

Student General Misconduct Procedure

Purpose

This Procedure outlines the processes for maintaining positive, respectful and safe behaviours at Monash College (the College). The Procedure details how to respond to and report instances of poor conduct, and the processes involved in undertaking investigations into suspected *general misconduct*.

Scope

This procedure applies:

- to new and continuing Monash College students and learners, including Monash University students undertaking a pathway program at Monash College;
- at all times when persons are working for, studying, representing, or travelling with or for Monash College (the College). This includes, but is not limited to, attending and participating in the College events both on and off-campus, functions, and activities (e.g., end-of-year functions, sporting events, cultural events, competitions, placements, conferences, held nationally and internationally); and
- to all Monash College locations, including but not limited to:
 - College campuses, premises and facilities;
 - premises where College business or activities take place;
 - College-owned or operated accommodation; and
 - College-owned or operated virtual spaces.

This Procedure serves as a guide for all international partners which can be incorporated into any local policies and procedures, taking into consideration local laws and practices.

This Procedure relates to behaviours undertaken by students. Any concerns with staff behaviours should be considered under the [Staff Code of Conduct](#).

For guidance on other forms of misconduct and unacceptable behaviour, refer to the following:

- [Gender-Based Violence Prevention and Response Policy](#)
- Sexual Harm Response Procedure
- [Student Academic Integrity Procedure](#)

Procedure

1. Promoting expected conduct standards and preventing misconduct

Ref	Process Steps	Responsibility
1.1	Promote and model respectful, safe and inclusive behaviours in all interactions across the College.	All staff
1.2	Support the management of expected standards of conduct by students across the College through intervening, where suitable, in inappropriate behaviours.	All staff

1.3	Issuing directions to manage low-level conduct concerns with students.	All staff
1.4	Undertake classroom management during teaching and learning activities and communicate class expectations to students.	Teachers
1.5	All members of the Monash community are encouraged to maintain a respectful and safe environment. Serious or urgent matters should be reported to Campus Security.	Staff and Students

2. Staff education and support

Ref	Process Steps	Responsibility
2.1	Educate staff on the values of <i>respect</i> at the College to promote a working and learning environment that is free from discrimination, is safe and <i>inclusive</i> and supports mental and physical wellbeing.	People and Culture
2.2	Communicate student conduct policy expectations to staff as part of staff onboarding and relevant training.	People and Culture
2.3	Complete any associated training materials/modules on the promotion of respectful behaviours and management of student conduct concerns and general misconduct.	All staff with a role that involves interactions with students.
2.4	Provide ongoing professional development in the area of student conduct management and values of respect and safety for staff.	People and Culture
2.5	Publish the Student Conduct Policy and associated policy suite documentation and information to the staff intranet.	Senior Consultant Education, Policy and Procedures

3. Student education and support

Ref	Process Steps	Responsibility
3.1	Educate students on the values of respect at Monash College to promote a working and learning environment that is free from discrimination, is safe and inclusive and supports mental and physical wellbeing.	Student Services (through Orientation) Teaching staff (through normal interactions with students)
3.2	Communicate student conduct policy expectations to students during orientation and throughout the year.	Student Services
3.3	Complete any associated training materials/modules on the promotion of respectful behaviours and expected behaviours at Monash College.	Students
3.4	Publish the Student Conduct Policy and associated policy suite documentation and information on the Monash College website.	Senior Consultant Education, Policy and Procedures/Marketing

3.5	Provide welfare and/or counselling to any students involved in student conduct issues, whether <i>victims</i> , <i>witnesses</i> , <i>respondents</i> or third parties of any kind, including referral to external services.	Student Services
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4. Emergency provisions

Ref	Process Steps	Responsibility
Initial Assessment and Response		
4.1	Any significant and immediate risks to the health and safety of any member of the Monash College community, due to the conduct of a student, may result in emergency provisions enacted through the SCC. Such situations are also managed in accordance with the Community Safety and Security Policy .	Student Conduct Committee
4.2	<p>Conduct an initial threat assessment based on available evidence (CCTV footage, written/audio/visual reports, substantial witness statements).</p> <p>This assessment should be undertaken on the day of the incident, as far as reasonably practicable, to determine:</p> <ul style="list-style-type: none"> the level of threat whether an SCC is required to consider the immediate suspension or exclusion of the respondent student/s. <p>If an immediate security risk or threat to the safety of any persons at the College, or College property is identified:</p> <ul style="list-style-type: none"> Security Services should remove the student from campus or online space as soon as practical. This action can be taken while the assessment is ongoing. <p>The ROGM will assess the threat posed by the student to the safety and wellbeing of the campus or any member of the College community, using all available evidence and reports.</p> <p>If emergency provisions are required, the involvement of external authorities should be done in consultation with College Security services.</p>	<p>Responsible Officer for General Misconduct</p> <p>Security Services</p>
Decision-making process		
4.3	<p>If the ROGM or delegate determines an SCC is necessary:</p> <ul style="list-style-type: none"> The committee will be arranged within 24 hours of the incident. The ROGM or delegate will provide SCC members with all available evidence demonstrating the current and ongoing risks associated with the student's conduct. The SCC may make determination during a meeting or via circulation (on email), with the ROGM or delegate acting as secretary. 	Responsible Officer for General Misconduct or delegate, Student Conduct Committee
4.4	Any cases resulting in a student's suspension or exclusion will	Responsible Officer for

	continue to be referred to the SCC to determine the misconduct and apply appropriate outcomes.	General Misconduct or delegate
Follow-up processes		
4.5	<p>If the SCC determines that the student should be removed from the College, it must decide:</p> <ul style="list-style-type: none"> • whether the student will be suspended from their course of study or excluded from the College • on the appropriate duration for the suspension or exclusion. <p>This decision is made solely to ensure the ongoing safety and wellbeing of the College community and does not constitute a final decision on the misconduct case.</p>	Student Conduct Committee
4.6	Following the suspension or exclusion of a student, inform the relevant teams to enact restrictions on access to College systems and premises.	Responsible Officer for General Misconduct or delegate
4.7	For students under 18, inform the Guardianship team, who will follow the processes outlined in Steps 1 - 3 of this Procedure.	Responsible Officer for General Misconduct or delegate
4.8	Counselling support will be offered to any member of the College community involved in the incident.	Student Counselling, Employee Assistance Program
4.9	The incident will be recorded on the Monash College incident reporting platform and the Student Conduct Register.	Security Services, Responsible Officer for General Misconduct or delegate

5. Step 1: Reporting suspected student general misconduct

The management of student general misconduct follows a structured process that addresses and resolves behavioural issues while ensuring fairness and support for all parties involved. The process includes:

- *Step 1: Reporting of suspected student general misconduct;*
- *Step 2: Reviewing and investigating reports;*
- *Step 3: Referral to the Student Conduct Committee;*
- *Step 4: Notification of outcomes and appeal options to students.*

In all steps where the responsibility is assigned to 'All staff', this relates to staff who have witnessed or received reports of suspected student general misconduct.

Ref	Process Steps	Responsibility
5.1	Take action when student conduct concerns are witnessed or reported. This may involve issuing a direction to the student to cease or alter their behaviour, or reporting the incident (to Safer Community Unit or via MonashbSafe application) and referring the	All staff

	<p>student or other staff to welfare or other support services as necessary.</p> <p>Low-level conduct concerns, such as isolated incidents of class disruption or rude communication, can be addressed through <i>student conduct interventions</i> that inform students of expected behavioural standards, without the need for formal misconduct processes.</p>	
5.2	<p>Seek help and support from welfare services, and/or report the matter to the Safer Community Unit through MonashbSafe application, the Report an incident or concern page, or by contacting staff directly.</p> <p>This applies when students, staff, or other community members experience or witness student behaviours that may contravene expected conduct standards at Monash College or during associated activities or events.</p>	Students/staff/members of the Monash College community
Immediate Safety Assessment		
5.3	<p>Immediate Safety Assessment:</p> <ul style="list-style-type: none"> Any person receiving a <i>disclosure</i> or report of serious student conduct behaviours must first assess immediate safety concerns before following any further element of the process. <p>Emergency Situations:</p> <ul style="list-style-type: none"> For immediate and significant safety concerns: call emergency services (000) for police, fire, or ambulance assistance, as outlined in the Critical Incidents Management Process. <p>Non-Emergency Situations:</p> <ul style="list-style-type: none"> For cases not requiring emergency services, assess whether the situation may escalate and if needed call campus security on 03 9905 3333. For serious non-emergency incidents that may require emergency services to a College location, it is recommended to contact Security Services and/or Safer Community Unit to coordinate with emergency services. <p>Reports to the Police:</p> <ul style="list-style-type: none"> Police should only be contacted at the complainant's request, unless specified otherwise in the Sexual Harm Response Procedure. The College respects and supports a complainant's reporting choice, including a decision to report or not report to police. A complainant also has a right to contact police directly. There are some circumstances where the College may take action in relation to a disclosure, even if the discloser does not want to make a formal report or have any further action taken. <ul style="list-style-type: none"> This may occur where there is a serious or imminent risk to the safety of another person or 	All staff and students

	<p>persons, or to meet Monash’s legal obligations. For further details, refer to the Sexual Harm Response Procedure.</p> <ul style="list-style-type: none"> ● In such circumstances, and to the extent possible, the College will take measures to avoid identifying the victim-survivor. <ul style="list-style-type: none"> ○ Where such matters involve alleged criminal conduct, the College may contact the police and suspend any action under this procedure pending an investigation by the police. 	
5.4	<p>If a person has received a disclosure of suspected interpersonal misconduct (behaviours between two or more persons such as <i>assault, harassment, bullying</i>), they should refer the <i>victim</i> to the Safer Community Unit.</p> <p>Anyone receiving a disclosure related to interpersonal misconduct should encourage the student to report the incident or concern to the Safer Community Unit or through the MonashbSafe application, or offer to submit it on their behalf.</p>	All staff and students
5.5	Those receiving disclosures from victims may support the victim in making a report, or with permission, make a report on the victim’s behalf.	All staff and students
5.6	Any person who believes that a student has behaved in a manner contrary to expected standards of behaviour and engaged in general misconduct should report the matter to the Safer Community Unit or through the MonashbSafe application (wherever possible, within 24 hours of the incident occurring).	All staff and students
5.7	Any person reporting suspected general misconduct should include as much evidence as is available to them when submitting the reporting form.	All staff and students
5.8	For cases requiring Security services, reports should be made in accordance with both the internal Security team reporting processes and this Procedure. Security may either file a report for suspected general misconduct on behalf of the victim or witness or refer the individuals to the reporting form.	Security staff
Cases related to students under 18		
5.9	For any disclosures or reports involving victims, respondents, or witnesses under the age of 18, if staff are aware that the individuals are minors, they should inform the College Guardianship team.	All staff
5.10	The Guardianship team will inform parents, guardians, or caregivers of the disclosure or report and relevant details to ensure students are supported.	Guardianship/Welfare
5.11	Any cases disclosed or reported to staff that relates to behaviours against an under 18 student which may be considered child abuse, must also follow the Child Safe Standards Framework , and relevant reports made in line with mandatory reporting requirements.	All staff
Reporting suspected student general misconduct		

5.12	Reports of suspected general misconduct will be directed to the <i>Responsible Officer for General Misconduct</i> .	All staff and students
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6. Step 2: Review and investigation of the reports

Ref	Process Steps	Responsibility
Initial review and assessment		
6.1	<p>Upon receiving a report of suspected general misconduct, assess the case to determine its severity and identify any additional evidence needed. The initial decision may include:</p> <ul style="list-style-type: none"> ● dismissing the report based on insufficient evidence and take no further action; ● referring to another College process (such as, the Student Academic Integrity, Student Academic Progress, or Student Complaints Procedures); ● referring the report for resolution in another way (such as, a student conduct intervention or an educative response including informal counselling or motivational interview); ● investigating the report and either: <ul style="list-style-type: none"> ○ making a determination, or ○ referring to the Student Conduct Committee; ● referring the report to another responsible officer for investigation and determination, in accordance with clause 5.2 of this procedure. ● referring directly to the Student Conduct Committee, where appropriate. 	Responsible Officer for General Misconduct (ROGM) or delegate
6.2	Declare any conflict of interest and not be involved in any concurrent welfare services related to the case. Any case involving a conflict of interest must be assigned to a delegate of the Responsible Officer for General Conduct.	Responsible Officer for General Misconduct or delegate, or any Monash College staff involved in the matter
6.3	<p>In deciding which course of action to take upon receiving a report of general misconduct, take into consideration one or more of the following, but not limited to:</p> <ul style="list-style-type: none"> ● whether the behaviour or action of the student may have been unintentional; and/or ● whether it appears to be minor and thus, an educative response would be more appropriate; and/or ● whether the matter could be more appropriately dealt with through an alternative College progress; and/or ● the student has not previously had an allegation of student general misconduct made against them. 	Responsible Officer for General Misconduct or delegate
Investigation		
6.4	Once the matter has been referred for investigation, the process may include interviewing the person who submitted the report, the subject(s) of the allegation, or any witnesses and seeking additional evidence where appropriate.	Responsible Officer for General Misconduct or delegate

6.5	<p>Considerations:</p> <ul style="list-style-type: none"> • Where the interviews are conducted, the ROGM may choose to have Security present for meetings involving violent or threatening behaviours. • For students suspended or excluded by an SCC, a threat assessment should be undertaken to determine whether the meeting should be held on-premises or online. • Where possible, gender balance and relevant experience should be considered. 	Responsible Officer for General Misconduct or delegate
6.6	The respondent will be informed of the alleged misconduct in writing (other than in exceptional circumstances) and invited to respond to the allegations either in writing or at a meeting.	Responsible Officer for General Misconduct or delegate
6.7	Give due consideration and care to the provision of evidence that may expose a person to a risk to their health and safety. Where necessary, a redacted version of the evidence may be provided, or the substance of the evidence may be related to the student who is the subject of the report.	Responsible Officer for General Misconduct or delegate
6.8	<p>Delegate a Monash College staff member from the Student Services team to act as a case coordinator.</p> <p>During the investigation, provide students with informational support to help them understand their rights and responsibilities.</p>	<p>Responsible Officer for General Misconduct or delegate</p> <p>Case Coordinator (or equivalent) or delegate</p>
6.9	When an interview is required, notify respondents, complainants, and witnesses at least two working days before the meeting date, unless it relates to emergency provisions.	Responsible Officer for General Misconduct or delegate
6.10	<p>Respondents may attend the meeting with a support person. This person cannot be a practising lawyer, legal representative, interpreter, or translator. Support persons are not permitted to represent the student and must act solely as observers. Students must provide the ROGM or delegate with their support person's details at least one day before the meeting.</p> <p>If the support person actively participates in any aspect of the meeting beyond serving as a passive observer, the ROGM or delegate has the authority to:</p> <ul style="list-style-type: none"> • ask the support person to leave the meeting; or • close the meeting and reschedule to another date. <p>The meeting cannot be rescheduled more than once.</p>	Students
6.11	Respondents, complainants, and witnesses under the age of 18 may attend the meeting with a parent, guardian, or caregiver.	Students and guardians
6.12	Respondents can provide written statements in response to the suspected general misconduct if they are unable to attend the meeting.	Students
6.13	If a respondent does not respond to communications within the specified timeframe, the ROGM may make a determination based on the evidence and information available.	Responsible Officer for General Misconduct or delegate

6.14	All investigations must be conducted in a sensitive and discreet manner, ensuring confidentiality throughout the process.	Responsible Officer for General Misconduct or delegate
6.15	Where the suspected misconduct relates to more than one student, the ROGM may decide to investigate the matter together, or separately.	Responsible Officer for General Misconduct or delegate
Determination and outcomes		
6.16	<p>At the conclusion of an investigation, the ROGM will:</p> <ul style="list-style-type: none"> • dismiss the report based on insufficient evidence and take no further action; or • determine student general misconduct was not found; or • determine student general misconduct was found and apply the relevant outcomes as set out in Appendix B, “<i>Penalty options for general misconduct</i>”; or • refer the report to the Student Conduct Committee for a final decision, applicable to allegations that are serious or complex in nature. <p>When general misconduct was found, the ROGM must:</p> <ul style="list-style-type: none"> • consider the severity and extent of the misconduct; and • determine the most appropriate outcome as outlined in Appendix B, “<i>Penalty options for general misconduct</i>”. 	Responsible Officer for General Misconduct or delegate
6.16.1	For serious and complex matters, the ROGM must consult with the Governance team before communicating the outcomes to students. For all other cases, the ROGM may consult with the Governance team before issuing outcome letters to students.	Responsible Officer for General Misconduct or delegate
6.17	<p>Matters involving potential suspension or exclusion must be referred to the Student Conduct Committee for a final decision. However, if there is a significant and immediate risk to the health and safety of the College community, the Student Conduct Committee will be consulted.</p> <p>The ROGM does not have the authority to suspend, exclude or expel a student.</p>	Responsible Officer for General Misconduct or delegate
6.17.1	<p>Before recommending any suspension, exclusion, or expulsion, consult with the Academic Processes and Policy and Student Administration teams to obtain any information related to their academic misconduct or academic progress.</p> <p>The College may take into account any penalties imposed or administrative action taken by other areas of the College as factors in determining the appropriate penalty to be applied for proven misconduct.</p>	Responsible Officer for General Misconduct or delegate
6.18	The College may disclose the outcome of a misconduct investigation to the complainant and any other person affected by the misconduct, where appropriate. The decision-maker may also notify another area of the College about a pending or concluded misconduct investigation on a strictly need-to-know basis.	Responsible Officer for General Misconduct or delegate
6.19	Following the investigation, continue to offer informational support,	Case Coordinator (or

	including guidance on appeal options and their associated processes where applicable.	equivalent) or delegate
Standard fraud outcomes for general misconduct		
6.20	Monash College provides a standard fraud outcome for general misconduct where there is substantial evidence indicating that a student has committed fraud. The fraud may relate to any document submitted by the student to support an administrative process at the College, such as absence forms, or fee reversal.	Responsible Officer for General Misconduct (or delegate)
6.21	<p>The standard outcome includes one or more of the following, which are selected based on the ROGM's judgement in assessing the case:</p> <ul style="list-style-type: none"> ● No penalty: A formal warning placed on the student's record, indicating that recurring behaviors may result in more severe penalties, such as suspension. ● Consent Penalty: <ul style="list-style-type: none"> ○ The requirement to apologise to the person, company, or body whose documents or signatures have been falsified. ● Restitution: The requirement to repay any moneys that were obtained using fraudulent documentation ● Suspension: Up to one teaching period ● Exclusion ● Expulsion <p>In exceptional circumstances, the SCC may order that the suspension or exclusion takes effect immediately.</p> <p>For further details, refer to <i>Appendix B: Penalty options for general misconduct</i>.</p>	Responsible Officer for General Misconduct (or delegate)
6.22	If the student has a prior or significant history of general and academic misconduct, the matter can be escalated to the Student Conduct Committee.	Responsible Officer for General Misconduct (or delegate)

7. Step 3: Referral to the Student Conduct Committee

Ref	Process Steps	Responsibility
7.1	For serious or complex allegations, refer the matter to the Student Conduct Committee (SCC). This includes all sexual harm cases.	Responsible Officer for General Misconduct or delegate
Committee Composition		
7.2	<p>The SCC consists of designated decision-makers nominated to sit as members of the Committee, which include:</p> <ul style="list-style-type: none"> ● Chair of the Committee: CEO or delegate; ● Deputy CEO or delegate; ● Executive Director, Education (or equivalent) or delegate. <p>The chair or equivalent will ensure that all delegations have</p>	Student Conduct Committee

	appropriate expertise and impartiality.	
7.2.1	For allegations that are not serious in nature, but require suspension, the Chair of the Student Conduct Committee may delegate the decision-making to a single decision maker, who can be: <ul style="list-style-type: none"> • Deputy CEO or delegate; or • Executive Director, Education (or equivalent) or delegate. 	Chair of Student Conduct Committee
7.3	Act as secretary to the SCC and is responsible for: <ul style="list-style-type: none"> • gathering all available evidence to present a clear picture of the incident(s); • supporting the investigation; • sending all communications to students; • informing the SCC of any student history of general misconduct; • making recommendations to the SCC for possible outcomes. 	Responsible Officer for General Misconduct or delegate
7.4	A staff member who has been the subject of a formal complaint made by the student under review, must not serve as an SCC member or secretary in any meeting relating to that student.	Chair of Student Conduct Committee
7.5	Any committee member or staff member involved in the decision making process who has a conflict of interest must declare it as soon as they become aware of the conflict. This staff member will not be included in the decision making process.	Student Conduct Committee
Decision making criteria		
7.6	Consider the following when determining the outcome of an allegation of general misconduct: <ul style="list-style-type: none"> • identify how the allegation could constitute general misconduct; • consider all evidence available at the time of the decision making, or requested as part of the determination, as well as any student history of general misconduct (including their time at the College and the breach history from the enrolled/completed Monash College program at an International Partner institution); <ul style="list-style-type: none"> ○ consider the degree of severity and recurrence of the misconduct; ○ consider the intent of the behaviour and ongoing threats to the health or safety of any member of the Monash College community, premises, or systems; ○ consider the current stage of the program in which the student is enrolled and any visa implications for any outcomes to be applied. 	Student Conduct Committee
7.7	For complex cases which may involve a concurrent criminal case, the Committee may opt to seek advice from the Office of General Counsel at Monash University before making a final determination.	Student Conduct Committee
Possible outcomes		

7.8	<p>A SCC must make one of the following determinations based on available evidence and the ROGM's recommendation:</p> <ul style="list-style-type: none"> • Dismissal of the case due to insufficient evidence; or • General misconduct not found; or • General misconduct found. <p>The Committee may make its decision via email circulation, as students have already had the opportunity to respond in writing or in person during the investigation process.</p>	Student Conduct Committee
7.9	If general misconduct is found, determine the penalties in accordance with Appendix B, " <i>Penalty options for general misconduct</i> ".	Student Conduct Committee
7.10	<p>The Committee has the authority to:</p> <ul style="list-style-type: none"> • dismiss the case; • issue a warning; • impose penalties; • suspend, exclude, or expel a student; • set conditions for re-enrolment following suspensions or exclusions; <ul style="list-style-type: none"> ○ Students must present evidence of having met these conditions before re-enrolment is permitted. • Report outcomes of suspension or exclusions to: <ul style="list-style-type: none"> ○ Student Administration to place any relevant encumbrance on student re-enrolment; ○ Academic Processes and Policy team to manage academic and related processes. <p>Refer to <i>Appendix B: Penalty options for general misconduct</i> for further details.</p>	<p>Student Conduct Committee</p> <p>Responsible Officer for General Misconduct or delegate, Student Administration, and Academic Processes and Policy (or equivalent)</p>
Step 4: Notification of the outcome and appeal options		
7.11	<p>Inform students of the outcome in writing once the decision is made.</p> <p>For serious and complex matters, the ROGM must consult with the Governance team before communicating the outcomes to students.</p> <p>For all other cases, the ROGM may consult with the Governance team before issuing outcome letters to students.</p>	<p>Responsible Officer for General Misconduct or delegate</p> <p>Governance</p>
7.12	For respondent students under the age of 18, outcomes are communicated to their registered parent, guardian, or caregiver via the Guardianship Service or Welfare team.	Responsible Officer for General Misconduct or delegate
7.13	Report any suspension or exclusion outcomes to the relevant Program Leader, Discipline Leader, or Team Leader (or equivalent) or delegate, and the relevant Program Director (or equivalent) or delegate.	Responsible Officer for General Misconduct or delegate
7.14	Inform the student's teachers of any suspension, exclusion, and other outcomes or restrictions placed upon the student.	Program Leader, Discipline Leader, or Team Leader (or equivalent) or delegate
7.15	For any SCC decision resulting in student suspension or exclusion (including under emergency provisions), report to Academic Policy and Processes and Student Administration teams or equivalent:	Responsible Officer for General Misconduct or delegate

	<ul style="list-style-type: none"> to ensure the suspension or exclusion is considered in relevant academic processes, including attendance calculations, special consideration, academic progress, academic integrity, and other related processes; to place any relevant encumbrance on the student in relation to a condition for re-enrolment; with specific suspension and exclusion periods and details via pathways.app@monashcollege.edu.au and student.admin@monashcollege.edu.au; 	
7.16	<p>Any exclusions, suspensions or outcomes related to restricting a student's access to campus must be reported to Security on the day that the decision is made.</p> <p>Notify relevant teams, in a timely manner, of misconduct investigation outcomes that may impact their areas of responsibility.</p>	Responsible Officer for General Misconduct or delegate
7.17	Following the final decision made by the SCC, continue to offer support, including guidance on appeal options and their associated processes where applicable.	Case Coordinator (or equivalent) or delegate

8. Alignment with other processes

This section outlines how the general misconduct procedure intersects with other administrative processes, such as academic misconduct, fitness to study, and attendance.

Ref	Process Steps	Responsibility
Academic and General Misconduct		
8.1	<p>Where a report of misconduct involves general conduct coupled with academic misconduct, the College may decide the matter is more appropriately handled under the Student Academic Integrity Procedure. In such cases, both general and academic misconduct will be investigated and determined in accordance with the Student Academic Integrity Procedure. See section 6.17.1 for further details.</p> <p>In these circumstances, the Academic Integrity Committee and/or Academic Processes and Policy team will consult with the ROGM to determine the final outcome.</p>	<p>Responsible Officer for General Misconduct or delegate</p> <p>Academic Integrity Committee and/or Academic Processes and Policy</p>
8.1.1	<p>When general misconduct is reported while a student is undergoing an Academic Integrity Committee process, depending on the nature of the case, the ROGM may:</p> <ul style="list-style-type: none"> consult with the Academic Integrity Committee to make a joint determination, or suspend the investigation until the suspected academic misconduct matter is resolved. 	Responsible Officer for General Misconduct or delegate
8.1.2	If the general misconduct component of the matter relates to sexual harm, it must not be referred to and will be managed under this Procedure. The academic misconduct component may still be referred and managed according to the Student Academic Integrity	Responsible Officer for General Misconduct or delegate

	Procedure.	
8.1.3	Regardless of whether general misconduct and academic misconduct occur concurrently or subsequently, the investigations for these misconduct allegations must be completed.	Responsible Officer for General Misconduct or delegate
Sexual Harm Cases		
8.2	Where the allegation relates to sexual harm, this Procedure operates in tandem with the Sexual Harm Response Procedure to support a trauma-informed and person-centered approach, which emphasises the safety and wellbeing of victim-survivors.	Responsible Officer for General Misconduct or delegate
General Misconduct and Fitness to Study		
8.3	When general misconduct occurs concurrently with a Fitness to study investigation, the general misconduct process should, where reasonably practicable, be: <ul style="list-style-type: none"> concluded before the Fitness to Study process, or conducted concurrently with the Fitness to Study process. This allows outcomes to be considered alongside any support measures detailed in any Fitness to Study determination.	Responsible Officer for General Misconduct or delegate
General Misconduct and Academic Progress		
8.4	When general misconduct is reported while a student is undergoing an Academic Progress Committee (APC) process: <ul style="list-style-type: none"> If unsatisfactory academic progress may lead to enrolment termination, general misconduct consideration may be deferred until the academic progress matter is resolved. 	Responsible Officer for General Misconduct or delegate
External Investigations		
8.5	The College may suspend its investigation at the request of Police or other external authorities for a criminal investigation.	Responsible Officer for General Misconduct or delegate in consultation with a Chair of the Student Conduct Committee
8.6	College processes may continue in parallel with criminal investigations, provided they do not interfere with proceedings of the police or other external processes or investigations.	Responsible Officer for General Misconduct or delegate
8.7	The College may, at its sole discretion, suspend or proceed with its investigation into a report of general misconduct if the matter is subject to a police or external regulatory investigation or enquiry.	Responsible Officer for General Misconduct or delegate in consultation with a Chair of the Student Conduct Committee
Formal Suspensions and Exclusions: Fitness to Study		
8.8	When returning to study after a suspension or exclusion due to misconduct, students may need to meet additional conditions	Students

