

Student Code of Conduct Procedure

Colleges of Business and Technology (WA) Pty Ltd
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Document

Document Name	Student Code of Conduct Procedure
Brief Description	The purpose of this Procedure is to define Curtin College's method for addressing student misconduct in alignment with the Student Code of Conduct, ensuring a fair, transparent, and consistent process that fosters a respectful and responsible learning environment.
Responsibility	College Director and Principal
Initial Issue Date	8/10/2025

Version Control

Date	Version No.	Summary of Changes	Reviewer Name and Department/Office
8/10/2025	V1.0	New Procedure	College Leadership Team

Related Documents

Name	Location
Student Code of Conduct	Curtin College Website
Academic Integrity Policy	Curtin College Website
Access, Diversity, Equity and Inclusion Policy	Curtin College Website
Complaints Policy	Curtin College Website
IT Acceptable User Policy	Curtin College Website
Sexual Harm Prevention and Response Policy	Curtin College Website
Wellness, Health and Safety Policy	Curtin College Website

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1. Purpose and Scope

1.1. Purpose

- 1.1.1 The purpose of this Procedure is to outline Curtin College's approach to identifying, managing, and resolving student misconduct. It is designed to uphold and support the principles outlined in the *Student Code of Conduct*, ensuring a fair, transparent, and consistent process that promotes a respectful and responsible learning environment.

1.2. Scope

- 1.2.1 This Procedure applies to all Curtin College students.

2. Reporting Alleged Student Misconduct

- 2.2.1 Any Curtin College student, staff and visitor who thinks that misconduct has occurred will inform a member of staff as soon as possible.
- 2.2.2 The responding staff member will gather the available information and provide it immediately to the College Director and Principal.
- 2.2.3 To facilitate an effective response, Curtin College will seek a written report of the alleged misconduct that outlines:
 - a) when the incident took place;
 - b) where the incident occurred;
 - c) who was involved;
 - d) what happened; and
 - e) the desired outcome, if appropriate.
- 2.2.4 The College Director and Principal will nominate a senior staff member to investigate the alleged misconduct under this Procedure and will provide them with the information gathered to date.
- 2.2.5 If a conflict of interest is present or arises during an investigation, or if it is deemed more appropriate for another staff member to handle the matter, the investigation will be referred to another senior staff member by the College Director and Principal.
- 2.2.6 At any time, the allegation may be referred to the Academic Director, the College Director and Principal, or an appropriate external authority such as the WA Police.

3. Responding to Allegations of Student Misconduct

3.1. Initial Response

- 3.1.1 The investigating staff member will:
 - a) inform staff and/or students, as appropriate under the specific circumstances and by their Curtin College email, that an investigation into alleged misconduct is being conducted; and
 - b) note the start of the investigation in the student's record in the Student Management System.

3.2. Conducting the Investigation

- 3.2.1. The investigation will start no later than five (5) days after the investigating staff member receives the report.
- 3.2.2. The investigator:
 - a) may seek evidence from any sources and consult with such individuals as they consider appropriate, in their absolute discretion;
 - b) must provide student with any documentation or information being relied upon as evidence (portions of documents or information not being relied upon as evidence to be redacted), and provide the student with a reasonable opportunity to respond;

