



Student Guild of Curtin University

56th Guild Council – Meeting #10

To be held at 5.30PM on Monday 13th of October 2025

Online Via Microsoft Teams

Minutes

Opened 5.34pm

1. Acknowledgement of the Traditional Owners

"The Curtin Student Guild pays our respect to the Aboriginal and Torres Strait Islander members of our community by acknowledging the traditional owners of the land on which the Bentley Campus is located, the Wadjuk people of the Nyungar Nation; and on our Kalgoorlie Campus, the Wongutha people of the North-Eastern Goldfields. We acknowledge and respect their continuing culture and the contribution they make to the life of this university, city and this region."

2. Attendance

- 2.1. Members Present; Ben Burgess, Dylan Storer, David Phillips, Noor Fella, Mitch Craig, Ebony Whitney, Callum Baxter, Hamide Kocer, Razanne Al-Abdeli (5.40pm), Max Zhang (5.40pm), Bridget Clifton, Emily Lassam
- 2.2. Others Present; Vernon Thompson, Maryanne Shaddick (minute taker), Jo Ann Naidu, Tom Harrowing, Tahsin Anowar (5.40pm)
- 2.3. Apologies and Leave of Absence; Hadiya Naeemi
- 2.4. Absent; Coben Foster

3. Disclosure of any potential or perceived Conflicts of Interest. None

4. Business on Notice

4.1. Changes to the Student Misconduct Rules

Motion: That the Guild Council: **approve** the President and Vice President - Education to give feedback and recommendations on behalf of Guild Council on changes to the rules made pursuant to *Statute No. 10 – Student Discipline* according to the following position:

Motion: That the Guild Council:

approve the President to give feedback and recommendations on behalf of Guild Council on changes to the rules made pursuant to *Statute No. 10 – Student Discipline* according to the following position:

That the general feedback in the circulated feedback document be endorsed and the following positions:

- a) That the confidentiality section be changed to allow students to speak freely about their misconduct subject to not being able to cause harm to victims or disclosing legally or commercially confidential information. We want to strengthen students right to free speech.
- b) That in regard to questioning witnesses, the student accused may submit questions to the enquiry officer or chair, as applicable. Those questions must be asked of the witness, provided they are reasonable and relevant.
- c) That the University in the first notification notice provide information related to the students rights and/or options when presented with academic misconduct.
- d) That The Guild be involved in the drafting of templates for misconduct notices sent to students.
- e) That the support person be allowed to advocate for, and explain proceedings to, the student.

Moved: Ben Burgess
Seconded: Dylan Storer
Carried

Ben Burgess said he sent an email with his comments and those from Dylan Storer, Mitch Craig, Cooper Henrickson, and the Student Assist Team to ensure that Curtin's revised misconduct processes remain fair, transparent, and student-centred.

Dylan Storer said the changes were acceptable and that the Guild had some things that required clarification and improvement. He noted that the Guild had tidied up language with the aim of making the document easy to understand and ensuring the process was as fair as possible. Dylan note that this was a matter reserved to Guild Council. The feedback period was closing at the end of this week.

Emily Lassam said the changes should be in the best interests of students so that they had more rights not less. Emily expressed concern about point 30. *Confidentiality* saying that students should have a right to waive confidentiality. Universities should be a place for free speech.

Hamide Kocer said she agreed with Emily Lassam. There was a huge power imbalance between the university and students. There was not enough about free speech in this policy. There was a discussion about confidentiality. Mitch Craig spoke raised SASH issues saying that we could work on the wording of the conditions regarding confidentiality. Emily Lassam agreed that care needed to be taken with SASH issues. There was discussion about 30.1b. Mitch said we need to get a general principle across and then Dylan Storer and Ben Burgess could negotiate that with the university. Hamide expressed her concern that wording reflected her and Emily's input on confidentiality. Dylan asked whether the Guild Council was comfortable saying that it should be written in a way that students could discuss their misconduct as long as there were rules in place to protect victims. He noted that we needed to be conscious that victims could be students. Hamide requested that we add a section on political free speech. Mitch noted that academic freedom of speech was already in university policy. He noted that we could work on strengthening the freedom of speech policy at Curtin.

There was a discussion about section 28 and the ability to ask questions of witnesses. Students accused of misconduct should be able to send a list of questions to the Enquiry Officer or Chair to ask so long as they were reasonable and relevant. Mitch Criag said that the university could not decide what were reasonable and relevant questions. It was noted that students could get legal advice. As well it was noted that the Student Ombudsman waited until the university process was finished before looking at the case. Mitch Craig asked if everyone was happy with the document that Ben Burgess circulated. There was discussion about whether to add that students could speak to a lawyer or the Guild. It was noted a lawyer could not present /engage at the hearing. Even a support person could not speak at the hearing. There was discussion about advocating that students bring someone with legal knowledge to explain matters to the student. It was noted that there was no definition of support person.

