



Student Misconduct Policy and Procedures

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Previous versions	8 October 2014, 26 November 2018
Current version	Approved by the Board of Governors, 13 December 2021
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Threshold Standard	2.4, 5.2
Responsible person	CEO

1. Introduction

Adelaide Central School of Art (the School) wishes to:

- Promote a sense of community, collegiality and professional courtesy amongst all staff and students who are viewed as emerging peers
- Value students for the diverse aspirations, skills, cultural perspectives and experiences they bring to the teaching and learning community
- Remain well-placed as a highly regarded provider of accredited higher education courses in visual art

To create the conditions for maximizing student learning and to maintain the quality of educational outcomes, the School requires students to commit to maintaining the academic integrity of their work and to observe a high standard of personal behaviour in relation to all members of the School community and toward members of the public visiting the School or contractors engaged by the School.

The Student-Misconduct Policy and Procedures describe complaint processes against students either by the School, members of staff or other students.

2. Purpose

The purpose of this policy is to set out the principles and procedures for managing student misconduct in relation to both academic and non-academic standards of behaviour.

3. Scope

This policy applies to all students of the Adelaide Central School of Art. Complaints of misconduct against a student may be made by other students, staff or the School.

4. Definitions

4.1 Academic misconduct includes acts of academic dishonesty which may include any act of dishonesty or deception in fulfilling an academic requirement including, but not limited to:

- a. use or possession of unauthorised material or technology during an examination or assessment activity
- b. possessing, using, distributing, or selling unauthorised copies of course materials
- c. representing an assessment taken by another person as one's own
- d. taking an assessment in place of another person
- e. obtaining unauthorised access to the computer files of another person or organisation, and/or altering or destroying those files
- f. the falsification of any information or citation in an academic exercise

- g. submitting work that is the same (or substantially the same) as work that has previously been submitted and included towards the satisfactory completion of another subject or course and previously credited towards a higher education degree, diploma or certificate
- h. plagiarism, which is broadly defined as knowingly presenting another person's ideas, findings or work as one's own by copying or reproducing the work without due acknowledgement of the source. Plagiarism may take several forms such as:
 - i. paraphrasing another person's work, with minor changes but with the essential form, meaning and progression of ideas maintained
 - ii. direct duplication and copying another person's work
 - iii. piecing together sections of the work of others into a new whole
 - iv. producing assignments in conjunction with other people which should be the student's own independent work
- i. disruptive behaviour that interferes with either their own or another student's ability to participate in class as required by the lecturer, including:
 - i. any behaviour that disrupts class and prevents fellow students from studying
 - ii. noisy or other anti-social behaviour during class
- j. not following the instructions given by the lecturer
- k. any other breach of School policy or rules relating to the academic integrity and the aims of the School

4.2 Non-academic misconduct includes:

- a. any conduct which impairs the reasonable freedom of other persons to pursue their studies or research or to participate in the life of the School
- b. offensive language including swearing and yelling
- c. aggressive and threatening behaviour of any form including bullying and intimidation of staff or students. This includes any type of behaviour, or series of similar or different behaviours, that unfairly or unreasonably puts down, belittles, undermines, controls, abuses, scares, intimidates, excludes, offends or embarrasses another student or member of staff, that creates a risk to health and safety (including emotional or psychological health).
- d. stealing, vandalising or causing wilful damage to school or student property
- e. disruptive behaviour (refer to examples of disruptive behaviour under Academic Misconduct)
- f. discrimination, sexual harassment and victimisation including acting in any other way that is inconsistent with State and Federal anti-discrimination laws
- g. harassment which includes conduct that unreasonably interferes with a staff member or student's work or academic performance or that creates an intimidating, hostile or offensive work or learning environment for a staff member or student
- h. causing physical harm to another or engaging in any act which endangers the mental or physical health or safety of a staff member or student
- i. attending class under the influence of the alcohol or illegal drugs
- j. manufacturing, distributing, selling, offering for sale, or possessing any illegal drug
- k. possessing or consuming alcoholic beverages at School except during events or in circumstances authorised by the School
- l. breaking any criminal law on campus or breaking any criminal law off-campus that interferes with the School's organisational objectives, mission, responsibilities or reputation
- m. any other conduct that is otherwise unlawful or in breach of the School's policies and procedures

