

Responsible officer penalty powers under Part 7 of the Monash University (Council) Regulations

Regulation 41 (7) of the Monash University (Council) Regulations provides that the Vice-Chancellor, by notice published on the University website, may limit the range of penalties available for an act of misconduct in the case of a decision-maker of a class specified in the notice. The Vice-Chancellor has delegated the power under regulation 41(7) to the Provost & Senior Vice-President.

This notice is given by **Professor Marc Parlange, Provost & Senior Vice-President**, for the purpose of Part 7 of the Monash University (Council) Regulations, under the said delegation to limit the range of penalties available for an act of misconduct for responsible officers in the first column to those indicated with a tick in the columns to the right as set out below.

For Monash Australia the responsible officer (or delegate) may impose the following penalties:

Penalties Available											
Responsible Officer and Act of Misconduct	Record of Guilt	Reprimand	Consent Penalty	Prohibition ¹	Restriction on contacting certain staff/students	Fine	Restitution	Disallow work, mark or research ²	Impose a mark of zero in the unit	Suspension	Exclusion
Person appointed as Responsible Officer for General Misconduct finds											
<i>general misconduct</i>	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
<i>academic misconduct</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	X
Associate dean finds											
<i>general misconduct</i>	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
<i>academic misconduct</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	X
Chair GRC finds											
<i>general misconduct</i>	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
<i>academic misconduct</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	X
<i>research misconduct</i>	✓	✓	✓	✓		✓	✓	✓	X	X	X

1. Prohibition - A penalty of prohibition (from entering a university precinct) must not be for a period longer than 4 weeks.

2. Disallow work, mark or research - Where the work or research has not been assessed, a responsible officer may “disallow” the work or research by prohibiting assessment. Where the work or research has been assessed, a responsible officer may “disallow” the work or research by disallowing the mark given. Where a piece of work has not been assessed pending the outcome of a disciplinary process and the responsible officer does not disallow the work, the responsible officer must instruct the appropriate person to assess the work concerned.

For Monash University Malaysia the responsible officer (or delegate) may impose the following penalties:

Penalties Available											
Responsible Officer and Type of Misconduct	Record of Guilt	Reprimand	Consent Penalty	Prohibition ¹	Restriction on contacting certain staff/students	Fine	Restitution	Disallow work, mark or research ²	Impose a mark of zero in the unit	Suspension	Exclusion
Deputy head of school <i>finds general misconduct (where students are from the same school)</i>	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
Associate dean <i>finds academic misconduct</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	X
Chair GRC <i>finds</i>											
<i>general misconduct</i>	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
<i>academic misconduct</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	X
<i>research misconduct</i>	✓	✓	✓	✓	✓	✓	✓	✓	X	X	X
Director, Student Services <i>finds general misconduct (where students are from multiple schools)</i>	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
Manager, Student Administration <i>finds general misconduct in exams</i>	✓	X	X	X	X	✓	X	X	X	X	X

- Director of ITS - or Head of Library and Learning Commons & Chief Librarian - or Director of Student Services <i>finds general misconduct (where misconduct occurred in a defined area)</i>	✓	x	x	✓	x	✓	✓	x	x	x	x
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1. Prohibition - A penalty of prohibition (from entering a university precinct) must not be for a period longer than 4 weeks. The Director of ITS, Head of Library and Learning Commons & Chief Librarian and Director of Student Services may only prohibit a student from entering his or her defined area.

2. Disallow work, mark or research - Where the work or research has not been assessed, a responsible officer may “disallow” the work or research by prohibiting assessment. Where the work or research has been assessed, a responsible officer may “disallow” the work or research by disallowing the mark given. Where a piece of work has not been assessed pending the outcome of a disciplinary process and the responsible officer does not disallow the work, the responsible officer must instruct the appropriate person to assess the work concerned.

For Monash South Africa the responsible officer (or delegate) may impose the following penalties:

Penalties Available											
Responsible Officer and Act of Misconduct	Record of Guilt	Reprimand	Consent Penalty	Prohibition ¹	Restriction on contacting certain staff/students	Fine	Restitution	Disallow work, mark or research ²	Impose a mark of zero in the unit	Suspension	Exclusion
Executive Dean finds											
<i>general misconduct</i>	✓	✓	✓	✓	✓	✓	✓	x	x	x	x
<i>academic misconduct</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	x	x
<i>research misconduct</i>	✓	✓	✓	✓	✓	✓	✓	✓	x	x	x
Revenue and Collections Manager finds											
<i>general misconduct</i>	✓	✓	✓	✓	✓	✓	✓	x	x	x	x

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2. Disallow work, mark or research - Where the work or research has not been assessed, a responsible officer may “disallow” the work or research by prohibiting assessment. Where the work or research has been assessed, a responsible officer may “disallow” the work or research by disallowing the mark given. Where a piece of work has not been assessed pending the outcome of a disciplinary process and the responsible officer does not disallow the work, the responsible officer must instruct the appropriate person to assess the work concerned.

This notice is effective from 26 February 2018 until the notice is revoked by the Provost or the Provost’s successor or by the Vice-Chancellor.