

clever • skilled • creative

# TAFE QUEENSLAND

## STUDENT RULES



# TAFE QUEENSLAND STUDENT RULES

<b>INTRODUCTION.....</b>	<b>3</b>
<b>PERSONAL CONDUCT AND BEHAVIOUR .....</b>	<b>3</b>
1. GENERAL BEHAVIOUR .....	3
2. UNLAWFUL ACTIVITIES .....	3
3. CONFIDENTIALITY .....	4
4. DRESS CODE .....	4
5. STUDENT IDENTIFICATION CARDS .....	5
<b>INSTITUTE CAMPUS ENVIRONMENT AND RESOURCES.....</b>	<b>5</b>
6. INSTITUTE CAMPUS ENVIRONMENT AND RESOURCES .....	5
7. APPROPRIATE USE OF COMPUTING AND ELECTRONIC RESOURCES.....	5
8. FOOD AND BEVERAGES IN LEARNING AREAS .....	6
9. SAFETY .....	6
<b>ENROLMENT, ATTENDANCE, AND PROGRESS OF STUDY .....</b>	<b>7</b>
10. ENROLMENT .....	7
11. ENROLMENT FEES AND CHARGES.....	7
12. CHANGE OF ENROLMENT.....	8
13. ATTENDANCE .....	9
14. PROGRESS OF STUDY.....	9
<b>ASSESSMENT, ACADEMIC APPEALS, AND MISCONDUCT APPEALS.....</b>	<b>10</b>
15. ASSESSMENT .....	10
16. ACADEMIC APPEALS.....	12
17. MISCONDUCT .....	13
<b>QUALIFICATION AWARDS .....</b>	<b>15</b>
18. ELIGIBILITY TO RECEIVE QUALIFICATION AWARDS.....	15
19. CANCELLATION OF AWARD OR STATEMENT OF ATTAINMENT.....	15
20. REPLACEMENT OF AWARD OR STATEMENT OF ATTAINMENT .....	16

## **INTRODUCTION**

TAFE Queensland provides education and training services to students throughout Queensland. Students emanate from a variety of age groups and backgrounds, and participate in a wide range of courses, including on-campus, on-line, and workplace training. In such a diverse environment it is essential that students understand the rules and regulations governing student conduct within TAFE Queensland.

In order to carry out their work of teaching, training, and public service, TAFE Queensland institutes have an obligation to maintain conditions under which the work of the institute can proceed freely. The TAFE Queensland Student Rules are designed to ensure that students are aware of their rights as students, as well as their responsibilities to the institute and to other students. TAFE Queensland students assume these rights and responsibilities upon admission, and cannot use ignorance of these rules and regulations as justification for violating the TAFE Queensland Student Rules. Accordingly, all students are encouraged to familiarise themselves with the rules upon admission to a TAFE Queensland institute.

In matters that are not specifically covered by the TAFE Queensland Student Rules, students must observe the principles outlined in the rules to ensure the dignity of each person, respect for others and their property, and mutual cooperation in the institute community. In addition, all students must comply with local, State, and Australian laws. International students are also required to comply with all relevant visa conditions, legislative frameworks, and other relevant immigration rules and regulations.

Breach of the TAFE Queensland Student Rules may occur on-campus, in connection with any approved activity associated with the institute (such as workplace training, excursion, or event), in close proximity to the institute premises, or in any other way deemed to seriously impact the interests of the institute. Breach of the TAFE Queensland Student Rules will be subject to the institute's disciplinary procedures, and may also be subject to legal sanctions, as circumstances dictate.

TAFE Queensland institutes have specific policies and procedures relating to these overarching TAFE Queensland Student Rules. Students are encouraged to contact their local TAFE institute for any further information or advice.

## **PERSONAL CONDUCT AND BEHAVIOUR**

### **1. GENERAL BEHAVIOUR**

TAFE Queensland is committed to creating and maintaining a community in which students and staff can work together in an environment that is free of violence, harassment, intimidation, and exploitation. When communicating and interacting with TAFE institute students and staff, either in-person or on-line, you have a responsibility to:

- (i) Treat people with respect and fairness, regardless of their age, gender, sexuality, race, ethnicity, cultural background, disability status, or socio-economic status;
- (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 studies or duties;
- (v) Avoid bullying, aggressive, threatening, and abusive behaviour, including using social networking websites (such as Facebook, Twitter, or MySpace) to make threatening or derogatory statements about other students or staff;
- (vi) Desist from behaviour that subjects another person to an unsolicited act of physical intimacy; makes an unsolicited demand or request of a sexual nature to another person; makes a remark with sexual connotations relating to the other person; or engages in any other unwelcome conduct of a sexual nature towards the other person; and
- (vii) Make only truthful statements in regard to your student status, representation as a student, or entitlement as a student.

