

# TAFE Queensland Student Rules

TAFE Queensland is the premier provider of vocational education and training in Queensland. There are over 800 programs available through a network of 15 TAFE Institutes and 108 campuses across the state. The large number of programs and campuses together with 240,000 TAFE students per year and over 8000 staff provides a strong and rich diversity of beliefs and customs and as such we ask that you respect your fellow students and staff.

To ensure you maximise the benefits of your training and understand your responsibilities as well as those of others in this strong and diverse environment, there are a number of rules you are required to follow. Breach of these rules will be addressed and may be recorded and shared with other TAFE Queensland Institutes.

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## 1 General Behaviour

When communicating and interacting with TAFE staff and other students you have a responsibility to:

- (i) treat people with respect and fairness regardless of their background or culture
- (ii) show respect for others by not swearing, using obscenities or making offensive remarks
- (iii) avoid behaviour that could offend, embarrass or threaten others
- (iv) refrain from harassing or disrupting others in the performance of their duties or studies
- (v) avoid unacceptable behaviour - including bullying, aggressive, threatening or abusive behaviour
- (vi) make only truthful statements in regard to your student status or representation as a student or entitlements as a student

## 2 Student cards

Whilst on TAFE premises, all TAFE students are required to carry an Institute Student Identification card (or alternative identification card where an institute identification card is not issued), and to produce it when requested by a TAFE officer.

## 3 Outstanding/Overdue Payments on fees

If you have outstanding/overdue payments to the Institute, you may not be eligible to:

- (i) undertake/submit assessment
- (ii) continue study
- (iii) enrol into further study with the Institute
- (iv) receive your results of assessment
- (v) borrow items from the library or
- (vi) attend the Institute graduation ceremony
- (vii) apply for payment plans
- (viii) access Institute educational computer network

## 4 Change of Enrolment

### 4.1 Withdrawal/Drop

- (i) To withdraw your enrolment you are required to submit a formal, written application.
- (ii) If you have received an unsuccessful result for an assessment item before withdrawing from the competency, you may receive a "Not Competent" result for the competency.
- (iii) The possibility of any refund if you withdraw is dependent on the type and stage of the program you are enrolled in when you apply to withdraw.

### 4.2 Transfer Within Institute

- (i) If you are enrolled in government-subsidised training and you receive approval from the person in charge of the course or program, you are permitted to change competencies or program within the Institute, or to replace the competencies or program with another, provided the transfer application is within 14 days of the start date of the original competencies or program.
- (ii) You are required to submit changes to your enrolment formally.
- (iii) The tuition and student services fees you have paid will be applied to the fees for the new enrolment. Any surplus will be refunded to you, and you will be required to pay any deficit.

### 4.3 Transfer Between Institutes

If you are enrolled in government-subsidised training and you transfer your enrolment to another Institute of TAFE, the original institute will transfer tuition and amenities fees, pro-rated for the proportion of the program already completed to the subsequent institute.

Note: The same program at different institutes may have different fee structures. Before transferring, check the payment requirements with both institutes.

### 4.4 Program Extensions

Requests for extension(s) to the completion of study date are at the discretion of the delegated Institute officer.

## 5 Progress of Study

- (i) You are expected to achieve satisfactory progress in your studies. If you are having difficulty maintaining acceptable progress, you should discuss the situation with your teacher and/or the Institute Counsellor as soon as possible.
- (ii) If you fail to make satisfactory progress, written notification to this effect may be given by the Institute and you may be required to show cause in writing (not less than 14 days after the notice is given to you) to the Institute Director (or delegated officer) why you should not be penalised according to one or more of the following:
  - (a) subsequent enrolment may be restricted to a limited program of competencies in which any failure at the next attempt may lead to a refusal of further enrolment in those competencies
  - (b) further and continuing enrolment in any competencies or program offered by the Institute may be refused outright
- (iii) In certain circumstances, for example if you are a carer or have a disability, you may need to negotiate a reduced study load with the Institute.

## 6 Attendance

You should attend class on time and attend as required.

