



Curtin University

STUDENT CONDUCT

GUIDE FOR STUDENTS



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 your conduct breaches expectations, you may be provided with a warning or, should your actions be serious enough, an inquiry into an allegation of misconduct may occur.

The *Student Conduct – Guide for Students* was created to provide further guidance on the warning and misconduct processes, and contains information relating to:

WARNINGS

- When and how warnings will be given (Academic Integrity Warnings and a Student Charter breach).

MISCONDUCT

- A summary of the misconduct processes;
- What to expect during an inquiry into alleged misconduct; and
- Understanding the determination and appeal processes.

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

This guide should be read in conjunction with [Statute No. 10 – Student Discipline and the relevant Misconduct Rules](#) and should not be used as a replacement.

ACKNOWLEDGMENT

All sections of the *Student Conduct – Guide for Students* were written and developed by the Office of the Academic Registrar in consultation with key stakeholders.

2. IS IT A WARNING OR MISCONDUCT?

Warnings are available for minor academic and general issues. For example, you may be warned for being inconsistent in your referencing attempts or for using inappropriate language. A warning will be issued for the first case, where possible. Repeated behaviour may be escalated to an allegation of misconduct.

Depending on the severity of an issue, a warning may not be appropriate. In these circumstances, your conduct may be reviewed to determine whether misconduct has occurred. To conduct a fair process, you will receive an allegation and supporting documentation with the opportunity to respond. This notification is just to let you know that concerns were raised about your academic work or general behaviour, and to allow you access to all the information to assist you in providing a response.

How will this impact me?

If you receive either a warning or an allegation of misconduct, certain processes, such as withholding of grades or postponement of graduation, may occur. Anything that was paused as part of the warning or misconduct process will re-commence once you action any required educative actions or the misconduct process otherwise completes.

Details of your misconduct case will remain on the University's records. Access to the case details will be limited and managed by the Office of the Academic Registrar.

An Academic Integrity Warning, Student Charter Breach or a determination of misconduct will not be recorded on your Academic Transcript or your Award Certificate (Testamur). However, some penalties applied through the misconduct process, for example ANN, your place in the course being terminated, or expulsion from the university, may appear on official university documents.



3. ACADEMIC INTEGRITY WARNINGS

An Academic Integrity Warning is simply a warning that there has been a breach of Academic Integrity. You may be given a warning if there are insufficient grounds to continue a full suspected misconduct investigation, or if the actions do not meet the threshold of a misconduct finding.

Academic Integrity Warnings in the Designated Academic Integrity Unit

If you breach academic expectations in the Designated Academic Integrity Unit, *a unit within a course in which information and instruction about academic integrity is provided*, your Unit Coordinator may:

- Highlight the academic integrity breach(es);
- Advise you of available educational resources and support;
- Provide you with an opportunity to rectify the problem; and/or
- Allow you to re-submit your assessment for marking without penalty.

If the Unit Coordinator requires you to re-submit your assessment, this is not an opportunity for you to enhance the content of your work. Instead, you will need to fix any academic integrity concerns that prevented marking in the first instance. If re-submission is not appropriate or feasible, an Academic Integrity Warning may be recorded. Any Educative Actions assigned to you, including re-submission, must be completed by the nominated deadline. If you do not complete the necessary Educative Actions, you may get a sanction on your enrolment, which prevents results release and enrolment in further units. Once you provide proof of completion as per the instructions in your notification letter, the sanction should be removed within two business days.

You may be notified in writing if there are issues within your assessment.

Academic Integrity Warnings within All Other Units

For all other units, an Academic Integrity Warning may be recorded, and notification will be provided in writing. Any Educative Actions assigned to you must be completed by the nominated deadline. Failure to do so may lead to a sanction on your enrolment, which prevents results release and enrolment in further units. Once you provide proof of completion as per the instructions in your notification letter, the sanction should be removed within two business days.

Further Information

For further assistance with academic integrity and avoiding breaches, refer to the [Academic Integrity – Guide for Students](#).

4. STUDENT CHARTER BREACH

What is a Student Charter Breach?

The Student Charter and Curtin's values and signature behaviours guide the expected behaviour of Curtin's students.

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

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

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

How is a Student Charter Breach issued?

A summary of the incident and details of any verbal warning is provided to the Office of the Academic Registrar, which will assess the incident and determine if the matter is a Student Charter Breach or if it needs to be considered as a case of potential General Misconduct. If the matter is handled as a Student Charter Breach, you will be provided with a written warning reiterating your responsibilities under the Student Charter to behave appropriately.

If you repeat the behaviour after receiving a warning, the matter may be lodged as General Misconduct and handled in accordance with *Statute No. 10 – Student Discipline* and the *General Misconduct Rules*.