A particular action or behaviour may be deemed inappropriate by the effect on the recipient, independent of the intentions of the perpetrator. It is not sufficient for students to assume that their behaviour is acceptable and will not constitute inappropriate behaviour.

### **2. UNLAWFUL ACTIVITIES**

#### **2.1 Alcohol on Institute Premises**

You are not allowed on institute premises or to use institute facilities when in possession of or 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 (providing the student is over 18 years of age). Students may be required to undertake alcohol testing by their employer whilst attending TAFE or the workplace as part of the normal working environment.

## 2.2 Drugs on Institute Premises

You are not allowed on institute premises or to use institute facilities when in possession of or under the influence of illegal drugs or controlled substances. 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 or equipment. In addition, prescription medication should be kept secure at all times and never given to another person to whom it is not prescribed. Students may be required to undertake drug testing by their employer whilst attending TAFE or the workplace as part of the normal working environment.

## 2.3 Weapons on Institute Premises

You are not to bring knives or other weapons on to institute premises. It is an offence under the [Weapons Act 1990](#) to be in possession of a 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 cookery 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 police immediately.

## 2.4 Animal Use

Animals are used in some courses delivered by the institute, 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](#). Animal cruelty and unauthorised use of animals will be reported to the appropriate authorities.

## 2.5 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. Any breaches to the Act can result in fines being issued. Students are only permitted to smoke in marked designated smoking areas, and must remain in these areas whilst smoking.

## 2.6 Discrimination

Discrimination occurs when a person is treated less favourably than another person because of perceived attributes such as age, gender, sexuality, race, ethnicity, cultural background, disability status, or socio-economic status. Discrimination whether direct or indirect is unlawful under the [Anti-Discrimination ACT 1991](#) and [Disability Services Act 2006](#). Acts of discrimination will be considered as acts of behavioural misconduct and will result in disciplinary action, and may be reported to the appropriate authorities.

Note: Police and criminal history checks may be required of students in order to undertake vocational placement.

## 3. 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 (for example, financial or business affairs, personal affairs and family background of staff and clients, technical information, trade secrets, know-how, formulae, processes, ideas, and inventions). You must not divulge any confidential information that you may become aware of during a placement. Breaches of confidentiality will be considered to be acts of behavioural misconduct and may result in disciplinary action.

## 4. DRESS CODE

TAFE Queensland is predominantly an adult learning environment that prepares you for employment in 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, whilst attending the institute or any off-campus training, you should wear appropriate clothing. In particular you should:

- (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 course. 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 TAFE Queensland grounds or buildings with bare feet. Enclosed footwear is recommended.
- (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 Queensland buildings.

## 5. STUDENT IDENTIFICATION CARDS

Whilst on TAFE Queensland premises, all students are required to carry an institute Student Identification card (or alternative identification where an institute Student Identification card is not issued), and to produce it when requested by a member of staff. Institute staff are entitled to request individuals to leave institute premises if student identification cannot be provided. If you lose your Student Identification card you may be required to pay costs associated with a replacement card.

## INSTITUTE CAMPUS ENVIRONMENT AND RESOURCES

### 6. INSTITUTE CAMPUS ENVIRONMENT AND RESOURCES

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

- (i) Reporting breakages and/or faults with equipment to the teacher, or institute administration. Should a student be found responsible for breakages they may be required to pay the costs of repair, with any final decision made by the institute.
- (ii) Leaving classrooms, workshops, and laboratories neat and tidy after classes and tutorials, and ensuring equipment and tools are cleaned and correctly stored.
- (iii) Ensuring all electrical and gas appliances are switched off.
- (iv) Returning or renewing library resources according to borrowing regulations stated in the institute's library policies and procedures.