- (i) It is your responsibility to advise your teachers of any absence/s.
- (ii) If you are an international student, your attendance will be closely monitored and recorded by the Institute. The Institute is required to advise the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) of any unsatisfactory attendance that does not meet DIMIA requirements.
- (iii) If you are an apprentice or trainee and absent from the Institute, you are required to:
  - (a) provide legitimate proof of absence
  - (b) provide a medical certificate if the absence is on account of sickness for any period of more than 3 days
  - (c) where (iii)(a) and/or (iii)(b) are not satisfied, the matter will be referred to the Regional Office of the Department of Employment and Training for student disciplinary action
- (iv) If you are participating in Queensland Studies Authority subjects and are absent from the Institute, you are required to:
  - (a) provide legitimate proof of absence
  - (b) provide a medical certificate if that absence is on account of sickness for any period of more than three days
- (v) If you are receiving disability support services such as sign language interpreting, you must advise Disability Support Services of any absence and if possible, provide at least 48 hours notice.

## 7 Cancellation of Qualification or Statement of Attainment

- (i) An Institute may cancel your award if it was issued in error or it was found that the award was based on false or misleading representations.
- (ii) If the Institute cancels your award, you will be advised in writing.
- (iii) You must return the cancelled award to the Institute within 21 days of receiving written notice from the Institute. You have the right to appeal this decision through the Institute.

Note: Information concerning cancellation of a qualification or Statement of Attainment may be disclosed to other Institutes.

## 8 Replacement of a Qualification or Statement of Attainment

- (i) If an award is damaged or lost a student may apply to the institute that issued the original award for a replacement. Other circumstances that might necessitate the re-issue of an award include award not received in mail, change of name, or award stamped for outstanding fees.
- (ii) If the original document is not returned the student is required to provide a Statutory Declaration.
- (iii) Where a student is applying for a replacement award due to a name change, a certified photocopy of the relevant supporting documentation must be supplied.
- (iv) Fees may apply for the replacement of an award.

## 9 Safety

The [Workplace Health & Safety Act 1995](#) applies to all staff and students of TAFE Queensland. All staff and students have a responsibility to ensure that they work safely, without risk of injury to themselves or people around them.

When on TAFE premises or any premises used by TAFE (including sites used for excursions, live work or field work), or work experience, industry or vocational placement, you have the additional responsibility to:

- (i) follow any safety practices required, for example, wear approved clothing and protective equipment and follow directions, both written and spoken, given by TAFE staff or the employer  
You are entitled to challenge, respectfully, directions or decisions if they appear to be unlawful or unreasonable or endanger a person's health or safety.
- (ii) not enter these premises with illegal drugs, alcohol, weapons or be under the influence of drugs or alcohol

Your teacher will advise you of the safety requirements for your class. All machinery is to be used in accordance with these safety procedures.

## 10 Dress Code

TAFE is an adult learning environment that prepares you for business and industry, as well as for further career-related training. As such you are expected to dress in a manner that is neat, clean and safe at all times, and in a

manner that would be expected in the workplace. There is no desire on the part of TAFE Queensland to make dress standards too rigid. However, within the Institute and while on field practice, you should wear clothes appropriate to the vocation and in particular:

- (i) be adequately clothed in accordance with occupational health and safety requirements. You must wear all personal protective equipment and/or clothing required in the program. You are responsible for wearing appropriate clothing which minimises risk to yourself.
- (ii) wear appropriate footwear at all times. It is not permitted for anyone to enter Institute grounds or buildings with bare feet
- (iii) not wear clothing that is likely to offend others in terms of its lack of decency, modesty or cleanliness or because of slogans, cartoons, or any symbol or graphic worn to provoke, intimidate, condemn or ridicule others
- (iv) not wear motorcycle helmets in TAFE buildings

## **11 Confidentiality**

As an enrolled student of TAFE, you may be required to attend practical work placements as part of your studies. During these placements, you may become familiar with information that is confidential to that workplace. You must not divulge any information that you may become aware of during a placement. Breaches of confidentiality are considered to be acts of misconduct.

