



# Wollongong College Australia

A College of the University of Wollongong

# Student Conduct Policy

**Australia**

Wollongong

Wollongong College Australia  
A trading division of ITC Education Limited  
CRICOS Provider Code 02723D  
A University of Wollongong Enterprise ABN 14105312329

Date approved: 11 June 2008

Approved by WCA Academic Board

Reference WCA Procedure for Managing Alleged Academic Misconduct  
and by a Student

Legislation WCA Procedure for Managing Alleged General Misconduct by  
a Student

WCA Student Handbook

WCA Student Grievance Policy – Academic

WCA Student Grievance Policy – Non Academic

[UOW Campus Access & Order Rules](#)

[UOW Code of Conduct – Library](#)

[General Retention and Disposal Authority GDA23](#)

[Halls of Residence Handbooks](#)

[IT Acceptable Use Policy](#) and associated IT Policies

Records Management Policy

[State Records Act 1998](#)

## Contents

1.	Preamble .....	3
2.	Purpose of Policy.....	3
3.	Definitions, Abbreviations and Glossary .....	4
4.	Application and Scope .....	5
5.	Responsibilities.....	6
6.	Categories of Student Conduct.....	7
7.	Student Misconduct .....	7
8.	Investigations of Alleged Student Misconduct .....	8
9.	Record Keeping and Confidentiality .....	13
10.	Limitation on effect of Policy .....	13
11.	Version Control and Change History .....	13

# Student Conduct Policy

---

## 1. Preamble

- 1.1 This policy replaces the previous Wollongong College Australia (WCA, referred to as the College) Student Misconduct Rules, as outlined in the WCA Student Handbook.

## 2. Purpose of Policy

- 2.1 Wollongong College Australia is committed to providing a safe, equitable and orderly environment for the College community, and expects each member of that community to behave responsibly and ethically.
- 2.2 This policy outlines the required conduct of students at the College, and direct staff and students to College and University of Wollongong (UOW) Rules, codes, policies and procedures which specify acceptable and unacceptable student conduct, and the management of alleged student misconduct.
- 2.3 Staff and students seeking further information on student misconduct investigation procedures may contact the Manager, Governance and Compliance.

### **Guiding Principles of Wollongong College Australia and the University of Wollongong**

- 2.4 This policy affirms the Principles of the College and UOW which include commitment to:
- Intellectual openness and freedom of opinion
  - Integrity
  - Foresight, quality and accountability as an institution
  - Mutual respect and collegiality
  - Equity and social justice

### **Statement of Values**

- 2.5 The College supports UOW's commitment to Academic Integrity, expressed by the five fundamental values of honesty, trust, fairness, respect, and responsibility. The College supports the promotion of these values in all academic endeavours in teaching, learning and research. Students and staff of the College are expected to conduct themselves in a manner that reflects these values. The Rules, codes, policies and procedures of the College and UOW have been developed in accordance with these values, and provide direction on translation of these values into action.

### 3. Definitions, Abbreviations and Glossary

Word/Term	Definition
Assessment	An academic task which a student is required to complete to provide a basis for an official record of achievement or certification of competence in a subject, as stipulated in the Subject Outline.
Balance of probabilities	A decision made on the Balance of Probabilities considers that the evidence is enough to decide that the allegation is more likely true than not true.
Campus	Any land which, for the time being, is the property of UOW or in its possession or under its control, together with any building or other erection or construction of any kind whatsoever, whether permanent or temporary, standing on or affixed to such land or any part thereof.
Casting vote	A second vote given to the Chair of a meeting, exercised only in the even of an equality of votes for and against, for the purpose of breaking the tie.
Course	A program of study that includes those courses leading to higher education awards and non-award courses.
Coursework	All work undertaken as part of a non-research award course or non-award course.
Exclusion	A penalty whereby a student's enrolment is terminated for a defined period. The student must apply directly to the College for re-admission at the conclusion of the period of exclusion should re-admission be sought.
Expulsion	A penalty whereby a student's enrolment is terminated permanently. An expelled student shall not be re-admitted except by permission of the Head, College Network.
Investigation Notice	A notice served on a student which provides details of the investigation into alleged misconduct by that student.
IT	Information Technology
Manager, Governance and Compliance	The person responsible for governance and compliance at the College.
misconduct	Conduct by a student that is in breach of the Rules, codes, policies and procedures of the College or UOW.
natural justice	Principles that ensure that decision-making is fair and reasonable. These involve decision-makers informing people of the case against them or their interests, giving them a right to be heard, not having a personal interest in the outcome, and acting only on the basis of logically probative evidence.
officer	A person appointed to a particular position of responsibility and/or authority.
Primary Investigation Officer	A nominated officer who is responsible for making (or helping to make) an initial determination of the allegation of misconduct, and for actioning a low-level response and outcome where appropriate.
Program Manager	An academic staff member with nominated responsibility for the program.
reprimand	A formal, written rebuke by an officer.

