

Student Union Advocacy Service Report

April - June 2017

Introduction

The April to June quarter is a relatively quiet period of the year for the Service. Apart from coordinating the Exam Support Stall, and fielding enquiries regarding assessment, the demand on the Service for casework is historically fairly low. However every year since 2012 when the current data collection system was implemented, the volume of presentations in this quarter has increased by around 30% annually, gradually closing the gap between the quieter periods and the very busy ones.

Trends and Issues this Quarter

Good news story

This quarter the Service was approached by an extremely distressed student, who had attempted to complete a summer intensive subject, despite ongoing difficulties. The student had ended up remaining enrolled past the last date to withdraw without academic penalty, in order to avoid letting their fellow group work students down. Unfortunately, despite their best efforts, they were ultimately unable to complete the subject due to a flare up of a chronic condition. The students' condition – chronic fatigue - was compounded by their role as a primary caregiver for a parent with dementia.

Ultimately the student became so unwell, that after their application for Special Consideration was declined on first request, and again on review, they indicated to us that due to the very condition for which they sought consideration, they lacked the capacity to take the next step of drafting and submitting a formal grievance. In this context they had come to the conclusion that, if the University was unsupportive of students with a chronic disability, then they preferred to abandon their course.

At this point we were able to work directly with SEDS, who liaised with the Faculty in order to obtain a positive outcome for the student, without the student taking on the additional burden of lodging a formal grievance.

We were very gratified that this particularly difficult situation could be resolved in such a way. However, the Service would still benefit from understanding the reasons for the original decision, the outcome of the review, and then upon what basis the determination was reversed. This would assist us to better assist all students in future, and is something we hope to raise in the next Special Consideration Practice Leaders Advisory Group as we are keen to avoid repetition of cases of this nature in future.

Anti-social media – how the virtual world is extending the meaning of 'the University'

Welcome to the Universe [ity]. With social media playing an ever increasing role in students' social and domestic lives, the nexus between the University and students' lives off campus is also expanding.

It is uncontroversial that the University has no jurisdiction over students' lives, unless there is some connection between the conduct and the University. Case law suggests the usual indicia for whether out of hours or off-campus conduct is the University's responsibility, is that the alleged misconduct:

- can reasonably be said to be a consequence or in the course of the relationship of the parties as students and/or University; and
- it has had and continues to have substantial and adverse effects on the complainant's experience of and participation in the University's activities.

In this context, the University's sphere of influence is extended by the ubiquity of social media contact between students off campus and outside of specific University activities. A matter arose this quarter which highlights this. As a consequence of social media contact between students – a conflict between housemates in a share house

became the subject of University general misconduct procedures. This case underscores the ways in which the interplay of social media on students' lives and the broad provisions of Academic Board Regulation 8 regarding student conduct, has effectively extended the reach of the University. Conduct no longer needs to have a direct nexus with university activities, or activities on the built campus – but can be potentially anywhere on physical earth or virtual space.

In this case the conduct complained of took place almost entirely in the virtual world of social media. None of the conduct occurred on campus, or in the course of University organised or sanctioned activities. On the contrary, the contact between complainant and respondent was in their share house kitchen and in virtual space. It is a valuable reminder that the mere fact of being a student is sufficient to give the University jurisdiction over behaviour, wherever it occurs.

This certainly opens the University's misconduct procedures to include the adjudication of all manner of interpersonal disputes, in share house lounge rooms, the pub, to anywhere on the internet. We are of the view that students should be made better aware of the potential for University intervention in their online lives. Moreover, once students are better educated regarding the University's capacity and willingness to intervene, there are likely to be potential resource implications, among others we imagine.

Special consideration at Monash – a more flexible approach

In other news regarding special consideration, the Service was gratified to see the Special Consideration procedures at Monash University (now called Assessment in Coursework Units: Adjustments to Assessment Procedures) were recently updated. In summary, the new procedure:

- Introduces the concept of general flexibility with assignment deadlines.
- Relaxes the requirement for acute illness to be demonstrated in each and every case of Special Consideration, which recognises that there can be general ongoing academic impacts as a result of a fluctuating medical condition, including for carers of people with disabilities).
- Explicitly includes the Monash Disability Support Services as a potential source of documentation valid to support Special Consideration requests.

