

## Learner Responsibilities and Rights

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Current Version:	04/08/22	Officer Responsible:	Executive Director – Academic, Innovation and Research (AIR)
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Review Cycle:	5 years		
Applies From:	Immediately		

Major changes/additions since the last version was approved are indicated by a vertical line in the left-hand margin.

# 1 Introduction

## 1.1 Purpose

All learners enrolled at or attending/using services of Ara Institute of Canterbury Ltd<sup>1</sup> are expected to accept certain responsibilities, respect the rights of others, and behave in an acceptable manner. Ara undertakes to uphold these responsibilities and rights for all learners, including adherence to the principles of academic freedom (Education and Training Act 2020) and other relevant legislation. The specific responsibilities and rights have been defined in consultation with learner representatives and reflect the educational purpose, values, and goals as set out in the Ara Strategic Plan/Kaupapa.

## 1.2 Scope and Application

This policy applies to all learners enrolled at or attending classes/using services of Ara.

## 1.3 Formal Delegations

There are no formal delegations associated with this policy.

## 1.4 Definitions

Natural Justice: In English law, natural justice is technical terminology for the rule against bias and the right to a fair hearing. While the term natural justice is often retained as a general concept, it has largely been replaced and extended by the general "duty to act fairly".

### Related Ara Procedures and Forms

- [APP301a Learner Responsibilities and Rights](#)
- [APP511a Learner Support at Ara](#)
- [CPP120d Academic Delegations Register](#)
- [CPP105a Ara Ltd Code of Conduct for ICT Users](#)

### Related Ara Policies

- [APP304 Academic Misconduct](#) (including Plagiarism & Cheating)
- [APP504 Regulations Governing Admission and Enrolment](#)
- [APP506 Probation](#)
- [APP514 Withdrawals, Refunds and Compassionate Consideration](#)
- [CPP105 Acceptable Use and Conduct for ICT Users](#)

<sup>1</sup> From herein referred to as Ara

	<ul style="list-style-type: none"> <li>• <a href="#">CPP109 Disclosing Personal Information about Students and Staff</a></li> <li>• <a href="#">CPP117 Raising Problems or Complaints</a></li> <li>• <a href="#">CPP208 Resolving Employee Performance or Conduct Issues</a></li> <li>• <a href="#">CPP211 Code of Professional Practice</a></li> <li>• <a href="#">CPP222 Addressing Bullying, Harassment and Discrimination</a></li> </ul>
<b>Related Legislation or Other Documentation</b> <ul style="list-style-type: none"> <li>• Education and Training Act 2020</li> <li>• Privacy Act 2020</li> <li>• Health and Safety at Work Act 2015</li> <li>• Official Information Act 1982</li> <li>• Immigration Act 2009</li> </ul>	<b>Good Practice Guidelines</b>
<b>References</b>	
<b>Notes:</b> <i>March 2012:</i> <ul style="list-style-type: none"> <li>• <i>Ara Policy and Procedures were updated to reflect the changes in structure, committees, roles and delegations as a result of the Ara Management Restructure.</i></li> <li>• <i>Student Rights and Responsibilities attachment to this Policy updated to reflect an emphasis on responsibilities of students and standards of acceptable behaviour.</i></li> </ul> <i>2014:</i> <ul style="list-style-type: none"> <li>• <i>Policy reviewed in conjunction with APP304 Academic Misconduct and APP506 Probation Policies.</i></li> <li>• <i>References to the Christchurch Polytechnic Students' Association (CPSA) have been removed. CPSA were involved in the consultation of earlier versions of the Policy and Procedure.</i></li> </ul> <i>2016:</i> <ul style="list-style-type: none"> <li>• <i>New branding.</i></li> </ul> <i>2018:</i> <ul style="list-style-type: none"> <li>• <i>Restructure of Te Kāhui Manukura.</i></li> </ul> <i>2020:</i> <ul style="list-style-type: none"> <li>• <i>Moved Responsibilities ahead of Rights. Added a definition of 'natural justice'. Organisation name changed to Ara Institute of Canterbury Ltd.</i></li> <li>• <i>NZIST changes – Academic Board becomes Ara Academic Committee; Ara Council becomes Ara Board. Changing 'student' to 'learner'.</i></li> <li>• <i>Change of Education Act 1989 to Education and Training Act 2020.</i></li> </ul> <i>3/2/21: Changed Infoweb to Waituhi in footer</i> <i>28/9/21: Privacy Act date updated.</i> <i>4/8/22: Policy reviewed and updated to align with recommendations from external review.</i> <i>21/12/22: Renamed CPP208 policy from Resolving Staff Performance or Conduct Issues to Resolving Employee Performance or Conduct Issues. CPP209 now CPP222.</i>	

## 2 Principles

- 2.1 Ara learners are expected to accept certain responsibilities, respect the rights of others, and behave in an acceptable manner.
- 2.2 Ara is committed to 'delivering what is promised to a recognised standard' (our definition of quality).
- 2.3 Staff are responsible for ensuring that learners are aware of the implications of their responsibilities and rights in the particular learning environment.
- 2.4 Every person affected by this policy has the right to a copy of this policy and to further information as is needed to clarify any point or process.
- 2.5 Every person has the right to representation, advice, advocacy, and support at all stages of any of the processes relevant to this or other relevant policies.

