



<b>Policy Hierarchy link</b>	Student Code of Conduct		
<b>Responsible Officer</b>	Deputy Vice-Chancellor (Academic)		
<b>Contact Officer</b>	Pro-Vice-Chancellor (Students) and Registrar Student Conduct and Appeals Officer		
<b>Superseded Documents</b>	The <i>Student Code of Conduct</i> and the <i>Student Misconduct Procedures</i> replace the <i>Student Misconduct Rules</i> (CL94/72(c), CL94/086 and CL08/3)		
<b>File Number</b>	2009/2832		
<b>Associated Documents</b>	Student Conduct Policy, incorporating the Student Code of Conduct UNSW Code of Conduct (Staff and Affiliates) Procedures for Dealing with Student Plagiarism: Handbook for Staff Student Complaint Procedure Staff Complaint Procedure		
<b>Version</b>	<b>Authorisation</b>	<b>Approval Date</b>	<b>Effective Date</b>
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**CONTENTS**

1. INTRODUCTION AND PROCEDURAL FAIRNESS..... 1

2. DEFINITIONS..... 3

3. CONFIDENTIALITY, RECORDKEEPING, DECISIONS AND REPORTING ..... 5

4. MAKING A REPORT OF AN ALLEGATION..... 5

5. DECENTRALISED PROCEDURES..... 6

6. CENTRALISED PROCEDURES..... 9

7. PENALTIES..... 11

8. SUSPENSION IN URGENT CIRCUMSTANCES ..... 11

9. APPEALS..... 12

**1. INTRODUCTION AND PROCEDURAL FAIRNESS**

APPLICATION

- 1.1 These procedures outline the framework to deal with allegations of student misconduct made about UNSW students. These procedures apply to all allegations of student misconduct, whether academic or non-academic.
- 1.2 These procedures should be read in conjunction with the Student Code of Conduct ("the Code"). The Code describes the University's expectation of students' behaviour. A breach of the Code may result in an allegation of student misconduct.
- 1.3 These procedures set out the process to be followed to investigate allegations of student misconduct in a manner that is fair, consistent, clearly understood and timely.
- 1.4 These procedures apply to enrolled UNSW students. In some cases these procedures will apply to students who are no longer enrolled but who were enrolled at the time of the alleged misconduct. While the Code of Conduct applies to all UNSW Students, including UNSW Global, these rules do not apply to students enrolled in programs delivered by UNSW Global.

- 1.5 These procedures work in conjunction with, and support, rules applied for the appropriate usage of UNSW resources such as the Library, information and communication technology, residential accommodation, School and Faculty teaching equipment, parking, the use of UNSW sport facilities, or any other UNSW facility and the 'UNSW Procedures for Dealing with Student Plagiarism'.
- 1.6 There may be occasions when a student's conduct is a cause of concern in relation to the safety of that student, staff or other students. Such concerns should be referred to the Pro-Vice-Chancellor (Students) and Registrar who will arrange for assistance to be provided to the student concerned if considered warranted and in the best interests of the student.

## PROCEDURAL FAIRNESS

- 1.7 UNSW is committed to the principles of procedural fairness and natural justice. This includes:

- the presumption of innocence unless guilt is freely admitted or proved by clear and convincing evidence
- the right to be heard
- the right to be treated without bias
- the right to be informed of allegations being made and to be provided with an opportunity to respond to these
- the right to be given reasons for any decision.

The student shall be given an opportunity to correct information, explain mitigating circumstances and make a submission as to the penalty/ies that may be imposed.

No member of staff can make a determination on a misconduct matter if he or she has had prior involvement in any aspect of the allegation.

- 1.8 Students are entitled to due notice of any allegations of student misconduct made against them. Allegations may be amended at any time before their determination, provided the student has received notice.
- 1.9 Knowledge that a student has been found guilty of a past misconduct offence shall not be taken into consideration when determining guilt relating to the current allegation.
- 1.10 The University takes multiple breaches of the Student Code of Conduct seriously. Knowledge that a student has been found guilty of a past misconduct offence will be taken into account when determining the penalty/ies to be imposed.
- 1.11 If multiple allegations of a similar nature come to light at the same time, these can be considered as one allegation if the Responsible Officer believes that is appropriate in the circumstances.
- 1.12 The standard of proof used in determining misconduct matters is whether the Responsible Officer, after evaluating the evidence presented, believes it is more likely than not that the allegation against the student has been made.
- 1.13 UNSW is committed to investigating and determining allegations of student misconduct as expeditiously as is practical recognising that a student can be significantly affected by delay in the resolution of the matter. A specified time period may be extended at the discretion of the Responsible Officer.

