



# Wollongong College Australia

A College of the University of Wollongong

**Australia**

Wollongong

## Procedure for Managing Alleged Academic Misconduct by a Student

Wollongong College Australia  
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Approved by WCA Academic Board

Reference and Legislation  
WCA Student Conduct Policy  
WCA Student Handbook  
WCA Student Grievance Policy – Academic

[General Retention and Disposal Authority GDA23](#)

Privacy Policy

Records Management Policy

[State Records Act 1998](#)

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# Procedure for Managing Alleged Academic Misconduct by a Student

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## 1. Introduction and Purpose

- 1.1 This procedure supports and should be read in conjunction with the Student Conduct Policy. In accordance with the Policy, this procedure must be followed when managing alleged academic misconduct by a student.
- 1.2 The purpose of this procedure is to direct College staff and students on the process to be followed when managing alleged academic misconduct by a student.

## 2. Scope of Procedure

- 2.1 This procedure applies to the management of alleged academic misconduct by a student of WCA (as defined in *section 3* of the Student Conduct Policy), under the circumstances defined in *section 4* of the Student Conduct Policy.

## 3. Definitions

Word/Term	Definition
assessor	A teaching staff member responsible for evaluating and allocating a mark for an assessment item.
Central Register	A register and file of student misconduct investigations, controlled and maintained by the College.
conflict of interest	A conflict between a person's private interests and College's obligations
due process	Procedural rights under this procedure, including the application of the principles of natural justice
SOLSMail	Student Online Services email system

- 3.1 All other definitions relating to Student Conduct are detailed in *Section 3* of the Student Conduct Policy.

## 4. Roles and Responsibilities

- 4.1 Roles and responsibilities are detailed in *Section 5* of the Student Conduct Policy.

## 5. Academic Misconduct by a Student

### Poor Academic Practice

- 5.1 In some cases where an allegation of academic misconduct by a student undertaking coursework is brought to the attention of the Program Manager, it may be determined that the conduct of the student represents poor academic practice rather than academic misconduct.
- 5.2 In such cases, the Program Manager may determine that while academic misconduct has not occurred, an informal response to the student's conduct is required, to educate the student on correct academic practice. Actions that can be taken under an informal response are:
- warning
  - referral to English Language Resource Centre
  - resubmission of the assessment item without penalty
  - provision of additional material to support the assessment item
  - minor mark penalty (noting that where a student disputes the mark penalty, this will be dealt with as an appeal under this procedure in accordance with clause 7.27).
- 5.3 The Program Manager may take action under an informal response as outlined in 5.2 at his/her discretion. A record of the interaction shall be kept by the Program Manager.

### Academic Misconduct

- 5.4 Types and examples of academic misconduct by a student are shown in Table 5.1.

### Examples of Academic Misconduct by a Student and their Associated Responses

Table 5.1

Academic Misconduct by a Student		Level of Response
<b>Cheating</b> <i>Behaving deceitfully or dishonestly</i>  (in examinations and in-class tests)	<i>Bringing unauthorised equipment or material into an examination</i>	Low-Level, Medium-Level or High-Level
	<i>Using unauthorised equipment or material in an examination (calculators etc)</i>	Medium-Level or High-Level
	<i>Copying another student's work</i>	Medium-Level or High-Level
	<i>Accessing confidential examination information prior to examination</i>	Medium-Level or High-Level

