Student Misconduct Policy and Procedures

Policy ID	S002
Previous versions	8 October 2014, 26 November 2018, 13 December 2021, 29 May 2023
Current version	Approved by the Board of Governors, 31 March 2025
Scheduled review date	March 2028
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 is a wilful and/or serious and/or repeated breach of academic integrity**.** This may include any act of dishonesty or deception in fulfilling an academic requirement including, but not limited to:

a. Plagiarism: When a student submits work that is not their own and fails to adequately acknowledge, cite or reference the original source, including but not limited to:

- paraphrasing another person's work, with minor changes but with the essential form, meaning and progression of ideas maintained,
- direct duplication and copying another person's work, or
- piecing together sections of the work of others into a new whole.

b. Recycling work: When a student submits work that has previously been submitted and assessed during their enrolment at ACSA.

c. Fabricating information: This may include, but is not limited to, the falsification of data, invention of sources, or incorrect attribution of sources.

d. Collusion: Cooperating with one or more students to complete an assessment task that should be completed independently.

e. Contract cheating and impersonation: When a student outsources their work to a third party, including when a student purchases an assessment task from another person or service or uses artificial intelligence software or paraphrasing tools to complete an assessment task.

f. Use or possession of unauthorised material or technology during an examination or assessment activity.

g. Possessing, using, distributing, or selling unauthorised copies of course materials.

h. Obtaining unauthorised access to the computer files of another person or organisation, and/or altering or destroying those files.

i. Any other breach of the principles of the academic integrity.

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 that interferes with either their own or another student's ability to participate in class as required by the lecturer, including:

- any behaviour that disrupts class and prevents fellow students from studying, or
- noisy or other anti-social behaviour during class.

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 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, or

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, or

   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, or

   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 All misconduct proceedings and investigations shall be conducted fairly and objectively.

5.2 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.

5.3 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.

5.4 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.

5.5 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.

5.6 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 Academic Misconduct

7.1.1 Suspected breaches of academic integrity, including but not limited to the items 4.1 a-h listed above, will be investigated under the Academic Integrity Policy and Procedures. If a suspected breach is found to be Academic Misconduct under the Academic Integrity Policy and Procedures, penalties and remedies will then be determined under this policy,

7.2 Non-academic misconduct

7.2.1 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 Support Team in the first instance.

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

7.2.3 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.

7.3 Remedies and Penalties

7.3.1 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.

7.3.2 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.

7.3.3 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. an academic penalty (e.g. reduction in marks or 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.

7.4 Misconduct Appeals

7.4.1 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.

7.4.2 Grounds for an Appeal

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.

7.4.3 Timing and Process

a. The appeal must be lodged within 21 days after the date on which the written notification of the 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 specify:

   i. the decision or penalty against which the appeal is lodged,

   ii. the grounds of the appeal,

d. The student may request that a particular member of staff sit on the Student AppealsPpanel, 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.

7.4.4 Student Appeals Panel

a. When a student submits a written notice of an appeal within the 21 day deadline, the CEO will appoint an Student Appeals Panel to hear the appeal consisting of:

   i. the Academic Director (or delegated member of the Academic Committee)
   ii. one Academic Board member, and
   iii. one member of academic staff
   iv. 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. Wherever practicable, membership of the student appeal panel convened to hear an appeal remains the same throughout the hearing of the matter notwithstanding any adjournment.

c. The student appeal panel must not include anyone who has, or who may reasonably be perceived to have, a bias or conflict of interest in the matter. For avoidance of doubt, a person who was involved in the matter being appealed may not be a member of the student appeal panel. In cases where it is not possible to appoint the Academic Director (or delegated member of the Academic Committee) due to this requirement, then a member of the Academic Board will be appointed in their place.

d. The Academic Administration Manager will be executive officer of the Student Appeals Panel and will send written notice of the time and place of the meeting to the student and any other persons asked to attend.

e. The student may be supported at the meeting by a support person as described in 5.6 above.

7.4.5 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.

7.4.6 Determination by the Student Appeals Panel

a. A Student Appeals Panel may, in relation to an appeal:

i. uphold the appeal,

ii. dismiss the appeal, or

iii. alter a penalty or condition imposed

b. The Decision of an Student Appeals Panel is final. Written notice of the decision will be forwarded to the student concerned as soon as is reasonably practicable.

8. External service for complaints and appeals

8.1 The National Student Ombudsman is a free, impartial, and independent service for students to escalate complaints about the actions of their higher education provider. The NSO can consider a range of issues including student safety and wellbeing, racism and racial vilification, discrimination, gender-based violence, course administration, and the fairness and effectiveness of student complaints. For complaints that students haven't been able to resolve or don't feel safe talking to Adelaide Central School of Art about, students can contact the NSO. The NSO will ask students if they have raised the matter with Adelaide Central School of Art but this is not mandatory.

Please note, the NSO cannot consider complaints about academic decisions, such as complaints about grades. However, administrative complaints related to grades, such as complaints about the appeals process, may be considered by the NSO.

The NSO will work with students to consider the best resolution pathway. Find out more at nso.gov.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.
4. Version 3: Updated to align with the Academic Integrity Policy & Procedures. Approved by the Board of Governors 29 May 2023.
5. Version 4: Inclusion of National Student Ombudsman in Item 8, 31 March 2025.