These procedures have been several years in the making, and we will await word from our colleagues at Monash to see how the implementation goes. Nevertheless, we have watched the progress over the last three years, contemporaneously with developments in this area at this university, and in principle we see the Monash policy as a major step towards properly accommodating the needs of students facing various academic disadvantages. We look forward to continuing our work with this University towards a better type of experience for students who require assistance in this space.

Inaccurate misconduct notices – and how to scare the pants off students

Heading into the third semester of University Misconduct notices under the new regulations – some things are slow to change. We have continued to see notices referencing the old Statute 13.1, and outdated penalty provisions. We also saw a number of notices which effectively contradicted themselves, causing quite a bit of confusion for already very anxious students facing these allegations. For example, on a notice dated Monday 3rd July:

*The committee will hear this case of academic misconduct and you need to advise me **within ten days of receipt of this letter**, whether or not you wish to attend the hearing. The hearing will take place on **Thursday the 6th of July** at 12:30pm in If you choose not to attend the hearing, the case will be heard in your absence and you will be notified of the outcome.*

[Emphasis added]

It may seem pedantic to note these sorts of things, however we regard it as vital that the University takes at least the same sort of care and diligence in its contact with students it expects from students during their studies here. The message to students about the importance of rigour and integrity in their academic pursuits is compromised by these sorts of mistakes, and students frequently experience this sort of communication as both hypercritical and insulting.

The other issue we have identified this quarter is the statement on some misconduct outcome notices that the outcome is recorded on the student's record. While this is technically correct, the impression created by the semantics of some of these statements is leading to a large volume of enquires at this service about what that

means for students' futures, and prompting a misguided impetus to appeal outcomes which are otherwise satisfactory. The typical statement reads:

Please note that this misconduct will go on your academic record and a repeat offence may lead to the termination of your enrolment.

Many students read this statement to mean that the outcome will be visible on their transcript, and therefore also available to future employers and/or other institutions who ordinarily view transcripts. The implications of this would be very far reaching for students and, in many cases, would also constitute a disproportionate penalty in relation to the gravity of the misconduct.

In fact, the outcome is recorded on the student's university file (not their transcript) and, as with the entirety of a student's record, is subject to Australia Privacy laws, meaning it can be accessed only for narrow and prescribed purposes by a very limited number of people. The purpose of maintaining the record is simply to ensure that repeat offences are identified, and penalties reflect those aggravated circumstances.

It's worth noting however, that in some places, detailed records of personal information (such as the Dang'an 档案 permanent study and work record in China) may contain material which can have serious and long lasting impacts on people's employment and livelihood for the course of their entire lives. In this context, seeing the statement that the misconduct finding will be recorded on their academic record causes a great deal of unwarranted anguish for many students, which in turn stimulates a high volume of contacts with this service and misconceived appeals. While we support and reinforce the University's message that academic integrity is a matter of utmost importance for students, we are of the view that attempts 'scare students straight' must not cross a line to become inaccurate or misleading information. For this reason we recommend the standard outcome notices for student misconduct be redrafted to something consistent with the statement at other Australian institutions, such as:

Please note that this finding will be placed on your internal university record. This information will not appear on the official transcript of your academic record.

When is 'no appropriate outcome' an appropriate outcome?

In our view, the answer to this question would be never.

Despite the view of the Academic Secretary, and confirmed by a recent Special Consideration Practice Leaders Advisory Group, that the use of 'no appropriate outcome' for special consideration applications should be discontinued, this quarter the Service was still seeing some students presenting with this issue.

In one case the student managed to submit their assignment on time, but subsequently applied for special consideration because the work did not reflect their ability based on the circumstances at the time. The application for special consideration was approved by SEDS, however the determination noted 'no appropriate outcome' as the result. When the decision was reviewed, we were advised:

In cases like these then 'no appropriate outcome' may be the only outcome available as the student has submitted the piece of work and there is often no other outcome that can be provided. Generally if an assignment is submitted the Faculties do not allow resubmission nor can the student's assignment be marked based on her circumstances.

This would seem to run counter to the object of special consideration, which is to ensure students meeting the criteria are not disadvantaged or discriminated against in their efforts, due to circumstances outside of their control. Additionally, resubmission of student work is allowed under other university policies, including cases of academic misconduct, so it is unclear how it can be claimed that faculties *generally* do not allow resubmission. We are currently awaiting a response to a request for clarification of this position, and expect to challenge its application in future.