5. 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

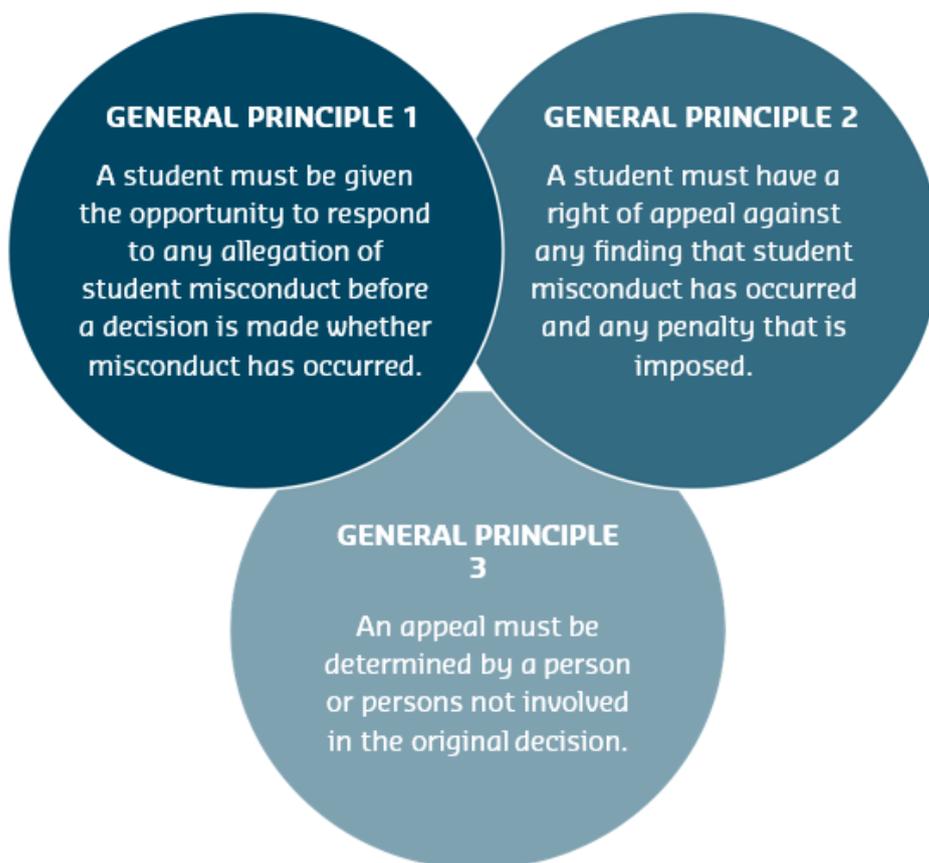
These can be accessed via the Curtin Policies website at:

http://policies.curtin.edu.au/legislation/statutes_rules.cfm

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 students who have graduated 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 you to ensure a procedurally fair process.



6. WHO IS INVOLVED IN THE MISCONDUCT PROCESS?

AUTHORISED OFFICER

The Authorised Officer is responsible for determining if an allegation of misconduct has sufficient grounds to warrant further investigation. The person in this role changes depending on the type of case.

	HEAD OF SCHOOL /AREA	CHIEF INFORMATION OFFICER	DIRECTOR, PROPERTIES, FACILITIES AND DEVELOPMENT	PRO VICE-CHANCELLOR OF OFFSHORE CAMPUS	ACADEMIC REGISTRAR
Academic Misconduct					✓
Academic Record Fraud					✓
General Misconduct*	✓	✓	✓	✓	✓

* *Dependent on the nature of the allegation.*

INQUIRY OFFICER

The Authorised Officer appoints an Inquiry Officer to undertake an inquiry into an allegation of misconduct.

STUDENT DISCIPLINE PANEL

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

PRO VICE-CHANCELLOR OR PROVOST

For Academic Misconduct, the Pro Vice-Chancellor or Provost is responsible for hearing an appeal against a determination of misconduct (including Poor Academic Practice) and/or any Category 1 penalty.

ACADEMIC REGISTRAR

For Academic Record Fraud or General Misconduct, the Academic Registrar (Perth campus) is responsible for hearing an appeal against a determination of misconduct and/or any Category 1 penalty. 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 any Category 2 penalty was applied.

7. REPORTING MISCONDUCT

Reports of alleged student misconduct are lodged via the [Dixon web form](#). All cases lodged must contain an allegation and relevant documentation.

What is an allegation?

An allegation is a claim or assertion that you have done something wrong and should be factual, specific, and unbiased.

What are some examples of relevant documentation?

For Academic Misconduct (including Poor Academic Practice):

- Student Progress Report;
- Unit Outline;
- Copy of assessment items;
- Any other information 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;
- Testamur (Award Certificate 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.

SAMPLE 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 data and misleading references for Assessment 1 in the unit STUDY301.

What happens now?