### 7. APPROPRIATE USE OF COMPUTING AND ELECTRONIC RESOURCES

#### 7.1 Institute Computing and Electronic Resources

TAFE Queensland recognises that computing and electronic resources are a valuable source of learning and information relevant to educational courses. These resources include videoconferencing, Internet, and Intranet services provided by TAFE Queensland such as my.TAFE, 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 course requirements. Your institute will have its own guidelines for the reasonable use of computers, and you will need to agree to accept these guidelines upon logging in to institute computers.

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 Internet and Intranet 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 this clause occur.

Note 1: Unlawful use of computing and/or electronic resources may lead to legal action being taken.

Note 2: Any misuse of computing or electronic resources will be considered to be an act of behavioural misconduct and will be addressed as such. This may mean the withdrawal of access to the resources, suspension, or expulsion.

"Misuse" refers to wrongful, improper, inappropriate, unauthorised, or unlawful use of computing or electronic resources.

Examples of misuse of computing and electronic resources include:

- (i) Excessive personal use.
- (ii) Unauthorised use of documentation that would normally require payment of a fee for use.
- (iii) Accessing or downloading website materials or files or transmitting material that is defamatory (including posting defamatory statements on the Internet).
- (iv) Accessing, displaying, disseminating, or storing obscene or offensive material including abusive, pornographic, profane, or sexually oriented material.
- (v) Using computing and/or electronic resources to access or to assist in concocting or distributing illegal drugs or dangerous materials.

- (vi) Use of computing and/or electronic resources to access or distribute material that promotes hatred or discrimination based on age, gender, sexuality, race, ethnicity, cultural background, disability status, or socio-economic status.
- (vii) Using computing and/or electronic resources to stalk, harass, threaten, bully, or intimidate anyone.
- (viii) Downloading, uploading, copying, storing or distributing software applications or other material with content that is illegal.
- (ix) Breaching copyright, such as unlicensed copying of a computer program.
- (x) Intercepting, attempting to steal or alter data (hacking), unlawfully accessing, altering, or falsifying electronic documents or programs.

### **7.2 Mobile Phones, Sound and Photographic Equipment, and Other Electronic Devices**

Use of mobile phones, sound and photographic equipment (including ipods, mp3 players, and cameras) and other electronic devices is not permitted in classrooms unless part of the training requirements.

In addition, mobile phones, sound and photographic equipment, and other electronic devices must not be used in a manner that contravenes the misconduct and appropriate use of computing and electronic provisions outlined in this document.

### **7.3 Copyright**

You may only copy material in accordance with the [Copyright Act 1968](#). For study and research purposes, students are allowed to copy:

- One chapter or 10% of a book; or
- One chapter, or 10% of the number of words of text materials in electronic form; or
- One article per issue of a journal, magazine or newspaper – or more than one article if each article relates to the same subject matter.

Internet material, artist, dramatic, film, and musical works are also covered by copyright legislation. Please check with your institute's library staff.

Remember to reference carefully the copyright works you use in order to avoid plagiarism, which is considered academic misconduct.

You must comply with licences for the use of intellectual property, including software. All software loaded on institute computers or provided by the institute is licensed and there is no permission to copy software unless permitted by licence.

If you need further information about your copyright obligations, refer to your institute's library website.

## **8. FOOD AND BEVERAGES IN LEARNING AREAS**

The presence and/or consumption of any variety of food in classrooms are strictly prohibited. Students are responsible for ensuring that food is not taken into classrooms.

Hot beverages are not permitted in classrooms. Other beverages must be carried in a secure container/bottle to minimise spills and leakages. Students are responsible for ensuring the sensible storage and consumption of beverages in classrooms and for the removal and correct disposal of drink containers from classrooms. No beverages are permitted in computer laboratories.

It is acceptable for students to carry food and beverages (securely) inside bags carried into classrooms.

## **9. SAFETY**

The [Workplace Health & Safety Act 1995](#) applies to all students of the institute. You have a responsibility to ensure that you work safely, without risk of injury to yourself or others, and follow any safety practices required.

You have an obligation:

- (i) To comply with the instructions given for workplace health and safety at the TAFE institute or workplace.
- (ii) To use personal protective equipment if you are required to wear the equipment, and you are properly instructed in its use.

