

MOODLE SITE POLICY AND TERMS OF USE

Document Name	ACAP_1_A_POL_Moodle_181012	
Date of Next Review	10 July 2021	
Approved by	Executive Committee	10 July 2018
Responsible Person	Director of Educational Technology	
Related Documents	ACAP Privacy Statement (inclusive of Navitas Privacy Policy); Privacy of Student Personal Information Policy; Student Code of Conduct; Web Privacy Statement; Facebook Group Guidelines and Terms of Use; Library Resource Access Policy; Academic Misconduct Policy; Academic Integrity Statement, Code of Practice for Research Supervisors and Research Students; Intellectual Property in Research, Scholarship and Curriculum Development Policy; Record Retention Obligations of Research Students and Staff – Guidelines; Records Management Policy; Records Retention and Disposal Schedule; and related information in the Student Handbook.	
References and Legislation	Tertiary Education Quality and Standards (TEQSA) Act 2011 (Cth); Higher Education Standards Framework (Threshold Standards) 2015; Education Services for Overseas Students Act 2000 (Cth); Education Services for Overseas Students Regulations 2001; National Vocational Education and Training Regulator Act 2011; Migration Act 1958 (Cth); National Code of Practice for Providers of Education and Training to Overseas Students 2018; the Higher Education Support Act 2003 (Cth); Privacy Act 1988 (Cth)	

1. Purpose:

This policy sets out the College’s policy and terms of use in relation to the College’s Moodle website and associated College systems. When users first login to the College’s Moodle website they see and are required to agree to the College’s Moodle Policy and Terms of Use before being able to use the website and associated College systems.

2. Scope:

This policy applies to all users of the College’s Moodle system.

3. Definitions:

Term	Definition
<i>Academic staff / teaching staff</i>	Permanent and casual employees engaged in teaching and assessment of courses at the institution.
<i>College (the)</i>	The Australian College of Applied Psychology (ACAP).
<i>International student/ Overseas student</i>	A student required to hold a student visa for study in Australia.
<i>Unit</i>	A unit of study in a higher education course or a unit of study, module and/or unit of competency in a vocational education and training course.

4. Policy:

4.1 Disclaimer

Whilst every effort has been taken to ensure that the information contained on the College's Moodle website (referred to herein as 'the website') is accurate, the information on the website is for personal and/or educational use only and is provided in good faith without any implied or express warranty. The College gives no guarantee as to the accuracy or currency of any individual item on the website. The College accepts no responsibility for any loss or damage whatsoever caused by the use or reliance of any information contained on the website nor from any access to the website. Access to and use of the website are at the risk of the user.

Information provided on the website about courses, units, modes of study, staffing and any arrangements relating to same are an expression of intent only and are not to be taken as a firm offer or undertaking. The College reserves the right to discontinue or vary such courses, units, modes of study or any arrangements including staffing at any time without notice and to impose limitations on enrolment in any course or unit for any reason. The College has referenced certain linked material on the website as a service to the users of the website. This service does not mean that the College endorses those linked sites or material on those sites in any way. The College is not responsible for the use of a hypertext link for which a commercial charge may apply. The onus of responsibility rests with the user for any charges that their use may incur.

4.2 Acceptable Use

The College requires all users of its ICT resources and systems to do so in a legal, ethical and responsible manner. Use of these systems is subject to the full range of State and Federal laws that apply to communications and to the use of computers, as well as any other relevant laws and College policies. This includes (but is not limited to) copyright, intellectual property, breach of confidence, defamation, privacy, contempt of court, harassment, vilification and anti-discrimination legislation, the creation of contractual obligations, and civil and criminal laws.

4.3 Security and Privacy

The College will take all reasonable security measures to protect your personal information from unauthorised access, loss, misuse or disclosure. In the event of unauthorised access or disclosure that is likely to result in serious harm to the individuals to whom the personal information relates, the College will notify the affected individuals and relevant government departments and recommend steps to be taken in response to the incident. As far as is permissible under law and unless expressly agreed with the user, the College has no further responsibility in relation to the privacy or confidentiality of any information the College collects from or records about users of the website.

The information supplied by you within these systems will only be used to provide you with information about study opportunities; for the administration of courses and subjects; to maintain proper academic records; and, to deliver services reasonably expected of an educational institution.

While the College will take every precaution to protect the security and privacy of its users' ICT accounts and the information stored within its accounts and systems, users should be aware that Commonwealth, State and Territory legislative and other requirements require retention and inspection of some electronic files and communications held on the College's systems. College staff treat the content of electronic communications and data as confidential. However, users must be aware that educational administration, normal operation, record-keeping and maintenance of the systems generally requires backup and caching of communications and data; the logging of activity; and monitoring of general usage patterns. Users should be aware that electronic records may be subject to the College's obligation to respond to subpoenas or other legal orders (e.g. a request under

freedom of information legislation). For example, an email is considered a document under the law and can be legally requested, as can any other document.

If you choose not to provide certain information this may impact your ability to participate in, progress through and/or complete your course or unit of study. This includes, but is not limited to, learning activities and requirements within the online class space.

Users who have legitimate access to personal and confidential information must respect the privacy of others and maintain the confidentiality of the information to which they have access.

You have the right to access the personal information that the College holds about you. If you would like access to this information your request must be in writing, and a fee may be charged.

4.4 Intellectual Property

This site contains a variety of material which is protected by intellectual property laws, including copyright. Unless otherwise stated on this site, the material on this site is and remains the intellectual property of the College. You may only copy and use material on this site for your own personal and private use, and provided that textual and graphical content are not altered and that the context and source are acknowledged. The College reserves the right to revoke that permission at any time. Without limiting any permission given in the previous paragraph, permission is not given for the further dissemination of this material or any commercial use or sale of this material. Material anywhere on the website which is the intellectual property of someone other than the College may not be copied, used or further disseminated without the express and written permission of the holder of intellectual property in that material (except as expressly permitted by law).

5. Document Management Control

Date	Summary of Changes	Author
1/02/2010	Initial approval	Director of Educational Technology
1/02/2012	Policy review, contextual amendment and approval as part of portal transition from my.acap.edu.au to my.navitas-professional.edu.au	Director of Educational Technology
19/09/2016	Transitioned to new policy template with minor administrative amendments	Director of Educational Technology
30/06/2017	Administrative update to business and academic titles and roles	Director of Educational Technology
08/08/2017	Policy review and update, align with new Mandatory Data Breach Notification legislation.	Director of Educational Technology
12/10/2018	Change of template	VET Compliance Manager