## RESPONSIBILITIES

- 1.14 UNSW will take the necessary steps to protect all parties from victimisation. Victimisation includes any unfair treatment, retaliation or punishment of a person involved in a case. Any staff member or student who engages in victimisation will be subject to misconduct proceedings under the relevant UNSW procedure.
- 1.15 All correspondence and notifications to a student will be sent to the student by email, to the student's UNSW allocated email account. If the student is no longer enrolled it will be sent by registered mail to the student's last known mailing address or private email address.
- 1.16 Nothing in these procedures precludes UNSW from instituting civil or criminal proceedings against a student in respect of misconduct.
- 1.17 Overall responsibility for the operation of these procedures rests with the Deputy Vice-Chancellor (Academic).

## 2. DEFINITIONS

Academic Misconduct	See Schedule 1
Allegation	A formal complaint or accusation made about a student's conduct, or an identified breach of the code.
CMR	Central Misconduct Register
CPR	Central Plagiarism Register
Days	Calendar days (including weekends) but excluding public holidays and the period between Christmas and New Year when the University is closed.
DVC (A)	Deputy Vice Chancellor (Academic)
Exclusion	The permanent cancellation of the enrolment of a student and termination of all rights and privileges as a student of the University including the right to re-enrol as a student and the right to enter or to be on University grounds. The student must apply for re-admission to UNSW under the relevant admissions process at the conclusion of the exclusion.
Investigation Officer	Officer appointed under these procedures by the Pro Vice-Chancellor (Students) or Deputy Vice-Chancellor (Academic) to conduct an investigation into an allegation
Non-Academic Misconduct	Any misconduct, breach of University policy or breach of the code of conduct that is not covered by Schedule 1 as academic misconduct
Procedural fairness	An explanation is given at clause 1.7
Property	Includes real, personal, intellectual and shared property in any (including electronic) form.

PVC	Pro Vice-Chancellor (Students) and Registrar
Responsible Officer	A person with the authority to determine allegations of student misconduct either by his/her occupation of a particular role or by delegated appointment. The responsible officers include Deans, Heads of School, Master of the Colleges, Head of UNSW Accommodation Services, Rector at UNSW@ADFA, the University Librarian and the Director, Information Technology.
SCAO	Student Conduct and Appeals Officer, located in the Office of the Pro Vice-Chancellor (Students) and Registrar
School	Includes Departments not within Schools.
Serious Allegations	An allegation is considered serious where a criminal offence may have been committed and/or there is reason to believe that due to the nature of the allegation there is a significant risk to the University and its staff and/or students. An allegation is also considered serious where the prospective penalty, if the allegation is proven, is that the student be suspended or excluded from the University.
Student Misconduct	Non-academic misconduct, where a student breaches the UNSW Student Code of Conduct.
Support person	A support person may be a fellow student, a family member or friend, a member of UNSW staff or an advocacy officer (whether an employee of the student organisation Arc@UNSW or not). The support person may not act for the student or speak directly on the matter unless this is agreed to by the Responsible Officer or Investigation Officer. Where a student believes they do not have the capacity to represent themselves, or where they feel it would be more appropriate to be represented, they may seek the agreement of the Responsible Officer or Investigation Officer to be represented by a support person.
Suspension	The cancellation of enrolment of a student and the withdrawal for a specified time of all rights and privileges as a student of the University, including the right to re-enrol as a student and the right to enter or to be on University grounds. Unless otherwise advised, the student has the right to recommence their studies at the end of the suspension.
Suspension in urgent circumstances	A temporary suspension of a student from all or select University grounds, made in accordance with part 7 of these procedures.

