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. **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
- Cheating in assessment/examinations
- Theft of another student's work

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

3.3. **Cheating**: means dishonest conduct in any assessment

3.3.1. 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.
Student Misconduct Policy

- Assuming the identity of another student for the purposes of submitting work to be assessed on behalf of that student

3.4. **Decision Maker**: The College Director & Principal appoints the Decision Maker who make a decision as to the appropriate course(s) of action.

3.5. **DIBP**: Department of Immigration and Border Protection: The Australian government agency responsible for issuing students with visas.

3.6. **General Misconduct**, (other than Academic Misconduct) includes, but is not limited to, conduct which:

- breaches 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 Curtin University Land and Traffic By-Laws

3.7. **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

3.8. **Plagiarism**: a form of academic misconduct 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

3.9. **Senior Management Group**: The Directors and Senior Management of Curtin College.

4. **Policy Content**

4.1. **Academic Misconduct**

4.1.1. Where a staff member has reasonable grounds to believe that a student has committed an act of academic misconduct or cheating, the staff member shall provide a written report of the alleged offence to the Academic Administration Manager.

4.1.2. All allegations of misconduct in examinations are regarded as substantial allegations of misconduct and cannot be treated as minor misconduct.

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 Administration Manager or Academic Administration Coordinator 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 Administration Manager (or nominee), or a meeting will be held within five working days following the exam.

4.1.3. The Academic Administration Manager (or nominee) will then investigate the matter 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.

4.1.4. Following the investigation, where there are reasonable grounds to believe that a student HAS NOT committed an act of misconduct, the appointed decision maker 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 is relating to exam misconduct, the College will arrange for the student to resit the exam if appropriate (Student Exam Rules and Conduct allow a student suspected of cheating to complete the exam prior to the investigation of the cheating allegations) following dismissal of the allegations.

4.1.5. Where there are reasonable grounds to believe that a student has committed an act of misconduct, the Academic Administration Manager will convene a Misconduct Committee meeting consisting of the Academic Administration Manager and/or Academic Administration Coordinator, Student Services Manager, or nominee(s), and an external representative. 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.

4.1.6. Representation from both genders, conflicts of interest and confidentiality must be considered in the make-up of the committee (the committee may include a translator or external counsellor).

4.1.7. The Committee must confirm whether an act of misconduct has occurred before agreeing on what action needs to be taken.

4.1.8. 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).

4.2. **Penalties for Academic Misconduct**

4.2.1. In determining a penalty for proven academic misconduct, the College will take into account the following:

- whether the misconduct is minor or substantial 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.

4.2.2. The Committee may impose penalties/actions which include (but may not be limited to) the following:

- provide the student with a written warning;
- require the student to commit to an agreement regarding behaviour;
- require the student to rewrite or redo and resubmit the assessment or prepare an assessment on a new topic;
- 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;
- defer, suspend or cancel the student’s enrolment;
- refer the matter to police and/or campus security.

4.2.3. In all instances the Academic Administration Manager must report any decision made to the Senior Management Group.

4.2.4. The Academic Administration Manager (or nominee) will inform the student of the outcome of the decision, any disciplinary action to be taken and consequences (eg. Refund penalties).
4.2.5. The student is given the opportunity to meet with the Misconduct Committee together with a representative nominated by the student.

4.2.6. If a student is dissatisfied with a decision made by the committee they may submit a formal appeal against that decision in accordance with the Curtin College Appeals Policy.

4.3. General Misconduct

4.3.1. Where a staff member has reasonable grounds to believe that a student has committed an act of general misconduct, the staff member shall provide a written report of the alleged offence to the Academic Administration Manager.

4.3.2. The Academic Administration Manager (or nominee) will then investigate the matter 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.

4.3.3. Following the investigation, where there are reasonable grounds to believe that a student has not committed an act of misconduct, the appointed decision maker 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.

4.3.4. Where there are reasonable grounds to believe that a student has committed an act of misconduct, the appointed decision maker must provide a written report of the case to the Academic Administration Manager (or nominee).

4.3.5. 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 a student to DIBP, the student will be informed of our intent to report and given 20 working days to appeal)

4.3.6. On receiving a written report of general misconduct, the or Academic Administration Manager (or nominee) will convene a Misconduct Committee meeting consisting of the Academic Administration Manager, Academic Coordinator, Student Administration Manager and Student Services Manager (or nominee), and an external representative.

4.3.7. Representation from both genders, conflicts of interest and confidentiality must be considered in the make-up of the committee.

4.3.8. The Committee must confirm whether an act of misconduct has occurred before agreeing on what action needs to be taken.

4.3.9. The student must be given the opportunity to meet with the Committee and may bring a representative nominated by the student. A student may not bring a lawyer as their representative to meet with the Committee.

4.4. Penalties for General Misconduct

4.4.1. The Committee may impose penalties/actions which include (but may not be limited to) 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.

4.4.2. In all instances the Academic Administration Manager must report any decision made at this meeting to the Senior Management Group.

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

4.4.4. .
4.4.5. If a student is dissatisfied with a decision made by the 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.

5.3. Details of misconduct to be recorded on the Misconduct Register.

5.4. Records of reported misconduct will be kept for a period of five years. These records will be strictly confidential. These records will be under the responsibility of the Manager.

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

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