MANAGING STUDENT CONDUCT

EXPLANATORY GUIDE FOR STAFF

SECOND EDITION

ISSUED BY: Office of the Academic Registrar, Curtin University

Make tomorrow better.
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1. OVERVIEW

Curtin’s Student Charter and core values of integrity, respect, courage, excellence and impact guide expectations regarding student behaviour and responsibilities.

If a student’s conduct breaches expectations, they may be provided a warning or their action may be serious enough to warrant investigation of alleged misconduct.

When handling allegations of misconduct, please refer to Statute No. 10 – Student Discipline and the relevant Misconduct Rules. This guide should not be used as a replacement.

The Managing Student Conduct – Explanatory Guide for Staff has been created to provide guidance on how to manage both the warning process (where the matter is not misconduct) and also alleged misconduct.

This guide provides information about:

WARNINGS
- when and how to warn students (Academic Integrity Warnings and a Student Charter breach).

MISCONDUCT
- a summary of the misconduct process;
- guidance for conducting an inquiry into misconduct; and
- guidance for assessing the seriousness of misconduct.

A glossary of definitions is also provided as a quick reference guide for staff.

ACKNOWLEDGMENT

All sections of the Managing Student Conduct – Explanatory Guide for Staff were written or developed by the Office of the Academic Registrar in consultation with key stakeholders.
2. IS IT A BREACH OR MISCONDUCT?

If a student breaches Curtin’s expectations, it may not necessarily be misconduct. Sometimes the breach may result in the student receiving a warning about their actions or behaviour.

Warnings are available for minor issues of an academic and general nature. Depending on the severity of an issue, a warning may not be appropriate. For example, a student may be warned for using inappropriate language. However, if a student is involved in a physical altercation, this is not considered to be a minor issue.

Curtin’s approach, where possible, is to warn a student in the first instance where there is a breach. In most situations, if there is a repeated breach, the incident will be escalated to an allegation of misconduct.

CONFLICT OF INTEREST

Staff and students are required to declare any actual, perceived or potential conflict of interest in accordance with Curtin’s Conflict of Interest Procedures and will remove themselves from their involvement in the case.

FURTHER INFORMATION

If you are unsure if a situation should be treated as a breach or as an allegation of misconduct, or if a conflict of interest exists, you are able to contact the Office of the Academic Registrar, sdao@curtin.edu.au.
3. MANAGEMENT OF AN ACADEMIC BREACH (ACADEMIC INTEGRITY WARNING)

The Management of Academic Integrity Warnings for New to Curtin Students Procedures outlines the parameters for handling Academic Integrity Warnings.

NEW-TO-CURTIN STUDENTS

An Academic Integrity Warning is not considered Academic Misconduct and is only used if the student is ‘New to Curtin’. A student is considered to be New-to-Curtin if they meet the following criteria.

New-to-Curtin student
A student enrolled in:

a) a Higher Degree by Research course prior to the successful attainment of candidacy; or

b) in all other cases:
   i. has not yet successfully completed the designated unit (or appropriate alternative); or
   ii. has completed fewer than 50 credit points of study at Curtin; or
   iii. is currently enrolled in an enabling program.

An Academic Integrity Warning may be used to assign a New-to-Curtin student an educative action when the student has:

- inadequately paraphrased or included inconsistent acknowledgement of sources or both; or
- collaborated with others in an assessment task beyond that which is considered reasonable by the Unit Coordinator.

ACADEMIC INTEGRITY WARNINGS IN THE DESIGNATED ACADEMIC INTEGRITY UNIT

For assessments within the Designated Academic Integrity Unit, it is appropriate to:

- highlight any academic integrity breaches to the student;
- advise them of available educational resources and support;
- provide an opportunity for the student to rectify the problem; and then
- re-submit their work for marking without penalty.

When a New-to-Curtin student is undertaking a Designated Academic Integrity Unit, staff should provide additional support and guidance prior to any lodgement via the Dixon web form. This consideration is only applicable in the Designated Academic Integrity Unit.

For example, if the first assessment item contains inadequate paraphrasing or acknowledgement conventions, then the breach should not be immediately lodged.

The student should be notified in writing there are issues within their work. A staff member should explain the issue, preferably in a meeting so that the student can seek clarification as required.

The student should be provided with educational support and guidance, the opportunity to re-submit and to demonstrate their understanding in the next assessment within the Designated Academic Integrity Unit. The student should be advised that this is not an opportunity for them to enhance their work, rather redress the issues which prevented the work from being marked in the first instance.
Where there is no opportunity or the student does not take the opportunity to re-submit the work or demonstrate their understanding of the concepts within the Designated Academic Integrity Unit, the incident should be lodged as an Academic Integrity Warning.

**ACADEMIC INTEGRITY WARNINGS WITHIN ALL OTHER UNITS**

For ‘New to Curtin’ students taking all other units that are not earmarked as the Designated Academic Integrity Unit, student work that contains inadequate acknowledgment of sources should immediately be lodged as an Academic Integrity Warning. Guidance and an opportunity to re-submit the work without penalty should still be provided to the students.