6.24pm Noor left

Meeting closed 6.40pm

CONFIDENTIALITY

- ☒ OPEN
☐ CONFIDENTIAL

GUILD COUNCIL – 13TH OCTOBER 2025

Student Misconduct Rules

Submitted: Dylan Storer (President)
Moved: Ben Burgess (Vice President - Education)
Seconded: Dylan Storer (President)

Preamble:

Giving recommendations on changes to University Statutes and Rules is a matter reserved to Guild Council. The University intends to combine the three sets of misconduct rules into a single set of rules and make large scale changes to the misconduct process.

Motion: That the Guild Council:

approve the President to give feedback and recommendations on behalf of Guild Council on changes to the rules made pursuant to *Statute No. 10 – Student Discipline* according to the following position:
Position decided by Guild Council at the meeting to be inserted here

Attachment/s:

Attachment A	Draft Student Misconduct Rules
Attachment B	Misconduct Rules Compendium of Changes
Attachment C	Misconduct Process Flowchart

Student Misconduct Rules 2026

Part 1 – Preliminary

1. Short title

These Rules are the Student Misconduct Rules 2026.

2. Commencement

These Rules take effect when they are promulgated in accordance with *Statute No. 3 – Rules and By-Laws*.

3. Application

These Rules apply to all Students.

4. Interpretation

4.1 In these Rules:

Academic Misconduct means conduct by a Student, other than conduct constituting Academic Record Fraud or General Misconduct, that is dishonest or unfair in connection with any academic work, such as:

- (a) during any exam, test or other supervised assessment activity;
- (b) in relation to the preparation or presentation of any assessed item of work; or
- (c) in relation to the conduct of research or any other similar academic activity.

Academic Record means any document or other record containing information relating to a person's academic results, awards or achievements.

Academic Record Fraud means conduct by a Student, other than conduct constituting Academic Misconduct or General Misconduct, that is dishonest in connection with an Academic Record, such as:

- (a) falsifying, or arranging the falsification of, an Academic Record;
- (b) giving false or misleading information in relation to an Academic Record; or
- (c) allowing a false or misleading Academic Record to be presented on behalf of the Student or another person.

Act means the *Curtin University Act 1966* (WA).

Authorised Officer means a person who is appointed by the Academic Registrar to be an Authorised Officer.

Award means a degree, diploma, certificate or honorary award of the University under section 18 of the Act.

Course means a structured combination of approved Units which when completed qualifies a Student for an award from the University.

General Misconduct means conduct by a Student, other than conduct constituting Academic Record Fraud or Academic Misconduct:

- (a) which contravenes any written law of the Commonwealth of Australia, a State or Territory of Australia or any other country, and where the written law relates to an activity associated with the Student being a Student of the University;
- (b) which contravenes the provisions of the Act or any Statute, rule or by-law, or a University code of conduct, policy or procedure;
- (c) which contravenes any lawful direction by a member of the staff of the University;
- (d) which infringes the reasonable freedom of other persons to —
 - (i) pursue their study, research, duties or other lawful activities on premises owned or controlled by the University, or elsewhere while engaged in an activity under the auspices of the University; or
 - (ii) participate in the life of the University; or
- (e) which is otherwise detrimental to the proper conduct of the University or the University's reputation.

Inquiry Officer means the person assigned by the Authorised Officer to undertake an inquiry or investigation pursuant to these Rules.

Inquiry Officer Report means a report prepared by the Inquiry Officer.

Penalty means one or more penalty imposed on a Student for Student Misconduct pursuant to these Rules. A Penalty may be categorised as a Category 1 Penalty or Category 2 Penalty as defined in Rule 8.

Staff Member means an employee of the University or a staff member engaged at any Current global campus.

Statute 10 means *Statute No. 10 – Student Discipline*.

Student means a person who is or was:

- (a) an enrolled student as defined in section 4(1) of the Act;
- (b) admitted, or applying to be admitted, to a Course or Unit conducted by the University; or
- (c) engaged, or applying to be engaged, in a structured program of learning provided by or for the University.

Student Conduct Appeal Panel means the panel constituted in accordance with Schedule 2 of these Rules.

Student Conduct Panel means the panel constituted in accordance with Schedule 1 of these Rules.

Student Misconduct means conduct by a Student that is:

- (a) Academic Record Fraud;
- (b) Academic Misconduct; or
- (c) General Misconduct.

Unit means a discrete entity of study within a subject area that is a component of a Course.

Warning means any warning issued when a Student's conduct falls short of expected standards.

- 4.2 Where these Rules refer to a number of days, that number excludes:
- (a) a day which is a compulsory shutdown day at the Bentley campus;
 - (b) a public holiday at the campus where the Student is enrolled; and
 - (c) a public holiday in Western Australia.

