Australian Government
Tertiary Education Quality and Standards Agency

Statement of Regulatory Expectations: Adopting a definition of Islamophobia

November 2026

TEQSA

This statement sets out the Tertiary Education Quality and Standards Agency's (TEQSA's) regulatory expectations of registered higher education providers to ensure they are meeting their obligations under the amended *Higher Education Standards Framework (Threshold Standards) 2021* (Threshold Standards).

Islamophobia cannot be tolerated and must be prevented and responded to in higher education settings. Research and lived experience testimony has demonstrated that Islamophobia in higher education can have a serious and lasting impact on the wellbeing and safety of students and staff. Islamophobia negatively impacts the ability of students to pursue their educational goals and can impact the careers of staff in institutions. 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 cultivating an institutional culture in which all forms of racism and discrimination are not tolerated.

Considerations when adopting a definition of Islamophobia

Standard 6.4.1 of the Threshold Standards 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. This includes having a definition of Islamophobia which is specific to the needs of the provider's community.

In adopting a definition of Islamophobia, providers should consider the advice outlined by Australia's Special Envoy to Combat Islamophobia in *The Challenges of Defining Islamophobia.*

The requirement to adopt and implement a definition of Islamophobia intersects with Threshold Standards relating to governance, academic freedom, and student and staff wellbeing. In considering the suitability of a potential definition, providers should consider the types of teaching and research undertaken and the characteristics and concerns of their community. The definition must be implemented in conjunction with the provider's policy framework. In particular, the definition should enable the provider to set expectations about what does and does not constitute racism in scholarship and conduct, and also to apply the definition in grievance, complaints and conduct policies when allegations of Islamophobia arise.

The decision to adopt a definition of Islamophobia should also consider the integration of a definition of Islamophobia with the provider's obligations for Diversity and Equity (Standard 2.2), and Wellbeing and Safety (Standard 2.3), and to protect and uphold academic freedom.

TEQSA understands that in anticipation of the 1 January 2027 implementation date, many providers have work underway to ensure compliance with Threshold Standard 6.4. Providers are not expected to repeat consultation or remake a decision to adopt a definition but should assure themselves that any definition adopted meets the expectations set out in this statement.

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 adopting and implementing a definition of Islamophobia.

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 adopting and implementing a definition of Islamophobia (Standard 6.1). Expectations for governance and accountability include the following:

1. The governing body approves a plan, relevant delegations of responsibility, resourcing and oversees the process for:
    a. the choice of a definition of Islamophobia that the provider will use to mitigate the risks posed by Islamophobia
    b. the integration of the chosen definition into the provider's processes, plans and procedures to prevent and respond to racism and other discriminatory conduct as required under Threshold Standard 6.4.
2. The governing body has oversight of processes for working through potential contradictions or conflicts between the definition and other institutional obligations, such as definitions of other forms of racism required by the Threshold Standards, policies relating to academic freedom, freedom of speech, codes, by-laws, statutes and rules (Standard 6.1.1), and any other relevant legislative requirements.
3. The governing body maintains records of its discussions and decisions, including a risk assessment in relation to adopting or rejecting a particular definition (Standard 6.2.1). That the assessment and the decision is supported by information and advice (Standard 6.1.3.a) including:
    a. the feedback gathered through the consultation process (see *Consultation and engagement*)
    b. advice from relevant committees and roles with relevant delegated responsibilities (such as student experience and human resources) on the impact proposed definitions may have on the institution's operations
    c. advice from the academic governing body to understand the impact definitions under consideration may have on academic and research operations (Standard 6.3.2)
    d. advice on implementing the definition in its policy framework, including for conduct and disciplinary decisions.

Definition of Islamophobia

4. The provider adopts a definition of Islamophobia that is:
    a. sufficiently robust and specific to identify and support a response to conduct that is Islamophobic by being:
        - conduct-focused
        - supportive of equal participation and safety
        - legally compatible
        - operationally usable
        - supportive of procedural fairness and neutrality in institutional decision-making and complaints handling (Standards 6.4.1.b and 6.4.1.d)

b. relevant to the institutional context (Standard 6.4.1)

c. compatible with the provider's requirement to protect and uphold academic freedom and freedom of speech.