The Unit Coordinator is responsible for ensuring that Academic Integrity Warnings are lodged via the Dixon web form. The system provides options for assigning educative action/s to ensure students are given an opportunity to improve their skills. The student will receive a letter outlining what actions they are required to undertake.

Verbal warnings should not be given in place of lodging an Academic Integrity Warning via the Dixon web form.
FAQS

Do I need to lodge an Academic Integrity Warning via the Dixon web form?

Academic Integrity Warnings must be lodged via the Dixon web form. This is to ensure that everyone has a record that the student has been formally spoken with about Academic Integrity concepts. If staff fail to lodge and the student has a similar issue in subsequent study periods, there will be no record that previous intervention has occurred. The Unit Co-ordinator is responsible for ensuring that all Academic Integrity Warnings are lodged via the Dixon web form.

Can I deduct marks for poor acknowledgement of sources or collaborating with others in an assessment task beyond what is considered reasonable for a New-to-Curtin student?

Not initially. If there is an opportunity for the student to demonstrate that they have understood the concepts via re-submitting the assessment after they have been educated and addressed the issue, they should be given that opportunity. If they don’t take the opportunity, then yes, they can be penalised.

I’ve allowed the student to re-submit, what happens now that they have had extra time to do a better job?

Students must be informed that this is not an opportunity to enhance their work. They should only rectify the sections where there is inadequate acknowledgment of sources or poor paraphrasing.

After the student has addressed the breach and re-submitted the assessment, should it be marked like a new paper?

Yes, a penalty should not be given.

What if the student does not re-submit the assessment or if re-submission is not possible?

In this case, the academic must determine how the work will be marked. Depending on the nature of the breach and the objectives of the assessment task it may be necessary to create a redacted copy of the work (e.g. ignoring or treating the passages that contain plagiarised elements as quotes) and thus applying the marking rubric/guide only to the portion of the work that clearly represents the student’s own work. Alternatively, the original work may be marked according to marking rubric/guide applying deductions for academic writing and referencing. If the plagiarism is too extensive to evaluate the student’s achievement of the learning outcomes for the assessment task a mark of zero may be applied.

If a student has copied some minor sentences but referenced, is there any point them re-submitting?

It would be appropriate to recommend educative action/s, e.g. the Better Referencing Module. During marking, the sections that were copied but referenced should be viewed as quotes.

What are the different educative actions available for students?

A staff member can recommend the following educative actions for students which should be relevant to the breach.

- Speak with UC or counselling
- Revise & re-submit
- Complete the Better Referencing Module or re-complete the Academic Integrity Program
4. MANAGEMENT OF A GENERAL BREACH (STUDENT CHARTER BREACH)

Student Charter Breach

The Student Charter and Curtin’s values guide the expected behaviour of Curtin’s students.

If a student breaches the expected standards of behaviour for the first time, this could be considered a Student Charter Breach.

What is a Student Charter Breach?

While it is not limited to this type of behaviour, a Student Charter Breach could be:

- Inappropriate language;
- Disrespectful actions towards a staff member or other student;
- Disruptive behaviour in a classroom; and
- Sharing work on file share sites.

How do I manage a Student Charter Breach?

Step 1 – Verbal warning:

Situations where a student is not adhering to the expected standards of behaviour can be handled in the first instance at the local level by the concerned staff member. Staff members can address the student directly and explain that the student’s behaviour is inappropriate and it should not be repeated.

Step 2 – Follow up in writing:

After speaking with the student, the staff member must lodge a Student Charter Breach via the Dixon web form, providing a summary of the incident and details of any verbal warning. The Office of the Academic Registrar will assess the incident and determine whether the matter is to be handled as a Student Charter Breach or escalated to General Misconduct. If the matter is to be handled as a Student Charter Breach, the student will be provided with a written warning reiterating their responsibilities under the Student Charter to behave appropriately.

Step 3 – Repetition of behaviour:

If a student repeats behaviour for which they have previously received a warning, the matter must be lodged as General Misconduct via the Dixon web form. General Misconduct is handled in accordance with Statute No.10 – Student Discipline and the General Misconduct Rules.
For example: A student sent abusive emails to their Unit Coordinator complaining about the content within the unit they were enrolled in. The Unit Coordinator did not provide a warning to the student or report the behaviour. The student was later reported for their poor conduct after sending similar emails to another staff member. It was then discovered that the student had been sending the same type of abusive emails to all their Unit Coordinators for a number of semesters and had received no formal warnings.

There are multiple issues that can result from failing to provide a formal warning to a student:

- the behaviour is seen as appropriate and normal to the student as it has not been addressed;
- the behaviour can continue to escalate; and
- other students witness the behaviour and believe that it is acceptable.

Step 4 – Seek assistance:

If the student’s behaviour is sufficiently serious to consider taking formal disciplinary action, you may contact the Office of the Academic Registrar, sdao@curtin.edu.au to discuss what further action may be taken.

