

Conscientious Objection Policy and Procedures

1. PURPOSE

To provide a consistent University-wide approach to conscientious objection which recognises that some students and staff may have a conscientious belief that is in conflict with teaching, assessment practices and/or fieldwork education.

2. APPLICATION

All Staff and Students

3. EXCEPTIONS

Higher Degree by Research students (refer to relevant HDR Regulations)

4. DEFINITIONS

(Note: Commonly defined terms are located in the [Curtin Common Definitions](#). Any defined terms below are specific to this document)

Conscientious Belief

Is defined as an individual's genuine and sustained inward conviction of what is morally right or wrong, uninfluenced by any consideration of personal advantage or disadvantage either to oneself or others. A Conscientious Belief can be linked to ethical, religious, or cultural values.

Staff Member

Means a person who has been offered and has accepted a contract of employment from Curtin University.

Student

Is a person who is enrolled in, a unit, course or program of study approved by Curtin, and which leads to, or is capable of leading to, an academic award of the University.

5. POLICY STATEMENT

The University accepts that a conscientious belief is an individual's genuine and sustained inward conviction of what is morally right or morally wrong and that this is uninfluenced by any consideration of personal advantage or disadvantage either to oneself or others. If put to the test a person holding such a belief would ordinarily be willing to act according to the particular conviction although this may involve personal discomfort or suffering or material loss.

6. PRINCIPLES

- 6.1 The onus is on the person who has a conscientious belief to identify their objection and to provide reasonable notice of it to the relevant area.
- 6.2 Where it foresees that a prospective or current student, or staff member, may have a conscientious objection in relation to their education or employment the University will publish relevant information in the Course Handbook and the Unit Outline or the Position Description. This information will identify any requirement to perform procedures or participate in activities that the University considers likely to be the subject of conscientious objection. Such procedures might include, for example, the handling of animals, cadavers or other persons.
- 6.3 Students with a conscientious objection to a particular teaching, assessment or fieldwork requirement will not simply be excused from an activity but, where appropriate, will be given an alternative assessment or teaching activity or fieldwork education opportunity that is of comparable difficulty and which requires a similar amount of time and effort to complete.
- 6.4 Alternatives made available to students with a conscientious objection are not required to be made available to all other students.
- 6.5 Faculties/teaching areas will document details of conscientious objections in order to determine whether there are patterns to objections to be taken into consideration in the future design of alternative teaching/assessment or fieldwork education.
- 6.6 Teaching areas, in consultation with the Conscientious Objection Committee, will develop discipline-specific approaches based on this policy and its attached schedules.

7. PROCEDURES

7.1 LIMITS

- 7.1.1 A student/staff member can request that there be a suitable alternative, but may not demand that an alternative take a particular form.
- 7.1.2 The University is not obliged to accommodate a conscientious belief:
- 7.1.2.1 Where such accommodation would be in breach of legislation (eg equal opportunity legislation) or expose the University to legal liability (eg breaches the University's duty of care and/ or Occupational Health responsibilities);
- 7.1.2.2 Where the task or process objected to is deemed an essential or core component of study and where, unless the task or process is completed, staff are unable to certify that a graduate has the basic competencies to fulfil the requirements of the course and/or external professional registration bodies;
- 7.1.2.3 Where the task or process objected to is deemed an inherent requirement of the staff person's position and duties;
- 7.1.2.4 Where time constraints determine an alternative is not possible;
- 7.1.2.5 Where it will disadvantage other students in the quality of their education; and
- 7.1.2.6 Where it creates unreasonable hardship.

7.2 APPEALS

- 7.2.1 A student/staff member who is dissatisfied with the decision of a Unit Coordinator/Manager can appeal to the Conscientious Objection Committee.
- 7.2.2 The student/staff member will have 20 working days from the date on which they were formally notified of a decision by the Unit Coordinator/Manager to lodge an appeal to the Conscientious Objection Committee outlining in writing their reasons for dissatisfaction.
- 7.2.3 The Conscientious Objection Committee shall comprise:
- the Chair, Research Ethics Committee;
 - the Head of the area involved in the complaint;
 - a Pro Vice-Chancellor (or nominee) from an area not involved;
 - the Student Guild President (or nominee),
 - the Multi-Faith Officer, and
 - the Director, Student Services (or nominee) if the appellant is a student; or Director, People and Culture (or nominee) if the appellant is a staff member.
- 7.2.4 The decision of the Committee is final.

8. LIST OF SCHEDULES

Schedule A - Procedures for Students and Staff regarding Conscientious Objections

Policy Compliance Officer	Michelle Rogers , Director, Student Experience Support Services
Policy Manager	Deputy Vice-Chancellor, Academic
Approval Authority	Academic Board
Review Date	1 st April 2012

REVISION HISTORY

Version	Approved/ Amended/ Rescinded	Date	Committee / Board / Executive Manager	Approval / Resolution Number	Key Changes and Notes
	Approved	27/03/2009	Academic Board	AB 38/09	Attachment 1 to Document No 00115/09
	Amended	02/06/2009	Planning and Management Committee	PMC 47/09	Name Change from Staff Services to Human Resources
	Administratively Updated	06/10/2015	Director, Legal and Compliance Services	EC 76/15	Executive Manager Title Changes

Procedures for Students and Staff regarding Conscientious Objections

Responsibilities of Faculties/ Areas to identify Potential Conscientious Objections and include relevant information of Course/ Employment requirements in Course/ Job Information.

Each Faculty/ Area, where it foresees that a prospective student, current student, or staff member may have problems of belief in relation to their education or employment, will publish relevant information about course requirements/ employment duties in the Course Handbook and the Unit Outline or the Position Description. Areas of potential conscientious objections include dissecting animals, site visits to abattoirs, scheduling of fieldwork on Saturdays (Sabbath worship day), handling cadavers, and physical contact with students of both genders particularly if minimally clad when practising health related procedures.

Faculties/ Areas will document details of conscientious objections in order to determine whether there are patterns to objections to be taken into consideration in the future design of alternative teaching/ assessment or work practices that are acceptable to the University.

Responsibilities of Student/Staff member with a Conscientious Objection

If a student/ staff member has a conscientious objection which conflicts with teaching or assessment practices/ employment duties, the student/ staff member has a responsibility to contact their Unit Controller/ Manager as soon as possible outlining their conscientious objection and the specific implications of their objection upon their studies/ employment duties.

Responsibilities of Unit Controller/Manager in responding to the Student/Staff member with a Conscientious Objection

The Unit Controller is to explore the feasibility of an alternative assessment or teaching activity that:

- is of comparable difficulty requiring a similar amount of time and effort and;
- meets the learning outcomes and/or professional competencies required for professional registration bodies;
- is able to be implemented/achieved in a timely manner;
- does not disadvantage other students in the quality of their education;
- does not violate any legal obligations; and
- does not create unreasonable hardship.

The Manager is to explore the feasibility of alternative employment duties that:

- meet the inherent requirements of the position;
- is able to be implemented/achieved in a timely manner;
- does not disadvantage other staff/students;
- does not violate any legal obligations; and
- does not create unreasonable hardship.

Upon exploration of the feasibility, the Unit Controller/ Manager should formally notify the student/ staff member in a timely manner of the decision to accommodate the conscientious objection, and the appropriate arrangements. The decision should be documented as a record pertaining to the individual and to build a register of conscientious objections pertaining to the course/ area of employment for future consideration.

A student/ staff member dissatisfied with the decision of the Unit Coordinator/ Manager will have 20 working days from which they were formally notified by the Unit Coordinator/ Manager to lodge an appeal to the Conscientious Objection Committee outlining in writing their reasons for dissatisfaction. The decision of the Committee will be final.