- (iii) To use machinery in accordance with safety procedures and follow lawful directions, both written and spoken, given by TAFE staff or employer during work experience or vocational placement.
- (iv) To not wilfully or recklessly interfere with or misuse anything provided for workplace health and safety at the TAFE institute or workplace.
- (v) To not wilfully place at risk the workplace health and safety of any person at the TAFE institute or workplace.
- (vi) To not wilfully injure yourself.

You are entitled to challenge, in a respectful manner, directions or decisions of TAFE staff or the employer, if you consider them to be unlawful, unreasonable, or to endanger a person's health or safety.

## **ENROLMENT, ATTENDANCE, AND PROGRESS OF STUDY**

### **10. ENROLMENT**

TAFE Queensland institutes include full enrolment information and advice in institute Student Guides, Course Guides, websites, and Customer Service Centres. The following provides a broad overview of your responsibilities when enrolling in TAFE Queensland.

When enrolling at a TAFE Queensland institute, you will need to:

- (i) Select the course you want to study;
- (ii) Check that you meet the recommended entry requirements specified in the Course Guide;
- (iii) Ensure that you have read and understood the institute's Student Guide; and
- (iv) Check the entry method for your chosen course.

There are a variety of entry methods allowing you to enrol and study at a TAFE Queensland institute:

- (i) Enrol by application;
- (ii) Enrol by direct entry; and
- (iii) Enrol through QTAC.

Enrolments and payment can be made via the following methods:

- (i) Online: Register and log onto <http://enrol.tafe.qld.gov.au> to enrol and pay fees for available courses. Payment methods accepted online are credit card and BPAY. Students must ensure that they have read all of the terms and conditions for enrolment prior to enrolling online. For more information regarding this option, visit the institute's website or pick up a brochure from a Customer Service Centre.
- (ii) Phone: To enrol by telephone (credit card payments only) you can call the institute's designated phone enrolment number, available on the institute's website.
- (iii) In Person: Students can enrol by visiting an institute's Customer Service Centres during opening hours.
- (iv) Post/Fax: Post enrolment documentation along with a cheque or money order (and concession details/evidence if applicable) made to the institute, or provide credit card details (including the name on the card, card number, expiry date, and authorised signature) to the institute. Post/Fax details are available on the institute's website.

In most cases you must be enrolled prior to the designated Start of Study date for the relevant semester. TAFE Queensland institutes cannot guarantee a position in a course unless you are enrolled prior to its start date. You are not permitted to attend classes until you are fully enrolled in the relevant unit/s of competency.

Note 1: If an institute has exceeded its course capacity, it may place you on a waiting list before accepting your enrolment. For further information and advice, please contact the institute at which you are intending to enrol.

Note 2: There are special conditions for enrolments for students who are under the age of 15. For further information, refer to the TAFE Queensland [Admission Policy for Young Persons under the Age of 15](#).

### **11. ENROLMENT FEES AND CHARGES**

TAFE Queensland offers courses in both government-funded and full fee paying courses. Fees are dependent upon the program of study. Once you have chosen a program of study, institute enrolment staff will be able to provide you with accurate information about the fees and charges. Payment for TAFE Queensland courses must be made at the time of enrolment.

All fees and charges are levied according to the [Vocational Education, Training and Employment Regulation 2000](#) and the institute's own fee policy. These documents are available at all TAFE Queensland institutes and on institute websites.

If you are experiencing financial difficulty the institute may be able to give you time to pay your fees, via a Payment Plan for government funded programs.

For government funded programs, fee concessions may be available to you depending on your status and circumstances. Evidence of concession eligibility must be provided at the time of enrolment, and concessions cannot be applied after enrolment has occurred. Fee concessions may be available to you in the following instances:

- (i) You are under 17 (at the end of February in the year of study) and have not completed Year 12.
- (ii) You are an Aboriginal or Torres Strait Islander.
- (iii) You have a Pensioner Concession Card or Health Care Card.
- (iv) You hold a Department of Veterans' Affairs Pensioner Concession Card.

If you have outstanding/overdue payments to the institute, or any other TAFE Queensland institute, you may not be eligible to:

- (i) Undertake/submit assessment;
- (ii) Continue to study;
- (iii) Enrol into further study with the institute;
- (iv) Receive your results of assessment and qualification;
- (v) Borrow items from the library;
- (vi) Attend the institute graduation ceremony;
- (vii) Apply for payment plans; and
- (viii) Access the institute's educational computer network.

