

## Part 3 – Bond University Discipline Regulations

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## **Part 3 - Bond University Discipline Regulations**

### ***Division 1 – Preliminary***

#### **1 Introduction**

- (1) These Regulations may be cited as the Bond University Discipline Regulations.
- (2) Schedule A contains the Definitions used in these Regulations.

#### **2 Commencement**

- (1) These Regulations commenced on 1 January 2005 and are reviewed on a continuing basis.
- (2) The most recent published version, as approved by Academic Senate, is the official version.

#### **3 Application of Regulations**

- (1) These Regulations apply to all students enrolled in a subject or program at Bond University.
- (2) By enrolling in a subject or program at Bond University, students are deemed to be bound by these Regulations, including Schedule B - Student Code of Conduct and Schedule C – Sports Code of Behaviour.

#### **4 Vice Chancellor's Discretion**

The Vice Chancellor shall be empowered to waive the requirements of these Regulations as considered appropriate. The Academic Senate is appointed as the arbiter of the interpretation and application of these Regulations.

#### **5 Objectives**

- (1) These Regulations are made in recognition of the principle that dealings between members of the University community should be based on mutual respect.
- (2) These Regulations aim to:
  - (a) promote the principle of mutual respect by informing students of behaviour which the University community considers inappropriate;
  - (b) discourage behaviour which the University community considers inappropriate;
  - (c) implement fair and just procedures for dealing with cases of alleged misconduct; and
  - (d) provide for the imposition and enforcement of penalties for misconduct.

#### **6 Council Delegation of Powers**

The Bond University Council delegates power to impose a penalty on a student for a breach of these Regulations to the decision maker who finds the student guilty of misconduct.

#### **7 Misconduct**

Misconduct by a student for the purposes of these regulations is any violation of the Bond University Student Code of Conduct, as set out in Schedule B to these regulations, or the Bond University Sports Code of Behaviour, as set out in Schedule C.

### ***Division 2 – Dealing with Possible Misconduct***

#### **8 Reporting Misconduct**

- (1) Any person may, verbally or in writing, report possible misconduct to the appropriate decision maker, according to their area of jurisdiction.
- (2) Written submissions should not exceed 10 A4 pages including supporting documentation.

#### **9 How Decision Makers Proceed**

##### **(1) Dealing with Allegations**

When dealing with an allegation of misconduct a decision maker, as specified in Schedule D, must:

- (a) conduct a preliminary investigation (or delegate such authority to an investigating officer or body) and decide whether or not there is enough evidence to proceed with the matter or, for serious allegations, whether or not to refer the matter to another decision maker in accordance with Clauses 10 & 11;
- (b) if the decision maker determines that a charge of misconduct should be brought on the basis of the allegation(s) made, give the student notice of the charge of misconduct in an allegation letter including:
  - (i) the allegation of misconduct, including the subject or award (if any) in which the misconduct is alleged to have occurred;
  - (ii) the definition of misconduct in Schedule B or Schedule C that applies;
  - (iii) when the misconduct is alleged to have occurred;
  - (iv) a brief outline of the alleged facts;
  - (v) a copy of these Regulations;
  - (vi) details of the decision maker who will hear the matter;
  - (vii) the hearing date or the mechanism for fixing the hearing date;
  - (viii) details of how the student may inspect the evidence;
  - (ix) advice to the student that he or she may be accompanied by or represented by another person not being legal counsel or a solicitor; and
  - (x) the possible consequences of a finding of misconduct.
- (c) subject to Sub-clause (1), proceed in the way the decision maker considers appropriate, without being bound by the rules of evidence, but according to the justice of the case;
- (d) where 2 or more students are alleged to have committed offences arising out of the same occurrence or series of occurrences, decide whether their cases are to be heard separately or together;
- (e) give the student a copy of, or an opportunity to inspect, all relevant evidence held by the decision maker unless, in the opinion of the decision maker, there is justifiable reason not to make any particular piece of evidence available to the student;
- (f) give the student an opportunity to formally respond in writing to the allegations with the proviso that such submissions are provided to the decision maker no later than 2 working days prior to the scheduled meeting with the decision maker and do not exceed 20 A4 pages including supporting documentation (N.B. The submission of greater than 20 A4 pages will require the prior consent of the decision maker but this must be sought with appropriate justification on a date prior to 2 working days before the hearing);
- (g) give the student a reasonable opportunity to appear before the decision maker to answer the allegations;
- (h) allow the student to be accompanied by or represented by another person not being legal counsel or a solicitor, being willing to act, whom the student appoints; and
- (i) decide, to the reasonable satisfaction of the decision maker, whether the student has committed misconduct and, if so, whether one or more of the orders allowed under Schedule D should be made.

## **(2) Written Notice of Decision**

- (a) A decision maker, other than the Disciplinary Board or Discipline Appeals Committee, must give written notice of a decision to the student including the information outlined in sub-clause (c) and must provide the Manager, Academic Secretariat, with a copy of such notice.
- (b) The Disciplinary Board and Discipline Appeals Committee must give written notice of a decision to the student including the information outlined in sub-clause (c) and must provide the University Registrar with a copy of such notice.
- (c) The written notice of a decision must include:
  - (i) the allegation of misconduct including the subject or award (if any) in which the misconduct is alleged to have occurred;

- (ii) the definition of misconduct in Schedule B or Schedule C that applied;
- (iii) when the misconduct is alleged to have occurred;
- (iv) a brief outline of the alleged facts;
- (v) details of the decision maker;
- (vi) the decision and the rationale for the decision;
- (vii) the possible consequences of further misconduct; and
- (viii) information regarding appeal options and timelines.

## **10 Time Limits**

- (1) A decision maker must not hear a charge against a student unless the notice of the charge of misconduct has been given to the student within 20 semester days of the decision maker becoming aware of the alleged misconduct.
- (2) Subject to Sub-clause (5), a decision maker must decide the case within 20 semester days of the day notice was given to the student or within a longer period if the student and the University Registrar agree.
- (3) Before a period of 20 semester days expires, a decision maker may apply in writing to the Vice-Chancellor for a waiver of the need to comply with Sub-clauses (1) and (2).
- (4) The Vice-Chancellor, before the expiration of the relevant 20 semester day period, may issue a written waiver of the need to comply with Sub-clauses (1) and (2) if satisfied that the delay is reasonable.
- (5) Despite the rest of this Regulation, a decision maker may adjourn a hearing without regard to the time limit.

## **11 Decision Maker may Refer Matter**

- (1) A decision maker may, prior to determining a matter, refer the matter to another decision maker, having regard for the seriousness of the allegation.
- (2) The referral of a matter from one decision maker to another, whether or not an allegation notice has been issued, does not in any way restrict the powers of the decision maker to whom the allegation has been referred, to deal with or impose orders on the student.
- (3) The referral of a matter must include the allegation of misconduct (including the subject in which the misconduct occurred if relevant), any evidence gathered to support the allegation, when the misconduct is alleged to have occurred, a brief outline of the facts, and a statement by the decision maker explaining the justification for the referral.
- (4) If a matter is referred, the decision maker to whom the allegation has been referred must issue a new allegation notice to the student, which may include different or additional allegations of misconduct, and which advises that the matter has been referred.
- (5) A decision maker may and should refer a matter to the Disciplinary Board only if the decision maker considers the appropriate penalty may be greater than any of those available to the decision maker under Schedule D.

## **12 Composition of Disciplinary Board**

- (1) Membership of the Disciplinary Board includes:
  - (a) Chair, who is a senior academic staff member appointed by Academic Senate for a term of three (3) years;
  - (b) Two (2) academic staff members appointed by the Executive Dean of each Faculty for a term of 3 years, from whom two will be selected for each meeting;
  - (c) One (1) person who is a student at the time of appointment, nominated by the President of the Bond University Student Association for a term of one (1) year.
- (2) The Manager, Academic Secretariat, or nominee acts as secretary to the Board. The secretary is to provide administrative support and advice but does not vote.
- (3) The Chair has a deliberative vote and a casting vote.
- (4) A quorum for the Board is three (3) and must include one (1) student representative.
- (5) The Secretary may arrange for another member of the Board pool to act as Chair during the absence of the Chair.

### ***Division 3 – Summary Fines, Orders & Penalties***

#### **13 Summary Fine, Order and/or Penalty**

(1) In minor cases of misconduct, a decision maker, with the exception of the Disciplinary Board, may issue a warning or give notice to a student that a fine, order and/or penalty will be imposed unless the student, within 14 days after the issue of the notice, shows cause why the fine, order and/or penalty should not be imposed.

