4.30.3 Student discipline

**Policy number**: 4.30.3  
**Contact Officer**: General Manager, Education & Training  
**Approved by and date**: College Management Group – 20 September 2012  
**Date for Next Review**: 12 months from approval for Contact Officer to review policy  
**Related Policies/legislation**: 4.30.1 Academic Integrity and Honesty, 3.30.1 Student Charter, 4.20.1 Assessment

**Overview**

1. UQ College policies 4.30.1 Academic Integrity and Honesty and 3.30.1 Student Charter set out the academic attributes and behaviors expected of students enrolled at UQ College. The consequences of failing to maintain the academic integrity expected is covered in this policy along with the procedures to be followed regarding both academic and non-academic student misconduct, and plagiarism.

UQ College acknowledges the sensitivity of discipline matters and will maintain strict confidentiality in regard to process and information generated through all discipline matters.

**Description**

2.1 Plagiarism defined

Plagiarism is the act of misrepresenting as one's own original work the ideas, interpretations, words or creative works of another. These include published and unpublished documents, designs, music, sounds, images, photographs, computer codes and ideas gained through working in a group. These ideas, interpretations, words or works may be found in print and/or electronic media.

UQ College academic staff have a responsibility to students to explain clearly academic expectations and what constitutes plagiarism and to cultivate, with their students, a climate of mutual respect for original work.

Plagiarism can be divided into careless plagiarism and intentional plagiarism. The former is discussed in more detail in section 2.3 of this policy. Intentional plagiarism is likely to be treated as misconduct as explained in section 4.

2.2 Examples of plagiarism

The following are examples of plagiarism where appropriate acknowledgement or referencing of the author or source does not occur:
- direct copying of paragraphs, sentences, a single sentence or significant parts of a sentence;  
- direct copying of paragraphs, sentences, a single sentence or significant parts of a sentence with an end reference but without quotation marks around the copied text;
- copying ideas, concepts, research results, computer codes, statistical tables, designs, images, sounds or text or any combination of these;
- paraphrasing, summarising or simply rearranging another person's words, ideas, etc. without changing the basic structure and/or meaning of the text;
- offering an idea or interpretation that is not one's own without identifying whose idea or interpretation it is;
- a 'cut and paste' of statements from multiple sources;
- presenting as independent, work done in collaboration with others;
- copying or adapting another student's original work into a submitted assessment item.

2.3 Poor academic practice

There will be instances when a student unintentionally fails to cite sources or to do so adequately. For example, a student
- may clearly recognise the need for referencing but references carelessly or inadequately for the context of the relevant discipline;
- has undertaken extensive research but, in the process, loses track of the source of some material.

Careless or inadequate referencing or failure to reference will be considered poor academic practice and a demonstration of carelessness in research and presentation of evidence. The student may be required to correct the error or may lose marks.

Academic staff have a responsibility to educate students about the standard referencing system for UQ College programs and courses as listed in the policy 4.20.1 Assessment.

2.4 Best practice in assessment

Prevention of plagiarism, through adhering to best practice principles of assessment, is preferable to the subsequent detection of plagiarism and possible consequences (including investigating misconduct allegations). Academic staff may reduce incidents of plagiarism by taking a proactive approach to assessment, which may incorporate:
- orientation of students to UQ College's assessment methods and standards, including clear examples of the standard UQ College citation methods and guidance on how it is to be used;
- design of a realistic assessment regime, preferably one which is coordinated across the program to prevent undue workload pressure on students at key times of the academic year;
- clear identification of the number and type of assessment items and the assessment methods to which students must adhere;
- clearly stated guidelines about whether students may work in a group or must work individually. If group work is to be allowed, the guidelines must emphasise whether students must submit an individual assignment or can submit a group assignment;
- using interesting, specific and unique assessment exercises, in order to prevent assignments on 'generic' topics being submitted;
- varying assignment topics from semester to semester;
- restricting the scope of references that students may use;
- developing assessment items based on specific 'scenarios';
- requiring students to use their personal experiences as the basis for assessment work; and
- requiring students to defend or justify their work, for example, through the use of poster sessions/tutorials.