5. Principles

- 5.1 In accordance with Statute 10:
- (a) a Student must be given the opportunity to respond to any allegation of Student Misconduct before a decision is made whether Student Misconduct has occurred;
 - (b) a Student must have a right of appeal against any finding that Student Misconduct has occurred and any Penalty that is imposed; and
 - (c) an appeal must be determined by a decision maker not involved in the original decision.
- 5.2 Students are entitled to procedural fairness in the management of allegations of Student Misconduct, including during any appeal.
- 5.3 Inquiry Officers, Authorised Officers, Student Conduct Panels, and Student Conduct Appeal Panels:
- (a) are not bound by the rules of evidence and may inform themselves on any matter in any way that they consider to be appropriate;
 - (b) must make any decision on the balance of probabilities; and
 - (c) will endeavour to act without unnecessary formality and technicality.

6. Student Misconduct

A Student must not engage in Student Misconduct.

7. Warnings

- 7.1 A Staff Member may issue a Warning to a Student in relation to the Student's conduct in accordance with relevant Guidelines and through the system specified by the Academic Registrar.
- 7.2 A Student may request that the Academic Registrar review a Warning if the Student reasonably believes that the Warning was made in error.
- 7.3 A Warning is not a Penalty.

8. Penalties

- 8.1 A **Category 1 Penalty** is any one or more of the following:
- (a) An admonishment.
 - (b) Require the Student to complete an educative action.
 - (c) Require the Student to draft an apology in a form approved by the University to be provided to an aggrieved party.
 - (d) Suspend any or all of the Student's rights and privileges within the University for a defined period including any one or more of the following:

- (i) exclusion from attending any specified scheduled class activity, such as a lecture, seminar or tutorial workshop;
 - (ii) exclusion from all or a specified part of a campus or education centre;
 - (iii) exclusion from participating in any university activity;
 - (iv) denial of access to any or all facilities or services of the University; or
 - (v) exclusion from enrolment in any Units or admission to any Courses.
- (e) Require the Student to revise and re-submit the Student's thesis before the thesis is submitted or under examination.
- (f) Revoke the Student's credit for recognised learning for a Unit(s).
- (g) In relation to any academic work, any one or more of the following:
- (i) Require the Student to address an issue identified with any academic work (or portion of any academic work) and resubmit or repeat any amount of that academic work before a specified deadline. This may include or result in a reduction in the maximum mark the Student may achieve for that academic work.
- Note: a failure by a Student to comply with this Penalty will result in a reduced or nil grade for the academic work.*
- (ii) A reduced mark, a nil mark, or a Fail grade for an assessable piece of academic work.
- (h) Another penalty approved in writing by the Academic Registrar that is considered reasonable in the circumstances. The Academic Registrar must notify the Vice-Chancellor within 3 working days if another penalty is imposed.

8.2 A *Category 2 Penalty* is any one or more of the following:

- (a) An ANN grade for a relevant Unit(s).
- (b) A FAIL classification for the Student's thesis.
- (c) Revoke the Student's offer of admission.
- (d) Cancel the Student's enrolment in any Unit(s).
- (e) Terminate the Student's admission to any Course.
- (f) Expel the Student from the University.
- (g) Prohibit the Student's enrolment or re-enrolment in any Unit(s) or admission or re-admission to any Course.
- (h) Rescind the Student's Award.
- (i) A fine up to \$1,000.
- (j) Another penalty approved in writing by the Academic Registrar that is considered reasonable in the circumstances. The Academic Registrar must notify the Vice-Chancellor within 3 working days if another penalty is imposed.

8.3 Any Penalty imposed may be subject to conditions deemed appropriate by the decision maker.

Note: for example, a Penalty may be suspended for a specified period.

- 8.4 A decision maker must consider the following factors when imposing any Penalty:
- (a) The nature, frequency and seriousness of the Student Misconduct.
 - (b) Any previous record of Student Misconduct and/or Warnings.
 - (c) Any relevant mitigating or aggravating circumstances as determined by the decision maker.
 - (d) Any other relevant matter as determined by the decision maker.

Part 2 – Reporting and preliminary assessment

9. Reporting

- 9.1 If a Staff Member reasonably suspects that a Student has engaged in Student Misconduct, that person must ensure that it is reported to the Office of the Academic Registrar.
- 9.2 If any other person reasonably suspects that a Student has engaged in Student Misconduct, that person may report it to the Office of the Academic Registrar.

10. Allegations

An allegation of Student Misconduct may consist of one or more instances of Student Misconduct. A decision maker may consider these instances concurrently or separately at their discretion.

11. Preliminary Investigation

- 11.1 When a report of suspected misconduct is received, an Inquiry Officer will carry out a preliminary investigation and prepare a report, which must be provided to the Authorised Officer.
- 11.2 The report will describe the circumstances of the case and may include recommendations and material that will assist the Authorised Officer in making their determination.