New Service Delivery Model Update

In the last Quarterly Report we advised that the Service was shifting to a new service delivery model to increase our capacity to meet an ever growing demand. These changes correlate with an increase of almost 20% in contacts over the six month period, and more than a third in this last quarter. Most notable is the significant increase in service provided via email – an increase of nearly 60%.

Email includes a large number of contacts initiated via our web contact form. The shift to first contact via our web form means that students are providing more structured information, and including the relevant documents at the first point of contact, allowing us to efficiently provide targeted advice and self-help materials from the outset. This improves the student experience as they do not need to find time to attend our offices, and can begin to progress their matter right from the beginning, frequently without the to-ing and fro-ing involved in our previous model. We continue to ask referral points in the University to use the web form address [<https://umsu.unimelb.edu.au/support/advocacy/contactform/>] for the service, rather than phone or email for this purpose.

Jan-June 2016		Jan-June 2017	
Email	238	Email	568
Appointment/ representation	135	Appointment/ representation	46
Phone	28	Drop In Clinic	36
Third party consultation	13	Phone	30
		Third party consultation	21
		Other campus	1

Programmes this Quarter

Exam Support Stall

Training was provided to 20 volunteers who staffed the Exam Support Stall during the examination period. A total of 2008 students received a service from the stall over the three weeks of exams. Volunteers do two hour shifts, and set up and put away the marquee and table every day. Equipment is stored in the Royal Exhibition Building.

Volunteers answer a range of questions; provide directions on the location of facilities, and referral to discuss issues such as special consideration and academic misconduct. Those involved report that students appreciate the programme - at a time when many students need extra support because they are stressed and anxious.

The volunteers at the stall provide on-site information, advice, referral and support to students who sit exams at the Royal Exhibition Building in Carlton during the exam period (2-3 weeks in both June and November). The stall gives away water and clear plastic bags for pens and pencils, and sells assorted stationary, tissues and lollies for a nominal fee. Given the water is the single most requested item at the stall, we have been working on a way to provide water in reusable clear containers. However negotiations with the Royal Exhibition Building to allow a water cart on site have not been fruitful so far. Signs are displayed reminding students not to inadvertently take their study notes or any unauthorised materials into the venue with them. The stall also has information about the Advocacy Service; an exam tips information card and information on other University services.

Statistics

April-June 2017

241 students were provided a service resulting in 542 contacts with the service.

April-June 2016

157 students were provided a service resulting in 447 contacts with the service.

Additionally this quarter, the Advocacy website received 5821 page views this quarter. There were 641 page views on the Misconduct pages, and 600 views on the Special Consideration page. Other popular pages included information on exam tips, grievances and complaints, unsatisfactory progress and misconduct.

Distribution by primary issue:

The primary issue is generally identified as the university process to which the student’s main concern or problem relates. Data is classified in this way because it provides a standardised and more meaningful breakdown which may be useful for tracking policy trends amongst other things. Additionally this classification system aligns with the general methodology employed by the service in providing advice and problem solving support to students. Specifically while students may express their issues in a multitude of ways, the primary issue is identified according to the policy or procedure by which the University provides possible resolutions.