- n. disobeying or disregarding an order or direction of a member of staff, including a direction regarding safety
- o. providing false written or oral information including:
 - i. false identification to the School or staff
 - ii. failure to give full and accurate particulars of citizenship or residency status at the time of the initial enrolment, failure to produce evidence of the residency status if required to do so by School staff, and to give full accurate particulars of any change in residency status within 14 days of any such change
 - iii. forgery, alteration, or misuse of School documents or records
 - iv. making false complaints or allegations including providing false information in relation any misconduct or grievance investigation
- p. unauthorised transferring, lending, presenting, borrowing or altering of someone else's School identification
- q. misuse of information technology including theft or abuse of information technology, e.g. computer, electronic mail, voice mail, telephone, fax, including but not limited to:
 - i. unauthorised use of information technology in class, including the use of mobile phones
 - ii. unauthorised entry into a file to use, read or change the contents, or for any other purpose
 - iii. unauthorised transfer or distribution of a file
 - iv. unauthorised use of another individual's identification and password
- r. use of information technology to:
 - i. interfere with the work of another student or staff member
 - ii. send obscene or threatening messages
 - iii. interfere with normal operations of School systems.
- s. unauthorised photography or recording in class
- t. unauthorised use or possession of property or resources belonging to the School or a staff member of the School or other person whose property is at the School and removal of or damage to School property without authorisation from a member of staff
- u. unauthorised use or alteration of safety devices, fire alarms, fire extinguishers or other emergency systems
- v. unauthorised use, distribution, duplication or possession of any key(s) issued for any School building, studio, facility, or room
- w. breaching School policy about designated smoking areas
- x. unauthorised entry into any School building, structure or facility, or onto School property
- y. any other breach of School policy or rules

5. Policy

- 5.1** The School reserves the right to treat disruptive behaviour as academic or non-academic misconduct depending on the circumstances and will apply the relevant misconduct procedures set out in this policy.
- 5.2** All misconduct proceedings and investigations shall be conducted fairly and objectively.
- 5.3** If students choose not to participate in any aspect of the misconduct processes, adverse inferences may be drawn and decisions made in their absence or without their input.
- 5.4** No information relating to the misconduct process or to the circumstances giving rise to the complaint will be divulged by the School to persons not immediately involved in the process unless it

is otherwise required by law.

- 5.5 Nothing in this policy prevents the School from calling police or taking other urgent steps as necessary in response to student misconduct to reasonably protect the safety of students, staff members or other affected members of the School community or public.
- 5.6 Nothing in this policy prevents the School from counselling or talking to students about conduct, behaviour, performance or academic progress in the normal course of School life, without having to resort to formal procedures under this policy. However a student who refuses to engage in informal discussions or counselling may be subject to the formal procedures in this policy.
- 5.7 Students are allowed to be accompanied by a third party as a support person at any stage of these processes if so desired but that support person should not be a legal representative acting in a professional capacity unless agreed by all parties involved.

6. Responsibilities

- 6.1 The Chief Executive Officer (CEO) of the School is responsible for implementation of this policy and procedures and for providing, at least once a year, a report to the Academic Board on the number and the nature of cases of misconduct handled under this policy.
- 6.2 All students are responsible for complying with the required standard of behaviour relating to academic integrity and personal behaviour in order to comply with Australian and South Australian law and School policies and to support the academic integrity and ethos of the School.

7. Procedures

7.1 Plagiarism: academic misconduct

- 7.1.1 Staff must be assured that work submitted for assessment is, in fact, the work of the person or persons being assessed.
- 7.1.2 Serious, repeated, wilful or deliberate plagiarism is a serious act of academic misconduct and will be dealt with by the Head of Department and the School's Academic Committee in accordance with the process described below.
- 7.1.3 Where plagiarism is suspected, the lecturer should raise it with the student within seven calendar days.
- 7.1.4 Should the matter be referred to the Head of Department, the Head of Department should consult with the Academic Administration Manager and decide between remedial action and referral to the Academic Committee within seven calendar days.
- 7.1.5 The student will then be notified either of the remedial action or the referral to the Academic Committee. Where possible, the student will be informed of the timeframe for the Academic Committee's response.
- 7.1.6 Should the matter be referred to the Academic Committee, it will then be tabled for the next monthly meeting of the Academic Committee.
- 7.1.7 The student will be notified of the outcome within seven calendar days of the Academic Committee meeting.

7.2 Other academic misconduct

- 7.2.1 In all cases other than plagiarism, where academic misconduct is suspected, the lecturer should refer the matter to the Head of Department. The Head of Department should consult with the Academic Administration Manager and decide between remedial action and referral to the Academic Committee within seven calendar days.
- 7.2.2 The student will then be notified either of the remedial action or the referral to the Academic Committee. Where possible, the student will be informed of the timeframe for the Academic Committee's response.

7.2.3 Should the matter be referred to the Academic Committee, it will then be tabled for the next monthly meeting of the Academic Committee.

7.2.4 The student will be notified of the outcome within seven calendar days of the Academic Committee meeting.

7.3 Non-academic misconduct

7.3.1 Cases of non-academic misconduct should be referred to the Academic Administration Manager. Students wishing to make a complaint against another student may also seek advice from the Student Liaison Officer in the first instance.

7.3.2 The Academic Administration Manager will determine if there are grounds to proceed with the matter.

7.3.3 If the decision is made to proceed, the Academic Administration Manager will consult with the CEO and relevant staff members to determine any penalties or remedial action. If required, a formal investigation will be undertaken prior to determining penalties. Investigations will be undertaken in a timely and confidential manner.

