

**Barton College****Policy Number: BP02****Policy: Student Misconduct Policy and Procedure**

RTO Name: Barton College	RTO Number (TOID): 22048	CRICOS Number: 02908F
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Responsible Officer: Principal Executive Officer (PEO)	Contact Officer: Principal Executive Officer (PEO)	Version Number: 3.0
Endorsed by: Principal Executive Officer (PEO)		

Refer to "review processes" section below for information on the process for policy review.

<b>Policy context:</b> This policy relates to:	
Registration Manager	Australian Skills Quality Authority (ASQA)
Conditions of Registration	VET Quality Framework (VQF)
SRTOs 2015	Standards 1, 5, 6 & 7
ESOS/National Code	ESOS Act 2000, the National Code 2018, Standard 6
Legislation or other requirements	National Vocational Education and Training Regulator Act 2011  Disability Discrimination Act 1992 (Commonwealth)  Equal Opportunity Act 2010 (Vic)  Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)  Racial and Religious Tolerance Act 2001 (Vic)  Racial Discrimination Act 1975 (Commonwealth)  Racial Hatred Act 1995 (Commonwealth)  Sex Discrimination Act 1984 (Commonwealth)



## 1. Purpose

Barton College regards academic integrity as the foundation of training, learning, and research. This policy provides a framework for the standard of conduct expected of students of Barton College with respect to their academic and personal conduct. It outlines the primary obligations of students and directs staff and students to the code and procedures which specify student obligations and Barton College's responsibilities. It requires its academic and administration staff and students to observe the highest ethical standards in all aspects of academic work.

## 2. Objective

The objective of the Student Misconduct Policy and Procedure for Barton College is to ensure that Barton College provides a compliant, plagiarism-free, safe, clean, professional environment to participants to meet the Standards for RTOs 2015 and National Code 2018. Barton College would like to:

- (a) Promote the principle of mutual respect by informing students of behaviour which Barton College considers appropriate;
- (b) Discourage behaviour which Barton College considers inappropriate;
- (c) Implement fair and just procedures for dealing with possible cases of misconduct; and
- (d) Provide for the imposition and enforcement of penalties for misconduct.

## 3. Scope

This policy will apply to all current students and Barton College Staff. This policy details expectation of students in relation to:

- General behaviour and attitude
- Harassment/bullying
- Attendance/Punctuality
- Plagiarism/Collusion/Cheating

## 4. Terms and definitions

- a. **Academic integrity** It's a student's moral code or ethical way of behaving in and out of Barton College for the time-period of your studies. This includes values such as avoidance of cheating or plagiarism; maintenance of academic standards; honesty and rigor in research.
- b. **Academic misconduct** It is general behaviour, attitude and conduct on the part of a student (including conduct during practicums or placements in their capacity as a student of Barton College) that:
  - hinders the pursuit of academic excellence and includes cheating, collusion and plagiarism;
  - acts against the values, code of conduct and ethics of RTO.
  - seeks to gain for himself or herself, or for any other person, any academic advantage or advancement through the improper use of RTO facilities, information or the intellectual property of others; or
  - Constitutes research misconduct.

The following activities also appear under the definition of "Academic misconduct":

- making a false representation as to a matter affecting a student as a student;
  - tampering, or attempting to tamper, with records;
  - failing to abide by reasonable directions of a member of academic staff in relation to academic matters, including directions regarding individual responsibility for the submission of assessable work or any other direction by academic staff relating to the undertaking of courses or assessment at Barton College;
  - acquiring, or attempting to acquire, possess, or distribute assessment or learner materials or information without approval;
  - impersonating another student, or arranging for anyone to impersonate a student, in an examination, practicums, placements or other assessment task;
  - altering or falsifying any document that Barton College requires of the student (e.g. medical certificate or other supporting documentation) for the purposes of gaining academic advantage;
  - altering group assessment work of participating students without the collaborating students' consent; or
  - Failing to comply with a penalty imposed under this policy.
- c. **Plagiarism** "To take and use as one's own thoughts, writings or inventions of another person" (Oxford English Dictionary). Plagiarism, therefore, has two elements: Taking another's work, and using the work as one's own. If student takes someone else work but does not use it as his/ her own – because he/she referenced it correctly – it is not plagiarism.
  - d. **Collusion** A secret agreement between two or more parties for a fraudulent, illegal, or deceitful purpose
  - e. **Cheating** This means willfully and deliberately using or gaining an unfair advantage over fellow students by flouting the rules and guidelines set down for assessments.
  - f. **Harassment** The act of tormenting by continued persistent attacks and criticism
  - g. **Sexual Harassment**  
It is:



- Any unwanted or unwelcome sexual behaviour, which makes a person feel offended, humiliated or intimidated
- Unlawful in any work or study related context
- Not tolerated in any form at the Institute

Sexual harassment may:

- Initially appear mild or trivial, particularly where there is a relationship of power or formal inequality of personal status between individuals
  - take many different forms – it can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by males and females against people of the same or opposite sex.
- h. **Bullying** The act of intimidating a weaker person to make them do something or discouraging or frightening with threats or a domineering manner; intimidating
- i. **Attendance/Punctuality** Barton College expects each student to arrive on time for every class, to ensure maximum learning outcomes for each individual. Lateness is recorded and calculated, and students may be asked to make the time up at a later stage. Recurring lateness is dealt with by the Student Support Officer (SSO) and Counsellor.

## 5. Policy statement: Our commitment

Barton College is committed to maintaining compliance with all regulatory, legislative and contractual requirements.

Specifically, we will:

- Take all academic misconduct seriously.
- Action within 10 working days of noticing academic misconduct.
- Promote to students the importance and practices of academic honesty and integrity.
- Promote to students that Barton College is committed to an educational and working environment which is free from all forms of discrimination and harassment.
- Inform students of what constitutes academic misconduct, bullying, sexual harassment, and discrimination and unethical behaviour.
- Make information available to students about:
  - Plagiarism, collusion and cheating
  - Sexual harassment
  - Discrimination
  - Bullying
- Identify academic or personal misconduct by a student
- Promote character traits expected by the Psychology Board of Australia.
- Identify unethical, incompetent and impaired students as per the mandatory reporting guidelines issued by the Psychology Board of Australia.

## 6. General Process to deal with academic misconduct

Topic	Process
Availability of Policy and Procedures	The policy and procedure and form are made available to all students and potential students by visiting the College website.
Levels of misconduct	<p>Student misconduct is determined according to a system of three levels of misconduct –</p> <p>(a) level 1 – minimal;</p> <p>(b) level 2 – moderate; and</p> <p>(c) Level 3 – serious.</p> <p>The levels of misconduct determine which decision-maker decides an allegation of student misconduct and the available penalties.</p>
Level 1 – minimal	<p>Students who are unfamiliar with the conventions of academic writing can sometimes unintentionally plagiarise or commit relevant acts.</p> <p>Conduct generally deemed "Level 1" includes but is not necessarily limited to the following: quiet hours, visitation, pets, pranks, candles, issues of modesty in relation to speech, attire and interpersonal relationships, disrespect to individuals and/or property, possession or viewing of inappropriate materials, violations to the acceptable use of technology policy, minor safety and health issues, smoking on campus, and minor alcohol violations characterized by negligent possession without the intent to consume, being in the presence of others using illegal drugs or consuming alcohol on campus, and/or being in the presence of underage alcohol consumption on or off campus.</p>