Threats to the health (physical, emotional or psychological) of staff or students would be automatically fall within this category. If there is an immediate threat call Safer Community Team on 9266 4444 and then once everyone is contact the Office of the Academic Registrar, sdao@curtin.edu.au for further advice.
5. MISCONDUCT

If a matter requires more serious action then a warning, it must be reported as alleged misconduct.

For allegations of misconduct, the following Statute and associated Rules apply:

- Statute No. 10 - Student Discipline
- Academic Misconduct Rules
- Academic Record Fraud Rules
- General Misconduct Rules

These can be accessed via the Curtin Policies website at:


The Statute and Rules covered in this guide apply to both current and former students.

There is no statute of limitations when reporting misconduct and graduated students are dealt with under the misconduct Rules.

The general principles provided for under Statute No.10 - Student Discipline, outlined below, apply to all inquiries into alleged misconduct. It is imperative that the general principles are always afforded to the student to ensure a procedurally fair process.

**GENERAL PRINCIPLE 1**
A student must be given the opportunity to respond to any allegation of misconduct before a decision is made whether misconduct has occurred.

**GENERAL PRINCIPLE 2**
A student must have a right of appeal against any finding that misconduct has occurred and any penalty that is imposed.

**GENERAL PRINCIPLE 3**
An appeal must be determined by a person or persons not involved in the original decision.
6. ROLE RESPONSIBILITIES

AUTHORISED OFFICER

The Authorised Officer is responsible for determining if an allegation of misconduct has sufficient grounds to warrant further investigation.

Who is the Authorised Officer?

<table>
<thead>
<tr>
<th>Academic Misconduct</th>
<th>HEAD OF SCHOOL/ CENTRE</th>
<th>CHIEF INFORMATION OFFICER</th>
<th>DIRECTOR PROPERTIES, FACILITIES AND DEVELOPMENT</th>
<th>PRO VICE-CHANCELLOR OF OFFSHORE CAMPUS</th>
<th>ACADEMIC REGISTRAR</th>
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<td>Academic Record Fraud</td>
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<td>General Misconduct**</td>
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*The Academic Registrar is the Authorised Officer for cases lodged under other Academic Misconduct and where the student has graduated.

**Dependent on the nature of the allegation.

INQUIRY OFFICER

An Inquiry Officer is appointed by an Authorised Officer to undertake an inquiry into an allegation of misconduct.

STUDENT DISCIPLINE PANEL

The Student Discipline Panel is responsible for determining whether misconduct has occurred and if so, applying appropriate penalties.

PRO VICE-CHANCELLOR

For Academic Misconduct, the Pro Vice-Chancellor is responsible for hearing an appeal against a determination of and/or Category 1 penalties.

ACADEMIC REGISTRAR

For Academic Record Fraud or General Misconduct, the Academic Registrar is responsible for hearing an appeal against a determination and/or Category 1 penalty(s). If the Academic Registrar was the Authorised Officer for a particular case, they are unable to hear an appeal for the same matter.

STUDENT DISCIPLINE APPEALS BOARD

The Student Discipline Appeals Board is responsible for hearing appeals when a determination of misconduct has occurred and a Category 2 penalty(s) has been applied.
7. REPORTING MISCONDUCT

I am a staff member and I suspect that misconduct has occurred. Do I have to report it?

Yes. All staff are required to report any suspected misconduct. Prior to any meeting or hearing, a student must be advised in writing that there is an allegation against them that is being investigated. The student then has the right to provide a written response prior to any meeting or hearing. This ensures a fair and transparent process.

What information do I need when reporting?

- details of the student/s involved in the alleged misconduct;
- an allegation;
- any relevant documentation; and
- details of the suspected misconduct (including dates/locations as applicable).

What should I include in an allegation?

The allegation will be addressed to the student and be factual, specific and unbiased.

What should I NOT include in an allegation?

As the allegation is being sent directly to the student, it is important that it does not include:

- Any details that can identify other students;
- Emotive or biased language; and
- Information not relevant to the allegation.

What are some examples of relevant documentation?

For Academic Misconduct:

- Student Progress Report;
- Unit Outline (automatically attaches via Dixon);
- Copy of assessment items;
- Any other information provided to students regarding assessment items (e.g. Blackboard);
- Any other relevant documentation (e.g. medical certificates); and
- Correspondence from any relevant party including but not limited to experts, staff or students.

For Academic Record Fraud:

- Student Progress Report;

EXAMPLE ALLEGATIONS

PLAGIARISM

In Assessment 1 of the unit STUDY101 you have included a significant amount of material from online sources such as articles and websites without adequate referencing, paraphrasing or other acknowledgement.

CHEATING

In the unit STUDY101 you have allowed, or contracted with, other people and/or organisations to undertake academic work on your behalf which as subsequently been submitted for Assessment 1.

COLLUSION

That you colluded with another student in relation to Assessment 1 in the unit STUDY101 and submitted the work as your own.

FALSIFICATION OF DATA OR OTHER CONTENT IN AN ASSESSMENT OR OTHER ASSESSABLE WORK

You submitted falsified documentation with your Application for Assessment Extension for Assessment 1 in the unit STUDY101.
Testamur (Certificate of Award or copy);

- Academic Transcript and/or Student e-Record;
- Any other relevant documentation (e.g. authorisation for disclosure of information); and
- Correspondence from any relevant parties including but not limited to experts, staff and students.