### **3. CONFIDENTIALITY, RECORDKEEPING, DECISIONS AND REPORTING**

- 3.1 All parties involved in a case are required to maintain confidentiality.
- 3.2 No record of any misconduct allegation or proceedings brought against a student will be included on the student's academic transcript.
- 3.3 All student misconduct cases and the records relating to them are maintained confidentially. Information is divulged only to those directly involved in the process, with the certain exceptions as detailed below.
- 3.4 Records and information may not be provided to any other person or organisation not immediately involved in the misconduct proceedings, unless the matter is the subject of legal proceedings or other action which require presentation of UNSW held records by way of a subpoena or similar.
- 3.5 Records and information may be disclosed to outside bodies where a student lodges a complaint or appeal regarding a decision made under these procedures.
- 3.6 Records and information may be disclosed in circumstances where there is a clear public interest or obligation to do so, such as where the University has a duty to disclose information to a professional accreditation board or a duty to report relevant conduct under a particular law or regulation. In certain circumstances UNSW may be obliged to disclose information to the Australian Defence Force Academy.
- 3.7 Responsible Officers and Investigation Officers are required to maintain appropriate records at all stages in the process. This includes full records of all actions, evidence, correspondence, meeting records and minutes etc. These are to be stored on a confidential file.
- 3.8 At the conclusion of the matter a summary of the investigation must be forwarded to the Student Conduct and Appeals Officer so that the details of the matter can be added to the Central Misconduct Register (CMR). All matters where a student is found guilty of misconduct shall be entered on the Register, regardless of whether a penalty was made or not. Access to the CMR is restricted by the PVC.
- 3.9 Twice each year, a written report on the matters brought to a conclusion shall be submitted to the Academic Board by the PVC. The report shall outline the nature of the allegations brought and the determinations reached, but shall not identify any students involved with an investigation.
- 3.10 At the conclusion of all misconduct proceedings and after any time allowed for appeal has elapsed, the PVC may publish within the University for the purposes of providing advice to other students, a statement describing an allegation for which a penalty was imposed and the extent of the penalty, in such a way that the student or any other person involved in the proceedings cannot be identified.

### **4. MAKING A REPORT OF AN ALLEGATION**

- 4.1 Any student, employee or any other member of the University may make a written allegation of student misconduct to a Responsible Officer or the PVC.

- 4.2 A written allegation of student misconduct may also be received from a person or organisation with which the student has interacted and is directly related to the student's enrolment, such as a student's work experience placement.
- 4.3 An allegation received by a person or organisation external to the University that is not directly related to a student's enrolment in the University will not be investigated unless the PVC believes that the alleged behaviour has harmed the University's reputation or good standing.
- 4.4 An anonymous allegation will not normally be investigated, however in exceptional cases the PVC may determine that an investigation is warranted.

## 5. DECENTRALISED PROCEDURES

- 5.1 A complaint of student misconduct should be directed in the first instance to the appropriate Responsible Officer. The Responsible Officer will investigate and determine allegations of student misconduct within certain defined parameters.

Allegations of a serious nature (as defined by this procedure) must be referred to the PVC (Students) & Registrar for assessment.

ALLEGED MISCONDUCT	RESPONSIBLE OFFICER	PENALTIES IF MISCONDUCT IS PROVEN
Misuse of the property of a School or Department; alleged failure to treat teaching or other staff and other students with courtesy, tolerance and respect within the School environment	Head of School or Dean of the Faculty	Formal reprimand or formal warning; Withdrawal of student access to the property of the School of Faculty for a period not exceeding the remainder of the current semester; Restitution of damages; Remedial educative action.
Misuse of Library resources	University Librarian	In accordance with the rules of Library use, published by the University Librarian
Misuse of UNSW email, information technology, or computing resources	Director Information Technology	Formal reprimand or formal warning; financial penalty of up to \$1200; loss or restriction of access to UNSW IT Facilities; Remedial educative action.
Misuse of the resources of a UNSW affiliated residential college	Master of the College	In accordance with the published policy of the College
Misuse of the resources of UNSW owned or operated self-care residential accommodation	Head of Accommodation Services, UNSW Housing Office	Formal reprimand or formal warning; Take action to terminate a tenancy; Take action for restitution of damages.
Any misconduct that is alleged to have been committed by a student enrolled at University	Rector, UNSW@ADFA	Formal reprimand or formal warning; Reduction in marks for the

ALLEGED MISCONDUCT	RESPONSIBLE OFFICER	PENALTIES IF MISCONDUCT IS PROVEN
College, Australian Defence Force Academy [ADFA]		course: Failure in the course [00FL]; Restitution of damages or a fine not exceeding \$1200, whichever is the greater; Remedial educative action.
Academic misconduct that did not occur in a formal examination conducted by the Examinations Unit and that is not addressed by the UNSW plagiarism framework	Head of School or Dean of the Faculty, Dean of the Graduate Research School	Formal reprimand or formal warning; Reduction in marks for the course; Failure in the course [00FL]; Remedial educative action.
Plagiarism	Head of School, Dean of the Graduate Research School	Formal reprimand or formal warning; Reduction in marks for the course; Failure in the course [00FL]; Other penalties in accordance with the UNSW Procedures for Dealing with Student Plagiarism; Remedial educative action.

