STUDENT MISCONDUCT PROCEDURE

Policy Hierarchy link	**Student Code Policy**
Responsible Officer	Vice-President and Deputy Vice-Chancellor (Academic)
Contact Officer	Pro-Vice-Chancellor (Students) and Registrar Student Conduct and Appeals Officer
Superseded Documents	Student Misconduct Procedure v1.0 (2009/2832) *All other inconsistent UNSW documents existing at the effective date*
File Number	2010/02711
Associated Documents	Student Misconduct Guidelines for staff and students Student Academic Misconduct Guidelines for staff and students Student Academic Integrity & Managing Plagiarism: Guidelines For Staff Research Code of Conduct Procedure for Handling Allegations of Research Misconduct Occupational Health and Safety Policy Acceptable use of UNSW ICT Resources Policy Acceptable use of UNSW ICT Resources Procedures Anti-racism Policy Equity and Diversity Policy Statement

Version	Authorised by	Approval Date	Effective Date
2.1	Authorised by the Vice-President and Deputy Vice-Chancellor (Academic)	26 June 2013	26 June 2013

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1. Principles

1.1 The Student Code provides a framework for the standard of conduct expected of students of the University with respect to their academic integrity and behaviour. Where a student breaches the Code the University may take disciplinary action. Such matters are handled in accordance with the Student Misconduct Procedure.

1.2 The procedure sets the framework for the handling of allegations of student misconduct in a manner that is fair, consistent, clear and in accordance with the principles of natural justice.

Need Help?

1.3 A step by step guide for students about misconduct matters is available on the UNSW Student Life and Learning Website.

1.4 Information about the range of free, University provided support and guidance services can be found on the UNSW Student Life and Learning Website.

1.5 Staff members can also find information about how to handle misconduct matters on the UNSW Student Life and Learning Website.

Safety and well being

1.6 Where a student's conduct is a cause of concern in relation to the safety of that student, staff or other students, the matter should be referred to the Pro-Vice-Chancellor (Students) and Registrar.

2. Purpose and Scope

2.1 These procedures apply to:

- All enrolled students of UNSW on all campuses both domestic and international
- Students previously enrolled, not currently enrolled and students on program leave, where the event forming the basis of the complaint occurred while they were enrolled or is directly related to their enrolment
- Higher Degree Research Students including those awaiting examination of submitted theses
- Students on exchange from other universities where the matter relates the student's experience at UNSW
- The University and its staff

In the context of:

- All aspects of a student's experience at the University
- All activities on UNSW premises and all external activities related to study and research, including workplace or clinical placements, fieldwork or other practicum
- Activities in relation to online examinations and online academic work, and to examinations and academic work in remote locations
- Actions taken by students representing the University (such as at conferences or sporting and cultural activities or on a University facilitated international exchange)
- Student conduct in relation to University owned or managed accommodation, affiliated colleges or home stays managed by UNSW
- The activities of the University and its staff in relation to students
- Complaints made no later than twelve months after the event giving rise to the complaint

2.2 In circumstances where there is a risk of harm or damage to the University, its students or staff these procedures may also apply to:

- Conduct relating to any separate legal entity controlled by the University (which may also be referred by or to that organisation)
- Conduct relating to Arc @ UNSW (which may be referred by or to Arc)
- Conduct relating to UNSW Village (which may also be referred by or to the Manager of UNSW Village)

2.3 Allegations about Research Misconduct:

These include plagiarism (thesis), authorship and complaints concerning issues of intellectual property. Allegations should be referred to the Deputy Vice-Chancellor (Research) under the UNSW Research Code of Conduct. Where there has been a finding of a prima facie case of a breach in the Research Code of Conduct or of research misconduct, the allegation/s will be dealt with under these procedures.

2.4 Allegations about Academic Misconduct:

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These include misconduct during examinations, misconduct concerning academic works and plagiarism (see also definitions). Allegations about academic misconduct may be dealt with under these procedures.

2.5 These procedures do not preclude the University from instituting civil or criminal proceedings.

3. Definitions

Please see appendix A for a list of definitions which apply to these procedures.

4. How misconduct matters are handled

4.1 The University has three processes for handling student misconduct:

Misconduct procedures: For straight forward matters or where the matter is deemed not to be serious (see appendix A, Definitions). To be handled by the Designated Officer within the School, Department or Faculty (see section 5).

