Introductory Comments

It is now almost three years since the Victorian Ombuds published a highly critical report on how certain student discipline cases were managed by the University. At the time of the report the Vice Chancellor committed RMIT to reviewing Regulation 6.1, Student Discipline. We are relieved to finally see concrete progress with this review.

While we feel that it is desirable for the system to primarily concern itself with educating students who have behaved inappropriately, we acknowledge that there are levels of misconduct which require some form of sanction. Indeed it is possible to go further; there are, at times, individuals on campus who do pose a threat to the physical safety of the RMIT community, just as there are occasionally allegations of systemic cheating which could damage the reputation of our members’ qualifications. The Student Union has a vested interest in seeing these matters handled correctly; our advocacy staff have at times themselves felt threatened.

Key Student Union personnel have for some time harboured serious concerns about how well disciplinary processes have been managed, as we have witnessed many instances of the current processes not being followed, School level decision makers often not seeming to know how to fairly consider evidence or to even apply the University’s Regulation in their handling of matters. While we want it noted that we have the upmost respect for the majority of RMIT staff who have the unpleasant responsibility of dealing with alleged instances of misconduct, these are systemic issues which must be addressed.

At the heart of the problem appears to be a lack of staff training and of co-ordinated support and feedback to the Schools. These issues extend into the centre of student discipline at RMIT; the Discipline Board itself. Despite notable attempts to professionalise its practice in the recent past, the Board finds itself apparently let down by some of the
Schools, while a failure by University Secretariat to publish an essential amendment to the Regulation has left it without a valid Chairperson.

‘Lower level’ discipline cases, in particular, academic misconduct hearings in Schools are important both as a training ground for decision makers and as a barometer of how they can be expected to fulfil their roles when the rare serious case comes along. The majority of these cases appear to be being mishandled. This has an important corollary which is that cases referred directly to the Board have often been poorly presented, lacking vital evidence or solidly grounded particulars; of 31 cases of major academic misconduct referred to the Board in 2012 only six cases resulted in a finding of misconduct.

We believe that a robust process is in our interests but also that this is, axiomatically, linked to fairness. There is a very clear body of jurisprudence about administrative decisions which deprive individuals of important rights, including in university disciplinary processes. These cases reflect a deeply entrenched expectation that people who are subject to such processes will have a case against them fairly heard, will know what they are accused of, be allowed to respond and be judged impartially. When tested, where a decision maker fails on these points the decision fails. These matters are not abstract rights which are a technical inconvenience for decision makers, they are the bread and butter of good decision making; they are, for instance, how the university can expect to be able to tell the difference between a student who has had their work stolen and the thief who is attempting to plagiarise it.

The concerns of the Student Union of underlying systemic weaknesses parallel those raised by the Ombuds in 2010. In the revision of these rules, we were expecting to see the full implementation of the recommendations which the Vice Chancellor agreed to. While there have been some commendable changes we are concerned by some of the content and about why the institution has chosen to focus on addressing some areas but not on others. We are concerned about:

- Why a number of the Ombuds’ key recommendations do not appear to have been addressed. The recommendations to ensure that decision makers are adequately trained and to support feedback and continuous improvement are reasonable and are essential pre-requisites to ensuring that this policy remains fair and robust.

- How the system can cope with the potential volume of accusations of cheating which are easily foreseeable given the increased number of students and small number of designated disciplinary decision makers, as noted during consultation.

- Why the University is proposing to replace a specific, experienced and in our opinion, effective appeals body with appeals to the UAC when this body is generalist in nature, overworked and appears to lack experience in and authority over many serious areas of misconduct, as noted during consultation.

- Why the University has not specifically addressed ‘frontier’ issues with misconduct, for instance how the boundaries of online misbehaviour could or should be addressed by the institution, or how to make assessment tasks more robust.
- The discrepancies between the current draft rules and the Assessment: Academic Integrity and Plagiarism Procedure, adopted late last year. The two policies take fundamentally different approaches to defining academic misconduct, and give students different responsibilities. We believe that the approaches taken in the current drafts are fairer and more robust, but cannot account for or understand why such different approaches are being proposed nor how they can be reconciled with each other.