- c) will, as soon as practicable:
 - o notify the student concerned and provide sufficient details in writing of the alleged misconduct to enable the student to respond to the allegation(s); and
 - o inform the student that any written response to the allegation(s) and/or a request to be heard at any interview must be received within ten (10) working days of the date of notification to the student of the alleged misconduct;
 - d) must act in accordance with principles of natural justice;
 - e) must act as quickly as practicable in the circumstances; and
 - f) must make decisions on the balance of probabilities which are fair and reasonable, having regard to the substantial merits of a matter.
- 3.2.3. If the student requests an interview, the investigator will arrange an interview with the student within ten (10) working days of the student making the request. Interviews may, at the discretion of the investigator, be conducted in person, by telephone, virtually or by any other means, provided that the student's preference is considered when making that decision.
- 3.2.4. The student may be accompanied at any interview by a student, friend, or family member, but may not be legally represented. The accompanying person may only act as the student's advocate were invited to do so by the senior staff member conducting the interview.
- 3.2.5. The investigator may deal with the matter in the absence of any response from the student.
- 3.2.6. The investigator, following consultation with the College Director and Principal, has the power to discontinue or dismiss an investigation where they consider there is insufficient evidence to warrant further investigation. Where a student has been notified of an investigation, the investigator will provide written notice of a discontinuance or dismissal to the student.
- 3.2.7. An investigator can re-investigate a matter where new evidence becomes available, following discussion with the College Director and Principal.
- 3.2.8. If the investigator determines that an act of misconduct has occurred, they must:
- a) give the student the opportunity to be heard on the issue of any outcome to be imposed;
 - b) consider all relevant factors, before imposing an outcome, including:
 - o the student's history (if any) of previous findings of misconduct;
 - o mitigating or aggravating factors; and
 - o the impact of any outcome on the student's overall program of study, including any delay that the outcome may cause to the completion of that program;
 - c) within five (5) working days of the finding and the outcome being determined, provide the student with written notice of their reasons for that finding and for the outcome imposed.
- 3.2.9. The investigator will consider, in line with college policies and procedures, what information may be shared with affected individual, or to the police; however, they are not required by these procedures to share information.

3.3. Outcome and Penalties for Misconduct

- 3.3.1. If, after consulting with the College Director and Principal, it is determined that a student has engaged in misconduct, the College may impose one or more of the following penalties:

- a) reprimand or warn the student instead of, or in addition to, any outcome that might be imposed for the misconduct;
- b) suspend the student for a period not exceeding 12 (twelve) months from any participation in college activities or the use of college facilities or services;
- c) probation (written advice);
- d) defer the implementation of an outcome until the time for an appeal has passed, or on such terms and conditions, including agreements made by the student, if the person approving the deferment deems appropriate;
- e) terminate the student's enrolment at the college indefinitely;
- f) fine the student an amount not exceeding \$1,000; and/or
- g) require the student to pay compensation equal to the cost of property lost, damaged or destroyed because of the misconduct.

3.4.2 The investigator will:

- a) inform the student via their Curtin College email of the outcome and findings of the misconduct investigation; and
- b) add a note to Navigate to record the conclusion of the investigation.

3.4. Authority to Impose Outcomes

The following provisions apply to persons authorised to impose an outcome under these Procedures:

- 3.5.1 If both a fine and a suspension from college activities or access to services/facilities are imposed, the suspension may continue until the fine or restitution is paid in full.
- 3.5.2 A student who has been terminated under this Procedure may only reapply for enrolment with written approval from the College Director and Principal or nominee. Approval is at their discretion and may include conditions the student must meet.
- 3.5.3 If a student fails to pay a fine or restitution owed to the college, the College Director and Principal or nominee may take or direct any or all of the following actions:
 - a) withhold official notification of the student's marks or grades;
 - b) delay the conferral of an award or certificate; and/or
 - c) prevent the student from re-enrolling in a future study period

3.5. Formal Complaint

- 3.5.1. A student who is not satisfied with a finding of misconduct and/or the outcome imposed may submit a Formal Complaint to the Complaints Committee under the *Complaints Policy*.
- 3.5.2. The Complaints Committee is the final avenue of complaint within the college for misconduct matters.

3.6. External Review

- 3.6.1. At any time, a student may complain about Curtin College's handling of misconduct to an external agency. The National Student Ombudsman will forward the complaint to the relevant authority for consideration.
- 3.6.2. Cancellation of student enrolment cannot take effect until the internal appeals process has been completed or unless the student's or other student's health or wellbeing or the wellbeing of others, is likely to be at risk.

4. Definitions

Refer to *Glossary of Terms* on the Curtin College website.

5. Review

This Procedure is reviewed annually by the College Leadership Team in line with the Quality Review Register or whenever there are changes to the regulatory compliance requirements, legislation, regulation and guidelines.

6. Records Management

All records in relation to this document will be managed as follows:

Record type	Owner	Location	Retention	Disposal
Procedure	Quality and Compliance Manager	Shared Drive and Website	Permanently	Archived once updated or reviewed