<b>Academic Misconduct by a Student</b>	<b>Level of Response</b>
<p><b>Fabrication</b>  <i>Intentional and unauthorised falsification or invention of any information or citation in an academic exercise</i></p> <p>Examples (illustrative and not exhaustive):</p> <ul style="list-style-type: none"> <li>▪ Making up sources for a bibliography</li> <li>▪ Making up footnotes</li> <li>▪ Claiming results of research where none have been obtained</li> <li>▪ Changing results of research</li> </ul>	<p>Medium-Level or High-Level</p>
<p><b>Facilitating academic dishonesty</b>  <i>Intentionally or knowingly helping or attempting to help another student engage in some form of academic dishonesty</i></p>	<p>Low-Level, Medium-Level or High-Level</p>
<p><b>Fraud</b>  <i>Deceitful behaviour by which it is sought to gain some unfair or dishonest advantage</i></p> <p>Examples (illustrative and not exhaustive):</p> <ul style="list-style-type: none"> <li>• Giving a false excuse for missing a test or deadline</li> <li>• Falsely claiming inventorship</li> </ul>	<p>Medium-Level or High-Level</p>
<p><b>Misleading ascription of authorship</b></p> <p>Example (illustrative and not exhaustive):</p> <ul style="list-style-type: none"> <li>• Claiming credit for a proportion of work contributed to a group assessment item that is greater than that actually contributed</li> </ul>	<p>Low-Level, Medium-Level or High-Level</p>
<p><b>Misrepresentation</b>  <i>Representing data or information incorrectly, improperly, or falsely</i></p> <p>Examples (illustrative and not exhaustive):</p> <ul style="list-style-type: none"> <li>• Stating or presenting a material or significant falsehood</li> <li>• Omitting a fact so that what is stated or presented as a whole states or presents a material or falsehood</li> </ul>	<p>Medium-Level or High-Level</p>
<p><b>Obstruction / Interference</b>  <i>Behaving in any way that limits the academic opportunities of other students by improperly impeding their work or their access to educational resources</i></p> <p>Examples (illustrative and not exhaustive):</p> <ul style="list-style-type: none"> <li>• Borrowing all copies of a particular text from the Library so others do not have access to it</li> <li>• Inventing a bomb scare or other security risk</li> <li>• Taking or materially damaging any study-related property of another</li> </ul>	<p>Medium-Level or High-Level</p>
<p><b>Plagiarism</b>  <i>Using another person's ideas, designs, words or works without appropriate acknowledgement.</i></p> <p>Examples (illustrative and not exhaustive):</p> <ul style="list-style-type: none"> <li>▪ Failure to acknowledge sources of quotations, ideas or data (including when paraphrasing)</li> </ul>	<p>Low-Level, Medium-Level or High-Level</p>

<b>Academic Misconduct by a Student</b>	<b>Level of Response</b>
<ul style="list-style-type: none"> <li>▪ Copying another students' work (with or without consent)</li> <li>▪ Collusion (presenting an assessment item as independent work when it has been produced in part or in whole in collusion with other people)</li> </ul>	
<p><b>Re-using one's own work</b></p> <p>Example (illustrative and not exhaustive):</p> <ul style="list-style-type: none"> <li>• Re-using, without acknowledgement, one's own work that has been previously submitted and counted towards another assessment item.</li> </ul>	Medium-Level or High-Level
<b>Using unauthorised equipment or material in an assessment item</b>	Medium-Level or High-Level
<b>Using another person to undertake an examination or assessment item</b>	High-Level

5.5 The process for managing alleged academic misconduct by a student undertaking coursework is outlined in full in *Section 7. Procedure for Managing Alleged Academic Misconduct by a Student*.

### **Responses to Academic Misconduct by a Student**

5.6 Academic misconduct by a student may be managed by a Low-Level Response, Medium-Level Response or High-Level Response. The only possible outcomes of each level of response and the persons authorised to implement these outcomes are shown in Table 5.2.

**Table 5.2**

<b>Level of Response</b>	<b>Outcome</b>	<b>Authorised Persons</b>
Low-Level Response	<ul style="list-style-type: none"> <li>a. Any informal outcome (as listed at clause 5.2);</li> <li>b. Submission of an alternative assessment task;</li> <li>c. Resubmission of assessment task with a mark penalty;</li> <li>d. Deduction of marks for assessment task; or</li> <li>e. Zero mark in assessment task, providing that this will not automatically result in failure of the subject.</li> </ul>	Primary Investigation Officer
Medium-Level Response	<ul style="list-style-type: none"> <li>a. Any informal outcome (as listed at clause 5.2);</li> <li>b. Any Low-Level outcome; or</li> <li>c. Zero mark or reduced mark in subject</li> </ul>	Academic Misconduct Panel
High-Level Response	<ul style="list-style-type: none"> <li>a. Any informal outcome (as listed at clause 5.2);</li> <li>b. Any Low-Level outcome;</li> <li>c. Any Medium-Level outcome; and/or any of the following:</li> <li>d. Reprimand from the Head, College Network;</li> </ul>	Academic Misconduct Panel