Serious Misconduct procedures: To be used where the matter is deemed serious (see appendix A, Definitions) and, or complex. To be used where the possible penalty, should the matter be proven, is suspension or exclusion. Allegations of Level 3 plagiarism are to be considered as serious misconduct. Such matters must be referred to the Pro-Vice-Chancellor (Students) and Registrar (see section 6).

Appeals or external review: A student may appeal on the grounds of procedural unfairness to either the Pro-Vice-Chancellor (Students) and Registrar or the Deputy Vice-Chancellor (Academic) (see section 8). Students may also refer the matter to an external body for review (see section 14).

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5. Misconduct

5.1 The allegation is referred to the Faculty, School or Department Designated Officer.

5.2 The Designated Officer (DO) may investigate the matter or may appoint a delegate in writing to carry out some or all of the investigation. No delegate shall have the power to re-delegate.

5.3 The Designated Officer will carry out an investigation in accordance with Section 7 of these procedures.

5.4 At the conclusion of a misconduct investigation the Designated Officer may determine the outcome (see section 7.2).

6. Serious Misconduct

6.1 The matter is referred to the Pro-Vice-Chancellor (Students) and Registrar. Allegations must be made in writing and be supported by evidence.

6.2 The Pro-Vice-Chancellor (Students) and Registrar will appoint an Investigating Officer (IO) or instruct the SCAO to investigate the matter. No delegate shall have the power to re-delegate.

6.3 The Investigating Officer carries out an investigation in accordance with Section 7 of these procedures.

6.4 At the conclusion of a serious misconduct investigation the Investigating Officer will prepare a report for the Pro-Vice-Chancellor (Students) and Registrar, setting out the findings of fact. The Pro-Vice-Chancellor (Students) and Registrar on the basis of that report shall determine the outcome (see section 7.2).

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7. Procedure

7.1 Investigation

(a) Allegations must be made in writing and supported by evidence (see Appendix A, Definitions). Allegations may be altered during the course of an investigation but the student must be given notice of any change.

(b) The student will be notified of the allegation (s) in writing by email to their student email address. The notification must include the information as set out in the pro forma attached as appendix C.

(c) Where a student does not respond, the notification should be repeated. If there is no response the SCAO should be notified.

(d) In investigating the matter, parties may be interviewed and relevant University policy and procedure reviewed.

7.2 Determination

7.2.1 In making a determination the following must be applied;

(a) Any previous findings relating to a past misconduct offence should not be taken into consideration at the determination stage.

(b) After evaluating the evidence presented, it should be considered whether it is more likely than not, on the balance of probability, that the allegation/s or any number of the allegations against the student are proven.

(c) The information in Appendix B should be referred to and the SCAO consulted before imposing or recommending any penalty (see section 7.3) to ensure consistency. A written report should be lodged at the conclusion of the investigation with the SCAO.

7.2.2 Where the student admits the allegation/s and the conduct is found to have occurred the outcome may determine;

(a) To impose no penalty because no penalty is warranted; or,

(b) That one or more of the penalties (see section 7.3) that they are empowered to impose are appropriate; or

(c) That the matter be referred to the Pro-Vice-Chancellor (Students) and Registrar.

7.2.3 Where the student denies the allegation/s the outcome may determine that;

(a) The student has satisfactorily addressed the allegation/s and that the allegation/s should be dismissed; or

(b) The misconduct is proven and that one or more of the penalties that they are empowered to impose are appropriate; or

(c) The matter is referred to the Pro-Vice-Chancellor (Students) and Registrar.

7.3 Penalty

7.3.1 Where a penalty is appropriate the following should be considered and may be taken into account at this stage;

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- Any previous findings of misconduct and the penalty/ies imposed
- The year or level of study of the student
- Any intention behind the conduct, and the level and effect of that intention
- Any personal health, family or other factors that contributed to the conduct
- Matters considered relevant in the particular circumstances
- Guidance contained in 'Student Academic Integrity & Managing Plagiarism: Guidelines For Staff'

7.4 Indicative Time Frame

- Student typically notified within 10 working days of the receipt of the written allegation/s
- Referral or appointment of IO will typically be communicated within 5 working days of the preliminary enquiry conclusion
- Formal investigations will usually be completed within 20 working days
- The determination will be confirmed in writing giving reasons and the detail of any penalty typically within 5 working days of the conclusion of the investigation
- If a fine is imposed the notification of the penalty must include instructions on how, and by when, the fine is payable
- The student will be informed of any delays and advised of new time frames

7.5 UNSW Canberra

Where an allegation is received about a student who is also Australian Defence Force personnel the matter may be investigated under these procedures but may also be subject to investigation and/or action under the Australian Defence Force Academy (ADFA) procedures.

