

**Note:** At its meeting 20 November 2008, Senate resolved to designate the Academic Registrar the Secretary and Registrar for the purposes of the *University of Queensland Statute No. 4 (Student Discipline and Misconduct) 1999*, excluding sections 13 (2) and 17 (2), where Senate resolved to designate the University Secretary and General Counsel the Secretary and Registrar.

## Statute No. 4

### Student Discipline and Misconduct

#### 1. Short title

This statute may be cited as the *University of Queensland Statute No. 4 (Student Discipline and Misconduct) 1999*.

#### 2. Commencement

This statute commences on 1 June 1999.

### Part 1 — Preliminary

#### 3. Objects

- (1) This statute is made in recognition of the principle that the basis for dealings among members of the university community should be one of mutual respect.
- (2) The statute is part of the process by which the university encourages adherence to the principle in the context of student behaviour.
- (3) In that context the university encourages students to behave in a way that —
  - (a) allows reasonable freedom to others to pursue their studies, researches, duties and other lawful activities in the university and on its sites, and to 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 and information and the property of other persons on its sites.
- (4) The objects of the statute are to —
  - (a) promote the principle of mutual respect by informing students of behaviour which the university community considers appropriate;
  - (b) discourage behaviour which the university community considers inappropriate;
  - (c) implement fair and just procedures for dealing with possible cases of misconduct;
  - (d) provide for the imposition and enforcement of penalties for proven misconduct.

#### 4. Dictionary

The dictionary in schedule 1 defines particular words used in this statute.

#### 5. Misconduct

A student who commits misconduct breaches this statute.

### Part 2 — Dealing with Possible Misconduct

#### 6. Reporting misconduct

- (1) A person may report possible misconduct by a student to one of the decision-makers referred to in section 10.
- (2) A decision-maker (on the decision-maker's own initiative or in response to a report) may make preliminary investigations to decide whether a student should be proceeded against for alleged misconduct.

#### 7. How decision-makers proceed

- (1) If a decision-maker decides to proceed against a student the decision-maker must give an allegation notice to the student, providing details of the alleged misconduct.
- (2) When dealing with misconduct a decision-maker must —
  - (a) subject to this subsection, proceed in the way that the decision-maker considers -appropriate, without being bound by legal technicalities or the laws of evidence, but according to the justice of the case; and
  - (b) give the student a copy of, or an opportunity to inspect, all relevant evidence held by the decision-maker; and
  - (c) give the student a reasonable opportunity to appear before the decision-maker to answer the allegations; and
  - (d) allow the student to be accompanied by or represented by another person not being legally qualified; and
  - (e) 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 -section 10 should be made.

- (3) A decision-maker must give written notice of a decision and any rights of appeal to the student and must provide the secretary and registrar with a copy of the notice.

#### 8. Time limits

- (1) A decision-maker must not proceed against a -student unless an allegation notice has been given to the student within 28 days of the facts necessary to establish misconduct first coming to the notice of a decision-maker.
- (2) A decision-maker must decide the case within 28 days of the day notice was given, or within a longer period if the student and the secretary and registrar agree.
- (3) Before a 28 day period runs out, a decision-maker may apply in writing to the vice-chancellor for a waiver of the need to comply with subsections (1) and (2).
- (4) The vice-chancellor may issue a written waiver of the need to comply with subsections (1) and (2) if satisfied that the decision-maker has made a reasonable attempt to consult the student about an extension of the 28 day period and that the student's ability to address the allegations is not impaired.

#### 9. Academic matters

- (1) Without limiting the range of orders available to a decision-maker specified in section 10, penalties which are academic in nature should normally be imposed only for misconduct which occurred in an academic context.
- (2) Without limiting the jurisdiction of the secretary and registrar specified in section 10, if a matter is referred to the secretary and registrar that involves misconduct which occurred in an academic context, the secretary and registrar should normally refer it to the president of the academic board or the disciplinary board.

