



Australian Government

Tertiary Education Quality and Standards Agency

CONSULTATION PAPER:

Statement of Regulatory Expectations: Adopting a definition of Islamophobia

September 2026

TEQSA

On 13 July 2026, the Australian Government amended the [*Higher Education Standards Framework \(Threshold Standards\) 2021*](#) to introduce new requirements relating to racism and governance. The [amendments](#) include new standards establishing obligations for registered higher education providers (providers) to prevent and respond to racism (Preventing and responding to racism 6.4). These standards apply to all providers from 1 January 2027. The standards strengthen requirements for providers to maintain safe and inclusive environments for students, staff and visitors.

The new standards relating to racism

Standard 6.4.1 requires that a provider develops and maintains a safe and inclusive environment for staff, students and visitors that prevents and responds to racism, and other discriminatory conduct including by:

- defining racism and specific forms of racism, including Islamophobia, racism towards Aboriginal and Torres Strait Islander peoples, and antisemitism (6.4.1.a)
- developing, monitoring and maintaining an institutional environment where the nature and scope of racism, marginalisation and other discriminatory conduct, including systemic, cultural and interpersonal forms, is clearly specified and understood (6.4.1.b)
- addressing the ways racism and marginalisation may manifest across the provider's institutional environments and activities (6.4.1.c)
- implementing policies, procedures, and practices including transparent complaints handling processes, that embed safe, respectful, and inclusive behaviours across all operations (6.4.1.d)
- supporting equity and diversity, enabling representation and participation in institutional planning, review, and decision-making (6.4.1.e)
- providing clear guidance to students and staff on actions that enhance safety and security on campus and online (6.4.1.f).

TEQSA's phased approach to guidance

As the independent regulator of Australia's higher education sector, the Tertiary Education Quality and Standards Agency (TEQSA) is taking a phased approach to developing guidance to support the sector in undertaking the changes to policies, processes, institutional environment, and governance that will underpin compliance with the new standards. TEQSA recognises that the new standards require a whole-of-institution approach to preventing and responding to racism, and that meaningful improvements in the safety, inclusiveness and responsiveness of higher education institutions requires proper planning, consultation, careful implementation, and continuous monitoring and improvement.

The first phase of guidance being released prior to 1 January 2027 establishes TEQSA's expectations for processes in relation to selecting and adopting a definition of antisemitism ([consultation](#) on which is now closed) and Islamophobia. TEQSA is releasing Statements of Regulatory Expectations for consultation on adopting definitions of Islamophobia and antisemitism in September 2026, with the view to releasing final versions in October 2026. TEQSA is working closely with First Nations leaders, students and staff to identify and develop guidance for the sector on adopting a definition of racism towards Aboriginal and Torres Strait Islander peoples to ensure this guidance reflects the needs of Aboriginal and Torres Strait Islander peoples and supports educational participation, attainment and respect of Aboriginal and Torres Strait Islander knowledge and culture. The timeline for release of a consultation version of this guidance will be guided by TEQSA's close collaboration with First Nations stakeholders.

The second phase of guidance will provide support and information to the sector on key focus areas that underpin the development and maintenance of a safe and inclusive environment that prevents and responds to racism and other discriminatory conduct. The guidance in the second phase will complement the first phase guidance by focussing on implementing, embedding, monitoring, and overseeing a whole-of-institution approach to preventing and responding to racism.

Intent of the Statement of Regulatory Expectations: Adopting a definition of Islamophobia

The Statement of Regulatory Expectations articulates TEQSA's expectations for the process of adopting a definition of Islamophobia, including expectations relating to:

- governance and accountability
- definition of Islamophobia
- consultation and engagement
- consideration of implementation
- monitoring, review and improvement.

Together these should support a provider's broader program of work relating to the new obligations to prevent and respond to the risks posed by racism. The expectations do not stipulate which definition of Islamophobia a provider should adopt and implement. However, TEQSA recommends that providers engage with advice released by the [Office of the Special Envoy to Combat Islamophobia](#), titled *The Challenges of Defining Islamophobia*. This includes giving consideration to the relationship between the definition of Islamophobia adopted by the provider and other closely associated forms of discrimination and harassment, such as anti-Palestinian racism and anti-Arab racism. Defining specific forms of racism relevant to a provider's community supports an institutional environment where the nature and scope of racism, marginalisation and other discriminatory conduct is clearly specified and understood (Standard 6.4.1.b).