12. Preliminary assessment

- 12.1 When an allegation of suspected Student Misconduct is received, the Authorised Officer must consider the allegation and preliminary report and must do one of the following:
- (a) If the Authorised Officer reasonably believes there are insufficient grounds to warrant further investigation, they must dismiss the matter.
 - (b) If the Authorised Officer reasonably believes it is appropriate to deal with the matter as a Warning, they must issue the student with a Warning.
 - (c) If the Authorised Officer reasonably believes there are sufficient grounds to warrant further investigation, they must:
 - (i) commence the Pathway 1 Process in accordance with Rule 13; or
 - (ii) commence the Pathway 2 Process in accordance with Rule 14 where, having regard to the requirements of Rule 8.4, the circumstances of the matter indicate that a Category 2 Penalty may be imposed.

Part 3 – Pathway 1 Process

13. Pathway 1 – Authorised Officer

13.1 The Authorised Officer must provide the Student with:

- (a) written notice of:
 - (i) the substance of each allegation of Student Misconduct; and
 - (ii) the proposed determination that the Student has engaged in Student Misconduct; and
 - (iii) any one or more proposed Category 1 Penalty; and
- (b) all information and documentation that is reasonably necessary to enable the Student to respond to each allegation; and
- (c) written notice that the Student has 7 days to:
 - (i) accept the proposed determinations as to Student Misconduct and Penalty in their entirety — if so, the matter will not be considered further, and the Student waives any appeal rights; or
 - (ii) reject the proposed determinations as to Student Misconduct and/or Penalty and respond to the allegation(s) — if so, the Authorised Officer must determine the matter in accordance with Rule 13.4.

13.2 In exceptional circumstances, the Authorised Officer may give a Student more time to respond.

13.3 If a Student does not respond within 7 days (or otherwise as permitted by the Authorised Officer) or make an election under Rule 13.1(c), the Authorised Officer must determine the matter in accordance with Rule 13.4.

13.4 The Authorised Officer must:

- (a) Give due consideration to any written submission received from the Student and determine whether:
 - (i) the matter is to be dismissed;
 - (ii) the conduct of the Student is to be dealt with as a Warning
 - (iii) the Student has engaged in Student Misconduct and any one or more Category 1 Penalty is to be imposed; or
 - (iv) the matter is to be referred to the Student Conduct Panel under Part 4 (Pathway 2 Process).
- (b) Give the Student written notice of the determination made.

Part 4 – Pathway 2 Process

14. Pathway 2 – Student Conduct Panel

14.1 The Authorised Officer will assign an Inquiry Officer to investigate each allegation under the Pathway 2 Process and to prepare an Inquiry Officer Report.

14.2 As part of any investigation, the Inquiry Officer must ensure that the Student receives:

- (a) written notice of the substance of each allegation; and
 - (b) information about the range of possible Penalties; and
 - (c) all information and documentation that is reasonably necessary to enable the Student to respond to each allegation; and
 - (d) written notice that the Student has 7 days to respond in writing to all allegations. In exceptional circumstances, the Inquiry Officer may give a Student more time to respond.
- 14.3 When the Inquiry Officer has finished their investigation, the Inquiry Officer must prepare an Inquiry Officer Report and provide it to the Student Conduct Panel.
- 14.4 The Inquiry Officer Report must include:
- (a) a summary of the facts;
 - (b) a copy of the Student's response (if any); and
 - (c) all relevant material.
- 14.5 The Inquiry Officer Report may include a recommendation on appropriate Penalties having regard to the requirements of Rule 8.4.
- 15. Student Conduct Panel**
- 15.1 The Student Conduct Panel must:
- (a) consider the Inquiry Officer Report and the Student's response;
 - (b) make a finding that:
 - (i) the Student has not engaged in Student Misconduct and/or there is insufficient evidence to find that Student Misconduct has occurred and the matter is dismissed; or
 - (ii) the matter should instead be dealt with as a Warning; or
 - (iii) the Student has engaged in Student Misconduct and any one or more Penalty that should apply;
 - (c) give the Student:
 - (i) written notice of, and reasons for, the decision made, and any Penalty imposed; and
 - (ii) details of how the Student may appeal the Student Conduct Panel's determination under these Rules.
- 15.2 The Student Conduct Panel may direct the Inquiry Officer to make further inquiries to assist the Student Conduct Panel to make a finding.

Part 5 – Appeals

16. Right of appeal

- 16.1 A Student may appeal a decision of the Authorised Officer and Student Conduct Panel that Student Misconduct has occurred and/or any Penalty imposed:
- (a) within 7 days of a decision made or Penalty imposed under the Pathway 1 Process; or

