



FAIRVIEW[™]
EDUCATION

Academic & Student Misconduct Policy

Academic and Student Misconduct

Academic and Student Misconduct includes dishonest practices such as copying, misrepresentation of identity, plagiarism, data falsification, and other forms of cheating where a student seeks to gain, for themselves or any other person, an academic advantage or advancement.

Academic and Student Misconduct also includes inappropriate behaviour such as bullying, harassment, disruptions that impede another student's ability to learn, whether on a recognised Fairview Education's Campus or offsite in a practical learning environment under the Fairview Education's management.

Academic and Student Misconduct includes behaviour such as:

This list is not intended to be exhaustive. Further, in some circumstances, the nature of a student's conduct may be sufficiently grave to constitute serious misconduct, notwithstanding that the conduct is described as 'misconduct' in the list below.

1. Staff authority for discipline in class

Staff delivering or supervising a class may dismiss from it for its duration, any student who, in his or her judgment, has behaved in a manner that disrupts the class or jeopardises the health or safety of a student or another person.

2. Academic and Student Misconduct

- a. Actions and behaviour that discredits Fairview Education;
- b. Activities that impede the academic integrity of the student, other students, the programme and Fairview Education;
- c. Activities that encourages or aids another student/s to breach conduct and/or any form of misbehaviour;
- d. Failing to comply with any regulation, policy or other related documents;
- e. Bullying, harassing or discriminating against someone on any Fairview Education, or Fairview Education used premise;
- f. Disruptive behaviour during Fairview Education classes or activities;
- g. Activities that are likely to unfairly harm the reputation or professional prospects of another student or staff member;

- h. Actions that jeopardises the health and safety of another person or breaches legislative requirements;
- i. misusing / improper use of Fairview Education facilities, equipment or resources;
- j. damaging or removing property.

In cases of ongoing disruption or discipline breaches, the staff member may lodge an allegation of misconduct under the provisions of these regulations.

Staff may also decline to mark any module work that they are satisfied is the result of some dishonest or improper practice or does not comply with instructions while an allegation is being investigated.

In these instances, the procedures will conform to the provisions within Section 6 - Academic and Student Misconduct.

3. Principles

Personal information relating to any allegation and investigation of misconduct is confidential and will only be disclosed to those directly involved on a “need to know” basis.

Disciplinary action will be applied consistently and fairly, considering the extent and nature of the misconduct, and is intended to prevent reoccurrence.

The General Manager or Assistant Team Manager has delegated powers to deal with matters of student discipline, including misconduct and will determine the appropriate sanctions.

4. Student Rights

Students have the right to:

- be advised of the allegation if the General Manager/Assistant Team Manager deems that there is a case to answer;
- be given sufficient notice of any meetings they are asked to attend so they can prepare their response and arrange support;
- have a support person of their choice present with them at any meeting, which will be notified to them at the time notice is given of any meeting;
- request the review of any academic decision as stated in these regulations.

5. Investigations of Academic and Student Misconduct

Where a staff member has evidence of Academic or Student Misconduct, they will report to the Training Manager/General Manager (or delegate) who will determine whether there is sufficient evidence to proceed.

- If sufficient evidence has been provided, the Assistant Team Manager/General Manager (or delegate) will launch an investigation;
 - If an investigation is launched the Assistant Team Manager/General Manager may, for the period of the investigation:
 - Suspend the student/s from any Unit Standard/s or programme, or from Fairview Education.
 - Remove access to Fairview Education services.
 - Arrange for the issuing of a trespass notice.

The General Manager (or delegate) will inform the student in writing of the following:

The General Manager may delegate the investigation.

- The delegate must not be staff involved in the teaching or supervision of the module/s in which the misconduct may have taken place.
- In some instances, the delegate will be from outside of the institute as follows.
- An Information Technology Manager for investigations related to computer use.
- The Facilities Manager for investigations related to physical spaces and security.
- Where a delegate is from outside of the institute, the delegate must work with the Assistant Training Manager to ensure impacts of any recommended penalty is identified and communicated to the General Manager.

An investigation may include the review of data captured via surveillance camera.

An investigation may involve interviewing the student/s directly involved, or other students if it is relevant to the allegation / investigation.

When an investigation is undertaken, the assessment grade/s for the student/s involved may be withheld or withdrawn until the matter has been resolved.

The General Manager (or delegate) will ensure a record of the initial request is recorded centrally and tracked through the process and final outcome to the application of penalties (where appropriate).

6. Penalties for Academic and Student Misconduct

Dismiss the allegation/s against the student/s conditionally or absolutely;

- Issue a written warning.
- Establish a learning contract that will require, and allow, the student/s to undertake an additional summative assessment in the subject area;
- Seek a referral to an internal support unit;
- Amend a mark on an assessment/s;
- Deny full or partial credits for any course/s;
- Suspend the student/s from any course, or from Fairview Education, for a specified period;
- Recommend to the General Manager that the student/s be excluded from the course/s or from Fairview Education;
- Suspend borrowing privileges for a period of time;

Remedies outside of Fairview Education

If students are not satisfied with the outcome of Fairview Education's internal processes, then they are able to submit a complaint to the New Zealand Qualifications Authority (NZQA). Alternatively, they submit a complaint to the Ombudsman.

- Please refer to the [NZQA website](#) or the [Ombudsman website](#) for the process to follow.
- International students who are not satisfied with the outcome of the internal Fairview Education's processes may also submit a complaint to iStudent. Please refer to the [iStudent website](#).
- Students and staff must act with honesty and integrity within all Student Voice tools and opportunities:

