

## **Student Code of Conduct Policy**

### **1. Purpose and Legislative Background**

The student code of conduct is intended to give all Omni College students a clear view expected behaviour and unacceptable behaviour. This policy is in line with Omni College's commitment to providing students with a safe, supportive and an intellectual challenging study environment. This policy also outlines the consequences for non-conformity with the student code of behaviour including immediate suspension or cancellation in the case of severe breaches and or behaviour that may be construed as threatening to the safety of the student, other students, or any person on Omni College Premises.

Clause 5.2 (e) of Standards and Standard 3 of the National Code of Practice complies with this policy.

### **2. Responsibilities**

- 2.1 The RTO Manager and Trainers are responsible for outlining and creating the appropriate code of conduct with the learning environment and for upholding the principles and values of the Student Code of Conduct Policy.
- 2.2 The RTO Manager and CEO are responsible for resolving complaints in the learning environment.
- 2.3 Student Support Officers can assist you in resolving issues and can arrange and facilitate meetings between you and your trainer(s).
- 2.4 Students are responsible for respecting and always adhering to this policy.

### **3. Definitions**

- 3.1 Student – is a person enrolled to study at Omni College. These students can be both domestic students and International Students.
- 3.2 Behaviour- Manner of Behaving or acting.

### **4. Requirements and Process**

- 4.1 The Student Code of Behaviour expectations are always required to be respected and conformed with

#### **4.2 Expected Student Behaviour**

- The right to be treated with respect from others, to be treated fairly and without discrimination, regardless of religious, cultural, racial, and sexual differences, age, disability, or socio-economic status.
- The right to be free from all forms of intimidation.
- The right to work in a safe, clean, orderly, and cooperative environment.

- The right to have personal property (including computer files and student work) and the Registered Training Organization property protected from damage or other misuse.
- The right to have any disputes settled in a fair and rational manner (this is accomplished by the Complaints and Appeals procedure).
- The right to work and learn in a supportive environment without interference from others.
- The right to express and share ideas and to ask questions.
- The right to be always treated with politeness and courteously.
- The expectation that students will not engage in cheating or plagiarism.
- The expectation that students will submit work when required.
- The expectation that students will maintain consistent academic performance by attending required classes and completing assessments.
- The required level of academic performance is 50% of scheduled sessions.
- The required level of attendance is more than 80%.
- The expectation that all fees will be paid by the due date.

#### 4.3 Unacceptable Student behaviour

- Disobeying any reasonable direction by a Omni College staff member.
- Acting dishonestly when undertaking tests, examinations or reports required for course assessment purposes.
- Failing to return library or other loaned to Omni College property by the required date.
- Viewing or distributing offensive material via the internet, email, or other means.
- Discrimination, harassment and victimisation.
- Bullying and intimidation.
- Racist or sexist comments.
- Behaving in a disruptive manner, such as swearing, yelling, or using offensive language.
- Using mobile phones during classes.
- Illegal use of drugs or alcohol.
- Stealing, vandalising or causing wilful damage to Omni College property.
- Endangering the safety of yourself or others.
- Assaulting or attempting to assault anyone while on Omni College premises.
- Inappropriate possession of guns, knives or other weapons while engaging in Omni College activities.

## 5. Default of Tuition Fees

- 5.1 If the students are found to have defaulted in the payment of tuition fees, Omni College's finance department will send the student a payment reminder notice giving the student opportunity to make or organise payments.
- 5.2 If the students continue to default in the payment of tuition fees despite given a schedule to finalise payment, they will be issued a letter for late payment of fees.
- 5.3 If students still do not pay after the first letter, a second letter informing them of Omni College's intention to suspend or cancel their enrolment will be issued. This letter will inform the students of their right to access Omni College's complaints and appeals process within 20 working days (plus 2 working days for postage handling). The cancellation of the student's enrolment cannot take effect until the appeal process is completed.
- 5.4 Suspension or cancellation of enrolment must be reported to Department of Home Affairs and may affect the student's visa status (only applicable to international students).