Ultimately we do not understand why the University has decided to go it alone with this rule and has waited until this late stage to consult its student organisation. Getting a system for managing allegations of misconduct right is a difficult matter which requires balancing a number of conflicting imperatives. We believe it is our responsibility to engage with this problem. Although we advocate, sometimes strenuously for the rights of students caught up in this system, this should not be assumed to mean that our intent is to subvert it.

These are discussion points and we reserve the right to make additional submissions as the drafting process continues.
The Behavioural Risk Assessment and Management Panel

The Student Union has submitted detailed concerns about sections D- F of this policy draft to Maddy McMaster and Simon Williams. Because of these concerns we are only prepared to support this aspect of the draft regulation if it is made more transparent, including through independent oversight of its process and decisions about individual cases.

We recommend that the focus of this process is changed from its current focus on assessment and monitoring, to one where the primary focus is on support and engagement with the student.

Fitness for Study Hearings

As detailed in our submission regarding sections D- F, we recommend that RMIT does not adopt the proposed Fitness for Study Panel and that cases which involve apparent mental illness must be considered by the Student Conduct Board. We further recommend that these rules be amended to allow the Board to adopt an alternative procedure in cases where there is evidence that the student has diminished capacity to understand the process or respond to evidence, and that it is clearly stipulated that such modifications should not have the result of diminishing a student’s rights to natural justice. For this to be effective, members of the Board must be properly trained.

Misconduct Hearings

Fairer Management of Evidence

We are happy to see clear requirements for evidence to be provided to students before misconduct hearings.

It also appears wise that the secretariat of the Student Conduct Board are being empowered to request further evidence from Senior Officers who are seeking to refer a charge to it.

Preventing the Perception of Bias

We support that proposal that Senior Officers are the only decision makers at School level hearings.

This does not however guarantee that the decision maker will not be biased and/or perceived to be impartial; currently our practical experience of these School hearings is that
the academic who has brought the charge against the student is already present in the office before the student is (sitting with the Senior Officer) and that they stay after the student has left.

Disturbingly, at some hearings, Senior Officers have deliberated while the assessor is still in the room with them, whilst the student has been asked to wait outside until a decision is made.

Without question, this creates the appearance of bias; the student is not able to hear and respond to any further submissions from their accuser which is likely taking place in the student’s absence.

We recommend that the procedure should require that no submissions should be made without the student being present.

We are concerned that the powers given to the Chair of the Student Conduct Board to decide on procedural matters may create an appearance that the Board will be biased in favour of this participant’s opinions. To avoid allegations of bias we recommend that the power to decide how a hearing is conducted should be vested in the board in general and not specifically in its Chairperson.

We recommend the deletion of the words The Chair of at the beginning of Section 17.5 of the procedure.

Tabled Submissions

The procedure requires students to provide written submissions three days before a hearing. This allows Senior Officers and the Board to make an executive decision about whether they will consider written submissions tabled in the hearing. Failure to consider a relevant submission is a denial of natural justice and would give students clear grounds for appeal. The provision is therefore counterproductive. It would seem to be common sense that it is preferable for written submissions to be available before a hearing, however a person accused of misconduct will not always be able to make a full submission within one week of receiving notice of the charge.

Hearings are verbal and inquisitorial in nature. We are concerned that this provision has the potential to unreasonably restrict a student’s ability to respond to particular lines of questioning or to provide additional evidence to supplement their written submission. This could result in denials of natural justice. Use of this power also has the potential to effectively reverse the burden of proof, requiring the student to provide comprehensive evidence of innocence before the hearing has even commenced.

We recommend that:

• Section 6.4 of the Procedure have the words or admission of tabled submissions deleted.
• Section 17.5 be subject to the same deletion.
Double Jeopardy Hearings

We do not support the provision for cases which have previously been dismissed or where the Board cannot reach a decision to be heard again. We are concerned that this is open to abuse and contradicts basic principles of a fair hearing. It seems unreasonable that where a criminal is protected against being tried for the same offence twice, a student administratively accused of misconduct can have the same matter raised again using slightly different evidence until they are found guilty. This would also appear unfair given the likelihood that students may not retain evidence which proves their innocence after the initial hearing.

Being able to proffer charges which have previously failed would seem to have the potential to undermine the work that the University has done to try to ensure that hearings are fully informed by all relevant evidence. It allows the University to attempt to filter out evidence which may be damaging or embarrassing to it, as appears to have happened in the 2010 Aerospace TAFE case, in the knowledge that it can keep coming back and adding to the brief until charges finally succeed.

We note that the points we have made above do not preclude the institution from dealing with cases where evidence later emerges which demonstrates that a student has made serious and significant false representations to evade being found guilty of misconduct. In such cases a new charge of general misconduct could be brought against a student, for engaging in false representation.

*We recommend deletion of sections 17.4 and 17.6 of the Procedure.*

Confusing Serial Academic and General Misconduct

We note the inclusion of a new category of misconduct, serial academic misconduct, in these rules. This same form of misconduct appears to have also been defined as a form of general misconduct in Section 2.17 of the draft regulation. Given that the University is proposing to recognise repeated instances of cheating as a serious matter it appears excessive to be also describing this, in blanket terms, as general misconduct. We are concerned that it may lead to students facing a consecutive series of separate charges arising from the same incident, which would create an appearance of bias in the administration of justice. We submit that if repeated misconduct is to be recognised as an extremely serious matter then it is important for the University to ensure that it deals with such matters expeditiously and effectively, hence we do not support any clause which may create double jeopardy for students.

*We recommend the deletion of Section 2.17 of the Regulation.*
Defining Academic Misconduct

We are confused by the way academic misconduct is defined in the draft regulation and procedure. It appears that the intent is to retain the conceptual framework of the Discipline Regulation, which locates academic misconduct as a variety of forms of cheating which would have our support. The current wording appears to have a proofing error. It states that:

“academic misconduct” means action taken by a student to attempt to gain an academic advantage for themselves or for others in relation to admission, enrolment, assessment, special consideration or certification including plagiarism and cheating.

This makes any academic practice misconduct, as any study seems, by definition, intended to gain academic advantage.

We recommend that this definition be amended to define academic misconduct as an attempt to gain any fraudulent academic advantage.

The Plagiarism Procedure

A point of further confusion for us is that the recently adopted Assessment: academic integrity and plagiarism procedure defines this form of academic misconduct in different terms again. It treats plagiarism as something which is established almost solely by the presence of unattributed content without regard to consideration of:

- Volition; why does it appear to be there, is it error or deception?
- Fair dealing; is there accepted practice in the discipline which explains the presence of unattributed content? And
- Scale; what is the proportion of unattributed content and how central is it to the work?

The two sets of rules are contradictory in other ways. The Assessment: academic integrity and plagiarism procedure:

- Contains requirements for students to retain drafts of their work and places responsibilities on them for maintaining the security of electronic versions of their work. This appears to treat a lack of conclusive evidence of innocence into positive proof of guilt, and makes students accountable for the unethical behaviour of others, even of peers who have stolen from them and
- Contains provision for what is in effect an additional informal hearing without benefit of natural justice, an oral defence of their work.
This is a rule at the same level, procedure, as the bulk of the new rules on student conduct which it contradicts. It is unclear what RMIT is trying to achieve by developing contradictory and overlapping rules about such a serious issue.