	Minimum Consequence: Warning, restitution (if applicable) and potentially one or more of the following: educational consequences, behavioral contract, fee or loss of privileges. A remedial advice (oral or verbal) will always be issued to the student upon preliminary investigation.
Level 2 – moderate	<p>Students who are indulged in plagiarism or other acts (not harmful or grave to others)</p> <p>Conduct generally deemed “Level 2” includes but is not necessarily limited to the accumulation or repeat offences of Level 1 violations and/or the following: inappropriate dating/relationship behavior, vandalism, theft, possession or consumption of illegal substances/drugs, alcohol violations related to underage possession or consumption, and alcohol violations characterized by consumption and/or possession of alcohol with willful intent to consume on campus or at RTO related functions off-campus, etc.</p> <p>It will attract penalties because it is considered to be too serious to be addressed by remedial advice alone.</p>
Level 3 – serious	<p>An accusation of plagiarism at this level is very serious. If student’s work demonstrates clear intent to cheat or defraud by copying all or significant portions of the material presented in his/her work, by having someone else complete the work for him/her, or by colluding with another person, he/she may find him/her-self accused of Level 3 plagiarism.</p> <p>Conduct generally deemed “Level 3” includes but is not necessarily limited to the institutional mission, substantial disruption to the educational process, undue risk to persons and property, threats against persons or property, etc.</p> <p>Level 3 plagiarism or conducts are considered to be academic misconduct and will attract severe penalties such as an annulled result for the unit or the suspension of the ability to enroll in units for a period of time, or cancellation of enrolment pending the outcome of hearings and/or appeals. Conduct at this level may also involve reporting the student and misconduct to relevant authorities.</p>
Decision makers	Level 1 (minimal) and Level 2 (moderate) are handled in RTO by RTO staff. Principal Executive Officer (PEO) and Academic Manager are involved in these matters. Level 3 may be reported to relevant authorities inside and outside RTO (depending upon the misconduct).
Conflict of interest	A decision-maker who has a conflict of interest must refer the alleged misconduct to an appropriate decision-maker at the same or higher level. The appointed decision-maker will then hear the allegation in place of the original decision-maker but will apply the same level of misconduct as the original decision-maker.
Documentation	<p>ALL documentation relating to an academic misconduct MUST be recorded on the student file.</p> <p>This must include the initial form, supporting evidence, meeting minutes, copy of correspondence with all concerned parties. This information will be kept confidentially and stored securely for 7 years.</p> <p>Documentation of all academic matters and their outcomes is securely maintained. Potential causes of academic misconduct are identified and RTO takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.</p>
Reporting a complaint of misconduct generally	Any person may report a complaint of misconduct by a student to the Academic Manager or PEO.

## **7. Procedures**

A member of staff who receives a complaint in relation to –

(a) Academic misconduct must –

- (i) Refer the complaint to the Academic Manager; and
- (ii) In consultation with the Academic Manager, conduct a preliminary investigation in a timely manner;

(b) General misconduct must –

- (i) Refer the complaint to the PEO; and
- (ii) In consultation with the PEO, conduct a preliminary investigation in a timely manner.

If a complaint raises an allegation which may be regarded as either academic or general misconduct, then the allegation will be treated as academic misconduct.

Upon finalization of the preliminary investigation into a complaint in relation to –

(a) Academic misconduct, a person who received the complaint must provide a report to Academic Manager;



(b) General misconduct, a person who received the complaint must provide a report to the PEO.

PEO may authorize another RTO employee to exercise his or her powers under this section.

At any stage of this procedure students are able to access the Student Complaints and Appeals Procedure to settle any disputes that may arise.

### **Acknowledgement letter**

If a notifier reports a complaint of alleged misconduct, an acknowledgement letter of receipt will be issued. An acknowledgement letter of a reported instance of alleged misconduct must include:

- (a) The date the report was received and a brief description of the alleged misconduct;
- (b) Reference to the Privacy and confidentiality Policy and Procedures;
- (c) Reference to the Academic Misconduct Policy and Guidelines and the confidentiality of misconduct matters; and
- (d) A statement that the outcome of Barton College's enquiries or investigations will not be advised to the Notifies.

## **8. Continuous Improvement**

A summary of all academic misconducts and relevant matters will be presented as a part of the Continuous Improvement policy and procedure at the Management Meeting for review. The purpose of this is to ensure management become aware of:

- repeat issues
- students that may be vexatious in using the process
- Common threads relating to the general management and/or safety of the staff, students and the services being provided.
- (when viewed collectively) any general adverse trend that needs correcting

## **9. Confidentiality and Privacy Statement**

Student's personal information is kept in a secured location and access to the academic matters is restricted to authorized staff that assists in addressing the issues/matters. For more Information, please refer to our Privacy and Confidentiality Policy. You can obtain this policy by contacting us at [admissions@barton.edu.au](mailto:admissions@barton.edu.au) or read it online via our website [www.barton.edu.au](http://www.barton.edu.au).

## **10. Publication**

This policy, once approved, will be available to all students by contacting Barton College, or by accessing it from Barton College's website.

