

## P01 - Student Code of Behaviour

### 1.0 Purpose

- 1.1 To establish the basis for the Students' Code of Conduct, describe the Code's principles and set out the foundation for the Code's procedures, including penalties.
- 1.2 There are consequences for non-compliance 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 the Baxter Institute premises.

### 2.0 Responsibility

- 2.1 The Director of Studies is responsible for the implementation of this procedure and for ensuring that staff and students are aware of its application and requirements.
- 2.2 Whilst it is the responsibility of the Director of Studies to circulate and implement this policy in Baxter Institute, all staff must ensure that they understand and comply with it.

### 3.0 Definitions

- 3.1 A student is anyone who is enrolled in one or more units of competency at Baxter Institute. They can be either a domestic student (i.e. Australian Citizen/PR holder or an Eligible Individual under the Victorian Training Guarantee) or an international student.

### 4.0 Requirements/Process

- 4.1 The **Student Code of Behaviour** requires the following rights and expectations to be respected and adhered to:
  - The right to be treated with respect by others
  - The right to be treated fairly and without discrimination regardless of religion, racial and cultural differences, sexual preference, age, disability and socio-economic status
  - The right to be free from all forms of intimidation
  - The right to study in a safe, clean, orderly and cooperative environment
  - The expectation that Baxter Institute's property will be protected from damage or other misuse. This includes obeying any signs that specify correct use of Baxter Institute's property e.g. kitchen equipment, student printers etc.
  - The right to have any disputes settled in a fair and rational manner in line with 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 treated with politeness and courtesy at all times
  - The expectation that students will not engage in cheating or plagiarism
  - The expectation that students will not be under the influence of drugs and/or alcohol on campus
  - The expectation that students will submit work when required by their trainer

- The expectation that students will be punctual for classes
- The expectation that students will treat Baxter Institute's staff, trainers and fellow students with respect and without discrimination and any form of abuse
- The expectation that students will maintain consistent attendance at all required classes and assessments.
- Student attendance will be reviewed weekly for the total duration of the course from the commencement date.
- The expectation that all fees will be paid by the due date.

4.2 Baxter Institute will ensure the code above is posted in the student handbook

4.3 A copy of the **Student Code of Behaviour** issued to each student at orientation to read and sign off that they are aware of the expected student behaviour at Baxter Institute

4.4 Students are required to adhere to Baxter Institute's **Student Code of Behaviour**.

4.5 The Director of Studies must, prior to implementation, approve any disciplinary actions arising from breaches of the Student Code of Behaviour.

4.6 Any decision by the Director of Studies in relation to student discipline can be appealed using the Student Complaints and Appeals procedure.

4.7 For the below non-compliance with the Student Code of Behaviour, the following procedure for discipline will be applied:

#### Attendance requirements

- The minimum required level of attendance is **80% of scheduled sessions**. Attendance will be reviewed weekly for the total duration of the course from the commencement date.
- If students are more than 30 minutes late to a session, they can attend the class but their attendance will be recorded as late attendance. However, trainers have discretionary power to allow students to attend the session depending on the student's circumstances.

#### Unsatisfactory attendance

- If students are found to have **less than 80% satisfactory attendance** for scheduled classes, the attendance roll will reflect that the students have unsatisfactory attendance.
- Students will be sent a first letter informing them that they have breached the code by having an unsatisfactory attendance record. Students will be asked to attend a intervention meeting session to formulate an attendance improvement plan.
- Students noted with unsatisfactory attendance will be monitored over the next five-week period. If the students continue to have unsatisfactory attendance and are not meeting their obligations under the improvement plan and their attendance drops below 70 %, they will be issued a second letter for their breach of the Student Code of Behaviour. Students will be asked to attend a intervention meeting to formulate a *critical* improvement plan.
- However, in another scenario, when students fail to attend the intervention meeting after receiving the first warning letter, a second warning letter requesting attendance at a intervention meeting will be issued in the subsequent week. After the second warning letter, and if the student is still absent or continues to have a record of unsatisfactory attendance at the end of the improvement plan period and their attendance drops below 70%, a third warning letter will be issued. This letter will inform them of Baxter Institute's intention to suspend or cancel their enrolment and of their right to access Baxter Institute's complaints

and appeals process within 20 working days (plus two working days for postage and handling).