(2) A notice under Sub-clause (1) must specify:

- (a) the allegation of misconduct, including the subject (if any) in which the misconduct is alleged to have occurred;
- (b) which parts of the definition of misconduct in Schedule B or Schedule C apply;
- (c) when the misconduct is alleged to have occurred;
- (d) a brief outline of the alleged facts;
- (e) a copy of these regulations;
- (f) details of the decision maker who will consider the matter;
- (g) the date by which the student must submit a response to the notice showing cause as to why the fine, order and/or penalty should not be imposed;
- (h) details of how the student may inspect the evidence; and
- (i) the possible consequences of further misconduct.

(3) If the student fails to satisfactorily show cause to the decision maker by that date, the fine, order and/or penalty is automatically imposed and the student will be required to comply with any orders made under the terms of the notice.

(4) A student may appeal a decision made under this regulation, in accordance with Clause 16, only after showing cause to the decision maker as to why the fine, order and/or penalty should not be imposed.

### ***Division 4 – Implementation and Enforcement of Orders***

#### **14 Fines**

(1) A fine imposed under these regulations must be paid into the general funds of the University.

(2) A fine imposed under these regulations must be paid within 14 days of the expiry of the appeal period in Clause 16(4).

(3) An extension of time for payment may be granted by the decision maker imposing the fine, the University Registrar or the Vice Chancellor.

(4) If a fine is not paid within the time prescribed for payment, the student must not be awarded a result in any assessment or receive or be granted credit for any subject or program or receive any degree or other award of the University, so long as the fine remains unpaid.

(5) Despite Sub-clause (4), a student may apply to the University Registrar for the release of results on the ground of hardship, for example, the intervention of financial exigency since the decision maker imposed the fine. If satisfied the hardship justifies it, the University Registrar may release the results but may impose conditions before doing so.

#### **15 Suspension and Expulsion**

(1) A decision maker empowered to suspend or expel a student from the University may direct that the suspension or expulsion be set aside or deferred upon conditions that the decision maker decides.

(2) A person who is expelled from the University must not be re-enrolled except by permission of Academic Senate.

### ***Division 5 – Appeals***

#### **16 Appeals to the Disciplinary Board against a decision made by another decision maker**

(1) A student may appeal a decision of a decision maker, as to whether the student has committed misconduct or as to any order imposed on the student.

- (2) Appeals must clearly state the grounds for the appeal, which may include that:
- a) the decision was manifestly unreasonable taking into account all the circumstances of the case or cannot be supported by the evidence available at the time of the decision;
  - b) procedural requirements specified in the Discipline Regulations were not followed and resulted in a decision that was manifestly unfair;
  - c) relevant evidence was not considered in reaching the decision or irrelevant evidence was relied upon in reaching the decision;
  - d) fresh evidence relevant to the case has become available to the student that was not available or not known to the student at the time of the allegation(s) being heard or decided; and/or
  - e) a penalty imposed was manifestly excessive or inappropriate taking into account all the circumstances of the case.
- (3) The Disciplinary Board deals with all appeals from decisions of other decision makers and proceeds by way of a new hearing under the procedures set out in Clause 9.
- (4) To appeal a decision the student must submit a letter of appeal to the Manager, Academic Secretariat, within 14 semester days of being given notice of the decision. The letter should:
- state whether the appeal is against the finding of misconduct, the orders, or both;
  - not exceed 10 A4 pages including supporting documentation (N.B. All documentation submitted to the original decision maker will be submitted to the relevant appeal body);
  - not simply re-state the information provided to the original decision maker but should provide grounds such as those referred to in Sub-clause (2) and clearly state why, in the student's opinion, the decision made by the decision maker was incorrect.
- (5) The submission of greater than 10 A4 pages will require the prior consent of the Chair of the Disciplinary Board but this must be sought with appropriate justification on a date prior to 2 working days before the hearing.
- (6) The Manager, Academic Secretariat, or nominee must give notice of an appeal to the chairperson of the relevant appeal body.
- (7) The Disciplinary Board must meet to hear an appeal within 20 semester days of the day the chairperson receives notice under Sub-clause (6).
- (8) Despite Sub-clause (7), the Disciplinary Board may adjourn a hearing without regard to the time limit.
- (9) The Disciplinary Board must affirm, set aside or vary the decision appealed against and may make any one or more of the orders available to it under Schedule D.

## **17 Appeals to the Discipline Appeals Committee against a decision made by the Disciplinary Board**

- (1) A student may appeal a first instance decision of the Disciplinary Board as to whether the student has committed misconduct or as to any order imposed on the student and may appeal an appellate decision of the Disciplinary Board involving suspension or expulsion.
- (2) Appeals must clearly state the grounds for the appeal, which may include that:
- (a) the decision was manifestly unreasonable taking into account all the circumstances of the case or cannot be supported by the evidence available at the time of the decision;
  - (b) procedural requirements specified in the Discipline Regulations were not followed and resulted in a decision that was manifestly unfair;
  - (c) relevant evidence was not considered in reaching the decision or irrelevant evidence was relied upon in reaching the decision;
  - (d) fresh evidence relevant to the case has become available to the student that was not available or not known to the student at the time of the allegation(s) being heard or decided; and/or
  - (e) the penalty imposed was manifestly excessive or inappropriate taking into account all the circumstances of the case.
- (3) The Discipline Appeals Committee deals with appeals from all first instance decisions of the Disciplinary Board and proceeds by way of a new hearing in accordance with Clause 18.

(4) There is no appeal from appellate decisions of the Disciplinary Board if the orders imposed on the student do not include suspension or expulsion. If a student is suspended or excluded as a result of an appeal to the Disciplinary Board, they will be entitled to appeal such decision to the Discipline Appeals Committee.

(5) To appeal a decision, the student must submit a letter of appeal to the Manager, Academic Secretariat, within 14 semester days of being given notice of the decision or, in the case of international students appealing against a decision of suspension or expulsion, 20 working days of being given notice of the decision. The letter should:

- state whether the appeal is against the finding of misconduct, the orders, or both;
- not exceed 10 A4 pages including supporting documentation (N.B. All documentation submitted to the Disciplinary Board will be submitted to the Discipline Appeals Committee);
- not simply re-state the information provided to the Disciplinary Board but should provide grounds such as those referred to in Sub-clause (2) and clearly state why, in the student's opinion, the decision made by the Disciplinary Board was incorrect.

(6) The Manager, Academic Secretariat, or nominee must give notice of an appeal to the chairperson of the Discipline Appeals Committee.

(7) The Discipline Appeals Committee must meet to hear an appeal within 20 semester days of the day the chairperson receives notice under Sub-clause (6).

(8) Despite Sub-clause (7), the Discipline Appeals Committee may adjourn a hearing without regard to the time limit.

(9) The Discipline Appeals Committee must affirm, set aside or vary the decision appealed against and may make any one or more of the orders available to the Disciplinary Board under Schedule D.

## **18 How Discipline Appeals Committee Proceeds**

(1) When dealing with an appeal the Discipline Appeals Committee must proceed in the way the Chair decides, but must observe the following requirements:

- (a) the secretary must give the student notice, at least 5 days before the date of the hearing, of the time and the place of the hearing and of the rights granted under Clause 18;
- (b) the student is entitled to be represented by another person, not being legal counsel or a solicitor, being willing to act, whom the student appoints;
- (c) subject to Sub-clause (1)(i), the student together with a representative is entitled on request to be present throughout the hearing except where the members of the committee wish to confer privately among themselves or to consider their decision;
- (d) if the student or representative fails to attend an appeal hearing within 10 minutes of the scheduled hearing time, the hearing may proceed and the Committee may make a decision in the student's absence;
- (e) the student or representative on request may call and examine witnesses, cross-examine witnesses other than a witness called on the part of the student, and may address the committee at the conclusion of the evidence;
- (f) the committee must determine an appeal on the basis of evidence adduced by the parties, without being bound by the rules of evidence, but according to the justice of the case;
- (g) the student and representative must be given a copy of, or an opportunity to inspect, all evidence unless, in the opinion of the Chair, there is justifiable reason not to make any particular piece of evidence available to the student and representative;
- (h) at every hearing the committee has complete authority to keep order in the proceedings, including the authority to order the removal of a person, including a student or representative;
- (i) when 2 or more students are alleged to have committed offences arising out of the same occurrence or series of occurrences, the Chair must decide whether their cases are to be heard separately or together.

- (j) A hearing before the committee must be conducted in closed session.
- (k) If the appeal does not relate solely to the orders made by the decision maker, the committee must decide, to its reasonable satisfaction, whether the student has committed misconduct.

(2) The Secretary must maintain a record of the proceedings of each hearing, containing a fair summary of the evidence submitted to or obtained by the committee and other minutes of its proceedings necessary to show fairly the way in which it conducted the inquiry.

(3) As soon as practicable after the committee has reached a decision, the Secretary must communicate the decision to the University Registrar and to the student.