## **12 Campus Environment and Resources**

You are required to assist in maintaining serviceable facilities, resources and equipment by:

- (i) reporting breakage and/or faults with equipment to the teacher, or the Institute administration
- (ii) leaving classrooms, workshops and laboratories neat and tidy after classes and tutorials and ensuring equipment and tools are cleaned and correctly stored
- (iii) not using or installing unlicensed software on Institute computers
- (iv) checking all peripheral devices such as USB drives, CDs, DVDs, floppy discs and other mass storage devices for viruses before use on Institute computers
- (v) returning or renewing library resources or other borrowed materials and equipment on time as stated in the Institute library policy

## **13 Children on Institute Premises**

In particular circumstances, to maintain access to TAFE programs, provision may be made for a student who is the parent/guardian of a young child to allow the child to accompany the parent to class or to use Institute facilities for study purposes. In the event of a child suffering from a contagious or severe illness, the child shall not accompany the parent to a class nor be permitted to accompany the parent on institute premises.

## **14 Compliance with Legislation and Policies**

As a student of TAFE Queensland, you are required to abide by State and Commonwealth legislation as well as TAFE Queensland policies and rules.

### ***14.1 Alcohol on Institute Premises***

You are not allowed on Institute premises or to use Institute facilities when under the influence of alcohol. Consumption of alcohol on Institute premises, including sites used for excursions, field trips and live work, is prohibited, except at an authorised function on licensed premises. No person under the age of 18 may consume alcohol on Institute premises.

### ***14.2 Drugs on Institute Premises***

The possession, use and sale of illegal drugs or controlled substances (including stimulants, depressants, narcotics, hallucinogens or marijuana) on Institute premises is against the law and will be reported to the police. If you are taking prescription medication it is your responsibility to ensure that it does not affect your safety or the safety of others, for example in operating machinery.

### ***14.3 Weapons on Institute Premises***

You are not to bring knives or other weapons to Institute premises. It is an offence under the *Weapons Act 1990* to be in possession of a knife or other weapon in a public place or an educational facility unless the weapon is to be used for educational purposes, for example, possession of a knife for butchery or cooking training. It is not a

reasonable excuse to possess a weapon for self-defence purposes. Any threats to staff, students, animals or property will be reported to the police immediately.

#### **14.4 Animal Use**

Animals are used in some programs delivered by TAFE Queensland, for example veterinary nursing, rural studies, and environmental practices. The use of animals for teaching is covered by the [Animal Care and Protection Act 2001](#). There are penalties for animal cruelty and unauthorised use of animals.

#### **14.5 Smoking**

The *Tobacco and Other Smoking Products Act 1998* prohibits you from smoking in or around buildings or in Queensland Government motor vehicles. It is an offence to smoke within 4 metres of any part of the entrance to a building.

#### **14.6 Copyright**

You may only copy materials in accordance with the *Copyright Act 1968*. The Act also applies to information published on the Internet. For study and research purposes, students are allowed to copy 10% or one chapter of a book, whichever is the greater, or one article per issue of a journal. More extensive reproduction may be possible. Check with library staff. You must comply with licences for the use of intellectual property, including software. All software loaded onto Institute computers or provided by the Institute is licensed and there is no permission to copy software unless permitted by the licence.

If you need further information about your copyright obligations, refer to [the Australian Copyright Council website](#).

#### **14.7 Anti-discrimination**

Discrimination occurs when a person is treated less favourably than another person because of perceived attributes such as race, pregnancy, gender or disability. Discrimination whether direct or indirect is unlawful under the Queensland [Anti-Discrimination Act 1991](#) and [Disability Services Act 1992](#).

#### **14.8 Blue Card for Child-Related Employment**

Students required to undertake work placement in a child-related industry as part of their studies will be required to apply for and receive a Blue Card for Child-Related Employment before commencing the placement. Refer [Commission for Children and Young People and Child Guardian Act 2000](#).

