GUIDE FOR STUDENTS

ISSUED BY: Office of the Academic Registrar, Curtin University

Make tomorrow better.
CONTENTS

1. OVERVIEW .................................................................................................................. 3
2. IS IT A WARNING OR MISCONDUCT? ................................................................. 4
3. ACADEMIC INTEGRITY WARNINGS ....................................................................... 5
4. STUDENT CHARTER BREACH ................................................................................. 6
5. MISCONDUCT ........................................................................................................... 7
6. WHO IS INVOLVED IN THE MISCONDUCT PROCESS? ...................................... 8
7. REPORTING MISCONDUCT ...................................................................................... 9
8. RECEIVING AN ALLEGATION OF MISCONDUCT ............................................. 11
9. DETERMINATION AND PENALTY ........................................................................ 13
10. APPEAL .................................................................................................................. 15
11. FINAL STEPS AND GENERAL INFORMATION ................................................ 18
12. APPENDICES .......................................................................................................... 19

APPENDIX 1: HOW THE SERIOUSNESS OF AN INCIDENT IS ASSESSED ............. 19

APPENDIX 2: INQUIRY OFFICER HEARING ............................................................. 20

APPENDIX 3: CATEGORY 1 PENALTIES ..................................................................... 21

APPENDIX 4: CATEGORY 2 PENALTIES ..................................................................... 22

APPENDIX 5: GLOSSARY ......................................................................................... 23
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 has been 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 issues of an academic and general nature. For example, you may be warned for inconsistent acknowledgement of sources or using inappropriate language. Where possible, a warning will be issued in the first instance. If there is a repeated breach, the incident 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 inquired into to determine whether misconduct has occurred. In order to conduct a fair process, you will receive an allegation and supporting documentation with the opportunity to respond. This is not an assumption of guilt, rather a notification that concerns have been 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 a warning or an allegation of misconduct there are certain processes, such as withholding of grades or postponement of graduation, which may occur. Any processes that were initiated as part of the warning or misconduct process will re-commence once you have actioned any educative requirements or the misconduct process has been completed.

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, termination from course or expulsion from the university, may appear on official university documents.
3. ACADEMIC INTEGRITY WARNINGS

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

New-to-Curtin Students

An Academic Integrity Warning is only used if you meet the following 'New to Curtin' criteria:

New-to-Curtin student
A student enrolled in:

a) a Higher Degree by Research course prior to the successful attainment of candidacy; or
b) in all other cases:
   i. has not yet successfully completed the designated unit (or appropriate alternative); or
   ii. has completed fewer than 50 credit points of study at Curtin; or
   iii. is currently enrolled in an enabling program.

An Academic Integrity Warning may be assigned if you have:

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

Academic Integrity Warnings are not considered Academic Misconduct.

Academic Integrity Warnings in the Designated Academic Integrity Unit

Where you are undertaking a Designated Academic Integrity Unit, a unit within a course in which information and instruction about academic integrity is provided, and have breached academic expectations, your Unit Coordinator may:

- highlight the academic integrity breaches;
- advise you of available educational resources and support;
- provide you with an opportunity to rectify the problem; 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 your work, rather redress the issues which prevented it from being marked in the first instance.

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 will be recorded and notification will be provided in writing. Any Educative Actions assigned to you must be completed by the deadline.

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; and
- 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 who will assess the incident and determine if the matter is a Student Charter Breach or a case of potential General Misconduct. If the matter is to be 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 for which you have previously been warned, 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:


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

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

The general principles provided for under Statute No.10 – Student Discipline, outlined below, apply to all inquiries into alleged misconduct. It is imperative that the general principles are always afforded to 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.

<table>
<thead>
<tr>
<th>HEAD OF SCHOOL /CENTRE</th>
<th>CHIEF INFORMATION OFFICER</th>
<th>DIRECTOR, PROPERTIES, FACILITIES AND DEVELOPMENT</th>
<th>PRO VICE-CHANCELLOR OF OFFSHORE CAMPUS</th>
<th>ACADEMIC REGISTRAR*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Misconduct</td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Academic Record Fraud</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>General Misconduct**</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

*The Academic Registrar is the Authorised Officer for cases lodged under other Academic Misconduct and where the student has graduated.

