

## Student Conduct Policy and Disciplinary Procedures

<b>Accountability</b>	Academic Dean
<b>Operational Responsibility</b>	Faculty
<b>Date of Approval</b>	Dec 2017
<b>Next Review</b>	Q2 2019
<b>Approval Authority</b>	APC/T&LSPC Academic Board

## Objectives

LCI Melbourne believes that a positive learning environment and a thriving academic community are founded primarily on the adherence to a set of shared values: quality, initiative, creativity, altruism, commitment and sharing. These values are upheld throughout the entire organisation and support LCI Melbourne's mission statement stance on the role of education. In order to assure that the school community is committed to these common values, the policy on student conduct contains a set of rules outlining the responsibilities and proper practices for LCI Melbourne students.

## Scope

This policy includes exchanges between employees and students and interactions among students.

## Exclusions

This policy and its related procedures do not apply to interactions among employees. Employees may refer to the *Employee Code of Ethics* and the *Employee Social Media Policy* for applicable provisions and procedures.

This policy and its related procedures do not apply to concerns regarding harassment, academic complaints or non-academic complaints which involve services, facilities and resources provided by LCI Melbourne.

## Definitions

### Student Conduct-related Complaints

This policy concerns the handling of student conduct complaints, which are outlined in the provisions below.

### Harassment-related Complaints

LCI Melbourne differentiates between academic and non-academic-related complaints and cases of harassment, which are addressed in the *Student Bullying and Harassment Policy*. LCI Melbourne defines harassment as any offensive or inappropriate conduct or comment that the person making the comment or engaging in the conduct knows or reasonably ought to know is unwelcome by another person, or which adversely affects a person's dignity or physical or psychological safety, or which results in a harmful work environment.

Not all insistent or bothersome actions are considered to be harassment. For more information see policy *Student Bullying and Harassment Policy*.

### Academic Dishonesty

LCI Melbourne differentiates between student conduct-related complaints and cases of academic dishonesty, which are addressed in the *Academic Honesty and Integrity Policy*. Academic dishonesty includes plagiarism and cheating, attempts at plagiarism and cheating or complicity in plagiarism and cheating, whether in an exam or an assignment at any stage of the learning process.

### Non-academic Complaints

For concerns regarding general non-academic complaints which involve services, facilities and resources provided by LCI Melbourne, refer to the *Student Non-academic Complaint Policy*.

### Academic Complaints

For concerns regarding academic instruction or grading, students should refer to the *Academic Complaints and Appeals Policy*.

### Provisions

In addition to complying with the specific requirements demanded by their program, students and faculty are responsible for respecting the Code of Conduct at all times.

### Code of Conduct

Students must:

- ask for authorisation to use electronic devices, such as cell phones, tablets, MP3 players, calculators or laptops, for personal purposes, during program-related activities;
- ask for authorisation to make an audio-visual recording of a LCI Melbourne activity;
- use English during class-related activities (unless the course itself is in a language other than English) and while working in classrooms after class hours;
- be punctual for all program-related activities;
- attend the classes that they are enrolled in;
- come to class with all the required materials;
- engage in classroom activities;
- refrain from eating or drinking in classrooms, with the exception of water;
- respect a clean and proper dress code, while adhering to the demands of their specific programs. Clothing articles that bear offensive messages, are revealing or that allow undergarments to be visible are considered inappropriate;
- behave in a responsible, respectful and courteous manner towards peers, faculty, staff and administrators;
- contribute to keeping LCI Melbourne premises clean by picking up their own garbage and placing it in the correct waste or recycle receptacle;
- not vandalise, knowingly misusing or damaging LCI Melbourne premises or any available equipment. If found responsible for deliberate property damage, students shall cover the cost of repair or replacement at the purchase value;
- not use the name or logo of LCI Melbourne without authorisation from LCI Melbourne's administration;
- not post messages on LCI Melbourne bulletin board without prior authorisation from the administration;
- not steal property that belongs to LCI Melbourne or any other member of LCI Melbourne community;
- not violate the privacy or physical integrity of any of the members of the LCI Melbourne community;
- not use LCI Melbourne facilities or equipment without authorisation;
- not conduct commercial activity on LCI Melbourne grounds unless written permission has been obtained from the administration;
- not bring friends or relatives with them into LCI Melbourne labs or working spaces without permission of a faculty member or LCI Melbourne administration. Visitors are encouraged to wait in the entrance lobby;
- not provide, sell or consume alcoholic beverages or recreational drugs on LCI Melbourne premises and must not enter LCI Melbourne premises under the influence of such controlled substances;
- not bully or harass any of the members of the LCI Melbourne community;
- not plagiarise or cheat on unit assignments or tests;
- not bring pets onto LCI Melbourne premises.

