

Student Conduct Policy (MPF1324)

Call for Feedback



Key information about this consultation

- Open to all University of Melbourne employees and students.
- The consultation concerns changes to the Student Conduct Policy (MPF1324).
- The consultation is open from Thursday 24 September to Monday 12 October.
- All feedback can be provided by email to student-conduct@unimelb.edu.au

Summary of key changes by document

- **Racism definitions.** Incorporate definitions of racism against Aboriginal and Torres Strait Islander peoples, antisemitism, and Islamophobia, as required by the Higher Education Standards Framework.
- **Recording of teaching activities.** Clause 4.4(f) has been updated to simplify and modernise the University's rules on recording teaching activities. Rather than setting out detailed approval processes for photographs, audio recordings and videos, the clause now establishes a general rule that students must not use any device or technology to record, capture, livestream or transmit audio, video or images during teaching activities where another person or confidential, personal, teaching or assessment-related information would be captured unless prior authorisation has been obtained.
- **Educative responses.** Clauses 5.11 to 5.15 have been revised to provide a clearer framework for when concerns about student behaviour can be addressed through an educative response, warning, caution or student undertaking instead of a formal misconduct process. The amendments clarify the circumstances in which these options may be used, make it clear that the conduct is not being treated as student misconduct where an educative response is applied, explain what students must be told about the outcome, and emphasise that future conduct concerns may lead to formal disciplinary action. The amendments also strengthen recordkeeping requirements by requiring written records of local warnings and cautions to be provided to the Academic Registrar.

FAQs - Student Conduct Policy changes

Why is the University introducing changes to its prohibition of racism in its conduct policies?

The University is proposing amendments to its conduct policies (Student Conduct Policy and Appropriate Workplace Behaviour Policy) to strengthen and clarify its prohibition on racism, and to ensure that its policy framework aligns with recent changes to the Higher Education Standards Framework. All universities are expected to implement these changes by 1 January 2027. The proposed change provides that in deciding whether an act constitutes racism regard must be had to definitions of particular forms of racism, including antisemitism, Islamophobia and racism towards Aboriginal and Torres Strait Islander peoples. The amendments are intended to provide greater clarity about the standards of behaviour expected within the University community, support a safe, respectful and inclusive environment for students and staff, and assist in the consistent assessment and management of complaints involving racist conduct, while preserving protections for lawful freedom of speech, academic freedom and conduct undertaken reasonably and in good faith for genuine academic, artistic, scientific, religious or public interest purposes.

What is the purpose of changes relating to racism, who do they apply to?

The purpose of these proposed changes is to strengthen and clarify the University's existing prohibition on racism, expressly recognise particular forms of racism to support their consistent consideration under the policy, and align the University's conduct framework with recent amendments to the Higher Education Standards Framework.

The changes apply to members of the University community who are subject to the relevant conduct policies. For students, the amendments are being made to the Student Conduct Policy and apply to all students while on University premises, using University facilities and services, engaging in University activities and, in some circumstances, engaging in conduct outside the University. Similar changes are being made to the Appropriate Workplace Behaviour Policy, which applies to employees and other workers, including volunteers, honorary appointees and contractors.

Does this policy expand the conduct that may be the subject of disciplinary action by the University?

The Student Conduct Policy already provides that acts of racism are prohibited. These changes provide greater clarity about the types of conduct that may constitute racism, expressly recognise particular forms of racism, including antisemitism, Islamophobia and racism towards Aboriginal and Torres Strait Islander peoples, and provide guidance on how allegations of racism are to be assessed under the policies. The proposed amendments are intended to clarify and strengthen the existing policy framework rather than create a new category of prohibited conduct.

How does the Student Conduct Policy protect freedom of speech and academic freedom?

The proposed policy change has been drafted to balance the University's commitment to preventing and responding to racism with its obligations to protect human rights, including freedom of expression, freedom of thought, academic freedom and freedom of speech.

The policy provides that conduct will not constitute racism where it is engaged in reasonably and in good faith in the performance, exhibition or distribution of an artistic work, in the course of a statement, publication, discussion or debate, for a genuine academic, artistic, religious or scientific purpose, for a purpose in the public interest, or in making or publishing a fair and accurate report of a matter of public interest. These exceptions reflect long-standing protections found in Australian anti-discrimination legislation, including the *Racial Discrimination Act 1975* (Cth) and the *Equal Opportunity Act 2010* (Vic), and are intended to ensure that the policies operate consistently with principles of freedom of expression, academic freedom and freedom of speech.

Why does the policy specifically identify antisemitism, Islamophobia and racism towards Aboriginal and Torres Strait Islander peoples?

The policy identifies antisemitism, Islamophobia and racism towards Aboriginal and Torres Strait Islander peoples because these are particular forms of racism that have distinct manifestations in the current cultural context. Recognising them in the policy helps ensure that these contexts are appropriately considered when allegations of racism are assessed. The Higher Education Standards Framework Amendments relating to racism recognise that these forms of racism are manifesting in distinct ways in the higher education sector.