#### 10. Decision-maker's jurisdiction and penalty powers

- (1) A head of department may deal with any matter relating to the teaching and other activities and assessment conducted by the department or relating to the facilities of the department. If a finding of misconduct is made the head of -department may make one or more of the following orders:
- fine not exceeding 1 penalty unit<sup>2</sup>
  - suspension for a period not exceeding 1 week from departmental facilities
  - reduction or cancellation of the mark for the assessment in relation to which misconduct occurred
  - requirement to do further work or repeat work within the subject in relation to which misconduct occurred
  - restitution not exceeding 2 penalty units.
- (2) A head of school may deal with any matter relating to the teaching and other activities and assessment conducted by the school or relating to the facilities of the school. If a finding of misconduct is made the head of school may make one or more of the following orders:
- fine not exceeding 1 penalty unit
  - suspension for a period not exceeding 1 week from school facilities
  - reduction or cancellation of the mark for the assessment in relation to which misconduct occurred
  - requirement to do further work or repeat work within the subject in relation to which misconduct occurred
  - restitution not exceeding 2 penalty units.
- (3) An executive **dean** may deal with —
- (a) any matter relating to the teaching or other activities and assessment conducted by the faculty or relating to the facilities of the -faculty; and
- (b) any matter within the power of a head of school or head of department if the student is taking a course administered by the faculty.

If a finding of misconduct is made, the executive dean may make one or more of the following orders:

- fine not exceeding 1 penalty unit
  - suspension for a period not exceeding 1 week from faculty, school or departmental facilities
  - reduction or cancellation of the mark for the assessment in relation to which misconduct occurred
  - requirement to do further work or repeat work within the subject in relation to which misconduct occurred
  - imposition of the maximum grade the student may gain for the subject in relation to which misconduct occurred
  - refusal or cancellation of credit for the subject in relation to which misconduct occurred
  - restitution not exceeding 2 penalty units.
- (4) The librarian may deal with any matter arising in, or in connection with, library facilities of the university. If a finding of misconduct is made the librarian may make one or more of the following orders:
- fine not exceeding 1 penalty unit
  - suspension for a period not exceeding 1 week from library facilities
  - removal of borrowing rights until all overdue library material is returned or (if longer) for a period not exceeding 1 semester
  - restitution not exceeding 2 penalty units.

For this subsection, treat material for which restitution is paid as being returned.

- (5) The **director, information technology services**, may deal with misuse of the university's information technology facilities (including software) or communication facilities. If a finding of misconduct is made the director may make one or more of the following orders:
- fine not exceeding 1 penalty unit
  - suspension for a period not exceeding 1 week from use of the relevant facilities
  - restitution not exceeding 2 penalty units.
- (6) Subject to section 9, the **secretary and registrar** or **president of the academic board** may deal with any matter. If a finding of misconduct is made the decision-maker may make one or more of the following

orders:

- fine not exceeding 2 penalty units
  - suspension for a period not exceeding 2 weeks from the university or a part of it
  - suspension for a period not exceeding 2 weeks of the right to use a motor vehicle on the site
  - reduction or cancellation of the mark for the assessment in relation to which misconduct occurred
  - requirement to do further work or repeat work within the subject in relation to which misconduct occurred
  - imposition of the maximum grade the student may gain for the subject in relation to which misconduct occurred
  - refusal or cancellation of credit for the subject in relation to which misconduct occurred
  - campus service for a specified period not exceeding 20 hours
  - restitution not exceeding 5 penalty units
  - attendance at counselling for a specified period not exceeding 8 hours.
- (7) The **disciplinary board** may deal with any matter. If a finding of misconduct is made the chairperson of the board, on the advice of the board, may make one or more of the following orders:
- fine not exceeding 5 penalty units
  - reduction or cancellation of the mark for any piece of assessment
  - requirement to do further work or repeat work in any subject
  - imposition of the maximum grade a student may gain for the subject in relation to which misconduct occurred
  - refusal or cancellation of credit for any -subject
  - campus service for a specified period not exceeding 50 hours
  - restitution not exceeding 5 penalty units
  - attendance at counselling for a specified period not exceeding 20 hours
  - suspension of any length from the university or a part of it
  - suspension of any length of the right to use a motor vehicle on the site
  - expulsion from the university.

