



Student Misconduct Policy

Governing authority	Higher Education Committee
Responsible officer	Academic Director
Date of approval	12 Feb 2018
Date of effect	12 Feb 2018
Review date	February 2021

1. Purpose

As a registered higher education provider, AGME is committed to upholding and protecting the integrity and reputation of its higher education operations. AGME is committed to protecting its students from harmful, inappropriate, disruptive or distressing behaviour and expects all students to act respectfully in line with AGME's values.

2. Scope

This Policy applies to all higher education students enrolled in AGME.

3. Principles

1. AGME respects the rights of higher education students to study in an environment conducive to learning;
2. AGME expects all higher education students, regardless of mode or location, to take responsibility for their own behaviour and ensure that all physical and online interactions with other students, staff or other people associated with the AGME community including guests or agents, are fair and respectful;
3. AGME expects all students to respect the property and equipment of AGME;
4. All students are to respect a diversity of opinions and promote academic freedom;
5. Students are expected to recognise the responsibilities inherent in free expression and refrain from offensive behaviour;
6. AGME respects students' right to confidential procedures and to privacy;
7. AGME will observe the following values of procedural fairness:
 - Students are presumed to be innocent unless they admit to misconduct, or evidence is found or observed of misconduct.
 - Students will be given opportunity to respond to allegations of misconduct and will be entitled to bring support persons to any formal meeting.
 - A previous instance of misconduct will be taken into account in investigating an allegation of misconduct only when it is similar in nature, and the student has been provided with a formal warning or penalty.

When a student is determined to have committed misconduct, the determination and penalty will be recorded on the student's record.

4. Definitions of Non-Academic Misconduct

AGME is committed to ensuring the wellbeing and safety of students and staff regardless of their mode of study and location. Non-academic misconduct can be defined as occurring in both physical settings or online and can include:

- behaving or acting dishonestly;
- harassing or interfering with other students or staff;
- disrupting other students' learning;
- failing to comply with legal or policy requirements;



- mistreating or destroying AGME property, or the property of other students or staff;
- fraudulently altering or destroying AGME documents or records;
- engage in defamatory behaviour;
- otherwise acting in an inappropriate manner.

AGME is required to report all criminal acts to the police.

5. Investigation of Misconduct

Allegations of Misconduct are investigated as follows:

1. A member of staff who suspects a student has engaged in non-academic misconduct is to report the allegation, with supporting evidence, to the Academic Director.
2. The Academic Director is to conduct any further necessary investigations (including speaking to witnesses to the misconduct).
3. The student will be notified by email and mail of the misconduct allegation, and will be required to provide a written response within five working days of receiving the notification. Failure by the student to provide a written response will not prevent the investigation from proceeding.
4. The Academic Director may consult with other staff including the CEO to take into account any extenuating circumstances.
5. If a minor offence, the Academic Director may issue a warning to a student and may recommend external services to provide support to the student.
6. If a significant breach of conduct, the Academic Director will provide the student with an opportunity to attend a misconduct hearing at the Higher Education Committee. The student may bring a support person to the hearing.
7. The Committee will consider all evidence including the student's response and make a determination.
8. The Academic Director will notify the student in writing of the determination within five working days of the decision, by email and mail.

6. Penalties

Penalties for misconduct will be imposed by the Higher Education Committee. Penalties can include:

- a probation period, requiring regular meetings with the Academic Director;
- a referral to external support services;
- restitution of property or goods;
- costs associated with damage to AGME property or goods;
- exclusion from the course with the option to re-enrol at a future date; and/or
- expulsion from AGME.

7. Appeals

Students may appeal misconduct decisions by following the following procedures:

1. Students should inform the Academic Director of the students' wish to appeal the decision;
2. The Academic Director will direct the student to a template for appeal which sets out the rationale for the appeal and the reasons for the appeal;
3. An ad-hoc Appeals Committee will be convened and be comprised of members of the Academic Board, the Higher Education Committee, and may include the CEO and the Academic Director. The Committee will review the application for review and communicate the outcome of the review to the student;
4. If the student is not satisfied with the result of the review, an appropriately qualified and independent external arbiter will be appointed by the Higher Education Committee.



8. Responsibilities

The Academic Director is responsible for:

- implementing this policy, and educating all staff about the policy
- ensuring this policy is communicated to students via Orientation sessions, AGME's website and other publications.
- conducting investigations of misconduct allegations;
- providing guidance to staff members and reviewing evidence;
- reporting on allegations of misconduct to the Academic Board and the Higher Education Committee as appropriate;
- implementing determinations on misconduct made by the Higher Education Committee;
- providing bi-annual updates to the Academic Board and Higher Education Committee in relation to student misconduct, with any recommendations for policy review.

The Higher Education Committee is responsible for:

- reviewing reports on allegations of misconduct;
- meeting with students alleged to have committed misconduct, where appropriate;
- making determinations on allegations based on evidence and applying penalties as outlined in this policy; and
- reviewing and approving this policy.

9. Review

Every three years by the Higher Education Committee.