3. Plagiarism detection software

UQ College may approve the use of plagiarism detection software (e.g. TurnItIn, MOSS) from time to time and will provide advice to students regarding its availability and access.
4. When is plagiarism poor academic practice and when does it amount to misconduct?

UQ College will not hesitate to investigate suspected misconduct involving plagiarism. The concept that is central to the allegation of cheating is that the student intended to plagiarise the work or ideas of another person. In such instances formal misconduct proceedings ensue.

The following two examples refer to "cheating":

Example 1
Knowingly plagiarising the work of another person, including a fellow student, by adapting or incorporating it in a piece of assessment without due acknowledgment.

Example 2
Knowingly plagiarising the ideas of the author of a text by incorporating them in a piece of assessment without due acknowledgment.

Plagiarism as poor academic practice

It is possible that a student may carelessly use work that is not their own in the course of putting together an assignment and neglect to reference that work appropriately. Cases of careless or inadequate referencing or failure to reference will not be treated as misconduct if the intent to gain an academic advantage is clearly not present.

Staff should deal with the suspected plagiarism in accordance with the procedures outlined in section 5. below. In cases where it is found that there is no intention to cheat, the marker should notionally delete the plagiarised work from the assignment and award a mark on the basis of the original work only (this may result in a drastically reduced mark for the assessment item), and/or may require the student to correct the error.

5. Dealing with suspected plagiarism

In the case of suspected plagiarism the staff member will report the incident, in the first instance, to the Programs Coordinator for investigation and advise the General Manager, Education & Training. The General Manager, Education & Training, in consultation with the Programs Coordinator and staff member, will determine if the plagiarism has resulted from poor academic practice or was intentional. This preliminary step might involve an informal interview with the student.

The General Manager, Education & Training in consultation with the Programs Coordinator and the staff member will -
- consider the extent of, and an indication of a systematic approach to the plagiarism
- review the course profile and other information provided to students by the course coordinator to determine if adequate information had been given
- investigate whether the student has been previously charged with misconduct (noting that previous charges would likely mean that a student understood plagiarism and its consequences)
- determine whether the student is new to tertiary study (it would be expected that continuing students would be more likely to understand the significance of plagiarism and its consequences).

If the above factors have been considered and it has been determined that the plagiarism has arisen from poor academic practice, an appropriate loss of marks should be recorded. For example, a student might not receive marks or recognition for parts of a work that have been plagiarised.

It's the responsibility of the Programs Coordinator to ensure that a student considered to have plagiarised due to poor academic practices, is given appropriate counsel regarding the serious nature of plagiarism; the information needed to avoid any future incident, and that the incident and the
advice provided to the student will be recorded on the student’s file.

However, if, on initial investigation based on the allegation of plagiarism, the evidence clearly points to an intention on the student's part to gain an unfair advantage, the case should be treated as misconduct and the General Manager, Education & Training will proceed in accordance with the additional procedures outlined below.

6. Procedures for dealing with major academic misconduct

6.1 Because a significant case of academic misconduct may, if proven, result in the imposition of a penalty upon the student, the procedures to be followed must be consistent with requirements of natural justice. All of the following steps must be undertaken in relation to academic misconduct which is alleged to have occurred whilst a person is a student at UQ College.

(a) Allegation notice
Allegations of academic misconduct must be put to the student in writing. To ensure receipt by the student, the allegation notice must be posted to the student's current postal address in the student management system, and a copy forwarded to the student email address employed by UQ College for student communications. A notice must contain the following information to assist the student to understand the nature of the allegation, the process for dealing with the allegation, and the student's rights

i. the particulars or evidence of the academic misconduct giving rise to the allegation

ii. the date, time and place set for a meeting at which the allegation of academic misconduct will be considered by the officer responsible for dealing with misconduct in that category. (The responsible officer may elect to establish a panel composed of: the General Manager, Education & Training, a student representative, a course/discipline teacher or a panel nominated by the Academic Board to consider the matter)

iii. any person proposed to be interviewed at the meeting

iv. the student's right to respond to the allegation by, if the student elects, attending the meeting, and in any case, by providing written submissions on the allegations or the type of penalty which could be imposed if the allegation is proven