<b>Word/Term</b>	<b>Definition</b>
rescission	The act of invalidating an ELICOS certificate or the conferral of a diploma.
staff	Full-time, fixed term, part-time and casual employees of the College or UOW.
student	A person registered for a course.
subject outline	The document governing content, delivery and assessment of material for a subject.
suspension	A penalty whereby a student is prevented from enrolling for a defined period. The student may be re-admitted automatically at the conclusion of the period of suspension, should re-admission be sought.
WCA students	Diploma and ELICOS students
UOW	The campuses, facilities, operations, resources and services of the University of Wollongong.

#### **4. Application and Scope**

- 4.1 This policy applies to the conduct of a person who is a student of WCA at the time of the conduct. This policy governs the conduct of a student:
- a. while at the College and University of Wollongong campus
  - b. while undertaking study within the virtual / online environment, or
  - c. elsewhere, where:
    - (i) the student is representing the College. This includes conduct during work or clinical placements, practicum and related activities, field trips, academic or sporting competitions; or
    - (ii) the conduct affects another member of the College or UOW community in their capacity as a student or member of staff.
- 4.2 This policy also applies to the conduct of a person who is a student of WCA at the time when an allegation of misconduct is received by the appropriate officer (in accordance with the procedures listed in clause 8.1); and which has affected, or might have affected, the enrolment of that person.
- 4.3 Students enrolled in the Foundation Studies Program, Special Tertiary Entrance Program or University Access Program are governed by the [University of Wollongong Student Conduct Rules](#)
- 4.4 Conduct by WCA students undertaking simultaneous study at another institution as part of a joint offering of their course is governed by both this policy and the rules and regulations of the other institution. The other institution may advise the College of any alleged misconduct by a WCA student. Such misconduct may be recorded by the College in accordance with the record keeping procedures outlined in the procedures listed in clause 8.1.

- 4.5 Visiting students who are not registered at the College may be subject to the provisions of this policy. In the case of misconduct by such persons, the matter may be referred to their home institution.

## 5. Responsibilities

- 5.1 The College has a responsibility to:
- a. ensure that this policy and associated procedures are accessible and communicated to all staff and students;
  - b. ensure that this policy and associated procedures are implemented and applied consistently across all programs;
  - c. promote best practice in managing student misconduct; and
  - d. ensure that the process for managing student misconduct allows for:
    - (i) timeliness of response;
    - (ii) fairness of consideration;
    - (iii) respect for privacy; and
    - (iv) keeping all parties informed of their rights and responsibilities in relation to alleged student misconduct.
- 5.2 WCA students have a responsibility to conduct themselves in accordance with:
- a. this policy
  - b. the UOW [Campus Access & Order Rules](#)
  - c. the UOW [IT Acceptable Use Policy](#) and associated IT policies
  - d. the UOW [Code of Conduct – Library](#)
  - e. the UOW [Halls of Residence Handbooks](#)
  - f. Other College policies and procedures
- 5.3 Staff have a responsibility to:
- a. be aware of all Rules, codes, policies, and procedures relating to student conduct;
  - b. encourage acceptable student conduct and discourage unacceptable student conduct; and
  - c. identify and act whenever student misconduct is suspected.
- 5.4 All persons involved in investigations of alleged student misconduct have a responsibility to conduct themselves in accordance with this policy and the procedures listed under clause 8.1.

## 6. Categories of Student Conduct

- 6.1 The College and UOW have defined Rules, codes, policies and procedures governing acceptable and unacceptable conduct of students during their studies at the College (these are available via the [WCA Policy Directory](#)).

### Academic Conduct

- 6.2 Academic conduct is based on the five fundamental values of Academic Integrity, namely honesty, trust, responsibility, respect and fairness. Students are responsible for ensuring that all aspects of their academic studies are conducted in a manner that observes these academic values.

