

Student Conduct Procedure

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Key Words: student, confidentiality, behaviour, agreement, communication, participation, ICT, abusive, illegal, threat, complaints, bullying, harassment, safety, cheating, feedback, privacy disrupting, minor, high risk, serious incident, report.

1. Associated Policy

The Student Conduct Procedure has been developed in conjunction with the ***Student Conduct Policy***.

2. Scope

Where this procedure refers to CIT, it includes CIT Solutions.

The procedure applies to all CIT enrolled students including, but not limited to conduct:

- on campus
- offsite in the conduct of CIT activities
- online
- on approved off campus activities (refer: ***Off Campus Activities Procedure***)
- on student industry placements
- at CIT student accommodation.

Where staff are delivering or assessing at other premises, the procedure must be applied after negotiation with the other responsible party(s).

3. Procedure

The procedure ensures potential risks are identified and mitigated. In an emergency, staff should take reasonable action to ensure everyone's safety.

CIT recognises that situations may escalate quickly and the CIT staff member present may have to respond to a serious situation with no warning.

This procedure adopts a tiered system to address instances of student misconduct.

3.1 Information to Students

At the time of enrolment, students are asked to accept the *Student Declaration or Terms and Conditions of Enrolment at CIT*, which includes an agreement to abide by CIT policies including the *CIT Student Code of Conduct*.

Step	Action	Responsibility
1	At induction, advise students of the CIT <i>Student Code of Conduct</i> . Provide copies or link in eLearn. Inform students that educators can exclude students from an activity or class for misconduct. Any CIT staff can direct students to leave CIT service areas/premises for alleged misconduct. Refer: <i>Induction Procedure</i>	Induction organiser
2	At the commencement of class delivery, establish an agreed understanding of expected conduct and class behaviour and the consequences of misconduct.	Educators

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Step	Action	Responsibility
	Upload the details of expected conduct to eLearn.	

3.2 Level 1: Minor Incidents

Minor incidents are allegations of or witnessed behaviour/conduct in breach of the **Student Code of Conduct**. This behaviour/conduct is typically one-off and short-lived. The conduct could be serious, but non-violent (if a threat of violence or violent action see Level 3 below).

Examples include (but are not limited to):

- disrupting other students engaged in study
- disrupting CIT staff who are trying to carry out their duties
- failing to follow class rules or educator directions
- being rude or disrespectful to others.

This conduct can be dealt with by the relevant educator or another CIT staff member who witnesses the behaviour or to whom the conduct is reported.

Step	Action	Responsibility
1	<p>Speak with the student in private where possible (could be after class) and provide explicit details regarding the misconduct and redirect to appropriate behaviour.</p> <p>Provide the student a written description of the unsatisfactory behaviour/conduct and a written record of the conversation.</p> <p>Make a record of the conversation and agreement using the Report of Student Conduct Incident Template (CIT staff only).</p> <p>Email the form to CITSaferCommunity@cit.edu.au and Head of Department/Manager (do not send this form to the student) for CIT record keeping requirements and to provide oversight of reports of misconduct.</p> <p>Include a request for advice if the student has denied the behaviour or refuses to cease the behaviour.</p> <p>Update the student file.</p> <p>Email to the student a record of:</p> <ul style="list-style-type: none"> • concern (detail the behaviour) and any verbal agreement, or • the conversation noting the student has refuted the issue and/or refused to agree to change (refer: Student Conduct Email Template - CIT staff only). 	Educator or staff member who observes the conduct or receives the report of misconduct

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3.3 Level 2: Repeated or continued minor incidents

If the behaviour continues, it may be appropriate to develop a Student Behaviour Agreement.

The Student Behaviour Agreement will outline the misconduct and reiterate the need to follow the CIT **Student Code of Conduct** and outline the consequences of continued misconduct.

Step	Action	Responsibility
1	<p>Verbally advise the student that the behaviour is not acceptable, and the misconduct is being referred to the Head of Department/Manager.</p> <p>Confirm the advice by email to the student using the Student Conduct Email Template.</p> <p><i>Note: frequent breaches of the CIT Student Code of Conduct where reasonable efforts have been made with the student to assist them to modify their conduct may result in more serious action being taken, such as exclusion from studying at CIT and/or from attending CIT premises for a definitive period or, in extreme cases, exclusion from CIT.</i></p>	Educator or staff member who observes the conduct or receives the report of misconduct
2	<p>Update or create a new Report of Student Conduct Incident Template.</p> <p>Send form to Head of Department/Manager and to CITSaferCommunity@cit.edu.au for CIT record keeping requirements and to provide oversight of reports of misconduct.</p>	Educator or staff member who observes the conduct or receives the report of misconduct
3	<p>Arrange a meeting with the student as soon as possible and within one week to discuss the conduct.</p> <p><i>Note: It is always preferable to resolve the situation before moving to a formal Student Behaviour Agreement. However, if a Student Behaviour Agreement is considered necessary then this must be a condition of study.</i></p> <p>Invite the student to bring a support person.</p> <p>Invite a personal support person (usually from Student Support).</p> <p>Invite student to provide any response to the conduct concerns in writing in advance of meeting.</p> <p>Advise the student that a formal Student Behaviour Agreement may be required.</p> <p>Contact Manager, Student Support or Head of Counselling for advice prior to initiating a Student Behaviour Agreement.</p>	Head of Department/Manager
4	If the student does not agree to modify their behaviour, develop a Student Behaviour Agreement.	Head of Department/Manager