(4) There is no other avenue of appeal within the University even if the outcome of an appeal to the Discipline Appeals Committee results in a greater penalty being imposed.

## **19 Composition of Discipline Appeals Committee**

(1) The Discipline Appeals Committee comprises:

- (a) 2 Executive Deans appointed by the Vice Chancellor for a term of 3 years, one of whom is appointed as chairperson;
- (b) 1 member of the Academic Senate, appointed by the Vice Chancellor, after consulting with the Chair of Academic Senate, for a term of 3 years;
- (c) 1 person who is a student at the time of appointment, appointed by the Vice Chancellor, after consulting the President of the Student Association, for a term of 1 year.

(2) No member may sit who has previously been involved as a decision maker in a case which is being appealed.

(3) The Manager, Academic Secretariat, or nominee acts as secretary to the Discipline Appeals Committee. The secretary is to provide the committee with administrative support and advice but does not vote.

(4) The Chair has a deliberative vote and a casting vote.

(5) A quorum of the committee is 3.

(6) If, in a particular case, a member of the committee is absent, or declines or is unable to sit, the Vice Chancellor may nominate a person to sit in the member's place for the purposes of dealing with that case.

(7) A person appointed under Sub-clause (6) must hold the same qualification, as specified in Sub-clause (1), as the member being replaced.

(8) In the absence of the Chair, the remaining Executive Dean appointed by the Vice Chancellor will act as Chair.

(9) The Vice Chancellor may appoint a member of the committee, including a replacement member, to act as Chair if neither Executive Dean appointed by the Vice Chancellor is available to act as Chair.

## **20 Appeal Operates to Stay Proceedings**

(1) Subject to Sub-clause (2) an appeal from a decision suspends the implementation of that decision.

(2) Despite Sub-clause (1), a decision maker may make an implementation direction that the decision is to be implemented, despite the appeal.

(3) Where a student applies to the Chair of the body that is to hear the appeal to nullify an implementation direction, the Chair must urgently consider that application.

(4) The Chair, when deciding whether to make or nullify an implementation direction, must consider the following factors:

- (a) implementation before appeal would result in undue hardship to the student;
- (b) suspension or implementation would most assist the appeal body's ability to deal with the matter; and
- (c) implementation or suspension would be most likely to maintain the current position.

## **21 External Review by Student Ombudsman**

### **(1) Domestic Students**

- (a) The Student Ombudsman, being a person of suitable background and experience; who is not an employee of the University, may be appointed by the Vice Chancellor, in consultation with the Student Association, to conduct external reviews of decisions.
- (b) Where a student is not satisfied with the outcome of an appeal the matter may be referred to the Student Ombudsman. The student must have exhausted all internal avenues of appeal before lodging an appeal with the Student Ombudsman.
- (c) A student who wishes to have a matter referred to the Student Ombudsman must notify the Manager, Academic Secretariat, or nominee in writing. The request for review must:
- i. clearly state the decision for which external review is being sought;
  - ii. provide the grounds for seeking an external review;
  - iii. be submitted within 14 semester days of the advice given of the most recent decision, which has given rise to the request for external review; and
  - iv. be referred by the Manager, Academic Secretariat, or nominee within 5 working days to the Ombudsman, together with any other relevant documentation pertaining to the decision for which review is sought.
- (d) The Student Ombudsman will conduct such enquiries as he/she thinks fit where a matter is referred for investigation and will have access to such information as is necessary to conduct the investigation. The Ombudsman will investigate in an independent and impartial way and will not advocate for the student or the provider. Complaint investigations will be conducted in private and will normally be informal.
- (e) At the end of an investigation the Student Ombudsman may conclude that the University has acted reasonably and advise the University accordingly. If the Student Ombudsman finds that the University has failed to take appropriate action or the action appears to have been contrary to the law, unreasonable, unjust or otherwise wrong, the Ombudsman may recommend that the University remedy the problem by reconsidering the decision, apologising to the student, providing clearer information, changing a policy or procedure or by taking some other appropriate action.
- (f) The Student Ombudsman will normally review a decision and provide a formally signed off report on the matter to the Vice Chancellor within 20 working days of the date of referral. The report will contain the findings of the investigation, the Ombudsman's recommendations, and full reasons for the recommendations for the consideration of the Vice Chancellor. The Student Ombudsman will advise the student of his/her decision and the reasons for the decision in writing.
- (g) The Vice Chancellor will, after consideration of the report, normally adopt the recommendations of the Ombudsman, unless there are exceptional circumstances which require otherwise.
- (h) The Vice Chancellor will advise the student of the outcome of an appeal to the Ombudsman and the action the University will take in response to the Ombudsman's report within 5 working days of the date they receive notice of the decision.

## **(2) Current and Intending Overseas Students**

The Overseas Students Ombudsman offers a free and independent service for current and intending overseas students who have a complaint or want to lodge an external appeal about a decision made by the University. Refer to the Overseas Students Ombudsman website [www.ombudsman.gov.au](http://www.ombudsman.gov.au) or phone 1300 362 072 for more information.

If this option is taken, the appellant must advise the Manager, Academic Secretariat, within 14 semester days of being advised of the outcome from the Disciplinary Board (for appellate decisions only) or the Discipline Appeals Committee. The Manager, Academic Secretariat, will advise the Student Business Centre accordingly.

## ***Division 6 – General***

### **22 Withholding Results**

If a student has been given a notice of a charge of misconduct, the University may withhold the student's academic results until the proceedings (including an appeal) are finalised.

### **23 Interim Suspension**

(1) The Vice Chancellor may suspend a student on considering it necessary to avert a substantial risk of:

- (a) injury to a person;
- (b) damage to property, or
- (c) serious disruption of a University activity.

(2) The Vice Chancellor may also suspend a student pending resolution of legal proceedings in which the student is a defendant if the Vice Chancellor reasonably believes this in the best interests of the student, and/or other students, and/or the reputation of the University.

(3) Before imposing the suspension, the Vice Chancellor must make a reasonable effort to provide the student with an opportunity to explain why the suspension ought not to be imposed.

(4) The University Registrar must give written notice of the suspension to the student and the suspension takes effect when such notice has been given.

(5) The suspension continues until proceedings are finalised or the suspension is lifted by the Vice Chancellor, the Disciplinary Board, or the Discipline Appeals Committee.

(6) The Vice Chancellor must lift the suspension if satisfied that the risk or circumstances that necessitated it have passed.

### **24 Notice**

A notice is considered given to the student if it is in writing and is:

- (a) given to the student in person; or
- (b) posted to the student at the last address notified to the University by the student;  
or
- (c) sent by email to the student's official Bond University or personal email address.

### **25 Where a Person ceases to be a Student**

The University may deal with alleged misconduct in accordance with these regulations if the student who is alleged to have committed the misconduct ceases to be a student before proceedings are finalised and may proceed as if the person had continued to be a student.

### **26 Records of Decisions and Reviews**

The Manager, Academic Secretariat, or nominee will ensure that records of all Disciplinary Board and Discipline Appeals Committee hearings are kept on file under his/her control. Access will be made available to these records only with the prior approval of the Manager, Academic Secretariat, or nominee. Records will be kept for seven (7) years and will remain confidential and subject to the provisions of the Privacy Act.

## **Schedule A – Definitions**

This glossary describes terminology in use at Bond University.

**Academic Action** - A student who is placed on warning or excluded as per assessment regulations.

**Academic Excellence** - A noting on a student's transcript indicating that a student has been placed on the Dean's or Vice Chancellor's list for academic excellence.

**Academic Exclusion** – Refer 'Exclusion'.

**Academic Misconduct** - Academic misconduct, whether inadvertent or deliberate, includes the failure to comply with the regulations, policies and procedures determining the conduct of students during assessment including plagiarism and cheating; falsification or misrepresentation of academic records; and other actions that are judged to be acts of academic misconduct.

**Academic Progress** - The process whereby a student's results are considered at the end of each semester or phase and, if the student's performance is deemed unsatisfactory in accordance with the regulations, their status or eligibility to continue their studies is determined.

**Academic Transcript** - An official statement of a student's academic record at the University.

**Academic Senate** – Bond University's peak academic body, which is constituted by Council, in accordance with Clause 6.9 (b) and (c) of the Constitution of Bond University Ltd and is an advisory body to the Vice Chancellor on the following matters:

- the formulation and development of the academic policies of Bond University and the oversight and coordination of the academic activities of the various faculties;
- regulatory provisions for the admission and exclusion of students, for degrees, diplomas and all programs of study, lectures, examinations, and other forms of assessment;
- the content and standard of programs of instruction and their assessment, and the requirements for admission to degrees and the award of diplomas;
- the conditions for scholarships, bursaries, cadetships, and prizes accepted by the University;
- matters referred by faculties of the University, either individually or severally.