#### **14.9 Mobile phones and sound and photographic equipment**

Use of mobile phones is not permitted in classrooms. Use of mobile phones and sound or photographic equipment including MP3 players etc must be in a manner which does not contravene Section 17.2 below.

### **15 Appropriate Use of Computing and Electronic Resources**

TAFE Queensland recognises that computing and electronic resources are a valuable source of learning and information relevant to educational programs. These resources include videoconferencing, Internet and Intranet services provided by TAFE Queensland such as email, email lists, web browsing, website publication, chat and newsgroups (forums). You are encouraged to make use of these resources for purposes relating to study being undertaken through TAFE Queensland. However, TAFE computing and electronic resources **are not to be used for purposes other than for program/course requirements** unless otherwise specified within Institute procedures.

- Note:
1. Any misuse of computing or electronic resources is considered to be an act of misconduct and will be addressed as such. This may mean the withdrawal of access to the resources, suspension or expulsion.
  2. Unlawful use of computing and/or electronic resources will lead to legal action being taken.

TAFE Queensland reserves the right to:

- (i) moderate access to Internet and Intranet services, including the filtering of websites
- (ii) monitor and record all usage of its computer networks, including its Intranet and Internet services
- (iii) access a student email account where it is considered that there may have been misuse of the email system
- (iv) take disciplinary action when breaches of expected behaviour occur

### **15.1 Criminal Offences – Electronic Resources**

Commonwealth and State laws relating to written communications apply equally to email messages and the Internet. These include laws relating to:

- (i) downloading, uploading, copying, storing or distributing child pornography
- (ii) downloading, uploading, copying, storing or distributing software applications or other material with content that is illegal
- (iii) breaching copyright such as unlicensed copying of a computer program
- (iv) intercepting, attempting to steal or alter data (hacking), unlawfully accessing, altering, or falsifying electronic documents or programs
- (v) using communication and information devices for defamation, illegal gambling, fraudulent misrepresentation and unauthorised recording

### **15.2 Unlawful Use – Violations of State or Federal law - Electronic Resources**

Unlawful use relates to:

- (i) unauthorised use of documentation that would normally require payment of a fee for use
- (ii) accessing or downloading website materials or files or transmitting material that is defamatory
- (iii) accessing, displaying, disseminating or storing obscene or offensive material including abusive, pornographic, profane or sexually oriented material
- (iv) using Internet technologies to access or disseminate the use of illegal drugs, dangerous materials or other illegal activity; or material that promotes hatred or discrimination based on age, race, religion, gender or sexual preference  
Threatening letters or unsolicited advertising, false or defamatory statements must not be posted or published on the Internet
- (v) using electronic resources to stalk or harass anyone

## **16 Assessment**

It is your responsibility to abide by the following:

- (i) You should submit assessment items by the due date, unless an extension has been granted. Breach of the above will result in an unsuccessful result being recorded for that assessment item.
- (ii) Extensions will only be granted due to personal illness, or for other extenuating circumstances. Formal requests for extensions should be submitted to your teacher in writing 48 hours prior to the advertised deadline where possible.
  - (a) Length of extension is at the discretion of the teacher.
  - (b) A doctor's certificate must be produced to verify illness (or other documentary evidence, where applicable).
- (iii) You are responsible for:
  - (a) complying with the procedures for assessment item submission and collection
  - (b) requesting feedback and negotiating resubmission of the assessment item (if required)
  - (c) retaining any returned assessment items for a minimum period of 14 days after you receive your result unless an appeal is being lodged. In this case the items should be retained until the appeal is finalised.
  - (d) keeping a copy of any submitted item where possible until assessment is returned, and abiding by Institute procedures for submission of assessment, including keeping a copy of any receipt.
- (iv) If you have submitted your assessment item by the due date, and it is assessed as requiring additional work you may request an opportunity to resubmit the item. Only one resubmission attempt will be granted for each assessment item. Except in the case of apprentices and trainees, resubmissions will only be granted if the teacher considers that you have made a genuine attempt at the first assessment.
- (v) If you do not resubmit your assessment item by the due date, you will be given the result of Not Competent for that competency. If you do resubmit the assessment item and it is again assessed as requiring additional work, you will be assessed as Not Competent for the competency.
- (vi) All assessment tasks and examinations must be done honestly, without any form of cheating. To avoid plagiarism you must properly acknowledge all information sources.