Once a case of alleged misconduct is reported, it is referred to an Authorised Officer. The Authorised Officer will determine whether:

- a) There are insufficient grounds to warrant further investigation, and either no action is taken, or an Academic Integrity Warning is needed;
- b) There are insufficient grounds to warrant further investigation – but arrange counselling or a lecture, seminar, workshop, or similar activity in relation to appropriate behaviour;
- c) There are sufficient grounds to warrant investigation into misconduct, under the Poor Academic Practice level; or
- d) There are sufficient grounds to warrant further investigation into misconduct – and initiate an inquiry.

What happens if there are insufficient grounds?

While there is no further action in relation to the allegation, any processes (e.g. marking of your assessment, release of your grade) paused whilst the inquiry occurred will re-commence.

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

The Authorised Officer will oversee any investigation to do with Poor Academic Practice. For everything else, 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.

The person who conducts an inquiry will:

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



8. POOR ACADEMIC PRACTICE

What is Poor Academic Practice?

Poor Academic Practice is Academic Misconduct that is not dishonest, and where any advantage gained is no more than moderate. An assessment with poor paraphrasing, or large sections of text copied word-for-word without acknowledging the original author, could show a student who does not fully understand referencing requirements or who lacks the confidence to put text in their own words.

Is the process of investigating Poor Academic Practice process the same as investigating Academic Misconduct?

There are similarities in the process because Poor Academic Practice is still considered Academic Misconduct and is covered by the Academic Misconduct Rules. The processes are similar in that you will be able to respond to an allegation against you before a final determination is made, and you will also maintain your right of appeal.

What is different about the Poor Academic Practice process?

If the allegation relates to Poor Academic Practice:

- The notification will include details of the allegation as well as the proposed determination and penalty;
- You are only able to respond in writing to the allegation (not orally);
- The proposed determination and penalty are decided by the Authorised Officer, rather than a Student Discipline Panel;
- The penalties available for Poor Academic Practice are less severe than other categories of Academic Misconduct (see *Appendix 4: Poor Academic Practice Penalties*); and
- You only have seven (7) days to appeal a determination or penalty for Poor Academic Practice before the case is finalised.

Why is the process different?

The Poor Academic Practice process is accelerated because the allegation is at a lower level, and the potential penalties are minor. Being able to move forward quickly means that you can immediately apply anything you learn through the process to other assessments and units. You do not want to repeat the same mistake, as that could mean more misconduct cases, delay your results and feedback, and lead to lower marks for your work.

How do I know if the allegation against me might be considered as Poor Academic Practice?

The documentation you receive will clearly indicate that this is being considered under the Poor Academic Practice criteria. Usually, an allegation against you might be considered Poor Academic Practice if you have just commenced your degree, if this is your first instance of suspected misconduct, or if you have not had appropriate instruction in academic integrity practices. If you have already had a finding of academic misconduct against you, or have completed any additional academic integrity instruction, it is most likely that an allegation would **not** be considered Poor Academic Practice.

SUMMARY OF POOR ACADEMIC PRACTICE PROCESS

Receiving and responding to an allegation of Poor Academic Practice

The Authorised Officer is responsible for the initial review of a report of suspected misconduct. If there are sufficient grounds to believe that you may have engaged in Poor Academic Practice, you will be notified of the allegation, relevant documents, proposed determination, and penalty via your student email and Official Communication. In the next seven (7) days, you can do one of three things:

- 1) Use the link provided in the notification to respond to the case in writing and give more information about the issues raised, including objecting to the proposed determination, proposed penalty, or both (See *Appendix 1: Resources for Students* for advice on writing an effective response and support services available to assist you);
- 2) Use the link provided in the notification to accept the proposed determination and penalty, which will move your case to the final determination stage; or
- 3) Take no action – neither disputing or accepting the finding – and allow the seven-day period to lapse. Your case will then move to the final determination stage.

Determination and Penalty

The Authorised Officer is responsible for the determination and will make it based on the “balance of probabilities”. This means that it is more likely than not that Poor Academic Practice occurred. While you will be notified of the proposed determination and penalty in the initial communication, it will not be finalised until after you have had the opportunity to respond. All documentation, including any response or documents you sent to the case, will be reviewed before making a final determination and when deciding on any appropriate penalties or Educative Actions.

Whether or not you choose to respond, the determination and penalty will be finalised no later than five (5) days after the response deadline has passed. You will be notified in writing via your student email and Official Communication of the Authorised Officer’s determination and your appeal rights. If it is determined that misconduct did not occur, no further action will be taken.

Educative Actions and Penalties

Following the completion of the Poor Academic Practice process, you are responsible for completing any educative actions and/or penalties by the nominated deadline. Failure to complete any requirement(s) by the deadline may result in a sanction on your enrolment, which prevents results release and enrolment in further units. Once you provide proof of completion as per the instructions contained in the determination letter, the sanction should be removed within two business days.