- 6.2.1 **Academic Conduct of a WCA Student:** the conduct of a student when undertaking the preparation, presentation or submission of coursework. Acceptable and unacceptable academic conduct of a student undertaking coursework is outlined in the WCA Student Handbook, policies and procedures and Subject Outlines.

### General Conduct

- 6.3 In addition to conduct relating to academic studies at the College, UOW also defines general conduct expected of students on the UOW campus. Acceptable and unacceptable general conduct is outlined in:
- the [Campus Access & Order Rules](#)
  - the [IT Acceptable Use Policy](#) and associated IT policies
  - the [Code of Conduct – Library](#)
  - the [Halls of Residence Handbooks](#)
  - Other College policies and procedures

## 7. Student Misconduct

- 7.1 In accordance with the Rules, codes, policies, and procedures referred to in clauses 6.2 and 6.3, student misconduct may include, but is not limited to, the following:
- failure to comply with Rules, policies, orders, University Council resolutions or other lawful directions of the College or UOW or to obey any reasonable direction of an authorised person in relation to conduct;
  - any conduct which impairs the reasonable freedom of other persons to pursue their studies, duties or lawful activities at the College or UOW or to participate in the life of the College or UOW;
  - wilfully littering, or damaging, defacing, or wrongfully dealing with any College or UOW property or any other property on campus, or property on a location where a student is present under the auspices of the College;
  - acting dishonestly or unfairly with respect to the preparation or presentation of an assessment item; or
  - any other unreasonable conduct, including criminal activity, which may disrupt the normal activities of the College or UOW.
- 7.2 Student misconduct is not tolerated by the College. Where there is an adverse finding of a student misconduct investigation, disciplinary action shall be taken.

## **8. Investigations of Alleged Student Misconduct**

- 8.1 a. Investigations of alleged academic misconduct by a student shall be carried out in accordance with the *Procedure for Managing Alleged Academic Misconduct by a Student*.
- b. Investigations of alleged general misconduct by a student shall be carried out in accordance with the *Procedure for Managing Alleged General Misconduct by a Student*.

### **Principles of Natural Justice**

- 8.2 Investigations of alleged student misconduct shall observe the principles of natural justice, including:
- a. informing all parties of the procedure being followed and providing them with copies of relevant Rules, codes, policies, and procedures;
  - b. informing the respondent of any allegation made against them, and allowing time for a response in accordance with the timeframes stipulated in the procedures listed in clause 8.1;
  - c. providing the respondent with the opportunity to state their case, provide an explanation and/or put forward a defence;
  - d. conducting a factual investigation of the allegation, interviewing all parties and considering all relevant information; and
  - e. acting fairly, impartially and without bias by considering all relevant information and any mitigating factors.

### **General Principles Guiding Investigations of Alleged Student Misconduct**

- 8.3 Persons or committees conducting investigations under the procedures listed in clause 8.1 shall act in accordance with the principles of natural justice and are not bound by the rules of evidence required in court proceedings.
- 8.4 Decisions regarding alleged misconduct are findings of fact, determined on the balance of probabilities.
- 8.5 Persons or committees shall report apparent or suspected criminal conduct by a student to the Campus Director, who shall report the matter to the Police as necessary.
- 8.6 All parties involved in an investigation shall be treated with respect and impartiality, and any issues put forward by the student such as a disability or medical condition shall be taken into consideration.
- 8.7 The confidentiality of parties involved in an investigation shall be respected, subject to the need to fully investigate the matter and any legal requirements for disclosure.

### **Officers Authorised to Conduct Investigations of Alleged Student Misconduct**

- 8.8 The following officers and committees may undertake investigations of alleged academic misconduct by a student undertaking coursework or general misconduct by a student, in accordance with the procedures listed in 8.1:

Academic Misconduct by a Student undertaking Coursework	<ul style="list-style-type: none"> <li>a. Program Manager</li> <li>b. Primary Investigation Officer</li> <li>c. Academic Misconduct Panel</li> <li>d. WCA Academic Board</li> </ul>
General Misconduct	<ul style="list-style-type: none"> <li>a. Primary Investigation Officer</li> <li>b. Student Conduct Panel</li> </ul>

8.9 Other persons may participate in investigations of alleged student misconduct, as appropriate.

### **Outcomes of Investigations of Misconduct**

8.10 Where student misconduct is found to have occurred, the following outcomes may be applied in accordance with the procedures listed in 8.1:

<b>Academic Misconduct by a Student undertaking Coursework</b>	
Low-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Program Manager without mark penalty</li> <li>b. Resubmission of assessment task with a mark penalty</li> <li>c. Deduction of marks for assessment task</li> <li>d. Submission of an alternative assessment task</li> <li>e. Zero mark in assessment task, providing that this will not automatically result in failure of the subject</li> </ul>
Medium-Level Outcomes	<ul style="list-style-type: none"> <li>a. Zero mark or reduced mark in subject</li> </ul>
High-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Head, College Network</li> <li>b. Deferred Suspension by the Head, College Network subject to one or more conditions (e.g. good behaviour, demonstrated consultation with a registered professional, academic performance)</li> <li>c. Immediate Suspension by the Head, College Network (with or without also suspending any scholarship the student may hold)</li> <li>d. Exclusion from the College by the Head, College Network</li> <li>e. Expulsion from the College by the Head, College Network</li> <li>f. Withhold official certification (eg academic transcript, testamur, certificate, diploma) for up to three months</li> <li>g. Rescission of diploma by the WCA Academic Board</li> <li>h. Rescission of certificate by the Head, College Network</li> </ul>

<b>General Misconduct by a Student</b>		
Library Misconduct	Low-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the UOW Librarian or Standing Nominee</li> <li>b. Fine (as prescribed in the Library Borrowing Conditions) for overdue items</li> <li>c. Temporary restriction of Library privileges</li> <li>d. Charge for costs of replacing or repairing any damaged property up to \$1000</li> </ul>
	High-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Head, College Network</li> <li>b. Charge for costs of replacing or repairing any damaged property in excess of \$1000</li> <li>c. Fine of up to \$1000</li> <li>d. Immediate Suspension by the Head, College Network (with or without also suspending any scholarship the student may hold)</li> <li>e. Deferred Suspension by the Head, College Network subject to one or more conditions (e.g. good behaviour, demonstrated consultation with a registered professional, academic performance)</li> <li>f. Exclusion from the College by the Head, College Network</li> <li>g. Expulsion from the College by the Head, College Network</li> <li>h. Any other penalty that the Head, College Network deems appropriate</li> </ul>
IT Misconduct	Low-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Head, College Network or standing nominee</li> <li>b. Charge for costs of replacing or repairing any damaged property up to \$1000</li> <li>c. Requirement of community service</li> </ul>
	High-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Head, College Network</li> <li>b. Charge for costs of replacing or repairing any damaged property in excess of \$1000</li> <li>c. Withdrawal or restriction of access to IT Account</li> <li>d. Fine of up to \$1000</li> <li>e. Immediate Suspension by the Head, College Network (with or without also suspending any scholarship the student may hold)</li> <li>f. Deferred Suspension by the Head, College Network subject to one or more conditions (e.g. good behaviour, demonstrated consultation with a registered professional, academic performance)</li> <li>g. Exclusion from the College by the Head, College Network</li> <li>h. Expulsion from the College by the Head, College Network</li> <li>i. Any other penalty that the Head, College Network deems appropriate</li> </ul>
Misconduct in University Residence	Low-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Head of Residence or Standing Nominee</li> <li>b. Requirement of community service</li> <li>c. Withdrawal of resident privileges</li> <li>d. Temporary or Permanent eviction from a University Residence</li> <li>e. Charge for costs of replacing or repairing any damaged property up to \$1000</li> </ul>