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Step	Action	Responsibility
	<p><i>Note: The Student Behaviour Agreement should reiterate the need to follow CIT Student Code of Conduct and outline:</i></p> <ul style="list-style-type: none"> • <i>the specific descriptions of the conduct</i> • <i>what is expected of the student</i> • <i>consequence of continued misconduct</i> • <i>consequences of breaching the Student Behaviour Agreement</i> • <i>what CIT agrees to with respect to future conduct.</i> <p>Meet with the student to discuss the Student Behaviour Agreement including the consequences of not meeting the requirements of the Agreement.</p> <p>Where the student refuses to sign a Student Behaviour Agreement, and/or refuses to cease or change their conduct advise the student the situation is now regarded as a level 3 incident, the meeting is ended, and the conduct will be referred to the Director.</p> <p>Update or create a new Report of Student Conduct Incident Template. Send form to the Director and to CITSaferCommunity@cit.edu.au.</p>	

3.4 Level 3: Refusal to sign a Student Behaviour Agreement, Breach of Student Behaviour Agreement, Higher Risk Incidents

Level 3 misconduct includes, but is not limited to:

- refusal to sign a Student Behaviour Agreement
- breach of Student Behaviour Agreement
- conduct considered higher risk to CIT, its students, staff and/or others related to CIT (for example, abusive behaviours, including those against protected characteristics such as racial slurs, verbal abuse of others)
- a serious impediment to CIT staff carrying out their duties in a safe environment.

Conduct in this category might result in a student receiving a written warning and/or exclusion.

Step	Action	Responsibility
1	Refusal to sign a Student Behaviour Agreement or Breach of Student Behaviour Agreement	Head of Department/ Manager
	Notify the relevant College Director.	
	Consider the option to exclude the student from CIT prior to meeting and advise the relevant Head of Department and teaching staff of the decision.	College Director
As soon as possible or within one week, arrange a meeting.		

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Step	Action	Responsibility
	<p>Email the student (using the Student Conduct Email Template) detailing the behaviour issues and advise the matter will be escalated to Director and may result in the student’s exclusion from study and/or CIT premises until the matter is resolved.</p> <p>Meet with the student to discuss the refusal to sign the Student Behaviour Agreement or breach of a current Student Behaviour Agreement.</p> <p>Determine if the misconduct will result in the student’s exclusion from study and/or CIT premises until the document is signed, depending on the conduct.</p> <p>Confirm the advice by email to the student using the Student Conduct Email Template .</p> <p>Update or create a new Report of Student Conduct Incident Template. Send form to Head of Department /Manager and to CITSaferCommunity@cit.edu.au for CIT record keeping requirements and to provide oversight of reports of misconduct.</p>	
2	<p>Higher risk Incidents</p> <p>Complete the Report of Student Conduct Incident Template stating that conduct is a Level 3 and provide a rationale.</p> <p>Email the relevant Head of Department/Manager/Director and CITSaferCommunity@cit.edu.au.</p> <p>Complete ACTPS Safety Portal Report</p>	All CIT staff
	<p>Email the student (using the Student Conduct Email Template) detailing the behaviour issues and advise the matter will be escalated to Director and may result in the student’s exclusion from study and/or CIT premises until the matter is investigated.</p>	Head of Department/Manager
	<p>Confirm the advice by email to the student using the Student Conduct Email Template.</p> <p>Update or create a new Report of Student Conduct Incident Template – stating that conduct is a Level 3 and why – and email to their relevant HOD/Manager/ and CITSaferCommunity@cit.edu.au.</p> <p><i>Note: For continued breaches the request to exclude a student from CIT for longer may be recommended to the relevant Executive.</i></p>	College Director
	<p>As soon as possible or within one week, arrange a meeting.</p> <p>Inform the student they can respond in writing BEFORE the meeting.</p>	

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Step	Action	Responsibility
	If needed, request Manager of Student Support or Head of Counselling to activate a Behaviour Risk Assessment Team to assess the situation and provide advice to the College Director.	
	Meet with the student to discuss the misconduct, options and potential outcomes e.g. a Student Behaviour Agreement, exclusion from class/study/CIT for a period -this may include exclusion from a class, course, CIT enrolment and CIT premises up to a semester.	
	Determine if the misconduct will result in the student's exclusion from study and/or CIT premises.	
	Confirm the advice by email to the student using the Student Conduct Email Template.	
	Update or create a new Report of Student Conduct Incident Template.	
	Send form to Head of Department/Manager and to CITSaferCommunity@cit.edu.au for CIT record keeping requirements and to provide oversight of reports of misconduct.	