Appeal

You have the right of appeal against a determination of Poor Academic Practice, the penalty that has been applied, or both. You may only appeal based on a “question of law”. An appeal must meet this threshold to be reviewed. You have seven (7) days after receiving the final Poor Academic Practice determination and penalty notification to submit an appeal. If you take no action, your appeal timeframe will expire after the seven-day period and the case will be finalised. If you waive your right of appeal, the case will be finalised immediately, pending approval by the Vice-Chancellor. Your notification letter will include a link to either waive your right to appeal, or to submit an appeal against the determination and/or the penalty

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If you decide to appeal, you will be required identify the question(s) of law that forms the basis of your appeal and provide appropriate documentation. If your appeal meets the threshold grounds, your appeal will be heard by either the relevant Faculty Pro Vice-Chancellor or Provost, unless the Academic Registrar refers your appeal to a Student Discipline Appeals Board. You will get the opportunity to appear at the appeal hearing and, to ensure a fair appeal hearing, all case documentation will be reviewed to gain a full understanding of the facts of the case. Your appeal will not progress if you submit an appeal that does not meet the threshold grounds.

WHAT IS A “QUESTION OF LAW”?

A ‘question of law’, in the context of a threshold for an appeal against a finding and/or penalty imposed under the Academic Misconduct Rules, is about an error in the application of the process.

In other words, was the process followed correctly? Examples include:

- Procedural Fairness (e.g. a piece of evidence was not considered, you were not given a right to respond to the allegations, the Authorised Officer did not act in accordance with the Rules);
- When making a decision in a matter, irrelevant considerations were taken into account;
- Failure to take into account considerations in making a decision; or
- No evidence or material to support the decision.

The outcome of your appeal means that the original determination and/or penalty can be:

Upheld: this means that the original determination and/or penalty by the Authorised Officer 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.

You will be notified of the outcome in writing and this decision is final.

While the internal process is now complete, if you are not satisfied that it has been conducted fairly, you can make a complaint to the Ombudsman Western Australia. The Ombudsman is independent and external to the University and does not charge any fees for their services.

Please note that the Ombudsman will normally only consider whether the University has followed its own policies and procedures, and whether the handling of your case has been fair and reasonable. The Ombudsman does not make a new decision; however, the Ombudsman may, as a result of an investigation, recommend that the University reconsider your case.

The contact details of the Ombudsman are:

Mail: Ombudsman Western Australia PO Box Z5386 St Georges Terrace Perth WA 6831

Phone: 08 9220 7555

Email: mail@ombudsman.wa.gov.au

Website: www.ombudsman.wa.gov.au

9. RECEIVING AN ALLEGATION OF MISCONDUCT

The information in this section summarises the process for Academic Misconduct, General Misconduct and Academic Record Fraud. Please refer to *Section 8. Poor Academic Practice* for a summary of the Poor Academic Practice Process.

How will I be notified?

The Inquiry Officer will notify you of the allegation, including any supporting documentation, via your student email and Official Communication.

Can I respond, and how can I do so?

Yes, you will be provided with a minimum of seven (7) days to respond to the allegation. You may respond via the link contained in your notification. When you receive the notification, you should download and carefully consider all of the documentation (See *Appendix 1: Resources for Students* for advice on writing an effective response and support services available to assist you).

Once you respond, or when the seven-day period lapses, the matter proceeds and you will no longer have access to the link in your notification. The nominated Inquiry Officer will complete the inquiry, considering any information you provided. Once finalised, the Inquiry Officer's Report will be referred to the Student Discipline Panel. The next communication you receive is when the Student Discipline Panel has made its determination.

What if I would like to respond orally?

If you would like to respond to the allegation orally, you will need to request this in writing to the Inquiry Officer. If permitted by the Inquiry Officer (at their discretion), they will arrange a hearing. See *Appendix 3: Inquiry Officer Hearing* for further information.

What if I do not want to respond?

You do not have to respond and if you choose not to, the matter will proceed after the deadline has passed.

I have been asked to attend an Inquiry Officer hearing.

As part of the inquiry, the Inquiry Officer may hold a hearing to clarify details relating to the allegation and/or your response. See *Appendix 3: Inquiry Officer Hearing* for further information.

Additional Evidence

If the Inquiry Officer finds additional evidence after they sent you the initial notification, you will receive a copy of the document(s) and be given an additional seven days to respond. If you have additional information that you would like to provide during the Inquiry, you need to provide this directly to the Inquiry Officer.

What information is included in the Inquiry Officer's Report?

- 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 as to whether or not misconduct has occurred, or if there is insufficient evidence to make a determination.

*Information on how the Inquiry Officer assesses the seriousness of an incident to determine the appropriate recommendations can be found in *Appendix 2: How the Seriousness of an Incident is Assessed*.

10. DETERMINATION AND PENALTY

The information in this section summarises the process for Academic Misconduct, General Misconduct and Academic Record Fraud. Please refer to **Section 8. Poor Academic Practice** for a summary of the Poor Academic Practice Process.