**Admission** - The result of acceptance of an offer of a place in a program by an applicant and payment of the prescribed fee.

**Admissions Fraud** – Submitting falsified documentation to obtain entry into a Bond University program.

**Admissions Office** – Part of the Office of Student and Academic Services responsible for student admissions to all programs.

**Advanced Standing** – Credit for subjects in a program of study granted on the basis of successful previous studies.

**Allegation Notice** – The notice the University gives to a student to commence formal misconduct proceedings.

**Alumni** - Bond University graduates.

**Appeal** – The formal process whereby a student appeals a decision relating to an academic or administrative matter relating to their status as a student as embodied in the Academic Regulations (Division 9 Complaints and Appeals for Review of Decisions) and the Discipline Regulations (Division 5 Appeals).

**Appellant** – A student who lodges an appeal.

**Applicant** - A person who has submitted an application for admission to the University.

**Approved educational institution** - An institution which the Academic Senate recognises as offering programs of study at a level appropriate for the granting of advanced standing towards a Bond University degree.

**AQF** – Australian Quality Framework.

**Articulated Programs** – An articulated set of programs is:

- a Master Degree which incorporates a graduate diploma and/ or graduate certificate in the same discipline area; or
- a Bachelor Degree which incorporates an associate degree or advanced diploma or diploma or associate diploma in the same discipline area; or

- a program being undertaken by a candidate who has not satisfied the requirements for the specific award but has met requirements for the generalist award in the same area (e.g. BJuris instead of LLB).

**Articulation Agreement** - A formal agreement between Bond University and another educational institution which specifies status for admission and advanced standing for the applicant.

**Assessment** – The determination of a student’s level of mastery of a subject resulting ultimately in a mark or grade. Determined by an examination, assignment, practical, presentation or project work, dissertation, thesis or minor thesis, which a student is required to complete for educational purposes; to provide a basis for an official record of achievement or certification of competence; and/or to permit grading of the student’s performance in a subject.

**Associate Dean** - The member of academic staff responsible to the Executive Dean of a Faculty who undertakes administrative responsibilities.

**Assumed Knowledge** – The minimum level of knowledge of a subject area that students are expected to have acquired before enrolling in a particular subject.

**Audit student** - A student who has paid a fee to attend classes in a subject but who will not be assessed in that subject.

**Award** - A degree, graduate diploma, graduate certificate, associate degree, diploma, or associate diploma conferred by the University upon completion of a program or a program of research.

**Award Program** – An approved sequence of subjects; or an approved sequence of subjects together with industry, practical or clinical experience and/or cooperative study arrangements; and/or an investigation of an approved topic the results of which are presented in a thesis; leading to an award.

**Bachelor Degree** - An undergraduate award of 240 or more credit points taken over at least 6 semesters of study.

**Board of Examiners** – A meeting of the Examiners within a Faculty or School to approve subject results and make recommendations on academic progress.

**Bond Week** - The orientation week that takes place during the week prior to commencement of classes each semester. During Bond Week, students enrol in subjects at Registration, undertake orientation programs with their Faculty of enrolment and undertake many activities designed to acquaint them with the physical, social, and academic environment of Bond University.

**Bullying** – Repeated inappropriate behaviour that is unsolicited, intimidating, unwelcome, uninvited, and unreciprocated, which may cause distress to a person and/or create an intimidating, hostile or offensive environment.

**Bursary** - Financial aid given to a student by his or her Faculty of enrolment on the basis of demonstrated financial need or other specified criteria.

**Change of Program (Degree)** - The process whereby a student who has been admitted and enrolled into a program, but has not completed it, then transfers to another program.

**Class activity** - The type of activity required for a subject, such as lectures, tutorials, computer laboratories or seminars.

**Combined degree** - An approved combination of two programs at the same level, where, on completion, a student will be conferred with an award for both programs.

**Commencing student** - A student who has enrolled for the first time in a particular program and has not transferred from another program of the same level.

**Complaint** – A concern, grievance or dispute raised by an individual concerning an incident, judgement, situation, or problem that impacts or may impact on the person’s performance or another person’s performance or their study/work environment. For the purposes of data recording, a complaint is defined as a concern, grievance or dispute that cannot be adequately dealt with under the Appeals for Review of Decisions process.

**Compulsory subject** - a subject which must be successfully completed, unless credit or exemption is granted, in order to qualify for an award.

**Conceded Pass** – The grade of ‘Conceded Pass’ is no longer awarded by the University.

**Conflict of Interest** (in relation to disciplinary matters) – Knowledge of or connection with a student or students involved in a hearing of alleged misconduct that leads a committee member to believe they cannot objectively consider evidence and/or, when viewed from the perspective

of an objective observer, could create a perception of bias towards or against the student/s involved. In such cases the committee member should notify the secretary of the committee and voluntarily step aside. A substantial association (positive or negative, current, or previous) with the relevant student/s is a strong indicator of conflict of interest but this does not extend simply to the teaching of or familiarity with a student or students in isolation.

**Continuing student** - A student is a continuing student in a program if the student has been permitted to re-enrol and has met enrolment requirements in that program.

**Counselling** (in relation to disciplinary matters) – Counselling through the University's Office of Student Services, or another organisation agreed between the student and the decision-maker.

**Core subject** - Core curriculum studies required in all undergraduate programs.

**Corequisite** - If Subject A is a corequisite of Subject B then Subject A must be studied in the same semester as Subject B, or have been passed in an earlier semester.

**Course** – See **Program** which is the terminology used at Bond University.

**Credit** - A subject in which a student is not required to enrol as it has been formally acknowledged that the student has previously satisfied or completed the subject matter; thereby reducing the number of subjects needed to complete the program. Credit for a subject requires the student to be able to demonstrate prior study at tertiary level which has traversed the same syllabus. It will be at the discretion of the Executive Dean of the Faculty of enrolment to determine whether credit or advanced standing, towards the award for which a candidate is enrolled, will be approved in recognition of subjects previously completed at Bond University or elsewhere, with the proviso that such subjects have been completed within the previous ten years.

**Credit points** - The numerical value assigned to a subject which, when related to the total subject points for the program, is a measure of the size of the subject's contribution to the content of the program (for example, most undergraduate subjects constitute 10 credit points).

**Cross institutional student** - A student of a tertiary institution who has been permitted to enrol in another institution on the basis that the subject/s completed will be credited to an award of the home institution.

**Cross-listed subject** - A subject listed under more than one discipline with more than one subject code.

**Days** – Calendar days (see also Semester Days and Working Days).

**Decision-maker** (in relation to disciplinary matters) – An officer or body of the University listed in Discipline Regulation 12.

**Defer** - Postpone entry to the University. The term 'deferring' is used at the pre-admission stage.

**Deferred examination** - Students can apply for a deferred examination when they miss a scheduled exam because of serious illness or other cause.

**Delegate** – An appropriate senior officer or committee.

**Deputy Vice Chancellor** - Deputy Vice Chancellors hold positions with the following responsibilities across the University:

- Academic (Learning & Teaching/Research)

**Deregistration** - The act of withdrawing all University privileges including admission to classes, the sports centre, clubs and societies, and the library.

**Discipline** - A set of subject offerings in the same area of study. Also refers to the University's processes for dealing with student misconduct.

Dissertation - See Thesis.

**Doctoral Degree** – An award and formal recognition for advanced study beyond the Bachelors and Masters degrees and offered by both research (e.g. PhD) and in some cases by coursework (e.g. Doctor of Physiotherapy).

**Drop** - To cancel enrolment in a subject without financial or academic penalty. This must be done within the prescribed timeframe.

**Dual Award** – An award facilitated through a formal agreement between Bond University and another tertiary institution involving two programs of study and resulting in two qualifications and two testamurs conferred separately by each provider.

**Elective** - A subject that may be chosen from virtually any subject on offer across the University provided prerequisites, enrolment restrictions and any other Faculty requirements have been met.

**Enrolment** - The process whereby a student is formally registered in one or more subjects each semester. It includes the payment of appropriate fees, completion of required documents and the signing of an agreement to abide by the regulations and rules of the University.

**Enrolment and Student Engagement Officer** - - The Student Business Centre officer responsible for providing enrolment advice to students in accordance with University policy and regulations.

**Examination** – A formal, specifically timed subject assessment conducted by the University at the end of a semester (i.e. a final examination), during Weeks 6, 7 and 8 of a semester (i.e. a mid-semester examination), or at any other time during a semester and that is at least 50 minutes in duration or accounts for at least 20% of the total assessment of the subject.

**Examination Officer** - A person appointed by the University to supervise the conduct of examinations on behalf of the University in accordance with the procedures determined by the University.

**Examiner** - An academic staff member responsible for setting the assessment tasks and submitting the results for a subject; or in the case of research students the person examining a thesis or dissertation.

