

## **Student Code of Conduct Policy**

### **1. Purpose of the policy**

- 1.1** This policy documents ICAN Learn's commitment to ensuring an appropriate code of conduct level of behaviour and performance while undertaking learning with ICAN Learn in both the face-to-face and online learning environments.
- 1.2** This is not an exhaustive list of misconduct and should be read in accordance with other ICAN Learn policies such as the Discrimination, Harassment and Bullying Policy and Procedure and Student Progress Policy and Procedure.
- 1.3** ICAN Learn expects all students, RTO staff, and training staff to observe the standards set out in this Code.
- 1.4** All ICAN Learn students, RTO staff, and training staff are expected to observe the highest standards of ethics, integrity and behaviour during the course of their employment or engagement with ICAN.
- 1.5** Compliance with this Code is expected and non-compliance may result in disciplinary action.

### **2. Student Code of Conduct Policy**

- 2.1** This policy is designed to assist ICAN Learn in its aims to:
  - 2.1.1** provide students with a documented notice of general conduct that is prohibited and will not be tolerated in any of ICAN Learn's learning environments.
  - 2.1.2** ensure that ICAN Learning environments are respectful and harmonious and conducive to holistically safe learning and participation for ALL students.
  - 2.2.3** to establish and maintain a learning environment for its students that is of high integrity and professional conduct.

### **3. Application of the policy**

- 3.1** This Policy applies to ICAN Learn current and future students and ICAN Learn RTO Staff and teaching staff.
- 3.2** It is the responsibility of all ICAN Learn students to become familiar with ICAN Learn's Code of Conduct and other ICAN Learn policies that relate to student behaviour, conduct and learning progress.

### **4. Commencement of the policy**

- 4.1** This Policy will commence from 1st January 2017

**5. Policy review**

**5.1** This policy will be reviewed annually from the time of commencement.

**6. General expect Student conduct**

**6.1 Attendance**

**6.1.1** 100% attendance is expected as participation in classroom activities and discussion is an important part of the assessment criteria for most units of competence.

**6.1.2** Where ICAN Learn has scheduled group face to face and online training activities and events, it is expected that students will make every attempt to be on time. Students who arrive late without an appropriate explanation will be marked absent.

**6.1.3** Students are expected to notify ICAN Learn if they will be absent.

**6.1.4** If a student misses 2 classes for an individual unit or three successive days of a course student will be contacted by email or phone (this will be registered in students file).

**6.1.5** If a student misses 2 classes for an individual unit or three successive days of a course student will be contacted by email or phone (this will be registered in students file).

**6.1.6** If a student misses any further classes the student will be sent a letter via certified mail to request if they are still interested in continuing with the course.

**6.1.7** Students are required to notify the appropriate teacher or administration officer of their absence and provide reason, at their earliest opportunity. Extra work / assessment to make up for absenteeism may be given but is at the discretion of the teacher and the course coordinator; there is no guarantee that the student can make up for learning missed due to absenteeism.

**6.1.8** If a student misses significant learning opportunity, it may be deemed that the student is recommended to withdraw and apply to re-enrol in the following semester.

**6.1.9** If a student encounters prolonged illness or other problems which affect his/her studies, the Course Coordinator is to be consulted to clarify the student's situation regarding the continuation of their studies. Unexplained or unjustifiable absences may result in the cancellation of the student's enrolment.

**6.1.10** Students are able to apply for ‘special consideration’ if there has been an event or illness that prevents completion of one or more units. The special consideration will be considered on its merit and will consider the capacity of the student, ways to support catching up and whether the student is realistically able to reach competence.<sup>1</sup>

## **6.2 Participation**

**6.2.1** ICAN Learn expects full participation and engagement in activities, group discussions, group and individual projects in both the face-to-face and online learning environments.

## **6.3 Assessments**

**6.3.1** Students are expected to complete and submit assessment work by due dates and to familiarise themselves with all ICAN Learn policies relating to the student cohort.

## **6.4 Personal conduct**

**6.4.1** ICAN Learn students are expected to:

- i. take responsibility for their own learning;
- ii. take full advantage of learning resources and opportunities made available;
- iii. be punctual;
- iv. respect the right of staff and other students to express their views;
- v. critically reflect on their own established views;
- vi. ensure that submitted work is authentic
- vii. be honest about learning problems or personal difficulties and seek assistance as soon as possible;
- viii. negotiate extensions on papers or other assessments directly with teachers before the due date;
- ix. ensure awareness of teacher’s office, phone and fax numbers, their email address to ensure that messages get to them;
- x. keep in mind that on field placements, students represent ICAN Learn. In these circumstances students should always be punctual, dress appropriately and behave in a manner that enhances the community’s view of ICAN Learn and the financial counselling profession;
- xi. provide honest and fair assessment of teachers when required on subject evaluations.

