

## Student Discipline Procedure

*Printed copies are for reference only. Please refer to the electronic copy in the Policy and Procedure Manager (PPM), the electronic policy management system (EPMS), to ensure you are referring to the latest version.*

### Regulations Supported:

[Student Discipline Regulations](#)

### Audience:

Staff, Students

### Objectives:

- To clarify the roles and responsibilities of staff and students in implementing the University's Student Discipline Regulations.
- To provide transparent and equitable student discipline processes.

### Definitions:

*Any defined terms below are specific to this document. The definition of common terms appears in the Murdoch University Dictionary of Terms.*

There are no terms.

### Implementation Steps:

It is the role of Academic Policy Coordinators to provide administrative support to the student discipline process via the Student Misconduct online system. All cases will be assigned to an Academic Policy Coordinator and all staff should contact the relevant Academic Policy Coordinator if assistance is required.

#### 1. Reporting Misconduct

Any person may report any alleged misconduct by a student. Allegations of Academic Misconduct are made to the Unit Coordinator of the relevant Unit (*Regulation 6.2*). Allegations relating to General Misconduct are logged directly onto the Student Misconduct online system. The person making the allegation should provide, but not be limited to, the following information: student name, student number, course of study, unit code, unit title, description of misconduct, when the misconduct occurred, and any supporting documentation. It is then triaged by the Director Student Management in consultation with the Dean Academic Operations (or delegate) of the College in which that student is enrolled if appropriate (*Regulation 6.1*).

## **2. Initial Review of General Misconduct**

- 2.1. The Director or Dean Academic Operations (or delegate) must ensure that the particulars for each case of alleged General Misconduct have been logged in the Student Misconduct online system.
- 2.2. All General Misconduct allegations are reviewed by the Director Student Management in consultation with the Dean Academic Operations (or delegate) of the College in which the student is enrolled if appropriate (*Regulations 6.1*)
- 2.3. All allegations of General Misconduct are referred to a Senior Officer (General Misconduct Investigator) for investigation (*Regulation 11*). The Senior Officers with responsibility and authority for carrying out investigations in relation to allegations of General Misconduct are detailed at Part 2 of Schedule A of the *Student Discipline Regulations*. The names of individual Investigators are available in the *List of Student Discipline Investigators and Arbiters* attached to this procedure.

## **3. Initial Review of Academic Misconduct**

The Unit Coordinator must commence an initial review of Academic Misconduct within ten (10) working days of receiving a report of alleged misconduct by a student. The Unit Coordinator must decide whether the allegation is a matter to be dealt with as Academic Misconduct, or whether it is simply an assessment issue.

*Unit Coordinator determines that Academic Misconduct has not occurred*

- 3.1. If it is determined by the Unit Coordinator that no Academic Misconduct occurred then no investigation is commenced and no case opened in the Student Misconduct online system.

*Unit Coordinator alleges that Academic Misconduct has occurred*

- 3.2. The Unit Coordinator will identify the details of the alleged misconduct to understand the context in which it took place. A guide (Initial Review of Alleged Academic Misconduct in Coursework Units) to assist Unit Coordinators to determine the degree of the alleged Academic Misconduct is attached to this procedure. This guide will assist the Unit Coordinator to provide an initial assessment as to whether the misconduct is Level 1 (minor) or Level 2 or Level 3 (major).
- 3.3. For each case of alleged Academic Misconduct the Unit Coordinator must ensure the allegation is logged in the Student Misconduct online system.
- 3.4. If the Unit Coordinator determines that the alleged Academic Misconduct is minor, no investigation is commenced and the Unit Coordinator must advise the student in writing using the template known as '**Template 3**' (*Regulations 8–9*).
- 3.5. If the Unit Coordinator determines that the Academic Misconduct allegation is minor but the student has a previous discipline finding then the allegation is referred for investigation.
- 3.6. If the student disputes the Academic Misconduct allegation which the Unit Coordinator has identified as minor, the Academic Misconduct must be assigned to an Investigator (*Regulation 10*) through the Student Misconduct Online System.