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## 3 Learner Responsibilities and Rights

### 3.1 Learner Responsibilities and Rights Sheet

The Ara community consists of a diverse range of people and cultures, and we respect all members of our community. Our aim is to have a community where learners respect themselves and others, a community where healthy social interactions and academic pursuits are expected. To create and maintain the best possible teaching and learning environment, you are protected by basic rights and are expected to respect the rights and responsibilities of others.

Useful Contacts:

Independent Student Advocate: Duncan Dunbar.  
Email: [duncan.dunbar@ara.ac.nz](mailto:duncan.dunbar@ara.ac.nz) | Mobile: 027 273 6246

Manager, Student Life:  
Email: [studentvoice@ara.ac.nz](mailto:studentvoice@ara.ac.nz)

### 3.2 Your Responsibilities as a Learner

*As a learner here, Ara expects you to:*

#### **Behave safely**

- Take care when using equipment and facilities.
- Wear suitable clothing.
- Follow health and safety guidelines and instructions.
- Not endanger yourself or others.
- Follow relevant professional guidelines.
- Ensure you are not intoxicated or under the influence of drugs on Ara premises or when involved in Ara related activities both formal and informal, with your programme, field trips, internships etc.

#### **Respect others**

- Be sensitive to personal, social, and cultural differences.
- Respect the needs, rights, and freedoms of others.
- Help to uphold the integrity of Ara qualifications by discouraging/reporting dishonest practices.

#### **Observe Ara rules**

- Behave appropriately for a tertiary education environment.
- Genuinely attempt to meet all course requirements including financial obligations.
- Comply with visa requirements.
- Be honest when completing assignments/other assessments.
- Comply with requirements of programme handbooks.
- Follow Ara policies and regulations (refer: <https://www.ara.ac.nz/about-us/policies>).

### 3.3 Your Rights as a Learner

*Ara will protect your right to fairness. You have a right to:*

#### **Fairness**

- Open and accurate information.
- Fair evaluation and assessment.
- Have any problems handled as quickly as is practical and consistent with 'natural justice'.

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- Personal privacy.
- Support, representation, and advocacy.

### **Ara Respects your right to:**

- Academic freedom, defined as 'freedom, within the law, to question and test received wisdom, to put forward new ideas and to state controversial or unpopular opinions.' (Education and Training Act 2020)
- Freedom from any form of harassment, bullying, or unjust discrimination.
- Respect for personal, social, and cultural differences.
- Representation in the development, implementation, and review of policies.

### **Ara will protect your right to Standards:**

- Study programmes that meet internal and external standards for approval and registration.
- To have competent and effective teachers.
- Appropriate support services delivered in a professional manner.
- Facilities and resources that meet or exceed Health & Safety legislation.

### **Concerns / Complaints:**

Your rights will be upheld by Ara management. If you think they have been infringed, in the first instance please contact your course tutor. If it is not appropriate to contact your tutor regarding your complaint, or the matter has not been resolved, please contact your Head of Department/Programme Manager or Student Advocate and/or the Student Life Team

## **3.4 Unacceptable Behaviour for Learners, or Visitors at Ara**

*The following are examples of behaviour which are not acceptable for anyone (learners, or visitors), at Ara or involved in Ara related activities:*

- Breaking any NZ law (e.g., assault, theft).
- Any form of cheating (including plagiarism and other dishonest practices).
- Misuse of technology, software, hardware, or communication systems provided by Ara (refer Ara Code of Conduct for ICT Users in particular).
- Any form of harassment, bullying, or unjust discrimination including social media.
- Unacceptable sexual behaviour (e.g., sexual harassment, accessing pornography/other restricted material).
- Misuse of alcohol, drugs or other substances affecting behaviour, health, or safety.
- Smoking (including vaping) on Ara campuses. (Ara is a smoke free campus).
- Violence or threats of violence.
- Vandalism or other abuse of facilities and buildings.
- Disruptive behaviour in class (e.g., arriving late, use of any electronic device, interfering with the learning of other individuals).
- Inductions (informal) are not permitted at Ōtautahi House or on other Ara premises and are strongly and expressly discouraged by Ara.

The above is not an exhaustive list of unacceptable behaviours. Where appropriate, Ara reserves the right to contact or report to external authorities.

Academic staff have the responsibility to maintain a safe and effective learning environment. They may ask you to leave the class if your behaviour indicates limited ability to be safe, disturbance to others learning, or puts others at risk.

Ara takes this code of conduct seriously. Your marks, reports, and references may include an assessment of your behaviour, as well as your educational achievement. Serious infringement may lead to probation, suspension, or cancellation of a current enrolment and/or refusal of a future enrolment (see relevant policies). This may be referred to an appropriate external authority e.g., NZ Police.