---

<sup>1</sup> ICAN Learn special consideration policy

## 6.5 Plagiarism – Please refer to ICAN Learn’s [Plagiarism Policy](#)

### 6.6 Student Rights and Responsibilities

- 6.1.1 As a student of ICAN Learn, you have the right to:
- i. a learning environment free from discrimination or harassment based on gender, sexual orientation, age, disability, marital status, ethnicity, religion or physical features;
  - ii. offer considered and respectful feedback to staff even if it has not been expressly solicited;
  - iii. appeal on decisions related to course progress. This can include having papers or exams reassessed, final grades reconsidered, Program Committee decisions reviewed, or any other assessment matter where you have a strong reason to believe you are being unfairly treated, and where you have tried unsuccessfully to discuss and negotiate the matter;
  - iv. complain to the Course Coordinator, the RTO coordinator, or the Business and Workforce Development Manager (usually in this order) if you believe a staff member is behaving unacceptably (wherever possible, it is best to have previously raised the matter with the teacher concerned).

## 7. Types of Conduct

### 7.1 Misconduct

- 7.1.1** Students must not engage in any conduct/behaviour/activity/speech that harms or damages the freedom of other students to participate in their ICAN Learn course of study in either the face to face training or online learning environments;
- 7.1.2** Students must not engage in any conduct/behaviour/activity/speech that is injurious, unfavourable, negative or detrimental to students participating in ICAN Learn training and education environments that include both face to face and online;
- 7.1.3** Students must not engage in unlawful activities that breaches federal, state or local laws;
- 7.1.4** Students must not engage in any conduct/behaviour/activity/speech that is deemed to be morally inappropriate such as stealing, violence – verbal, physical, emotional, psychological, spiritual or cultural;
- 7.1.5** Students must not engage in conduct in ICAN Learn’s learning environments that is disorderly or violent including:
- i. fighting with another student or member of the public in the vicinity of the learning environment;
  - ii. behaving in any way that disturbs the peace of the learning environments.

## **7.2 Damage to Business and Personal Reputations**

**7.2.1** Students must not engage in any conduct/behaviour/activity/speech that would bring disrepute to:

- i. ICAN Learn or it's parent company – ICAN The Indigenous Consumer Assistance Network;
- ii. Fellow students of ICAN Learn
- iii. Staff of ICAN Learn or it's parent company – ICAN The Indigenous Consumer Assistance Network;
- iv. Casual trainers of ICAN Learn training courses.

**7.2.2** Documenting and publishing information and statements relating to ICAN Learn, it's parent company – ICAN The Indigenous Consumer Assistance Network or ICAN that is false and misleading;

**7.2.3** Documenting and publishing information and statements relating to ICAN Learn, it's parent company – ICAN The Indigenous Consumer Assistance Network's staff and teaching body that is false and misleading;

**7.2.4** Documenting and publishing information and statements relating to ICAN Learn student body and/or individual students that is false and misleading

**7.2.5** Documenting information and statements relating to any of the above through written or spoken methods and publishing that information via any type of media including internet social media platforms – Facebook, Twitter, Youtube, Pinterest, Instagram, SnapChat.

## **7.3 Dishonesty:**

- i. being dishonest or fraudulent in dealings and communication with ICAN Learn including RTO staff, teaching staff and other students;
- ii. the taking, stealing or using with permission – any property belonging to another student, ICAN Learn RTO and teaching staff - without the person's permission;
- iii. providing false, plagiarised, fraudulent or misleading documentation or information for the purpose of obtaining or gaining an advantage in course of studies and associated assessments for oneself or another person;

## **7.4 Safety**

**7.4.1** Students must not engage in any conduct/behaviour/activity/speech that would cause victimisation, harm or endanger the safety or the physical, mental, emotional, psychological, spiritual or cultural wellbeing of a fellow student, or RTO and Teaching staff of ICAN Learn;