Actions that may be taken against persons responsible for an outstanding student account include legal action or involvement of a collection agency, and the debt will remain payable.

If you are an International student and have not paid all relevant fees you will be issued with a "letter of intent to report", which can lead to cancellation of your enrolment and your student visa. For further information, please refer to the [National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students](#).

## 12. CHANGE OF ENROLMENT

### 12.1 Withdrawal

- (i) If you wish to withdraw from a competency or course, you must apply using the approved form of the institute.
- (ii) If you have enrolled in a government funded competency or course, you may apply for a refund if you accept a place offered through the Queensland Tertiary Admissions Centre, suffer an illness or injury preventing you from completing the competency or course, or if exceptional circumstances prevent you from completing the competency or course. Contact your institute for more information and advice on conditions for student contribution fee refunds when withdrawing your enrolment.
- (iii) For non-government funded training, your institute will have its own policies and procedures for competency or course changes. Contact your institute for further information and advice.
- (iv) International students wishing to withdraw must report to the institute before a withdrawal application can be made. Contact your institute for further information and advice.
- (v) For further information and advice on the impact of withdrawal on your academic record contact the institute in which you originally enrolled.

### 12.2. Transfer within Institute

- (i) If you wish to cancel your enrolment in a competency or course and enrol in another competency or course at the same institute, you must apply using the approved form of the institute.
- (ii) If you have enrolled in a government funded competency or course, and cancel the enrolment and enrol in another competency at the same institute no later than two weeks after the start of the cancelled competency or course, any student contribution fee payable on the original or cancelled enrolment will be applied to reduce the student contribution fee on the later enrolment. Any balance of the student contribution fee paid on the original or cancelled enrolment will be refunded, whilst you must pay any additional fees.

- (iii) For non-government funded training, your institute will have its own policies and procedures for competency or course changes. Contact your institute for further information and advice.
- (iv) International students wishing to transfer their enrolment must report to the institute before an application can be made. Contact your institute for further information and advice.

### 12.3 Transfer between Institutes

- (i) If you wish to transfer your enrolment in a competency or course and enrol in substantially the same competency or course at another TAFE Queensland institute or statutory TAFE institute, you must apply using the approved form of the institute.
- (ii) If you are enrolled in a government funded competency or course, and transfer the enrolment to substantially the same competency or course at another TAFE Queensland institute or statutory TAFE institute (whilst meeting the conditions for transfer between institutes set by both TAFE institutes), any student contribution fee payable on the original or cancelled enrolment will be applied to reduce the student contribution fee on the later enrolment. Any balance of the student contribution fee paid on the original or cancelled enrolment will be refunded, whilst you must pay any additional fees. Contact the institute at which you are originally enrolled for more information and advice on conditions for student contribution fee refunds when transferring between institutes.
- (iii) For non-government funded training, your institute will have its own policies and procedures for competency or course changes. Contact your institute for further information and advice.
- (iv) International students should contact the institute for further information and advice regarding your responsibilities when transferring between institutes.

Note 1: The same competency or course may have different fee structures at different TAFE Queensland institutes. Before transferring your enrolment, check the payment requirements of both institutes.

Note 2: For more information on student refunds, please refer to the [Vocational Education, Training and Employment Regulation 2000, TAFE Queensland Student Refund Procedure](#), and institute refund policy. For further information and advice please contact the institute in which you are enrolled.

## 13. ATTENDANCE

You should attend classes, industry placement, and any other study related activity as part of your course as required and on time.

- (i) Student attendance will be monitored and recorded by the institute.
- (ii) For International students, the [National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students](#) requires institutes to have procedures to monitor the course progress of International students, and to ensure students complete their course in the expected duration. If you are an International student, your attendance will be recorded under Student Visa regulations, and unsatisfactory attendance will be reported to the Department of Immigration and Citizenship (DIAC). Please contact your institute for further information and advice.
- (iii) If your absence is for medical reasons you may be required to provide a medical certificate.
- (iv) If you are an apprentice, trainee or attending as part of the compulsory participation phase of schooling and are absent from the institute, you are required to:
  - (a) Contact your institute and advise them of your inability to attend;
  - (b) Provide a medical certificate if the absence is due to sickness for any period of more than 3 days; and
  - (c) The institute is required to notify your employer or school of any absence from class.
- (v) If you are receiving disability support services such as sign language interpreting, you must advise Disability Support Services of any planned absence, and provide at least 48 hours notice so that your interpreter/tutor can be advised.