	<p>related to their Fitness to Study. These Fitness to Study conditions typically require students to demonstrate improvements in managing health concerns.</p> <p>Students may be asked to provide evidence that they have met the conditions for both the misconduct outcome and the Fitness to Study requirements before being allowed to return.</p>	
Formal Suspensions and Exclusions: Attendance and Enrolment		
8.9	<p>Mark students as absent during the suspension period.</p> <p>Record suspension details. The student suspensions are not included in attendance calculations.</p>	<p>Teachers</p> <p>Academic Policy and Processes</p>
8.10	If a suspension end date falls at or after the current teaching period, the student will be permitted to re-enrol in the next teaching period unless the suspension extends into that period.	Students
8.11	Students are not entitled to enrol in another program at Monash College or Monash University during the suspension period.	Students
Formal Suspensions and Exclusions: Academic Implications		
8.12	Students may need to retake the study period if the suspension affects their ability to complete progression milestones.	Students
8.13	<p>Students may not be eligible to apply for special consideration or request extensions to assignment deadlines during the suspension period.</p> <ul style="list-style-type: none"> ● Temporary suspension (Pending investigation, within the teaching period): Students can still access services, are required to meet assessment deadlines, and may apply for special consideration if they meet the eligibility criteria. ● Suspension as a penalty (Formal suspension): Students are not eligible to apply for special consideration or request extensions to assignment deadlines during the suspension period. Refer to <i>Appendix B: Penalty options for general misconduct</i> for details on the specified suspension period. <p>The student is precluded from enrolling in any course or unit for the duration of the formal suspension.</p> <p>The student remains a student but must not participate in any learning activities or submit work for assessment, graduate, or gain credit towards their course or unit without the written permission of the Program Director (or equivalent) or delegate.</p> <p>The formal suspension does not take effect until:</p> <ul style="list-style-type: none"> ● the time allowed for making an appeal expires; or ● if an appeal is made and the suspension is affirmed, the final determination of the appeal. <p>In exceptional circumstances, the committee may order that the suspension or exclusion takes effect immediately.</p>	Students

8.14	Students cannot appeal against any consequential impact from their suspension, such as poor attendance or progress concerns.	Students
8.15	When an SCC imposes a suspension or exclusion, students must be informed of their ability to attend or submit upcoming assessments. The ROGM will consult with relevant teaching teams to determine any implications on assessments for temporary suspension.	Responsible Officer for General Misconduct or delegate
Suspensions and Exclusions: Financial and Administrative Considerations		
8.16	Students are not eligible for a refund of tuition fees if they are excluded due to misconduct, in accordance with the Student Fees Refund Procedure .	Students
8.17	Students reapplying to the College after exclusion may transfer credits achieved during their prior enrolment, provided they align with the learning outcomes of the new program and meet usual entry requirements.	Students

9. Appeals

Ref	Process Steps	Responsibility
9.1	Students who have received an outcome of proven general misconduct may appeal against the finding of misconduct and/or the outcome applied to them.	Students
9.2	Any student who is dissatisfied with the outcome of the ROGM or delegate, or SCC may lodge an appeal under any of the following circumstances (refer to the Student Complaint Policy and Procedure): <ul style="list-style-type: none"> new or additional relevant information or evidence not previously available or considered at the time of the decision making; and/or procedural irregularity. <p>The appeal must be submitted within 20 working days from the date of the outcome letter.</p>	Students
9.3	The student remains enrolled during the appeal period.	Students
9.4	A student does not have the right to appeal against the decision of a SCC held under emergency provisions as described in Section 8, Emergency Provisions (see Standard 9 of the National Code). However, if an emergency provision is placed upon a student requiring an immediate suspension or exclusion, they may appeal any further actions or implications resulting from the subsequent SCC's decision.	Students
9.5	A student wishing to appeal a misconduct outcome and a concurrent College process may have both appeals heard at a	Students

	single hearing, if relevant and appropriate.	
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10. Confidentiality, record keeping, and reporting

Ref	Process Steps	Responsibility
Confidentiality		
10.1	All cases of suspected or actual student general misconduct must be treated confidentially. No notes should be kept in public documents or discussed with any party not associated with the conduct or investigation.	All staff
10.2	When discussing or sharing outcomes or implications placed upon a student by an SCC with other teams, the context of the general misconduct can only be disclosed under the following circumstances: <ul style="list-style-type: none"> • Upon request by external authorities, such as the police, • When necessary to ensure the health, safety, or wellbeing of College community members, and/or • In cases involving suspected abuse of a victim under 18 years of age. 	Responsible Officer for General Misconduct or delegate
10.3	For suspected general misconduct involving students under the age of 18, different privacy provisions apply in accordance with Child Safety Standards and the Education Services for Overseas Students (ESOS) Framework. College Guardians will be informed of allegations involving any respondent under 18 who is registered with the service. Guardians will inform the legal guardians or parents of misconduct cases involving these students. This provision applies to allegation letters for suspected general misconduct and outcomes from the Student Conduct Committee, but not to student conduct concerns.	Responsible Officer for General Misconduct or delegate Under 18 Guardianship Service Team
10.4	Outcomes related to Fitness to Study investigations can be shared with those managing the Fitness to Study case.	Responsible Officer for General Misconduct or delegate
10.5	Student records may only be disclosed externally with the student's consent or as required or permitted by law. This will be managed according to the Monash College Data Collection and Privacy Procedure and Student Data Protection and Privacy Collection Statement .	Student Services
10.6	Staff members governed by external professional body standards (e.g., psychologists, counsellors, and other medical practitioners) are bound by additional confidentiality requirements: <ul style="list-style-type: none"> • They must not disclose information about suspected general misconduct without explicit consent from the person disclosing the information. • Disclosure is permitted only when required for safety measures. 	Counselling and related services