Where an allegation is made which concerns both UNSW and ADFA, the University will liaise with AFDA to determine an appropriate investigation process.

7.6 Residencies and Colleges

Where an allegation of misconduct is made relating to a student's conduct in relation to UNSW managed accommodation the matter may be investigated under these procedures. The investigation may refer any tenancy agreement issues or matters falling under the Housing Act to the UNSW Legal Office.

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8. Appeals

8.1 Lodging an appeal

8.1.1 An appeal may only be lodged on the grounds of lack of procedural fairness.

8.1.2 Appeals are to be made in writing (but this may be by email) and must state the grounds for appeal.

8.1.3 Decisions taken under the student misconduct procedures (Section 5) can be appealed under the procedure for serious misconduct (as described in Sections 6 and 7). Students should lodge the appeal with the Pro-Vice-Chancellor (Students) and Registrar.

8.1.4 Decisions taken under the serious misconduct procedures (Section 6) can be made to the Deputy Vice-Chancellor (Academic).

8.1.5 On receipt of an appeal the Deputy Vice-Chancellor (Academic) or Pro-Vice-Chancellor (Students) and Registrar may determine that on its face the appeal should not proceed on the grounds that it is frivolous, vexatious or is not on the grounds as set out in section 8.1.1. In making this determination the Deputy Vice-Chancellor (Academic) or Pro-Vice-Chancellor (Students) and Registrar may, but are not required to, review the record of the misconduct investigation and/or obtain further information from the appellant.

8.1.6 If the Deputy Vice-Chancellor (Academic) or Pro-Vice-Chancellor (Students) and Registrar determines that the appeal should not proceed then the appellant will be notified of the decision and all avenues of appeal within the University will then be exhausted.

8.2 Appeals – Serious Misconduct

a) The Deputy Vice-Chancellor (Academic) may appoint a delegate or Investigating Officer in writing to have some or all of the powers concurrent with their own for the purposes of the appeal procedures, but no delegate shall have the power to re-delegate.

b) The Deputy Vice-Chancellor (Academic) may decide to impose no penalty or may impose any one or more of the penalties available to others under this procedure.

c) At this stage, all avenues of complaint and appeal within the University will have been exhausted. Notification of the final decision to the student shall include notice of the right of any external appeal, complaint or review rights.

8.3 Indicative Timeframe

- Appeals must be lodged within 10 working days of the notification of outcome
- Appeals will typically be acknowledged within 5 working days
- Determination whether to proceed will normally be within 5 working days of receipt of the appeal
- Determination on an appeal will usually be made within 20 working days of the receipt of the appeal
- The outcome will be confirmed, giving reasons, within 5 working days of the determination

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- The student will be informed of any delays and advised of new time frames

9. Serious matters

It is the responsibility of the person initially receiving an allegation concerning a serious matter to refer it to the Pro-Vice-Chancellor (Students) and Registrar. Advice on what may constitute a complaint of a serious nature can be sought from the SCAO (see also Appendix A, Definitions). On receipt of a serious matter the Pro-Vice-Chancellor (Students) and Registrar may refer the matter to be investigated as serious misconduct (see section 6) or refer the matter to an external body.

10. Suspension or restriction in urgent circumstances

10.1 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, the proper functioning of any University activity or the damage of University resources.

10.2 A suspension or restriction may also include a suspension from accessing UNSW information technology resources, from clinical sites, from laboratories, and affiliated entities used for UNSW research and teaching.

10.3 The Vice Chancellor, a Deputy Vice-Chancellor, or the Pro-Vice-Chancellor (Students) and Registrar can suspend or restrict a student. The Pro-Vice-Chancellor (Research), the Rector of University College, Australian Defence Force Academy, the University Librarian, Director Facilities Management, the Director Information Technology and the SCAO can restrict a student.

10.4 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.