**For General Misconduct:**

- Student Progress Report;
- Security Report including CCTV;
- Video footage or other images (SMS, MMS, Screenshots and Photos);
- Any other relevant documentation (e.g. medical certificates); and
- Correspondence from any relevant parties including but not limited to experts, staff and students.

**How do I report it?**

All cases of alleged misconduct will be lodged via the Dixon web form. When lodging a case, you must select the category (Academic Misconduct, Academic Record Fraud or General Misconduct) that most appropriately aligns with the allegation. If the allegation fits in multiple categories and you are unsure how to progress, please contact the Office of the Academic Registrar, sdao@curtin.edu.au for clarification.

**What happens now?**

Once a case of alleged misconduct has been reported it will be referred to an Authorised Officer. The Authorised Officer will make a determination (see below) and update Dixon:

a) there are insufficient grounds to warrant further investigation;

b) there are insufficient grounds to warrant further investigation – but arrange for the Student to attend counselling or a lecture, seminar, workshop or similar activity in relation to appropriate behaviour; or

c) there are sufficient grounds to warrant further investigation – and initiate an inquiry.

**What happens if there are insufficient grounds?**

While there is no further action in relation to the allegations, any processes (e.g. marking an assessment) that ceased whilst the allegation was reviewed, should re-commence.

**What happens if there are sufficient grounds to warrant further investigation?**

An Authorised Officer will appoint an Inquiry Officer to conduct an inquiry into the matter. An Inquiry Officer can be any person, including the Authorised Officer. When the Inquiry Officer is appointed, this person will be sent an email via Dixon to commence the inquiry process.

The Inquiry Officer will:

- be unbiased;
- have no conflict of interest; and
- ensure procedural fairness as part of their inquiry.
8. CONDUCTING AN INQUIRY

What are my responsibilities if I’m appointed to be the Inquiry Officer?

You are responsible for undertaking the inquiry into the allegation and completing an Inquiry Officer’s Report.

Are there templates for me to use?

Templates for all communications and reports are built into Dixon and are provided as necessary.

What do I do first?

You should review the details of the allegation and the relevant documentation.

You will then need to provide the student with the allegation and the documentation by following the instructions in the communication from Dixon. Once students have been notified of the allegation against them, they have seven days to respond.

If you find additional evidence after providing the initial documentation to the student you need to send this to them as well and provide the student an additional seven days to respond. When considering what documentation to include, focus on what is relevant. Examples of relevant documentation are provided in Section 7: Reporting Misconduct.

When the student has responded or the seven day deadline has lapsed, you are able to progress to the next stage.

What do I do now?

You will need to decide whether you would like to conduct a misconduct hearing. For further information, please refer to Section 11: Appendix 2 Inquiry Officer Hearing. If you choose not to conduct a misconduct hearing, you may commence the Inquiry Officer’s Report.

What information do I need to include in the Inquiry Officer’s Report?

The Inquiry Officer’s report will include:

- a summary of the incident and inquiry process;
- a view on the seriousness of an incident;
- evidence and/or findings supporting each recommendation; and
- a recommendation to the Student Discipline Panel whether or not misconduct has occurred or if there is insufficient evidence to make a determination.
HELPFUL HINTS

1. Each section of the Inquiry Officer’s Report relates directly to requirements under each of the rules.

2. Always explain “Why”? When completing the report, do not just say something is “important, explain why it is important.

3. Try to avoid using abbreviations and acronyms without explanation.

4. If there is documentation that supports a particular statement, this should be referenced in the report by indicating the attachment title (e.g. see Attachment 5 – Turnitin Report for Assessment Item 3).

5. Referencing key elements of the student’s response is permissible, especially when clarifying points from your inquiry to the Student Discipline Panel.

Assistance on assessing the seriousness of an incident to determine the appropriate recommendations can be found in Section 11: Appendix 1 How to Assess the Seriousness of an Incident.

When you have submitted your Inquiry Officer’s Report it will be referred to the Student Discipline Panel.
9. DETERMINATION AND PENALTY

The Student Discipline Panel must make a determination on a matter based on the “balance of probabilities”. They are also responsible for applying a penalty where there is a finding of misconduct.

What does the “balance of probabilities” standard of proof mean?

The “balance of probabilities” standard of proof means that any determination made as the result of an inquiry will have evidence that establishes that the likelihood of the misconduct having occurred is more probable than not.

What is the composition of each Student Discipline Panel?