v. the student's right to arrange for the attendance of a person with relevant information to be interviewed at the meeting

vi. the student's right to be accompanied or represented by a support person at the meeting (the support person shall not be a legal representative, i.e. being a person who has been admitted as a legal practitioner in any Australian jurisdiction)

vii. the consequences of non-attendance or of failing to provide written submissions

viii. any support services to assist a student in responding to allegations

The responsible officer dealing with significant cases of academic misconduct is responsible for ensuring that an allegation notice in this form is sent to the student. Copies of all documents or written evidence to be taken into consideration should be provided to the student at the same time as the allegation notice is sent.

(b) Time for meeting
The meeting at which the allegations will be considered should be held no less than 10 working days and not more than 20 working days after the date upon which the allegation notice was sent to the student.

(c) Meeting procedures
If a student is not present at the meeting within 10 minutes of the starting time for the meeting, the responsible officer may proceed to determine the matter without further recourse to the student, though any written submissions provided by the student prior to the meeting date and time must be taken into account.

If the student is present, the student must be given the opportunity to ask questions of any person
interviewed at the meeting and may present any facts, evidence, documents or oral submissions relevant to the allegations. The student may be accompanied to the meeting by a support person. A representative may attend the meeting in the student's place, and has the same rights of audience and debate as the student. However, neither the student nor UQ College is entitled to have a legal representative (being a person who has been admitted as a legal practitioner in any Australian jurisdiction) present during the meeting.

A report of discussion and the findings of the meeting on the student's case must be prepared. 

(d) Findings of misconduct
The responsible officer/panel must determine with reasonable satisfaction whether academic misconduct is proven. The responsible officer /panel is not bound by the formal rules of evidence or other legal technicalities, but must make a finding based on logical, credible and relevant evidence. The responsible officer /panel must produce a report of its findings which is made routinely available to the student at the time that the student is informed of the outcome of the meeting by the responsible officer/panel chair/CEO in writing.

(e) Recommendation on penalty
It is the role of the responsible officer/panel to make a recommendation on penalty. Once a finding of misconduct is made, the officer should invite submissions from the student (if present at the meeting) regarding the appropriate penalty to be applied.

The recommendation regarding penalty should take account of:
- the seriousness and impact of the academic misconduct
- any mitigating circumstances
- the relevance of any proposed penalty to the nature of the academic misconduct
- penalties applied by the College in similar proven cases
- whether the student has a history of prior proven cases of academic misconduct
- the imposition and duration of any interim suspension.

(f) Dealing with allegations where the student ceases to be enrolled
In the event that a student against whom academic misconduct is alleged discontinues, withdraws their enrolment or takes an approved leave of absence, the responsible officer /panel may at its discretion proceed to determine the matter, provided that the procedures in this policy are followed. Alternatively, the responsible officer /chair of the panel may elect to defer consideration of the case until such time as the person resumes studies at UQ College. In the latter case, the responsible officer will notify the person of this decision.

(g) Approval of the recommendation
The final recommendation will be considered by the CEO, UQ College and he/she will make the final decision on any further actions to be taken by the College.

6.2 Penalties

6.2.1 The following penalties may be imposed for proven student academic misconduct

(a) suspension of the student for a specified period and/or subject to specified conditions, from any or all of the following:
- using UQ College/ the university's information technology resources
- attendance at classes

(b) withholding of examination results for a specified period and/or subject to specified conditions

(c) imposition of a period of provisional enrolment (a period of enrolment subject to specified conditions)
(d) exclusion from enrolment for a specified period and/or subject to specified conditions
permanent expulsion from UQ College.

6.2.2 Any suspension under paragraph (a) will have the effect of prohibiting the student from exercising
the privileges or using the services specified in that paragraph.

6.2.3 The CEO may impose all penalties specified above, upon recommendation from the relevant
officer/panel, and has discretion to impose a penalty different from the penalty recommended by the
officer/panel. The CEO will notify the student in writing of the penalty.

7. Appeals relating to academic misconduct

7.1 If an appeal is lodged (in writing) within 15 days of a decision, the Manager, Corporate and Student
Services will direct the appeal to the CEO for investigation. The CEO may investigate the matter
personally or may instigate an independent panel to review the matter.