- The cancellation of the student's enrolment cannot take effect until the appeal process is completed. Students are to continue to attend classes whilst the appeals processes are in action.
- For students under a Skills First funding program, suspension or cancellation of enrolment has to be reported via SVTS as a withdrawal from the unit whilst the intervention and appeals process is in action. This may affect the students' Skills First funding entitlement. This does not apply to full fee paying domestic students.
- The suspension or cancellation of enrolment is subject to the discretion of Baxter Institute.

### Non-commencement

- Baxter Institute will initiate a cancellation of the offer and the eCoE when:
  - A new student fails to commence within 15 working days of the orientation date as specified on the letter of acceptance. The student will not be entitled to refunds or an extension as a result of non-commencement (student default). The eCoE will be cancelled, the student and/or Education Agent will be notified prior to the cancellation and a copy of the cancelled eCoE will be sent for their reference. *Appealing rights are not offered when the student has not commenced studies at Baxter Institute.*
  - A student fails to commence within 15 working days of a deferral or approved holiday break. This is a breach of Student Code of Behaviour which can lead to the cancellation of student's enrolment.
    - For international students, the Department of Immigration will be notified of the cancellation of enrolment, which may result in the cancellation of student's visa via Provider Registration and International Student Management System (PRISMS).
    - For domestic students under Skills First funding it may impact the student's future entitlements.
    - If the student does not agree with this decision, they have 20 working days from the date this letter is sent (plus 2 working days for the postal handling) to appeal. This can be done by accessing the Institute's Complaints and Appeals process. A copy of the application form *SS116 Student Complaint & Appeal Form* is available from the Institute's reception and also on the Institute's website. For more complaints and appeal procedures, please refer to *P08-Complaints and Appeals* on Baxter Institute's website.
    - The student will remain enrolled at the Institute during this time. Whilst the appeal is in progress, the student will be expected to attend classes and his/her academic performance will continue to be monitored.

### Default tuition fees

- If students are found to have defaulted in the payment of tuition fees, they are sent a reminder letter detailing the late payment and advising them to see the Finance Department immediately.
- If students continue to default in the payment of tuition fees after seven days from the date of the initial reminder letter, they are sent a subsequent reminder letter.
- If students still do not pay after the second reminder letter, a final letter is sent outlining Baxter Institute's intent to suspend or cancel their enrolment. This letter will inform the

students of their right to access Baxter Institute's complaints and appeals process within 20 working days (plus two working days for postage and handling).

- The cancellation of a student's enrolment cannot take effect until the appeal process is completed.
- The student will be excluded from class at the same time as the cancellation of the student's enrolment take effect (once the appeal process is completed).
- Suspension or cancellation of enrolment will be reported to the Department of Immigration and Border Protection and may affect the student's visa status (only applicable to international students). The default reason will be the date the student was excluded from class.

### Respectful communication

- **R** – take Responsibility for what you say and feel without blaming others – Students and Baxter Institute staff must all be responsible for their verbal and nonverbal communication with and about others
- **E** – use Empathetic listening - Students and Baxter Institute staff must be empathetic towards each other whilst communicating, recognising issues that have arisen and using respectful communication techniques to overcome issues at hand
- **S** – be Sensitive to differences in communication/cultural styles - Students and Baxter Institute staff must demonstrate sensitivity to individual communication/cultural styles in a respectful and lawful manner
- **P** – Ponder what you hear and feel before you speak - Students and Baxter Institute staff must take the time to reflect on communication issues arising and take time out to ensure a calm and productive and respectful conversation can proceed to resolve issues at hand
- **E** – Examine your own assumptions and perceptions - Students and Baxter Institute staff must recognise that we cannot always be neutral to an issue, thus having the ability to recognise this in ourselves and to evolve others that can provide a more neutral setting to ensure respectful communication with all
- **C** – keep Confidentiality - Students and Baxter Institute staff must ensure they maintain confidential private information of other students and Baxter Institute staff