5. When adopting a definition, or evaluating the efficacy of a definition already adopted, 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, are appropriate 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).

Consultation and engagement

TEQSA expects that all providers engage in a consultation process with their communities as part of the process of adopting and implementing a definition of Islamophobia. Consultation processes should have regard to the following:

6. Consultation practices:

   a. are trauma-informed and endeavour to protect participants from re-traumatisation

   b. protect participants from reprisal when expressing their views on the institution's response to Islamophobia

   c. support diverse participation from across the provider's community

   d. include provisions for confidentiality and transparency

      i. transparency measures should include informing consultation participants when and how information obtained through consultation would be used or disclosed

   e. are appropriately documented to support governing body decision-making as outlined under expectation 3a.

7. The provider may work 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 3a.

8. The provider may run consultation on Islamophobia within a broader consultation process relating to racism, so long as there are targeted opportunities for Muslim staff and students to contribute and that Islamophobia is specifically addressed in the consultation.

Consideration of implementation

Consideration of implementation includes that the corporate and academic governing bodies, and the senior leadership team anticipate dealing with complex complaints and instances of alleged racism.

9. The governing body identifies a senior executive role with appropriate delegated accountability for implementation of Standard 6.4.1. This can be an existing role, which has relevant responsibilities within the current governance structure.
10. A program of work will be needed over time, to effectively prevent and respond to racism. This will likely include training, setting expectations for academic freedom in scholarship while preventing and responding to racism, considering how to develop an organisational culture in which racism is not tolerated.

    While this broader work will take time to develop and embed, early priority must be given to ensuring the definition of Islamophobia can be effectively applied to responding to instances or allegations of Islamophobia.
11. Responsibility for investigating and making decisions on allegations of Islamophobia can be delegated to a person or committee with appropriate expertise and capabilities. Consideration should be given to:
    a. appropriate training in the impact of Islamophobia and complex case resolution
    b. appropriate training in trauma-informed management of complaints
    c. adequate resourcing, including to engage independent or external advice when required to resolve complex matters
    d. regularly reporting to the governing body on issues arising in the implementation, the steps taken to resolve them, and the decision-making process.
12. The provider should consider the following areas of implementation in developing and maintaining an inclusive institutional environment that prevents and responds to racism:
    a. planning for the integration of the definition of Islamophobia into the institution's policy framework (Standard 6.4.1.b, 6.4.1.c)
    b. how the definition will support processes to ensure conduct that may be Islamophobic is identified, reported and managed effectively through student grievance and complaints mechanisms (Standards 2.4.3.a and b, 6.4.1.d)
        i. providers should consider the advice, *Handling racism complaints*, released by the National Student Ombudsman when implementing the definition in student grievance and complaints mechanisms
    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 and 2.3.4).

Monitoring, review and improvement

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

13. The provider establishes 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 (Standards 6.4.1.a). Periodic reviews consider whether the definition:
    a. is effective in identifying and supporting a response to conduct that is Islamophobic
    b. is subject to change or updates in recommendations about its use
    c. supports the safety, wellbeing and inclusion of Muslim staff, students and visitors (Standards 2.3.4 and 6.1.4)
    d. remains responsive to the needs of the provider's community and shifting contexts and triggers for racism in Australia or globally
    e. can be applied within the provider's policy framework consistently and fairly, taking into account obligations for freedom of speech and academic freedom, when applied to individual incidents of Islamophobia (Standards 2.2.1, 2.3.4, 2.4.3.b, and 6.1.4).

Application of this statement

This Statement of Regulatory Expectations applies to all providers.

It recognises that an effective response to prevent and respond to racism will need to include a definition of Islamophobia that is meaningfully and systematically implemented into the provider's policies and processes, including into complaints processes. Furthermore, it makes clear the expectation that governing bodies are ultimately responsible for ensuring effective implementation and embedding of responses.

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 will be integrated into TEQSA's regulatory activities, including registration and re-registration processes, and compliance activities.

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

Review

This statement will be reviewed by TEQSA no later than 30 June 2028.

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