<table>
<thead>
<tr>
<th>The Chair</th>
<th>OFFSHORE STUDENT DISCIPLINE PANEL</th>
<th>FACULTY/ CENTRE STUDENT DISCIPLINE PANEL</th>
<th>CENTRAL STUDENT DISCIPLINE PANEL</th>
<th>CENTRAL STUDENT DISCIPLINE PANEL* AWARD/RECISSION</th>
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</thead>
<tbody>
<tr>
<td>The Chair</td>
<td>The Pro Vice-Chancellor of the offshore campus</td>
<td>A Staff Member appointed by the Pro Vice-Chancellor of the Relevant Faculty</td>
<td>A Staff Member appointed by the Academic Registrar</td>
<td>A Staff Member appointed by the Academic Registrar</td>
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<tr>
<th>Staff Members</th>
<th>OFFSHORE STUDENT DISCIPLINE PANEL</th>
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<th>Student Members</th>
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<td>Student Members</td>
<td>An Eligible Student appointed by the Academic Registrar</td>
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<td>Two Eligible Students appointed by the Academic Registrar</td>
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Which Student Discipline Panel makes the determination?

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<th>Student Discipline Panel</th>
<th>FACULTY/ CENTRE STUDENT DISCIPLINE PANEL</th>
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<tr>
<td>Academic Misconduct</td>
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<tr>
<td>Academic Record Fraud</td>
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<td>✓</td>
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<tr>
<td>General Misconduct</td>
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* Each offshore campus has a Student Discipline Panel to hear cases of General Misconduct and Academic Record Fraud.

** The Central Student Discipline Panel will hear all cases for Bentley based General Misconduct and Academic Record Fraud. In addition, it is also responsible for hearing cases from students admitted in a UniReady program, Curtin English courses or in instances where the award rescission penalty is considered or where the Academic Registrar determines that the Central Student Discipline Panel is most appropriate. The Faculty Pro Vice-Chancellor may also refer cases to be heard by the Central Student Discipline Panel.
Can someone other than the Student Discipline Panel make the initial determination?

No. This responsibility cannot be delegated.

A “determination” is a decision made by a Student Discipline Panel about whether or not misconduct occurred. The Student Discipline Panel is also able to decide that there is not enough evidence to determine whether or not misconduct occurred.

How is a determination made?

Prior to making a determination, the Student Discipline Panel will review all the relevant documentation and any recommendation made in the Inquiry Officer’s Report.

As part of their review, the Student Discipline Panel will confirm that the student has had the opportunity to respond to all the evidence submitted. A determination will then be made on the occurrence of misconduct based on the relevant evidence as well as any student submission or mitigating circumstances.

The Student Discipline Panel must act fairly and without bias and can determine one of the following:

- misconduct has occurred;
- misconduct has not occurred; or
- the available information is insufficient to determine if misconduct has occurred.

The Student Discipline Panel may also determine that a matter should be downgraded to an Academic Integrity Warning.

What if the Student Discipline Panel would like further information before making a determination?

If warranted, the Student Discipline Panel can request the Inquiry Officer undertake additional investigations or provide further information before making their determination.

What happens if it’s determined that misconduct has not occurred?

Written notification of the determination that misconduct has not occurred must be provided to the student. If the matter is in relation to an assessment task, marking will re-commence and no penalty will be applied.

The Student Discipline Panel has determined that the available information is insufficient to determine if misconduct occurred. What happens now?

If the Relevant Student Discipline Panel determines that the available information is insufficient to decide if misconduct occurred, they are able to:

- notify the student and take no further action; or
- notify the student and arrange for the student to attend counselling or a lecture, seminar, workshop or similar activity in relation to appropriate behaviour.

What happens if a determination of misconduct is made?

If the Student Discipline Panel determines that misconduct has occurred, the panel then makes a decision as to which Category 1 and/or Category 2 penalties will be applied.

Category 1 and Category 2 penalties differ slightly between each of the Rules. This is to ensure the penalty is appropriate for the type of misconduct.
After the penalty has been applied, along with the case documents, a report containing the determination will be forwarded to the student. The accompanying Information Sheet—Student Discipline Panel Determination, will provide information to the student about the reasons for the determination, their right to appeal the determination and/or the penalty/s.

**Who should be advised of the penalty?**

The student and the Vice-Chancellor are provided written notification of the penalty details. Additionally, a staff member that may be directly involved in applying a penalty, such as a Unit Coordinator responsible for changing a grade is also advised, although actual case details are not disclosed.
10. **APPEAL**

**Do students have a right of appeal?**

Yes. Students have the right of appeal against a determination of misconduct, the penalty that has been applied, or both.

Students will be notified in writing and provided 14 days to submit their appeal.

**Can a student choose not to appeal?**

If a student chooses not to appeal, no action is taken until the 14 day appeal deadline has lapsed as the Vice-Chancellor also has a right to appeal.

**What happens if a student appeals?**

If a student decides to appeal, they must be given the right to appear at an appeal hearing as well as the right to submit a written statement regarding their appeal.

**Who else can appeal?**

The Vice-Chancellor may appeal against a determination of misconduct, a determination relating to the penalty imposed, or both. An appeal must be submitted in writing and any relevant documentation provided within a 14 day deadline.

**Who hears an appeal?**

An appeal must be heard by a party or parties who have not previously been involved in the process. These parties are either the Academic Registrar, Faculty Pro Vice-Chancellor or Student Discipline Appeals Board.