April-June 2017

All Students			Graduate Coursework students			RHD students		
Special Consideration	55	22.82%	Course Unsatisfactory Progress Committee	17	14.05%	Progress - HDR	12	40.00%
Assessment Dispute	31	12.86%	Special Consideration	14	11.57%	Supervision Problems	7	23.33%
Course Unsatisfactory Progress Committee	29	12.03%	Academic Misconduct - Plagiarism	13	10.74%	Not Specified	3	10.00%
Academic Misconduct - Exam	29	12.03%	Assessment Dispute	13	10.74%	Scholarship Issues	2	6.67%
Academic Misconduct - Plagiarism	24	9.96%	Progress - HDR	12	9.92%	Other	2	6.67%
Progress - HDR	12	4.98%	Supervision Problems	8	6.61%	Student complaint about uni staff	1	3.33%
Other	10	4.15%	Academic Misconduct - Exam	8	6.61%	Student Admin - Enrolment problems	1	3.33%
Supervision Problems	9	3.73%	Other	6	4.96%	Intellectual Property Dispute	1	3.33%
Vocational Placement Problems	6	2.49%	Vocational Placement Problems	6	4.96%	Course Unsatisfactory Progress Committee	1	3.33%
Student Admin - Enrolment problems	5	2.07%	Student Admin - Remission of Fees	5	4.13%			
Student Admin - Remission of Fees	5	2.07%	Not Specified	4	3.31%			
Academic Misconduct - Collusion	5	2.07%	Academic Misconduct - Collusion	3	2.48%			
Not Specified	4	1.66%	Scholarship Issues	3	2.48%			
General Misconduct	3	1.24%	Advance Standing Credit/RPL	2	1.65%			
Scholarship Issues	3	1.24%	General Misconduct	2	1.65%			
Advance Standing Credit/RPL	3	1.24%	Student Admin - Enrolment problems	2	1.65%			
Academic Misconduct - Falsified docs	2	0.83%	Admission - Selection Appeal	1	0.83%			
Equitable Accommodation (SC Rego)	2	0.83%	Student complaint about uni staff	1	0.83%			
Student complaint about uni staff	2	0.83%	Intellectual Property Dispute	1	0.83%			
Admission - Selection Appeal	1	0.41%						
Intellectual Property Dispute	1	0.41%						

April-June 2016

All Students			Graduate Coursework students			RHD students		
Special Consideration	58	35.62%	Special Consideration	19	38.78%	Supervision Problems	2	22.22%
Academic Misconduct - Plagiarism	22	13.39%	Assessment Dispute	9	18.37%	Progress - HDR	2	22.22%
Assessment Dispute	20	12.60%	Academic Misconduct - Plagiarism	9	18.37%	Assessment Dispute	2	22.22%
Academic Misconduct - Collusion	11	7.09%	Quality Teaching	3	6.12%	Enrolment problems	1	11.11%
Advance Standing Credit/RPL	5	3.15%	Course Unsatisfactory Progress Committee	2	4.08%			
Supervision Problems	5	3.15%	Supervision Problems	1	2.04%			
Course structure/changes	5	3.15%	Student complaint about uni staff	1	2.04%			
Equitable Accommodation (SEAP)	4	2.36%	Research Ethics	1	2.04%			
Student complaint about uni staff	4	2.36%	Equitable Accommodation (SEAP)	1	2.04%			
Student Admin - Enrolment problems	4	2.36%	Course structure/changes	1	2.04%			
Quality Teaching	4	2.36%	Advance Standing Credit/RPL	1	2.04%			
Progress - HDR	4	2.36%	Admission - Selection Appeal	1	2.04%			
Course Unsatisfactory Progress Committee	3	1.57%						
Other	3	1.57%						
Discrimination	1	0.79%						
Research Ethics	1	0.79%						
Admission - Selection Appeal	1	0.79%						
Scholarship Issues	1	0.79%						
General Misconduct	1	0.79%						

Distribution by graduate/undergraduate status

April-June 2017

Graduate	121	50.21%
Undergraduate	120	49.79%

April-June 2016

Graduate	50	47.17%
Undergraduate	56	52.83%

Distribution by International/Domestic Status

April-June 2017

Domestic	174	72.20%
International	67	27.80%

April-June 2016

Domestic	83	78.30%
International	23	21.70%

Distribution of cases over all by Faculty/School – April-June 2017

In order to make the following data more meaningful the relative weighting of faculties by enrolment has been included. While this is useful in partially normalising the data - it is not possible to draw conclusions as to why certain faculties may be over or under represented in presentations to this service. For example, high representation may reflect an active referral policy within that faculty or it may disclose certain procedural issues in that area.

	Number of cases and as a proportion of all cases.		Enrolments as a proportion of students enrolled at university	Indication of relative representation in Advocacy casework
Melbourne School of Engineering	41	17.01%	11.05%	>>
Melbourne Graduate School of Education	22	9.13%	5.67%	>>
Faculty of Science	35	14.52%	12.20%	>
Melbourne School of Design (AB&P)	13	5.39%	4.96%	=
Faculty of Arts	33	13.69%	15.48%	<
Faculty of MDHS	35	14.52%	17.73%	<<
Melbourne Law School	6	2.49%	4.69%	<<
Faculty of Veterinary and Agricultural Sciences	6	2.49%	3.87%	<<
VCA & Music	4	1.66%	6.12%	<<
Faculty of Business and Economics	30	12.45%	17.88%	<<<
Melbourne Business School (MBS)	5	2.07%	-	-

Commentary

The numbers of graduate and undergraduate students accessing the service this quarter is equal, and roughly proportionate to their proportion of total enrolment load.