- 3.7. If the Unit Coordinator determines that the alleged Academic Misconduct is major, the Academic Misconduct must be assigned to an Investigator by the Academic Policy Coordinators (*Regulation 10*). Each College has one or more Investigators appointed; see the attached list of 'Student Discipline Investigators and Arbiters'. The assessment, source documents and, if available, the text matching software link should be provided through the Student Misconduct Online System.
- 3.8. If the alleged misconduct involves a student at a Transnational Education (TNE) location, the alleged misconduct must be assigned to the appropriate TNE Investigator (*Regulation 10*). The Academic Policy Coordinators are responsible for facilitating this process.

#### **4. Advice to Students**

- 4.1. The Unit Coordinator or Investigator should advise students at the Perth or Mandurah campuses to contact the Student Assist Team at the Student Guild for help and advice regarding the student discipline process. Students should also be advised of counselling support available through the University's Health and Counselling service.
- 4.2. The Unit Coordinator or Investigator should advise students impacted by misconduct, but not necessarily facing allegations, of counselling support available through the University's Health and Counselling service. (Staff impacted by misconduct should be referred, in the first instance, to the Employee Assistance Program for support).

#### **5. Investigating Academic and General Misconduct**

- 5.1. The Investigator may decide whether an investigation is warranted or not, or that no Misconduct has occurred, as set out in paragraphs 5.2 to 5.8 below.

*Investigator determines that no investigation is warranted*

- 5.2. If the Investigator considers an investigation is not warranted because there is already sufficient evidence (*Regulation 12.1*) they may either act as Arbiter themselves, or escalate the matter as set out in paragraphs 6.2 to 6.4 below (note that the TNE Investigators and the General Misconduct Investigators do not have delegated authority to act as Arbiter).

*Investigator determines that an investigation is warranted*

- 5.3. If the Investigator considers an investigation is warranted, within five (5) business days of the allegation being brought to their attention, the Investigator must send a written notice to the student that the allegation is being investigated using the templates known as '**Template 5a**' or '**Template 5b**' (*Regulation 13*). The correspondence may request that the student attend an interview to aid the investigation process. The key points of any investigation must be recorded in the Student Misconduct online system. At least five (5) business days' notice of any interview date and time must be given. If a student is to attend an interview, the relevant Academic Policy Coordinator will attend as note taker.
- 5.4. The Investigator will commence an investigation process in relation to the allegation (*Regulation 12.2 and 13*). This will involve sourcing information on exonerating and aggravating circumstances and could include the level and intent of the misconduct, any premeditation, previous misconduct and

the opportunity to correct previous behavior by attending counseling or visiting the Student Life website. The investigation is a high priority activity which should be resolved as soon as possible.

Investigation of more than one allegation of Misconduct by the same student may occur at the same time, provided that the student has been advised of this as part of the investigation process. If the student has not had the opportunity to correct their behavior following the first allegation of Misconduct then the subsequent allegation will be treated as the same level of offence. For example, a first offence in Assignment 1 would also be treated as a first offence in Assignment 2.

Exonerating or mitigating circumstances are personal circumstances that occurred at the time of the alleged misconduct that may explain the misconduct, such as illness or other stresses, and may lead to a lesser penalty. Exonerating circumstances do not include matters that may be a consequence of issuing a penalty, such as loss of visa or scholarship.

- 5.5. At the conclusion of an investigation into Academic Misconduct the Investigator:
  - 5.5.1. must record in detail the findings of the investigation in the Student Misconduct online system; and
  - 5.5.2. recommend a penalty if appropriate; or
  - 5.5.3. if the matter is to be dismissed, the student must be advised in writing using the template known as '**Template 6**' (*Regulation 12.3*).

## **6. Role of the Arbiter**

*Investigator acts as Arbiter*

- 6.1. If the Investigator of Academic Misconduct determines the circumstances of the misconduct are not serious enough to be escalated to an Arbiter, they **may** assume the role of Arbiter themselves (excluding the TNE Investigators). This may occur in instances where:
  - 6.1.1. it is a first offence of Academic Misconduct only,
  - 6.1.2. the misconduct is at a level where the penalty is likely to be at the low end of the range, i.e. 38.1, 38.3 and 38.6.