- (b) within 14 days of a decision made or Penalty imposed under the Pathway 2 Process.
- 16.2 In exceptional circumstances, the Academic Registrar may give a Student more time to appeal.
- 16.3 An appeal may only be made on one or more of the following grounds set out in 16.3(a) or 16.3(b):
 - (a) That the decision was made in breach of the requirements of procedural fairness, including but not limited to any decisions:
 - (i) made without the Student having an opportunity to respond;
 - (ii) made without the Student being given notice of the case;
 - (iii) not compliant with a material requirement of these Rules; or
 - (iv) based on a material mistake as to the facts.
 - (b) The Student has access to new evidence that:
 - (i) is relevant;
 - (ii) was not available or known to the Student at the time of responding to the allegation; and
 - (iii) could reasonably be expected to affect the decision of Student Misconduct or the Penalty imposed.
- 16.4 A Student's failure to obtain or provide evidence that could reasonably have been available or known to the Student at the time of responding to the allegation is not a valid ground of appeal.
- 16.5 The Student's notice of appeal must:
 - (a) identify the grounds from Rule 16.3 which the Student relies on as the basis for the appeal;
 - (b) set out the reasons for their appeal;
 - (c) include any relevant supporting documentation; and
 - (d) be made within the required time.
- 16.6 The Academic Registrar will determine whether the Student's notice of appeal:
 - (a) meets the requirements of Rule 16.3 — if so, the matter will be referred to the Student Conduct Appeal Panel; or
 - (b) does not meet the requirements of Rule 16.3 or does not have reasonable prospects of success — if so, the notice of appeal will be rejected and the matter will not be referred to the Student Conduct Appeal Panel.
- 16.7 The Academic Registrar may, in exceptional circumstances, allow a Student to correct any defect in a notice of appeal.
- 16.8 The parties to an appeal are the Student and the University. The Academic Registrar will appoint a person to represent and make submissions on behalf of the University.
- 17. Student Conduct Appeal Panel**
- 17.1 An appeal will be conducted as a hearing by the Student Conduct Appeal Panel.
- 17.2 Each party must be given at least 7 days notice before an appeal hearing.

- 17.3 An appeal must be confined to the grounds of appeal in the Student's notice of appeal. The Student Conduct Appeal Panel Chair (**SCAP Chair**) may allow the Student to amend their notice of appeal during an appeal hearing.
- 17.4 The Student Conduct Appeal Panel must consider:
- (a) the Inquiry Officer Report and the Student's response;
 - (b) the Student's notice of appeal;
 - (c) any submissions made by the Student or the University in relation to the grounds of appeal; and
 - (d) any other relevant matter as determined by the Student Conduct Appeal Panel.
- 17.5 Following an appeal hearing, the Student Conduct Appeal Panel may uphold, vary or set aside any decision in relation to Student Misconduct and/or any Penalty.
- 17.6 The Student Conduct Appeal Panel must give written notice of its decision to the Student and the Academic Registrar as soon as reasonably practicable.
- 17.7 A decision of the Student Conduct Appeal Panel is final. No further internal review or appeal may be made.

18. Conduct of an appeal hearing

- 18.1 The SCAP Chair controls the proceedings of any appeal hearing.
- 18.2 The Student may be accompanied by a support person. A support person must not act as the Student's advocate unless allowed by the SCAP Chair. The SCAP Chair may still directly question the Student and require that the Student provide a response.
- 18.3 If the Student does not attend the appeal hearing, the SCAP Chair may determine that the appeal hearing is to proceed in the Student's absence.
- 18.4 The Student or witness must appear before the appeal hearing as reasonably directed by the SCAP Chair.
- 18.5 If the appeal hearing is being conducted by video call, the SCAP Chair may direct the Student or a witness to turn on their camera or take other reasonable steps to adequately identify themselves.
- 18.6 If the Student or a witness fails to adequately identify themselves, the SCAP Chair may direct the Student or witness to leave the appeal hearing.
- 18.7 The Student or a witness in an appeal hearing may be directed by the SCAP Chair to leave an appeal hearing if their behaviour is unreasonably disruptive or in any way undermines the appeal hearing process.
- 18.8 If the SCAP Chair directs the Student or a witness to leave the appeal hearing, the appeal hearing may proceed without the Student or that witness.

Part 6 – General

19. Temporary measures

19.1 Notwithstanding any provision of these Rules, a decision maker described in schedule 3 may, in their absolute discretion and without a hearing, impose any one or more of the following temporary measures:

- (a) suspend a Student from entering all or a specified part of University lands, a campus or an education centre or from accessing specified University buildings, facilities or accommodation;
- (b) exclude a Student from participating in any classes or any University Activity;
- (c) deny a Student access to any or all facilities or services of the University;
- (d) apply a sanction to the Student's record;
- (e) direct a Student to attend alternative classes or University activities; or
- (f) direct a Student not to contact any other Student or person,

for such a period and on such conditions as the decision maker considers necessary subject to the requirements in schedule 3.

19.2 A decision maker may only impose a temporary measure if that temporary measure:

- (a) is necessary or appropriate to protect the University (including the health and safety of any person);
- (b) is necessary or appropriate to minimise the risk of further Student Misconduct;
- (c) is necessary or appropriate to minimise any opportunity for the Student to conceal information in relation to possible Student Misconduct; or
- (d) is otherwise in the interests of the University.