The inclusion of these forms of racism also reflects the University's commitment to recognising and responding to racism in its different forms.

How were the definitions of racism developed?

Racism towards Aboriginal and Torres Strait Islander peoples: This draft definition was developed by a Group of Eight working group of Deputy Vice-Chancellors (Indigenous) and colleagues.

Antisemitism: [The Universities Australia definition of antisemitism](#) was endorsed by UA's 39 members and published in February 2025, following consultation with senior leaders across the sector.

Islamophobia: The University's definition of Islamophobia was developed by an internal working group of subject matter experts and staff with lived experience. It was then refined following feedback from the Anti-Racism Action Plan Implementation Working group.

Does recognising particular forms of racism mean they are treated differently from other forms of racism?

No. The policy does not create a hierarchy of racisms or provide different standards of protection or accountability depending on the form of racism being addressed. Antisemitism, Islamophobia, racism towards Aboriginal and Torres Strait Islander peoples are all prohibited, as are all other forms of racism.

The inclusion of definitions of three particular forms of racism is intended to assist decision-makers to understand and assess alleged conduct in its context. They do not operate as separate offences or as determinative tests for whether conduct constitutes racism.

Can conduct be racist even if it does not fall within one of the particular forms of racism identified in the policy?

Yes. The policy prohibits racism. The identified forms provide examples of particular manifestations of racism and the definitions assist decision-makers in the assessment of complaints of antisemitism, Islamophobia and racism towards Aboriginal and Torres Strait Islander peoples.

How will the University determine whether conduct constitutes racism?

Allegations of racism will be assessed in accordance with the relevant conduct policy, having regard to the nature and context of the conduct and other relevant circumstance. Where relevant, decision-makers will have regard to the definitions of particular forms of racism identified in the policy.

The definitions are intended to support a consistent and informed assessment of alleged conduct, but are not determinative of whether conduct constitutes racism. The University will also take into account the protections for lawful freedom of speech, academic freedom and conduct undertaken reasonably and in good faith for genuine academic, scientific, religious or public interest purposes.

Will this change what happens when someone makes a complaint about racism?

The changes do not introduce a separate complaints process for allegations of racism. Complaints about alleged racist conduct will continue to be managed through the University's existing complaint and conduct processes under the policy. The University will continue to consider complaints on the facts of each case and determine the appropriate response in accordance with the conduct policy and associated procedures.

The Universities Australia definition of antisemitism has raised concerns that it may blur the boundaries between antisemitism and criticism of Israel. Does the inclusion of this definition in University conduct policies mean that criticism of Israel and/or its government is prohibited?

No. Criticism of Israel, its government, policies or actions is not, in itself, antisemitic, and is not prohibited by the University's conduct policies. The University recognises the importance of protecting freedom of expression, academic freedom and legitimate political debate, including discussion and criticism of the actions of states and governments.

The Universities Australia definition of antisemitism is intended to assist in identifying and assessing antisemitic conduct, including in circumstances where antisemitism may be expressed in relation to Israel. It is not intended to prohibit criticism of Israel or to treat all criticism of Israel as antisemitic.

Whether conduct constitutes antisemitism will depend on the nature and context of the conduct, having regard to the definition and the relevant circumstances. Conduct may constitute antisemitism where, for example, criticism of Israel or its government employs antisemitic stereotypes, targets Jewish people because of their Jewish identity, or otherwise manifests anti-Jewish prejudice. Conversely, criticism of Israel or its government, including criticism of its policies or actions, is not antisemitic merely because it is critical of Israel or because it concerns matters relating to the Israeli Government's actions in Gaza.

The University will continue to consider allegations of antisemitism in accordance with its conduct policies, while protecting lawful freedom of speech, academic freedom, and conduct undertaken reasonably and in good faith for genuine academic, artistic, scientific, religious or public interest purposes.

Why isn't the university expressly prohibiting antisemitism, Islamophobia and racism towards Aboriginal and Torres Strait Islander peoples as defined, rather than just making the definitions something that decision makers must have regard to?

These definitions were not developed as self-contained rules of conduct that can be applied mechanically to determine whether particular conduct is prohibited. Rather, they are tools intended to assist decision makers in identifying and understanding conduct that may involve antisemitism, Islamophobia or racism towards Aboriginal and Torres Strait Islander peoples. Whether conduct amounts to racism will depend on a range of factors, including the specific words or actions involved, the surrounding context, and any competing rights or obligations that may be engaged. For that reason, it is important that decision makers have regard to the relevant definition when assessing a matter, while also considering all of the circumstances of the particular case. Expressly prohibiting conduct solely by reference to the definitions risks treating them as rigid rules, when they were designed to provide guidance for informed decision-making.

Feedback

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