*We recommend that the recently adopted Assessment: academic integrity and plagiarism procedure and associated Instruction be rescinded, with the exception of Part 1.2 of the Procedure (which deals with course design and announcements to students). This should be incorporated into the Conduct of Assessment Procedure.*

**General Misconduct: Rule Compliance**

Section 2.19 of the draft Student Conduct Regulation establishes that general misconduct occurs where a student: *acts or fails to act in contravention of any University statute, regulation, policy, procedure or published rule where a student might reasonably be expected to understand the University’s expectations.* We do not accept that this is reasonable or necessary.

Students are required to agree to make themselves aware of and follow the rules of the institution when they sign their enrolment declaration. By definition they *might reasonably be expected to understand the University’s expectations* regarding any and every rule no matter how obscure or trivial.

In most significant instances where students do not comply University rules they should expect to suffer some form of detriment however, petty non-compliance should not be confused with misconduct which is, and should be, a serious matter.

The definition of general misconduct already contains terms which are broad enough to cover matters where non-compliance with a published rule appears to constitute serious misconduct, most particularly section 2.1 and 2.2, but also 2.3, 2.10 and 2.18. We do not see why an additional provision is necessary given the very broad potential scope of some of these provisions.

It is also noteworthy that, whatever students may sign on the enrolment declaration, there may be some difficulty agreeing to what students can be reasonably be expected to be aware of. Key rules are not always directly available through the Students Page of the website. Similarly, the A-Z index of Policies available to staff does not contain all necessary rules and the rules listed in it are set out in an confusing manner.

Finally the institution’s ability to amend guidelines and instructions at will and without notice raises obvious questions about how students could reasonably be expected to maintain current knowledge of their contents.

*We recommend that Clause 2.19 of the Regulation be deleted.*
Inclusion of the Student Charter into the Student Conduct Policy

We are pleased to see that the University is demonstrating a commitment to The Student Charter.

We believe that this is not the right place in the policy suite to locate such an important rule:

- The Charter does not just relate to expectations about student behaviour but also provides important information about behaviour expected from staff. The University’s obligations are obscured by locating the Charter in the Student Conduct Policy.

- The Charter was intended to be an overarching statement of responsible partnership between students and the institution. Putting the Charter into a lower level policy restricts its application and narrows its focus.

*We recommend that the Student Charter be published as a high level rule in its own right, as a statute or regulation of Council.*

Number of Senior Officers

We have been given a verbal assurance by Maddy McMaster in the consultation meeting of Monday May 20 that the number of Senior Officers will be increased based on the following concerns.

Many of the quality issues which have beset the management of student discipline in recent years stems from a lack of training and experience in the personnel charged with the responsibility to hear cases. The use of nominees to hear cases of plagiarism dramatically expands the pool of potential disciplinary decision makers. This breaks the link between decision makers and experience on Discipline Board and introduces amateurism into the process as a significant potential source of error.

A shortage of disciplinary decision makers has developed because of a reduction in the number of Schools over a prolonged period which has also seen a dramatic rise in the number of enrolled students.

To illustrate the scale of the problem, by 1999 - five years after the introduction of the current Regulation, there were seven Faculties (each with two Senior Officers) and 50 academic departments, each led by a Senior Officer to manage approximately 45000 Melbourne students. In all, the Policy recognised 70 Senior Officers. Now, excluding Vietnam, we have 24 schools and a pool of 11 other Senior Officers (excluding the members of the Vice Chancellor’s Executive who are also eligible to hear disciplinary cases) who were responsible for 68000 students last year.
This is a change in the ratio of Senior Officers to students from 1:640 to 1:1943. There are two other trends which may exacerbate this effect, Senior Officers have a greater level of general responsibilities and, students are completing an increasing number of assessment tasks in each course. Whichever way you form an estimate of the likely actual number of assessment tasks in which students might cheat, if 1% of assessment tasks led to an academic misconduct hearing the workload for Senior Officers would be unsupportable.