The reason for not escalating the Academic Misconduct to the Arbiter must be clearly recorded in the Student Misconduct online system.

Refer to the 'Penalty Guidance', as attached to this Procedure.

Any allegations of Academic Misconduct concerning cheating in examinations must be escalated to the Arbiter.

*Investigator escalates misconduct to the Arbiter*

- 6.2. If the Investigator determines that the circumstances of the Academic Misconduct are serious enough to be escalated to an Arbiter, or it is an allegation of General Misconduct, they must finalise the details of the investigation in the Student Misconduct online system. The misconduct allegation will then be assigned to an Arbiter (*Regulation 16*). An investigation report is sent to the student with the Allegation Notice (see paragraph 7.1.2 below). Refer to the 'Penalty Guidelines' as attached to this Procedure.

- 6.3. If the misconduct is serious enough to attract a penalty of expulsion from the University, the case must be referred to the Provost as Arbiter.

## **7. Allegation Notice**

- 7.1. Within seven (7) business days of being assigned to the case of alleged misconduct, the Arbiter must either:
- 7.1.1. Dismiss the allegation and provide written notice to the student using the template known as '**Template 8**' (*Regulation 17*); or
  - 7.1.2. Send an Allegation Notice to the student using the template known as '**Template 9a**' or '**Template 9b**' (*Regulation 17*). The Allegation Notice informs the student that they may provide a written submission in response to the allegation and advises whether the student will be offered a hearing. A hearing provides the right of reply to the investigation report by the student. If a student is to attend a hearing, the relevant Academic Policy Coordinator will attend as note taker. (Hearing procedure is detailed in *Regulation 21-29*).

### *Response by the student*

- 7.2. Students providing a written submission to the Arbiter should include information about any additional exonerating or mitigating factors to be taken into consideration. This may include personal circumstances, timing of assignment submission, extent of assessment involving the misconduct, intent behind the action, previous academic record, whether they are a first year student, role played if others are involved, whether the student was under duress, the degree of remorse and cooperation shown and the student's willingness to seek assistance to avoid further misconduct.

## **8. Decision**

- 8.1. It is expected that Arbiters should arrive at a decision within a short time of having completed a hearing or having received any written response in the absence of a hearing.
- 8.2. Within five (5) business days of the Arbiter making a decision on the alleged misconduct the student must be sent written notice of the decision. This must be done using the template known as '**Template 10**' (*Regulation 35*).

## **9. Record Keeping**

- 9.1. Once a student discipline case is completed the case will be closed in the Student Misconduct online system with an appropriate closure status. This is a critical process as student discipline matters can be subject to the University appeals process and external complaints agencies such as the Ombudsman.
- 9.2. An electronic notification is emailed to S.Processing@murdoch.edu.au if action on the student's record in Callista is required.

## **Performance Indicators:**

There are no performance indicators.

**Related Documents:**

[Student Appeals Policy](#)

**References:**

[Academic Misconduct](#)

**Approval and Implementation:**

<b>Approval Authority:</b>	University Secretary
<b>Responsible Officer(s):</b>	Secretary to Academic Council
<b>Contact Officer:</b>	Secretary to Academic Council

**Revision History:**

<b>Approved/ Amended/ Rescinded</b>	<b>Date Approved</b>	<b>Effective Date</b>	<b>Next Review Date</b>	<b>Resolution No. (if applicable)</b>
List of Student Discipline Investigators and Arbiters administrative amendment	22/05/2020 University Secretary		12/03/2022	
Approved by AC	12/03/2019		12/03/2022	AC/16/2019(ii)
Administrative amendments	03/01/2019			
Administrative amendments	07/09/2018			
Approved by University Secretary	23/04/2018		23/04/2021	
Approved by University Secretary	01/09/2014		01/09/2017	
Approved by University Registrar	13/08/2013			
Approved by University Registrar	05/08/2013			
Approved by General Counsel	26/03/2012			