessibility requirements, the Accessibility Team may be present during discussion with the student to address the breach.
Repeated behaviour: If the student has a history of the same incident increase the rating by the number of times it has been formally dealt with. i.e. Low risk would become minor if it was the second occurrence or serious breach if it was the third. Serious would become severe if it was the second time the same incident had occurred

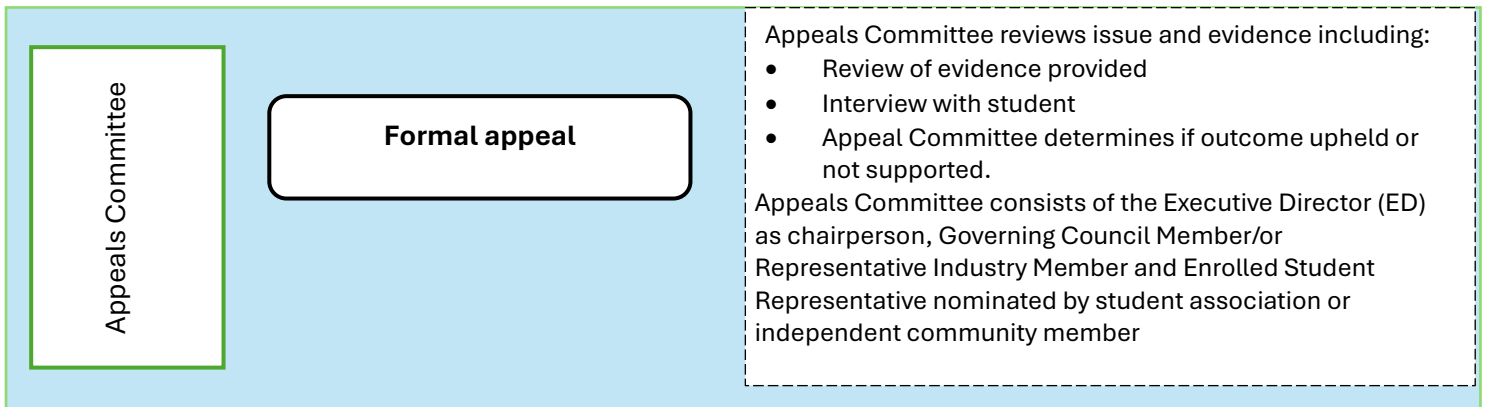
Appendix 2 Flowchart for Process of Managing Appeals



Student disagrees with alleged breach of Student Code of Conduct



Student determines issue unresolved



Student determines issue unresolved