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<thead>
<tr>
<th><strong>Academic Misconduct:</strong> appeal against the determination of Academic Misconduct, or the determination relating to the penalty, where a Category 1 penalty has been applied</th>
<th>ACADEMIC REGISTRAR</th>
<th>FACULTY PRO VICE-CHANCELLOR</th>
<th>STUDENT DISCIPLINE APPEALS BOARD</th>
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<th><strong>Academic Record Fraud:</strong> appeal against the determination of Academic Record Fraud or the determination relating to the penalty, where a Category 1 penalty has been applied</th>
<th>ACADEMIC REGISTRAR</th>
<th>FACULTY PRO VICE-CHANCELLOR</th>
<th>STUDENT DISCIPLINE APPEALS BOARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
<td>*</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>General Misconduct:</strong> appeal against the determination of General Misconduct or the determination relating to the penalty, where a Category 1 penalty has been applied</th>
<th>ACADEMIC REGISTRAR</th>
<th>FACULTY PRO VICE-CHANCELLOR</th>
<th>STUDENT DISCIPLINE APPEALS BOARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
<td>*</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Any appeal against a determination of a Category 2 penalty or a determination of misconduct where a Category 2 penalty has been applied.</th>
<th>ACADEMIC REGISTRAR</th>
<th>FACULTY PRO VICE-CHANCELLOR</th>
<th>STUDENT DISCIPLINE APPEALS BOARD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>✓</td>
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</tbody>
</table>

*Any appeal referred by the Academic Registrar or where the appeal is initiated by the Vice-Chancellor is to be heard by the Student Discipline Appeals Board.
Who are the members of the Student Discipline Appeals Board?

Members of the Student Discipline Appeals Board are:

- The Chair – who is to be a legal practitioner (whether or not employed by the University) appointed by the Vice-Chancellor;
- 2 full-time staff members appointed by the Academic Registrar; and
- 2 eligible students appointed by the Academic Registrar.

There must be at least one male member and one female member on the Student Discipline Appeals Board.

What are the possible outcomes of an appeal?

The original determination and/or penalty can be:

**Upheld**: this means that the original determination and/or penalty by the Student Discipline Panel will stand.

**Varied**: this means that the party hearing the appeal can vary the original determination and/or penalty. The severity of the penalty may be increased or decreased.

**Set Aside**: this means that the party who is hearing the appeal can dismiss the determination and penalty.

The student will be notified of the outcome in writing and this decision is final. Any penalties may now be processed.
11. APPENDICES

APPENDIX 1: HOW TO ASSESS THE SERIOUSNESS OF AN INCIDENT

Inquiry Officers are required to address specific criteria in order to assess and make a recommendation about the seriousness of an incident of alleged misconduct.

What information should be considered?

Criteria 1: The extent to which the behaviour was planned or deliberate:
- Do the timelines suggest a “spur of the moment” or opportunistic action or an action that was pre- meditated or planned?
- What are the reasons provided for the action? (e.g. previous failures, poor results, family or financial pressure).
- Did the student contact an outside person or organisation to assist in the action? (e.g. attempting to purchase answers, being given falsified documents by an external party).

Criteria 2: The degree of advantage gained or potentially gained:
- What advantage could the student gain as a direct result of their action? (e.g. pass an assessment task, financial or personal gain, assessment extension).
- Has any assessment process been compromised?

Criteria 3: The potential disadvantage to other students:
- What impact is there on other students?
- Have other students been unfairly implicated?
- Has the student’s actions applied pressure or responsibility to other students?

Criteria 4: The potential negative impact on the University’s reputation:
- Could the alleged misconduct impact Curtin’s reputation within the wider community?
- Could Curtin’s reputation be affected if no action is taken?
- What is the impact if the incident is made public?

Criteria 5: Importance of being seen to have taken clear and decisive action in relation to the matter:
- What is the benefit of taking action?
- How are Curtin’s Values and Code of Conduct upheld?
APPENDIX 2: INQUIRY OFFICER HEARING

As part of their investigation into a matter, an Inquiry Officer may choose to invite the student to a hearing to seek clarification in relation to details of the case.

**What stage of the process can I hold a hearing?**

A hearing can only be held during the inquiry stage of the process (see Section 8: Conducting an Inquiry).

**Am I required to hold a hearing?**

No. This is not a requirement and is at the discretion of the Inquiry Officer. If the Inquiry Officer believes holding a hearing would add value to the investigation or help the student to understand the allegations, then the Inquiry Officer might feel that holding a hearing would be beneficial. It may also be appropriate to hold a hearing if the Inquiry Officer has received a number of varying accounts regarding the same matter and it is not clear which version is correct.

**What if the student requests a hearing?**

Students may request a hearing to respond orally but the decision to hold a hearing is at the discretion of the Inquiry Officer.

**Can the notice of the allegation and the request for a hearing be sent to the student on the same day?**

Yes. The request may be sent on the same day but it is recommended that the Inquiry Officer only conduct a hearing after receiving the student’s written response to the allegation.

**I have decided to hold a hearing with the student. What do I do now?**

Students must be given at least seven days’ notice of the date and time of a hearing.