10.7	In instances where professional body requirements conflict with the Student Code of Conduct or this Procedure, the external professional body requirements take precedence. Staff must prioritise the safety and wellbeing of all parties involved, as well as that of the broader College community, while maintaining confidentiality.	Counselling and related services
Record keeping		
10.8	All suspected general misconduct, and misconduct findings and outcomes are recorded on the student general conduct register (the Register).	Student Services
10.9	Case information to be recorded includes: <ul style="list-style-type: none"> • Initial report of suspected general misconduct, • Evidence related to each case, • Information on all emergency provisions, • Student general misconduct allegation letter, • Student response to allegation, • Record of SCC meetings, including discussions, outcomes, and penalties applied, • Student general misconduct outcome letter, and/or • Related appeals and their outcomes. 	Student Services
10.10	Student records in the general misconduct register are stored securely and entirely within the College infrastructure, and are not shared outside the College.	Student Services
10.11	Documents must be destroyed securely in the timeframes required by the Retention and Disposal Authority for Records of Higher and Further Education Functions (see section 1.5) (or in accordance with the regulations of the relevant local government authority).	Student Services
Reporting		
10.12	Provide reports to the College's governance committees and other relevant bodies, where required. All information included in reports will be de-identified.	Student Services
10.13	Review and/or discuss student general conduct reports to inform continuous improvements and/or training requirements for students and staff.	Senior Leadership Team and/or other committees as relevant
10.14	Monitor trends and data identified in student general misconduct reports for systemic issues and risks where action may be required.	Head of Student Services and Executive Director, Education (or equivalent) or delegates

Appendix A: Common types of student general misconduct

Types of Student General Misconduct	Description
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Abusive behaviours	Behaviours which treat others badly, or cruelly and which have a negative impact on others through purposeful actions/communications and which may be controlling. Abuse includes emotional, financial, physical or psychological abuse.
Aggressive and threatening behaviours	These behaviours may be actual, intended or threatened and may relate to verbal or physical threats or actions. This includes the carrying of weapons on campus or at any College associated events/placements etc.
Assault or any form of violence	Assault relates to physical or verbal behaviours which harm another person (whether intended or not).
Bullying	Repeat behaviours targeting the same person whether online or face-to-face and may include direct or indirect behaviours attempting to usually intimidate, harm, coerce or control another person into conducting actions or other behaviours that they do not wish to do.
Unlawful Discrimination	Treating or proposing to treat one or more individuals unfavourably because they have an attribute protected by law, in the absence of a relevant legal exception. Discrimination can be direct or indirect: <ul style="list-style-type: none"> • Direct discrimination can occur when a person or group is treated less favourably than another person or group in a similar situation, because of a <i>protected attribute</i>; • Indirect discrimination involves imposing a requirement, condition or practice that operates to disadvantage a person with a protected attribute, and it is not reasonable.
Disruptive behaviours	Any behaviour which disrupts the normal operation of the College, including during teaching and learning activities.
Drug, alcohol or illicit substance use or distribution	The use or distribution of illicit substances or alcohol at a Monash College campus or official College event, including attending campus or engaging in activities while under the influence of any prohibited substance.
Fraud	Submission of fraudulent or falsified documents or materials for the purposes of completion of a College process or to gain an unfair advantage.
Harassment	Behaviour which targets (usually) an individual person designed to offend, demean or humiliate another person. Behaviours are unsolicited and unwelcome.
Hazing	Behaviours where a person is forced to undertake often humiliating and demeaning behaviours designed to initiate them to a new group/place. Behaviours may endanger the health and safety of the person being forced to carry them out.
Non-compliance	Any non-compliance with institutional policies, processes or directions from staff.
Sexual assault	Any unwanted sexual acts or sexual contact that happened in circumstances where a person was either forced, threatened, pressured, tricked, or no effort was made to check whether there was agreement to the act, including in circumstances where a person was asleep or affected by drugs or alcohol.
Sexual harassment	A person sexually harasses another person (the person harassed) if: <ul style="list-style-type: none"> • the person makes an unwelcome sexual advance or an unwelcome request for sexual favours, to the person harassed, or • engages in other unwelcome conduct of a sexual nature in relation to the person harassed in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed

	would be offended, humiliated or intimidated.
Sexual harm	An umbrella term for conduct of a sexual nature that occurs without consent. It include acts (or attempted acts) such as: sexual assault, sexual harassment, technology-facilitated abuse and other conduct of a sexual nature without consent. Sexual harm is different from a consensual, welcome or reciprocated interaction.
Stalking	A series of behaviours which involves the person placing themselves in another person's life in a way which may cause fear, distress and intimidation. Stalking may involve other threatening behaviours.
Theft	Any act which involves a student stealing something from the College or from another person on College premises or at College events.
Unauthorised recording of other persons	Recording of any member of the Monash College community at the College or during any off-campus activities, without their express permission. This includes the recording of classes, lectures and other teaching activities where the teacher and other students have not given their consent.
Unlawful behaviours	Any other behaviours not defined in other categories, which are unlawful.
Vandalism	Any vandalism or damage to College property or the property of any other person in the Monash College community or associated with College events/activities conducted off campus.
Victimisation	Any form of behaviour which treats someone unfairly or badly in response to someone having made a complaint or report about something (or supported someone else in doing so), that was their right to do so under College policy or external processes.
Vilification	Behaviours which incite or encourage hatred towards a person because of their religion, race, sexuality, gender identity or any other personal or protected characteristic.

Appendix B: Penalty options for general misconduct

The ROGM or SCC must determine a suitable outcome according to the severity and type of general misconduct. The decision-makers must use their professional judgement in determining a suitable outcome which responds to the severity of the misconduct as well as any history of misconduct behaviours and intent of the behaviour.

All outcomes (other than exclusion) will be combined with an educative or rehabilitative response which will help students address the behaviour. This may include:

- **Apology:** Student required to provide a written apology to one or more person/entity which may include internal College staff or students, or external parties;
- **Completion of Respect Module** (or any other available College module/course);
- **Requirement to undertake some form of training or counselling** (either internal to the College or external).