- 5.2 Each of the Responsible Officers, may appoint a delegate in writing to have some or all of the powers concurrent with their own for the purposes of these procedures, but no delegate shall have the power to re-delegate.
- 5.3 Investigations of allegations of plagiarism are conducted under these procedures, but are guided by the 'Procedures for Dealing with Student Plagiarism: Handbook for Staff'.
- 5.4 Upon receipt of the written allegation of student misconduct the Responsible Officer will, in writing, and within ten days:
- (1) notify the student of the allegation;
  - (2) give the student a copy of these Procedures and the Code;
  - (3) if a plagiarism or academic misconduct offence, advise which piece of work is considered suspect and provide the student with a copy of the work, or sections of the work, that are considered suspect;
  - (4) ask the student to answer the allegations and to provide information in relation to any mitigating circumstances the student wishes to be taken into account if the allegation is admitted;
  - (5) give the student a period of not less than seven days in which to respond;
  - (6) advise the student that he/she may bring a support person to any interview that may be held with the Responsible Officer or delegate;
  - (7) advise the student that he/she has the right to seek advice before responding and provide the student with details of the advocacy service provided by Arc@UNSW and the service of any other relevant UNSW office such as the UNSW Counselling and Psychological Services and the Learning Centre.

- 5.5 Where the student admits the allegation the Responsible Officer will:
- (1) impose no penalty because the Responsible Officer or delegate believes that no penalty is warranted; or,
  - (2) impose one or more of the penalties that they are empowered to impose; or
  - (3) determine that the student misconduct is of such a serious nature to warrant referral of the matter to the PVC for determination;
  - (4) advise the student within 14 days in writing of his/her determination and the reasons for it. Notification of any adverse determination will include notice of the student's right of appeal.

- 5.6 Where the student denies the allegation the Responsible Officer will do one of the following:
- (1) determine that the student has satisfactorily addressed the allegation/s and dismiss the allegation/s; or
  - (2) advise the student within 14 days in writing of his/her determination and the reasons for it; or
  - (3) determine that the student has not satisfactorily addressed the allegation and refer the matter to the PVC for action.

Notification of any adverse determination must include notice of the student's right of appeal.

- 5.7 Where an adverse finding has been made against the student, the student may lodge an appeal with the PVC within 14 days of the date of the notification. An appeal can be based on one or more of the following:
- lack of procedural fairness in the investigation process conducted by the Responsible Officer;
  - that the determination was manifestly unreasonable or cannot be supported having regard to the evidence;
  - provision of new evidence not available to the student or Responsible Officer at the time of the original investigation.

The process for considering these appeals is detailed in Clauses 6.3 – 6.9.

- 5.8 A determination will not take effect until the student has within 14 days accepted the determination or lodged an appeal in writing. No response from the student will be taken as an acceptance of the determination.
- 5.9 To ensure uniformity of penalties, the Responsible Officer must before imposing any penalty consult the SCAO and must at the conclusion of the matter lodge a written report of the action taken with the SCAO. Details of the matter will be recorded on the Central Misconduct Register held in the Office of the PVC.
- 5.10 The Director of Information Technology may restrict computer access for an initial period of up to 14 days, pending the determination of an allegation of misconduct, provided the student is immediately given the opportunity to make representation to avert this suspension.



## 6. CENTRALISED PROCEDURES

- 6.1 A complaint of student misconduct of the following types will be directed immediately to the PVC. The PVC will appoint an Investigation Officer to investigate and make recommendations to the PVC on whether the allegations of student misconduct are substantiated, or not, and if so to recommend the penalty/ies, within certain defined parameters.

ALLEGED MISCONDUCT	RESPONSIBLE OFFICER	PENALTIES IF MISCONDUCT IS PROVEN
Examination misconduct in a formal examination conducted by the Examinations Unit	Pro-Vice-Chancellor [Students] and Registrar	Formal reprimand or formal warning; Reduction in marks; Failure in the course [00FL]; Suspension or exclusion from UNSW for a period not exceeding 24 months; Delay graduation [and certification of program completion] for a period not exceeding 12 months; A fine not exceeding \$1200; Remedial educative action.
Behaviour that is unlawful, discriminatory, sexually inappropriate, bullying, harassing, invades another's privacy or causes any person to fear for their personal safety	Pro-Vice-Chancellor [Students] and Registrar	Formal reprimand or formal warning; Suspension or exclusion from UNSW for a period not exceeding 24 months; Remedial educative action.
Behaviour that is disruptive of any teaching or learning activity, including private study, or any other activity conducted by the University or held on a campus of the University	Pro-Vice-Chancellor [Students] and Registrar	Formal reprimand or formal warning; Reduction in marks for the course; Failure in the course [00FL]; Suspension or exclusion from UNSW for a period not exceeding 24 months; Remedial educative action.
Misuse or damage to any UNSW property, facility or resource; Misuse or damage to any property, facility or resource while on a UNSW approved or arranged placement or exchange	Pro-Vice-Chancellor [Students] and Registrar	Formal reprimand or formal warning; Restitution of damage or a fine not exceeding \$1200, whichever is the greater; Suspension or exclusion from UNSW for a period not exceeding 24 months; Remedial educative action.
Serious misconduct relating to entry into a course or receiving an award the student was not legitimately eligible for, or entitled to.	Pro-Vice-Chancellor [Students] and Registrar	To revoke an award [degree, diploma, certificate, prize or scholarship]; To annul grades awarded on an academic statement; suspension or exclusion

ALLEGED MISCONDUCT	RESPONSIBLE OFFICER	PENALTIES IF MISCONDUCT IS PROVEN
		from UNSW for a period not exceeding 24 months
Misconduct when assessed at the decentralised level results in a recommended penalty greater than those permitted at that level; Appeals against decisions made at the decentralised level.	Pro-Vice-Chancellor [Students] and Registrar	Any one or more of the penalties listed above, as appropriate.
Any other misconduct not covered elsewhere	Pro-Vice-Chancellor [Students] and Registrar	Any one or more of the penalties listed above, as appropriate.

- 6.2 The following clauses 6.3 – 6.9 apply to matters referred to the PVC and to matters appealed from the decentralised process.
- 6.3 The PVC may appoint a delegate in writing to have some or all of the powers concurrent with their own for the purposes of the Procedures, but no delegate shall have the power to re-delegate.
- 6.4 Within ten days of receipt of the written allegation of student misconduct, or of receipt of an appeal against a determination made by a Responsible Officer at the Decentralised level, the PVC will appoint an Investigation Officer who will:
- (1) notify the student of the allegation;
  - (2) give the student a copy of these Procedures and the Code;
  - (3) advise the student that he/she has the right to seek advice before responding and provide the student with details of the advocacy service provided by Arc@UNSW;
  - (4) advise the student that he/she may bring a support person to any interview that may be held with the Investigation Officer;
  - (5) give the student a period of not less than seven days in which to respond;
  - (6) ask the student to admit or deny the allegation and to provide information in relation to any mitigating circumstances the student wishes to be taken into account if the allegation is admitted.
- 6.5 The Investigation Officer will prepare a report for the PVC that will contain recommendations as to how the matter should be determined. The report to the PVC will normally be completed within 21 days of the notification to the student. The Investigation Officer may recommend:
- (1) to dismiss the allegation as it is not proven;
  - (2) to impose no penalty because the Investigation Officer believes that no penalty is warranted;
  - (3) to impose one or more of the penalties that the PVC is empowered to impose;
  - (4) any further conditions to be placed on the student's enrolment or re-enrolment.
- 6.6 On receipt of the report of the Investigation Officer the PVC will advise the student within seven days in writing of his/her determination and the reasons for it. Notification of any adverse determination will include a copy of the Investigation

Officer's report and notice of the student's right of appeal to the Deputy Vice Chancellor (Academic).

- 6.7 A determination will not take effect until the student has within 14 days accepted the determination or lodged an appeal in writing. No response from the student will be taken as an acceptance of the determination.
- 6.8 If a student refuses to provide information in relation to an allegation a matter may be determined on the basis of the available evidence.
- 6.9 At certain times it may be appropriate to place an enrolment block on a student's record while an investigation is completed. This block may amongst other things prevent the student from amending their enrolment, receiving their results and graduating until a misconduct matter is finalised.