**T** – Tolerate ambiguity because we are not here to debate. There are no “winners” or “losers.” Students are here to study and improve our position as lifelong learners, and the staff at Baxter Institute are here to facilitate this process in an educational and respectful setting. Harm minimisation

If the student displays any signs of violence likely to cause harm to others, Baxter Institute's staff will call the nearest police station and report the student. First aid and other medical assistance may be provided if required and where appropriate and if required 000 will be called for further assistance.

### Plagiarism

- Students found cheating during assessment, or who have submitted plagiarized work, will be given an opportunity to explain their case during an intervention meeting. Depending on the situation, the Academic/Student Support Manager shall decide whether the student should repeat the unit and pay the repeat tuition fee or resubmit the assessment and have the breach dealt with under other provisions of the Student Code of Behaviour.
- Where applicable, an improvement plan will be developed to assist the student to complete the course.

When the students are suspected of possession, distribution or consumption of drugs and/or alcohol

- If a student is found to be, or is suspected of possessing, distributing, consuming or being affected by drugs and/or alcohol, Baxter Institute will take appropriate action based on the severity of the student's breach of Student Code of Behaviour.
- If the student behaves in the above described manner, the student will be asked to leave Baxter Institute's premises (where appropriate). The trainer in charge, or the Course Coordinator, must complete an incident form to record all the necessary information (e.g. date, time, people involved, nature of the incident etc.). The student will also be issued a warning letter for breaching the Student Code of Behaviour. Any warnings can lead to the cancellation of the student's enrolment. Severe breaches of the Code of Behaviour, can lead to immediate cancellation of enrolment.
- Information about the abuse of drugs/alcohol is a private matter. However, at the discretion of the CEO/Deputy CEO, and with the student's consent, information may be provided to staff who have direct responsibility for the student.
- Baxter Institute's staff have a duty of care to pass on information to a member of management if they have knowledge about illicit drug use by students, irrespective of whether the use:
  - is confirmed, suspected or likely to occur; and
  - occurs on or outside Baxter Institute's premises.

Note: Under this duty of care, Baxter Institute's staff cannot promise unconditional confidentiality to students.

Procedures for other breaches to the Code of Behaviour

- For any other breach of behaviour, a member of Baxter Institute's staff will contact the student to arrange an intervention meeting to discuss the issue or behaviour and determine how the issue might be rectified. This meeting and its outcomes will be documented in the student file. A letter will be issued to inform the student of the disciplinary action to be taken as discussed in the meeting.
- This letter will inform the student of their right to access Baxter Institute's complaints and appeals process within 20 working days (plus two working days for postage and handling).
- Failure to attend scheduled intervention meetings may result in Baxter Institute deciding to suspend or cancel a student's enrolment.
- Failure to have any reasonable grounds or exceptional circumstances when found to have disobeyed signage or deliberately disregarded notices causing damage or misuse of Baxter Institute's property may result in the student being liable for associated costs.

4.8 For international students:

- If Baxter Institute intends suspending or cancelling a student's enrolment, and it is not at the student's request, the student must be informed they have 20 working days to appeal to Baxter Institute. If the appeal is not upheld, or the student withdraws from the appeal process, Baxter Institute must report the student to the Department of Home Affairs via PRISMS. The suspension or cancelling of the student's enrolment cannot take effect until the appeal process is completed.

- Suspension or cancellation of enrolment has to be reported to Department of Home Affairs and may affect the student's visa status.
- At any stage of this procedure students are able to access Baxter Institute's Complaints and Appeals procedure if they do not agree with a decision.

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**End**

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