We are concerned that if this issue is not addressed it will not be long before the conduct system at RMIT becomes inoperable. The draft regulation’s solution to the problem of workload is to allow the Vice Chancellor to nominate additional staff to act as Senior Officers. Rather than see this occur on an ad hoc basis we believe that it is preferable for there to be an increased number of Senior Officers. To ensure quality and consistency these staff members must receive formal training.

We recommend that the regulation be amended to:

- Increase the number of Senior Officers.
- Require that staff members must receive formal training before they can act as conduct decision makers.

Training

During the consultation meeting on April 18, policy review representatives expressed that it would not be possible to include a requirement for Senior Officers and Student Conduct Board members to be trained, as this may lead to students appealing decisions based on the fact that the decision maker was not trained. This reasoning seems flawed.

Currently the draft regulation includes the following ground for appeal: ‘there is evidence that a breach of University statute, regulation or policy occurred which had a meaningful impact on the outcome of the misconduct hearing’. This means that if a decision maker’s lack of training leads to correct procedure not being followed, then the student is already able to appeal on this ground. Conversely, if an untrained decision maker still considers a case fairly and delivers a reasonable outcome any appeal would fail because there has been ‘no meaningful effect on the outcome’.

1 Or one Senior Officer to 1478 students if the members of the Vice Chancellor’s Executive take their share of the burden.

2 Any attempt to work out how many assessments are actually delivered at RMIT is necessarily conjectural, particularly given the difficulties in aggregating figures across ATFE and higher education. As a very rough estimate, not counting Vietnam, there are probably slightly less than the equivalent of 50000 full time students. If these were assumed to all be in standard higher education loads (a conservative way to estimate given that TAFE students undertake a higher number of assessments), each would attempt four courses per semester. As the average number of assessments per course rises so does the hypothetical burden on each Senior Officer; at 3 assessments per course each of the 36 non executive Senior Officers is responsible for around 16000 assessments, 21000 if there are 4 assessments in a course.
We therefore do not see how a student’s grounds for appeal would be changed by including a requirement for Senior Officer and Conduct Board member training, as it is the resulting policy breach, not the actual lack of training itself which has had an effect on the student.

Proper training should lessen the incidences of Conduct Procedures being breached, leading to successful student appeals. The Student Union is very concerned that these processes be robust, to ensure fairness and safety for members of the student body. At the moment it seems clear that the primary issue with the disciplinary system at this University is quality. Cases are not being well supported by evidence, students are often not provided with accurate particulars of charges against them and there are frequent self-evident denials of natural justice.

This appears to be supported by the Board’s own figures which we have attached as an appendix. Last year Discipline Board considered 62 cases, and found in the student’s favour 55% of the time. However this figure changes dramatically when cases of academic misconduct originating from schools are considered. Five out of eight students who appealed decisions about plagiarism or 62.5% won their appeal and the Board dismissed 25 out of 31 charges of serious academic misconduct, around 80%.

Major academic misconduct is defined in the Board’s statistics as occurring where the case was ‘Referred directly to Board by Heads of School due to extent and / or seriousness of plagiarism, or nature of exam misconduct, or misleading basis for assessment’. For 80% of these charges, about matters of self-evident seriousness to the institution’s standards and reputation, to fail should suggest a major problem with how these cases are being presented to the Board.

While one obvious solution is the emphasis in the draft on the provision of evidence we respectfully submit that mandatory training is the only solution which can actually ensure that staff involved in the process are able to identify potential evidence for inclusion along with a charge and that decision makers fairly consider the evidence which comes before them.

Not only does training improve the quality of procedural outcomes, it creates accountability and a framework for quality improvement for Schools and decision makers who consistently fail to follow these rules. We believe that it is appropriate for decision makers to have a level of formal accountability for how they conduct such important processes.

The Vic Ombuds recommendations, as agreed to by the Vice Chancellor, call specifically for relevant staff to be trained in about how to conduct disciplinary processes. This recommendation has our wholehearted support.

