

Policy Title

Non-Academic Student Misconduct Policy

Purpose

This policy provides students and learners with the standards of conduct and behavior expected by Monash College and provides a consistent and transparent framework for the consequences for students and learners who engage in non-academic misconduct behavior.

Scope

This policy applies to new and continuing Monash College students and learners.

Policy Statement

Monash College is committed to providing all students and learners with an inclusive and safe learning environment.

A student or learner who is found to have engaged in non-academic misconduct will be subjected to disciplinary action and refused enrolment by Monash College.

Monash College may suspend, exclude, exclude from the precincts of Monash College:

- where, by reason of their state of health or disability, or seriousness of misconduct, the relevant Director / Head of Student Services is of the opinion that such action is reasonably necessary to protect the health or safety of any person (including the person concerned) or the property of Monash College.

Records Management

The Non-Academic Student Misconduct Policy is a Level 2 Policy. The latest approved version of the Non-Academic Student Misconduct Policy will be stored on the Policy Bank on the Monash College intranet and Monash College website.

The policy owner will maintain a record of issues relevant to the Non-Academic Student Misconduct Policy for consideration at the time of review.

Case notes related to individual non-academic suspension and exclusion cases will be managed in accordance with Monash College's Privacy Policy.

Legislation and Standards

National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code 2018)

Public Health and Wellbeing Act 2008

Public Holidays Act 1993

Standards for RTOs 2015

Reference Policies and Supporting Documentation	Non-Academic Suspension and Exclusion Procedure Student Grievance and Appeals Policy Student Grievance and Appeals Procedure RTO Complaints and Appeals Policy RTO Complaints and Appeals Procedure Fitness to Study Procedure Student Code of Conduct Professional Year Handbook RTO – Learners’ Handbook
Responsibility for Implementation	<ul style="list-style-type: none"> • Director, Business • Director, English • Director, Humanities • Director, STEM • Director, Education Strategy and Industry Development • Head of Student Services
Status	Revised
Key Stakeholders	<ul style="list-style-type: none"> • Chief Executive Officer, MCPL • Executive Director, Education • Director, STEM • Director, Humanities • Director, English • Director, Business • Director, Education Strategy and Industry Development • Academic Governance Team • Student Administration Team • Concierge / Security • Learning Skills Advisers • Students and learners
Approval Body	Monash College Senior Leadership Team
Date Effective	26/4/2022
Next Review Date	26/4/2025

Policy Owner Job Title	Director Governance
Policy Author	Academic Governance and Quality Manager
Contact	Academic Governance and Quality Manager
Other Location	The Policy Bank Moodle Monash College Website
Policy Level	Level 2

Definitions

Bullying	Bullying means repeated unreasonable behavior, whether verbal, physical or written, directed towards another person that creates a risk to health and safety.
Director	Director STEM, Director Humanities, Director Business, Director English, Director Education Strategy and Industry Development, Head of Student Services
Exclude	A student or learner who is excluded from Monash College ceases to be a student of Monash College.
Extenuating circumstances relating to the welfare of the student	Circumstances relating to the student that the relevant Director or Head of Student Services considers involve a serious risk to the student or any other person, or the property of Monash College.
Illness	Illness or disability, considered by a doctor or psychologist to present risk to the health or safety of the student, to other students, learners and staff, or to property of Monash College and includes notifiable conditions under the Public Health and Wellbeing Act 2008.
Misconduct	Any behaviour which is contrary to a policy of Monash College or to generally accepted standards of behaviour and includes the conduct specified in the procedures below.
Harassment	Any behaviour, whether verbal, physical or online, that is unwelcome and could reasonably be expected to make someone else feel offended, humiliated or intimidated.
Sexual Assault	A broad term describing all sexual offences and includes any type of sexual behavior or act that happens without the consent of everyone involved. It can include unwanted kissing, unwanted sex, unwanted touching and rape.

Sexual harassment	Any form of unwelcome sexual behaviour that is offensive, humiliating or intimidating such as sexual comments about someone's appearance.
Sexual consent	Sexual consent is to give permission for a sexual activity to happen or agreement to participate in a sexual activity. Sexual activity without consent is sexual assault.
Power to exclude	A power to exclude from Monash College includes a power to exclude from the College precincts; and a reference to Monash College or to the property or precincts of Monash College includes a reference of the property or precincts of a person or institution, other than Monash College, occupied or used by one or more students and learners in the course of or in relation to academic or practical work forming part of a course of study and a power to suspend or exclude from Monash College includes a like power to suspend or exclude from the property or precincts of any such person or institution.
Student/Learner	A person who is enrolled in a Monash College course or Professional Year program.
Suspension	Suspension is the temporary exclusion for a specific period with a specific start date and a specific end date, determined by a Director/Head of Student Services.
Working days	Days other than a Sunday or a public holiday under the Public Holidays Act 1993.

Implementation plan

Step #1

This policy will continue to be made available from the Monash College website and on Moodle

Change history

Version number	Approval date	Approved by	Brief outline of changes
2.0	23/08/2012	Senior Leadership Team	
2.1	23/10/2017		Minor changes
2.2	11/12/2019	Director, Governance	Legislation Update
2.3	14/02/2020	Director, Governance	Review with update of roles and policy references and minor clarifications
2.4	18/01/2021	Senior Leadership Team	<ul style="list-style-type: none">- Expand scope to include all Monash College students including MPP and RTO.- Include definitions: harassment, sexual assault, sexual harassment and consent.- Title change to: <i>Non-Academic Student Misconduct Policy</i>.- Reference to Student Code of Conduct.- Update to the Policy Purpose.
2.5	26/4/2022	Director, Governance	Administrative update to revise the roles and responsibilities.