** Dependent on the nature of the allegation.

INQUIRY OFFICER

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

STUDENT DISCIPLINE PANEL

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

PRO VICE-CHANCELLOR

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

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 Category 1 penalty(s). If the Academic Registrar was the Authorised Officer for a particular case, they are unable to hear an appeal for the same matter.

STUDENT DISCIPLINE APPEALS BOARD

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

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:
- 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 documentation with your Application for Assessment Extension for Assessment 1 in the unit STUDY101.
What happens now?

Once a case of alleged misconduct has been reported it will be referred to an Authorised Officer. The Authorised Officer will make a determination as to whether:

a) there are insufficient grounds to warrant further investigation;

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; or

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

What happens if there are insufficient grounds?

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

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

An Authorised Officer will appoint an Inquiry Officer to conduct an inquiry into the matter. An Inquiry Officer can be any person, including the Authorised Officer.

The Inquiry Officer will:

- be unbiased;
- have no conflict of interest; and
- ensure procedural fairness as part of their inquiry.
8. RECEIVING AN ALLEGATION OF MISCONDUCT

How will I be notified?

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

Do I have the opportunity to respond?

Yes, you will be provided with a minimum of seven days to respond to the allegation.

How do I respond?

You are able to respond via the link contained in your notification. When you receive the notification, it is recommended that you download and carefully consider all of the documentation. In preparing your response you should address the allegation, outline any mitigating circumstances and include any additional supporting documentation.

You are able to access the free services of the Guild Student Assist Office for either advice or assistance in preparing a response. The office can be contacted on +61 8 9266 2900 or via email to student.assist@guild.curtin.edu.au. If you require emotional or psychological support, you may contact the free University Counselling Services. The office can be contacted on +61 8 9266 7850 or http://life.curtin.edu.au/health-and-wellbeing/counselling_services.htm.

Once you have responded to the allegation or the seven day period has lapsed, the matter will proceed and you will no longer have access to the link in your notification. The nominated Inquiry Officer will finalise the inquiry, taking into account any information you have provided, and make a recommendation to the Student Discipline Panel.

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, a hearing will be arranged.

What if I do not want to respond?

You are not obligated 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 is able to hold a hearing to clarify details relating to the allegation.
You are encouraged to attend as it will give you the opportunity to respond to the allegation in person. You will be provided with seven days’ notice of the date and time of the hearing.

When attending a hearing, 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 most relevant staff member. Please refer to Appendix 2: Inquiry Officer Hearing for further information.

Additional Evidence

If the Inquiry Officer has found additional evidence after they have provided you with the initial documentation you will be provided with a copy of the documents and be given an additional seven days to respond.

If you have additional information that you would like to provide during the Inquiry, you will need to provide this directly to the Inquiry Officer.

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

The Inquiry Officer’s report will include:

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

*Assistance on how the Inquiry Officer’s assess the serious of an incident to determine the appropriate recommendations can be found in Appendix 1: How the Seriousness of an Incident is Assessed.

When the Inquiry Officer’s Report has been submitted it will be referred to the Student Discipline Panel. The next communication you will receive is when the Student Discipline Panel has made their determination.
9. DETERMINATION AND PENALTY

The Student Discipline Panel are responsible for making a determination of misconduct based on the “balance of probabilities”. Where there is a finding of misconduct, they are also responsible for applying any appropriate penalty(s).

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

The “balance of probabilities” standard of proof means that the likelihood of the misconduct having occurred is more probable than not. When the nature of the allegation or the circumstances are more serious, e.g. the rescission of a degree, sexual or physical assault, the standard of proof may be higher to enable a finding.

What is the composition of each Student Discipline Panel?

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

Which Student Discipline Panel makes the determination?

<table>
<thead>
<tr>
<th>FACULTY STUDENT DISCIPLINE PANEL</th>
<th>OFF-SHORE STUDENT DISCIPLINE PANEL*</th>
<th>CENTRAL STUDENT DISCIPLINE PANEL**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Misconduct</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Academic Record Fraud</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>General Misconduct</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

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

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

You will be notified in writing via Official Communication and your student email account 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 is in relation 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 have 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 then determine which Category 1 and/or Category 2 penalties will be applied.