7.2 Where a panel is used, the panel will be comprised of two representatives from the UQ College
Academic Board or their nominees; and a student representative as mutually agreed by the student
and the CEO. The student will be notified in writing of the time and date when they will be offered
the opportunity to meet with the CEO/panel (if they wish) and to bring a support person. The
support person may not be a legal representative. The student will be notified in writing of the
decision.

7.3 The CEO/panel decision will in final.

8. Recordkeeping and reporting

8.1 Records must be maintained for major and minor cases of academic misconduct. The relevant
Programs Coordinator is responsible for ensuring that incidents of poor academic practice relating
to plagiarism and the corrective advice given to students is recorded on the student’s file.

8.2 The relevant Programs Coordinator is responsible for maintaining accurate records from lodgement
to the final outcome of the major academic misconduct matter, including the process and evidence.

8.3 For major cases of academic misconduct and appeals, records must be maintained in the corporate
records system of all stages of the process and of any evidence, supporting documentation and
correspondence. Records must be kept even where allegations are not proven. The Manager,
Corporate and Student Services is responsible for providing records for any Appeals process upon
request; and is responsible for maintaining a register of penalties for the purposes of ensuring
penalties are applied consistently and to identify repeat misconduct.

8.4 A report on student misconduct management, at a summary level, is prepared and presented to the
UQ College Board annually by the General Manager, Education & Training.

9. Non-academic student misconduct

UQ College places the rights of students and staff to study and work in a safe and secure
environment in which these rights are respected and applied, resources are used with due care and
left or returned in good order and the environment is respected and protected. UQ College students
and staff are subject to applicable public policy and legal obligations, policies of UQ College and the
policies of UQ when the resources, facilities or matters directly relating to UQ are involved.

The policy applies equally to off campus programs/course delivery and off campus sites.
9.1 Examples of non-academic student misconduct:
- bullying, intimidation and threats of or actual physical violence against another student or staff member on or off campus and in virtual environments
- harassment of a person in terms of the Anti-Discrimination Act 1991
- creating a disturbance or being disorderly on site
- disobeying a reasonable direction of a designated University officer
- using threatening, insulting or obscene language on a University site
- the use of UQ College or its access to UQ virtual/ITC environments to access non-academic resources, sites and information not related to their study or communication tools other than those approved
- unauthorised modification, transfer or deletion of any hardware, software or data
- unlawful copying of software using a University facility or installing software on a University facility without authorisation
- intentionally or recklessly damaging UQ College or UQ property e.g. defacing or affixing a notice to part of a site
- deliberate destruction of library books or facilities
- gaining or assisting another person to gain unauthorised access to a facility
- using a facility for an unauthorised purpose
- making a false statement in order to obtain a student loan
- leaving litter; stealing
- lighting a fire without permission
- failure to comply with a penalty order imposed as a result of misconduct.

9.2 Detection and reporting

9.1 Reports of alleged misconduct may come from a number of sources. Any person having relevant information about suspected misconduct may report it to a staff member of UQ College, who will ensure that the report is referred to the appropriate officer. Additionally, UQ College/UQ undertakes routine checks on compliance in some areas, for instance, by review of logs of IT activity.

9.2 Upon receipt of a report, the responsible officer should consider the following matters (in consultation with other senior officers as appropriate)
- whether the allegations should be dealt with as minor misconduct or not
- whether the circumstances warrant the imposition of an interim suspension by the CEO
- whether the student may have breached criminal laws and whether the conduct should be reported to the police or other law enforcement agencies

9.3 If it is determined that the matter should be dealt with under procedures for major misconduct, then a report of alleged misconduct, including all relevant documents and evidence, should be made by the responsible officer to the CEO UQ College.

10. Management of minor misconduct

10.1.1 Regardless of the category of misconduct, minor instances of misconduct by a student should be dealt with promptly and informally. The approach to managing misconduct at this level should be educative, raising a student's awareness of relevant behavioural standards or expectations and without the imposition of any penalty.