## **7. PENALTIES**

- 7.1. All penalties for student misconduct shall be determined in line with these procedures.
- 7.2. Responsible Officers investigating matters within the decentralised procedures must consult with the SCAO to ensure consistency in awarding penalties across the University.
- 7.3. In determining a penalty the following factors should be taken into account:
  - Precedents recorded on the Central Misconduct and Central Plagiarism Registers.
  - The year or level of study of the student.
  - Any apparent intention to deceive, and the level and effect of that intention.
  - Any personal health, family or other factors that were likely to have contributed to the conduct.
  - Previous findings of guilt.
  - Other matters considered relevant in the particular circumstances.
- 7.4. On all occasions a student shall be given prior opportunity to present any information or mitigating circumstances in relation to the awarding of a penalty.
- 7.5. If a fine is imposed the notification of the penalty must include instructions on how, and by when, the fine is payable.

## **8. SUSPENSION OR RESTRICTION IN URGENT CIRCUMSTANCES**

- 8.1. The power to suspend or restrict a student in urgent circumstances from all or part of the University or from access to its facilities, including the residential colleges, is to be used only to prevent or terminate a clear and present threat from the student concerned to the safety of any person within the University or the proper functioning of any University activity. A suspension or restriction may also include a suspension from accessing UNSW information technology resources, from clinical sites and from laboratories.
- 8.2. The Vice Chancellor, a Deputy Vice-Chancellor, the Pro Vice-Chancellor (Students) and Registrar, the Pro Vice-Chancellor (Research), the Rector of University

College, Australian Defence Force Academy, the University Librarian, Director Facilitates Management or the Director Information Technology can suspend or restrict a student.

- 8.3. A student may be suspended or restricted from part or all of a residential college or from UNSW owned or operated self-care residential accommodation by the Head of the College or the Head of UNSW Accommodation Services.
- 8.4. Should a student not have had an opportunity to make representations prior to their suspension or restriction, a student may make representations to the DVC (A) as to why a suspension or restriction in urgent circumstances should be overturned.
- 8.5. A suspension or restriction in urgent circumstances must be notified to a student in writing via their student email address, and shall include advice on how to make representations regarding the decision.
- 8.6. A suspension or restriction imposed on a student does not preclude the making of an allegation of student misconduct.
- 8.7. A suspension shall not in the first instance exceed 14 days.
- 8.8. Any suspension or restriction shall be reported immediately to the DVC (A).
- 8.9. The DVC (A) may extend the suspension or restriction period to cover the time taken to finalise the misconduct investigation, including any appeal, and may broaden the areas from which the student is suspended or restricted.
- 8.10. If in the course of misconduct proceedings or subsequent to a determination it appears that a suspension or restriction of a student was not warranted, the suspension may constitute a ground on which the student may apply for special consideration in the assessment of any course or courses then being taken.

## **9. APPEALS**

- 9.1 An appeal against a decision under the decentralised procedure (detailed in Section 5) is handled under Section 6 of this procedure. Such an appeal does not limit a student's right to appeal under this section (section 9), once the matter is finalised under section 6.
- 9.2 Where an adverse finding has been made against the student by the PVC under the centralised procedures, the student may lodge an appeal with the DVC (A).
- 9.3 The DVC (A) may appoint a delegate in writing to have some or all of the powers concurrent with their own for the purposes of the Procedures, but no delegate shall have the power to re-delegate.
- 9.4 Any appeal to the DVC (A) must be lodged within fourteen days of the date of the notification of the determination of the PVC.
- 9.5 An appeal must be lodged in writing (but this may be by email) and must set out the reasons for the appeal.
- 9.6 An appeal can only be based on one or more of the following:
  - lack of procedural fairness in the investigation process conducted by the Investigation Officer;

- that the determination was manifestly unreasonable or cannot be supported having regard to the evidence;
  - provision of new evidence not available to the student or Investigation Officer at the time of the original investigation.
- 9.7 If required, the DVC (A) can appoint an Investigation Officer or Officers to assist them in considering the appeal.
- 9.8 A determination on an appeal should usually be made within 21 days of receipt of the appeal. Any delay in determining an appeal should be advised to the student in writing.
- 9.9 Where the DVC (A) finds that an allegation is substantiated, he/she may decide to impose no penalty or may impose any one or more of the penalties available to others under this procedure.
- 9.10 Notification of the DVC (A)'s final decision to the student shall include notice of his or her right of any external appeal, complaint or review rights.