On mutual agreement by both the student and the Inquiry Officer the hearing may be held prior to the seven day notice period. However, the Inquiry Officer should not pressure a student to appear at a hearing prior to this notice period.

When a hearing is arranged, an Information Sheet is sent from Dixon and provides the following details to the student:

- why they are being asked to attend a hearing;
- what they can expect from the hearing;
- who will be attending the hearing;
- whether a support person can attend the hearing with the student;
- whether they are required to attend the hearing;
- what will happen after the completion of the hearing; and
- where they can go to receive advice and assistance.
The student has agreed to attend a hearing, can they bring someone with them?

Yes. The student may have a person attend the hearing with them to provide support during this process. This person cannot act as their advocate or speak on their behalf unless they are invited to do so by the Inquiry Officer.

Students are welcome to seek legal representation if they choose. Their legal representation cannot advocate or speak on their behalf unless they are invited to do so by the Inquiry Officer. The student can sign a proxy form (written authorisation allowing one person to act on behalf of another) so that their legal representative can liaise directly with the University regarding the information pertaining to the case.

What happens if the student is offshore or interstate?

If a student located offshore or interstate the Inquiry Officer must make arrangements to hold the hearing via video link or conference as deemed appropriate.

Where can I direct the student if they enquire about further support?

The Inquiry Officer may direct the student to the University Support Services who are able to provide them with assistance in relation to their physical, emotional or psychological wellbeing. Furthermore, Student Assist at the Curtin Guild can provide them with practical assistance about responding to the allegation of misconduct.
## APPENDIX 3: POSSIBLE CATEGORY 1 PENALTIES

<table>
<thead>
<tr>
<th>Category 1 Penalty means one or more of the following:</th>
<th>General Misconduct</th>
<th>Academic Misconduct</th>
<th>Academic Record Fraud</th>
</tr>
</thead>
<tbody>
<tr>
<td>a formal warning or admonishment, or both</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>a requirement for the Respondent Student to attend counselling or a lecture, seminar, workshop or similar activity;</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>a fine up to $1,000</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>suspension of all or any of the Respondent Student’s rights and privileges within the University for a period of up to 1 month, including –</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>• exclusion from attendance at any specified scheduled class activity, such as a lecture, seminar, or tutorial workshop;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• exclusion from all or a specified part of a campus or education centre;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• exclusion from participating in any activity organised or managed by the University;</td>
<td></td>
<td></td>
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<tr>
<td>• denial of access to any or all facilities or services of the University; and</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>• exclusion from enrolment in any unit or admission to any course</td>
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<tr>
<td>a reduced or nil grade in respect of the assessable item in which the Academic Misconduct occurred;</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a requirement for the Respondent Student to repeat the assessment (but with a reduced maximum mark);</td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>an ANN grade for the unit in which Academic Misconduct occurred</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ANN grades for one or more other units assessed in the same study period as the unit in which Academic Misconduct occurred</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a requirement for the Respondent Student to revise and re-submit a thesis prior to submission or under examination</td>
<td>✓</td>
<td></td>
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<tr>
<td>revocation of an offer of admission</td>
<td></td>
<td>✓</td>
<td></td>
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<tr>
<td>cancellation of enrolment</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>revocation of an approval or grant of credit for recognised learning</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>prohibiting the Respondent Student from being given an offer of admission, or from being admitted to a course or enrolled in a unit</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>
## APPENDIX 4: POSSIBLE CATEGORY 2 PENALTIES

<table>
<thead>
<tr>
<th>Category 2 Penalty means one or more of the following:</th>
<th>General Misconduct</th>
<th>Academic Misconduct</th>
<th>Academic Record Fraud</th>
</tr>
</thead>
</table>
| Suspension of all or any of the Respondent Student’s rights and privileges within the University for a specified period, including:  
  - exclusion from attendance at any specified scheduled class activity, such as a lecture, seminar, or tutorial workshop;  
  - exclusion from all or a specified part of a campus or education centre;  
  - exclusion from participating in any activity organised or managed by the University;  
  - denial of access to any or all facilities or services of the University; and  
  - exclusion from enrolment in any unit or admission to any course; | ✔️ | ✔️ | ✔️ |
| termination from the course in which the Respondent Student is admitted; | ✔️ | ✔️ | ✔️ |
| expulsion from the University; | ✔️ | ✔️ | ✔️ |
| prohibition from being admitted or re-admitted to any course and from enrolling in any unit; | ✔️ | ✔️ | ✔️ |
| the withholding of any award or the withdrawal of credit for any completed unit, or both; and | ✔️ | ✔️ | ✔️ |
| an Award Rescission Penalty; | ✔️ | ✔️ | ✔️ |
| a FAIL classification for a thesis | ✔️ | ✔️ | ✔️ |
APPENDIX 5: GLOSSARY

**Academic Misconduct** means conduct by a Student, other than conduct constituting Academic Record Fraud or General Misconduct that is dishonest or unfair in connection with any academic work, such as:

a) During any exam, test or other supervised assessment activity;

b) In relation to the preparation or presentation of any assessed item or work; and/or

c) In relation to the conduct of research or any other similar academic activity;