10.1.2 Management of minor misconduct involves the following steps
- examination of documentation or evidence relevant to an allegation of minor misconduct
- interviewing the student concerned or otherwise informing the student of the manner in which their behaviour appears to have fallen below the required standards
- counselling the student about the standards to be met and, if applicable, outlining any available support mechanisms which may assist the student to meet those standards in the future
10.1.3 Minor instances of misconduct may result in the responsible officer issuing a warning or, in appropriate cases, issuing directions to the student, in order to prevent occurrences of misconduct in the future or to remedy the minor breach. Records must be kept of how minor misconduct has been managed, in particular, any written warning or instructions given to the student to guide future behaviour. A compact between the student and the responsible officer may be developed, agreed and signed.

10.2 Dealing with allegations of major misconduct

10.2.1 Because significant cases of misconduct may, if proven, result in the imposition of a penalty upon the student, the procedures to be followed must be consistent with requirements of natural justice. All of the following steps must be undertaken in relation to misconduct which is alleged to have occurred whilst a person is a student at UQ College.

(a) Allegation notice
Allegations of misconduct must be put to the student in writing. To ensure receipt by the student, the allegation notice must be posted to the student's current postal address in the student management system, and a copy forwarded to the student email address stored by UQ College for student communications. A notice must contain the following information to assist the student to understand the nature of the allegation, the process for dealing with the allegation, and the student's rights:
ix. the particulars or evidence of the incident or conduct giving rise to the allegation
x. the date, time and place set for a meeting at which the allegation of misconduct will be considered by the officer responsible for dealing with misconduct in that category. The responsible officer may elect to establish a panel composed of: the General Manager, Education & Training, a student representative and a member of the UQ College staff
xi. any person proposed to be interviewed at the meeting
xii. the student's right to respond to the allegation by, if the student elects, attending the meeting, and in any case, by providing written submissions on the allegations or the type of penalty which could be imposed if the allegation is proven
xiii. the student's right to arrange for the attendance of a person with relevant information to be interviewed at the meeting
xiv. the student's right to be accompanied or represented by a support person at the meeting
xv. the consequences of non-attendance or of failing to provide written submissions
xvi. any support services to assist a student in responding to allegations

The responsible officer dealing with significant cases of misconduct is responsible for ensuring that an allegation notice in this form is sent to the student. Copies of all documents or written evidence to be taken into consideration should be provided to the student at the same time as the allegation notice is sent.

(b) Time for meeting
The meeting at which the allegations will be considered should be held no less than 10 working days and not more than 20 working days after the date upon which the allegation notice was sent to the student.

(c) Meeting procedures
If a student is not present at the meeting within 10 minutes of the starting time for the meeting, the responsible officer may proceed to determine the matter without further recourse to the student, though any written submissions provided by the student prior to the meeting date and time must be taken into account.
If the student is present, the student must be given the opportunity to ask questions of any person interviewed at the meeting and may present any facts, evidence, documents or oral submissions relevant to the allegations. The student may be accompanied to the meeting by a support person.

A representative may attend the meeting in the student's place, and has the same rights of audience and debate as the student. However, neither the student nor UQ College is entitled to have a legal representative (being a person who has been admitted as a legal practitioner in any Australian jurisdiction) present during the meeting.

A report of discussion and the findings of the meeting on the student's case must be prepared.

(d) Findings of misconduct
The responsible officer/discipline committee must determine with reasonable satisfaction whether misconduct is proven. The responsible officer /discipline committee is not bound by the formal rules of evidence or other legal technicalities, but must make a finding based on logical, credible and relevant evidence. The responsible officer /discipline committee must produce a report of its findings which is made routinely available to the student at the time that the student is informed of the outcome of the meeting by the discipline committee chair/CEO in writing.

(e) Recommendation on penalty
It is the role of the responsible officer/discipline committee to make a recommendation on penalty. Once a finding of misconduct is made, the officer should invite submissions from the student (if present at the meeting) regarding the appropriate penalty to be applied.

The recommendation regarding penalty should take account of:
- the seriousness and impact of the misconduct
- any mitigating circumstances
- the relevance of any proposed penalty to the nature of the misconduct
- penalties applied by the CEO in similar proven cases
- whether the student has a history of prior proven cases of misconduct
- the imposition and duration of any interim suspension.