#### 11. Extended powers for secretary and registrar/president academic board

- (1) Subject to section 9, the secretary and registrar or the president of the academic board may make one or more of the orders which a disciplinary board may make under section 10 if a student —
- (a) admits the misconduct; or
  - (b) does not admit the misconduct but consents to it being dealt with under this section.
- (2) If the secretary and registrar finds misconduct in that a student has not satisfactorily complied with a campus service order or an order to attend counselling the secretary and registrar may make one or more of the orders which a disciplinary board may make under section 10 (except expulsion or suspension for a period exceeding 6 months).

#### 12. Decision-maker may refer matter

- (1) Subject to section 9, a decision-maker may, at any time before the decision-maker has given written notice of decision to the student, refer the matter to another decision-maker.
- (2) The fact that a matter has been referred from another decision-maker or that an allegation notice has been issued previously does not in any way restrict the powers of a decision-maker to deal with or impose orders on the student.
- (3) If a matter is referred to a decision-maker, the decision-maker may rely on a previous allegation notice or may give to the student a new allegation notice, which may include different allegations of misconduct.

#### 13. Disciplinary board

- (1) The disciplinary board comprises —
- (a) a chairperson, who must be a senior -academic staff member, appointed by senate for a term of 3 years; and
  - (b) 1 member of the academic staff, appointed by the vice-chancellor after consulting the president of the academic board, for a term of 1 year; and
  - (c) 2 persons who are students at the time of appointment, appointed by the vice-chancellor after consulting the president of the University of Queensland Union, for a term of 1 year.
- (2) The secretary and registrar may appoint a person to act as secretary to the board. The secretary is to provide the board with administrative support but does not vote.
- (3) The chairperson has a deliberative vote and a casting vote.
- (4) A quorum of the board is 3.
- (5) If, in a particular case, a member of the board is absent or declines to sit, or the vice-chancellor considers it appropriate that the member not sit, the vice-chancellor may nominate a person to sit in the member's place for the purposes of dealing with that case.
- (6) The vice-chancellor may appoint a member of the board, including a replacement member, to act as chairperson during the absence of the chairperson.
- (7) If a member leaves the board during his or her term, the vice-chancellor may appoint a person qualified under the relevant paragraph of subsection (1), to fill the casual vacancy for the remainder of the term.

### Part 3 — Appeals

#### 14. Procedure for lodging appeal

- (1) The student may appeal —
- (a) a first instance decision of a decision-maker; or
  - (b) subject to subsection (2), a decision of a disciplinary board on appeal from a decision-maker, as to whether the student has committed misconduct or as to any order imposed on the student.
- (2) There is no appeal from appellate decisions of a disciplinary board if the orders imposed on the student do

not exceed those that may be made under section 10(6).

- (3) To appeal a decision the student must give notice of appeal to the secretary and registrar within 14 days of being given notice of the decision.
- (4) The secretary and registrar must give notice of an appeal to the chairperson of the relevant appeal body.
- (5) The chairperson of the relevant appeal body may extend the time for compliance with subsection (3).

#### **15. Who hears an appeal**

- (1) The disciplinary board deals with all appeals from decisions of other decision-makers (except -decisions under section 11(1)) and proceeds by way of a new hearing under the procedures set out in section 7(2).
- (2) The discipline appeals committee deals with appeals from all first instance decisions of the -disciplinary board and decisions referred to in section 11(1) and section 14(1)(b), and proceeds by way of a new hearing under the procedures set out in section 16.
- (3) An appeal body must affirm, set aside or vary the decision appealed against and may make any one or more of the orders which the disciplinary board may make under section 10.

#### **16. How discipline appeals committee proceeds**

- (1) When dealing with an appeal the discipline appeals committee must proceed in the way the chairperson decides but it 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 place of the hearing and of the rights granted under this subsection;
  - (b) the student is entitled to be represented by counsel or solicitor or by another person, being willing to act, whom the student appoints;
  - (c) subject to paragraph (h), the student together with any representative is entitled 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) the student or representative 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;
  - (e) the chancellor may appoint counsel or -solicitor or a member of the staff of the university to represent the university at the hearing, and a person appointed may call and examine witnesses, cross-examine witnesses other than those called on the part of the university, and 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 or in their presence;
  - (g) the student and representative must be given a copy of, or an opportunity to inspect, all -evidence;
  - (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 committee 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 chairperson must cause to be kept 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, it must communicate the decision to the secretary and registrar and to the student.

