

Student Misconduct Policy

Policy Owner	Academic Director
Contact Officer:	Academic Director
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Approved by:	Senior Management Group
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Related Documents:	Complaints Policy Appeals Policy Refunds Policy Student Misconduct Register Student Exam Rules and Conduct Academic Integrity Policy

1. Overview

1.1. The purpose of this policy is to outline the approach and steps to dealing with student misconduct.

2. Organisational Scope

2.1. This policy applies to all students of Curtin College and those from a partner provider.

3. Definitions

3.1. **Assessment:** for the purpose of this policy an assessment refers to examinations, assignments and tests conducted during the course of study.

3.1.1. **Cheating:** means dishonest conduct in any assessment. Cheating in in-class assessment tasks (including examinations, assignments and tests) includes, but is not limited to:

- communicating in an assessment, with other candidates, or bringing into the examination room any textbook, notebook, memorandum, other written material or mechanical or electronic device (including mobile phones and internet connecting /data storing watches), or any other item not authorised by the person who set the assessment or the Examinations Supervisor in Charge or other supervisor of a test;
- writing an assessment answer, or consulting any person or materials for an assessment answer, inside and/or outside the confines of the assessment room, without permission to do so;
- attempting to read other students' work in an assessment, or, in other circumstances, without their permission;
- where individual work is required, making available notes, papers or answers related to the content of an assessment (in whatever form) to others, without the permission of the teacher of the unit;
- where individual work is required, receiving answers, notes or papers related to the content of an assessment (in whatever form) from another student, or another source, without the permission of the teacher of the unit; and
- not following the directions of the examination or assessment supervisor including seating location and movement about the examination room.
- Assuming the identity of another student for the purposes of submitting work to be assessed on behalf of that student

3.1.2. **Collusion:** occurs when two or more individuals combine their efforts in order to deceive others. In an academic context, this can occur if a student works with others on an assignment that is meant to be individual or helps another student to complete an assignment against instructions. This is also referred to as 'collaborating too closely.' The result is assignments submitted which are very similar without admitting to the collaboration.

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While collusion is considered to be a different form of academic misconduct to plagiarism, similar penalties will apply to both students involved in the incident and will be treated as a form of plagiarism under this policy.

- 3.2. **DIBP:** Department of Immigration and Border Protection: The Australian government agency responsible for issuing students with visas.
- 3.3. **Misconduct:** Conduct which meets one or more of the following definitions:
- 3.3.1. **Academic Misconduct:** means any conduct by a student in relation to academic work that is dishonest or unfair and includes but is not limited to:
- High level and/or repeated Plagiarism
 - Unauthorised collaboration and/or Collusion
 - Cheating in assessment/examinations
 - Theft of another student's work
- 3.3.2. **General Misconduct,** (other than Academic Misconduct) includes but is not limited to conduct which:
- is in breach of the Curtin College Terms of Offer, policies or rules,
 - constitutes a serious impediment to the carrying out of Curtin College functions or those overseen by the College,
 - involves threatening behaviour (written, verbal or physical) by a student towards another student or staff member, or
 - involves offensive behaviour including inappropriate language (written or verbal).
 - is otherwise detrimental to Curtin College, its partner provider, its staff or students;
 - is in breach of the right of all persons to receive equal, unbiased and non-discriminatory consideration irrespective of sex, race or any other involuntary personal characteristic
 - is in breach of the [Curtin University Land and Traffic By-Laws](#)
- 3.3.3. **Gross misconduct:** high level misconduct which, if proven beyond doubt to have been committed by a student(s), would reasonably be expected by the Senior Management Group to result in the student being excluded from the College. Examples include assault, threats of violence or harm, acts of fraud such as impersonating another student in an exam, bringing a weapon onto the campus, blackmail, and serious violation of the College's Information Technology Acceptable Use Policy.
- 3.4. **Partner Provider:** an institution that provides a course which is CRICOS registered as being offered by Curtin College, who, for the purposes of this document oversees all matters relating to the delivery of those courses
- 3.5. **Plagiarism:** which means to knowingly or unknowingly present as one's own work the ideas or writings of another without appropriate acknowledgment or referencing. This includes, but is not limited to:
- paraphrasing or copying text without adequate acknowledgment of the source; and/or;
 - copying, whether identically or in essence, the text of another student's assignment or other students' assignments; and/or;
 - copying, whether identically or in essence, of visual representations (for example cartoons, line drawings, photos, paintings and computer programs);

Full details of Curtin College's Academic Integrity Policy are located under the Policy Library on the website www.curtincollege.edu.au

- 3.6. **Senior Management Group:** The Senior Management of Curtin College.