The Student Discipline Panel is responsible for making a determination of misconduct based on the “balance of probabilities”. Where there is a finding of misconduct, it is also responsible for applying one or more appropriate penalties. The potential penalties associated with Academic Misconduct, General Misconduct, and Academic Record Fraud are in *Appendix 5: Category 1 Penalties* and *Appendix 6: Category 2 Penalties*.

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

The “balance of probabilities” standard of proof means that it is more likely than not that misconduct occurred. When the allegation or the circumstances are more serious (E.g. the rescission of a degree, or alleged assault), the standard of proof may be higher to enable a finding.

What is the composition of each Student Discipline Panel?

	OFFSHORE STUDENT DISCIPLINE PANEL	FACULTY STUDENT DISCIPLINE PANEL	CENTRAL STUDENT DISCIPLINE PANEL	CENTRAL STUDENT DISCIPLINE PANEL (POTENTIAL AWARD RECISSION)
Chair	The Pro Vice-Chancellor of the offshore campus	A Staff Member appointed by Academic Registrar	A Staff Member appointed by the Academic Registrar	A Staff Member appointed by the Academic Registrar
Staff Members	A Staff Member appointed by the Academic Registrar	A Staff Member appointed by the Pro Vice-Chancellor of the Relevant Faculty	A Staff Member appointed by the Academic Registrar	Two Staff Members appointed by the Academic Registrar
Student Members	An Eligible Student appointed by the Academic Registrar	An Eligible Student appointed by the Academic Registrar	An Eligible Student appointed by the Academic Registrar	Two Eligible Students appointed by the Academic Registrar

Which Student Discipline Panel makes the determination?

	FACULTY STUDENT DISCIPLINE PANEL	OFF-SHORE STUDENT DISCIPLINE PANEL*	CENTRAL STUDENT DISCIPLINE PANEL**
Academic Misconduct	✓		✓
Academic Record Fraud		✓	✓
General Misconduct		✓	✓

* Each offshore campus has a Student Discipline Panel to hear cases of General Misconduct and Academic Record Fraud.

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*** The Central Student Discipline Panel will hear all cases for Australian-based General Misconduct and Academic Record Fraud. It is also responsible for hearing cases from students admitted into a College of Enabling program, Curtin English courses, when 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 a Student Discipline Panel make the determination?

No, this responsibility cannot be delegated.

How is a determination made?

The Student Discipline Panel will review all documentation and make a determination based on the balance of probabilities. 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.

If the Student Discipline Panel is unable to make a determination, it may refer the matter back to the Inquiry Officer to seek further information. The Student Discipline Panel may also determine that a matter should be downgraded to an Academic Integrity Warning or Student Charter Breach. You will be notified in writing via your student email and Official Communication of the Student Discipline Panel's decision and your appeal rights.

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

No further action will be taken. If the matter relates to an assessment task, marking will re-commence, and no penalty will be applied.

What happens if it's determined that there is insufficient evidence to enable a finding?

The Student Discipline Panel has the option to:

- Take no further action; or
- Arrange for you 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?

The Student Discipline Panel will determine whether any Category 1 and/or Category 2 penalty will be applied. In addition to the determination letter, you will receive a Report that outlines the reasons for the misconduct and penalty determination to help you understand the rationale for the decision.

Examples of reasons that the Student Discipline Panel may provide include, but are not limited to:

- The level of intent when committing misconduct;
- Any mitigating circumstances;
- Whether any advantage was gained over other students; and
- Any previous instances of misconduct.

11. APPEAL

The information in this section summarises the process for Academic Misconduct, General Misconduct and Academic Record Fraud. Please refer to **Section 8. Poor Academic Practice** for a summary of the Poor Academic Practice Process.

Can I appeal?

Yes, you have the right of appeal against a determination of Academic Misconduct, the penalty that has been applied, or both. You may only appeal based on a “question of law”. An appeal must meet this threshold to be reviewed. You have 14 days from receiving the Student Discipline Panel’s decision to submit an appeal. If you take no action, your appeal timeframe will expire after the 14-day period and the case will be finalised. If you waive your right of appeal, the case will be finalised immediately, pending approval by the Vice-Chancellor. Your notification letter will include a link to either waive your right to appeal, or to submit an appeal against the determination and/or the penalty.

WHAT IS A “QUESTION OF LAW”?

A ‘question of law’, in the context of a threshold for an appeal against a finding and/or penalty imposed under the Academic Misconduct Rules, is about an error in the application of the process.

In other words, was the process followed correctly? Examples include:

- Procedural Fairness (e.g. a piece of evidence was not considered, you were not given a right to respond to the allegations, the Authorised Officer did not act in accordance with the Rules);
- When making a decision in a matter, irrelevant considerations were taken into account;
- Failure to take into account considerations in making a decision; or
- No evidence or material to support the decision.

If your appeal meets the threshold grounds, you will get the opportunity to appear at the appeal hearing and, to ensure a fair appeal hearing, all case documentation will be reviewed to gain a full understanding of the facts of the case. Your appeal will not progress if you submit an appeal that does not meet the threshold grounds.