### **16.1 Alternative Assessment**

If you consider you will be disadvantaged, due to a disability or unusual circumstance, you may request an alternative assessment. These requests:

- (i) should be submitted directly to the assessor
- (ii) may come directly from you or through Student Services as advocate for you
- (iii) will be verified with specialist staff

(iv) will be approved/not approved and documented by the assessor

### **16.2 Deferred Assessment**

- (i) You may apply to the Institute Director (or delegated officer) in writing for a deferred assessment giving the reason for the request.
- (ii) The application is to be made at least seven days prior to the due date of the assessment, except:
  - (a) in emergency circumstances
  - (b) in cases of serious illness or injury where you will need to provide a medical certificate. If the assessment date has passed, the application must be made within three working days of the concluding date on the medical certificate.
- (iii) If the Institute Director (or delegated officer) is satisfied that you were unable by reason of illness or other exceptional circumstances to complete an assessment task, they may allow a deferred assessment.

### **16.3 Examinations**

- (i) You will be given at least two weeks notice of examinations. If the program is less than two weeks duration, then you will be advised of the examination schedule at the commencement of study.
- (ii) Only students enrolled in the competency, the examination supervisor and other authorised personnel may enter or remain in an examination room during an examination session.
- (iii) The examination supervisor may ask you to produce photographic identification (e.g. student ID card, driver's licence).
- (iv) If you are late for an examination, you will need the permission of the examination supervisor to enter the room. You should explain to the examination supervisor why you are late and they will record the reason for your lateness. If you are more than 20 minutes late, you may be refused entry.
- (v) To avoid distracting your fellow students, you may not leave the examination during:
  - (a) the first 20 minutes of an examination session of up to and including 1.5 hours duration
  - (b) the first 40 minutes of an examination session of more than 1.5 hours duration
  - (c) the last 10 minutes of an examination session
- (vi) If you are given permission to enter or leave an examination room, you must comply with all conditions upon which the permission is given.
- (vii) Unless approved by the examination supervisor prior to the examination, you may not bring into an examination any devices capable of conveying information about the examination such as: textbooks, program notes, mobile phones, pagers, notebook computers, electronic organisers, electronic dictionaries, calculators, and other devices. You must also ensure that mobile phones or pagers placed in the designated area of the examination room are turned off prior to the commencement of the examination.
- (viii) You are required to comply with all directions:
  - (a) detailed in examination material supplied
  - (b) set out on any notice displayed in the examination room
  - (c) given by the examination supervisor
- (ix) During an examination session you may not:
  - (a) communicate by word or otherwise with any person other than the supervisor
  - (b) assist any other person to communicate with another person
  - (c) willingly receive a communication from any person except with the approval of the examination supervisor
- (x) Unless permitted by the examination supervisor, you may not take from the examination room any papers or other materials provided for use during the examination.
- (xi) The examination supervisor may question you to ascertain whether there has been a breach of examination rules.
- (xii) If in the opinion of an examination supervisor, your behaviour is disturbing or distracting any other student, the examination supervisor may require you to leave the examination. If you refuse to leave you may be dealt with as a trespasser.
- (xiii) You are expected to be considerate of other students when entering or leaving the examination or when in the vicinity of an examination room.
- (xiv) If you consider that your performance in an examination has been adversely affected by illness, disability, bereavement or other exceptional circumstances you may apply for special consideration.
- (xv) Special examination arrangements may be considered for students with disabilities, temporary incapacity or students who have been hospitalised during the examination period. Students who cannot attend the scheduled examination due to hospitalisation should apply to the Institute Director for a deferred examination, supported by appropriate documentary evidence.

Note: Except in the case of trainees and apprentices, permission to resit an examination will only be granted if the teacher considers that you have made a genuine attempt at the first examination.