**Exceptional Circumstances** – Circumstances beyond the control of the student that are considered by the Executive Dean or delegate of the relevant Faculty or other decision-maker to be unexpected and extraordinary.

**Exchange** – The process of attending another institution under formalised exchange agreements between that institution and Bond University. An outgoing exchange student pays all tuition fees to Bond University.

**Exclusion** – When a student is excluded on the basis of poor academic performance from a program at the University. A student is excluded from a specific program, not from a Faculty or the University as a whole.

**Executive Dean** - The member of academic staff responsible for the management of a Faculty.

**Executive Mode** - Subjects or programs delivered to enable participants to maintain full time employment.

**Exemption** - A compulsory subject that a student is exempt from undertaking. The subject must be replaced with an alternative subject. An exemption does not reduce the overall number of subjects required for the program and should be granted for relevant experience rather than formal study.

**Expulsion** – Permanent debarment of a student from the University. An expelled student may not attend classes or participate in any University activity on or off campus.

**Faculty** – The academic organisational unit consisting of academic and administrative staff headed by an Executive Dean, responsible for all matters concerning the programs and subjects it supervises. Faculty also refers to the Bond Business School, Bond University College (headed by the Director) and the Office of the Core Curriculum (headed by the Deputy Vice Chancellor (Academic)).

**Faculty of enrolment** - The Faculty in which the candidate is enrolled as a degree candidate.

**Financial aid** – A system to assist students through scholarship, bursary, or other financial assistance.

**Foundation** - The required subjects in a program that provide the necessary framework for a future specialisation or major.

**Full-time student** - A student enrolled in subjects which amount to 75% or more of the normal full-time study load for a semester. (For CRICOS and ESOS purposes a full-time undergraduate student must take 4 subjects in a semester and a full-time postgraduate student must take at least 3 subjects in a semester.)

**Grade Point Average** - The average of the grades obtained by a student in all subjects weighted by the credit point value of each subject in accordance with the following formula:

- $GPA = \frac{\text{Sum}(GP)}{\text{Sum}(P)}$ ;
- where G=grade for each subject and P=credit point value for each subject.

If for any reason a student does not achieve a grade in a subject, the value of G for that subject shall be taken as zero. The GPA can be calculated for a semester or for a program.

**Grades** - A record of the level of assessment in subjects completed at the University and issued at the end of each semester after approval by a Board of Examiners meeting.

**Graduand** - A student who has completed all the program requirements but has not yet had the

award conferred.

**Graduate** - A student who has completed their program and has had the award conferred.

**Graduate Certificate or Diploma** - A program generally designed for specific vocational purposes, either the broadening of skills and knowledge already gained in an under program, or vocational skills and knowledge in a new professional area.

**Graduation** - The ceremony at which awards are conferred by the University.

**HDR** – Higher Degree Research.

**Head of School** – In some Faculties, discipline areas are grouped into academic units called Schools. The Head of School is responsible for the management and oversight of the School. This does not apply to the Bond Business School, which is the equivalent of a Faculty.

**Higher degree** - An award at Master or Doctoral level.

**Honorary Degree** - Admission honoris causa, an award which is made in recognition of distinction by the recipient in public service, service to the University, or in recognition of distinguished contribution by the recipient in a field of academic endeavour.

**Honours** - Some Bachelor Degrees may be completed "with Honours". This may involve either the completion of a separate Honours Year or additional work in the later years of the program or meritorious achievement over all years of the program. Honours are awarded by Class (First class; Second class, Division A; Second class, Division B; Third class).

**In absentia** - An award is conferred, in absentia, when the student does not attend the graduation ceremony.

**Intensive mode** - Subjects delivered in a short, concentrated period.

**Intermediate award** - A program within an articulated set of programs, representing a point at which a student may exit with a lower level award than that of the program to which admission was made.

**International student** - A student who is not an Australian or New Zealand citizen or person granted permanent residence status in Australia.

**Joint degree** – Single program taught by Bond University and one or more partner institutions that is jointly approved and collaboratively developed and delivered. Results in a single joint award that is recognised, accredited, and badged by all the partner institutions.

**Leave of absence** - Permission to suspend a program once the student is part way through by not enrolling in a semester.

**Lecture** - Formal classes in which lecturers present program material to all students enrolled in a given subject.

**Location** - The campus at which studies are undertaken (e.g. Main Campus or other).

**Major** - A major sequence typically comprises at least six defined subjects within one discipline area; "double major" means an augmented sequence comprising at least 12 semester subjects within one area of study.

**Masters Degree** - Provides a mastery or high-order overview of a relevant field of study or area of professional practice.

**Medal** - A Faculty may recommend the award of a Medal to students qualified for an award, whose academic performance is judged to be outstanding within the requirements for the specified medal.

**Medical Practitioner** – A registered health practitioner defined under the Act (Health Practitioner Regulation National Law Act 2009) in Australia.

**Minor** - A minor sequence of subjects (normally 4) within one discipline area.

**Misconduct** – Any breach by a student of Schedule B or Schedule C of the Discipline Regulations.

**Nominee** – A person nominated to act on behalf of another person.

**Non-degree student** - A student enrolled in subjects, where completion of the subjects does not result in an award. The student is assessed in the subject.

**Normal full-time subject load** - 40 credit points per semester (4x10 credit point subjects).

**Offer** - A formal document offering an applicant a place in a program, outlining any conditions and requirements.

**Officer** – Any employee of the University.

**Overload** - Approval given to enrol in more than the maximum amount of credit points normally permitted.

**Penalty Unit** – One Penalty Unit equals \$300.

**Percentage Average (PA)** - The average of the percentage marks obtained by a student in all subjects weighted by the credit point value of each subject in accordance with the following formula:

- $PA = \text{Sum (MP)} \text{ divided by Sum (P)}$ ;
- where M = percentage mark for each subject and P = credit point value for each subject.

If for any reason a student does not achieve a percentage mark in a subject, the value of M for that subject shall be taken as zero. The PA can be calculated for a semester or for a program.

**Plagiarism** - A specific form of academic misconduct relating to the unacknowledged use of someone else's work in a piece of assessment. Deliberate plagiarism is regarded as a serious act of academic misconduct.

**Postgraduate award** - An award of graduate certificate, graduate diploma, master, or doctorate.

**Postgraduate student** - A student enrolled in a program that will lead to a postgraduate award.

**Practicum** - A subject designed to give students practical experience.

**Pre-Registration** - Enrolment and class registration of a student for a subsequent semester.

**Prerequisite** - A set of conditions that must be met by a student before enrolment in a particular subject is permitted.

**Probationary student** - A probationary student is one who has previously been excluded as a result of the Progress Regulations, and who may, or may not have conditions attached to their enrolment.

**Professorial Standing** - The status of full professor in relation to an academic staff member. For the purposes of the Decisions Review Committee (Academic), the term may also refer to the status of associate professor if the academic staff member's membership of that committee is endorsed by the appropriate authority.

**Program** - A combination of subjects which according to degree rules leads to an academic award of the University.

**Program code** - A group of letters and numbers that identifies a program for administrative purposes.

**Program Coordinator** - A member of the academic staff with overall responsibility for a program.

**Progression Point** - Occurs at the end of each subject and determines the student's eligibility to progress based on the score calculated by combining results of assessments held during, and at the end of, each semester that contribute to the subject.

**Registrar** - The senior officer of the University responsible for administrative matters relating to students and support services.

**Registration** - The process at the start of each semester where commencing students are formally recorded as students of the University. The registration process also involves payment of tuition fees.

**Research student** - A student enrolled in an honours, masters, or doctoral program in which at least two-thirds of the program is research-based.

**Resit Examination** - A pass or fail examination that may be granted to a Bachelor of Medical Studies, Doctor of Medicine or Doctor of Physiotherapy student who fails a subject.

**Restitution** - Recompense paid to the University or another person at the order of the decision-maker in disciplinary cases for property lost, damaged, or destroyed due, in whole or in part, to the conduct of the student.

**Restricted elective** - A restricted elective is a subject that must be chosen from a specified group of subjects, from a specified discipline area or from a specified range of discipline areas.

**Review** - The formal process whereby a student seeks review of a decision relating to an academic or administrative matter relating to their status as a student.

**Sanction** - A sanction prevents a student from accessing specified information (results) or undertaking specified actions (enrolment, admission, graduation) and is placed on a student's record due to non-compliance with University regulations.

**Scholarship** - Financial aid given on the basis of academic merit.

**School** - See Head of School.

**Semester** - A designated academic period, normally of 14 weeks duration including any relevant examination period. Standard semesters in the academic year commence in January, May, and September.

**Semester Days** – Days within a semester, including weekends but excluding days between semesters (See also Days and Working Days).