<b>General Misconduct by a Student</b>		
	High-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Head, College Network</li> <li>b. Charge for costs of replacing or repairing any damaged property in excess of \$1000</li> <li>c. Fine of up to \$1000</li> <li>d. Immediate Suspension by the Head, College Network (with or without also suspending any scholarship the student may hold)</li> <li>e. Deferred Suspension by the Head, College Network subject to one or more conditions (e.g. good behaviour, demonstrated consultation with a registered professional, academic performance)</li> <li>f. Exclusion from the College by the Head, College Network</li> <li>g. Expulsion from the College by the Head, College Network</li> <li>h. Any other penalty that the Head, College Network deems appropriate</li> </ul>
Other Misconduct	Low-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Program Manager or Standing Nominee</li> <li>b. Fine of up to \$250</li> <li>c. Charge for costs of replacing or repairing any damaged property up to \$1000</li> <li>d. Limitation of student's right of access to the College or UOW</li> </ul>
	High-Level Outcomes	<ul style="list-style-type: none"> <li>a. Reprimand from the Head, College Network</li> <li>b. Charge for costs of replacing or repairing any damaged property in excess of \$1000</li> <li>c. Fine of up to \$1000</li> <li>d. Immediate Suspension by the Head, College Network (with or without also suspending any scholarship the student may hold)</li> <li>e. Deferred Suspension by the Head, College Network subject to one or more conditions (e.g. good behaviour, demonstrated consultation with a registered professional, academic performance)</li> <li>f. Exclusion from the College by the Head, College Network</li> <li>g. Expulsion from the College by the Head, College Network</li> <li>h. Withhold official certification (eg academic transcript, testamur, certificate, diploma) for up to three months</li> <li>i. Rescission of diploma by the WCA Academic Board</li> <li>j. Rescission of certificate by the Head, College Network</li> <li>k. Any other penalty that the Head, College Network deems appropriate</li> </ul>

## Urgency Provisions

8.11 Where alleged academic misconduct by a student undertaking coursework, or general misconduct by a student:

- a. is the subject of investigation by the police or other civil authorities;
- b. may bring the College or UOW and its staff and students into disrepute;
- c. involves extreme harassment or vilification which breaches the Colleges or UOW's Principles, Statement of Values and policies;
- d. threatens the welfare or study of other students or staff; or
- e. is otherwise considered to be serious enough to warrant immediate action,

a recommendation may be made to the Head, College Network that the following action be taken, pending the outcome of the investigation:

- i. temporary block of the student's IT access;
- ii. limitation of the student's right of access to the College;
- iii. termination of the student's right of access to the College; or
- iv. immediate suspension of the student from the College.

8.12 The following officers may, after preliminary review, make a recommendation as detailed in clause 8.11:

- a. Program Manager
- b. Primary Investigation Officer
- c. Chair of the Academic Misconduct Panel
- d. Chair of the Student Conduct Panel
- e. Campus Director

8.13 Upon receiving a recommendation under clause 8.11, the Head, College Network or standing nominee may either:

- a. accept the recommendation, impose a temporary block of IT access, limitation or termination of right of access, or immediate suspension, and, where appropriate, direct the officer that made the recommendation to refer the matter to the Student Conduct Panel or Academic Misconduct Panel as soon as possible and within a maximum of *ten working days*; or
- b. not accept the recommendation for immediate suspension, limitation or termination of access, or temporary block of IT access, and refer the matter back to the officer that made the recommendation for further investigation in accordance with the procedures listed in clause 8.1.

8.14 Where action is imposed under clause 8.13, the officer that recommended the action to the Head, College Network or standing nominee shall:

- a. ensure that the student is served with a written notice of the temporary block of IT access, limitation or termination of right of access, or suspension, *as a matter of urgency*;
- b. refer the matter to the Student Conduct Panel or Academic Misconduct Panel for the service of an Investigation Notice in accordance with the appropriate procedures listed in clause 8.1; and
- c. notify the relevant officers in writing.

## 9. Record Keeping and Confidentiality

- 9.1 Files relating to investigations of alleged student misconduct shall be retained and disposed of in accordance with the College's Records Management Policy, the [State Records Act 1998](#), and the [General Retention and Disposal Authority GDA23](#).
- 9.2 Cases of academic misconduct by a student and general misconduct by a student shall be recorded on the appropriate register in accordance with the procedures listed in clause 8.1.
- 9.3 All parties involved in matters of alleged student misconduct are obliged to preserve confidentiality in accordance with College Policy, and other relevant privacy legislation

## 10. Limitation on effect of Policy

- 10.1 Nothing in this policy affects:
- the authority of any person or body at the College or UOW duly authorised to administer any College policy or UOW Rule not inconsistent with this policy; and, in particular,
  - any power of a committee or person or other authority within the College or UOW to withdraw a student from a course, or to cancel the enrolment of a student, or to refuse a person further enrolment for any course or subject, or to deal otherwise with their case, by reason of their failure to satisfy academic requirements or to pay any fee, fine, charge or other money payable to the College or UOW.

## 11. Version Control and Change History

Version Control	Date Approved	Date Effective	Approved By	Amendment
1	11 June 2008	23 June 2008	WCA Academic Board	New Policy