Consultation questions

TEQSA welcomes the feedback of providers, peak bodies, staff and student representative bodies, and other stakeholders on the *Statement of Regulatory Expectations: Adopting a definition of Islamophobia*. In particular, TEQSA welcomes feedback that responds to the following topics:

1. Fostering engagement and discussion: Do the expectations outlined in the Statement of Regulatory Expectations support meaningful engagement on the process of adopting a definition of Islamophobia across a provider's community?
2. Unintended consequences: Are there any unintended consequences for research, teaching and learning, student services, workplace relations or campus life that could arise from implementing any of the recommendations?
 - a. What changes could be made to offset or prevent unintended consequences?
3. Implementation planning: Do the expectations support providers to undertake appropriate forward planning for the implementation of a definition of Islamophobia that will support a whole-of-organisation approach to addressing racism?
 - a. Are there any additional areas of consideration for implementation that should be listed?
4. Resourcing: Could the expectations impose significant resourcing, staffing or expertise challenges that might negatively impact timely implementation, particularly in smaller providers?
 - a. What solutions could address resourcing challenges associated with adopting a definition of Islamophobia?
5. Multi-campus providers and transnational education: Could the expectations pose any challenges for consistent implementation for providers with multiple campuses, and those with campuses outside Australia?

Submissions and deadline

Submissions to the consultation can be submitted to consultation@teqsa.gov.au.

Deadline for submissions: **5pm (AEDT) Monday 12 October 2026.**



Australian Government

Tertiary Education Quality and Standards Agency

DRAFT

Statement of Regulatory
Expectations: Adopting a
definition of Islamophobia
(draft for consultation)

September 2026

TEQSA

Draft for consultation

This statement sets out the Tertiary Education Quality and Standards Agency's (TEQSA) regulatory expectations of registered higher education providers to ensure they are meeting their obligations under the amended *Higher Education Standards Framework (Threshold Standards) 2021* in relation to having a definition of Islamophobia which is specific to the needs of the provider's community.

TEQSA will not require bespoke reporting in relation to the expectations set out in this document. However, TEQSA will monitor compliance with these expectations and may require individual providers to provide information on their compliance with the Threshold Standards in relation to establishing a definition of Islamophobia. This may occur due to concerns regarding a provider's compliance with the Threshold Standards, or during cyclical assessment processes such as re-registration.

Standard 6.4.1 requires that the provider develops and maintains a safe and inclusive institutional environment for staff, students and visitors that prevents and responds to racism, and other discriminatory conduct including having definitions of racism and specific forms of racism relevant to a provider's higher education operations, including racism towards Aboriginal and Torres Strait Islander peoples, antisemitism, Islamophobia and any other forms of racial discrimination and vilification which are specific to the needs of the provider's community.

This Statement of Regulatory Expectations outlines the steps that governing bodies are expected to take to ensure they have a definition of Islamophobia which is specific to the needs of the provider's community and meaningfully supports the provider to prevent and respond to Islamophobia. TEQSA's expectations do not exhaust the actions a provider may take to develop and implement a definition of Islamophobia.

The standard requiring providers to adopt and implement a definition of Islamophobia intersects with Threshold Standards relating to governance, academic freedom and student and staff wellbeing. TEQSA expects a provider's governing body and executive leadership team to consider the intersection of a definition of Islamophobia with the provider's obligations regarding Diversity and Equity (Section 2.2) and Wellbeing and Safety (Section 2.3).

Research and lived experience testimony has demonstrated that Islamophobia in higher education settings can have a serious and lasting impact on the wellbeing and safety of students and staff. Islamophobia negatively impacts the ability of domestic and international students to pursue their educational goals and can impact the careers of staff in institutions where it is not appropriately addressed. Identifying, preventing, responding to, and mitigating the harms posed by Islamophobia requires the governing body and executive leadership teams of all providers to commit to addressing Islamophobia across their operations, and to cultivate an institutional culture in which all forms of racism and discrimination are not tolerated.