**Site** – Any land or waterways that are currently the property of, or in the possession of, or under the control of the University together with any associated structure, whether permanent or temporary.

**Special consideration** – There are no provisions for special consideration at Bond University.

**Special Requirements** - Approval given to students who have a disability or other impairment to take centrally scheduled examinations under special conditions.

**Student** - A person who is enrolled in one or more subjects or a research program offered by the University.

**Student Association** – Bond University Student Association but not Faculty Student Associations.

**Student Business Centre** – The unit that deals with the administration of all student activities including registration/enrolment, examination, timetabling and graduation.

**Student Identification number (SID)** - The 8 digit number given to a student during the application process; a means of identification for all official University processes.

**Study abroad** - The process of attending another approved institution. An outgoing study abroad student pays all tuition fees directly to the other institution.

**Subject** - A segment of instruction approved by a Faculty as being a discrete part of the requirements for a program offered by the University and identified by a unique subject code. A reference to a subject is taken to include a phase, discipline, or theme in the Medical Program unless the context indicates otherwise.

**Subject code** - A group of letters and numbers that identifies a subject for administrative purposes.

**Subject Coordinator** – The Academic staff member responsible for the curriculum, learning outcomes and assessment of a subject. A reference to a subject coordinator is taken to include the coordinator of a phase, discipline, or theme in the Medical Program unless the context indicates otherwise.

**Supervisor** - A member of academic staff responsible for the supervision of a student's research.

**Supplementary examination** - A pass or fail examination or assessment that may be granted to a student who fails a subject in a penultimate or ultimate semester.

**Suspension** – Temporary debarment of a student from the University. A suspended student may not attend classes or participate in any University activity on or off campus.

**Testamur** - A certificate awarded on completion of a program of study after the award has been conferred (normally presented at Graduation).

**Thesis** - Thesis or dissertations are works embodying results of original research on a subject and substantiating a particular point of view. They are written by a candidate as part of the requirements for an Honours Bachelor's Degree, or for a Research Master or PhD Degree.

**Timetable** - The subjects offered during a particular semester, and the class activities required for each subject.

Transcript - See Academic transcript.

**Tutorial** - Usually less formal than a lecture, tutorials are small classes in which material from lectures and readings can be discussed in more detail.

**Undergraduate award** - An award at associate or Bachelor Degree level.

**Undergraduate student** - A student enrolled in a program that leads to an undergraduate award. Includes a student in preparatory programs such as English Language, Foundation, and University Preparation programs.

**Unit** – See **Subject** which is the terminology used at Bond University.

**University calendar** - The annual calendar of academic events approved by the Academic Senate.

**University Council** - The governing body of the University.

**University Officer** - Any employee of the University.

**University Registrar** – See Registrar

**Vice Chancellor and President** - The chief executive officer of the University, responsible for its leadership and management.

**Withdrawal** – Action taken by a student to cancel their subject enrolment or their participation in a program.

**Working Days** – Days falling from Monday to Friday from 8:30am to 5:00pm excluding public holidays (See also Days and Semester Days).

## **Schedule B – Student Code of Conduct**

### **1 Behaviour**

- (1) The University expects students to behave in a way that:
- (a) allows reasonable freedom to others to pursue their studies, research, duties, and other lawful activities in the University and on its sites and participate in the life of the University;
  - (b) recognises that the pursuit of academic excellence is a key aim of the University and that proper student assessment and research procedures are essential in achieving that aim;
  - (c) promotes the proper use of University facilities, information, and the property of other persons on its sites.
- (2) Misconduct is prohibited behaviour by a student, and therefore a breach of Bond University's Student Conduct Code, that:
- (a) impairs the reasonable freedom of others to pursue their studies, researches, duties, and other lawful activities in the University or on the site, or on the site of a partner or affiliate organization, or to participate in the life of the University; or
  - (b) hinders the pursuit of academic excellence by circumvention of proper procedures in relation to student assessment or research; or
  - (c) amounts to improper use of University facilities or information or improper use of the property of others on the site; or
  - (d) amounts to improper use of role, responsibility, or authority during placement with a partner or affiliate organization; or
  - (e) is instanced in Clause 2 of this Schedule.
- (3) A student who attempts to commit misconduct is guilty of misconduct.

**2** Without limiting the effects of Clause 1(2) and 1(3) instances of misconduct are set out below:

#### **(1) Student Integrity**

- (a) All forms of academic dishonesty, including cheating or doing anything which may assist a person to cheat, in relation to assessment. For example:
  - (i) knowingly plagiarising the work of another person, including a fellow student, by adapting or incorporating it in a piece of assessment without due acknowledgement;
  - (ii) knowingly plagiarising the ideas of an author of a text by incorporating them in a piece of assessment without due acknowledgement;
  - (iii) collaborating with another student about assessable work and representing that as individual work;
  - (iv) intentionally fabricating, falsifying or mis-stating results, records of attendance, measures of performance or tasks completed, which are reported in or relied on for the purposes of a piece of assessment;
  - (v) submitting the same or a similar piece of work twice, unless prior approval has been obtained from the coordinators of both subjects;
  - (vi) submitting the same or a similar piece of work when repeating a subject unless prior approval has been obtained from the coordinator;
  - (vii) bringing unauthorised material into an examination room;
  - (viii) accessing unauthorised material in any location during an examination;
  - (ix) using unauthorised material in any location during an examination;
  - (x) removing or endeavouring to remove from the examination room any question or answer paper, other paper provided for use by the student during the examination, or other material that is the property of the University, unless authorised by the Principal Invigilator and Examination Supervisor.
  - (xi) impersonating another student or allowing another student to impersonate him/her for the purpose of completing an examination, assessment task or online activity.

- (xii) negotiating (or attempting to negotiate) or using a website to obtain or seek to obtain or purchase from another person, services, or documentation to complete or to contribute to a piece of assessable work (e.g. ghost writing). This provision applies even if the specified documentation or services are not actually applied to the work completed for assessment. (This provision does not refer to obtaining research material such as published journal articles, books, book chapters and other research material that the student who has acquired such material then uses to complete assessable work with due acknowledgement.)
- (xiii) contract cheating/ghost writing (i.e. submitting work completed for the student by a third party, irrespective of the third party's relationship with the student, and whether or not they are paid or unpaid).
- (xiv) selling, publishing, or distributing (or attempting to sell, publish or distribute), without permission, Bond University course materials, handouts, presentation slides or any other Bond University intellectual material.
- (b) making a false representation as to a matter affecting the student as a student.
- (c) knowingly providing advice, assistance, or services outside of the student's authority during placement with a partner or affiliate organization.

**(2) Dealing with Others at the University or External to the University**

- (a) Disrupting or obstructing an official University or University sponsored activity, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavour, administration, service, placement with a partner or affiliate organization, or the provision of communication, computing, or emergency services.
- (b) Misrepresenting oneself or an organisation as an agent of the University unless explicit written permission to do so has been granted by an authorised officer of the University.
- (c) Creating a disturbance, being disorderly on site, or failing to comply with workplace health and safety or induction requirements and processes of or associated with a partner or affiliate organization.
- (d) Harassment on the site or in the course of an official University activity based on any of the prohibited grounds of discrimination set out in the Anti-Discrimination Act 1991 for example:
  - (i) Sexual harassment of a person in terms of the Anti-Discrimination Act 1991 (Qld).
  - (ii) Harassment based on the age, ethnicity, gender, gender identity, disability, colour, national origin, race, religion, intersex status, or sexual orientation of the person harassed.
- (e) Engaging in any sexual offence, including but not limited to sexual assault, public sexual indecency, or indecent exposure.
- (f) Endangering, threatening, assaulting, or causing physical harm to any member of the University community, member of the public, or oneself, or causing reasonable apprehension of such harm, on a site or in the course of an official University activity either directly or by other means.
- (g) Bullying, on the site or in the course of any University affiliated activity, that is offensive, intimidating, humiliating, and/or threatening.
- (h) Engaging in conduct that results in a conviction, a finding of guilt or a fine for a serious criminal offence, whether or not a formal conviction is recorded, that is detrimental to the reputation of the University wherever the conduct that resulted in that conviction, finding of guilt or a fine occurs.
- (i) Making a false, vexatious, malicious, or frivolous complaint regarding inappropriate behaviour of others where the complaint is without merit, intended to cause harm, dishonest, or contains intentionally misleading information.
- (j) Engaging in any other conduct, whether within or outside the University, that is prejudicial to the good order and discipline of the University or brings the University into disrepute.

