

# Student Conduct Board

## Information about your hearing

### What is an allegation of misconduct?

The University has rules about inappropriate behaviour by students called the Student Conduct Regulations ('the regulations').

An allegation of misconduct means that a senior officer of the University believes that you may have breached the regulations in some way.

### What is the Student Conduct Board?

The Student Conduct Board ('the Board') is a committee authorised by the University to consider allegations of misconduct. The Board will provide you with a private, independent and fair hearing to discuss the allegation.

### Rules about the Board that you should know

You must have received the following information at least 10 working days before the hearing:

- date, time and location of the hearing
- details of the allegation
- the evidence to support the allegation
- a copy of the Student Conduct Regulations.

*Check the hearing papers to ensure that you have all this information.*

### Who will make the decision?

The Board has four members:

- a chairperson
- two senior officers approved by the Vice-Chancellor
- an enrolled student nominated by the Student Union.

The decision will be made by members of the Board only. Normally the Board has four members but its decisions are still valid if only three members are able to attend. None of the members will be from your school.

### Who else will attend the hearing apart from me?

The person who made the allegation (who is called a senior officer) will be requested to attend the hearing. Their role will be to explain why they think that you have committed misconduct and to answer any questions about the allegation. Sometimes the senior officer will be represented or supported by another person.

### What are my rights?

You have the right to:

- speak at the hearing or have someone speak for you
- make a written submission
- give written or other evidence in response to the allegation
- be accompanied, assisted or represented by a support person such as a student rights officer
- respond to the allegation at the hearing
- bring an interpreter.

*Are you a client of the Disability Liaison Unit? If so, please consider discussing this matter with them and advise the secretary of any issues or needs concerning your ability to participate in the hearing.*

*You must tell the secretary at least one day before the hearing if you want to bring any witnesses to help you or if you want to send someone else to respond to the allegation for you.*

### Do I have to attend in person?

No, but you are encouraged to do so.

### Can I be represented by a lawyer?

No one at the hearing can have legal representation. Your support person might have legal training but cannot act in a legal capacity.

### What if I have documentation to support my answer to the allegation?

Send them to the secretary as soon as possible so that they can be reviewed before the hearing by members of the Board and other attendees. Please note that acceptance of documentation on the day of the hearing is at the discretion of the chairperson.

### What if I am running late for my hearing?

You are expected to attend the hearing at the designated time. However, if you believe that you may be late, contact the secretary immediately on +61 3 9925 8965 or +61 3 9925 8710 or +613 9925 8609.

## What will happen at the start of the hearing?

The chairperson will:

- introduce you to everyone in the room and explain their roles to you
- give you information about procedural fairness (see the box below)
- check that you received the documentation about the allegation.

## What will happen during the hearing?

After the introductions, the chairperson will normally ask the senior officer to explain concerns about your conduct.

Then it will be your turn to speak, or to have someone speak for you.

Remember that the members of the Board have received and read the information about the allegation, so think about this question: what is the most important information that you want the Board to know?

*The hearing is a discussion about your behaviour so you might have questions for other people in the hearing and they might have questions for you. All questions must be directed to the chairperson, who is responsible for the hearing. Everyone at the hearing is entitled to courtesy and respect.*

*Please note that all mobile telephones should be turned off during the hearing and that no one is permitted to bring or to use recording devices.*

## How will the decision be made?

The hearing will end when the chairperson decides that members of the Board have enough information to make a decision. At this point you, and the senior officer who made the allegation, will be asked to leave.

The members of the Board will then meet privately. The only other person in the room with the Board will be the secretary, whose role will be to make an accurate record of the decision.

## How will I be informed of the decision?

You must receive written information within 10 working days of the decision that includes:

- the date when the decision was made
- if you have committed misconduct or not
- details of the penalty (but only if the Board decided that you have committed misconduct)
- reasons for the decision
- the effect of the decision and/or penalty
- information about your right to appeal against the decision and/or penalty.

The chairperson may also verbally advise you of the decision at the end of the hearing, and offer advice or recommendations about your studies or your behaviour.

The decision will be sent to your University email account and to your mailing address.

## Where can I get help?

An allegation of misconduct is a very personal matter. If you need help please consider seeking advice from the student rights officers in the Student Union, or from other University services. Contact details are provided below.

- Counselling: [www.rmit.edu.au/counselling](http://www.rmit.edu.au/counselling)
- Student Union: [www.rmit.edu.au/students/rusu](http://www.rmit.edu.au/students/rusu)
- Disability Liaison Unit: [www.rmit.edu.au/disability](http://www.rmit.edu.au/disability)

## Getting ready for your appeal hearing

- Check that the hearing papers are complete and were received at least 10 working days before the hearing.
- Read the hearing papers carefully and remember to bring your copy to the hearing.
- Consider getting help or advice.
- Return the confirmation of attendance form to the secretary at least one working day before the hearing.
- Send any additional documentation to the secretary as soon as possible before the hearing.
- Think about what you would like to tell the Board.
- If you have a support person, arrange to meet them before the hearing if possible.
- Arrive at the meeting room in time to freshen up and be ready for your hearing.

### Natural justice and procedural fairness

You are entitled to natural justice and procedural fairness. This means that:

- the hearing must be consistent with the Student Conduct Regulations of the University
- you must have the opportunity to respond to the allegation
- the decision must be made only by the members of the Board and based on relevant facts
- the hearing must be impartial
- you must be informed of your right to seek an appeal against of the decision.