### **3.5 Learner Behaviour in class / classroom maintenance**

Be respectful of other learners and the classroom environment, following classroom specific rules and requirements. To avoid any distractions, you must ensure any electronic device you have on you/with you is diverted, not set to ring, or switched off. Both staff and students have a responsibility to ensure this happens

### **3.6 Dress code**

There is no written dress code, but you are expected to attend classes dressed in a way which is generally acceptable. However, you're expected to be "dressed for the occasion" when going on a site visit or undertaking a Cooperative Education Project. You may be prevented from going on site visits if the staff member is of the opinion that you're not dressed for the occasion. In specific courses, a "dress code" and standard is required. These will be detailed in the Programme Handbook and Course Outline.

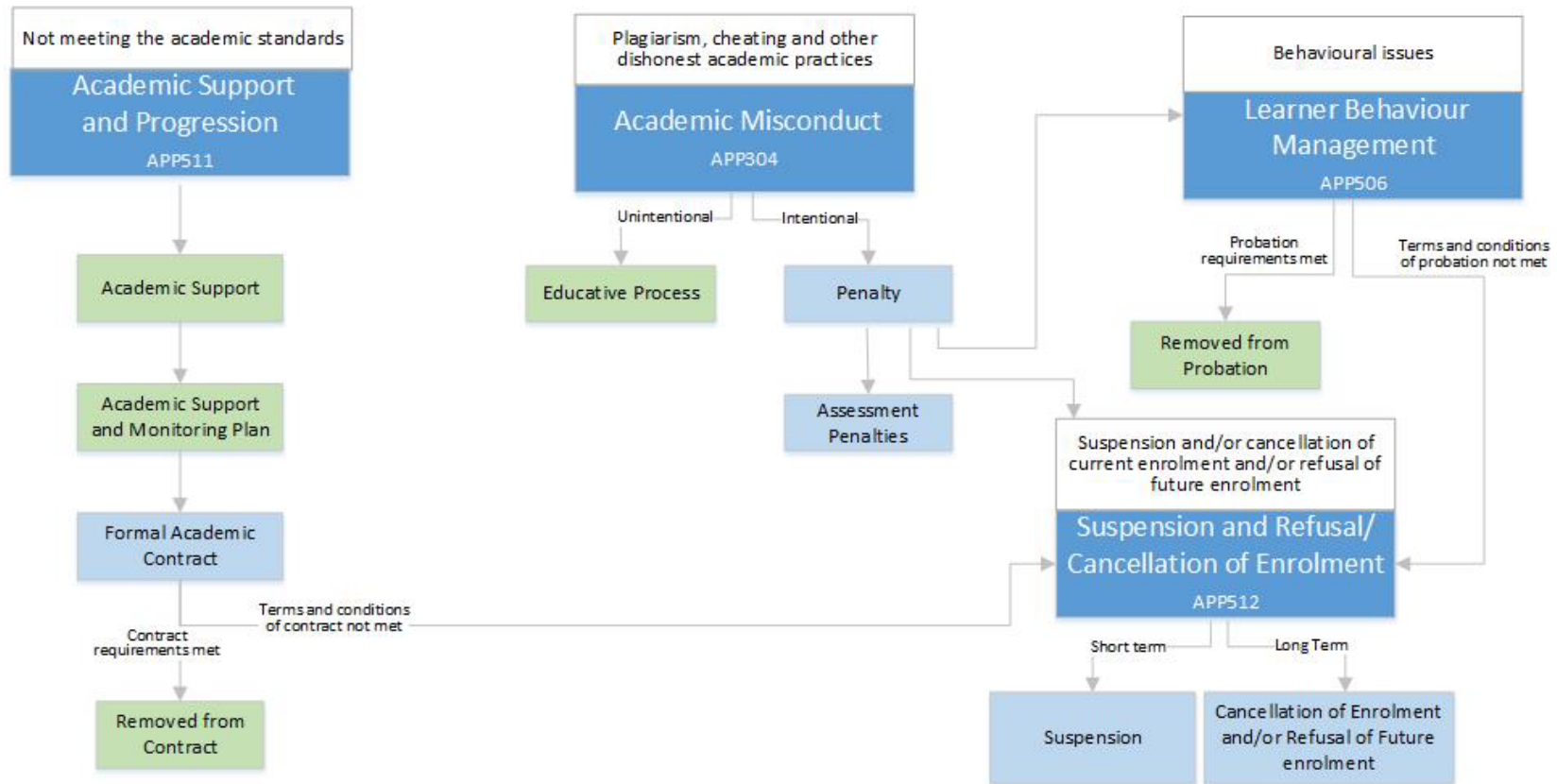
# Flowchart for Learner Responsibilities and Rights and Associated Policies



All learners enrolled at or attending/using services of Ara are expected to accept certain responsibilities, respect the rights of others and behave in an acceptable manner

## Learner Responsibilities and Rights

APP301



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