10.5 Should a student not have had an opportunity to make representations prior to their suspension or restriction, a student may make representations to the Deputy Vice-Chancellor (Academic) as to why a suspension or restriction in urgent circumstances should be overturned.

10.6 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.

10.7 A suspension or restriction imposed on a student does not preclude the making of an allegation of student misconduct.

10.8 A suspension or restriction shall not in the first instance exceed 14 days.

10.9 Any suspension or restriction (other than IT restrictions) shall be reported to the DVC (A).

10.10 The DVC (A) may extend the suspension or restriction period to cover the time taken to finalise any misconduct investigation, including any appeal, and may broaden the areas from which the student is suspended or restricted.

10.11 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

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suspension may constitute a ground on which the student may apply for special consideration in the assessment of any courses being taken.

11. Withdrawal of allegations

At any stage the University may withdraw an allegation of misconduct or decline to proceed with an investigation. Where the formal process is underway all parties will be notified in writing that the allegation has been withdrawn. In most instances the University will then deem the matter resolved. However, in certain circumstances the University may deem the matter serious enough for an internal investigation to continue or for referral to an external agency.

12. Recordkeeping

12.1 Notes and documentation must be kept at all stages of an investigation including records of meetings, discussions, appeal hearings and actions proposed or taken. All records and notes produced and documents considered in handling an investigation under must be stored on an appropriate, confidential University file. The file must be created and stored in line with University policy.

12.2 No record of any misconduct allegation or proceedings brought against a student will be included on the student's academic transcript. Penalties of mark adjustment, suspension or exclusion will appear of a student's transcript.

12.3 At the conclusion of a matter the details should be added to the Central Misconduct Register. 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 and monitored by the Pro-Vice-Chancellor (Students) and Registrar.

12.4 The Pro-Vice-Chancellor (Students) and Registrar provides a report to the Academic Board which summarises misconduct cases. Reports are also held by the SCAO to ensure consistency in penalties imposed. Reports are written to ensure parties involved cannot be identified. Summarised reports may also be provided to Faculties, Schools or units to facilitate process improvement.

13. Confidentiality

All parties involved in a case are to maintain confidentiality. Information and records about a misconduct matter are divulged to those with direct involvement in the case with the following exceptions:

- Where there is risk of harm to a person or persons, it may be necessary to breach confidentiality
- Where the matter is subject to legal proceedings or other action which require the presentation of UNSW held records by way of subpoena or similar
- Where a student lodges a complaint or appeal regarding a decision under these procedures
- Where there is a clear public interest or obligation to share information (such as a duty to disclose information to a professional accreditation board, the Australian Defence Force Academy or a duty to report under legislation)

14. External review or referral

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A matter may be referred to an external agency. Where this occurs the University may decide to cease any internal process pending external investigation. External bodies may require a student to have lodged an internal complaint first before they will become involved. The student should contact the external body directly for advice.

External agencies include:

- Anti-Discrimination Board
- Australian Human Rights Commission
- Independent Commission against Corruption
- NSW Ombudsman
- NSW Police

15. Review & History

This document supersedes earlier Student Complaints Procedures and is reviewed as a minimum every 3 years.

16. Acknowledgements and resources

Additional resources:

Student Life and Learning www.studentlifelearning.unsw.edu.au

Policies, procedures and guidelines for students:
www.my.unsw.edu.au/student/resources/Policies.html

Arc@UNSW www.arc.unsw.edu.au

NSW Ombudsman fact sheets: www.ombo.nsw.gov.au

Anti Discrimination Board: www.lawlink.nsw.gov.au

Australian Human Rights Commission: www.humanrights.gov.au

A range of documents were reviewed in developing these procedures and are gratefully acknowledged:

Discussion Paper 30 (1993) Review of the Anti-Discrimination Act 1977 (NSW), Lawlink NSW, in relation to behaviours that are considered harassing and discriminatory

Misconduct procedures from the following Universities: Australian National University, Macquarie University, Queensland University of Technology, University of Melbourne, University of Newcastle, University of Technology Sydney, University of Queensland, University of Western Sydney, Monash University, University of Adelaide.

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APPENDIX A: Definitions

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. It covers misconduct during examinations and concerning academic works (see also plagiarism). Allegations of academic misconduct may be dealt with under these procedures.

Advocate: An independent person who can provide support and guidance to a student or help in presenting a case. The student association Arc at UNSW provides free legal advice and advocacy to UNSW students for issues both on and off campus.