**We recommend the following additions to the Student Conduct Regulation**

**7. Student Conduct Board**

**7.7 Members of the Student Conduct Board and other personnel supporting the process must be adequately trained for their role as decision makers and be familiar with the RMIT Student Conduct Policy and Procedure.**

**8. Senior Officers**
8.3 Senior Officers and other personnel supporting the process must be adequately trained or resourced for their role as and be familiar with the RMIT Student Conduct Policy and Procedure.

Appeals

We recommend that this policy suite includes more detail regarding Appeals against Findings of Misconduct. Student Rights Officers have experienced that the current appeals system can be very confusing for a student, as it is not made clear whether an appeal against findings of misconduct should involve:

- A ‘re-hearing’ of the original charge of misconduct, resulting in a new outcome, or
- An appeal hearing where the student presents evidence regarding issues with the Board’s original decision and receives an outcome based on this

It can therefore be difficult for a student to understand how to present such an appeal and we feel confusion could be overcome by the inclusion of more detailed information, either in the Procedure document, or in section 9 of the Regulation.

Appeal Grounds

In the current Student Discipline Regulation, students are able to appeal on the grounds of a denial of natural justice.

This has not been included in the draft Student Conduct Regulation. We insist that it be reinstated in the final rule. Natural justice is not a requirement which RMIT can elect to opt out of. It is a legally enforceable predicate of fair administrative decision maker and there is an established body of jurisprudence where the principles are applied to university disciplinary decisions. Not including it as a ground of appeal simply serves to create legal risk for the institution.

Hearing Conduct Appeals at the University Appeals Committee

The Student Union were assured by Maddy McMaster at a consultation meeting on May 20 that appeals would not be heard by the UAC but through a different process yet to be confirmed, based on the following concerns:

The UAC:

- Is technically a subcommittee of Academic Board. We believe that it has no expertise in, or natural authority over, matters involving general misconduct.
- Draws upon a pool of decision makers different to and quite distinct from the Senior Officers. Its members are selected on an ‘as needs’ basis. Hearing conduct appeals requires not just training (which cannot be guaranteed if the UAC is used) but also
experience with the process. We believe that the UAC cannot be expected to be competent to consider the quite complicated matters which often arise in conduct decision making.

- Has members who are typically less senior than the proposed members of the Student Conduct Board. This may not comply with HESA’s requirement for review at a more senior level. It will certainly create an appearance of bias in the eyes of appellants because of the relative lack of status of its decision makers.

- Has a nominal, but not a regular chairperson, impeding its ability to feed information back to Schools and Colleges about identifiable patterns of problems, making it a poor choice to implement the Ombuds’ recommendations in his report on the 2010 RMIT Aerospace TAFE incident regarding quality improvement.

- Is already so strained for resources, particularly decision making personnel that it is unable to consider all of the appeals it receives. Adding additional cases to a system at the limits of its capacity simply serves to disadvantage other students attempting to have cases considered about other matters. From the perspective of students seeking to appeal exclusion or special consideration decisions not being heard because the Committee’s time is occupied with ‘cheats’ sounds like a bad bargain.

Another important factor to consider is risk to staff involved in administration of the UAC, should that body pre-screen cases against the appeal criteria. This is what the UAC currently does with student appeal applications.

The experience of the Student Union’s advocacy staff is that students who have had an appeal rejected often regard this as arbitrary and can be quite frustrated, even angry. This means that there is a potential risk that individual staff members will be the focus of personal frustrations for that small group of students disciplined because of violent behaviour.

Our experience is that the ritual of appearing before a formal Discipline Board or the Disciplinary Appeals Committee is an important and effective part of the process. We contend that where serious misconduct is involved it is appropriate for the student to understand that their behaviour is being judged by senior figures. The effect of this on students is hard to quantify but has been noted by the Student Rights Officers as an important part of the process and one thing which we believe that the University currently manages well. We implore you not to sacrifice something you do well for the sake of presumed expedience.