**(3) Dealings with Property or Information**

- (a) Intentionally damaging or wrongfully dealing with property on a site of the University. For example:
  - (i) littering;
  - (ii) defacing or affixing a notice to part of the site;
  - (iii) damage to, theft of, or failing to return library material or IT equipment.
- (b) Unauthorised presence in or unauthorised use of University property, resources, or facilities.
- (c) Unauthorised access to, disclosure of, or use of any:
  - (i) University document, record, or identification: or
  - (ii) Confidential or privileged information available during placement with a partner or affiliate organization, including confidential patient records accessed during placement in a healthcare facility.
- (d) Forgery, falsification, unauthorised alteration, or misuse of University documents, records or identification, or University related documents (for example, medical certificates submitted in relation to deferred examinations or appeals) including Admissions fraud.
- (e) Knowingly disclosing confidential information relating to any University matter which is of a confidential nature and which the student has no right to divulge.
- (f) Misuse of Information Technology facilities, including software, or communication facilities of the University. For example:
  - (i) gaining or assisting another person to gain unauthorised access to a facility;
  - (ii) using a facility for unauthorised purposes;
  - (iii) unauthorised modification, transfer or deletion of any hardware, software, or data;
  - (iv) unlawful copying of software using a University facility or installing software on a University facility without authorisation;
  - (v) downloading, viewing and/or distribution of illegal, pornographic, or extremely violent material.
- (g) Failure to comply with directions from authorised officers in the performance of their duty, including providing false information, including false identification, or failure to provide information to the University or to authorised officers in the performance of their duty.
- (h) Misuse, theft, misappropriation, destruction, damage or unauthorised use, access, or reproduction of property, data, records, equipment, or services belonging to the University or any other person or entity.
- (i) Possessing property which the student knows or has reason to believe may be stolen or misappropriated.

**(4) Behaviour at the University or in the course of an official University activity**

- (a) Creating a disturbance or being disorderly. For example:
  - (i) using insulting, threatening or obscene language on a University site, whether verbally or in writing;
  - (ii) lighting a fire without permission;
  - (iii) throwing stones or other missiles;
  - (iv) injuring or frightening birds or other wildlife;
  - (v) public urination;
  - (vi) wilful exposure;
  - (vii) the act of graffitiing.
- (b) Possessing, using, manufacturing, distributing, or selling illegal drugs or drug paraphernalia.
- (c) Smoking (using smoking products or electronic cigarettes as defined in the 'Smoking on Campus Policy COR 1.13) on any Bond University campus in all indoor and outdoor areas except for Designated Smoking Areas.
- (d) Possessing, using, or storing any weapon, dangerous instrument, explosive device, fireworks, or dangerous chemical.

- (e) Use of a motor vehicle in a dangerous manner on campus.
- (f) Not satisfactorily complying with an order made by the Disciplinary Board or other decision maker.

**(5) Dealings with Officers of the University**

- (a) Obstructing or attempting to interfere with the lawful performance of duty by an officer of the University.
- (b) Failing to supply the student's name and address when required to do so by an officer of the University who reasonably requires the information for the performance of the officer's duties.
- (c) Failing to supply the student's student card or other evidence of identity when required to do so by an officer of the University who reasonably requires proof of identity for the performance of the officer's duties, unless the student had reasonable cause not to provide the evidence sought and the student supplies the student card or other evidence of identity to the University Registrar within 48 hours of the time when supply was required by the officer.
- (d) Recording by audio and/or visual means any class, consultation or discussion with a teacher or member of staff without the prior express consent of that person.
- (e) Passing to or transmission to any other person any recording by audio and/or visual means of any class, consultation or discussion with a teacher or member of staff without their express consent.
- (f) Disobeying a reasonable direction of an authorised officer. For example:
  - (i) refusing to leave a building or part of a building when directed to do so by a security officer
  - (ii) failing to comply with a direction by a member of the academic staff not to record by audio and/or visual means any class, or to refrain from passing recordings of classes to others.

**(6) Behaviour in Student Housing**

- (a) Any breach of the Student Housing Rules (as defined in the Student Housing Handbook) including but not limited to:
  - (i) Possession of alcohol in glass bottles less than or equal to 500ml;
  - (ii) Creation of disruptive noise including loud and/or sustained music, yelling, or noise after 11pm (or 9pm during study and examination weeks);
  - (iii) Use of naked flames of any kind including candles, incense, oil burners and sparklers.
  - (iv) Damage or vandalism to University property by the student or a visitor.

## **Schedule C – Sports Code of Behaviour**

### **1 General**

#### **(1) All students representing Bond University at sport should:**

- (a) Respect the rights, dignity and worth of fellow players, coaches, officials, and spectators;
- (b) Adhere to the game's rules at all times (including when the student is subjected to acts of aggression);
- (c) Respect the talent, potential and development of fellow players and competitors;
- (d) Care for and respect the equipment provided to them or utilized as part of the activity;
- (e) Be frank and honest with their coach concerning illness and injury and their ability to train for or participate fully within all sporting activities;
- (f) Conduct themselves in a professional manner relating to language, temper, and punctuality;
- (g) Maintain high personal behaviour standards at all time;
- (h) Abide by the rules of the event and respect the decisions of the official, making all appeals through the formal process and respecting the final decision;
- (i) Be in an appropriate state of physical health for the competition, including being free of the influence of drugs and/or alcohol;
- (j) Cooperate with coaches and staff in the development of programs to adequately prepare the student for competition at the highest level.

### **2 Breaches**

**(1)** Violations of the Sports Code of Behaviour are defined as misconduct under Regulation 7 – Misconduct.

**(2)** Students who breach any of the clauses of the Sports Code of Behaviour may be referred to the Executive Director of Sport, who can make any of the orders allowed under Schedule D, or the Bond University Sports Disciplinary Committee, which can make any of the orders allowed under Schedule D.

**(3)** Students who breach the Sports Code of Behaviour in addition to the Student Code of Conduct (Schedule B) or whose breaches of the Sports Code of Behaviour are, in the opinion of the Executive Director of Sport or the Sports Disciplinary Committee, deserving of a greater penalty than is available to them under Schedule D of the Discipline Regulations, may be referred to the Disciplinary Board.

## Schedule D – Decision Makers, Jurisdiction & Penalty Powers

- (1) Without limiting the range of orders available to a decision maker under this section:
- (a) penalties which are academic in nature should normally only be imposed for misconduct which occurred in an academic context, and
  - (b) penalties which are non-academic in nature should normally only be imposed for misconduct which occurs in a non-academic context.
- (2) Subject to Discipline Regulation 9:

<b>Decision Maker &amp; Jurisdiction</b>	<b>Decision Maker Penalty Powers</b>
<b>Senior Resident Fellows</b> may deal with any allegation of misconduct relating to an area of on-campus residential accommodation for which they have supervisory responsibility.	If a finding of misconduct is made, the decision maker may make one or more of the following orders. (a) written reprimand; (b) fine not exceeding 1 penalty unit.
<b>Director of Commercial Services</b> may deal with any allegation of misconduct relating to the facilities and their use including all food and beverage outlets; The Sports Centre and associated sporting facilities; and breaches of the rules and regulations outlined in the Student Housing Handbook and Terms and Conditions of Occupancy.	(a) written reprimand; (b) fine not exceeding 1 penalty unit; (c) restitution not exceeding 2 penalty units; (d) suspension for a specified period from using the Sports Centre or any of its facilities; (e) suspension for a specified period from using any other facilities or attending any licensed venue or event on campus; (f) restitution for the full costs in relation to negligent or deliberate activation of fire alarms.
<b>Executive Director of Sport</b> may deal with any allegation of misconduct relating to Schedule C – Sports Code of Behaviour.	(a) written reprimand; (b) fine not exceeding 1 penalty unit.
<b>Sports Disciplinary Committee</b> may deal with any allegation of misconduct relating to breaches of Schedule C – Sports Code of Behaviour. The Committee will be constituted by a minimum of three and a maximum of six members consisting of, but not limited to: the Manager, Sport & Programs; one member nominated by the Executive Director of Sport; and one member nominated by the Bond University Student Association. The Executive Director of Sport will act as Chair.	(a) written reprimand; (b) fine not exceeding 1 penalty unit; (c) suspension from the following game or fixture in the event in which the student is due to compete; (d) suspension from competing in the event for the balance of the entire competition; (e) suspension from Bond University sports events and/or Australian University Sport events; (f) withdrawal of any or all awards, placings and records obtained by the student/team during the event; (g) imposition of a ban from involvement in the relevant event in any form whatsoever including being present at event venues and official functions of the event; (h) notification to State and National bodies of the offence and support of any ban they may impose on the player/s.
<b>University Librarian</b> may deal with any allegation of misconduct arising in, or in connection with, the Library facilities or materials of the University.	(a) written reprimand; (b) fine not exceeding 1 penalty point; (c) suspension for a period not exceeding 1 week from attending or using Library facilities; (d) removal of borrowing rights for a period not exceeding 1 semester; (e) restitution not exceeding 2 penalty units.
<b>Director, Information Technology Services</b> , may deal with misuse of IT facilities as set out in the Student Acceptable Use Policy.	(a) written reprimand; (b) fine not exceeding 1 penalty unit; (c) suspension for a period not exceeding 1 week from using IT facilities;