Allegation: A formal complaint or accusation made about a student's conduct. Any student or member of staff may make a written allegation of student misconduct to a Designated Officer or the Pro-Vice-Chancellor (Students) and Registrar. Allegations made by an external organisation or anonymous allegations will only be investigated where the Pro-Vice-Chancellor (Students) and Registrar determines that an investigation is warranted.

Anonymous: Where the complainant withholds their name and does not wish to be identified in any way. Anonymous complaints and allegations of misconduct will only be investigated at the discretion of the University, where the conduct they raise is of a serious nature.

Appeal: A request for a decision to be reconsidered on the grounds of procedural unfairness, unreasonable determination or new evidence not available at the time of the original investigation.

Appellant: A person who lodges an appeal.

Bullying: Repeated unreasonable or less favourable treatment of a person by another in order to intentionally hurt, offend, intimidate, threaten or gain power over another person. Bullying behaviour may be physical or psychological. Bullying can carried out by one person or a group and may be done privately, openly or via social media. Any staff member or student who is found to have been bullying a person will be subject to misconduct proceedings under appropriate University policies and procedures. If you are concerned about any form of bullying, information about services which offer advice and support is available at www.studentlifelearning.unsw.edu.au

Central Misconduct Register: A centrally held register where findings of student misconduct, serious misconduct and academic misconduct are recorded. A finding is entered on the register whether or not a penalty had been awarded. Access to the register is limited and records are stored confidentially.

Conflict of interest: Interest, involvement or information which may influence or be perceived to influence a person's ability to make objective recommendations or decisions in investigating an issue of misconduct.

Complaint: A complaint is any type of problem, concern or grievance about the University or the University environment. Students may make a complaint in accordance with the Student Complaint procedures.

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.

Harassment: Unwelcome behaviour that is offensive, belittling or abusive to another person or group of people. Any staff member or student who is found to have been harassing a person will be subject to misconduct proceedings under appropriate University policies and procedures. If you are concerned about any form of harassment information about services which offer advice and support is available at www.studentlifelearning.unsw.edu.au

Investigating Officer (IO): A person appointed by the Deputy Vice-Chancellor (Academic) or Pro-Vice-Chancellor (Students) and Registrar to investigate an allegation of misconduct and make recommendations based on the outcome.

Mediation: a voluntary and confidential process where a neutral third party, the mediator, provides assistance to the parties in dispute to find some common ground and reach a settlement. A

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mediator may be an employee of the University who has no conflict of interest in the issue under discussion or an external mediator.

Plagiarism: 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. 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. Allegations of plagiarism may be dealt with under these procedures.

Procedural Fairness: For procedures to support the Principles of Natural Justice including the provisions that:

- Students are informed, with adequate notice, of allegations and proceedings,
- Students are provided with opportunity to respond and be heard
- Decision makers are without conflict of interest or prior involvement in the case
- Proceedings are carried out and determinations made without bias

Property: Includes material, personal, intellectual and shared property in any (including digital) form.

Designated Officer: A person with the authority to determine allegations of student misconduct because of occupation of a particular role or by delegated appointment. Designated Officers include Deans, Heads of School, Master of the Colleges, Head of UNSW Accommodation Services, Rector at UNSW Canberra, the University Librarian and the Director, Information Technology and the Student Conduct and Appeals Officer.

Serious matters: A matter is considered serious where:

a) There is reason to believe that there is a significant risk to the University and its staff and/or students
b) A serious criminal offence may have been committed
c) There are a number of allegations of a similar nature received against a respondent
d) A possible penalty for the conduct, if proven, is suspension or exclusion.

Student Conduct and Appeals Officer (SCAO): Designated for the oversight of the Student Complaints Procedures and Conduct Procedures for the University. Undertakes and co-ordinates investigations, makes misconduct outcome recommendations and provides advice and guidance to students and staff.

Student Participation Advisor Team: A team of advisers available at the Hub on Kensington Campus who can provide guidance, support and advice on a range issues.

Support person: A person who may help a student, provide support or give advice on the misconduct procedures. A support person may be a friend, student, staff member or family member. A support person does not speak on behalf of the student and is not an advocate. Student Participation Advisers are available to provide free advice and guidance to students about University procedures. www.studentlifelearning.unsw.edu.au

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 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.