## 14. PROGRESS OF STUDY

### 14.1 Course Progress

At times in your studies, you may have difficulty in attending classes, completing assignments, and passing exams. There can be very good reasons for this which are sometimes beyond your control. TAFE Queensland institutes have learning support frameworks to ensure you receive adequate study support and have every opportunity to complete your studies.

You are expected to make satisfactory progress in your studies. If you are having difficulties in the progress of your study, you are expected to take all possible steps to improve your performance and follow the guidelines below:

- (i) If you are having difficulty maintaining acceptable progress, you must discuss the situation with your teacher and/or a student counsellor as soon as possible.

- (ii) In certain circumstances, for example if you are a carer or have a disability, you may need to negotiate a reduced study load with your institute.
- (iii) In the first instance, if you do not achieve the minimum competency for a class, you will be able to re-enrol, if a place is available, and pay the relevant fees. However, the institute may not be able to guarantee you a place in the next semester, and you may be required to re-enrol in courses when places are available.
- (iv) If you are an International student, you have additional responsibilities for course progress. Please refer to your institute's International Handbook for further details.
- (v) Your institute may require you to show cause in writing why one or more of the following actions should not be taken:
  - (a) Subsequent enrolment may be restricted to a limited series of classes in which any failure at the next attempt may lead to a refusal of further enrolment in those classes; and
  - (b) Further and continuing enrolment in any course offered by the institute may be refused outright and this will be recorded on your student enrolment.
- (vi) For International students, the [National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students](#) requires institutes to have procedures to monitor the course progress of International students, and to ensure students complete their course in the expected duration. Please contact your institute for further information and advice.

### 14.2 Course Extensions

Requests for extension/s for assignments or work place assessments are at the discretion of the institute and will not extend past the Close of Study date, unless approval is granted by the institute. For International students, the [National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students](#) requires institutes to have procedures to monitor the course progress of International students, to ensure students complete their course in the expected duration. Please contact your institute for further information and advice.

### 14.3 Immunisation and Health Screening

Some courses require you to obtain proof of immunisation against certain diseases. In other instances you may be required to undertake screening for disease in the case of an infection breakout within the student community, based on the advice from Queensland Health.

### 14.4 Blue Card for Child-Related Employment

Some courses require you to apply for and receive a Blue Card for Child-Related employment before commencing work placement. For more information refer to the [Commission for Children and Young People and Child Guardian Act 2000](#).

## **ASSESSMENT, ACADEMIC APPEALS, AND MISCONDUCT APPEALS**

### 15. ASSESSMENT

#### 15.1 Assessment Guidelines

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 (refer 14.2); and
  - (b) A doctor's certificate (or other documentary evidence, where applicable) must be produced to verify illness, and must be presented to the institute in a reasonable timeframe (usually within 14 days of the due date of the assessment item) determined by the institute. For further information and advice please contact your institute.
- (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; and
  - (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 you do not satisfy the assessment criteria on your first attempt, your teacher will provide feedback and negotiate additional assessment or resubmission requirements. For your reassessment you may be given a different assessment task, although it will assess the same elements of competency. Only one resubmission attempt will be granted for each assessment item. Please note that failing to submit assessment by the due date, or participate in assessment activities when scheduled without prior approval may be considered an unsuccessful first attempt, and only one further reassessment may be allowed.
- (v) If you do not resubmit your assessment item by the due date, you will be given an unsatisfactory result for the assessment item. If you do resubmit the assessment item and it is again assessed as not competent, you will be given an unsatisfactory result for the assessment item. No resubmissions are permitted after the final result for the competency has been issued, unless agreed by the institute.
- (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.

### 15.2 Alternative Assessment

If you consider you will be disadvantaged, due to a literacy/language competency, 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.
- (v) Must be made in a reasonable timeframe (usually within 14 days of the due date of the assessment item) determined by the institute. For further information and advice please contact your institute.

### 15.3 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; and
  - (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. No resubmissions are permitted after the final result for the competency has been issued, unless agreed by the institute.

