



Student Code of Conduct

This Student Code of Conduct was developed by Batchelor Institute of Indigenous Tertiary Education Council pursuant to section 52 of the Batchelor Institute of Indigenous Tertiary Education Act 2012
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Batchelor Institute of Indigenous Tertiary Education

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STUDENT CODE OF CONDUCT

Table of Contents

Clause	Page
1. Preamble	3
2. Definitions and Interpretations	3
3. Student Conduct	4
4. Breaches of the Student Code of Conduct	5
5. Allegations of Breaches and Breaches of the Code	7
6. Rights of students	7
7. Modification History	8

1. Preamble

- (1) The Batchelor Institute of Indigenous Tertiary Education Council has made the Student Code of Conduct to describe the responsibilities and rights, and associated expected basic level of conduct, of all Batchelor Institute students, so that the Institute is a safe, healthy and harmonious academic and work environment, free from harassment for all members of the Institute community.
- (2) By being admitted as a student of the Institute, each student is bound by the Institute's regulations and other lawful directions, including this Code of Conduct.
- (3) A person who has lodged an application for enrolment undertakes to be bound by, and comply with, the Institute's regulations and other lawful directions as if he or she were already admitted as a student, until the application has been finalised.
- (4) Unless the Act or an Institute regulation provides another process appropriate to the specific instance, any report of a breach of this Code brought against a student will be dealt with in accordance with the provisions of this Code.
- (5) This Code applies to all Institute students while they are:
 - (a) on an Institute campus or facility; or
 - (b) involved in an Institute activity or under the auspices of the Institute; or
 - (c) undertaking travel to and from the Institute, paid for by the Institute; or
 - (d) within accommodation paid for by the Institute; or
 - (e) in the course of any field trip, workshop or practicum organised by or for the Institute.
- (6) Regardless of what is in this Code, all students and the Institute retain the right and responsibility to refer alleged breaches of the Student Code of Conduct to authorities external to the Institute at any stage.

2. Definitions and Interpretations

Unless otherwise specified, for the purposes of this Code:

“academic misconduct” means conduct associated with assignments, essays, tests and other forms of assessment, conduct associated with examinations or conduct associated with thesis and other work presented as part of postgraduate courses, and includes:

- (a) cheating in a test, examination or other form of assessment;
- (b) presenting another person's work for assessment as if it were one's own, or other forms of plagiarism;
- (c) fabrication or falsification of data or research results; and
- (d) falsification of an academic record.

“Council” means the Council of the Institute constituted under Division 1 of Part 3 of the Batchelor Institute of Indigenous Tertiary Education Act (the Act);

“enrolment” means the process through which a student is allocated a place in one or more education or training programs for a specified period;

“Indigenous Australian people” refers to the original inhabitants of the Australian continent and nearby islands and their descendants. These people identify as Aboriginal and/or Torres Strait Islanders.

“Institute” means the Batchelor Institute of Indigenous Tertiary Education established under Part 1 Section 4 of the Act;

“Institute activity” means any activity in which students participate under the Institute’s name regardless of whether or not the activity takes place on an Institute campus or facility;

“Institute facility” includes any real or personal property owned, leased or which are otherwise, at the time, within the Institute’s care and control;

“Institute regulations” includes any and all of the by-laws made under section 49 of the Act or rules made under section 51 of the Act or codes of conduct made under section 52 of the Act;

“staff” means the Director, academic or other salaried staff of the Institute or any other personnel employed by the Institute;

“student” means a person enrolled as a student of the Institute;

“teaching-learning activity” means any lecture, workshop, tutorial, seminar, demonstration, class or similar activity, whether or not it is one that students are required to attend, and any musical, dramatic or other artistic performance or production associated with their studies.

3. Student Conduct

- (1) Students are expected to:
 - (a) show a commitment to the Institute’s vision and goals;
 - (b) make themselves aware of all Institute regulations and policies pertaining to their rights and responsibilities as students;
 - (c) observe all regulations and lawful directions concerning their conduct that are made and published from time to time by the Institute; and
 - (d) show respect to Indigenous protocols applicable where the Institute activity is conducted.

- (2) Students are expected to act at all times in a way that:
 - (a) respects the rights, privileges and well-being of others;
 - (b) does not impair the functioning of the Institute;
 - (c) does not impinge on the reasonable freedom of other persons to pursue their studies, researches, duties or lawful activities in the Institute or Institute facilities, or to participate in the life of the Institute; and
 - (d) is not detrimental, or likely to be detrimental, to the reputation or to the orderly functioning of the Institute or its activities.
- (3) Students have a responsibility to participate, as far as is possible within student' individual circumstances, in the functioning of the Institute, including through the provision of constructive feedback on the teaching-learning environment.
- (4) In the area of their learning at the Institute, students are expected to:
 - (a) take responsibility for monitoring their own progress in the teaching- learning environment and the academic program, taking into account their level of access to academic staff and various support services provided by the Institute;
 - (b) make themselves aware of all unit or subject information available to them;
 - (c) attend teaching-learning activities as required and participate actively and positively in the teaching-learning environment;
 - (d) comply with workload expectations and submit required work in accordance with protocols and procedures agreed with the appropriate lecturer;
 - (e) make themselves aware of their individual rights and responsibilities regarding the proper use of copyright material;
 - (f) refrain from any form of academic misconduct; and
 - (g) raise any questions or concerns with the appropriate staff member in a timely manner.
- (5) Students must not wilfully damage, misuse or use without authority the Institute's property or any other property lawfully connected to the Institute.

