

Student Misconduct Policy: Overseas Students

1 PURPOSE

The purpose of this policy is to define academic and non-academic misconduct and to provide fair, equitable and effective approaches for investigating allegations of student misconduct and to outline the potential consequences should an allegation be proven. FIT Education is committed to maintaining the highest level of education standards through the preservation of academic integrity.

This policy has been developed to satisfy the requirements of The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as 'the National Code 2018' Standards 8 and 9.

2 SCOPE

This policy is applicable to all students, and to students' conduct at all campuses, premises or facilities used or occupied by FIT Education . All classes, industry work placements, activities or events conducted as part of a course of study with FIT Education or conducted under our name are also covered by this policy.

3 POLICY STATEMENT

The intention of this policy is to create and maintain a safe, comfortable and enjoyable study environment for all students and staff. This policy should be read in conjunction with the Student Code of Conduct and both should be available to all staff, agents and students.

Students are informed of the Misconduct Policy in their Letter of Offer and Acceptance (Written Agreement) and during orientation. All assessment tasks include an Assessment Agreement, which is read and signed off by the student to acknowledge that they have been fully advised about academic misconduct and the potential consequences.

3.1 ACADEMIC MISCONDUCT

Academic misconduct and actions demonstrating a lack of academic integrity include but are not limited to the following:

- Cheating in assessment tasks
- Cheating in exams and/or tests
- Collusion – whereby a student collaborates with others and submits work that has been created by more than one person, as being solely their own work (not the same as tasks set out as group assessments)
- Plagiarism (whereby a student copies more than 10% of anyone else's work and presenting it as their own original work)
- Submission of work by a student that is clearly not the student's own work
- Submission of work that has been significantly edited by someone else
- Submission of work previously submitted at FIT Education or elsewhere for another unit or competency or course
- Academic fraud – having someone else sit a test or other assessment requirement in the student's place, falsely representing themselves as the student

3.2 PREVENTION OF ACADEMIC MISCONDUCT

FIT Education will mitigate academic misconduct through the following means:

- Students will be advised of the policy during orientation, at the commencement of each course and are reminded at the start of every study period
- Students will be advised of the consequences of Academic Misconduct and its management
- Advice and all information provided to new staff/contractors and overseas students will be current and consistent with this policy
- All advice will be provided in a clear and easy to understand format
- Advice about acceptable and expected practices such as referencing and citations will be provided at the commencement of a course and in the Student Handbook
- Where electronic submission occurs, the use of software programs to detect plagiarism will be strongly advised. If in use, the students will be made aware of such software, and its use
- Students will be encouraged to seek clarification and advice from academic staff and student support without penalty or prejudice if uncertain whether they are committing academic misconduct

3.3 DEALING WITH ALLEGATIONS OF ACADEMIC MISCONDUCT

- 3.3.1 Any allegation presented will be reviewed by Course Co-ordinator to ascertain whether academic misconduct has occurred. All reviews, correspondence and decisions are confidential.
- 3.3.2 Where confirmed or undetermined, a Misconduct Review Interview between the student and CEO will be organised at the earliest possible convenience. The trainer assessor may also be present at the interview, at the discretion of CEO.
- 3.3.3 During the Misconduct Review Interview the student will be presented with the allegation, and evidence that can be provided to substantiate the allegation. The student will have the opportunity to present their side and provide an explanation or clarification of the issue.
- 3.3.4 The Misconduct Review Interview notification, reasons and any decisions or outcomes will be recorded and retained in the student's file and confirmed with the student in writing. Records may be accessed by the student or FIT Education in case of Complaint or Appeal arising from the allegation and subsequent review and outcomes.

3.4 CONSEQUENCES OF ACADEMIC MISCONDUCT

- 3.4.1 If the student be found to have committed academic misconduct, dependent upon the seriousness any of the following may occur, either singularly or in any combination:
- A written warning, outlining the occurrence and any evidence, which will be sent to the student and be retained in their student file for consideration should any further occurrences take place
 - Information session about academic integrity and acceptable practices will be provided, such as referencing and use of sources
 - The awarding of a Not Yet Competent (NYC) result for the assessment in question (before awarding a NYC an opportunity to resubmit may be provided at the discretion of the CEO)
 - Exclusion from the unit of competency, whereby the student will be required to re-enrol in that unit. This may impact upon the student's ability to complete their course within the set duration of their CoE. The student will be advised to contact DIBP immediately if this is relevant to their circumstance
 - A result of NC for the unit of competency, which may negatively impact the student's academic progress

- Suspension from the course
- Cancellation of Enrolment, particularly for wilful, serious and/or repeated misconduct. If the enrolment is cancelled FIT Education will report the student through PRISMS

3.4.2 The student will be advised of their right to access Complaints and Appeals at every stage of the process.

3.4.3 Where FIT Education decides to suspend or cancel a student's enrolment refer to Deferral, Suspension Cancellation Policy.