### 15.4 Examinations

- (i) You will be given at least two weeks notice of examinations. If the course 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 supervisor to enter the room. You should explain to the 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; and
  - (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, course 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; and
- (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; and
  - (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.

### 15.5 Re-Evaluation of Assessment Item

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:

- (i) 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;
- (ii) If the result is upgraded to successful, you will be refunded the scheduled charge;
- (iii) Where possible an assessor other than the original assessor will undertake the re-evaluation; and
- (iv) If you are dissatisfied with the re-evaluation outcome, you have a further right to appeal to the institute Academic Appeals Committee.

## 16. ACADEMIC APPEALS

This process is for appeals by students in relation to academic assessment decisions. Where you are dissatisfied with an academic assessment decision you must first request a re-evaluation of the 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.

Your notice of appeal should address the following:

- (i) It should be in writing addressed to the Institute Director for referral to the Chairperson of the Academic Appeals Committee.
- (ii) It must be submitted within seven days of notification of the outcome of the re-evaluation process.
- (iii) If the appeal is not lodged in the specified time, the result will stand.
- (iv) Before the end of the period allotted for submitting your notice of appeal you may apply in writing to the Institute Director for an extension of time due to difficult circumstances (i.e. because of serious illness or injury). You will be required to supply evidence supporting your request (i.e. a medical certificate).

The Academic Appeals Committee will:

- (i) Consider your notice of appeal, the academic decision in question and all other relevant material or information including information supplied by relevant institute staff.
- (ii) Considering the student's appeal:
  - (a) If on the balance of probabilities the student's appeal is likely to fail in whole or in part - provide the student with a preliminary view notice setting out their preliminary findings on the material considered that the decision appealed is confirmed or to be varied and invite the student to respond in writing within 7 days; and

- (b) If on the balance of probabilities the decision appealed is to be set aside – notify the student of their decision and take any necessary action to set aside the decision.
- (iii) In relation to (ii)(a) above after 7 days, make a decision based on the material set out in its preliminary view notice and upon the student's submission, if any, to confirm, vary or set aside the decision in question. Immediately after reaching its decision, the committee will communicate that decision to the Institute Director and the student by way of a decision notice.
- (iv) A decision notice must comply with the requirements for a statement of reasons in the [Judicial Review Act 1991](#) (i.e. set out the decision and date, authority for the decision, name of decision makers, evidence considered, findings of fact, reasons for decision).
- (v) The decision of the Academic Appeals Committee is final.

#### Appeals Process for International Students:

- (i) Each TAFE institute which provides services to International students must have in place an external appeals process which meets the [National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students](#).
- (ii) TAFE Queensland institutes are able to set their own external appeals process to ensure compliance with the National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students.
- (iii) Options available to TAFE Queensland institutes include the Queensland Ombudsman and the Bar Association of Queensland.

## 17. MISCONDUCT

Student misconduct includes both academic misconduct and behavioural misconduct.

### 17.1 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, plagiarism, and falsifying information.

### 17.2 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, vocational placement site, or any organisation associated with the business 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.
- (viii) Acting in a way that is detrimental to the conduct of an educational activity.

### 17.3 Immediate Consequences of Misconduct

- (i) Where State or Commonwealth laws appear to have been breached the matter may 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; and
  - (c) The matter will be referred to the Institute Director for appropriate action, as outlined in Formal Disciplinary Process (refer 17.5).
- (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 Institute Director or delegated officer immediately.
- (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, or estranged from your parent/guardian.
- (viii) An International student's misconduct may result in cancellation of your enrolment and may affect the status of your Student Visa. Please contact your institute for further information and advice.

#### 17.4 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 may be notified 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 a parent/guardian chooses to attend the interview/s.

#### 17.5 Formal Disciplinary Process

Following receipt of advice of an act of misconduct, the Institute Director or delegated institute officer will, if possible, speak to you directly about the matter seeking your version of events.

The Institute Director may decide to suspend your enrolment until the issue of the alleged misconduct is resolved. You will be advised orally of such a decision and the Institute Director will provide you with a notice of suspension within 7 days. While suspended you are not permitted to enter any part of the institute without the written consent of the Institute Director or delegated officer.

If the Institute Director or delegated officer is of the view that on the balance of probabilities you have engaged in misconduct the Institute Director will provide you with a written notification, detailing:

- (i) Nature of the allegation;
- (ii) Decision as to whether there has been misconduct;
- (iii) Date of the decision;
- (iv) Materials considered;
- (v) Findings of fact;
- (vi) Reasons for decision; and
- (vii) Appeal rights.