In addition to the determination letter, you will receive an Inquiry Officer/Student Discipline Panel Report which will outline the reasons for the determination that misconduct occurred and the application of any penalties. This will assist you in understanding the rationale for the Student Discipline Panel 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.
10. APPEAL

Do you have a right of appeal?

Yes. You have 14 days from receiving the Student Discipline Panel’s decision to appeal against a determination of misconduct, the penalty that has been applied, or both. If you appeal, you will be given the opportunity to submit a written statement and have the right to appear at an appeal hearing.

What can I include in my appeal?

You may include supporting documentation that suggests that the Student Discipline Panel’s determination and/or penalty(s) decision was unbiased, unfair, incorrect etc. or provide any evidence that has not been previously considered.

The consideration of your appeal will be 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.

Can I choose not to appeal?

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

Who else can appeal?

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

Who hears an appeal?

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

<table>
<thead>
<tr>
<th>Academic Misconduct: appeal against the determination of misconduct, and/or where a Category 1 penalty has been applied.</th>
<th>Academic Registrar</th>
<th>Pro Vice-Chancellor</th>
<th>Student Discipline Appeals Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔</td>
<td>✔</td>
<td>*</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Academic Record Fraud: appeal against the determination of misconduct, and/or where a Category 1 penalty has been applied.</th>
<th>Academic Registrar</th>
<th>Pro Vice-Chancellor</th>
<th>Student Discipline Appeals Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔</td>
<td>✔</td>
<td>*</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>General Misconduct: appeal against the determination of misconduct, and/or where a Category 1 penalty has been applied.</th>
<th>Academic Registrar</th>
<th>Pro Vice-Chancellor</th>
<th>Student Discipline Appeals Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔</td>
<td>✔</td>
<td>*</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Any appeal where a Category 2 penalty has been applied.</th>
<th>Academic Registrar</th>
<th>Pro Vice-Chancellor</th>
<th>Student Discipline Appeals Board</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>
* Any appeal referred by the Academic Registrar or where the appeal is initiated by the Vice-Chancellor is to be heard by the Student Discipline Appeals Board.

Who are the members of the Student Discipline Appeals Board?

Members of the Student Discipline Appeals Board are:

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

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

What are the possible outcomes of an appeal?

The original determination and/or penalty can be:

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

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

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

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 however, 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, as a result of an investigation, the Ombudsman may 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
11. FINAL STEPS AND GENERAL INFORMATION

Application of penalty(s)

Once the misconduct process has been finalised, any penalties that have been 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 deadline. Failure to complete any requirement(s) by the deadline may result in an EDU Sanction being applied to your student record. This Sanction will prevent future enrolment and results release. Once you have provided proof of completion as per the instructions contained in the determination letter, the EDU 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 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, termination from course 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, provided that 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.
12. APPENDICES

APPENDIX 1: HOW THE SERIOUSNESS OF AN INCIDENT IS ASSESSED

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

What information should be considered?

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

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

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

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

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

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

What stage of the process can the Inquiry Officer hold a hearing?

A hearing can only be held during the inquiry stage of the process.

Why would an Inquiry officer hold a hearing?

If the Inquiry Officer believes holding a hearing would add value to the investigation or help the student to understand the allegations, then the Inquiry Officer might feel that holding a hearing would be beneficial. It may also be appropriate to hold a hearing if the Inquiry Officer has received a number of varying accounts regarding the same matter and it is not clear which version is correct.

Is the Inquiry Officer required to hold a hearing?

No. This is not a requirement and is at the discretion of the Inquiry Officer.

Can I request a hearing?

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

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

Yes, the request may be sent on the same day.

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. On mutual agreement by both yourself and the Inquiry Officer the hearing may be held prior to the seven day notice period.

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 they can go to receive advice and assistance.

What happens if I am offshore or interstate?