#### **17. Composition of discipline appeals committee**

- (1) The discipline appeals committee comprises —
  - (a) 2 senators who are not academic staff of the university, appointed by senate for a term of 3 years, one of whom is appointed as chairperson;
  - (b) 1 academic board member appointed by the chancellor, after consulting the president of the academic board, for a term of 3 years;
  - (c) 2 persons who are students at the time of appointment, appointed by the chancellor, after consulting the president of the University of Queensland Union, for a term of 1 year.
- (2) The secretary and registrar may appoint a person to act as secretary to the committee. The secretary is to provide the committee with administrative support but does not vote.
- (3) The chairperson has a deliberative vote and, unless an officer of the university, a casting vote.
- (4) A quorum of the committee is 4.
- (5) If, in a particular case, a member of the committee is absent or declines to sit, or the chancellor considers it appropriate that the member not sit, the chancellor may nominate a person to sit in the member's place for the purposes of dealing with that case.
- (6) The chancellor may appoint a member of the committee, including a replacement member, to act as chairperson during the absence of the chairperson.
- (7) If a member leaves the committee during his or her term, the chancellor may appoint a person qualified under the relevant paragraph of sub-section (1), to fill the casual vacancy for the remainder of the term.

#### **18. Appeal operates to stay proceedings**

- (1) An appeal from a decision suspends the implementation of that decision.
- (2) Despite subsection (1), a decision-maker may make a decision (an implementation direction) that the decision is to be implemented despite the appeal.

- (3) (a) A student may apply to the chairperson of the body that is to hear the appeal to nullify an implementation direction.
- (b) The chairperson must consider urgently an application to nullify an implementation -direction.
- (4) Those deciding whether to make or nullify an implementation direction are to consider factors such as whether —
  - (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.

## **Part 4 — Summary Fines**

### **19. Summary fine**

- (1) For a breach of any statute or rule that amounts to misconduct, an officer of the university -empowered to impose a fine may give notice to a student that a fine not exceeding 1 penalty unit will be imposed unless the student, by a date at least 14 days after the issue of the notice, shows cause why the fine should not be imposed.
- (2) If the student fails to show cause satisfactory to the officer concerned by that date, the fine is automatically imposed and payable in terms of the notice.
- (3) A student fined under this section may appeal to the disciplinary board which may affirm, set aside, reduce or increase the fine up to 1 penalty unit.

## **Part 5 — Implementation and Enforcement of Orders**

### **20. Fines**

- (1) A fine imposed under this statute must be paid into the general funds of the university.
- (2) A fine imposed under this statute must be paid within 14 days of its imposition or, if the fine is imposed in the absence of the student, within 14 days of receipt by the student of notification of its imposition.
- (3) An extension of time for payment may be granted by the person or body imposing the fine, the vice-chancellor or the secretary and registrar.
- (4) If a fine is not paid within the time limited for its payment the student must not be awarded a result in any assessment or receive or be granted credit for any subject or course or receive any degree or other award of the university, so long as the fine remains unpaid.
- (5) Despite subsection (4), a student may apply to the secretary and registrar for the release of results on the grounds of hardship, for example, the intervention of financial exigency since the decision-maker imposed the fine. If satisfied the hardship justifies it, the secretary and registrar may release the results but may impose conditions before doing so.

### **21. Fine option order**

- (1) A person ordered to pay a fine (other than a summary fine imposed under section 19) may, within the time limited for its payment under section 20, apply to the secretary and registrar to undertake campus service rather than pay the fine.
- (2) Unless the secretary and registrar considers the student is not a suitable person to undertake campus service the secretary and registrar must impose a campus service order on the student in substitution for the fine.
- (3) The campus service order must be for a period that equates with the value of the fine. For purposes of determining the period of the campus service order, a penalty unit or any part of a -penalty unit is equivalent to 10 hours.

### **22. Campus service orders**

A campus service order (including a fine option order) —

- (a) must require the student to perform campus service at the places and times, in the way and subject to the conditions, the secretary and -registrar decides; and
- (b) may direct that the student not be awarded a result in any assessment or receive or be granted credit for any subject or course or receive any degree or other award of the university, until all work is completed to the satisfaction of the secretary and registrar; and
- (c) is not complied with until the secretary and -registrar considers that the work required has been satisfactorily completed.