Level of Response	Outcome	Authorised Persons
	<ul style="list-style-type: none"> <li>e. Immediate Suspension by the Head, College Network;</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. Withhold official certification (eg academic transcript, degree testamur) for up to three months; or</li> <li>j. Rescission of diploma by the WCA Academic Board;</li> <li>k. Rescission of certificate by the Head, College Network</li> </ul>	

### Considerations when Determining an Appropriate Response and Outcome

- 5.7 The following considerations may be taken into account when determining an appropriate response and outcome to academic misconduct by a student undertaking coursework:
- a. Whether the misconduct is considered important or of consequence to the assessment item in which it has occurred, also taking into account the nature of the misconduct and the context in which it is found
  - b. The extent of the misconduct in an assessment item
  - c. The proportion of the overall course mark represented by the assessment item
  - d. The nature of the course and the assessment item
  - e. The conventions associated with the particular academic discipline
  - f. The year or study level of the student
  - g. The language proficiency of the student
  - h. Any relevant individual circumstances of the student
  - i. Whether the student has previously been found in breach of academic conduct and is the subject of an entry on the Central Register
  - j. Any apparent intention to deceive by a student, and, if any
  - k. The level and effect of that intention.

## 6. Urgency Provisions

- 6.1 Where alleged academic misconduct by a student:
- a. is the subject of investigation by the police or other civil authorities
  - b. may bring the College and its staff and students into disrepute
  - c. involves extreme harassment or vilification which breaches the Colleges policies and/or procedures
  - 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.
- 6.2 The following officers may, after preliminary review, make a recommendation as detailed in clause 6.1:
- a. Program Manager
  - b. Primary Investigation Officer
  - c. Chair of the Academic Misconduct Panel
- 6.3 Upon receiving a recommendation under clause 6.1 the Head, College Network or nominee of the Head, College Network 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 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 normal procedure.
- 6.4 Where action is imposed under clause 6.3, the officer that recommended the action to the Head, College Network or nominee of the Head, College Network 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 Academic Misconduct Panel for the service of an Investigation Notice, and
  - c. notify the relevant officers in writing.

## **7. Procedure for Managing Alleged Academic Misconduct by a Student**

7.1 Staff members responsible for managing alleged academic misconduct by a student shall follow the process set out in this procedure.

7.2 This procedure provides a staged investigation for dealing with all allegations of academic misconduct by a student undertaking coursework:

Stage 1: Initial determination by Program Manager

Stage 2: Conclusion of investigation by Program Manager & Primary Investigation Officer (PIO)

Stage 3: Investigation by Academic Misconduct Panel

7.3 A student has the right to appeal a decision at any stage of the investigation. The process for appealing decisions is outlined in the [Student Grievance Policy and Procedure – Academic](#).

### **Primary Investigation Officers**

7.4 Within the College, the Manager, Governance and Compliance or the Quality and Curriculum Coordinator hold the position of Primary Investigation Officer (PIO) for the purpose of managing alleged academic misconduct by a student undertaking coursework.

7.5 A Primary Investigation Officer is permitted to seek advice from the other Primary Investigation Officers during the investigation of alleged academic misconduct by a student undertaking coursework.

### **Stage 1 - Initial determination by Program Manager**

7.6 An assessor must bring an allegation of academic misconduct by a student undertaking coursework to the attention of the Program Manager as soon as possible once it has been identified. The assessor shall provide the Program Manager with relevant information and evidence relating to the allegation. If necessary, the Program Manager may collect further evidence relating to the allegation.

7.7 The Program Manager has the option to consult with a PIO at any stage outlined in 7.8 to 7.15.

7.8 The Program Manager shall determine whether there is sufficient evidence that academic misconduct may have occurred.

7.9 If there is not sufficient evidence that academic misconduct may have occurred, the allegation shall be dismissed and no further action shall be taken.

7.10 If there is sufficient evidence that academic misconduct may have occurred, the allegation shall be investigated by the Program Manager.