## 7.5 Alcohol and drugs

- 7.5.1 Students must not be under the influence of illegal drugs or alcohol when in attendance at any ICAN Learn face to face training even;
- 7.5.2 Students must not consume and/or distribute illegal drugs or alcohol during any ICAN Learn face-to-face training event;
- 7.5.3 Students must not give another student or cause another student to be given or to consume food or drink which contains an intoxicating substance if the recipient is not aware the food or drink contains the intoxicating substance;

## 7.6 Breach of rights

- 7.6.1 ICAN Learn will not tolerate any harmful conduct, behaviour, activity or speech that is deliberate, purposeful, intentional or thoughtless, without regard to the impact or effect of an ICAN Learn co-student or ICAN Learn RTO and Training staff. The examples below are not exhaustive and provide an interpretation of activities that may be demonstrated and are a breach of rights of fellow students, ICAN Learn RTO and training staff;
  - a) engaging in bullying, harassment, discrimination, stalking, sexual harassment tactics or behaviours that result in causing harm;
  - b) using any type of threat of and/or violence;
  - c) using any type of abusive or offensive language;
  - d) acting or conducting oneself in a manner that is generally offensive, repulsive or cruel;
  - e) raising allegations of misconduct by a fellow ICAN Learn student, RTO or Training staff member of unlawful conduct to ICAN Learn if:
    - i. the alleged or unlawful conduct is of an inconsequential or trivial nature; or
    - ii. the allegation is made without reasonable grounds or evidence; and
    - iii. the allegation is made or pursued for the purpose of harassment, annoyance, causing delays or bring to harass or annoy, cause delay or bring impairment, disadvantage or detriment or for another ulterior motive;
  - f) making or attempting to make any sexual contact with any person without that person's consent;
  - g) vilifying or discriminating against a person based on (a real or perceived status or by association) gender, age, race, culture, marital status, relationship status, disability religious beliefs;

### **7.3 Freedom of Expression**

**7.3.1** This Code of Conduct policy and procedure should be interpreted in a manner that is consistent with the overall rights of person's freedom of expression as long as the expression does not demonstrate misconduct as described in 6.1 of this policy; or discriminatory, harassing or bullying.

**7.3.2** If a person makes an unfounded complaint or a false complaint in bad faith (e.g. making up a complaint to get someone else in trouble or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

## **8. Allegations of Inappropriate Conduct Procedures**

**8.1** Allegations of inappropriate conduct as described in this policy will be dealt with utilising the following process:

**8.1.1** Allegations of any type of unlawful conduct such as sexual harassment, the stealing of belongings, and stalking are matters that need to be reported immediately to the police.

**8.1.1** All allegations of inappropriate conduct such as described in this policy must be lodged in writing and sent by email; and addressed to the ICAN Learn Business and Sector Development Officer.  
[complaints@icanlearn.edu.au](mailto:complaints@icanlearn.edu.au)

**8.1.2** ICAN Learn Business and Sector Development Officer will:

- i. undertake a preliminary evaluation of the allegation by meeting and speaking with the person raising the allegation to determine the authenticity of the allegation, and may also speak to other persons who are able to corroborate the allegation;
- ii. speak with the person against whom the allegation has been made to document that person's response to the allegation and evaluate whether or if:
  - a) the misconduct was intentional;
  - b) the misconduct was unintentional;
  - c) the level of severity of the alleged misconduct warrants the engagement of the warnings process to be commenced with the student who is alleged of the misconduct;
  - d) the level of severity of the alleged misconduct warrants the course enrolment cancellation of the student who is alleged of the misconduct;
  - e) the misconduct allegation can be dismissed on the grounds that the allegation is inconsequential or trivial;

**8.1.3** ICAN Learn Business and Sector Development Officer will notify both the complainant of the misconduct and the student who is alleged of the misconduct of the outcomes of the misconduct evaluation and whether the matter has been resolved or dismissed.

**8.1.4** All complaints of misconduct are to be recorded in the ICAN Learn Misconduct Complaints Register.

## **9. Misconduct Warnings**

**9.1** ICAN Learn utilises a warning series that comprises 2 warnings in writing to students who engage in conduct, activities, behaviours or speech that cause harm to a fellow student or students or ICAN Learn RTO staff or ICAN Learn teaching staff as set out and described in this policy document;

**9.2** First misconduct allegation/s will be dealt with as per section 8 of this policy.

**9.2** the second allegation of misconduct against the same student will again be dealt with in accordance with section 8 of this policy.

**9.3** The third allegation of misconduct against the same student will result in course enrolment cancellation and expelling from the course of study with a refund as per ICAN Learn's Financial Management Policy.