The relative proportion of domestic to international students continues to be broadly consistent with the corresponding enrolment loads. The primary issue across all students this quarter was special consideration, followed by assessment disputes and examination misconduct issues.

Among graduate coursework students, special consideration, assessment disputes and plagiarism represented over 60% of the presenting issues. For research higher degree students the presenting issues were concentrated in supervision issues, and progress.

Presenting students came from 11 faculties. Engineering was the most frequently represented faculty, followed closely by Science, MDHS, and Arts.

The majority of special consideration matters came from the Faculty of Arts, followed by FBE and Science. There were three times as many undergraduates than graduates having issues with special consideration this quarter, and more than four times more domestic students than international students seeking assistance.

Special Consideration - By Faculty/School

Faculty of Arts	15	27.27%
Faculty of Business and Economics	10	18.18%
Faculty of Science	10	18.18%
Melbourne School of Engineering	5	9.09%
Unknown	3	5.45%
Faculty of MDHS	6	10.91%
Melbourne Business School (MBS)	1	1.82%
Faculty of Architecture, Building and Planning	1	1.82%
Faculty of Veterinary and Agricultural Sciences	2	3.64%
VCA & Music	1	1.82%
Melbourne Graduate School of Education	1	1.82%

Special Consideration – by Graduate/Undergraduate

Undergraduate	41	74.55%
Graduate	14	25.45%

Special Consideration – by International/Domestic

Domestic	45	81.82%
International	10	18.18%

Assessment Disputes - By Faculty/School

Faculty of MDHS	8	25.81%
Melbourne School of Engineering	4	12.90%
Faculty of Business and Economics	4	12.90%
Faculty of Arts	5	16.13%
Melbourne School of Design (AB&P)	3	9.68%
Faculty of Science	2	6.45%
Unknown	2	6.45%
Melbourne Law School	1	3.23%
Melbourne Graduate School of Education	1	3.23%
Melbourne Business School (MBS)	1	3.23%

Assessment Disputes – by Graduate/Undergraduate

Graduate	18	58.06%
Undergraduate	13	41.94%

Assessment Disputes – by International/Domestic

Domestic	28	90.32%
International	3	9.68%

Academic Misconduct- Exam - By Faculty/School

Faculty of Business and Economics	11	37.93%
Faculty of Science	8	27.59%
Melbourne School of Engineering	6	20.69%
Unknown	1	3.45%
Faculty of Arts	1	3.45%
Faculty of MDHS	1	3.45%
Melbourne Business School (MBS)	1	3.45%

Academic Misconduct- Exam – by Graduate/Undergraduate

Graduate	8	72.41%
Undergraduate	21	27.59%

Academic Misconduct- Exam – by International/Domestic

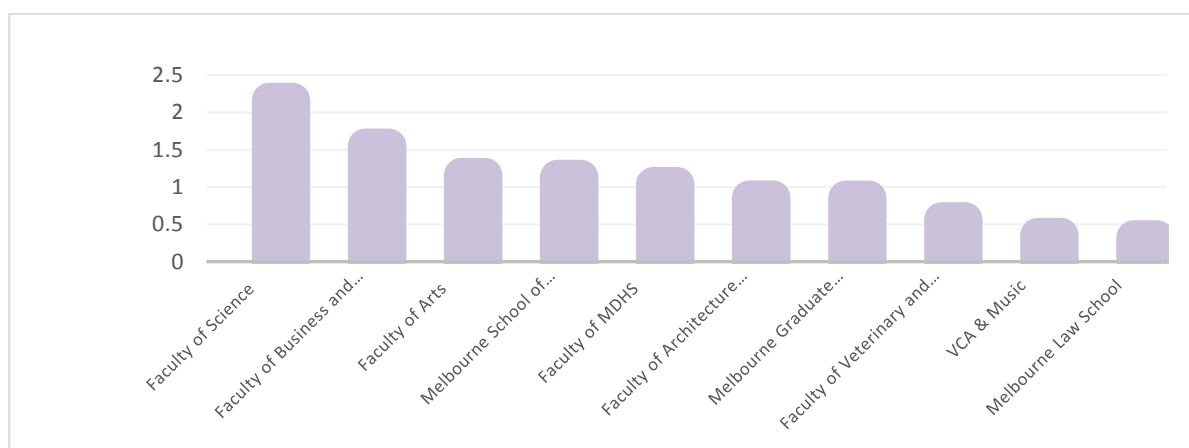
Domestic	19	65.52%
International	10	34.48%