**Academic Misconduct Other** is conduct by a student that is dishonest or unfair and not previously addressed under the other available case categories. When reporting Academic Misconduct this case category should be used for any fraudulent behaviour relating directly to an assessable item. An example is:

- Falsifying medical certificates for assessment extension;

**Academic Record Fraud** means conduct by a Student, other than conduct constituting Academic Misconduct or General Misconduct that is dishonest in connection with an Academic Record, such as:

a) Falsifying, or arranging the falsification of, an Academic Record;

b) Giving false or misleading information in relation to an Academic Record; or

c) Allowing a false or misleading Academic Record to be presented on behalf of the Student, or another person; Examples include:

- A student claiming they have completed a degree from Curtin University on their CV, Resume or online professional profile;

- A student providing a falsified Academic Transcript or Testamur to their employer.

**Cheating** is acting dishonestly or unfairly in order to gain an advantage. Examples include:

- Cheating in an exam, test or supervised assessment activity:
  - Being in possession of unauthorised materials (considered to be Academic Misconduct);
  - Removing an examination paper from an examination room when it is specified that the paper is not to be retained by the student; storing or sharing an examination paper that was illegally obtained (considered to be General Misconduct);
  - Disrupting an examination or assessment activity in any way (considered to be General Misconduct);
  - Having a mobile phone or other electronic device in an examination or testing environment (considered to be Academic Misconduct);
  - Impersonating a student in an examination or arranging for another to impersonate, take or complete the assessment on your behalf (considered to be General Misconduct);
  - Copying answers from another person or permitting another student to copy answers (considered to be Academic Misconduct);
  - Exchanging notes, talking or communicating with another student in an examination or test (considered to be Academic Misconduct);
  - Improperly obtaining prior knowledge of an examination or test paper and using that knowledge in the examination or test or providing that information to a student(s) who are yet to undertake the examination or test (considered to be Academic Misconduct).
Cheating in an assessment or other assessable work:

- Allowing someone or an organisation to complete an assessment task on your behalf.

**Collusion** is where students act together in relation to the preparation or presentation of any assessed item of work in a manner that is dishonest or unfair. Examples include:

- Working with another person (colluding) when the assessment should be completed individually;
- In the case of collaborative group projects, falsely representing the individual contributions of the collaborating group members;

**Falsification or fabrication of data or other content.** Examples include:

- Making up results and reporting them;
- Altering results so that the research is not accurately represented.

**General Misconduct** means conduct by a Student, other than conduct constituting Academic Record Fraud or Academic Misconduct:

a) Which contravenes any written law of the Commonwealth of Australia, a State or Territory of Australia or any other country, and where the written law relates to an activity associated with the Student being a Student of the University;

b) Which contravenes the provisions of the Act or any Statute, rule or by-law, or University policy or procedure;

c) Which contravenes any lawful direction by a member of the staff of the University;

d) Which infringes the reasonable freedom of other persons to:

   i. Pursue their study, research duties or other lawful activities on premises owned or controlled by the University, or elsewhere while engaged in an activity under the auspices of the University; or
   
   ii. Participate in the life of the University; or

e) Which is otherwise detrimental to the proper conduct of the University or the University’s reputation. Examples include:

- Assaulting or harassing another person on University grounds;
- Using the Curtin Network to download or stream online content without approval, authorisation or consent from the copyright owner.
- Providing an assessment from a previously completed unit to a student who is currently studying the same unit.
- Damaging any University property.

**New-to-Curtin Student**

A student enrolled in:

a) a Higher Degree by Research course prior to the successful attainment of candidacy; or

b) in all other cases:

   i. has not yet successfully completed the designated unit (or appropriate alternative); or
   
   iv. has completed fewer than 50 credit points of study at Curtin; or
   
   v. is currently enrolled in an enabling program.
**Plagiarism** is presenting the work or property of another person as your own without appropriate acknowledgement or referencing. Examples include:

- copying of sentences, paragraphs or creative products (in whole or in part) which are the work of other persons without due acknowledgement. Creative products include webpages, books, article, theses, unpublished works, working papers, seminar and conference papers, internal reports, lecture notes or recordings, computer files, images or video;

- Too closely paraphrasing sentences, paragraphs or themes without due acknowledgment;

- Using another person’s work (including words, music, creative or visual artefacts, computer source code, designs, problem solutions or ideas);

- Submitting work which has been produced by someone else – including friends, family or a paid contracting service (this is known as contract cheating, assessment outsourcing or ghost writing);

- Submitting one’s own previously assessed or published work for assessment or publication elsewhere, without appropriate acknowledgement (self-plagiarism).

A **Student** is defined under Statute No. 10 – Student Discipline as:

“... a person who is or was –

a) an enrolled student as defined in section 4(1) of the Act;

b) admitted, or applying to be admitted, to a course or unit conducted by the University; or

c) engaged, or applying to be engaged, in a structured program of learning provided by or for the University …"