19.3 A decision to impose a temporary measure:

- (a) may be amended or withdrawn at any time by the decision maker or the Vice-Chancellor;
- (b) cannot be appealed; and
- (c) is not a Penalty.

19.4 A failure to comply with a temporary measure may be treated as Student Misconduct.

20. Compliance with Rules

20.1 If at any stage of a process under these Rules, the Academic Registrar reasonably believes that these Rules have not been followed:

- (a) the Academic Registrar may direct a person or decision maker to take any steps reasonably necessary to ensure that these Rules are followed; and
- (b) the person or decision maker must comply with that direction.

21. Suspension of process and power to refer

21.1 At any time following a report of Student Misconduct, the Academic Registrar may:

- (a) refer any matter to any relevant authority;

- (b) direct that any investigation or process under these Rules be paused or permanently discontinued; or
- (c) do any other thing that is not otherwise inconsistent with these Rules that is reasonably necessary for the prompt, efficient and effective management of any process under these Rules.

22. Errors

22.1 A decision made under these Rules may be corrected by the Academic Registrar where:

- (a) there is an obvious clerical or typographical error or omission in the text of that decision;
- (b) a document (or a reference to it) was omitted;
- (c) there is an error arising from an accidental slip or omission; or
- (d) there is a defect of form.

22.2 Any correction made to a decision must be notified to the Student promptly following discovery of that error, defect or omission.

23. Guidelines

23.1 The Academic Registrar may make guidelines not inconsistent with Statute 10 or these Rules about any matter, including:

- (a) alternative methods for managing student behaviours that warrant educative or remedial interventions rather than being dealt with under these Rules;
- (b) to ensure Student Misconduct is managed and sanctions are imposed appropriately and consistently under these Rules; and
- (c) any other matter the Academic Registrar considers necessary for the reasonable or efficient operation of these Rules.

24. Delegations and authorisations

24.1 The Vice-Chancellor may:

- (a) delegate any of the Vice-Chancellor's functions under these Rules; and
- (b) authorise any person to carry out, on behalf of the Vice-Chancellor, any of the Vice-Chancellor's functions under these Rules.

24.2 The Academic Registrar may:

- (a) delegate any of the Academic Registrar's functions under these Rules;
- (b) authorise a person to carry out, on behalf of the Academic Registrar, any of the Academic Registrar's functions under these Rules; and
- (c) appoint a person to be the Authorised Officer, either for a specified period or in respect of a particular instance of possible Student Misconduct.

25. Call for Nominations

25.1 The Current Student Guild President must each year:

- (a) call for nominations for Students willing to be appointed as Student members of Student Conduct Panels or Student Conduct Appeal Panels; and

(b) provide a list of these nominations to the Academic Registrar.

25.2 Student members of the Student Conduct Panels or Student Conduct Appeal Panels are not limited to those Students nominated by the Student Guild.

26. Notice

26.1 Any notice given to a Student for the purposes of these Rules is sufficient if it is sent or delivered to the Student:

- (a) by hand;
- (b) by mail at the Student's last known address;
- (c) sent to a Student by email at the Student's University email address;
- (d) sent to a Student by email at an email provided to the University by the Student; or
- (e) sent to a Student by the University's official communication channel.

26.2 A notice is deemed to have been received:

- (a) if received by hand, when it is received;
- (b) if sent by mail, 5 days after it is posted;
- (c) if sent by email, 24 hours after the time it was sent; or
- (d) if sent by the University's official communication channel, 24 hours after the time it was sent.

27. Extension of time limits

27.1 The Academic Registrar:

- (a) may, in their absolute discretion, extend a time limit under these Rules;
- (b) may extend a time limit retrospectively; and
- (c) must not extend a time limit for any longer than is reasonably necessary.

28. Questioning witnesses

28.1 There is no automatic right for a Student to question witnesses.

28.2 An Inquiry Officer may permit a Student to question witnesses during an investigation, subject to conditions to be determined at the sole discretion of the Inquiry Officer.

28.3 The Chair of the Student Conduct Panel or the Student Conduct Appeal Panel (as relevant) may permit a Student to question witnesses during a hearing subject to conditions to be determined at the sole discretion of the relevant Chair.

29. No withdrawal

A Student under investigation for Student Misconduct cannot withdraw from any Unit related to that Student Misconduct investigation.

30. Confidentiality

30.1 All matters dealt with under these Rules must be treated confidentially, except that:

- (a) The Academic Registrar may disclose any information relating to any matter dealt with under these Rules:

- (i) for the purposes of obtaining advice in relation to those matters;
 - (ii) for the purposes of aiding in an investigation;
 - (iii) to cause any outcome to be implemented;
 - (iv) to aid in a decision-making process of the University;
 - (v) if required to do so by a regulatory body, professional association, accreditation authority or another educational institution; or
 - (vi) if required to do so by any law.
- (b) A Student the subject of any Student Misconduct process under these Rules may disclose any information relating to any matter concerning that Student:
- (i) to a support person, representative or personal advisor for the purposes of obtaining support, representation or advice in relation to those matters;
 - (ii) if required to do so by a regulatory body, professional association, accreditation authority or another educational institution;
 - (iii) to seek external review of a decision made under these Rules; or
 - (iv) if required to do so by any law.