<p><b>Director, Bond University College,</b> may deal with any allegation of misconduct relating to the teaching or other activities and assessment conducted by Bond University College or relating to the facilities of the College. The Director may appoint the Bond University College Disciplinary Committee to deal with such allegations and, with the exception of the power to make the final decision, may delegate to that body the rights and powers vested in the Director, as a Decision Maker, in accordance with the provisions of the Discipline Regulations, 'Division 2 – Dealing with Possible Misconduct'. The Bond University College Disciplinary Committee will make a recommendation to the Director on findings of fact and in relation to which orders, if any, should apply and the Director will make the final decision.</p>	<p>(d) restitution not exceeding 2 penalty units.</p> <p>(a) written reprimand;  (b) fine not exceeding 1 penalty unit;  (c) suspension for a period not exceeding 1 week from attending or using Bond University College facilities;  (d) reduction or cancellation of the mark for the assessment in relation to which the misconduct occurred;  (e) requirement to do further work or repeat work within the subject in relation to which the misconduct occurred;  (f) imposition of a maximum grade the student may gain for the subject in relation to which the misconduct occurred;  (g) return of a mark and grade of zero Fail for the subject(s) in relation to which the misconduct occurred;  (h) refusal or cancellation of credit for the subject in relation to which the misconduct occurred;  (i) completion of the Academic Integrity Module with a pass rate of 100%;  (j) restitution not exceeding 2 penalty points.</p>
<p><b>Deputy Vice Chancellor (Academic)</b> may deal with any allegation of misconduct relating to teaching or other activities and assessment conducted in relation to the Core Curriculum. The Deputy Vice Chancellor (Academic) may appoint a Core Curriculum Disciplinary Committee to deal with such allegations and, with the exception of the power to make the final decision, may delegate to that body the rights and powers vested in the Deputy Vice Chancellor (Academic) as a Decision Maker, in accordance with the provisions of the Discipline Regulations, 'Division 2 – Dealing with Possible Misconduct'. The Core Curriculum Disciplinary Committee will make a recommendation to the Deputy Vice Chancellor (Academic) on findings of fact and in relation to which orders, if any, should apply and the Deputy Vice Chancellor (Academic) will make the final decision.</p>	<p>(a) written reprimand;  (b) fine not exceeding 1 penalty unit;  (c) suspension for a period not exceeding 1 week from attending or using Faculty facilities;  (d) reduction or cancellation of the mark for the assessment in relation to which the misconduct occurred;  (e) requirement to do further work or repeat work within the subject in relation to which the misconduct occurred;  (f) imposition of a maximum grade the student may gain for the subject in relation to which the misconduct occurred;  (g) return of a mark and grade of zero Fail for the subject(s) in relation to which the misconduct occurred;  (h) refusal or cancellation of credit for the subject in relation to which the misconduct occurred;  (i) completion of the Academic Integrity Module with a pass rate of 100%.</p>
<p><b>Executive Dean of Faculty</b> may deal with any allegation of misconduct relating to the teaching or other activities and assessment conducted by the Faculty or relating to the facilities of the Faculty. The Executive Dean may appoint a Faculty Disciplinary Committee to deal with such allegations and, with the</p>	<p>(a) written reprimand;  (b) fine not exceeding 1 penalty unit;  (c) suspension for a period not exceeding 1 week from attending or using Faculty facilities;  (d) reduction or cancellation of the mark for the assessment in relation to which the misconduct occurred;  (e) requirement to do further work or repeat work within the subject in relation to which misconduct occurred;</p>

<p>exception of the power to make the final decision, may delegate to that body the rights and powers vested in the Executive Dean, as a Decision Maker, in accordance with the provisions of the Discipline Regulations, 'Division 2 – Dealing with Possible Misconduct'. The Faculty Disciplinary Committee will make a recommendation to the Executive Dean on findings of fact and in relation to which orders, if any, should apply and the Executive Dean will make the final decision.</p>	<p>(f) imposition of a maximum grade the student may gain for the subject in relation to which the misconduct occurred;  (g) return of a mark and grade of zero Fail for the subject(s) in relation to which the misconduct occurred;  (h) refusal or cancellation of credit for the subject in relation to which the misconduct occurred;  (i) completion of the Academic Integrity Module with a pass rate of 100%;  (j) restitution not exceeding 2 penalty points.</p>
<p><b>University Registrar</b> may deal with any allegation of misconduct, including a dispute as to whether a matter falls within the jurisdiction of a decision maker.</p>	<p>(a) written reprimand;  (b) fine not exceeding 2 penalty units;  (c) suspension for a period not exceeding 2 weeks from attending the site;  (d) removal of borrowing rights for a period not exceeding 1 semester;  (e) suspension for a period not exceeding one semester from residing in Student Residences;  (f) suspension for a period not exceeding 1 semester from using Library facilities;  (g) suspension for a period not exceeding 1 semester from using IT facilities;  (h) suspension for a period not exceeding 1 semester of the right to use a motor vehicle on the site;  (i) suspension for a specified period from using The Sports Centre or any of its facilities;  (j) suspension for a specified period from using any other facilities or attending any licensed venue or event on campus;  (k) reduction or cancellation of the mark for the assessment in relation to which misconduct occurred;  (l) requirement to do further work or repeat work within the subject in relation to which the misconduct occurred;  (m) imposition of the maximum grade the student may gain for the subject in relation to which the misconduct occurred;  (n) return of a mark and grade of zero Fail for the subject(s) in relation to which the misconduct occurred;  (o) refusal or cancellation of credit for the subject in relation to which misconduct occurred;  (p) completion of the Academic Integrity Module with a pass rate of 100%;  (q) restitution not exceeding 5 penalty units;  (r) attendance at Counselling for a specified period not exceeding 8 hours.  (s) banned for a specified period from participation in a university sanctioned activity, club, society or elective subject.</p>
<p><b>The Disciplinary Board</b> may deal with any charge of misconduct which has been referred to it and may also deal with appeals.</p>	<p>(a) written reprimand;  (b) fine not exceeding 5 penalty units;  (c) reduction or cancellation of the mark for any piece of assessment;  (d) requirement to do further work or repeat work in any subject;  (e) imposition of a maximum grade a student may obtain for the subject in relation to which the misconduct occurred;</p>

	<p>(f) return of a mark of zero and grade of Fail for the subject(s) in relation to which the misconduct occurred;</p> <p>(g) return of the grade “Annulled” for the subject in relation to which the misconduct occurred;</p> <p>(h) refusal or cancellation of credit for any subject;</p> <p>(i) completion of the Academic Integrity Module with a pass rate of 100%;</p> <p>(j) restitution not exceeding 5 penalty units;</p> <p>(k) attendance at Counselling for a specified period not exceeding 20 hours;</p> <p>(l) suspension for a specified period from attending the site;</p> <p>(m) removal of borrowing rights for a period not exceeding 1 year;</p> <p>(n) suspension for a period not exceeding 1 year from using Library facilities;</p> <p>(o) suspension for a period not exceeding 1 year from using IT facilities;</p> <p>(p) suspension for any period of the right to use a motor vehicle on the site;</p> <p>(q) suspension from Student Housing for a specified period not exceeding 3 semesters;</p> <p>(r) expulsion from Student Housing;</p> <p>(s) banned for a specified period from participation in a university sanctioned activity, club, society or elective subject.</p> <p>(t) ‘no contact’ order, whereby the student shall take reasonable steps to avoid any direct or indirect contact with a specified person or persons.</p> <p>(u) ineligible for future Vice Chancellor’s or Dean’s List and/or ineligible to receive prizes or medals awarded by the University;</p> <p>(v) any order available to other decision makers as outlined in Schedule D;</p> <p>(w) suspension from the University for a specified period not exceeding 3 semesters*;</p> <p>(x) suspension pending resolution of legal proceedings in which the student is a defendant if the Board reasonably believes this is in the best interests of the student, and/or other students, and/or the reputation of the University*;</p> <p>(y) expulsion from the University*.</p> <p>(* Students who are suspended or expelled shall not thereby become entitled to be refunded any fees or charges as per Academic Regulation 41.6.)</p>
<p><b>Discipline Appeals Committee</b> may deal with appeals from all first instance decisions of the Disciplinary Board and appellate decisions of the Disciplinary Board involving suspension or expulsion.</p>	<p>(a) affirm, set aside or vary the decision appealed against;</p> <p>(b) make any one or more of the orders available to the Disciplinary Board as set out in Schedule D.</p>