

UWA CELT General Misconduct Policy



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Approver UWA CELT Director

Acknowledgement

The University of Western Australia acknowledges that its campus is situated on Whadjuk Noongar land, and that the Whadjuk Noongar people remain the spiritual and cultural custodians of their land, and continue to practise their values, languages, beliefs and knowledge.

As a student you are entitled to study in a safe, supportive environment. You also have a responsibility not to interfere with the learning of others. The university has rules and expectations about reasonable behaviour on campus or on university excursions. General misconduct describes unreasonable and inappropriate behaviour that is not consistent with UWA's values of inclusiveness and respect for others and/ or the University. UWA may become aware of alleged behaviour you have engaged in from: a witness, a complaint, a report, a security incident report, or photographic or video evidence. Some inappropriate behaviours may also be criminal offences.

Levels of General Misconduct

There are four staged levels of misconduct at UWA CELT

Level 1: Non-engagement in class activity

Examples include:

- Use of devices for non-class activities e.g. personal texting, browsing internet, gaming
- Sleeping in class
- Refusing to follow class instructions
- Entering or leaving the classroom in a disruptive manner
- Repeatedly speaking first language in class

Action: Intervention and counselling by teacher (and Student Adviser, if necessary)

If these behaviours are disruptive to the class and others, and occur on three or more occasions, the teacher speaks to the student to determine possible reasons for the behaviour and gives a gentle warning and a copy of the general misconduct policy. Teachers must make a diary note to record the examples of issues to date, the intervention and student response. **Coordinators do not get alerted on the diary note at this point.** If a personal or possible psychological issue is detected when speaking to the student, the teacher refers to the Student Adviser through a diary note and alert.

Level 2: Minor General Misconduct

Examples include:

- Ongoing instances of the above behaviour over the course of the term or enrolment, **despite teacher intervention (level 1).**
- Behaviour inside or outside of class that makes others uncomfortable.

Action: Intervention and counselling by Coordinator (and Student Adviser, if necessary)

Teacher to refer the student to the relevant Coordinator through a diary alert. Coordinator counsels the students and gives a written warning that behaviour needs to improve, or this will escalate to level 3 moderate misconduct. The Coordinator refers the student to the Student Advisor as required.

Level 3: Moderate General Misconduct

- a. Willfully obstructing University teaching and learning in a way which significantly interferes with others' right to learn and engage.
- b. Interfering with belongings of others.

Examples include:

- Failure to improve behaviour **after intervention from Coordinator (level 2)**.
- Using abusive or insulting language.
- Disorderly behaviour such as fighting with consent, or threatening others.
- Accessing confidential records or teacher materials without permission.
- Photographing and/ or distributing confidential materials related to teaching and learning.
- Recording and/or transcription of teachers and/or students without their consent.

Action: Intervention and counselling by Director of Studies

Witness or Coordinator to refer the student to the Director of Studies. Director of Studies counsels the students and may suspend the student for one teaching day. Criminal behaviour may be reported to security and/or police. The Director of Studies refers to the Student Adviser as required.

- c. Willfully damaging, or wrongfully dealing with university property, or the property of any person within the university or breaching university or government laws

Examples include:

- Vaping, smoking, or consuming alcohol on campus
- Misuse of university equipment
- Vandalism
- Misuse of computer equipment, or software.

Action: Intervention and counselling by Centre Manager

Witness to refer the student to the Centre Manager. Centre Manager counsels the students and may suspend the student for one teaching day. Criminal behaviour may be reported to security and/or police.

Level 4: Major General Misconduct

Examples include:

- Failure to improve behaviour **after intervention from DoS/CM (level 3)**.
- Harassing a person in or upon the premises of the university as prohibited by University policy
- (e.g. sexual or racial harassment).
- Assaulting or attempting to assault a person within the university. An assault includes hitting, kicking, pushing, spitting, or indirectly applying force
- Causing a person to hold reasonable fears for their safety or physical or psychological well-being.
- Entering any place within the university when forbidden to do so.
- Refusing to leave a building when directed to do so.
- Theft

Action: Referral to UWA CELT Director

Relevant personnel report to Director. The Director may suspend the student for 7 calendar days or cancel their enrolment, in line with the UWA CELT Policy for Standard 9- Deferral, Suspension or Cancellation of Enrolment policy and Processes- 2C Misbehaviour by the overseas student.

For any major misconduct Level 4 that may result in cancellation of enrolment the overseas student will be given a Notice of Intention to Report, and 20 working days to access the registered provider's internal complaints and appeals process. This applies even if an overseas student's misbehaviour is grounds for immediate expulsion, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk (as outlined above).

The overseas student does not have to be given the opportunity to appeal a provider-initiated deferral, suspension or cancellation of enrolment when the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. The registered provider must keep evidence to support this.

Criminal behaviour may be reported to security and/or police. The matter may also be referred to the UWA Integrity Standards Unit.

Students who have a General Misconduct escalated to Level 3 or 4, and fail to improve their behaviour, will not receive an offer for a new enrolment at UWA CELT.

For further details on student misconduct at UWA refer to the guidelines at:

[UWA Student Conduct](#)