31. Schedules

Schedules 1, 2 and 3 have effect.

32. Repeal

The following rules are repealed:

- 32.1 Academic Misconduct Rules 2025;
- 32.2 Academic Record Fraud Rules 2017; and
- 32.3 General Misconduct Rules 2017.

Schedule 1 – Student Conduct Panel

1. Student Conduct Panel members

- 1.1 The members of a Student Conduct Panel will be appointed by the Academic Registrar. The members will be:
- (a) The Student Conduct Panel Chair – who may be any person appointed by the Academic Registrar.
 - (b) A Staff Member.
 - (c) A Student.

2. Quorum and voting

- 2.1 Quorum for a Student Conduct Panel is the Student Conduct Panel Chair and one other member
- 2.2 Decisions are to be made by majority. In the case of a tied vote, the Student Conduct Panel Chair has a casting vote.

Schedule 2 – Student Conduct Appeal Panel

1. Student Conduct Appeal Panel members

1.1 The members of a Student Conduct Appeal Panel will be appointed by the Academic Registrar. The members will be:

- (a) The Student Conduct Appeal Panel Chair – who may be any person appointed by the Academic Registrar.
- (b) A Pro Vice-Chancellor (or their delegate).
- (c) A Student.

2. Quorum and voting

2.1 Quorum for a Student Conduct Appeal Panel is the Student Conduct Appeal Panel Chair and two other members.

2.2 Decisions are to be made by majority.

Schedule 3 – Temporary Measures

Periods for Exclusion or Denial

The following table applies in respect of Rule 19:

Period of exclusion or denial	Decision maker	Reporting
Up to 1 week	Head of School	Action taken by the Head of School must be reported to the relevant Pro Vice-Chancellor and the Academic Registrar
Up to 2 weeks	Pro Vice-Chancellor	Action taken by the Pro Vice-Chancellor must be reported to the Academic Registrar
Up to 8 weeks	Academic Registrar	Action taken by the Academic Registrar must be reported to the Vice-Chancellor
Over 8 weeks	Vice-Chancellor	N/A

COMPENDIUM OF CHANGES STUDENT MISCONDUCT RULES

DRAFT ONLY: The accompanying misconduct rules are in draft, pending change approval. Readers should refer to the approved versions of statutes and rules published at: <https://www.curtin.edu.au/about/governance/compliance-legal/find-a-policy/>

NOTE: This document summarises proposed substantive changes to the misconduct rules under review. For a complete record of all proposed changes, including administrative and formatting changes, readers are advised to refer to the draft in mark-up.

ACADEMIC CALENDAR POLICY			
ITEM	DESCRIPTION OF CHANGE		
	GENERAL CHANGES		
	Academic Misconduct Rules (AMR), Academic Record Fraud Rules (ARFR) and General Misconduct Rules (GMR) combined into single Misconduct Rules. All types of misconduct to be governed by same procedural steps and principles to simplify processes.	Rules-wide revision from 90 pages: 35 pages (AMR), 30 pages (GMR), 25 pages (ARFR)	One composite document of 16 pages covering AMR, GMR, ARFR.
	Through the definition of a 'Staff Member' the staff role is broadened to include staff from Global Campuses, who may play a role under the Rules.	AMR Rule 1.3; ARFF Rule 1.3; GMR Rule 1.3	Rule 4.1
	Adopt plain-language drafting throughout. For example – exemplars of valid grounds of appeal are included.		Rules-wide revision
	Upon receipt of an alleged case of misconduct, a preliminary review is undertaken to quickly identify whether the allegation has substance.	AMR Rule 2.2; ARFF Rule 2.2; GMR Rule 2.2	Rule 11
	Student Discipline Panels are now named Student Conduct Panels, with the rules around these simplified.	AMR Schedule B; ARFF Schedule A, GMR Schedule A	Schedule 1; Rule 4.1
	The definition of 'Poor Academic Practice' is retired and replaced by 'Pathway 1'. Pathway 1 now offers an early exit from proceedings if a student elects to accept a proposed determination and penalty.	N/A	Part 3 and Part 4
	Any investigation under the Pathway 2 process (Student Conduct Panel) now requires that the student be notified of the range of possible penalties. This is to ensure that students are aware that the matters under investigation may lead to significant outcomes and should not be ignored.	N/A	Rule 14.2(b)
	Increased discretions to allow for extensions of time for students to respond and /or appeal	AMR Rule 2.6(3)(c), 4.5(2); ARFF Rule 2.4(3)(c), 4.4(2); GMR Rule 2.4(3)(c), 4.4(2)	Rule 27

