

## Misconduct Policy & Procedure

### Policy/Purpose:

Misconduct is where a student: acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements; misuses, damages or steals College's property or the property of others; alters/defaces ACDC documents or records; prejudices the good name of ACDC, or otherwise acts in an improper manner.

The following examples indicate the kinds of behavior which constitute student misconduct. They are for illustrative purposes and are not intended to be exhaustive. Student misconduct occurs when a student:

- a) contravenes any rules or acts;
- b) prejudices the good name or reputation of ACDC;
- c) prejudices the good order and governance of ACDC or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of ACDC;
- d) fails to comply with conditions agreed in the contract;
- e) wilfully disobeys or disregards any lawful order or direction from College personnel;
- f) refuses to identify him or herself when lawfully asked to do so by an officer of ACDC;
- g) fails to comply with any penalty imposed for breach of discipline;
- h) misbehaves in a class, meeting or other activity under the control or supervision of ACDC, or on College premises or other premises to which the student has access as a student of ACDC;
- i) obstructs any member of staff in the performance of their duties;
- j) acts dishonestly in relation to admission to ACDC;
- k) knowingly makes any false or misleading representation about things that concern the student as a student of ACDC or breaches any of College rules;
- l) alters any documents or records;.
- a) harasses or intimidates another student, a member of staff, a visitor to ACDC, or any other person while the student is engaged in study or other activity as a student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- b) breaches any confidence of ACDC;
- c) misuses any facility in a manner which is illegal or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or

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communications equipment or capacity to which the student has access at or away from ACDC premises while acting as an ACDC student, in a manner which is illegal or which is or will be detrimental to the rights or property of others;

- d) steals, destroys or damages a facility or property of ACDC or for which ACDC is responsible;  
or  
e) is guilty of any improper conduct.

**Scope:**

All students of ACDC.

**Procedure:**

	<b>Responsibility</b>	<b>Steps</b>
1	Staff member	<p>In the case of misconduct occurring in the classroom, a student may be asked to leave the room in situations such as, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>the student's behaviour is disruptive to other students in the class</li> <li>the student's behaviour is disruptive to the learning environment</li> <li>the student is found to be under the influence of alcohol or prohibited substances</li> <li>the student is behaving in a manner that is of a health and/or safety issue.</li> </ul>
2	Staff member	<p>A staff member, in respect to any misconduct by a student committed in ACDC or within ACDC's control, may immediately suspend the student from attendance at such class or from use of ACDC's facilities for a period not exceeding 24 hours.</p>

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		<p>If a suspension action is taken the staff member must:</p> <ul style="list-style-type: none"> <li>• advise Academic Manager as soon as reasonably possible.</li> <li>• provide a written statement, which details the circumstances of the suspension.</li> </ul>
3	Academic Manager	Following receipt of advice of an act of misconduct, the Academic Manager must advise the student in writing of the alleged incident of misconduct as soon as reasonably possible.
4	Student	The student has five working days to make oral or written representations regarding the alleged incident of misconduct.
5	Academic Manager	<p>After this period, Academic Manager may:</p> <ul style="list-style-type: none"> <li>• modify or dismiss the charge</li> <li>• reprimand and warn the student against repetition of the breach of discipline</li> <li>• suspend the student from attending classes for a period not exceeding 14 days</li> <li>• suspend the student from using all College facilities and/or services</li> <li>• take any action in its jurisdiction including expelling the student</li> <li>• any combination of the above.</li> </ul>
6	Academic Manager	The Academic Manager must provide the student with a written statement detailing the decision within five working days of the

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		decision being made and any penalties applied.
7	Academic Manager	The student must be informed of their right to appeal the decision in line with ACDC's Complaints and Appeal policy.

**Related Documents/Forms/Policies:**

P04 Complaints and Appeals

F07 Complaints Form

F08 Appeal Form

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