

# Student Code of Behaviour Policy and Process

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## Policy Objective

The objective of this policy is to outline the system used for ensuring students meet the code of behaviour requirements of Level Up English (LUE).

## Responsibility

The Academic Manager is responsible for the implementation of this policy and process and to ensure that staff and students are aware of its requirements and application.

## Policy

Students are required to adhere to LUE's student code of behaviour at all times.

The Academic Manager (or nominee) must, prior to implementation, approve any disciplinary actions arising from breaches of the student code of behaviour.

Consequences for non-compliance with the student code of behaviour may invoke disciplinary action, including suspension or cancellation of student enrolment which may affect the student's visa status.

Students whose enrolment is suspended or cancelled for disciplinary reasons are not entitled to a fee refund, either in full or in part.

Any decision related to student discipline can be appealed in accordance with the *Student Complaints and Appeals Process* and as outlined in the *Deferral, Suspension and Cancellation of Enrolment Policy and Process*.

## Student Code of Behaviour

The student code of behaviour requires the following rights to be respected and followed at all times by students in their dealings with students and staff; the right to:

- a. be treated respectfully, fairly and without discrimination, regardless of religious, cultural, racial or sexual differences, age, disability or socio-economic status
- b. be free from all forms of intimidation and harassment
- c. work in a safe, supportive and cooperative environment
- d. have personal and institute property protected from malicious damage or other misuse
- e. have disputes settled in a fairly and rationally
- f. express, share ideas and to ask questions

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## Misbehaviour

To ensure all students receive equal opportunity to gain the maximum benefit from their training, any student displaying the following dysfunctional or disruptive behaviour may be asked to leave the session and/or the course. Examples of unacceptable behaviour include, but are not limited to, the following:

- a) Continuous interruptions of the trainer
- b) Smoking in non-smoking areas
- c) Displaying threatening or abusive behaviour towards staff and/or students. Such behaviour includes, but is not limited to, shouting, swearing, name-calling and harassment by using offensive language, aggressive behaviour, inappropriate gestures
- d) Sexual or other forms of harassment
- e) Acting in an unsafe manner that places themselves and/or others at risk
- f) Disruptive classroom behaviour seriously impacting upon the ability of the teacher to deliver the lesson. Examples include, but are not limited to, refusing to stop using a mobile phone or other electronic device and/or refusing to comply with reasonable teacher requests to participate in class activities.
- g) Malicious acts that pose a threat to either LUE or student property or their reputations.

## Process

For non-compliance with the student code of behaviour, the Academic Manager (or nominee) will be informed and a decision made whether to implement disciplinary action. Where the decision has been made to instigate disciplinary action, the following procedure is followed:

- a. The student is requested to discuss the matter and LUE's expectations for student behaviour with the Academic Manager (or nominee)
- b. If the behaviour continues or, if the Manager (or nominee) determines during the initial meeting that the misconduct is of such a serious nature that a formal warning needs to be issued, a written warning will be issued indicating that, if the issue persists, LUE will consider suspending or cancelling the student's enrolment. This meeting and its outcomes will be documented and a copy provided to all parties and included in the student's file
- c. If the issue or behaviour persists, the student will be informed that LUE intends to suspend or cancel the student's enrolment and that the student has 20 working days to access the Institute's internal complaints and appeals

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process. The student's enrolment will be maintained during this 20 working-day period.

- d. Any suspension or cancellation will be undertaken in accordance with the LUE's deferral, suspension and cancellation of enrolment procedure.

### Right to Appeal

1. In any given situation that leads to a deferment, temporary suspension or cancellation of studies, and instigated by LUE, the student will receive formal written notification of LUE's intention to defer, suspend or cancel the student's enrolment and that the student has 20 working days to access LUE's Internal Complaints and Appeals process.
2. The deferment, temporary suspension or cancellation of studies will not take effect until the Internal Complaints and Appeals process has been completed, unless extenuating circumstances relating to the welfare of the student or institute apply (see below).
3. At the completion of the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, LUE will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.
4. LUE will only wait for completion of the *internal* appeals process before proceeding with the deferment, suspension or cancellation of enrolment. The only time LUE will wait until *both internal* and *external* appeal processes to be completed is for course progress or attendance breaches.
5. The student's right to appeal a deferment, suspension or cancellation will be waived in circumstances when the student's health and wellbeing or those of others is likely to be at risk. Examples of such circumstances may include, but is not limited to when the student:
  - has medical concerns, severe depression or psychological issues which makes LUE fear for the overseas student's wellbeing;
  - has engaged or threatens to engage in behaviour that LUE reasonably believes may endanger the overseas student or others; or
  - is at risk of committing a criminal offence.