Longitudinal Data

At the last Advocacy Reference Group Meeting the Service was requested to provide some additional statistics featuring comparisons over a 12 month period. Most of this data is self-explanatory – indicating a steady increase in casework overall across all areas, however an interesting observation from the graphical representation of the five year comparison of casework is that Science is the only faculty which has demonstrated annual growth as a proportion of casework.

Year to date 2016-17

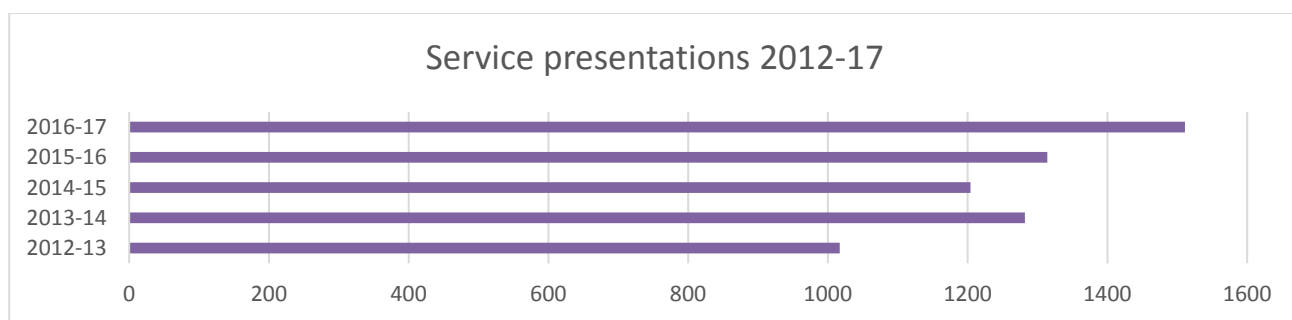
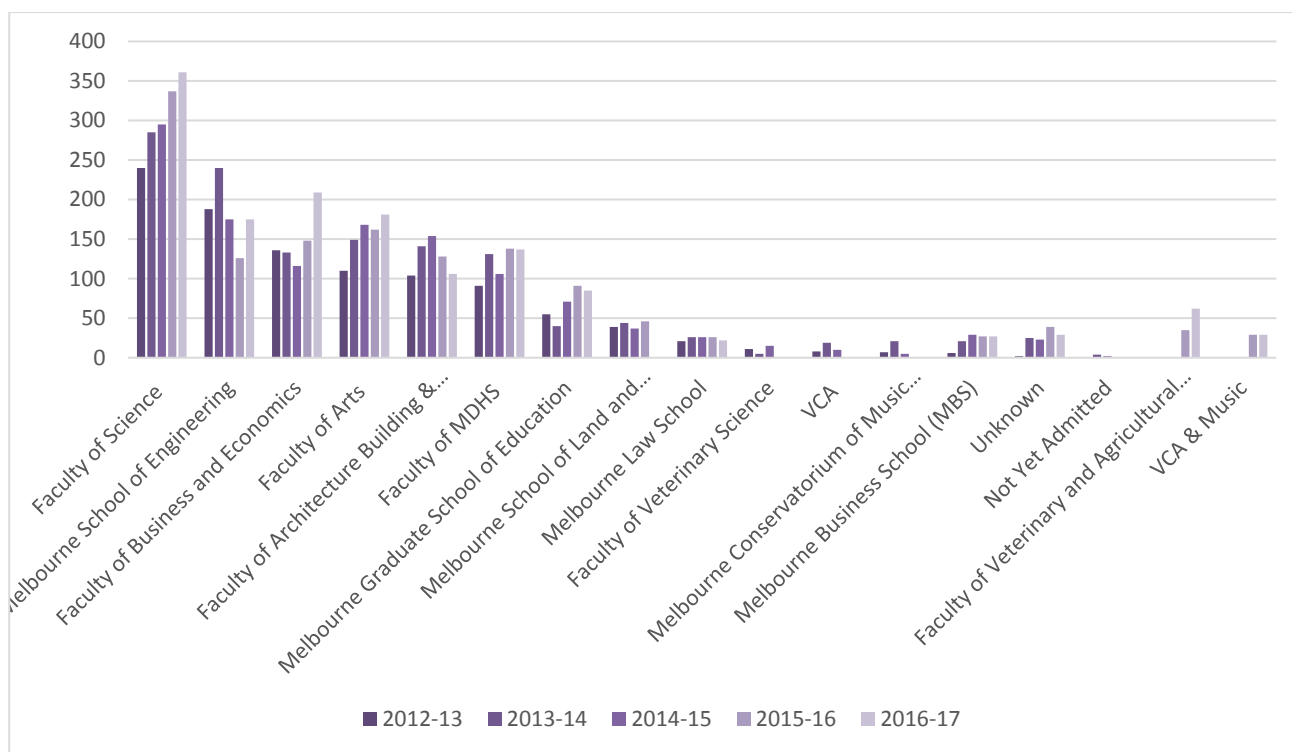
Faculty	2016-17			
	Number	% of presentation	% of enrolments	Factor
Faculty of Science	361	26%	12%	2.16
Faculty of Business and Economics	209	15%	18%	0.86
Faculty of Arts	181	13%	15%	0.86
Melbourne School of Engineering	175	13%	11%	1.16
Faculty of MDHS	137	10%	18%	0.57
Faculty of Architecture Building & Planning (MSD)	106	8%	5%	1.55
Melbourne Graduate School of Education	85	6%	6%	1.04
Faculty of Veterinary and Agricultural Sciences	62	5%	4%	1.13
VCA & Music	29	2%	6%	0.35
Melbourne Law School	22	2%	5%	0.32