### **23. Suspension and expulsion**

- (1) A person or body empowered to suspend or expel a student may direct that the suspension or expulsion be set aside or deferred upon the conditions that the person or body decides.
- (2) A person who is expelled from the university must not be re-enrolled except by permission of senate.

### **24. Publication**

The secretary and registrar must record and publish details of findings of misconduct according to a scheme approved by senate.

## **Part 6 — General**

### **25. Withholding results**

If a student has been given an allegation notice the university may withhold the student's academic results until the proceedings (including an appeal) are -finalised.

### **26. Misconduct and the Act**

If misconduct by a student is also an offence under the Act the university may deal with it as either but not both.

## 27. 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; or
  - (b) damage to property; or
  - (c) serious disruption of a university activity.
- (2) Before imposing the suspension the vice-chancellor must make a reasonable effort (having regard to the seriousness and urgency of the risk) to provide the student with an opportunity to explain why the suspension ought not to be imposed.
- (3) A suspension takes effect when notice of it is posted on a notice-board of the university.
- (4) Despite subsection (3), the secretary and -registrar must, as soon as reasonable, give notice of the suspension to the student.
- (5) A suspension ends if after 10 days no allegation notice has been given to the student or if 14 days after notice is given the disciplinary board has not held its first meeting.
- (6) If these steps are taken the suspension continues until the proceedings are finalised or it is lifted by the vice-chancellor, the disciplinary board or the discipline appeals committee.
- (7) The vice-chancellor must lift the suspension if satisfied that the risk that necessitated it has passed.

## 28. Notice

A notice to a student is sufficient if it is in writing and is —

- (a) given to the student in person; or
- (b) posted to the student —
  - (i) at the semester address shown on the -student's most recent enrolment form, if posted during a semester; or
  - (ii) at the home address shown on the student's most recent enrolment form, if posted during a vacation; or
  - (iii) at the student's residential or business address last known to the person or body giving the notice; or
- (c) transmitted by facsimile to a number provided by the student as being identified with the relevant address; or
- (d) sent by e-mail to the student's e-mail address.

## 29. Where person ceases to be a student

The university may deal with misconduct under this statute if the student alleged to have committed it ceases to be a student before proceedings are finalised and may proceed as if the person had continued to be a student.

## Part 7 — Transition

### 30. Misconduct occurring before the commencement of this statute

- (1) This statute applies to misconduct which occurs from its commencement date.
- (2) If a student is alleged to have committed misconduct under the repealed statute, but the student has not been charged or a charge has not been decided under that statute before this statute commences, the student may elect to have the matter dealt with under this statute or under the repealed statute.
- (3) If a student elects to have the matter dealt with under this statute, the time limits in section 8 are measured from the date of election.
- (4) The "repealed statute" means Statute No. 13 Student Discipline and Misconduct of the University of Queensland and repealed when this statute commences.

## Schedule 1 — Dictionary

In this statute —

**"allegation notice"** means the notice the university gives to a student to commence formal misconduct proceedings;

**"assessment"** means work (for example, examination, assignment, practical, performance) which a student is required to complete for any one or a combination of the following reasons: the fulfilment of educational purposes (for example, to motivate learning, to provide feedback); to provide a basis for an official record of achievement or certification of competence; or to permit grading of the student;

**"campus service"** means activity in aid of the university or a student of a kind which is declared by the secretary and registrar to be campus service for the purposes of this statute;

**"counselling"** means counselling through the university's Student Support Services or another organisation agreed between the student and the decision-maker;

**"decision-maker"** means an officer or body listed in -section 10;

**"deputy vice-chancellor"** refers to each office-holder whose title includes those words;

**"designated officer"** means —

- (a) the vice-chancellor, deputy vice-chancellor, pro-vice-chancellor, secretary and registrar, academic registrar, director, Gatton College, warden of halls of residence of Gatton College, bursar, deputy bursar, librarian, and manager and assistant manager of the university bookshop; and
- (b) executive deans, heads of schools or departments and any member of the teaching staff of or above the rank of lecturer B; and
- (c) security officers; and
- (d) any other person designated in writing by the vice-chancellor;