Archived Document

## Annexure 1 - Student Academic Misconduct

The University is committed to helping students understand the conventions which govern academic study and research and thereby avoid action which may result in an allegation of misconduct. Ignorance of the rules is not an acceptable defence against an allegation of misconduct.

### Types of academic misconduct:

The definition of academic misconduct is broad. It covers practices such as cheating, copying and using another person's work without appropriate acknowledgement. Furthermore, practices that may be acceptable in other situations can be considered to be misconduct according to current academic usage within a university.

It is important to be familiar with the standards and practices at UNSW, as practices that may be acceptable at other institutions may be considered misconduct at UNSW.

The following are examples of academic misconduct which have resulted in students being found guilty of academic misconduct in recent years:

#### 1. Misconduct concerning examinations:

- Having a mobile phone into an examination and not placing it under the seat
- Taking unauthorised materials into an examination [see below]
- Seeking unfair advantage
- Impersonating a student in an examination or arranging for another to impersonate the student
- Copying answers from another person or permitting another student to copy answers in an examination
- Exchanging notes or talking to another student in an examination.
- Improperly obtaining prior knowledge of an examination paper and using that knowledge in the examination or providing that information to a student/s undertaking the examination
- Removing an examination paper from an examination room when it is specified that the paper is not to be retained by the student
- Disrupting an examination in any way.

The University's rules for the conduct relating to examinations state that no materials are to be brought into the examination room except those specified in the examination timetable. The following are examples of materials which would be regarded as unauthorised if not specified as being permitted in the examination:

- a bag, blank paper, a book or other printed material, handwritten notes
- a mobile phone that is not switched off and placed under the desk
- writing on the hand or any other part of the body
- writing on a ruler, eraser or any other instrument
- a calculator or hand-held computer where these are not permitted or where calculators are supplied by the University for the examination.

It does not matter whether or not the notes or writing are relevant to the exam. It does not matter that the notes are inside a pocket in clothing or in a closed pencil case or other holder. It does not matter that writing on the body is illegible. It is academic misconduct to be in an examination room and in possession of such materials, or to have writing on the body.

## 2. Misconduct concerning academic works:

Plagiarism is the presentation of the thoughts or work of another as one's own. Acts of plagiarism include copying parts of a document without acknowledging and providing the source for each quotation or piece of borrowed material. The rules against plagiarism apply regardless of the source of the work used, whether printed, stored on a compact disc or other medium, found on the Internet. The basic principles are that a student may not attempt to pass off the work of another person as his/her own, and it should be possible for a reader to check the information and ideas that have been used by going to the original source material. Acknowledgment should be sufficiently accurate to enable the source to be located speedily.

Similarly, using or extracting another person's concepts, experimental results or conclusions, summarising another person's work or, where there is collaborative preparatory work, submitting substantially the same final version of any material as another student constitutes plagiarism.

Plagiarism is not always intentional, and students should make themselves aware of accepted referencing practices.

The UNSW ['Procedures for Dealing with Plagiarism: Handbook for Staff'](#) provide full details on the University's approach to student plagiarism.

Examples of plagiarism include:

- Direct duplication of the thoughts or work of another, including by copying work, or knowingly permitting it to be copied. This includes copying materials, ideas or concepts from a book, article, report or other written document (whether published or unpublished), composition, artwork, design, drawing, circuitry, computer program or software, website, internet, other electronic resource, or another person's assignment, or the student's own assignment from a previous course, without appropriate acknowledgement
- Quotation without the use of quotation marks
- Paraphrasing another person's work with very minor change keeping the meaning, form and/or progression of ideas of the original
- Citing sources which have not been read, without acknowledging the 'secondary' source from which knowledge of them has been obtained
- Piecing together sections of the work of others into a new whole
- Presenting an assessment item as independent work when it has been produced in whole or part in collusion with other people, for example, another student or tutor
- Claiming credit for a proportion of work contributed to a group assessment item that is greater than that actually contributed
- Submitting your own assessment item that has already been submitted for academic credit at UNSW or elsewhere may also be considered plagiarism
- Using another person's ideas or words in an oral presentation without crediting the source.

The inclusion of the thoughts or work of another with attribution appropriate to the academic discipline does not amount to plagiarism.

Misconduct also includes paying another person to perform an academic task, stealing another person's academic work to assist you, offering to complete another person's work or seeking payment for completing academic work.

**3. Misconduct through misrepresentation to gain an advantage:**

- Submitting a falsified medical certificate to gain an academic advantage
- Submitting a falsified academic transcript or any other falsified document to gain an academic advantage.