3.5 NON-ACADEMIC MISCONDUCT

3.5.1 Students are informed in their Student Handbook and during induction about our Code of Conduct, which details the expected and accepted behaviours of students.

3.5.2 Non-academic misconduct and unacceptable behaviours include but are not limited to the following:

- Intentional breaches of Commonwealth or State law
- Disrespectful, threatening or abusive behaviour towards other students, staff or members of the public
- Endangering the health and/or safety of self or others
- Violence
- Damage or destruction of property
- Theft of property of FIT Education
- Theft of property of staff, other students or any other person (such as during industry work placement)
- Carrying of weapons
- Possession of illegal, banned or dangerous items and/or substances
- Being intoxicated or under the influence of drugs or alcohol
- Refusing to identify themselves truthfully or misrepresenting their identity
- Smoking indoors or within the premises or facilities
- Disobeying trainer assessors, continuously interrupting the trainer or refusing to participate in class activities
- Unauthorised use of mobile telephones or other devices in class
- Harassment, discrimination or vilification in any form against a student or students, staff member, agent or any other person
- Photographing, recording or filming a person without their permission
- Harassing, bullying or behaving inappropriately through social media or other means
- Non- payment of fees

3.6 DEALING WITH ALLEGATIONS OF NON-ACADEMIC MISCONDUCT

3.6.1 Minor allegations may be resolved informally through discussion as appropriate, provided the aggrieved party (complainant) is satisfied with this resolution. Where this is not suitable, or has not proven successful, a Disciplinary Interview will be organised immediately.

3.6.2 If appropriate, both the aggrieved party (complainant) and the student accused of non-academic misconduct may present their account of the situation. Where this is not appropriate, such as in cases of intimidation, a separate interview will be conducted between these parties and CEO.

- 3.6.3 During the Disciplinary Interview the student will be presented with the allegation, the reason for the allegation and any evidence. The student will have the opportunity to present their side and provide an explanation or clarification of the issue.
- 3.6.4 The Disciplinary Interview Notification, reasons and any decisions or outcomes will be recorded and retained in the student's file and confirmed with the student in writing. These records may be accessed by the student or FIT Education in case of complaint or appeal arising from the allegation and subsequent review and repercussions.

3.7 CONSEQUENCES OF NON-ACADEMIC MISCONDUCT

- 3.7.1 Should the student be found to have committed non-academic misconduct, any of the following may occur, dependent upon the seriousness, either singularly or in any combination:
- Counselling by student support or academic staff
 - Referral to outside counselling or other services
 - Follow up meetings with academic staff and/or student support
 - A written warning, outlining the occurrence and any evidence, which shall be sent to the student and be retained in their student file for consideration should any further occurrences take place
 - Removal from a class or group for the safety and wellbeing of others
 - Suspension from the course
 - Cancellation of Enrolment, particularly for wilful, serious and/or repeated misconduct. If the enrolment is cancelled FIT Education will report the student through PRISMS
- 3.7.2 The student will be advised of their right to access Complaints and Appeals at every stage of the process. Where FIT Education decides to suspend or cancel a student's enrolment refer to Deferral Suspension Cancellation Policy.
- 3.7.3 In particularly serious cases in which a student has committed criminal offenses, the appropriate legal authorities will be informed.

4 RESPONSIBILITIES

The CEO of FIT Education has responsibility for development, review, monitoring, evaluation, implementation and approval of all FIT Education Policies.

5. RELATED LEGISLATION AND REGULATIONS

- * The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as 'the National Code 2018' Standards 8 and 9
- Standards for Registered Training Organisations (RTOs) 2015
- Education Services for Overseas Students Regulations 2001
- Education Services for Overseas Students Act 2000

5 RELATED POLICIES, PROCEDURES AND DOCUMENTS

- Deferral Suspension Cancellation Policy
- Complaints & Appeals Policy
- Complaints & Appeals Procedure

- Academic Misconduct Form