#### **16.4 Re-evaluation of Assessment Item**

- (i) If you are dissatisfied with the result of an assessment item, you may submit a written application for re-evaluation of the result to the Institute Director or delegated officer. You must lodge your application, together with the scheduled charge, within 14 days of notification of the result.
  - (a) if the re-evaluation of assessment takes in excess of one hour, the delegated officer may vary the amount of the scheduled charge to be at actual cost
  - (b) if the result is upgraded to successful, you will be refunded the scheduled charge
- (ii) Where possible an assessor other than the original assessor will undertake the re-evaluation.
- (iii) If you are dissatisfied with the re-evaluation outcome, you have a further right to appeal to the Institute Academic Appeals Committee.

### **17 Academic Appeals**

This process is for appeals by students in relation to academic decisions or procedural matters. For appeals against specific assessment decisions, you should first refer to the re-evaluation of assessment. If you are dissatisfied with the outcome of the re-evaluation process, you have a right to appeal to the Institute Academic Appeals Committee:

- (i) The notice of appeal should be in writing addressed to the Institute Director for referral to the Chairperson of the Academic Appeals Committee and submitted within seven days of notification of the outcome of the re-evaluation process.
- (ii) If the appeal is not lodged in the specified time, the result will stand.
- (iii) If through emergency circumstances, such as in cases of serious illness or injury, you need to defer an appeal, you must forward a medical certificate in support of this. The notice to defer the appeal must be made within three working days of the concluding date shown on the medical certificate.

#### **17.1 Academic Appeals Committee**

The Academic Appeals Committee is convened by the Institute Director. You may nominate an Institute counsellor (optional) and two other members to the Committee – both non-counsellor members must have relevant academic content knowledge. These nominations must be in writing to the Institute Director

The Academic Appeals Committee shall:

- (i) provide you with written notice of the time and place of the hearing, not less than five days before the date of the hearing
- (ii) review the circumstances of your dispute or question relating to the academic processes adopted in reaching an academic decision and will make a determination in the matter
- (iii) immediately after reaching its decision, communicate that decision to the Institute Director and the student

The decision of the Academic Appeals Committee is final.

Note: If a student is excluded from a TAFE institute while in the compulsory schooling phase or the compulsory participation phase, the school (if any) and the Executive Director, Schools (Education Qld) for the region will be informed for the purposes of ensuring the student is provided with appropriate support and advice.

### **18 Misconduct**

Student misconduct includes both academic misconduct and behavioural misconduct.

#### **18.1 Academic Misconduct – Cheating, Plagiarism and Collusion**

Academic misconduct includes but is not limited to **cheating** - including supporting others in cheating, **plagiarism, collusion** – including working in groups where not approved by the teacher, electronic plagiarism, and **falsifying** information.

#### **18.2 Behavioural Misconduct**

Behavioural misconduct is broadly defined as actions that breach these Student Rules or Institute policies. This includes but is not limited to:

- (i) breaches of commonwealth or state law which impinge on TAFE operations
- (ii) behaviour that impairs the reasonable freedom of other persons to pursue their studies and participate in the activities of the Institute
- (iii) refusing or failing to identify yourself truthfully

- (iv) any act or failure to act that endangers the safety or health of any other person
- (v) actions that impair any person's participation in a legitimate Institute activity or, by act or omission disrupts the peace or good order of the Institute
- (vi) acting in a way that causes students or staff or other persons within the Institute to fear for their personal safety
- (vii) acting in a way that causes damage to TAFE property