Penalty	Description and conditions
No penalty	A warning letter (general misconduct found) including a formal warning on the student record.
Consent penalty	A condition placed on the student, with their agreement, that is intended to educate and rehabilitate the student, to avoid further misconduct. A consent penalty for general misconduct may be the requirement to:

	<ul style="list-style-type: none"> • seek counselling or attend a specific behaviour change program; • apologise in writing to any person aggrieved by the misconduct; and/or • write a reflection on their act of misconduct.
Restitution	A requirement to make restitution to the College or a person who has suffered loss for the sole purpose of compensating for or making good damage caused by the misconduct, and may be made by payment or action specified by the penalty.
Restriction on contacting certain staff or students	The student is restricted from contacting specified staff or students for the period determined by the decision-maker.
Prohibition	The student is prohibited from entering a specified area of the College for a specified period of time or for specific hours of the day and under any conditions attached to the prohibition. This penalty is only imposed if considered necessary to protect any person or College property.
Suspension	The student is suspended from their program for one study period.
Exclusion	The student is excluded from the College for a minimum of 12 months.
Expulsion	Permanent exclusion from the College.

Definitions

Consent	<p>A free and voluntary agreement. A person does not freely agree to an act when they:</p> <ul style="list-style-type: none"> • submit because of force, or the fear of force, to themselves or someone else; • submit because they fear harm of any type to themselves or someone else; • submit because they are unlawfully detained; • are asleep unconscious, or so affected by alcohol or drugs that they are incapable of freely agreeing; • are incapable of understanding the sexual nature of the act; • are mistaken about the sexual nature of the act or the identity of the person; or • mistakenly believe that the act is for medical or hygienic purposes.
Decision-maker	A person authorised to make decisions on suspected student conduct misconduct.
Disclosure	The sharing of information from one party to another regarding an incident. A disclosure does not mean that the person wishes the incident to be reported formally or to be investigated but may result in safety or wellbeing measures being taken.
General Misconduct	A breach of the expected standards of student conduct. A wide range of behaviours are included in definitions of misconduct (see associated definitions)

Inclusivity	A practice of providing equal access and opportunities to all activities for every person, irrespective of their background or characteristics.
Responsible Officer for General Misconduct	This role is held by the Head of Student Services (or equivalent), who has the authority to investigate reports of suspected general misconduct. The ROGM has the authority to request evidence from other persons during the course of an investigation.
Protected attributes/characteristics	Individual characteristics such as a person's race, disability, gender identity, age, sexual orientation, sex, ethnicity, social origin, religion, colour, marital status.
Respect	Monash College has specific values of respect which it promotes among its community, these include <i>inclusivity</i> , courtesy, safety and wellbeing, as well as respectful interactions and communications with others.
Respondent student or respondent	A student who has received an allegation of student general misconduct and is under investigation.
Student conduct intervention	An intervention given to a student in response to a student conduct concern which provides an educative response to address the behavioural concern and provide students with information on expected standards of behaviour
Victim Victim survivor	A person who is the target of behaviours which are against the standards of safe and respectful behaviours.
Witness	A person who directly observes an incident, whether a student conduct concern or suspected misconduct.

Related Documents

Parent Policy	Student Code of Conduct
Legislation and Standards	Australian Skills Quality Authority Standards, Chapter 3 Education Services for Overseas Students Act 2000 (Cth) ELICOS Standards 2018 Foundation Program Standards 2021 Higher Education Standards Framework (Threshold Standards) 2021 National Code of Practice for Providers of Education and Training to Overseas Students 2018 Privacy Act 1988

Related Policies, Procedures and Supporting Documentation	Community Safety and Security Policy Gender-Based Violence Prevention and Response Policy Sexual Harm Response Procedure Child Safe Standards Framework Fitness to Study Procedure Student Attendance Monitoring Policy Student Attendance Monitoring Procedure Smoking Policy Information Technology Acceptable Use Policy Information Technology Acceptable Use Procedure Homestay Accommodation Services Policy Media and Social Media Policy Social Media Guidelines Monash College Data Collection and Privacy Procedure Student Data Protection and Privacy Collection Statement Monash University Health, Safety and Wellbeing Policy
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Version Control and Accountability Table

Accountable Area	Education				
Responsible Officer	Executive Director, Education				
Review Date	December 2027				
Approved by					
Senior Leadership Team DATE 11 DECEMBER 2024					
Endorsed by					
Executive Director, Education Executive Director, Operations Support Head of Student Services DATE 5 DECEMBER 2024					
Version	Authored by	Brief Description of the changes	Approved by	Approval Date	Effective Date
3.1	Senior Policy Advisor	Administrative amendments to remove references to the College Student Code of Conduct and the Non-academic Student Misconduct Policy, and replace it with the revised Student Code of Conduct.	N/A	6/12/2025	6/12/2025

3.0	Senior Consultant - Policy and Procedures	Revised College Procedure, previously known as Non-Academic Student Misconduct Procedure.	SLT	11/12/2024	13/01/2025
2.5	Academic Governance and Quality Manager	Minor amendments to roles and responsibilities	Director, Governance	26/04/2022	26/04/2022
2.4	Academic Governance and Quality Manager	<ul style="list-style-type: none"> • Inclusion of all Monash College students. • Include definitions: harassment, sexual assault, sexual harassment and consent. • Title change to: Non-Academic Student Misconduct Policy. 	SLT	18/01/2021	18/01/2021
2.3	Academic Governance and Quality Manager	Review with update of roles and policy references and minor clarifications	Director, Governance	14/02/2020	14/02/2020
2.2	Academic Governance and Quality Manager	Legislation Updates	Director, Governance	11/12/2019	11/12/2019
2.1	Academic Governance and Quality Manager	Update links to current legislation and minor changes to the wording. Updated formatting	Policy Owner	24/10/2017	24/10/2017
2.0	Academic Governance and Quality Manager	N/A	SLT	23/08/2012	23/08/2012