(f) Dealing with allegations where the student ceases to be enrolled
In the event that a student against whom misconduct is alleged discontinues, withdraws their enrolment or takes an approved leave of absence, the discipline committee may at its discretion proceed to determine the matter, provided that the procedures in this policy are followed. Alternatively, the chair of the discipline committee may elect to defer consideration of the case until such time as the person resumes studies at UQ College. In the latter case, the chair will notify the person of this decision.

(g) Approval of the recommendation
The final recommendation will be considered by the CEO, UQ College and he/she will make the final decision on any further actions to be taken by the College.

10.3 Penalties

10.3.1 The following penalties may be imposed for proven student non-academic misconduct

(a) suspension of the student for a specified period and/or subject to specified conditions, from any or all of the following:
   (i) entering on University land
   (ii) using UQ College/ the University's information technology resources
   (iii) attendance at classes
(b) withholding of examination results for a specified period and/or subject to specified conditions
(c) imposition of a period of provisional enrolment (a period of enrolment subject to specified conditions)
(d) exclusion from enrolment for a specified period and/or subject to specified conditions
(e) permanent expulsion from UQ College.

10.3.2 Any suspension under paragraph (a) will have the effect of prohibiting the student from exercising the privileges or using the services specified in that paragraph.

10.3.3 The CEO may impose all penalties specified above, upon recommendation from the relevant officer/committee, and has the discretion to impose a penalty different from the penalty recommended by the officer/committee. The CEO will notify the student in writing of the penalty. However, if the student did not attend the arranged meeting, the CEO must not implement the penalty until the student has been given the opportunity to make a submission on penalty.

10.4 Interim suspension

10.4.1 An interim suspension may be imposed upon a student in circumstances where the alleged misconduct raises a concern that there are serious risks associated with the student's continuing presence at a UQ College site or the student's continuing use of UQ College's/University's information technology resources.

10.4.2 The CEO may impose an interim suspension on a student, but only if the CEO believes that this is reasonably necessary to avert a serious and urgent risk of any of the following
(a) physical or psychological harm to a person
(b) damage to University land, building or facility or to information technology resources
(c) disruption of a legitimate UQ College activity
(d) the student continuing to act in a manner which may amount to misconduct.

10.4.3 The interim suspension will continue until a decision is made on the alleged misconduct, or until the risk has passed.

10.4.4 The CEO will notify the student and the responsible officer/discipline committee of the interim suspension imposed. The CEO must consider whether the interim suspension should remain in force if submissions are received from the student about the imposition or duration of the interim suspension.

11. Appeals relating to non-academic misconduct

11.1 If an appeal is lodged (in writing) within 15 days of a decision, the Manager, Corporate and Student Services will direct the appeal to the CEO for investigation. The CEO may investigate the matter personally or may instigate an independent panel to review the matter.

11.2 Where a panel is used, the panel will be comprised of two representatives from the UQ College Student Affairs Committee; and a student representative as mutually agreed by the student and the CEO. The student will be notified in writing of the time and date when they will be offered the opportunity to meet with the CEO/panel (if they wish) and to bring a support person. The support person may not be a legal representative. The student will be notified in writing of the decision.

11.3 The CEO/panel decision will be final.
12. Recordkeeping and reporting

12.1 Records must be maintained for minor and major cases of misconduct by the responsible officer who managed the non-academic misconduct process.

12.2 Records of minor breaches must be maintained in the corporate records system. For major cases of misconduct and appeals, records must be maintained in the corporate records system of all stages of the disciplinary process and of any evidence, supporting documentation and correspondence. Records must be kept even where allegations are not proven. The Manager, Corporate and Student Services is responsible for providing records for any Appeals process upon request; and is responsible for maintaining a register of penalties for the purposes of ensuring penalties are applied consistently and to identify repeat misconduct.

12.3 A report on student misconduct management, at a summary level, is prepared and presented to the UQ College Board annually.

Modification History
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<th>Document Owner(s)</th>
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<td>Dale Williams</td>
<td>General Manager, Education &amp; Training</td>
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