TEQSA's regulatory expectations

Governance and accountability

TEQSA expects a provider's governing body to exercise competent oversight of and accountability for the process for developing, adopting and implementing a definition of Islamophobia (Section 6.1). Expectations for governance and accountability include the following:

1. The governing body approves a plan and oversees the process for developing and adopting a definition of Islamophobia
 - a. Oversight includes consideration of the implementation of the definition and processes for working through potential contradictions or conflicts between the definition and other institutional commitments, such as other definitions required by the Threshold Standards, policies relating to academic freedom, freedom of speech, codes, by-laws, statutes and rules (Standard 6.1.1).
 - b. Oversight includes consideration of appropriate resourcing for developing, adopting, implementing and monitoring the application of a definition of Islamophobia.
2. The governing body maintains detailed records of discussions, including risk analysis in relation to adopting or rejecting a particular definition and rationale behind the decision(s) and any supporting evidence or advice that led to the decision including at a minimum (Standard 6.1.3):
 - a. the feedback gathered through consultation (see *Consultation and engagement*)
 - b. advice from relevant bodies or committees on the impact proposed definitions may have on the institution's operations (Standard 6.1.3.a), and
 - c. advice from the academic governing body to understand the impact the definition may have on academic and research operations and how risks arising from different definitions may be reasonably addressed (Standard 6.3.1.d).
3. The governing body has regular oversight of the planning, consultation and implementation planning processes to ensure the process is effective, sustainable, and appropriately addresses risks to students and staff posed by Islamophobia (Standards 6.1.4, 6.2.1.f).

Definition of Islamophobia

4. The provider develops and adopts a definition of Islamophobia that is relevant to the institutional context and recognises the unique form of discrimination resulting from Islamophobia (Standard 6.4.1). Providers consider:
 - a. advice provided by Australia's Special Envoy to Combat Islamophobia in *The Challenges of Defining Islamophobia*, including consideration of:
 - i. the relationship between the definition of Islamophobia adopted by the provider and other closely associated forms of discrimination and harassment, such as anti-Palestinian racism and anti-Arab racism (Standard 6.4.1.a, 6.4.1.c)

- ii. if the definition can be effectively used to identify, mitigate and respond to the risks Islamophobia poses to Muslim women, Muslim men, groups perceived as Muslim, international students and staff, and students living in provider owned or controlled accommodation (Standard 6.4.1.a, 6.4.1.b, 6.4.1.c).
- b. whether existing definitions, such as the example definitions identified by Australia's Special Envoy to Combat Islamophobia, would fit the context and culture of the institution and the benefits for a provider's community that may come from considering the suitability of existing definitions supported by Muslim organisations whose work includes preventing and responding to Islamophobia or anti-Muslim hate (Standard 6.4.1.a)
- c. whether the definition is conduct-focused, directed to equal participation and safety, legally compatible, operationally usable and accompanied by safeguards for academic freedom, lawful expression, procedural fairness and viewpoint neutrality in institutional decision-making and complaints handling (Standards 6.4.1.b and 6.4.1.d)
- d. mechanisms to support transparency to the provider's community in adopting a definition of Islamophobia.

Consultation and engagement

TEQSA expects that all providers engage in an inclusive and responsive consultation process with their communities as part of the process of adopting and implementing a definition of Islamophobia (Standards 6.10.1 and 6.10.3). Expectations regarding consultation processes include the following:

- 5. Consultation practices:
 - a. are trauma-informed and protect participations from retraumatisation
 - b. establish a safe and inclusive environment that ensures participants are free from reprisal when expressing their views on the institution's response to Islamophobia
 - c. have breadth and diversity of participation:
 - i. TEQSA expects input is sought from across the provider's community and is not restricted solely to elected or selected staff and student representatives. Consultation processes should respect and seek input across the diversity of a provider's community.
 - d. be effective, include provisions for confidentiality, anonymity and transparency:
 - i. transparency measures should include informing consultation participants when and how information obtained through consultation would be used or disclosed
 - ii. TEQSA expects the governing body to review and consider a summary of the feedback collected throughout the consultation and for meeting records to include a summary of how the feedback was considered in the decision-making process.
- 6. Providers can coordinate and collaborate with like-institutions or peak bodies to coordinate and collaborate on consultation:
 - a. when this occurs, this process is outlined in the documentation requirements listed under expectation 1.
- 7. Providers consider the advice regarding consultation approaches outlined by Australia's Special Envoy to Combat Islamophobia in *The Challenges of Defining Islamophobia* when developing their consultation and engagement plan.