In conjunction with the above rules, students should also abide by the provisions stated in the following policies:

- Academic Freedom Policy;
- Intellectual Property Policy;
- Academic Honesty and Integrity Policy;
- Information and Communications Technology Policy;
- Employee and Student Access and Equity Policy;
- Student Bullying and Harassment Policy.

Finally, students are encouraged to consult the chart that outlines the rights and responsibilities for members of the LCI Melbourne community (see Appendix I, this policy - *Mutual Obligations between LCI Melbourne and Students*).

### Supporting Procedures

During the complaint process, all information obtained concerning employees or students is treated with the highest level of confidentiality. In the case of potential legal implications, it is incumbent on the LCI Melbourne to report the incident to the police and fully cooperate with any investigation that may follow.

### **Disciplinary Procedures – applies to students in the context of on-campus and in-class behaviour**

Any student found guilty of contravening the Code of Conduct (outlined above) may be subject to one or more of the following sanctions:

- A warning
- Disciplinary Performance Contract
- Withdrawal from an Activity or a Course
- Suspension from a Course or Program
- Dismissal from LCI Melbourne

Depending on the gravity of the infraction, the witness or victim of said infraction must let the student know that the behaviour is not acceptable, insofar as possible and provided there is no immediate threat to his or her safety. Depending on the gravity of the infraction, the witness or victim of said infraction (hereinafter referred to as the “complainant”), informs the Program Coordinator of the concerned student to discuss the infraction and, together, they decide on a plan of action and if a warning needs to be issued. Generally, this notification is used when a student acts in violation of the Code of Conduct (outlined above) established by LCI Melbourne.

If the infraction is considered serious, the Program Coordinator must direct the concern to the Academic Dean if it is related to in-class activities or the Student Services Coordinator if the infraction is related to activities outside the classroom.

If disciplinary action is deemed necessary, the first level of disciplinary action may be in the form of a warning in writing delivered to the student by the Program Coordinator within 10 days of receiving the complaint, unless there are extenuating circumstances. If deemed necessary, the Program Coordinator may bring the parties together to discuss the infraction or write a disciplinary performance contract. When the investigation is complete, the person handling the complaint lodges a confidential record of the investigative proceedings.

#### *Withdrawal from an Activity or Course*

The second level of disciplinary action constitutes a written request to withdraw from an activity or a course. This sanction is applied following a repeat offence or after a written warning notice. It can also serve as a first measure following an isolated incident of a serious nature.

The following directives guide the complaint procedure.

The complainant again meets with the Program Coordinator of the concerned student to discuss the infraction and, together, they decide if a withdrawal notice needs to be issued. If disciplinary action is deemed necessary, the Program Coordinator will request a meeting with the Academic Dean, in writing, and will include all documentation regarding the infraction. The Academic Dean (or appointee) may request a meeting with the student within 10 days of receiving the complaint, unless there are extenuating circumstances. If the person handling the case agrees that disciplinary action is deemed necessary, he or she gives the student a written request to withdraw notice. When the investigation is complete, the person handling the complaint lodges a confidential record of the investigative proceedings.

