



Student Misconduct Policy

1 PURPOSE

OPIE is committed to maintaining the highest level of education standards through the preservation of academic integrity. The purpose of this policy is to define academic and non-academic misconduct and to provide fair, equitable and effective approaches for investigating allegations of student misconduct and outline the potential consequences should an allegation be proven.^(8.9.1, 9.3.1)

2 SCOPE

This policy is applicable to all students, and to students' conduct at all campuses, premises or facilities used or occupied by OPIE. Any classes, industry work placements, activities or events conducted as part of a course of study with OPIE or conducted under our name are also covered by this policy.

3 POLICY STATEMENT

The intention of this policy is to create and maintain a safe, comfortable and enjoyable study environment for all students and staff. This policy should be read in conjunction with the Student Code of Conduct and both should be available to all staff, agents and students.

Students are informed in their Letter of Offer and Acceptance and during orientation about our Misconduct policy. All assessment tasks include an Assessment Agreement, which is read and signed off by the student to acknowledge that they have been fully advised about academic misconduct and the potential consequences.

3.1 ACADEMIC MISCONDUCT

Academic misconduct and actions demonstrating a lack of academic integrity include but are not limited to the following:

- Cheating in assessment tasks
- Cheating in exams and/or tests
- Collusion – whereby a student collaborates with others and submits work that has been created by more than one person, as being solely their own work (not the same as tasks set out as group assessments)
- Plagiarism (whereby a student copies more than 10% of anyone else's work and presenting it as their own original work)
- Submission of work by a student that is clearly not the student's own work
- Submission of work that has been significantly edited by someone else
- Submission of work previously submitted at OPIE or elsewhere for another unit or competency or course
- Academic fraud – having someone else sit a test or other assessment requirement in the student's place, falsely representing themselves as the student



- Not providing citations

3.2 PREVENTION OF ACADEMIC MISCONDUCT

OPIE will mitigate academic misconduct through the following means:

- Students are advised of the policy at the commencement of each course and are reminded at the start of every term
- Students are also advised of the consequences of Academic Misconduct and its management
- This advice and all information provided to new staff/contractors and overseas students is current and consistent with this policy
- All advice is provided in a clear and easy to understand format
- Advise about good practices such as referencing and citations are given at the beginning of a course and in the Student Handbook
- Where electronic submission occurs, the use of software programs to detect plagiarism are strongly advised. If in use, the students will be made aware of such software being in use
- Students are encouraged to seek clarification and advice from academic staff and student support without penalty or prejudice if uncertain whether they are committing academic misconduct

3.3 DEALING WITH ALLEGATIONS OF ACADEMIC MISCONDUCT

- 3.3.1 Any allegation presented will be reviewed by the Compliance officer to ascertain that there is a potential case of academic misconduct. All such reviews, correspondence and decisions are completely confidential.
- 3.3.2 Where confirmed or undetermined, a Misconduct Review Interview between the student and CEO will be organised at the earliest possible convenience. The trainer assessor may also be included if pertinent, at the discretion of CEO.
- 3.3.3 During the Misconduct Review Interview the student will be presented with the allegation, the reason for the allegation and any evidence. The student will have the opportunity to present their side and give any possible explanation or clarification of the issue.
- 3.3.4 The Misconduct Review Interview notification, reasons and any decisions or outcomes will be, recorded and retained in the student's file and sent to the student in writing. These records may be accessed by the student or OPIE in case of complaint or appeal arising from the allegation and subsequent review and repercussions.

3.4 CONSEQUENCES OF ACADEMIC MISCONDUCT

- 3.4.1 Should the student be found to have committed academic misconduct, dependent upon the seriousness any of the following may occur, either singularly or in any combination:
- A written warning, outlining the occurrence and any evidence, which shall be sent to the student and be retained in their student file for consideration should any further occurrences take place



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- Information session about academic integrity and acceptable practices, such as referencing and use of sources
- The awarding of a Not Yet Competent (NYC) result for the assessment in question (before awarding a NYC an opportunity to resubmit will be provided)
- Exclusion from the unit of competency, whereby the student will be required to re-enrol in that unit. This may impact upon the student's ability to complete their course within the set duration of their CoE. The student will be advised to contact Department of Home Affairs immediately if this is relevant to their circumstance
 - A result of NC for the unit of competency, which will negatively impact the student's academic progress
 - Suspension from the course
 - Cancellation of Enrolment, particularly for wilful, serious and/or repeated misconduct. If the enrolment is cancelled OPIE will report the student will through PRISMS

3.4.2 The student will be advised of their right to access Complaints and Appeals at every step of the process.

3.4.3 Where OPIE decides to suspend or cancel a student's enrolment refer to Deferral Suspension Cancellation Policy.

3.5 NON-ACADEMIC MISCONDUCT

3.5.1 Students are informed in their Student Handbook and during induction about our Code of Conduct, which details the expected and accepted behaviours of students.