Consideration of implementation

TEQSA expects providers consider implementation when adopting a definition of Islamophobia, to ensure it supports an institutional environment that respects diversity, equity, wellbeing and safety, and in which freedom of speech and academic freedom are upheld and protected.

8. TEQSA expects that providers identify a role with appropriate authority to make judgements and resolve complex issues related to the adoption and implementation of a definition of Islamophobia across the provider's operations:
 - a. Appropriate training in the impact of Islamophobia and complex case resolution is provided to this role.
 - b. This role is clearly identified within the provider's community and processes for triaging complex issues to this role are established and communicated.
 - c. This role regularly reports to the governing body on issues arising in the implementation of the definition, the steps taken to resolve them, and the decision-making process.
9. During the process of adopting a definition of Islamophobia consideration is given to how the definition will be implemented, so that it supports timely and proportionate response to conduct that harasses, vilifies or poses a risk to the safety and wellbeing of Muslim students, staff and visitors, or individuals and groups perceived to be Muslim. Providers consider:
 - a. planning for the integration of the definition into the institution's policy framework (Standard 6.4.1.b and 6.4.1.c)
 - b. how the definition will support processes to ensure incidents of Islamophobia are identified, reported and managed effectively through grievance and complaints mechanisms (Standards 2.4.3.a, 2.4.3.b and 6.4.1.d)
 - c. training and development for relevant staff, students, members of the governing body and third-party contractors (such as security staff) on the definition of Islamophobia and its role in maintaining a safe, respectful and inclusive environment (Standards 2.2.1, 2.3.4.a and 2.3.4.b)
 - d. where relevant, training for relevant staff in provider owned or controlled student accommodation on the definition of Islamophobia and its role in maintaining a safe, respectful and inclusive environment (Standards 2.2.1, 2.3.4.a and 2.3.4.b)
 - e. feedback from the academic board, or equivalent academic governing body, on the impact of the definition of Islamophobia on teaching, research and research supervision (where applicable) within the institution (Standards 6.1.3.a and 6.3.1.d)
 - f. strategies to ensure consistent messaging from leadership regarding acceptable conduct and boundaries, in line with the definition of Islamophobia and its implementation within the provider's community (Standards 6.1.4).

Monitoring, review and improvement

TEQSA expects monitoring, review and improvement mechanisms to be embedded in the plan for adopting and implementing a definition of Islamophobia. Expectations for monitoring, review and improvement include the following:

10. The establishment of periodic review cycles that consider the effectiveness of the definition of Islamophobia to respond to evolving manifestations of Islamophobia relevant to the provider's community (Standard 6.4.1.a). Periodic reviews consider whether the definition:
 - a. is effective in supporting the safety, wellbeing and inclusion of Muslim staff, students and visitors (Standards 2.3.4.a, 2.3.4.b and 6.4.1.a)
 - b. remains responsive to the needs of the provider's community, including international students, and shifting political and cultural context in Australia or globally
 - c. allows for judgement, consistency, timeliness, proportionality and commitment to fairness, inclusion, freedom of speech and academic freedom when applied to individual incidents of Islamophobia (Standards 2.2.1, 2.3.4.a, 2.3.4.b, 2.4.3.b, and 6.1.4).

Application of this statement

This Statement of Regulatory Expectations applies to all higher education providers. TEQSA expects that all providers will actively work to demonstrate self-assurance in line with the expectations.

TEQSA's regulatory expectations are consistent with the amendments to the Threshold Standards made by the *Higher Education Standards Framework Amendment (Threshold Standards) Instrument 2026* (Threshold Standards Amendment). The relevant amendments commence from 1 January 2027.

The amendments to the Threshold Standards made by the Threshold Standards Amendment will be integrated into TEQSA's regulatory activities, including registration and re-registration assessments, and compliance activities.

As part of any regulatory activity, including re-registration or compliance assessments, TEQSA may require evidence of demonstrable progress towards compliance with the new standards.

Review

This statement will be reviewed by TEQSA no later than 31 December 2027.

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The logo for TEQSA (Tertiary Education Quality and Standards Agency) is located in the bottom left corner. It features the acronym "TEQSA" in a large, bold, white sans-serif font. Directly beneath it, the website address "teqsa.gov.au" is written in a smaller, white sans-serif font. The background of the entire image is split diagonally from the top left to the bottom right. The upper-left portion is a solid blue color, while the lower-right portion is a solid orange color.

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