

# STUDENT RIGHTS INFORMATION

# DISCIPLINE

## For exam cases (if you had notes)

- When did you prepare the notes?
- Are the notes only for study or for cheating?
- Are the notes printed or photocopied smaller than usual?
- What is the font size?
- When did you decide to use the notes in the exam?
- Are the notes from textbooks, lectures, or are they your own work?

## For assignment cases

- Where is the plagiarised section found?
- Why did you not correctly reference the work?
- Was the plagiarised section from a book, notes, photocopy, or a website?
- Did someone else give you the work? Can you prove this?

It is also important to tell the committee about any other factors which influenced you to do this. These may include:

- Why you did not have adequate time to study (paid work, family or household commitments etc.)
- Any other pressures that you may be under

## POTENTIAL PENALTIES

### General Misconduct and Assisting to Cheat:

- Reprimand
- Fine not exceeding \$500
- Suspension for a specified period
- Exclusion
- Paying a sum sufficient to make good any damage caused by you

### Academic Misconduct:

- Reprimand
- Disallow work by prohibiting assessment or, where work has been marked, annulment of the result
- Failure in the unit for which the work concerned forms the whole or part of
- Suspension
- Exclusion

The committee may impose one or more of the above penalties e.g. suspension, fine and a formal reprimand. Suspension may be for a set period which may range from a week to a year(s). You may re-enrol and resume your course at the conclusion of the suspension period without re-applying.

The information in this brochure has been prepared by MONSU Student Assistance staff. It is intended as a guide to assist you with your educational issues.

For further information, or to speak to someone, please make an appointment with the Student Rights Manager.

If you wish to make an appointment, please register your details on our websites.

### CAULFIELD STUDENTS:

MONSU Caulfield  
[www.monsucaulfield.org.au/studentrights](http://www.monsucaulfield.org.au/studentrights)  
Ph: 9903 2596  
L3, Bldg S

### PENINSULA STUDENTS:

MONSU Peninsula  
[www.monsupeninsula.org.au/studentrights](http://www.monsupeninsula.org.au/studentrights)  
Ph: 9904 4217  
Gr Fl, Bldg U

### MONSU Student Assistance publications:

#### INFOSHEETS

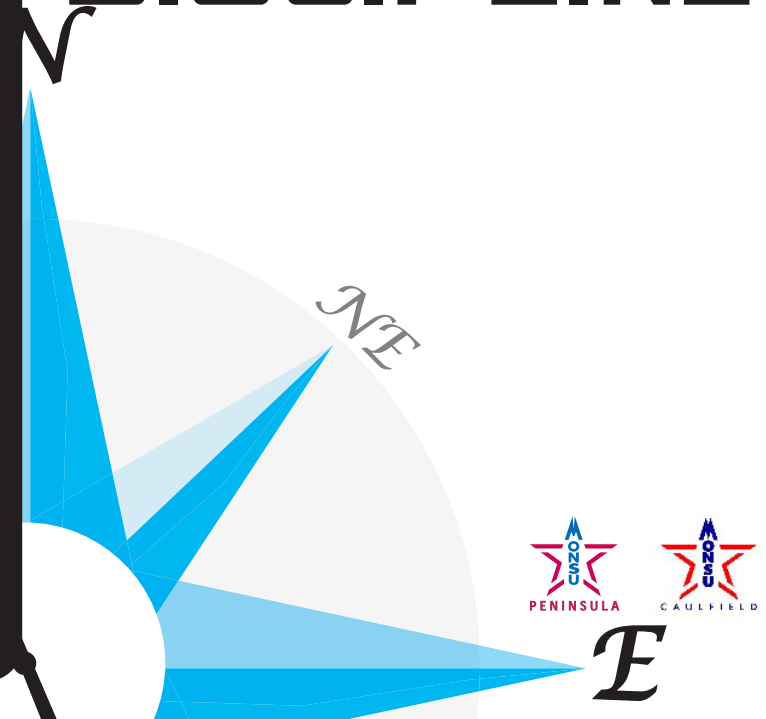
Academic Progress - Early Warning  
Academic Progress - Exclusion  
Academic Progress - Hearing Hints  
Discipline  
Exams  
Exams - Cheating  
Grievance  
Results  
Special Consideration

#### BOOKS

Steady Course - Your Student Rights Guide

Copies of all publications are available at our offices or can be requested via email.

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# DISCIPLINARY OFFENCES

There are two main types of disciplinary offences. These are outlined in the Monash University Discipline Regulations - General Misconduct and Academic Misconduct.

