

CURTIN UNIVERSITY ACT 1966
STATUTE NO. 10 – STUDENT DISCIPLINE

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CURTIN UNIVERSITY ACT 1966

STATUTE NO. 10 – STUDENT DISCIPLINE

This Statute is made by the Council of the University under the powers conferred on it by section 34 of the *Curtin University Act 1966*.

1. Short title

This Statute is *Statute No. 10 – Student Discipline*.

2. Commencement

This Statute takes effect from the date that it is published in the *Government Gazette*.

3. Purpose

The purpose of this Statute is to establish the framework for dealing with Student Misconduct.

4. Interpretation

(1) In this Statute, unless the contrary intention appears -

Academic Misconduct means conduct by a Student, other than conduct constituting Academic Record Fraud or General Misconduct, that is dishonest or unfair in connection with any academic work, such as -

- (a) during any exam, test or other supervised assessment activity;
- (b) in relation to the preparation or presentation of any assessed item of work; or
- (c) in relation to the conduct of research or any other similar academic activity;

Academic Record means any document or other record containing information relating to a person's academic results, awards or achievements.

Academic Record Fraud means conduct by a Student, other than conduct constituting Academic Misconduct or General Misconduct, that is dishonest in connection with an Academic Record, such as -

- (a) falsifying, or arranging the falsification of, an Academic Record;

- (b) giving false or misleading information in relation to an Academic Record; or
- (c) allowing a false or misleading Academic Record to be presented on behalf of the Student or another person;

Act means the *Curtin University Act 1966*;

General Misconduct means conduct by a Student, other than conduct constituting Academic Record Fraud or Academic Misconduct -

- (a) which contravenes any written law of the Commonwealth of Australia, a State or Territory of Australia or any other country, and where the written law relates to an activity associated with the Student being a Student of the University;
- (b) which contravenes the provisions of the Act or any Statute, rule or by-law, or a University code of conduct, policy or procedure;
- (c) which contravenes any lawful direction by a member of the staff of the University;
- (d) which infringes the reasonable freedom of other persons to -
 - (i) pursue their study, research, duties or other lawful activities on premises owned or controlled by the University, or elsewhere while engaged in an activity under the auspices of the University; or
 - (ii) participate in the life of the University; or
- (e) which is otherwise detrimental to the proper conduct of the University or the University's reputation;

Previous Statute No. 10 means *Statute No. 10 - Student Discipline*, published in the *Government Gazette* on 9 April 2010;

Student means a person who is or was -

- (a) an enrolled student as defined in section 4(1) of the Act;
- (b) admitted, or applying to be admitted, to a course or unit conducted by the University; or
- (c) engaged, or applying to be engaged, in a structured program of learning provided by or for the University; and

Student Misconduct means conduct by a Student that is -

- (a) Academic Record Fraud;
 - (b) Academic Misconduct; or
 - (c) General Misconduct.
- (2) An instance of Student Misconduct is a *disciplinary offence* within the meaning of that term in section 34(1c) of the Act.

5. General principles

- (1) A Student must be given the opportunity to respond to any allegation of Student Misconduct before a decision is made whether Student Misconduct has occurred.
- (2) A Student must have a right of appeal against any finding that Student Misconduct has occurred and any penalty that is imposed.
- (3) An appeal must be determined by a person or persons not involved in the original decision.

6. Penalties for Student Misconduct

- (1) Penalties for Student Misconduct are to be as prescribed in rules made under this Statute.
- (2) In addition to any penalties imposed, a Student found guilty of Student Misconduct may be required to make restitution for any loss, damage or additional expenditure incurred by the University through his or her actions.

7. Application

This Statute applies -

- (a) to any instance of Student Misconduct which occurs on or after the commencement date of this Statute; or
- (b) to any instance of Student Misconduct under Previous Statute No. 10 which occurred prior to the commencement date of this Statute and in respect of which disciplinary action has not commenced under Previous Statute No. 10.

8. Rules

The Council may make rules, not inconsistent with the Act or any Statute -

- (a) to regulate, or provide for the regulation of, Student Misconduct; or
- (b) to carry out or give effect to this Statute.

9. Revocation

Previous Statute No. 10 is revoked.

The Common Seal of CURTIN UNIVERSITY)
was affixed on the 5th)
day of December 2017)
by the authority of the Vice-Chancellor)


Vice-Chancellor



A/ 
Administrative Secretary

REVISION HISTORY

Revision/ Ref No	Approved/ Amended	Date	Committee/ Board	Resolution	Document Reference
	Gazetted	9 April 2010			Amending Statute
	Amended	21 October 2010	Council	C145/09	Document number 01477/09
	Amended	20/10/2017	Council	C 153/17	Appendix 8.6.1
	Amended	06/12/2017	Council	C153/17	Annexure D
	Gazetted	16 February 2018			Replacement Statute