

Student Conduct Policy

Section 1 - Purpose

(1) To provide a framework for the management of student conduct that may harm the University and its community.

Section 2 - Scope

(2) Applies to all students enrolled in the RMIT Group, including:

- a. students on leave of absence
- b. students studying through Open Universities Australia (OUA) or other third-party provider of RMIT courses and programs
- c. students studying RMIT programs at global partner institutions
- d. higher degree by research students who have submitted work for examination, and graduands
- e. students in short courses or single courses.

Section 3 - Policy

Expectations of Student Behaviour

(3) RMIT University is a safe learning and working community.

(4) As members of a diverse community, students will treat all members of the university community with respect and are entitled to be respected.

(5) RMIT students, other than RMIT Training Students, abide by the:

- a. [Student Charter](#)
- b. [Acceptable Use Standard - Information Technology](#)
- c. [Statement of Student Responsibilities](#), and
- d. (for Victorian Certificate of Education students only) the Victorian Certificate of Education Code of Conduct.

(6) The RMIT Training process on unacceptable behaviour [under development] sets out the expectations of behaviour for RMIT Training students.

Definition of General Misconduct

(7) A student commits general misconduct if the student:

- a. engages in conduct that carries an unacceptable risk of:
 - i. harming someone physically or psychologically
 - ii. harming someone else's property, including property of RMIT

- b. does not comply with any reasonable request, order or direction by an RMIT officer where the request, order or direction was necessary:
 - i. to maintain a safe learning environment
 - ii. to ensure the health and safety of any person (including the student concerned)
 - iii. to prevent damage to property or RMIT premises
 - iv. for the proper performance of the officer's duties at RMIT
 - v. to ensure compliance with an RMIT policy or process
- c. disrupts or inhibits another person's ability to participate in any RMIT activity or use RMIT premises in a way that they might reasonably be expected to do
- d. behaves in a manner that is persistent, unwanted, indecent or offensive to the extent that it is likely to make any others feel unsafe in the RMIT learning and working environment
- e. discriminates against any person on any grounds, including but not limited to disability, race, age, gender, sexual preference, physical appearance or religious or political belief
- f. harasses, intimidates or bullies any person (or attempts to)
- g. wilfully, recklessly or negligently engages in a course of action that causes or may cause physical or psychological harm or arouses apprehension or fear, either directly or indirectly, either physically, verbally, non-verbally, electronically or by any other means
- h. wilfully, recklessly or negligently causes damage to, or removes or wrongfully interferes with, any property of RMIT or others in ways that harm or significantly limit others from carrying out their roles
- i. copies or attempts to copy any copyright material including computer software, without the permission of RMIT or in breach of copyright law
- j. improperly makes use of any RMIT facilities, networks or equipment
- k. publishes, distributes or makes available (in any form or forum) any confidential information of or held by RMIT or breaches any person's privacy
- l. makes false representations on any matter (including academic records, health practitioner records or immigration requirements) in his or her capacity as a student or knowingly engages in document fraud in relation to assessment, academic results, records or for purpose of admission to or enrolment in a course or program
- m. bribes or attempts to bribe a staff member
- n. unlawfully accesses an electronic record belonging to RMIT, an officer or another student where the record is accessible via or contained within RMIT's computing and network facilities
- o. engages in any other conduct, whether within or outside RMIT premises, that may be prejudicial to the good order and discipline of RMIT or is likely to bring RMIT into disrepute
- p. incites or persuades any other person to engage in behaviour or conduct that amounts to general misconduct
- q. commits a criminal or unlawful act while on RMIT premises or in connection with RMIT activities
- r. acts in contravention of, or fails to act in accordance with, RMIT legislation, policy, processes or published rules.

Definition of Academic Misconduct

(8) A student commits academic misconduct if the student:

- a. cheats or attempts to gain an unfair academic advantage in any assessment task,
- b. impersonates, or allows impersonation by, another for any assessment task,
- c. plagiarises or submits the work of another person as the student's own work,
- d. knowingly enables or encourages another student to plagiarise their work,
- e. takes into or uses in connection with any assessment session, any information or device other than information or devices specifically permitted by RMIT,

- f. obtains from or gives to a student during any assessment session, information relating to the assessment task without prior approval from the staff member in charge of the assessment task, and which undermines the integrity of the assessment task,
- g. commits a breach of the research code and RMIT's published standards for conduct of ethical and responsible research, or
- h. behaves in any manner that may provide a misleading basis for an assessment task.