### **18.3 Immediate Consequences of Misconduct**

- (i) Where State or Commonwealth laws appear to have been breached, the matter will be referred to the police or other appropriate authority.
- (ii) If a teacher or examination supervisor believes you are involved in academic misconduct during assessment:
  - (a) you will be instantly informed of such but if in the process of an examination/assessment item will be allowed to finish
  - (b) the teacher or examination supervisor will prepare a written report on the alleged academic misconduct and attach the report to your examination/assessment item
  - (c) the matter will be referred to the Institute Director (or delegated officer) for appropriate action, as outlined in Formal Disciplinary Process
- (iii) A member of the teaching staff or any senior staff member may, in respect to any misconduct by you committed in a class, laboratory, library, facility or premises under their management or control, immediately suspend you from attendance at such class or from use of such laboratory, library, facility or premises for a period not exceeding 24 hours in the first instance.
- (iv) If a suspension action is taken, that staff member shall advise the delegated Institute officer immediately and provide them with a written statement, which details the circumstances of the suspension.
- (v) Serious misconduct or repeated instances of misconduct, may incur a longer period of suspension.
- (vi) If you are an apprentice or trainee, any disciplinary action or recommendations will be made with due regard to the provisions of the [Vocational Education, Training and Employment Act 2000](#).
- (vii) If you are under 18, your parent/guardian may be notified, unless you are an independent person with a Centrelink account, or estranged from your parent/guardian.

### **18.4 Attendance of Parent/Guardian at Interviews of Students Under 18 Years of Age**

- (i) In the event of serious or repeated misconduct which may lead to suspension or exclusion, your parent/guardian will be notified (see 17.3 (vii)) and invited to attend any subsequent interviews in the disciplinary and appeal process.
- (ii) Any student may invite their parents or guardian to interviews during a disciplinary and appeal process.
- (iii) The disciplinary and appeal process will continue whether or not parents/guardian choose to attend the interview/s.

### **18.5 Formal Disciplinary Process**

Following receipt of advice of an act of misconduct, the Institute Director or delegated Institute officer will advise you in writing of the alleged incident of misconduct and commence the following formal disciplinary process:

- (i) You have five working days to make oral or written representations regarding the alleged incident of misconduct.
- (ii) Within 5 days after this period, the designated Institute officer may modify or dismiss the charge.  
OR  
Submit a report to the Institute Director recommending one or a combination of the following penalties:
  - (a) in the case of misconduct related to assessment, you may fail the assessment or be marked as Not Competent for the competency;  
a supplementary assessment may be provided at the discretion of the Institute
  - (b) reprimand and warn you against repetition of the breach of discipline
  - (c) suspend you from attending classes for a period not exceeding 14 days which shall include any period of suspension already imposed
  - (d) suspend you from using all or some facilities and/or services, including library borrowing and computer access rights
  - (e) exclude you
- (iii) The Institute Director will review the report and may approve or alter the penalty.

- (iv) Within five working days of the report being submitted to the Institute Director, the delegated Institute officer must provide you with a written statement detailing the decision, including information on your right to appeal the decision.

Note: Where you have been found guilty of misconduct, information relevant to the case may be shared with other TAFE Institutes.

### **18.6 Misconduct Appeals**

If you have been found guilty of misconduct, you may appeal the decision or the decision process in writing to the Institute Director. The Institute Director will refer your appeal to the Misconduct Review Panel.

- (i) A date for the Misconduct Review Panel meeting will be set as quickly as possible and you will be notified of the time, date and venue in writing.
- (ii) If required, the Institute will provide an interpreter to assist you during the meeting.
- (iii) You have the right to be accompanied by a representative and you may call witnesses, or you may provide a written submission instead of attending the meeting. You may ask the Institute Counsellor to support you through this process.
- (iv) If you do not attend the meeting or provide a written submission, the panel may assess the matter and where necessary impose a penalty as if you had participated.
- (v) The panel will advise you in writing of the decision within two working days of the date of the decision.
- (vi) The decision of the Misconduct Review Panel is final (subject to the provisions of the *Judicial Review Act*).

Note: If you are an apprentice or trainee, your appeal must be lodged in accordance with the [Vocational Education, Training and Employment Act 2000](#).

Note: If a student is excluded from a TAFE institute while in the compulsory schooling phase or the compulsory participation phase, the school (if any) and the Executive Director, Schools (Education Qld) for the region will be informed for the purposes of ensuring the student is provided with appropriate support and advice.