Temporary suspension: A temporary suspension of a student from all or select circumstances University grounds, made in accordance with section 10 of these procedures.

Victimisation: To be treated badly or unfairly because of being the subject of an allegation, investigation or finding of student misconduct. To be treated badly or unfairly because of making, intending to make or helping someone make a complaint or allegation of student misconduct. Any student or staff member or student who is found to have victimised a person will be subject to misconduct proceedings under appropriate University policies and procedures. Any party involved in a misconduct investigation fearing or experiencing victimisation should immediately discuss the matter with the SCAO.

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Vilification: A public act which incites others to treat a person badly, with contempt or to severely ridicule. Any staff member or student who is found to have vilifies a person in relation to a misconduct investigation will be subject to misconduct proceedings under appropriate University policies and procedures. Any party involved in a misconduct investigation fearing or experiencing vilification should immediately discuss the matter with the SCAO.

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Appendix B

MISCONDUCT		
ALLEGED MISCONDUCT	**DESIGNATED 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 or 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 Residencies Manager	Formal reprimand or formal warning; Take action to terminate a tenancy; Take action for restitution of damages.
Misconduct that is alleged to have been committed by a student enrolled at UNSW Canberra	Rector, UNSW Canberra	Formal reprimand or formal warning; Reduction in marks for the 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 Graduate Research	Formal reprimand or formal warning; Reduction in marks for the course; Failure in the course [00FL]; Remedial educative action.
Plagiarism up to Level 2 – refer to Student Academic Integrity & Managing Plagiarism: Guidelines For Staff	Head of School, Dean of Graduate Research	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.

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SERIOUS MISCONDUCT		
ALLEGED SERIOUS MISCONDUCT	**DESIGNATED 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]; Conditions placed on the student's enrolment or re-enrolment; Suspension or exclusion from UNSW for a period not exceeding 24 months; return from a period of suspension/exclusion may be conditional; Delay graduation [and certification of program completion] for a period not exceeding 12 months; A fine not exceeding $1200; Remedial educative action.
Plagiarism: refer to Student Academic Integrity & Managing Plagiarism: Guidelines For Staff	Pro-Vice-Chancellor [Students] and Registrar	Any one or more of the penalties listed above, as appropriate.
Behaviour that is considered in breach of the Student Code Policy. 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	Any one or more of the penalties listed above, as appropriate.
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.
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; 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.

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Appendix C

Notifying a student of an allegation

Dear [student's name]

An allegation of [delete the one not applicable academic/student] misconduct concerning you has been referred to me by [staff member's name]. It is alleged that (insert details of the allegation).

[If plagiarism, also include: I also attach a copy of the work in which plagiarism is suspected, with the relevant sections identified.]

In accordance with the University's Student Misconduct Procedure, I have been appointed as the Investigative Officer designated for enquiries into the allegation against you:

http://www.gs.unsw.edu.au/policy/documents/studentmisconductprocedures.pdf

You should read these procedures carefully, in particular Section 5 as it outlines how this matter will be investigated. I also draw your attention to the UNSW Student Code of Conduct:

https://www.gs.unsw.edu.au/policy/documents/studentcodepolicy.pdf

In order to investigate a matter I usually interview a student, and if you wish to attend an interview you need to contact me by [insert date not less than seven days away]. You may bring a support person or friend to the interview if you wish.

Alternatively, you can provide a written statement by [insert date not less than seven days away] and I will finalise the investigation on the basis of the information I have before me and the statement you send me.

For information on the range of student support services available at UNSW click here: http://www.studentlifelearning.unsw.edu.au

The student association on campus, Arc@UNSW, have student advocates available to provide independent advice about the University's student misconduct procedure. You may contact a Student Support Officer on (02) 9385 7700 or email advice@arc.unsw.edu.au for help. All students can access this service and it is free.

If you have any questions about these allegations or the misconduct processes please contact me.

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Appendix C: History

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	Deputy Vice-Chancellor (Academic)	5 November 2009	1 December 2009	
2.0	Vice-President and Deputy Vice-Chancellor (Academic)	30 November 2012	30 November 2012 to 25 June 2013	Full review
2.1	Vice-President and Deputy Vice-Chancellor (Academic)	26 June 2013	26 June 2013 to 29 January 2014	Appendix B

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