1.0 PURPOSE

The purpose of the Disciplinary Procedure is to guide The Institute’s actions in dealing with misbehaviour, academic misconduct and serious misconduct as laid out in MITP04 - Student Code of Conduct.

The Menzies Institute of Technology actively promotes an environment in which students develop a positive and responsible attitude to the work environment, customers and colleagues. As part of this the Institute supports a system of informed consequence for actions.

A disciplinary procedure exists for the proper management of disciplinary issues. The procedure is designed to ensure fairness and objectivity and its primary purpose is not intended as a form of punishment but as a means of providing students with the opportunity to correct or modify their behaviour through fair and objective means.
2.0 DEFINITIONS & KEY WORDS

2.1 “The Institute” refers to Menzies Institute of Technology.
2.3 “DEEWR” refers to the Department of Education, Employment and Workplace Relations.
2.4 “DIAC” refers to the Department of Immigration and Multicultural Affairs.
2.5 “ESOS” refers to the Education Services for Overseas Students Act 2000.

3.0 PROCEDURES

In the cases where student’s behaviour represents improper or inappropriate behaviour or serious misconduct as described in MITP04 – Student Code of Conduct and MITP23 - Academic Misconduct, disciplinary action will need to be taken and the following will apply in a private and confidential manner.

3.1 Steps in Disciplinary Action for Misbehaviour and Serious Misconduct

- In the first instance, the Student Services Coordinator issues the student with an official warning about their behaviour. One copy of this warning goes to the student and another copy must be filed in the student’s file.

- In the second instance of unacceptable behaviour the Student Services Coordinator is to arrange a meeting with the PEO of the Institute.

- The details of all disciplinary interviews / meetings will be recorded using the Interview Sheet and a copy filed in the student’s file. The PEO or in his absence, the Student Services Coordinator must inform the student of the possible ramifications.

- A comment must be placed on the Student Management System to identify that a disciplinary interview has taken place and that details are located on the student’s file.

- Persistent disciplinary problems are to be dealt with by the PEO in liaison with the Student Services Coordinator. In the third instance the PEO is to decide whether the student’s behaviour warrants suspension from studies, or if the case is deemed to be one of serious misconduct, then expulsion from studies at the Institute.
• In either case of suspension or expulsion of International students from studies, the Institute shall contact DEEWR and DIAC through PRISMS to inform them of the Institute's decision and to update the student's enrolment status (refer to clause 3.2)

• In cases where damage or loss of the Institute's property has resulted from an act of misbehaviour or serious misconduct on the part of the student, the student will be liable to cover the full value of the cost of damage or loss incurred.

• Any student who has been found to willingly or accidentally activate fire or security alarms which result in the calling out of emergency services such as the fire department, police, ambulance or any other emergency service will be liable for whatever costs are incurred by their actions. Furthermore, students may be prosecuted under State or Federal laws in relation to their action

3.2 Suspension and Expulsion from Studies on Disciplinary grounds

• The Institute may suspend a student from studies for inappropriate or unacceptable behaviour / misbehaviour as outlined in MITP04 – Student Code of Conduct and MITP23 - Academic Misconduct.

• The Institute may expel a student and cancel his/her enrolment for serious misconduct or persistent acts of misbehaviour as outlined in MIT04 – Student Code of Conduct and MITP23 - Academic Misconduct.

• In cases where suspension or cancellation of the student's enrolment is initiated by the Institute, the student will be notified and given 20 days to access the Institute's internal complaints and appeals process (MITPO7 - Complaints and Appeals Procedure). The change in enrolment status will not be reported to DEEWR until the internal appeals process is completed.

• In cases where the Institute feels that the continued presence of a student involved in an act of serious misconduct or persistent acts of misbehaviour would be disruptive or dangerous to other students or staff, the Institute may suspend the student from studies with immediate effect. Notification of the immediate suspension should be given to the student in writing, with a copy of the notice kept in the student file. The Institute may proceed to fully cancel the enrolment of the student after giving the student 20 days, from the date of immediate suspension to appeal through the Complaints and Appeals process.
3.3 Disciplinary Action for Academic Misconduct

Where possible plagiarism or cheating is identified through the sampling process the Trainer and Assessor is required to put the matter to the student. The trainer / assessor is required to clearly identify the passages or content which are alleged to be plagiarised and their source. Where cheating is suspected the matter must be reported directly to the relevant Course Coordinator/English Department Academic Manager.

It is imperative that any Trainer and Assessor who suspects that they have detected plagiarism or another form of cheating, must produce evidence (through identifying the source) to support their allegation.

This evidence is to be taken to the relevant VET Course Coordinator/English Department Academic Manager and a written report of the matter is to be provided. To decide if the occurrence was intentional or unintentional, the VET Course Coordinator/English Department Academic Manager will give the student(s) an opportunity to respond by scheduling a meeting to discuss the particulars of the plagiarism or cheating matter. The student is to be informed of the penalties that may be applied if plagiarism and/or cheating had occurred.

If plagiarism and/or cheating were deemed to have occurred by the VET Course Coordinator/English Department Academic Manager, then the following may occur:

- the student may be suspended from undertaking the course for period of time appropriate to the offence
- the student may be permanently removed from undertaking the course and their enrolment cancelled
- the student may be counselled on plagiarism / cheating

The VET Course Coordinator/English Department Academic Manager is to use their discretion in imposing a sanction for any confirmed cheating or plagiarism act that is appropriate to the offence.

The Student is to receive written notification of the decision within 10 days of the Course Coordinator/English Department Academic Manager being made aware of the suspected plagiarism/cheating matter.

If the student does not agree with the Institute’s decision, then they are able to access the MITP07 - Complaints and Appeals Policy and Procedure to have the matter reviewed. This is to be submitted within 10 working days of the decision.
4.0 RESPONSIBILITIES

- The VET Course Coordinator/English Department Academic Manager is to inform the Student Services Coordinator of the decision made for handling of Academic Misconduct.
- The written notification of the decision is to be issued by the Student Services Coordinator.