3.5 Level 4: Serious Incidents

Serious incidents need swift action.

Violent behaviour is always classed as serious, even if it is the first incident of unsatisfactory behaviour. Examples of violent behaviour includes behaviour that is:

- a serious risk or threat to physical and psychological safety to anyone
- actual physical or psychological harm
- a serious risk to CIT property
- misconduct that requires police attendance/investigation.

Do not hesitate to call estate or the police for assistance if necessary.

Step	Action	Responsibility
1	<p>Inform student (if present at the time at the time) that this is a serious incident and immediate action will be taken (this could include asking the student to leave the CIT premises immediately).</p> <p>Immediately notify police where it is deemed necessary and the relevant Head of Department/Manager/Director. Actively engage with the police as required.</p> <p>Complete the Report of Student Conduct Incident Template and forward to relevant Director/Executive and CITSaferCommunity@cit.edu.au.</p> <p>Complete ACT Safety Portal report.</p>	ANY CIT staff observing or made aware of incident

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Step	Action	Responsibility
2	<p>Inform the student immediately or as soon as possible after the incident, they are excluded from CIT for two weeks to allow investigation of the misconduct. Immediately follow up this directive in writing to the student using the Student Conduct Email Template and arrange a meeting.</p> <p>Inform the student they can respond in writing BEFORE the meeting.</p> <p>Seek advice (Audit and Risk/Student Support/HR or other) and where required, notify police.</p> <p>Complete the Report of Student Conduct Incident Template and forward to relevant Director/Executive and CITSaferCommunity@cit.edu.au.</p> <p>Complete ACT Safety Portal report if not already actioned.</p>	Head of Department/Manager
3	<p>Request Senior Manager of Student Support or Head of Counselling to activate a Behaviour Risk Assessment Team to assess the situation and provide advice (optional).</p> <p>Meet with the student to discuss the misconduct, options and potential outcomes e.g. a Student Behaviour Agreement, exclusion from class/study/CIT for a period.</p> <p><i>Note: Exclusion may include exclusion from a class, program, CIT enrolment and CIT premises up to a semester or longer periods with the approval of the Chief Executive Officer or Executive Director Education Futures and Students.</i></p> <p>Investigate the misconduct and determine if there is evidence to confirm the misconduct has occurred and will result in the student’s exclusion from study and/or CIT premises.</p> <p><i>Note: If the misconduct is proven the student may be:</i></p> <ul style="list-style-type: none"> excluded from CIT premises or engagement in CIT related services/activities including onsite and offsite delivery of CIT courses/subjects, approved field trip/excursions or approved vocational placements for up to a semester excluded for a period longer than one semester at the direction of the Chief Executive Officer or Executive Director Education Futures and Students 	College Director

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Step	Action	Responsibility
	Confirm the outcome of investigation by email to the student using the Student Conduct Email Template including any conditions of returning to CIT where an action has occurred to exclude the student.	
	Complete the Report of Student Conduct Incident Template and forward to relevant Director/Executive and CITSaferCommunity@cit.edu.au	
	Complete ACT Safety Portal report.	

4. Reporting and coordination of student conduct case management

Student conduct case managers must periodically report to and liaise with CIT Complaint Managers (assigned under the *Student and Community members Complaints Policy*) to ensure a coordinated approach to student conduct management and any related complaints made to CIT by students.

5. Documentation

5.1 Legislation/Regulation

- [Information Privacy Act 2014](#)
- [Human Rights Act 2004 \(ACT\)](#)
- [Disability Discrimination Act 1992 \(Commonwealth\)](#)
- [Disability Standards for Education 2005 \(Commonwealth\)](#)
- [Sex Discrimination Act 1984 \(Commonwealth\)](#)
- [National VET Regulator Act 2011 \(Commonwealth\)](#)
- [Race Discrimination Act 1975 \(Commonwealth\)](#)
- [Privacy Act 1988 \(Commonwealth\)](#)

5.2 Policy and Procedures

- *Academic Integrity and Misconduct Policy*
- *Bullying and Harassment Prevention Policy*
- *Student and Community Members Complaint Policy*
- *Induction Procedure*
- *Student Code of Conduct*
- *Sexual Harassment and Sexual Assault Policy*

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- *Privacy Policy*
- *Workplace Health and Safety Arrangements policy*

5.3 Documents

- Student Conduct Email Template
- Report of Student Conduct Incident Template
- Student Behaviour Agreement

6. Definitions

Terminology used in this policy is consistent with definitions in the CIT Definition of Terms.

Non-serious Incidents	Incidents not involving illegal activities (see Serious Incidents for examples). Incidents where the behaviour breaches the Student Code of Conduct and causes disruption to other students or CIT staff or breaches the rights of others (e.g. plagiarism).
Serious Incidents	An event which causes disruption to CIT, or creates significant danger or risk that could traumatically affect individuals or attracts negative media attention or a negative public profile for CIT, including but not limited to illegal behaviour including assault, theft, damage to property, bullying, harassment, discrimination, use of illegal substances or misuse of CIT digital network and acts of forgery

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