Five year comparison side to side

By Faculty

Faculty	2012-13	2013-14	2014-15	2015-16	2016-17
Faculty of Science	240	285	295	337	361
Melbourne School of Engineering	188	240	175	126	175
Faculty of Business and Economics	136	133	116	148	209
Faculty of Arts	110	149	168	162	181
Faculty of Architecture Building & Planning (MSD)	104	141	154	128	106
Faculty of MDHS	91	131	106	138	137
Melbourne Graduate School of Education	55	40	71	91	85
Melbourne School of Land and Environment	39	44	37	46	0
Melbourne Law School	21	26	26	26	22
Faculty of Veterinary Science	11	5	15	0	0
VCA	8	19	10	0	0
Melbourne Conservatorium of Music (MCM)	7	21	5	0	0
Melbourne Business School (MBS)	6	21	29	27	27
Unknown	2	25	23	39	29
Not Yet Admitted	0	4	2	0	1
Faculty of Veterinary and Agricultural Sciences	0	0	0	35	62
VCA & Music	0	0	0	29	29



Liaisons and involvement with the University Community

The service is always keen for opportunities to speak to staff at the University to demystify our role and explain the services we provide and how we can work together to further student interests.

Staff in the Advocacy Service liaised with the University Community in the following ways over the period:

20-Apr-17	Meeting with Manager, Graduations & Examinations and Events, Communications & Protocols Officer regarding examination and invigilation issues.	Advocacy & Legal
10-May-17	Respect Week Stall 12pm - 2pm	South Lawn
19-May-17	Presentation to Postgrad Upskills at Melbourne Centre for the Study of Higher Education - about 100 students attended.	Harold White Theatre, 757 Swanston St
09-Jun-17	Presentation at UMSU Intl Elected Incoming OB Induction 2017	Training Room 1, Union House

If you would like to arrange a time for Advocacy staff to speak at your staff meeting or other liaison opportunity, please get in touch.

The next Advocacy Service report will cover the quarter July to September 2017 and will be available in early November (one month later than usual due to leave).

Phoebe Churches

Manager, Advocacy & Legal