We recommend that disciplinary appeals should continue to be heard by an expert collegial body specific to this process. In the light of our concerns about the impact of workload in the system we are prepared to enter into discussions with the University about how appeals may be managed. We hope that you will accept our recommendation to increase the pool of Senior Officers and that an expanded pool of disciplinary decision makers would allow the institution to consider other ways to manage disciplinary appeals. As a starting point for discussion, we would be prepared to seriously consider proposals to either:

- Have appeals about less serious forms of misconduct heard at the College level or
• Have a two tiered Student Conduct Board which conducted hearings and initial appeals from School level decision makers using an experienced chair, the student representative and two ‘less senior’ Senior Officers. Appeals against charges heard by the Board could then be heard by Senior Officers at or above Head of School level (with a student representative as is currently the case).

Our consideration of both of these scenarios, since they involve drawing on a wider pool of less experienced decision makers, are contingent on the University accepting the Ombuds’ recommendation that disciplinary decision makers are required to receive training before they can exercise their powers.

**Interaction with the Student Complaints Policy**

We have concerns, based on the experiences of Student Rights Officers assisting students through the current Student Discipline processes, about how this policy suite interacts with policy on Student Complaints, and we feel that this should be clarified in the Conduct Policy.

For example, in cases where a student has made a complaint, and also been accused of misconduct regarding the same or related issue(s), there currently seems to be practice whereby the Student Discipline Board processes supersede Student Complaints procedures, meaning that a complaint is put on hold until the Board makes a determination.

As well as being confusing for parties involved, there is the potential for this to be unfair in situations such as where a student has made a complaint about a staff person, and then that staff person has instigated disciplinary action against the student.

It is also likely that the investigation into the complaint would be influenced by the outcome of the Discipline Board hearing, even though this is not clearly stated as an aspect of a Student Complaints investigation.

It would be preferable for the process which was instigated first to be resolved first, as for Discipline (or Student Conduct) to always supersede Student Complaints, is for a staff driven process to always take precedence over a student driven process.

**Procedure: Section 18: Appearance at a Hearing**

As stated in the consultation meeting of April 18, we recommend that Student Rights Officers be included as an example of a representative a student may wish to accompany them to a hearing.

**Appendix Discipline Board Outcomes 2012**

<table>
<thead>
<tr>
<th>Decisions</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>Allegation</td>
<td>Number</td>
<td>Upheld</td>
</tr>
<tr>
<td>------</td>
<td>------------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td></td>
<td>Plagiarism - appeals</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Cheating in exams</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Misleading conduct</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Sub-total: Appeals to Board</td>
<td>8</td>
<td>5</td>
</tr>
</tbody>
</table>
|      | Misuse of facilities | 1      | 1      | 0         | • Improper use of facilities  
  • Viewing prohibited websites |
|      | Assault / Threat | 3      | 2      | 1         | • Assault of other students |
|      | Intimidation | 3      | 2      | 1         | • Coercive conduct towards other members of the University community |
|      | Disorderly conduct | 1      | 0      | 1         | • Improper conduct within University precincts |
|      | Major academic misconduct | 31     | 6      | 25        | • Referred directly to Board by Heads of School due to extent and / or seriousness of plagiarism, or nature of exam misconduct, or misleading basis for assessment |
|      | Disobedience | 0      | 0      | 0         | • No referrals in 2012 whereby students refused to comply with reasonable instructions issued by an officer of the University |
|      | Breach of penalties | 0      | 0      | 0         | • No referrals in 2012 whereby students breached a previous penalty for misconduct |
|      | Fraud | 16     | 14     | 2         | • Falsified medical impact statements  
  • Forged signatures of work placement supervisor  
  • Falsified transcript of results |
|      | Sub-total: Referrals to Board | 54     | 25     | 29        | |
|      | Totals | 62     | 30     | 32        |