7.11 The Program Manager shall discuss the allegation with the student and shall seek a student response to the allegation. If, after all reasonable efforts have been made to contact and discuss the allegation with the student, the Program Manager has not been able to do so; they may proceed with the investigation without discussion with the student.

- 7.12 Based on the evidence collected, and the discussion with the student where this has taken place, the Program Manager shall determine whether academic misconduct has occurred. The Program Manager must make this determination as soon as possible and within a maximum of *ten working days* of having received the allegation.
- 7.13 The student should continue their normal academic work within that subject while the investigation is taking place, as failure to do so would disadvantage the student.

#### **Allegation Dismissed**

- 7.14 If the Program Manager determines that academic misconduct has not occurred, the allegation shall be dismissed.
- 7.15 The Program Manager shall advise the student that the allegation has been dismissed.
- 7.16 As per clause 5.1, in some cases the Program Manager may determine that the alleged misconduct represents poor academic practice rather than academic misconduct, and may impose an informal response and outcome.

#### **Allegation Upheld**

- 7.17 If the Program Manager determines that academic misconduct has occurred, the allegation shall be upheld.
- 7.18 The Program Manager shall notify a PIO of the case.
- 7.19 The PIO shall create a record of the case on the Central Register. The Central Register records all cases within the College where academic misconduct has been found to have occurred, for the purpose of risk management and auditing.

#### **Appropriate Response and Outcome Determined**

- 7.20 The PIO shall check the Central Register to determine whether an entry exists for the student for any previous academic misconduct offence.
- 7.21 The Program Manager and PIO shall determine the appropriate level of response and outcome, in accordance with clause 5.6. In determining the appropriate level of response and outcome, the Program Manager and PIO may give consideration to the factors listed at clause 5.7.
- 7.22 If the Program Manager and PIO determine that a low-level response is appropriate, they shall continue with management of the case in accordance with Stage 2 - Conclusion of Investigation by Program Manager & Primary Investigation Officer.
- 7.23 If the Program Manager and PIO determine that a medium-level or a high-level response is appropriate, the PIO shall refer the case to the Academic Misconduct Panel in accordance with Stage 3 – Investigation by Academic Misconduct Panel.

- 7.24 When referring a matter to the Academic Misconduct Panel, the PIO must:
- a. use the *Referral of Misconduct Investigation Template* to record full details of the case, including:
    - i. a detailed explanation of the allegation
    - ii. evidence supporting the allegation
    - iii. result of discussion or interview with the student
    - iv. the student's conduct history
    - v. the recommended outcome
    - vi. supporting materials
  - b. update the record of the case on the Central Register
  - c. advise the student of the referral using the appropriate notice letter template.
- 7.25 A determination and response by the Program Manager and PIO shall be made as soon as possible and within a maximum of *ten working days* of having determined that academic misconduct has occurred.

## **Stage 2 - Conclusion of Investigation by Program Manager & Primary Investigation Officer**

### **Low Level Response**

- 7.26 The Program Manager and PIO shall determine the appropriate low-level outcome to be applied in accordance with clauses 5.6 and 5.7.
- 7.27 The PIO shall:
- a. impose the outcome
  - b. update the record of the case on the Central Register
  - c. advise the student of the outcome using the appropriate notice letter template, and
  - d. advise the assessor and other relevant staff of the outcome, as necessary.

### **Appeal against Decision of Program Manager & Primary Investigation Officer**

- 7.28 A student may appeal against a decision of the Program Manager and PIO, only if the appeal is based on lack of natural justice or due process, or if there is new evidence that has not previously been considered.
- 7.29 An appeal by a student against a decision of the Program Manager and PIO must:
- a. follow the procedure outlined in the [Student Grievance Policy and Procedure – Academic](#), (Stage 3.- Referral to the Campus Director);
  - b. state fully the reasons for the appeal, and
  - c. include any relevant documentary evidence to support the appeal.

### **Appeal Dismissed**

- 7.30 If the Campus Director determines that there are not sufficient grounds for the appeal, then the decision of the PIO stands. The Campus Director shall:
- a. advise the PIO to create a record of the case and appeal on the Central Register, and
  - b. advise the student and Program Manager of the outcome using the appropriate notice letter template for the student.