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4. Policy Content

4.1. Misconduct

- 4.1.1. Where a staff member has reasonable grounds to believe that a student has committed an act of Misconduct, the staff member shall provide a written report of the alleged offence to the Academic Director.
- 4.1.2. All allegations of Misconduct in examinations are regarded as substantial allegations of Misconduct and cannot be treated as minor misconduct.
- 4.1.3. All allegations of Misconduct will be subject to the following process:

4.2. Process

- 4.2.1. If the examination or assessment supervisor (or any other person), suspects Academic Misconduct in an examination, he or she should act in accordance with the "Student Exam Rules and Conduct" when dealing with the student. The supervisor must provide the Academic Director with a report, setting out information and any evidence relating to the suspected academic misconduct.

If viable, the student will be interviewed immediately following the exam by the Academic Director (or nominee), or a meeting will be held within five working days following the exam.

- 4.2.2. The Academic Director (or nominee) will investigate the allegations to whatever extent he/she considers appropriate. Reasonable steps must be taken to contact the student to arrange an interview for the purpose of discussing the alleged act of misconduct.
- 4.2.3. Following the investigation, where there are reasonable grounds to believe that a student ***has not*** committed an act of Misconduct, the Academic Director (or nominee) must inform the student and the reporting staff member that the matter is dismissed on the grounds that:
 - there has not been an act of misconduct; or
 - there is insufficient evidence to conclude that an act of misconduct has occurred; or
 - the actions of the student were minor or unintentional.

If the investigation relates to alleged exam misconduct, the College will arrange for the student to resit the exam if appropriate following dismissal of the allegations (Student Exam Rules and Conduct allow a student suspected of cheating to complete the exam prior to the investigation of the cheating allegations).

- 4.2.4. Where there are reasonable grounds to believe that a student has committed an act of Misconduct, the Academic Director (or nominee) will convene a Misconduct Committee meeting. The Misconduct Committee consists of the Academic Director or nominee, the Director, Quality and Student Services and/or nominee(s), and an external representative (typically this will be the Curtin University contract manager). If additional expertise is required to assist the Committee in its deliberations, the relevant Program Coordinator may be included in the composition of the Committee.
- 4.2.5. Gender, conflicts of interest and confidentiality must be considered in the make-up of the Misconduct Committee (the committee may include a translator or external counsellor).
- 4.2.6. In the case of a partner provider, the composition of the Misconduct Committee should be as close as possible to the College's committee described above. The actual position titles may vary.
- 4.2.7. The student will be given the opportunity to meet with the Misconduct Committee together with a representative nominated by the student (the representative cannot be a lawyer unless special permission is granted by the Misconduct Committee).
- 4.2.8. Where the matter under investigation is considered to warrant intervention or action from an external agency, the matter will also be referred to the appropriate party (eg. Police, health authorities, DIBP etc). (Note: if Curtin College has to report the student to DIBP, the student will be informed of the intent to report and given 20 working days to appeal).

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4.3. Penalties for Misconduct

4.3.1. In determining a penalty for proven Academic or General Misconduct, the Misconduct Committee will take into account the following:

- whether the misconduct is Gross Misconduct;
- whether the student has been able to demonstrate that there were any mitigating circumstances; and
- whether the student has a record of previous, proven misconduct.

4.3.2. The Misconduct Committee may impose penalties/actions which include (but may not be limited to) one or more of the following:

- provide the student with a written warning;
- require the student to commit to an agreement regarding behaviour;
- defer, suspend or cancel the student's enrolment;
- refer the matter to police and/or campus security.

and in the case of Academic Misconduct include (but may not be limited to):

- deduct marks in line with the seriousness of the act;
- award a grade of Fail for the unit in which the misconduct took place;
- disallow any mark in relation to the offending work;

4.3.3. In all instances the Misconduct Committee Chair must report any decision made to the Senior Management Group.

4.3.4. The Academic Director (or nominee) will inform the student of the outcome of the decision, any disciplinary action to be taken and consequences (eg. Refund penalties).

4.3.5. If a student is dissatisfied with a decision made by the Misconduct Committee they may submit a formal appeal against that decision in accordance with the Curtin College [Appeals Policy](#).

5. Administrative procedures

5.1. This policy and related documentation are accessible through the Curtin College website at: <http://www.curtincollege.edu.au>

5.2. All communications/interviews will be noted electronically on the student(s) record by the Academic Director (or nominee).

5.3. Details of misconduct to be recorded on the Misconduct Register by the Academic Director (or nominee).

5.4. This policy and related processes will be communicated to staff via email and ongoing staff information sessions.

Version (Date)	Improvements made:
2.0 (Jan 2017)	Items 3.3, 4.1, 4.2 and 4.3 updated
1.11 (March 2016)	<ul style="list-style-type: none"> • Combined academic misconduct with general misconduct under the one heading of Misconduct. • Deleted reference to a "Decision Maker" • Added definitions of collusion and gross misconduct • Amended 4.1.5 to clarify when a Misconduct Committee will be convened • Amended 4.2.5 to exclude a lawyer • Deleted 4.3.4 • Amended 4.3.5 to clarify membership of Misconduct Committee • Deleted 5.4 as hard copies not needed to be kept for 5 years.