3.5.2 Non-academic misconduct and unacceptable behaviours include but are not limited to the following:

- Intentional breaches of Commonwealth or State law
- Disrespectful, threatening or abusive behaviour towards other students, staff or members of the public
- Endangering the health and/or safety of self or others
- Violence
- Damage or destruction of property
- Theft of property of OPIE
- Theft of property of staff, other students or any other person (such as during industry work placement)
- Carrying of weapons
- Possession of illegal, banned or dangerous items and/or substances
- Being intoxicated or under the influence of drugs or alcohol
- Refusing to identify themselves truthfully or misrepresenting their identity
- Smoking indoors or within the premises or facilities
- Disobeying trainer assessors, continuously interrupting the trainer or refusing to participate in class activities
- Unauthorised use of mobile telephones or other devices in class
- Harassment, discrimination or vilification in any form against a student or students, staff member, agent or any other person



- Photographing, recording or filming a person without their permission
- Harassing, bullying or behaving inappropriately through social media or other means
- Bullying will not be tolerated in any form
- Non- payment of fees

3.6 DEALING WITH ALLEGATIONS OF NON-ACADEMIC MISCONDUCT

- 3.6.1 Minor allegations may be resolved informally through discussion where appropriate, provided the aggrieved party (complainant) is satisfied with this resolution. Where this is not suitable, or has not proven successful, a Disciplinary Interview will be organised immediately.
- 3.6.2 If appropriate, both the aggrieved party (complainant) and the student accused of non-academic misconduct may be present and present their account of the situation. Where this is not appropriate, such as in cases of intimidation, a separate interview will be conducted between these parties and CEO.
- 3.6.3 During the Disciplinary Interview the student will be presented with the allegation, the reason for the allegation and any evidence. The student will have the opportunity to present their side and give any possible explanation or clarification of the issue.
- 3.6.4 The Disciplinary Interview Notification, reasons and any decisions or outcomes will be, recorded and retained in the student's file and sent to the student in writing. These records may be accessed by the student or OPIE in case of complaint or appeal arising from the allegation and subsequence review and repercussions.

3.7 CONSEQUENCES OF NON-ACADEMIC MISCONDUCT

- 3.7.1 Should the student be found to have committed non-academic misconduct, dependent upon the seriousness any of the following may occur, either singularly or in any combination:
- Counselling by student support or academic staff
 - Referral to outside counselling or other services
 - Follow up meetings with academic staff and/or student support
 - A written warning, outlining the occurrence and any evidence, which shall be sent to the student and be retained in their student file for consideration should any further occurrences take place
 - Being removed from a class or group for the safety and wellbeing of others
 - Suspension from the course
 - Cancellation of Enrolment, particularly for wilful, serious and/or repeated misconduct. If the enrolment is cancelled OPIE will report the student will through PRISMS
- 3.7.2 The student will be advised of their right to access Complaints and Appeals at every step of the process. Where OPIE decides to suspend or cancel a student's enrolment refer to Deferral Suspension Cancellation Policy.
- 3.7.3 In particularly serious cases in which a student has committed criminal offenses, the appropriate legal authorities will be informed.



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Role within RTO	Area of responsibility
CEO	Approval Authority
Compliance Officer	Development/Review
Compliance Officer	Monitoring and Evaluation
Compliance Officer	Compliance
Student Support Officer	Implementation

4 RESPONSIBILITIES

5. RELATED LEGISLATION AND REGULATIONS

- * The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as 'the National Code 2018' Standards 8 and 9
- Standards for Registered Training Organisations (RTOs) 2015
- Education Services for Overseas Students Regulations 2001
- Education Services for Overseas Students Act 2000

5 RELATED POLICIES, PROCEDURES AND DOCUMENTS

- Deferral Suspension Cancellation Policy
- Complaints & Appeals Policy
- Complaints & Appeals Procedure
- Academic Misconduct and Cancellation Form