## 6. Provider Decision to Cease Student Enrolment

- 6.1 Non commencement of studies: Student's enrolment shall be cancelled within 31 days from the course commence date.
- 6.2 Student Notified Cessation of Studies: when a notification is received actively – that is the student contacts Omni College and advises that they will be ceasing studies – or inactively – that is where no information has been received from the student, but the student just failed to return after an arranged holiday break or where a student has been absent for more than 5 consecutive days during study without any approval.
- 6.3 Non-payment of fees: As stated above at para 5, enrolment can be cancelled for non-payment of tuition Fee.
- 6.4 Disciplinary reasons: For reasons of misbehaviour or Plagiarism.
- 6.5 No longer holding a student visa: when Omni College has seen evidence that the student is no longer the holder of a student visa. Examples of this may be where the student has been granted permanent residency or some other visa type that is not a student visa.
- 6.6 Provider unable to deliver course – when the course remains registered, but for whatever reason, Omni College will not be teaching the course to this CoE holder, at this time due to insufficient numbers of students enrolled in a course.
- 6.7 Non-Compliance with visa conditions: Such as when students fail to meet:
  - a) Student Failed to Meet Course Requirements

## 7. Plagiarism

- 7.1 Students found cheating during assessment or have submitted plagiarised work will be given an opportunity to explain their case. Depending on the situation, the RTO Manager shall decide whether the student should repeat the unit and pay the repeat tuition fee or resubmit the assessment and as well as have the breach dealt with under the other provisions of the Student Code of Behaviour.
- 7.2 Multiple breaches of this code of conduct may result in suspension or cancellation.
- 7.3 An improvement plan will be developed to assist the student to complete the course where applicable.

## 8. Procedure for Breach against Student Code of Behaviour

- 8.1 For non-compliance with the Student Code of Behaviour, the following procedure for discipline will be followed except in situations where the CEO determines that the behaviour is sufficient to warrant expulsion. Where a student has been expelled, they will be unable to attend class; however, they will have a right of appeal under the Appeals Procedure Complaints and Appeals Policy and Procedure.
  - **Step 1** - A member of the Institute staff will contact students in the first instance and arrange a counselling meeting to discuss the issue or behaviour & to determine how the issue might be rectified. This meeting and its outcomes will be documented, signed by all parties, and included on the student's personal file.
  - **Step 2** - Where there is a second breach of the Student Code of Behaviour, students will be invited for a personal interview with the RTO Manager to discuss the breaches further. This meeting and its outcomes will be documented, signed by all parties, and included on the student's personal file.
  - **Step 3** - Should a third breach of the Student Code of Behaviour occur after the stage 2 meeting; the student will be provided with a final warning in writing & a time frame in which to rectify the issue. A copy of this letter will be included on the student's personal file.
  - After the three steps in the discipline procedure have been followed, and breaches of the Code of Behaviour continue, training services will be withdrawn, and the student will be sent a student cancellation warning letter.
  - Failure to attend scheduled meetings may result in Omni College deciding to cancel a student's enrolment.

- If Omni College intends suspending or cancelling the student's enrolment where it is not at the student's request, the student must be informed they have 20 working days to appeal to Omni College.

**The following procedure is ONLY for International Students**

- If the appeal is not upheld or the student withdraws from the appeal process, then Omni College must report the student to Department of Education and Department of Home affairs via PRISMS. The suspension or cancelling of the student's enrolment cannot take effect until the appeal process is completed unless there are extenuating circumstances relating the student's welfare.
- Suspension or cancellation of enrolment must be reported to Department of Home affairs and may affect the status of a students' VISA.
- At any stage of this procedure students can access Omni College complaints and appeals procedure to settle any disputes that may arise.
- The written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to act under the *Australian Consumer Law* if the *Australian Consumer Law* applies (Standard 3.4.5 – The National Code 2018).
- This process applies to domestic students with the exclusive of reporting circumstance to Department of home affairs.

## **9. Management Action and Responsibility**

*The policy must be approved by the CEO before it takes effect.*