7.4 Remedies and Penalties

7.4.1 Students found to have engaged in academic or non-academic misconduct may be subject to penalties or other remedial action as considered appropriate by the School in the circumstances.

7.4.2 In determining the nature of any penalty or remedial action, the School may take into account the seriousness of the misconduct, prior history of misconduct and any other relevant matter.

7.4.3 Remedial action may include requiring the student to resubmit work or undertake an alternative form of assessment such as:

- a. counselling with the School's counsellor
- b. forced withdrawal from class
- c. warning
- d. disciplinary probation, being a period of time during which any further incidents of academic or non-academic misconduct, regardless of how serious, may attract a more serious penalty up to and including expulsion
- e. suspension
- f. expulsion
- g. a fail grade for the relevant subject for engaging in academic misconduct in assessment or examinations
- h. withdrawal or restrictions of borrowing privileges if the misconduct in anyway relates to the following:
 - Misuse of the School's Library facilities
 - Misuse of computer access, equipment or tools

7.5 Misconduct Appeals

7.5.1 A student may lodge an appeal against either or both of the following:

- a. A finding that a student has engaged in misconduct
- b. A penalty or remedial action imposed on the student in respect of the finding of misconduct

7.5.2 An appeal may only be lodged on grounds that:

- a. A procedural irregularity has occurred (which may include that the student has not received a fair hearing)

- b. There is new information that could not reasonably have been provided at the time of the original decision, and that would probably have affected the decision or any penalty imposed
- c. The penalty imposed was manifestly excessive, harsh or inappropriate

7.5.3 Timing and Process

- a. The appeal must be lodged within 21 days after the date on which the written notification of the Academic Committee's decision is served to the student.
- b. A student lodges an appeal by giving written notice to the Academic Administration Manager.
- c. The notice must be signed by the student and must specify:
 - i. the decision or penalty against which the appeal is lodged
 - ii. the grounds of the appeal
 - iii. the student's residential address
- d. The student may request that a particular member of staff sit on the Appeals Committee, subject to that person's availability.
- e. Within 21 days after a student has lodged a notice of appeal, Administration must notify the student in writing of the place, date and time for the hearing of the appeal.

7.5.4 Appeals Committee

- a. When a student submits a written notice of an appeal within the 21 day deadline, the CEO will appoint an Appeals Committee to hear the appeal consisting of:
 - i. the Chair of Academic Board
 - ii. 2 external members of Academic Board, and
 - iii. if the student has suggested a particular staff member (see 10.3 d. above), the CEO has discretionary power to appoint that staff member.
- b. The Chair will decide how the meeting will be conducted with reference to the principles of natural justice and whether any third parties will be asked to attend.
- c. The Academic Administration Manager will be executive officer of the Appeals Committee and will send written notice of the time and place of the meeting to the student and any other persons the Chair has asked to attend.
- d. The student may be supported at the meeting by a support person as described in 5.7 above.

7.5.5 Effect of an Appeal

- a. Generally, the lodging of an appeal will suspend the penalty pending the outcome of the appeal. However, in some cases, such as where the student has been suspended or excluded from class due to unacceptable behaviour, and it is necessary to protect other students or staff members, the exclusion or suspension will remain in place until the outcome of the appeal. The lodging of the appeal will not affect the withdrawal of privileges or the withholding of any testamur or academic transcript in respect of the student.
- b. The suspension of the penalty ceases to have effect if the appeal is withdrawn or determined.

7.5.6 Determination by Appeals Committee

- a. An Appeals Committee may, in relation to an appeal:
 - i. uphold the appeal
 - ii. dismiss the appeal

- iii. alter a penalty or condition imposed
- b. The Decision of an Appeals Committee is final. Written notice of the Appeal Committee's decision will be forwarded to the student concerned as soon as is reasonably practicable.

8. External appeals

- 8.1** If not satisfied with the School's decision in relation to a grievance made under this policy, a complainant may seek an external review (appeal). A complainant seeking an external review should submit a written request to Independent Higher Education Australia, who will appoint external reviewers and/or a professional mediation service as appropriate. For an external review to be approved, a complainant must have exhausted the internal grievances procedures outlined in this policy.

Independent Higher Education Australia (IHEA)

Phone: 03 9642 5212

Email: contact@ihea.edu.au

Web: <https://ihea.edu.au>

Related Documents

- Student Handbook
- Student Grievance Policy and Procedures
- Respectful Behaviour Code of Conduct
- A007 Sexual Harassment Policy

APPENDIX A: Policy Amendments

1. Version 1: Approved by the Board of Governors on 4 October 2014
2. Version 2: Updates to 4.1 Academic misconduct; 4.2 Non-academic misconduct; 7. Procedures – including the inclusion of 7.3 Procedures for Non-academic misconduct. Approved by the Board of Governors on 26 November 2018
3. Minor amendment: changes to external appeals process: 27 February 2020.