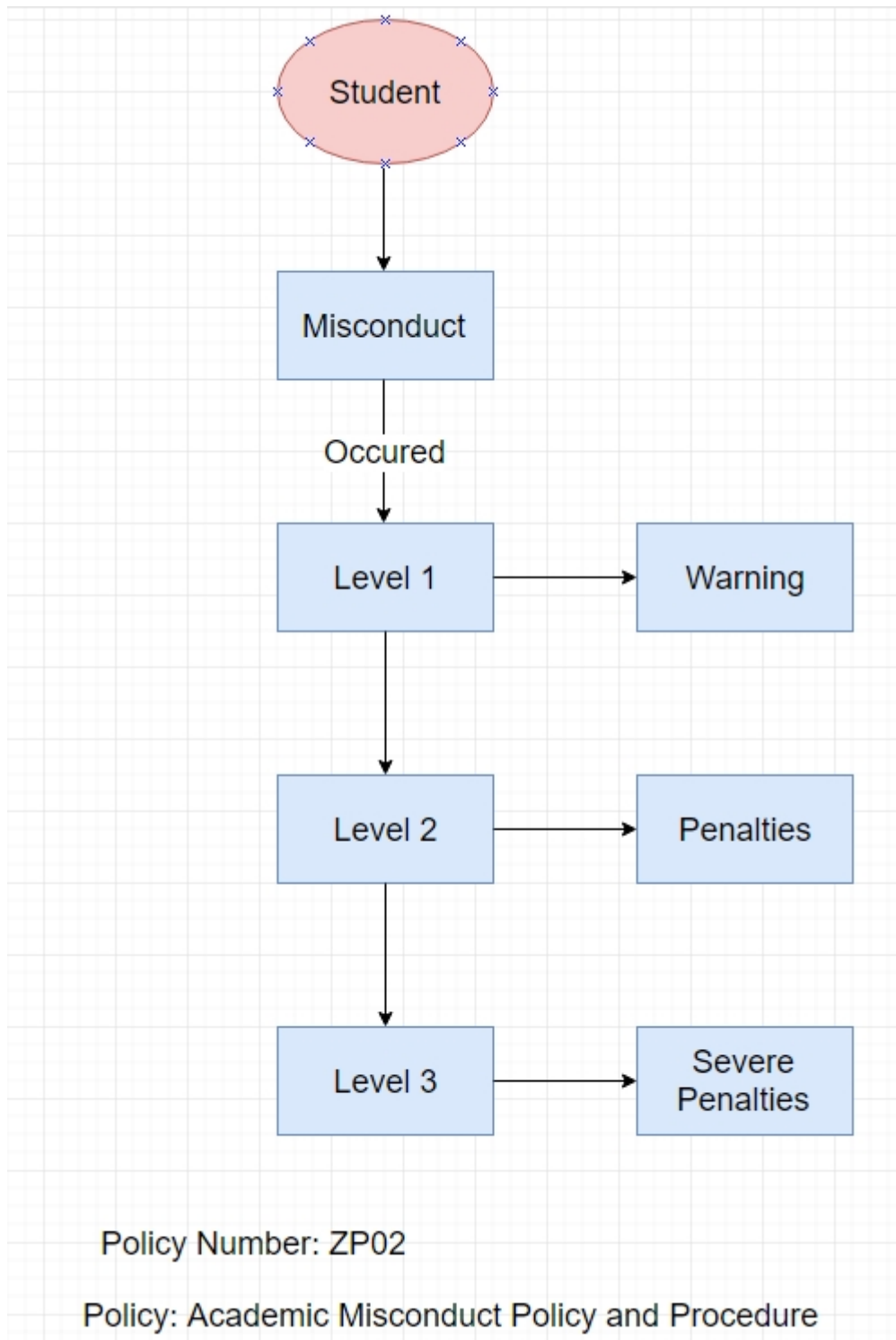
This policy and procedure will form part of the information distributed and communicated during student and staff orientation.

## **11. Other related policies and procedures**

Related policies	Continuous Improvement policy and procedure Privacy and confidentiality policy and procedure Complaints and appeals policy and procedure
Forms or other organisational documents	Complaints and appeals form Academic misconduct form
Documents related to this policy	Student File Student Records on student management system Warning letter/ remedial advice (oral or verbal)



12. Flow Chart





**13. Review processes**

<b>Policy review frequency: Annually</b>	<b>Responsibility for review: PEO</b>
Documentation and communication: Describe how the policy decisions will be documented and communicated	
Version 1.0 <ul style="list-style-type: none"><li>• Policy is reviewed for grammatical errors</li><li>• Policy is uploaded on Compliance Portal</li></ul>	