Reporting Misconduct

(9) Any staff member with reasonable grounds to believe that a student has committed misconduct reports it to a senior officer.

Support for Students

(10) RMIT supports the welfare of students against whom an allegation of misconduct is made.

(11) Students in this situation are entitled to the support of an advocate and/or support person: see the Student conduct policy process for details.

Authority of Senior Officers

(12) The senior officer may:

- a. address the student's conduct without further reference to the Student Conduct Policy
- b. refer the allegation to another senior officer
- c. hear the allegation
- d. address immediate safety concerns by temporarily restricting access to specific services and facilities, (restrictions must be relevant, appropriate and not unreasonable)
- e. apply reasonable and appropriate precautionary measures to protect the safety of any person prior to finalisation of misconduct or external proceedings
- f. do anything reasonable in the circumstances to resolve the allegation.

(13) Alternatively:

- a. Senior officers of RMIT University may refer the allegation to the Student Conduct Board.
- b. Senior officers of RMIT Europe, RMIT Online or RMIT Training may refer the allegation to the authority for that RMIT entity identified in the [Student Conduct Policy Process](#).

Misconduct Process

(14) Allegations of misconduct are dealt with fairly and in accordance with the [Student Conduct Policy Process](#).

(15) The outcome of the process is either to dismiss or uphold an allegation.

(16) Where an allegation is upheld, penalties may be imposed on the student.

(17) Student conduct penalties of failure in an assessment task or course override grades already assigned and decisions in relation to the assessment task or course grade under any other policy.

Penalties - Senior Officer

(18) Where a senior officer finds that misconduct has occurred, the senior officer may apply any of the following penalties or a combination of these:

- a. a reprimand
- b. recording a failure for all or any part of an assessment task
- c. recording a failure for a course
- d. requiring the student to repeat all or any part of an assessment task
- e. a financial penalty in accordance with RMIT's or an entity's schedule of fees and charges
- f. requiring the student to pay for the cost of any damage
- g. suspension of the student for a period not exceeding one compulsory teaching period.

Penalties - Student Conduct Board or Equivalent Authority in an RMIT Entity

(19) Where the Student Conduct Board, or the equivalent authority for RMIT Europe, RMIT Online or RMIT Training under the student conduct process, finds that misconduct has occurred, the board may apply any of the following penalties or a combination of these:

- a. a reprimand
- b. recording a failure for all or any part of an assessment task
- c. recording a failure for a course, including the research component of a research program
- d. requiring the student to repeat all or any part of an assessment task
- e. cancellation of any or all final results
- f. a financial penalty in accordance with RMIT's schedule of fees and charges
- g. requiring the student to pay the cost of any damage
- h. refusing the student access to RMIT premises
- i. exclusion of the student from using all or some of RMIT's computing and network facilities for a specific period
- j. suspension of the student for up to one calendar year
- k. a recommendation to RMIT University Council that it revoke an award
- l. expulsion of the student
- m. such other penalty or action as the board may consider appropriate.

Non-compliance with a Decision or Penalty

(20) A student's non-compliance with a decision or penalty will be addressed by:

- a. for a student studying at RMIT University, the Academic Registrar (or nominee)
- b. for a student studying at RMIT Training, the Chief Executive Director
- c. for a student studying with RMIT Online, the Chief Executive Officer
- d. for a student studying at RMIT Europe, the Executive Director; or

(21) Actions that may be taken where a student has failed to fulfil any penalty imposed under this policy include a decision not to:

- a. permit the student to re-enrol;
- b. issue the student with any statement of results; and/or
- c. confer any award on the student.

Appeals

(22) All appeals must follow the process set out in the appeals section of the Student conduct policy process.

(23) A student studying at RMIT Europe may appeal to the Executive Director against:

- a. the decision of a senior officer or the authority to which senior officers refer student conduct allegations for RMIT Europe, and/or
- b. a penalty imposed for a finding of misconduct.

(24) A student studying with RMIT Online may appeal to the Chief Executive Officer against:

- a. the decision of a senior officer or the authority to which senior officers refer student conduct allegations for RMIT Online, and/or
- b. a penalty imposed for a finding of misconduct.

(25) A student studying at RMIT Training may appeal to the Chief Executive Officer against:

- a. the decision of a senior officer or the authority to which senior officers refer student conduct allegations for RMIT Training, and/or
- b. a penalty imposed for a finding of misconduct.

(26) A student studying at RMIT University or RMIT Vietnam, or a student studying in an RMIT program with an RMIT partner, may appeal to the Student Conduct Appeals Committee against:

- a. a decision of a senior officer or the Student Conduct Board, and/or
- b. a penalty imposed for a finding of misconduct.

(27) The grounds on which a student may appeal are limited to evidence that:

- a. the decision was made on the basis of personal bias or ill will,
- b. a breach of RMIT legislation or policy by the board or senior officer has occurred that has had a significant impact on the outcome of the hearing,
- c. the penalty is unreasonable, disproportionate or inappropriate, and/or
- d. is new and substantial supporting information that was not available at the time of the misconduct hearing.

(28) The committee or equivalent authority in an RMIT entity must:

- a. dismiss the appeal, or
- b. allow the appeal in whole or in part.

(29) If the committee or equivalent authority in an RMIT entity allows the whole or any part of an appeal, it must confirm, set aside or vary any penalty imposed or substitute another penalty.

(30) Unless the matter is remitted to the senior officer or the board, a decision of the committee or equivalent authority in an RMIT entity is final.

Notifications to External Agencies

(31) Students have a right to external review of decisions made under this policy: see the Student conduct policy process for details.

(32) Where a matter concerns alleged misconduct of a type that RMIT is required to report to external authorities such as the police or other government agency, RMIT will:

- a. investigate the matter and support appropriate action by a senior officer under this policy
- b. ensure that its actions do not compromise or undermine investigations by external authorities.

Temporary Suspension

(33) Where a student whose behaviour is disrupting RMIT activities, damaging property, or endangering others, they may be required to leave the premises and not return that day by any staff member in charge of:

- a. a teaching or assessment session
- b. a class or meeting conducted by, or for, RMIT
- c. an RMIT facility or area
- d. any other activity within the precincts of RMIT.

(34) Under these circumstances, the staff member will report both the incident and the action taken to the relevant senior officer as soon as practicable.

Executive Suspension

(35) The following executives may suspend a student immediately, where this is necessary to protect against further misconduct that poses a high risk to the safety of the student or a member of RMIT community or to RMIT property:

- a. for students studying with RMIT University, the Deputy Vice-Chancellor Education and Vice-President (or nominee).
- b. for students studying with RMIT Training, the Chief Executive Officer, RMIT Training.
- c. for students studying at RMIT Europe, the Executive Director, RMIT Europe.
- d. for students studying at RMIT Online, the Chief Executive Officer, RMIT Online.

(36) The nominated executive staff under clause(35):

- a. are not required to have the matter heard under this policy before making the decision
- b. may impose terms and conditions on the executive suspension, including measures to ensure that all parties are safe and that the student is offered the support necessary to return to study.

(37) The decision is final and continues to operate until the period of suspension expires, or the suspension is revoked or varied by the staff member holding the executive position that suspended the student.

(38) Within 24 hours of the decision, the student must be:

- a. advised of the decision, any terms and conditions of the decision, and a summary of the reasons for the decision
- b. provided with a copy of this policy.

(39) A decision to suspend a student under these provisions takes effect immediately.

(40) The purpose of executive suspension is to manage immediate risk. The matter will still be heard by the Student Conduct Board, or the equivalent authority for RMIT entities, to determine whether the student has committed misconduct and whether to impose penalties.

(41) The executive suspension may be revoked or varied by the executive staff member responsible under clause 14.1 when:

- a. the Student Conduct Board or relevant person or body for RMIT entities reaches a finding; or
- b. the student demonstrates that they are fit to return to study without further risk.

(42) If the student cannot demonstrate within 12 months of the executive suspension that they are fit to return to study without further risk, the student's enrolment will be cancelled. Any future application for admission will be referred for a decision to the person holding the relevant executive role in clause 14.1.