The following conditions apply in the event that a student is asked to be removed from a class or excluded from an activity:

- A complainant can request for a student’s removal from a class or an activity for reasons which are deemed reasonable and valid;
- A complainant can request that there be conditions attached to the reinstatement of a student removed from a class or an activity;
- A student who fails to comply with the notice of withdrawal is liable to receive a more severe sanction, namely, a suspension from the program for a definite period or depending on the gravity of the contravention, for an indefinite period;

### *Discretionary Action or Suspension from a Program*

The following directives guide the complaint procedure.

In the case of the need for a third level of disciplinary action following a repeat transgression of the rules after a withdrawal from a course or an activity or a warning has already been enforced depending on the gravity of the misbehaviour, the complainant again meets with the Program Coordinator. If, together, they decide that disciplinary action is deemed necessary, the Program Coordinator brings the case once again, in writing, to the attention of the Academic Dean without requesting a specific sanction.

The Academic Dean (or “the appointee”) investigates the merits of the request and consults any other relevant persons, including the President or Human Resources (HR), who can provide advice regarding the investigation. Together, the person handling the case, the President or the HR person analyse the gravity of the infraction and any precedents, and make a decision within 10 days of receiving the complaint, unless there are extenuating circumstances. If the request is denied, the case is considered to be settled for the time being and may be reopened if subsequent requests for discipline for the case are received.

If the request is supported, a penalty is determined, which may include suspension. The student receives a letter from the Campus Director informing him or her of the suspension, as well as the reason, length and specific details relating to the above mentioned sanction. The suspension takes effect immediately after the student receives the notification, either verbally or in writing.

When the investigation is complete, the person handling the complaint lodges a confidential record of the investigative proceedings.

### *Dismissal from LCI Melbourne*

As a final level of disciplinary action, a dismissal from LCI Melbourne is enforced. This sanction is applied following a repeated violation, after a warning, withdrawal or suspension has already been sanctioned. It can also serve as a first measure following an isolated incident of a very serious nature.

The following directives guide the complaint procedure.

Following a written request from the Program Coordinator based on discussion with the complainant to reopen the case, without requesting a specific sanction, the Academic Dean (or appointee), the President or HR Services reconvene and gather information, examine the merits of the request and make a decision. If the request is denied, the case is considered to be settled for the time being and may be reopened if subsequent requests for dismissal for the case are received.

If a sanction(s) is supported, the student receives a letter from the President informing him or her of the sanction. In the case of a dismissal, the student is no longer authorised to complete the courses he or she is currently enrolled in or enroll in any of the programs offered by LCI Melbourne.

The student subject to dismissal may come to LCI Melbourne if the specifics related to the student’s presence on campus concur with the conditions set by the dismissal notice.

When the investigation is complete, the person handling the complaint lodges a confidential record of the investigative proceedings.

### **Appeal Procedure**

The following directives guide the appeal procedure.

If the student considers that the penalty is not justified, he or she has the right to make an appeal. For the appeal to be processed, the student must submit a written request to the person dealing with the case within 10 business days following the date on the written notice of the decision, unless there are extenuating circumstances. The written request must include a detailed justification as to why the penalty should be reviewed.

The investigation will be completed and the appropriate resolution decided upon as soon as possible (normally within 30 days after a formal written complaint is made, unless a longer period is appropriate in the circumstances in which case the complainant will be notified of the proposed time frame).

The person(s) responsible for handling the complaint shall appoint an ad hoc Appeal Committee consisting of two to three employees having no previous exposure to the investigation and give notice that an investigation has been initiated to the senior administrator(s).

In the course of the investigation of an appeal, the Appeal Committee will:

- review the complainant's justification for the appeal and the previous proceedings to ensure that all previous procedures have been conducted efficiently and in compliance with this Policy and applicable laws;
- give notice to the senior administrators if the appeal is warranted and if a hearing should take place; or
- give notice that the appeal has not been upheld to the senior administrator(s), in which case the decision of the Appeal Committee is final and cannot be appealed further;
- during and subsequent to the hearing, the Appeal Committee advises the respondent in writing of the appeal, meets individually with the complainant and the respondent, considers the evidence underlying the complaint and investigation and the provisions of this Policy and applicable laws, deliberates and arrives at a final decision as to the resolution of the complaint;
- give notice of the investigative findings to the complainant, the respondent and the senior administrator(s);
- when the investigation is complete, the person handling the appeal lodges a confidential record of the investigative proceedings.