- 7.31 A student may appeal against a decision of the Campus Director only if the appeal is based on lack of natural justice or due process, or if there is new evidence that has not previously been considered. Refer to the [Student Grievance Policy and Procedure – Academic](#).

### **Appeal Upheld**

- 7.32 If the Campus Director determines that there are sufficient grounds for the appeal, then the Campus Director shall follow the procedure as outlined in the [Student Grievance Policy and Procedure – Academic](#) (Stage 3.- Referral to the Campus Director).

### **Stage 3 - Investigation by Academic Misconduct Panel**

- 7.33 The Academic Misconduct Panel shall consider cases referred to it by the Program Manager and the PIO.
- 7.34 The Academic Misconduct Panel shall comprise:
- a. the Head, College Network or nominee as Chair, and
  - b. two staff members (appointed by the Chair) who are not involved with the teaching or assessment of the subject concerned.
- 7.35 A general staff member appointed by the Head, College Network shall act as Secretary to the Panel. The Secretary, who is not a member of the Panel, shall assist the Panel in whatever way the Chair of the Panel directs.
- 7.36 The Academic Misconduct Panel shall meet to consider the evidence of the case and interview the student and any other persons relevant to the case. The Panel shall conduct the meeting in accordance with *Section 8. Investigation Panel Procedures*.
- 7.37 Based on the evidence considered and the interview with the student, the Academic Misconduct Panel shall determine whether academic misconduct has occurred.

### **Allegation Dismissed**

- 7.38 If the Academic Misconduct Panel determines that academic misconduct has not occurred, the allegation shall be dismissed.
- 7.39 The Academic Misconduct Panel must:
- a. advise the PIO to update the record of the case on the Central Register, and
  - b. advise the student and Program Manager of the outcome using the appropriate notice letter template for advice to the student.

### **Allegation Upheld**

- 7.40 If the Academic Misconduct Panel determines that academic misconduct has occurred, the allegation shall be upheld.
- 7.41 The Academic Misconduct Panel shall then determine the appropriate level of response and outcome, in accordance with clause 5.6. When determining the appropriate level of response and outcome, consideration may be given to the factors listed in clause 5.7.

- 7.42 The Academic Misconduct Panel determines whether a Low-Level, Medium-Level or High-Level response and outcome is appropriate and shall:
- a. impose an outcome
  - b. advise the PIO to update the case and outcome on the Central Register accordingly, and
  - c. advise the student and Program Manager of the outcome using the appropriate notice letter template for advice to the student.

### **Appeal against Decision of Academic Misconduct Panel**

- 7.43 A student may appeal against a decision of the Academic Misconduct Panel, only if the appeal is based on lack of natural justice or due process, or if there is new evidence that has not previously been considered.
- 7.44 An appeal by a student against a decision of the Academic Misconduct Panel must:
- a. follow the procedure outlined in the [Student Grievance Policy and Procedure – Academic](#), (Stage 5.- Appeal to the WCA Academic Board);
  - b. state fully the reasons for the appeal, and
  - c. include any relevant documentary evidence to support the appeal.
- 7.45 The Manager, Governance and Compliance or nominee shall consider the case put forward and evidence provided by the student to support the appeal.
- 7.46 The Manager, Governance and Compliance or nominee shall determine whether there are sufficient grounds for the appeal as soon as possible and within a maximum of *ten working days* of having received the appeal.

### **Appeal Dismissed**

- 7.47 If the Manager, Governance and Compliance or nominee determines that there are not sufficient grounds for the appeal, then the decision of the Academic Misconduct Panel stands. The Manager, Governance and Compliance or nominee shall:
- a. advise the PIO to update the case and outcome on the Central Register accordingly, and
  - b. advise the student and the Program Manager of the outcome using the appropriate notice letter template.
- 7.48 The student has no further opportunity to appeal the decision within the College.