	WARNINGS		
	Warnings (which include Academic Integrity Warnings and Student Conduct Warnings) are defined under the rules with an appeal avenue to deal with situations where a student believes the Warning was made in error.	Previously covered in separate policy/procedures	Rule 4.1 and 7
	PENALTIES		
	Potential penalty of requiring a student to draft an apology added – designed for those settings where this is appropriate (generally under GMR).	N/A	Rule 8.1(c)
	Discretion for Academic Registrar to specify an alternative penalty to those listed, designed to provide flexibility for those rare cases that warrant a different response. If applied, this must be reported to the Vice-Chancellor.	N/A	Rule 8.1(h) and 8.2(j)
	APPEALS		
	The Student Discipline Appeals Board is replaced with the Student Conduct Appeal Panel. The Appeal Panel will consider all cases of appeals under the rules, thereby addressing the inconsistency where some appeals were reviewed by a single person (Pro Vice-Chancellor or delegate) and others subject to a Board consisting of 5 members. The Student Conduct Appeal Panel now consists of three members, including a representative from OAR, a Pro Vice-Chancellor (or their delegate) and a student. This mirrors what occurs at the precursor Student Conduct Panel (but with members that have not been involved in the original determination).	AMR Rule 4.4; ARFF Rule 4.3; GMR Rule 4.3	Rule 16
	Appeal grounds simplified so that they may be more easily understood	AMR Rule 4.3(4); ARFF Rule 4.4(1)(b); GMR Rule 4.4(1)(b)	Rule 16.3
	Appeal grounds broadened to include evidence that was not available to the student at the time of their response, with requirement that it must not have been able to be reasonably obtained.	N/A	Rule 16.3(b)
	Assessment of student appeal notice formalised into rules in line with previous WA State Ombudsman feedback	N/A	Rule 16.6
	CORRECTIONS AND AMENDMENTS		
	Academic Registrar now has broad powers to require that a correction is made where the misconduct process has not been followed. This was not explicit in the previous Rules.	N/A	Rule 20
	Rule added to allow for errors (such as spelling mistakes or documents being incorrectly added) to be corrected	N/A	Rule 22
	OTHER CHANGES		
	Clarification that there is no automatic right for a student to question witnesses and added explanatory procedural steps where this is permitted.	N/A	Rule 28

	Students who are under investigation for any type of Student Misconduct will not be permitted to withdraw from any unit related to the misconduct. Previously this was only applied where Academic Misconduct had occurred.	N/A	Rule 29
	Clarification as to the confidentiality requirement of the misconduct process.	N/A	Rule 30

Warnings (Academic or General Conduct)

Multiple Warnings across SPs may lead to Misconduct process

Warning with educative actions only

Warning (Academic) with requirement to resubmit

Accept

Review

Accept

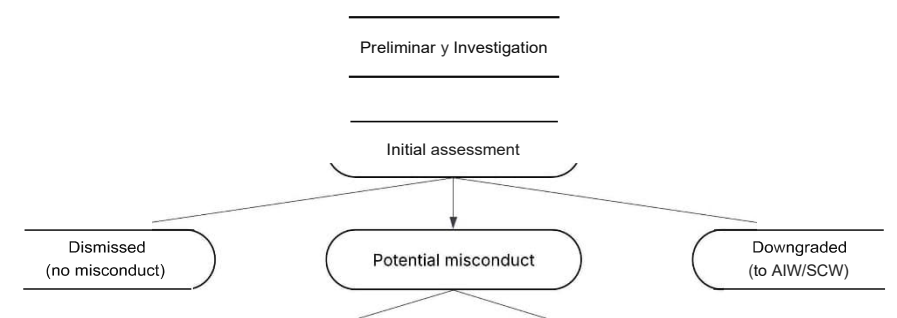
Warning resubmission review/refusal

Potential outcomes :

- Remove Warning
- Retain Warning
- Review Warning Misconduct process

Potential outcomes :

- Remove Warning
- Retain Warning
- Review Warning Misconduct process
- Student does not resubmit Misconduct process



Path way 1

Pathway 1

1 7 day response period
2 7 day appeal period

Case reviewed by

Authorised Officer
Inquiry Officer

Further investigation as required and penalty recommendation

Appeal Reviewer (if required)

Endorsement of penalty recommendation and presentation to student.

Student accepts proposed determination and penalty² and waives appeal

Student responds to proposed determination and penalty

Response and decision reviewed

Final determination presented to student²

Student waives appeal

Student appeals

Pathway 2

3 7 day response period
4 Typically fortnightly
5 1 4 day appeal period

Case reviewed by:
Authorised Officer

Inquiry Officer
Student Conduct Panel
Student Conduct Panel Chair
A Staff Member
A Student representative
Appeal Reviewer (if required)

Further investigation as required, case documentation and range of penalties presented to student for response

Student responds³ to the allegation

Student Conduct Panel convene d⁴ to make determination and penalty decisions

Student waives appeal

Student appeals