What can I include in my appeal?

You must include a written statement that identifies the question(s) of law that forms the basis of your appeal and provide appropriate supporting documentation.

The consideration of your appeal is confined to the issues that you raise in your appeal documentation. To ensure that you are afforded a fair appeal hearing, the appeal party or parties will review all the case documentation to gain an understanding as to the facts of the case.

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 were not previously involved in the process. These parties are either the Academic Registrar, Faculty Pro Vice-Chancellor, or Student Discipline Appeals Board.

	ACADEMIC REGISTRAR	PRO VICE-CHANCELLOR OR PROVOST (as appropriate)	STUDENT DISCIPLINE APPEALS BOARD
Academic Misconduct: appeal against the determination of misconduct, and/or where a Category 1 penalty has been applied.	✓	✓	*
Academic Record Fraud: appeal against the determination of misconduct, and/or where a Category 1 penalty has been applied.	✓		*
General Misconduct: appeal against the determination of misconduct, and/or where a Category 1 penalty has been applied.	✓		*
Any appeal where a Category 2 penalty has been applied.			✓

** 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 – a legal practitioner appointed by the Vice-Chancellor;
- Two full-time staff members appointed by the Academic Registrar; and
- Two eligible students appointed by the Academic Registrar.

Due regard will be given to member gender diversity 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.

You will be notified of the outcome in writing and this decision is final.

Can I appeal this decision?

No, the internal process is now complete. If you are not satisfied that it has been conducted fairly, you can make a complaint to the Ombudsman Western Australia. The Ombudsman is independent and external to the University and does not charge any fees for their services.

Please note that the Ombudsman will normally only consider whether the University has followed its own policies and procedures and whether the handling of your case has been fair and reasonable. The Ombudsman does not make a new decision; however, the Ombudsman may, as the result of an investigation, recommend that the University reconsider your case.

The contact details of the Ombudsman are:

Mail: Ombudsman Western Australia PO Box Z5386 St Georges Terrace Perth WA 6831

Phone: 08 9220 7555

Email: mail@ombudsman.wa.gov.au

Website: www.ombudsman.wa.gov.au



12. FINAL STEPS AND GENERAL INFORMATION

Application of penalty(s)

Once the misconduct process is finalised, any penalties that were applied should be processed by the University within five business days.

Queries relating to penalties applied as part of the Academic Misconduct process, such as grade change(s) or resubmission of assessments, should be directed to your Unit Coordinator once the process has been completed.

Queries relating to penalties applied as part of the Academic Record Fraud or General Misconduct processes should be directed to Dixon@curtin.edu.au.

Completing the penalty(s)

Following the completion of the misconduct process, you are responsible for completing the penalties by the nominated deadline. Failure to complete any requirement(s) by the deadline may result in a sanction on your enrolment, which prevents results release and enrolment in further units. Once you provide proof of completion as per the instructions contained in the determination letter, the sanction should be removed within two business days.

Where will the outcome be recorded?

Details of your misconduct case will remain on the University's records. Access to your case details will be limited and managed by the Office of the Academic Registrar. A determination of misconduct will not be recorded on your Academic Transcript or your Award Certificate (Testamur). However, some penalties applied through the misconduct process, for example ANN, your place in the course being terminated or expulsion from the university, may appear on official university documents.

Professional Registration

The University is required to disclose information regarding your case(s) to professional registration bodies when we have your written consent. Requests should be directed to SDAO@curtin.edu.au.

External requests for information

As per the [Disclosure of Personal Information Procedures](#), the University may be required to provide information regarding your case(s) to external bodies, e.g. Western Australia Police Force. All requests (including but not limited to subpoenas, search warrants, court orders, Notice to Produce, Notice to Comply) will be approved by Legal Services.

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.

13. APPENDICES

APPENDIX 1: RESOURCES FOR STUDENTS

While the University must take seriously any concerns around academic integrity or student conduct, these allegations can be stressful for students. There are many resources available to help you throughout this process, and you are encouraged to use any tools that you may find useful.

I was just notified about suspected Misconduct, and I'm overwhelmed. Where do I start?

When you receive the notification, download all documentation attached to your case, including the allegation letter. Review all the information to make sure you understand the allegation and any supporting materials. If you have a question about the case, the allegation, or the process, you can contact the Student Conduct team at SCO@curtin.edu.au. Please include your Case Reference Number, Student ID Number, and full name in the email to enable a timely response.

I want to respond to the case. What should I say, and can anyone help me?

It may be confronting to receive an allegation of misconduct, which could lead you to make an impulsive response. Take the time to carefully consider the matter, while remembering that the allegation might not necessarily allege deliberate conduct on your part. There are times where a student might have unintentionally breached student conduct conventions. Any suspected case of misconduct is simply that – a potential problem with student conduct. It is not a confirmation of wrongdoing, nor a guarantee of a particular outcome. It is also not a judgement on you as a person.