If the investigative findings substantiate the complaint, the President or Academic Dean may make recommendations regarding appropriate action arising out of such findings and the senior administrator, in consultation with such other members of administration as such person may consider appropriate and taking into account any recommendations from the Campus Director or Academic Dean, will: (i) initiate appropriate action arising out of such findings, (ii) give a written summary of such action to both the complainant and the respondent, and (iii) lodge a confidential record of such action.

### Further Information

- Mutual Obligations between LCI Melbourne and Students (Appendix I, this policy)
- Academic Freedom Policy
- Academic Honesty and Integrity Policy
- Intellectual Property Policy
- Student Non-Academic Complaints Policy
- Academic Complaints and Appeals
- Student Bullying and Harassment Policy
- Employee and Student Access and Equity Policy
- Occupational Health and Safety Policy

### Accountable Officers

The accountable officers for the implementation and relevant training of this policy are listed below.

Policy Category		Academic		
Responsible Officer		Academic Dean		
Review Date		Q2 2019		
Approved by				
APC/TL&SPC on behalf of the Academic Board				
Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved	Effective Date
1.0	Academic Dean	Code of Conduct.pdf	Jan 2004	Jan 2016
1.1	Academic Dean	Merged data from LCI Melbourne Code of Conduct with LCI Vancouver Policies	Dec 2017	Jan 2018

## Appendix I

### Mutual Obligations between LCI Melbourne and Students

LCI Melbourne Responsibilities	Students Responsibilities	Organisational Shared Values
1. Provide high quality and innovative educational services that are focused on the most effective teaching and learning practices.	Attend lessons, participate in learning activities and adopt a proactive approach to learning.	Quality of services, commitment, creativity, sharing and sense of initiative
2. Take students' individual differences into account, respect LCI Melbourne community in all its diversity and complexity and prevent any form of discrimination and harassment.	Respect and value the diversity of LCI Melbourne community and contribute to an environment free from discrimination and harassment.	Altruism
3. Foster the ethical values of academic honesty and respect for intellectual property and academic freedom within LCI Melbourne community.	Work with integrity, honesty and respect for the intellectual property rights when completing academic work.	Altruism, share and commitment
4. Empower students to reach their full academic and creative potentials and encourage independent and critical thought.	Commit to the development of one's creative potential and individuality through academic work.	Altruism, creativity and sense of initiative
5. Provide facilities and services that allow students to study in a safe and supportive environment.	Respect the facilities, resources and safety measures established by LCI Melbourne.	Quality of services, share and altruism
6. Provide accurate and readily available information on programs of study, LCI Melbourne services, institutional policies and any other useful information for students.	Monitor the progression of one's studies and consult one's LCI Melbourne email account on a regular basis.	Quality of services, share
7. Encourage reflective practice amongst staff and operate an effective quality assurance system.	Act as a collaborator in the process of evaluating and improving the quality of teaching practices and program of study (e.g. by filling out questionnaires with honest and constructive responses).	Quality of services, share, commitment and sense of initiative
8. Treat all staff and students with fairness and transparency by operating efficient complaints and grievances procedures that are compliant with Canadian law.	Express oneself if subject to unfair treatment and criticise the unfair treatment of others.	Quality of services and altruism
9. Encourage student representation in organisational decision-making (i.e. via LCI Melbourne and student committees).	Engage actively with LCI Melbourne community to affirm one's decisional power and to contribute to a better educational and social environment.	Altruism, share and sense of initiative
10. Treat student records with professionalism and handle personal information in a confidential manner.	Provide LCI Melbourne with accurate academic and personal information in a timely manner in order to facilitate administrative procedures.	Quality of services