Processes and Guidance Materials

(43) The Academic Registrar approves the [Student Conduct Policy Process](#) and guidance materials.

Section 4 - Resources

(44) Refer to the following documents which are established in accordance with this policy:

- a. [Student Conduct Policy Process](#)
- b. RMIT Group Senior Officers

Section 5 - Definitions

Advocate	A person chosen by the student against whom an allegation of misconduct has been made, to provide information and advice regarding the conduct process and, where appropriate, to speak on their behalf. In a student conduct process, a solicitor cannot be an advocate. The role of the advocate is detailed in the student conduct process. Student Rights Officers are available as advocates to students in RMIT University programs.
Assessment task	A specific instance of assessment such as an assignment, examination, portfolio, presentation, test, etc.; one component of assessment in a course.
Conflict of interest	In the context of this policy, where a person responsible for hearing a student conduct allegation may be perceived as not impartial, for example because of their previous direct involvement in the matter complained of.
Controlled entity	An entity that the University owns or has an interest in: specifically, RMIT Europe, RMIT Online, RMIT Training and RMIT Vietnam.
Cost of damage	The monetary value of any damage to, or loss of, any property (including the cost of repair or replacement).
Day	Working day; not a day when RMIT is closed.
Document fraud	Knowingly falsifying, forging or submitting documents that contain misleading or false information.
Executive suspension	A decision by the Deputy Vice-Chancellor (Education) and Vice-President to suspend a student immediately.
Expel	To terminate a student's enrolment at RMIT, without any right to enrol or re-enrol, unless the Deputy Vice-Chancellor (Education) and Vice-President otherwise orders.
Information and communication technology facilities	Include, but are not limited to, computers, computer systems, email and other communication networks and information facilities together with associated software, files, data storage and retrieval.
Officer	Means any person employed by RMIT, except staff of RMIT student unions.
Plagiarism	The presentation of the work, idea or creation of another person, without appropriate referencing, as though it is one's own.
Principal student organisation	The main body representing students at the relevant RMIT campus.

Procedural fairness	Is present when processes ensure all parties have a reasonable opportunity to have their viewpoint heard fairly, by impartial decision-makers; are well informed about the processes; and have a reasonable time-frame in which to follow them; and parties in a decision-making process have a chance to review and respond to all evidence and submissions that are considered by the decision-makers.
Research Code	The Australian Code for the Responsible Conduct of Research.
RMIT Group	Includes RMIT University, RMIT Europe, RMIT Training, RMIT Vietnam, RMIT Online and other controlled entities (RMIT Foundation and Spatial Vision Innovations).
RMIT premises	Any building or area owned or controlled by RMIT; includes premises hired or temporarily possessed by RMIT for workshops, camps or examinations, or other learning or study activities.
Senior officer	For RMIT University, executive deans, deans and heads of any school, deputy deans and deputy heads of any school, associate deans and discipline leaders, any member of the Vice Chancellor's Executive, the Academic Registrar, the directors, planning and resources; the deputy pro vice-chancellors (learning and teaching), the Director, Student Services, RMIT Librarian, any executive director, any person acting in any of these positions, and any other person in a senior position approved by the Deputy Vice-Chancellor Education. For RMIT Europe, senior officers are nominated by the Executive Director. For RMIT Training, senior officers are nominated by the Chief Executive Officer. For RMIT Online, senior officers are nominated by the Chief Executive Officer.
Serial academic misconduct	Academic misconduct, where the student has previously committed academic misconduct at RMIT.
Support person	A person chosen by a student against whom an allegation of misconduct has been made, to be present at conduct hearings; or a partner, immediate family member, health professional or Student Rights Officer who provides support to and advises the student outside of hearings. The student conduct process describes the role and rights of the support person.
Suspend	To prohibit a student for a specified period from attending any teaching or assessment activity or entering RMIT premises, using RMIT's information and communication technology facilities, or representing RMIT.

Status and Details

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Effective Date	19th October 2020
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Policy Owner	Sherman Young Deputy Vice-Chancellor Education
Policy Author	Connie Merlino Academic Registrar
Enquiries Contact	Academic Registrar's Group