### **Appeal Upheld**

- 7.49 If the Manager, Governance and Compliance or nominee determines that there are sufficient grounds for the appeal the case is referred to the WCA Academic Board in accordance with the [Student Grievance Policy and Procedure – Academic](#) (Stage 5 – Appeal to the WCA Academic Board) for consideration. The Manager, Governance and Compliance or nominee shall:
- a. refer the matter to the WCA Academic Board using the *Referral of Misconduct Investigation Template*; and
  - b. advise the PIO to record the appeal and referral on the Central Register accordingly.

## **Termination of Investigation Proceedings**

- 7.50 Any student misconduct investigation proceedings, including appeal proceedings, may be suspended by the Campus Director if the student ceases to be enrolled at the College.
- 7.51 If student misconduct investigation proceedings are suspended under rule 7.50, the Campus Director shall advise the student that:
- a. they have no automatic right to return to the College, and
  - b. if they apply for re-enrolment, they shall not be re-enrolled until the student conduct investigation proceedings are completed.
- 7.52 The Campus Director shall ensure that the record of the investigation on the Central Register is updated accordingly.

## **8. Investigation Panel Procedures**

- 8.1 The procedures set out below must be followed by the Academic Misconduct Panel when conducting an investigation of alleged academic misconduct by a student.

### **Membership of Academic Misconduct Panel**

- 8.2 Both genders must be represented.
- 8.3 A person may not sit on the Panel investigating an allegation of misconduct where that person has previously been involved with the allegation or there is, otherwise, a potential conflict of interest.
- 8.4 A member of the Panel who, during an investigation, ceases to hold the office by virtue of which they are a member of the Panel, may remain a member of the Panel until the investigation has been completed.
- 8.5 If during the currency of an investigation or appeal a member of the Panel becomes unable (through illness or any other cause) to act for a period that would unduly delay the completion of the investigation, the Panel may complete its investigation or appeal in their absence as long as at least two other members are still able to act.

### **Referrals to the Academic Misconduct Panel**

- 8.6 Matters shall be referred to the Academic Misconduct Panel using the *Referral of Misconduct Investigation Template*. Referrals must include full details of the case, including:
- a. a detailed explanation of the allegation
  - b. evidence supporting the allegation
  - c. result of discussion or interview with the student
  - d. the student's conduct history
  - e. the recommended outcome
  - f. supporting materials

## Service of an Investigation Notice

- 8.7 Where a matter has been referred to the Academic Misconduct Panel the Secretary of the Panel must serve the student with a written Investigation Notice as soon as possible and within a maximum of *ten working days* of the referral.
- 8.8 An Investigation Notice served under clause 8.7 must include:
- a. details of the allegation
  - b. reference to any rule, policy or code allegedly breached
  - c. advice on withholding assessment results (where relevant)
  - d. an invitation to attend an interview at a given date, time and location
  - e. the option for the student to be assisted by a support person of their choice at the interview
  - f. attached copies of any documentation being considered (subject to any requirement to maintain the privacy or safety of another person) and any relevant rule, policy or code
  - g. an invitation to the student to provide a written statement of how they wish to answer the allegation and any supporting evidence, including counselling reports in advance of the investigation interview, and
  - h. advice that, if the student chooses not to attend, the matter shall be determined in their absence.
- 8.9 A notice may be served on a student under this procedure either:
- a. personally within the College or elsewhere (e.g. at their residence), or
  - b. by SOLSMail and post addressed to the student's last known place of residence.
- 8.10 If a notice is served by way of SOLSMail and post, it shall be deemed to have been served on the student on the date on which it would have been delivered in the ordinary course of the post.
- 8.11 A copy of the notice served on a student under clause 8.7 must be provided to the PIO, for advice to other relevant officers of the College.