**"librarian"** means the university librarian and managers of branch libraries;

**"misconduct"** is defined in schedule 2;

**"officer"** of the university includes an employee of the university;

“**pro-vice-chancellor**” refers to each officer whose title includes those words;  
“**restitution**” means recompense paid to the university or another person at the order of a decision-maker for property lost, damaged or destroyed due, in whole or in part, to the conduct of the student;  
“**student**” includes a person undertaking courses at the university;  
“**site**” includes any land which for the time being is the property of the university or in its possession or under its control, together with any structure whether permanent or temporary on that land.

## Schedule 2 — What is Misconduct?

1. Misconduct is conduct on the part of a student 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 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) is instanced in section 3 of this schedule.
2. A student who attempts to commit misconduct is guilty of misconduct.
3. Without limiting the effect of sections 1 and 2 of this schedule, instances of misconduct are set out below:

### Student integrity

- (1) Cheating or doing anything which may assist a person to cheat, in relation to assessment.
  - Example 1* Knowingly plagiarising the work of another person, including a fellow student, by adapting or incorporating it in a piece of assessment without due acknowledgment
  - Example 2* Knowingly plagiarising the ideas of the author of a text by incorporating them in a piece of assessment without due acknowledgment
  - Example 3* Collaborating with another student about assessable work and representing that as individual work
  - Example 4* Intentionally fabricating, falsifying or misstating results which are reported in, or relied on for the purposes of, a piece of assessment
  - Example 5* Bringing unauthorised material into an examination room
- (2) Making a false representation as to a matter affecting the student as a student.
  - Example* Making a false statement in order to obtain a student loan

### Dealings with others at the university

- (3) Disrupting or obstructing an official university activity.
  - Example* Disrupting a class or an official meeting
- (4) 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*.
  - Example 1* Sexual harassment of a person in terms of the Anti-Discrimination Act 1991
  - Example 2* Harassment based on the race of the person harassed
  - Example 3* Sexual harassment during a field trip
- (5) Unlawfully assaulting a person on a site or in the course of an official university activity.

### Dealings with property or information

- (6) Intentionally damaging or wrongfully dealing with -property on a site or of the university.
  - Example 1* Misuse of an emergency call point
  - Example 2* Leaving litter
  - Example 3* Defacing or affixing a notice to part of a site
  - Example 4* Failing to return overdue library material
- (7) Knowingly disclosing confidential information relating to any university matter which is of a confidential nature and which the student has no right to divulge.
  - Example* Disclosing the results of a research project carried out for an outside body which the student knows should be kept confidential
- (8) Misuse of information technology facilities (including software) or communication facilities of the university.
  - Example 1* Gaining or assisting another person to gain unauthorised access to a facility
  - Example 2* Using a facility for an unauthorised -purpose
  - Example 3* Unauthorised modification, transfer or deletion of any hardware, software or data
  - Example 4* Unlawful copying of software using a university facility or installing software on a university facility without authorisation
- (9) Disobeying a notice.

### Behaviour at the university

- (10) Creating a disturbance or being disorderly on a site.
  - Example 1* Using insulting, threatening or obscene language on a university site
  - Example 2* Lighting a fire without permission
  - Example 3* Throwing stones
  - Example 4* Frightening birds

### Dealings with officers of the university

- (11) Disobeying a reasonable direction of a designated officer.
  - Example 1* Refusing to leave a building or part of a building when directed to do so by a -security officer
  - Example 2* Failing to comply with a direction by a member of the teaching staff not to tape classes or to refrain

from passing recordings of classes to others

- (12) Obstructing or attempting to interfere with the lawful performance of duty by an officer of the university.
- (13) 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.
- (14) 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 supply the evidence sought and the student supplies the student card or other evidence of identity to the secretary and registrar within 48 hours of the time when supply was required by the officer.

**Misconduct declared by statute or rule**

- (15) A breach of any provision of the statutes or rules where breach is declared to be misconduct for the purposes of this statute.

**Enforcement of penalties**

- (16) Failure to comply with an order made under the statute, other than non-payment of a fine.