Your responsibilities upon receiving written notification are:

- (i) You have five working days to make a written submission regarding the preliminary view notice.
- (ii) Within 5 days after receiving your submission, but no later than 10 days after you have been afforded the opportunity to make a submission, the Institute Director must make a decision and notify you of their decision.
- (iii) The decision must be based on the material set out in the written notification and upon the student's submission.
- (iv) Immediately after reaching their decision, communicate the decision to you in writing.
- (v) A written notification must comply with the requirements for a statement of reasons in the [Judicial Review Act 1991](#) (i.e. set out the decision and date, authority for the decision, name of decision makers, evidence considered, findings of fact, reasons for decision).

The following penalties may be applied if you are found to have engaged in misconduct:

- (i) 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).
- (ii) Attach a reprimand to the student's file and warn you against repetition of the misconduct.
- (iii) Suspend you from the institute and from attending classes for a period not exceeding 21 days which shall include any period of suspension already served.
- (iv) Suspend your access to all or some facilities and/or services, including library borrowing and computer access rights.
- (v) Exclude you from the institute for a period or permanently.

**Note 1:** If you require assistance in undertaking any part of the formal disciplinary process because of language or literacy barriers, disability, or any other issue you may request that the institute provide you with appropriate support.

**Note 2:** If you are 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 that you are provided with appropriate support and advice.

**Note 3:** Where you have been found guilty of misconduct, information relevant to the case may be shared with other TAFE institutes.

### 17.6 Misconduct Appeals

If you have been found guilty of misconduct, you may appeal the decision or the decision process in writing to the Director-General (or delegate) of the Department responsible for administering the VETE Act. An appeal must be in writing and fully set out the grounds of appeal. In determining the appeal the Director-General must:

- (i) Make a decision within 20 days of the receiving the application.
- (ii) Consider the appellant's submission, all material before the Institute director, and any further material considered relevant.
- (iii) The Director-General must decide to confirm, vary or set aside the misconduct decision.
- (iv) Upon making a decision the Director-General must advise the appellant of the decision as soon as is practicable and must send a decision notice within 7 days of making the decision.
- (v) A decision notice must comply with the requirements for a statement of reasons in the [Judicial Review Act 1991](#) (i.e. set out the decision and date, authority for the decision, name of decision makers, evidence considered, findings of fact, reasons for decision).
- (vi) The decision of the Director-General is final.

Appeals Process for International Students:

- (i) Each TAFE institute which provides services to International students must have in place an external appeals process which meets the National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students.
- (ii) TAFE Queensland institutes are able to set their own external appeals process to ensure compliance with the [National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students](#).
- (iii) Options available to TAFE Queensland institutes include the Queensland Ombudsman and the Bar Association of Queensland.

**Note 1:** If you are an apprentice or trainee, your appeal must be lodged in accordance with the Vocational Education, Training and Employment Act 2000.

**Note 2:** 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.

## **QUALIFICATION AWARDS**

### 18. ELIGIBILITY TO RECEIVE QUALIFICATION AWARDS

- (i) You will be able to receive a qualification award if you have met all academic requirements for your course and have been confirmed as eligible to receive a qualification award by your institute. If you are not sure if you are eligible to receive a qualification award, please contact your institute.
- (ii) If you fail to pay any debt owed to the institute your qualification award will be stamped for outstanding fees, and you will not be able to attend a graduation ceremony.
- (iii) If you have outstanding results from previous semesters, you will need to liaise directly with your institute to ensure that your eligibility to receive a qualification award has not been affected.
- (iv) If you are not eligible to receive an award you will not be able to participate in a graduation ceremony.

### 19. CANCELLATION OF AWARD 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.

- 
- (iv) Your institute will have a complaints and appeals process in place for the cancellation of an award or Statement of Attainment. You have the right to appeal this decision via the institute.

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

## **20. REPLACEMENT OF AWARD 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 including the award not being received in the mail, change of name, or the award being stamped for outstanding fees.
- (ii) 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.
- (iii) Fees may apply for the replacement of an award.

### **Policy Owner**

Office of TAFE Queensland

### **Review Date**

October, 2011