## Investigation Panel Meetings

- 8.12 The panel meeting should be held as soon as possible and within a maximum of *twenty working days* of the date of service of the Investigation Notice, unless the Chair of the Panel grants an extension to the student or more time is required to collect necessary evidence.
- 8.13 a. If a student wishes to submit documentation listed below in i., ii. or iii. to the Panel, it must be provided at least two working days before the Panel meeting:
- i. a written statement of how they intend to respond to the allegations
  - ii. other written material pertinent to their case
  - iii. the names of any witness(es) and/or any person supporting the student during the meeting in accordance with clause 8.15(f).
- b. Any other supporting documentation including professional report(s), statement(s) of extenuating circumstances, or character reference(s), may be provided at the Panel meeting

## Conduct of investigation

- 8.14 Where a student who has been given due notice chooses not to attend a Panel meeting, the Panel may investigate the matter or hear an appeal in the student's absence.
- 8.15 In conducting an investigation meeting, the Panel shall:
- a. give the student an opportunity to be heard
  - b. explain the allegation to the student and give the student the opportunity to respond to the allegation
  - c. with the permission of the student, make an audio recording of the interview between the panel and the student and attach to the Panel file
  - d. give the Primary Investigation Officer bringing the complaint and/or any other staff member or student involved in the event(s) leading up to the complaint an opportunity to be heard;
  - e. permit the student to be assisted by a support person
  - f. at the discretion of the Chair, permit any person appearing before the Panel to be assisted by a support person
  - g. permit any support person attending the meeting to provide advice to the student and to address the Panel in a summary statement only; the support person is not permitted to interview witnesses or to address the Panel directly during interviews
  - h. permit the student to nominate witnesses to appear to support their defence against the complaint
  - i. permit any person appearing before the panel in accordance with (d) above to nominate witnesses to appear to support their evidence
  - j. disallow questions which it considers to be unseemly or irrelevant for the nature of its investigation
  - k. caution all persons appearing before the Panel that they are expected to conduct themselves in a reasonable and responsible manner during the proceedings and that any form of behaviour which is an impediment to the proceedings shall of itself be regarded as a breach of the Policy
  - l. where there is reasonable concern by the Panel or any witness or participant in the proceedings that an individual's safety may be compromised by contact with the student who is the subject of the allegation (e.g. where the student is subject to an Apprehended Violence Order), be entitled to allow the evidence to be presented without the student being present
  - m. where the conduct of any person interferes with any other person's right to be heard, be entitled to remove that person from the meeting and to hear their evidence separately
  - n. in cases where the Panel finds that the complaint is proven, give the student the opportunity to be heard on the issue of penalty
  - o. hold all its proceedings in private, and
  - p. keep an adequate record of the Panel meeting proceedings.
- 8.16 Decisions of the Panel are made by majority.
- 8.17 Where multiple investigations of alleged academic misconduct by a particular student are taking place concurrently, the determination of an appropriate outcome for the latter investigation/s may be deferred until the determination of an outcome for the former investigation has been made.
- 8.18 A comprehensive file of all relevant documentation, including records of the Panel proceedings, evidence presented and the panel's decision shall be created, maintained and retained by the College in accordance with clause 10 of this procedure.

## Outcome of Investigation

- 8.19 As soon as practicable after a meeting of the Academic Misconduct Panel, and within a maximum of *ten working days*, the Chair of the Academic Misconduct Panel (or nominee), must serve the student with written notice of the outcome of the investigation using the appropriate notice letter template.
- 8.20 Where the outcome includes a reprimand from the Head, College Network, the notice shall be signed by the Head, College Network.
- 8.21 A copy of the outcome notice served on a student under clause 8.19 must be provided to the PIO, for advice to other relevant officers of the College.
- 8.22 At the conclusion of all investigations, the PIO shall update and close the record of the case on the Central Register accordingly.

## 9. Extension of time limits

- 9.1 Any time limit set in this procedure may be extended at the discretion of the PIO or Chair of the Academic Misconduct Panel for example, to provide adequate time to gather evidence and convene a meeting or because of special circumstances demonstrated by the student.

## 10. Record Keeping

- 10.1 All files relating to investigations of student misconduct shall be retained and disposed of in accordance with the College's Records Management Policy,
- 10.2 Cases of academic misconduct by a student shall be recorded on the Central Register by the Primary Investigation Officer.

## 11. Templates

- 11.1 Investigation and Outcome Notice Templates
- a. Notice of Outcome of Investigation
  - b. Notice of Investigation Committee Meeting
- 11.2 Referral of Misconduct Investigation Template

## 12. Version Control and Change History

Version Control	Date Approved	Date Effective	Approved By	Change Details
1	11 June 2008	23 June 2008	WCA Academic Board	New Procedure