Your response should address the allegation, outline any mitigating circumstances, and include any additional supporting documentation. You are given seven days to respond to allow you enough time to thoroughly consider the case. There are no requirements for length, so you can share as much or as little as you would like in a response. Generally, writing a single line such as, "I didn't do this, and you need to end this case" is not helpful. Including more details will help give a more complete picture of your view, and make sure your voice is heard in this process.

You may realise, after reviewing the case, that your actions contravened Curtin standards. You can address that in your response by taking responsibility for your behaviour, explaining how that mistake occurred, and any steps you are taking to improve your skills or avoid a similar problem in the future. Recognising the impact of our past actions is an important part of the educational process, and demonstrates integrity and courage, two of Curtin's core values.

You are also more than welcome to get advice about what to say. All Curtin students can access the free services of the **Guild Student Assist Office** for advice or assistance in preparing a response. Guild officers are unbiased, and your discussions are completely confidential. Students can call 1800 063 865 (in Australia) or +61 8 9266 2900 (from overseas), or email student.assist@guild.curtin.edu.au. You can find more information on the Guild website at <https://guild.curtin.edu.au/advice/academic/academicintegrity/>.

I'm not coping, and my mental health is being impacted by this case. Who can help me?

All Curtin students – both in Australia and overseas – can contact the **Student Wellbeing Advisory Service** for free, confidential support. You can call 1800 244 043 (in Australia) or +61 8 9266 2662 (from overseas), email studentwellbeing@curtin.edu.au, visit in-person at Curtin Connect Building 102, or visit their website at <https://www.curtin.edu.au/students/personal-support/counselling-wellbeing/wellbeing/>.

Students at the **Curtin Perth campus**, including students enrolled Fully Online, may want to use University Counselling Services. This is free for all students who are directly enrolled at Curtin, regardless of citizenship status. You can contact the office on +61 8 9266 7850, email counselling@curtin.edu.au, or visit their website at <https://www.curtin.edu.au/students/personal-support/counselling-wellbeing/counselling/>. Emergency and after-hours resources can be accessed at <https://www.curtin.edu.au/students/personal-support/counselling-wellbeing/emergencies/>.

Students enrolled at Curtin through **OUA** may want to access free support directly through OUA by emailing counselling@open.edu.au. Please provide them with your name, OUA ID card number, and your best contact phone number.

Students at the **Curtin Dubai** campus may want to contact Mental Health and Wellbeing, which provides free counselling and support services to all Dubai campus students. You can contact the office at counselling@curtindubai.ac.ae.

Students at the **Curtin Malaysia** campus may want to use Health, Counselling and Disability Services. This is free for all Malaysia campus students, regardless of citizenship status. You can contact the office on +60 85 630100 ext. 2709/2710, via email at HealthCounsellingDisability@curtin.edu.my, or on their website at <https://health-counselling.curtin.edu.my/home/health/counselling/>.

Students at the **Curtin Mauritius** campus may email your Head of Faculty for information on free counselling and other support services. Students in the Faculty of Accounting, Finance & Law should contact Dr Karlo Jouan at KJouan@curtinmauritius.ac.mu. Students in the Faculty of Design, IT & Communication should contact Dr Sarita Hardin-Ramanan at SRamanan@curtinmauritius.ac.mu. Students in the Faculty of Health & Education should contact Dr Ridwana Timol at RTimol@curtinmauritius.ac.mu. Students in the Faculty of Management should contact Dr Christel Ramloll at CRamloll@curtinmauritius.ac.mu.

Students at the **Curtin Singapore** campus may want to use Counselling Services. This is available for all Singapore campus students, regardless of citizenship status. You can contact the office at counselling@curtin.edu.sg, and you can review their website at <https://students.curtin.edu.sg/personal-support/counselling-guidance/>.

Where can I go to get more support with academic integrity?

The Curtin Library has many resources available to help you improve your academic skills, including both face-to-face and online. The UniSkills website can be a great starting point, covering referencing skills as well as how to find good sources for your work, and analysing content. You can access the UniSkills website at <https://libguides.library.curtin.edu.au/uniskills>.

The main Library study page has more resources available, including workshop registration, Peer Academic Mentoring, UniPass, specialised unit guides, and support to build better study habits. This information is available for all Curtin students at <https://www.curtin.edu.au/library/study/>.

The Academic Integrity website has additional supports available, including the academic integrity guide for students and the student checklist to prevent plagiarism. These documents and more are available at <https://www.curtin.edu.au/students/essentials/rights/academic-integrity/>.

All Curtin students are expected to complete the Academic Integrity Program (AIP) at the start of their course, which provides a foundation for your academic career. You access the AIP on Blackboard, in the “My Units” list. If you already passed the AIP test, you can self-enrol in the AIP again for a refresher. For more information, go to <https://www.curtin.edu.au/students/essentials/rights/academic-integrity/aip/>.