If you are located offshore or interstate the Inquiry Officer must make arrangements to hold the hearing via video link or conference.
### APPENDIX 3: CATEGORY 1 PENALTIES

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

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

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

- a) During any exam, test or other supervised assessment activity;
- b) In relation to the preparation or presentation of any assessed item or work; and/or
- c) In relation to the conduct of research or any other similar academic activity;

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

- Falsifying medical certificates for assessment extension;

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

- a) Falsifying, or arranging the falsification of, an Academic Record;
- b) Giving false or misleading information in relation to an Academic Record; or
- c) Allowing a false or misleading Academic Record to be presented on behalf of the Student, or another person; Examples include:

  - A student claiming they have completed a degree from Curtin University on their CV, Resume or online professional profile;
  - A student providing a falsified Academic Transcript or Testamur to their employer.

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

- Cheating in an exam, test or supervised assessment activity:
  - o Being in possession of unauthorised materials (considered to be Academic Misconduct);
  - o 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);
  - o Disrupting an examination or assessment activity in any way (considered to be General Misconduct);
  - o Having a mobile phone or other electronic device in an examination or testing environment (considered to be Academic Misconduct);
  - o 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);
  - o Copying answers from another person or permitting another student to copy answers (considered to be Academic Misconduct);
  - o Exchanging notes, talking or communicating with another student in an examination or test (considered to be Academic Misconduct);
  - o Improperly obtaining prior knowledge of an examination or test paper and using that knowledge in the examination or test or providing that information to a student(s) who are yet to undertake the examination or test (considered to be Academic Misconduct).
Cheating in an assessment or other assessable work:
  - Allowing someone or an organisation to complete an assessment task on your behalf.

**Collusion** is where students act together in relation to the preparation or presentation of any assessed item of work in a manner that is dishonest or unfair. Examples include:
  - Working with another person (colluding) when the assessment should be completed individually;
  - In the case of collaborative group projects, falsely representing the individual contributions of the collaborating group members;

**Falsification or fabrication of data or other content.** Examples include:
  - Making up results and reporting them;
  - Altering results so that the research is not accurately represented.

**General Misconduct** means conduct by a Student, other than conduct constituting Academic Record Fraud or Academic Misconduct:
  a) Which contravenes any written law of the Commonwealth of Australia, a State or Territory of Australia or any other country, and where the written law relates to an activity associated with the Student being a Student of the University;
  b) Which contravenes the provisions of the Act or any Statute, rule or by-law, or University policy or procedure;
  c) Which contravenes any lawful direction by a member of the staff of the University;
  d) Which infringes the reasonable freedom of other persons to:
    i. Pursue their study, research duties or other lawful activities on premises owned or controlled by the University, or elsewhere while engaged in an activity under the auspices of the University; or
    ii. Participate in the life of the University; or
  e) Which is otherwise detrimental to the proper conduct of the University or the University's reputation. Examples include:
    - Assaulting or harassing another person on University grounds;
    - Using the Curtin Network to download or stream online content without approval, authorisation or consent from the copyright owner.
    - Providing an assessment from a previously completed unit to a student who is currently studying the same unit.
    - Damaging any University property.

**New-to-Curtin Student**
A student enrolled in:
  a) a Higher Degree by Research course prior to the successful attainment of candidacy; or
  b) in all other cases:
    iii. has not yet successfully completed the designated unit (or appropriate alternative); or
    iv. has completed fewer than 50 credit points of study at Curtin; or
    v. is currently enrolled in an enabling program.
Plagiarism is presenting the work or property of another person as your own without appropriate acknowledgement or referencing. Examples include:

- copying of sentences, paragraphs or creative products (in whole or in part) which are the work of other persons without due acknowledgement. Creative products include webpages, books, article, theses, unpublished works, working papers, seminar and conference papers, internal reports, lecture notes or recordings, computer files, images or video;
- Too closely paraphrasing sentences, paragraphs or themes without due acknowledgment;
- Using another person’s work (including words, music, creative or visual artefacts, computer source code, designs, problem solutions or ideas);
- Submitting work which has been produced by someone else – including friends, family or a paid contracting service (this is known as contract cheating, assessment outsourcing or ghost writing);
- Submitting one’s own previously assessed or published work for assessment or publication elsewhere, without appropriate acknowledgement (self-plagiarism).

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

“… a person who is or was –

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

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

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