4. Breaches of the Student Code of Conduct

- (1) A breach of the Student Code of Conduct means conduct on the part of a student which:
 - (a) unreasonably impinges on or impairs the reasonable freedom of other persons to pursue their studies, researches, duties or lawful activities or Institute facilities, or to participate in the life of the Institute;

- (b) unreasonably interferes with the due processes of the Institute;
 - (c) is detrimental, or likely to be detrimental, to the reputation or to the orderly functioning of the Institute or its activities; or
 - (d) is adverse to the Institute's academic, commercial, legal, social or cultural standing.
- (2) Without limiting the generality of clause 4(1), a student may breach the Student Code of Conduct if he or she:
- (a) wilfully, recklessly or negligently engages in conduct which causes, or is calculated or is likely to cause, bodily injury to any person or which by its nature unreasonably endangers the safety of other persons;
 - (b) attacks, harasses, threatens or intimidates any person, or attempts to attack, harass, threaten or intimidate any person;
 - (c) engages in, or assists another student to engage in, academic or other misconduct;
 - (d) fails to comply with a requirement or direction prescribed or given in relation to the conduct of assessment;
 - (e) knowingly makes a false representation with respect to a matter which relates to the student;
 - (f) wilfully or negligently destroys, damages, loses or removes, wrongly deals with or otherwise engages in conduct which involves unauthorised or unjustified interference with any Institute property or lawfully connected to the Institute;
 - (g) enters, or enters and remains without authority in any part of the Institute to which the student knows, or ought reasonably to know, entry is prohibited or is allowed only with authority;
 - (h) without lawful authority:
 - (i) gains access to, or enters, or attempts to gain access to or enter a computer system or part of a computer system of the Institute; or
 - (ii) obtains access to or alters, or attempts to gain access to or to alter, any document or record kept by the Institute;
 - (j) wilfully obstructs, or attempts to obstruct, or interferes or attempts to interfere with:
 - (i) the use of any Institute premises, facilities or equipment;
 - (ii) the orderly conduct of any Institute teaching group, assessment, examination or ceremony or any meeting of the Council or a board, committee or any other body convened on Institute business, or any other activity, function or program held at the Institute;
 - (iii) any member of the Institute staff in the performance of the staff member's duties;
 - (k) without lawful authority, discloses to any person any information

relating to the Institute or its affairs which is of a confidential nature and which the student knows, or ought reasonably to know, to be of such a nature;

- (l) contravenes or fails to comply with:
 - (i) a notice duly served to give evidence to a relevant body constituted under an Institute regulation;
 - (ii) a request to disclose his or her name and address, or to produce evidence of identity, where required to do so by an authorised officer of the Institute in the course of his or her duties; or
 - (iii) any Institute regulation or any lawful order of an Institute employee or of a person acting under the Institute's authority.
- (m) in contravention of Institute regulations:
 - (i) causes to be brought, or brings, alcoholic beverages, kava or an illegal substance onto Institute premises or into Institute facilities,
 - (ii) allows someone invited by the student onto Institute premises to do this
 - (iii) enters Institute premises or Institute facilities while intoxicated; or
 - (iv) partakes of or uses prescribed medication to induce intoxication on Institute premises or in Institute facilities.
- (n) breaches the *Student Conduct in Residence Guidelines* or omits to do any act where such act or omission:
 - (i) would constitute an offence, had it occurred in a public place or on a public road;
 - (ii) in any place whosoever might endanger the safety or health of any person or damage or destroy any property;
 - (iii) in any place whosoever disrupts or tends to disrupt the peace or good order of the Institute;
 - (iv) impedes or tends to impede any Institute activity;
 - (v) constitutes a dishonest act; or
 - (vi) brings the Institute into disrepute;
- (o) uses the Institute's information technology equipment or systems in an inappropriate way;
- (p) engages in cyber bullying or related activities.

5. Allegations of Breaches and Breaches of the Code

- (1) An allegation of a breach of this Code must be made in writing and signed by a member of the Institute staff or a student, or by a person outside the Institute through a member of the Institute staff.
- (2) All allegations of breaches of the Code and all breaches of this Code will be dealt with in accordance with the Student Conduct Rules.

Modification History

Date	Version	Section Modified	Authority	Details
25.2.2014	2.0	Cover Page	Council	<ul style="list-style-type: none"> Replaced logo Removed duplicated preamble text Removed published date Removed reference to Vice Chancellor Removed 2012 approval date, to be replaced by relevant Council meeting date when the rules are approved
		1.3 Preamble	Council	<ul style="list-style-type: none"> Replaced the term <i>admission</i> by <i>enrolment</i>
		1.4 Preamble	Council	<ul style="list-style-type: none"> Removed “<i>and the Student Conduct Rules</i>” – the Student Conduct Rules will be replaced by a Procedure document
		2. Definitions	Council	<ul style="list-style-type: none"> Removed reference to admission Removed “<i>Deputy Director (if applicable)</i>”,
			Council	<ul style="list-style-type: none"> Replaced <i>Indigenous</i> by <i>Indigenous Australian people</i> in accordance with changes to Academic Rules submitted to Council in 2013
		4.2(m) Breaches of the	Council	<ul style="list-style-type: none"> Added <i>Student Conduct in Residence Guidelines</i>
				<p>Added</p> <p>(o) uses the Institute’s information technology equipment or systems in an inappropriate way;</p> <p>(p) engages in cyber bullying or related activities.</p>
		6. Right of Students	Council	Removed section, to be included in a Student Charter.