APPENDIX 2: HOW THE SERIOUSNESS OF AN INCIDENT IS ASSESSED

Inquiry Officers are required to address specific criteria 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:

- Does the timeline 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 is the impact on other students?
- Have other students been unfairly implicated?
- Have 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 acting?
- How are Curtin’s Values and Code of Conduct upheld?

APPENDIX 3: INQUIRY OFFICER HEARING

As part of their investigation, an Inquiry Officer may choose to invite you to a hearing to seek clarification about details of the case. You are encouraged to attend as this is your opportunity to respond to the allegation in person. You will be provided with at least seven days' notice of the date and time of the hearing, but the hearing can happen earlier with mutual agreement by both you and the Inquiry Officer.

When can the Inquiry Officer hold a hearing?

A hearing can only be held during the inquiry stage of the process. The notice of the allegation and the request for a hearing may be sent on the same day.

Why would an Inquiry Officer hold a hearing?

The Inquiry Officer might feel that holding a hearing is beneficial if it would add value to the investigation or help you understand the allegations. It may also be appropriate to hold a hearing if the Inquiry Officer has received varying accounts about the situation, and it is not clear which version is correct.

Is the Inquiry Officer required to hold a hearing, and can I request a hearing?

The Inquiry Officer is not required to hold a hearing. You may request a hearing, but the decision is at the discretion of the Inquiry Officer.

I've been requested to attend a hearing. What do I do now?

You must be given at least seven days' notice of the date and time of a hearing. The hearing may be virtual or face-to-face, at the discretion of the Inquiry Officer. When a hearing is arranged, you will be provided with an Information Sheet which contains details on the following:

- What to expect;
- Who will be attending;
- Bringing a support person;
- What will happen after the completion of the hearing; and
- Where you can go to receive advice and assistance.

Can I bring a support person along to the hearing?

Yes, you may bring a support person – such as a family member, friend, Guild Student Assist Officer, or legal representation – to accompany you. This person cannot act as your advocate, or speak on your behalf, unless they are invited to do so by the Inquiry Officer.

If you would like another person to liaise directly with the University or act on your behalf, you must complete and sign a [proxy form](#), and provide this to the Inquiry Officer.

What happens if I am offshore or interstate?

If you are located offshore or interstate, the Inquiry Officer must arrange to hold the hearing via video link, telephone, or other suitable means.

APPENDIX 4: POOR ACADEMIC PRACTICE PENALTIES

Poor Academic Practice Penalties:
A formal warning
A requirement for the Respondent Student to attend counselling or a lecture, seminar, workshop or similar activity
A requirement for the Respondent Student to address the issue identified and resubmit the work: <ul style="list-style-type: none">• with a reduced maximum mark for the assessment; or• with a reduced maximum mark for the relevant component
A reduced grade up to a maximum of 20% in respect of the assessable item in respect of which the Academic Misconduct occurred
A fine up to \$250

APPENDIX 5: CATEGORY 1 PENALTIES

Category 1 Penalties:	General Misconduct	Academic Misconduct	Academic Record Fraud
A formal warning or admonishment, or both	✓	✓	✓
A requirement for the Respondent Student to attend counselling or a lecture, seminar, workshop or similar activity;	✓	✓	✓
A requirement for the Respondent Student to undertake an academic integrity or research integrity program		✓	
A requirement for the Respondent Student to submit or vary an ethics application		✓	
A requirement for the Respondent Student to address the issue identified and resubmit the work (but with a reduced maximum mark for the assessment)		✓	
A requirement for the Respondent Student to repeat the assessment (but with a reduced maximum mark for the relevant component);		✓	
A requirement for the Respondent Student to revise and re-submit a thesis prior to submission or under examination		✓	
A reduced grade, or nil grade, for the assessable item in respect of which the Academic Misconduct occurred;		✓	
An ANN grade for the unit in which Academic Misconduct occurred		✓	
A fine up to \$250		✓	
A fine up to \$1,000	✓		✓
Suspension of all or any of the Respondent Student's rights and privileges within the University for a period of up to one (1) month, including – <ul style="list-style-type: none"> • 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 	✓	✓	✓
Revocation of an offer of admission			✓
Cancellation of enrolment			✓
Revocation of an approval or grant of credit for recognised learning			✓
Prohibiting the Respondent Student from being given an offer of admission, or from being admitted to a course or enrolled in a unit			✓

APPENDIX 6: CATEGORY 2 PENALTIES

Category 2 Penalties:	General Misconduct	Academic Misconduct	Academic Record Fraud
Suspension of all or any of the Respondent Student's rights and privileges within the University for a specified period, including: <ul style="list-style-type: none"> • 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 7: 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); or
 - 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.

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).

Poor Academic Practice means Academic Misconduct that is not dishonest and where the degree of unfair advantage resulting or that may result from the Academic Misconduct is no more than moderate.

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 ...”