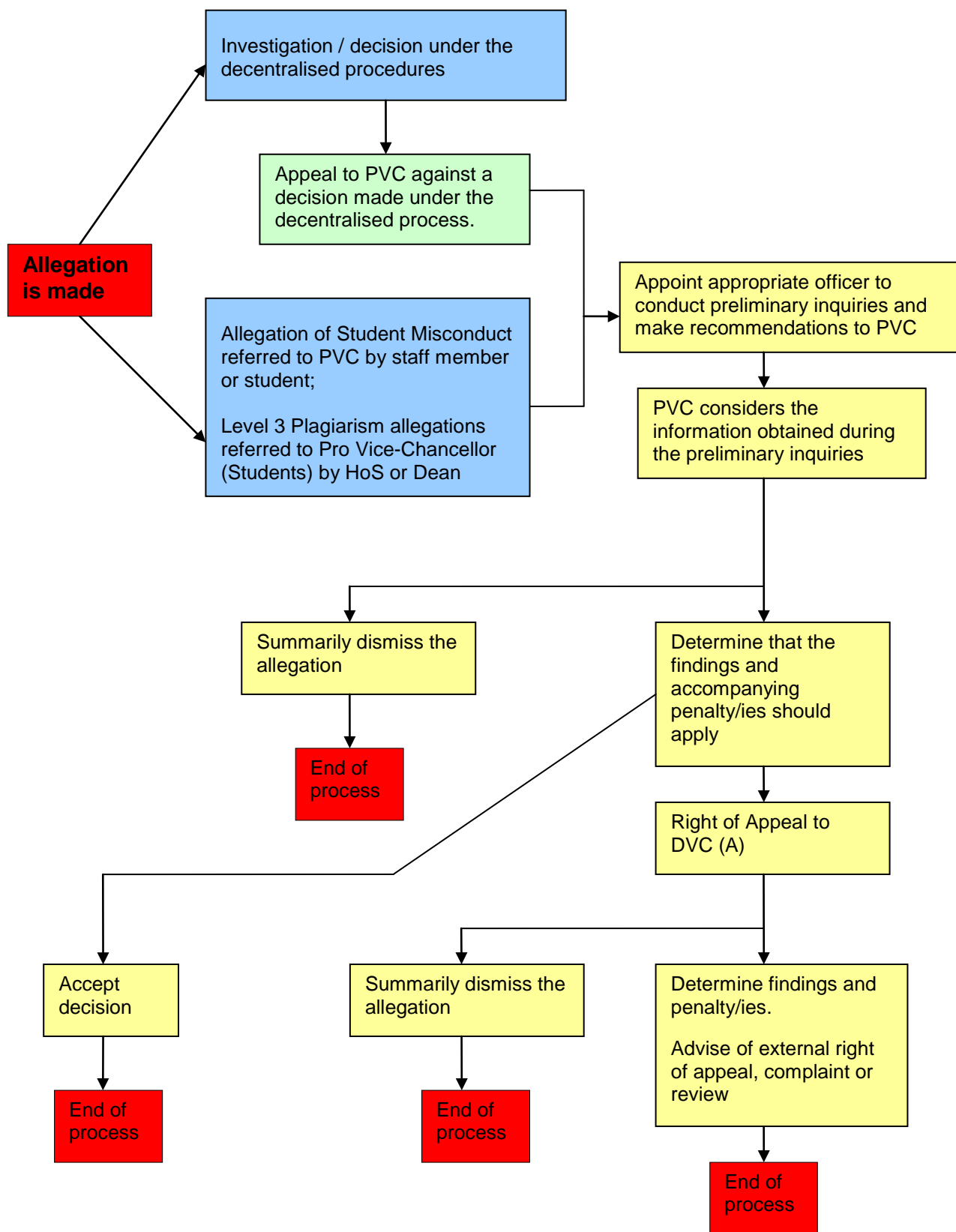
**4. Misconduct through disrupting the teaching and/or learning environment of other students.**

- disruptive behaviour in classes or lectures
- disruptive behaviour in University facilities such as the library or computer laboratories
- disruptive behaviour on fieldtrips, practicum or other off campus learning activities.

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## Annexure 2 - Student Misconduct Procedure Flow Chart



## Appendix A: History

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	Deputy Vice-Chancellor (Academic)	5 November 2009	1 December 2009	

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