## 1. General Misconduct

This refers to “any behaviour in relation to people or property, which is contrary to any policy of the University or to generally acceptable standards of behaviour”. It includes:

- Attacking, harassing or threatening to attack or harass any person
- Intimidating or attempting to intimidate any person
- Wilfully, recklessly or negligently engaging in conduct which causes or is calculated to cause bodily injury to any person
- Interfering with or damaging university property
- Copying computer software without permission and in breach of the Copyright Act

Any employee of the university can report an act of General Misconduct to the Associate Dean of Teaching of the relevant faculty. This person has the power to impose a summary penalty such as a fine of up to \$300 or suspend the student from the university for a period of up to eight weeks. However, it is generally acknowledged that students should be given the opportunity to present their side of the story before a summary penalty is imposed.

An appeal against a summary penalty that is imposed, can be lodged with the relevant Faculty Discipline Committee within 28 days of the imposition of the penalty. An appeal must be in writing and the grounds of appeal stated.

Alternatively, the Associate Dean of Teaching can refer the matter to the Faculty Manager who will convene a Faculty Discipline Committee to hear the matter within 28 days of receiving the report of misconduct. In this situation, you will receive a letter explaining the charges, that the Faculty Discipline Committee will hear the matter and provide details about the date and time of the hearing.

## 2. Academic Misconduct

**Examination cheating** - “examination cheating or assisting another student to cheat”. If you are suspected of cheating in an exam you will be asked to remain seated until after the examination has finished so that the Examinations Manager can interview you. A

Student Assistance staff member will be contacted, so that they can speak with you prior to the interview. The Student Assistance staff member will inform you of what questions you may be asked and explain the process to you. You do not have to answer any questions at the interview. You have the right not to be physically searched and you do not have to reveal any parts of your body or anything in your possession. If the Examinations Manager believes that exam cheating has occurred, the matter will be referred to a Faculty Discipline Committee.

**Non-examination cheating** - “seeking to obtain an unfair advantage in an examination or in other written or practical work required to be submitted or completed by a student for assessment”. (This offence often takes the form of suspected plagiarism.)

If you are suspected of non-examination cheating, the lecturer of the relevant unit will refer your work to the Chief Examiner. The Chief Examiner may decide to disallow your work or report the matter to the Faculty Discipline Committee for further investigation.

It is very important that you seek advice from a Student Assistance staff member prior to your hearing. They can help you to prepare for your hearing and explain what will happen in the hearing room, what type of questions to expect, when you are able to speak during the hearing. They can attend the hearing with you as a support person and ensure that the correct procedures are adhered to. They can also prompt you during the hearing and clarify things for you. You are entitled to take one support person into the hearing only. This can be anyone of your choosing, but it is advised that you take a Student Assistance staff member for the above reasons.

## GOING TO A DISCIPLINE HEARING

### Before the Hearing

Write out what happened:

- Before the exam/ assignment
- During the exam/ assignment
- After the exam/ assignment
- Explain why you believe you did/ did not cheat/ plagiarise

### At the hearing

The Chair shall read the charge to you. They shall give you:

- the background of the proceeding
- explain the issues
- summarise the evidence/ give names of witnesses to be called (this may include the exam/ assignment/ cheat sheets/ original source of material etc.)

- inform you of any other way in which the committee intends to inform itself.

The Chair shall then ask you if you admit the charge. If you admit the charge, the Chair will then ask if you would like to submit any evidence in mitigation and/ or any information which the committee should take into consideration when determining the penalty to be imposed.

If you do not admit the charge the committee will ask you questions to obtain an understanding of what took place. Although this can feel like you are being interrogated, the process is inquisitorial and ensures that the committee has a full understanding of what took place and why when making a determination.

When the committee has completed it's inquiry the Chair may invite you to address the committee.

Witnesses can be called and both the committee and you can ask questions of them. They are excluded from the room when not involved in giving evidence.

The Chair shall then ask you and your support person to leave the room whilst they make a determination.

You and your support person are then called back in and informed of the committee's finding. If you are found guilty of the misconduct, you will then be asked to make a plea of leniency. This is an opportunity for you to explain all the extenuating circumstances and request a lenient penalty. You may wish to explain:

- why cheating/ plagiarism is out of character/ unlike you
- the effect exclusion/ suspension would have on your circumstances
- what failing the subject/ incurring a fine would mean to you
- why the committee should understand/ forgive you

You may also wish to bring evidence to support your plea such as letters of support, and personal or employment references.

The Chair will then ask you and your support person to leave the room again whilst they determine the appropriate penalty. When the Committee have decided on the appropriate penalty, they will call you back in and read the penalty out to you. You will then receive a letter in the mail detailing the committee's decision usually within ten days.

### Possible questions to anticipate:

The committee will ask you a range of questions, these may include: