

ACADEMIC PATHWAY PROGRAMS ACADEMIC MISCONDUCT POLICY

SECTION 1 - PURPOSE AND SCOPE

- (1) This policy outlines the principles that underpin the approach of the College to academic misconduct. It also sets out the procedures to be followed by staff in considering applications for academic misconduct and the procedures to be followed by students.
- (2) The policy is a key component of the College's approach to Ethical Scholarship, which is student focussed and aims to integrate all areas of the student experience that impinge on ethical scholarship. They include the educational aspects of studying ethically, learning the ethical requirements of the professions that students aim to enter, as well as understanding the policies that govern ethical behaviour.
- (3) The policy applies to all alleged incidents of academic misconduct including but not limited to all University Foundation Studies, all Diploma/UWSC Bachelor First Year programs and all Associate Degree programs.
- (4) The policy only applies to alleged or proven academic misconduct, as defined in the policy. Other types of misconduct or misbehaviour will be dealt with by the College in accordance with the College Student Non-Academic Misconduct Policy.

SECTION 2 - DEFINITIONS

For the purpose of this policy "Academic Misconduct" includes, but is not limited to:

- (5) "Cheating" which includes, but is not limited to:
 - a. dishonest or attempted dishonest conduct during an examination, such as speaking to other candidates or otherwise communicating with them;
 - b. bringing into the examination room any textbook, notebook, memorandum, other written material or mechanical or electronic device (including undeclared and switched on mobile phones), or any other item, not authorised by the examiner;
 - c. writing an examination or part of it, or consulting any person or materials outside the confines of the examination room, without permission to do so;

- d. leaving answer papers exposed to view, or persistent attempts to read other students' examination papers; or
 - e. cheating in take-home examinations, which includes, but is not limited to:
 - i. making available notes, papers or answers in connection with the examination (in whatever form) to others without the permission of the relevant lecturer;
 - ii. receiving answers, notes or papers in connection with the examination (in whatever form) from another student, or another source, without the permission of the relevant academic staff ; and
 - iii. unauthorised collaboration with another person or student in the formulation of an assessable component of work.
 - f. coercion where one student(s) may make inappropriate requests to another student(s) to provide work they have done or answers to assessment tasks or examination questions. This may also amount to a breach of the Non-Academic Misconduct Policy of the College.
- (6) "Plagiarism" occurs in a student's work when he or she submits work in which ideas, words or other work are taken from a source (for example, a web-site or computer program, another student's essay or presentation, a book or journal article, a lecture, a performance piece or other presentation) and presented as if they are the student's own, without appropriate acknowledgement of the original author. In this definition of plagiarism, it is the act of presenting material as one's own without appropriate acknowledgement that constitutes plagiarism, not the intention of the student when doing so. Most commonly, plagiarism exists when:
- a. the work submitted or presented was done, in whole or in part, by an individual other than the one submitting or presenting the work; or
 - b. parts of the work are taken from another source without reference to the original author; or
 - c. the whole work, such as an essay, is copied from another source such as a website or another student's essay; or
 - d. resubmission of the student's own work in a subsequent unit or term, that has previously been submitted. In some limited circumstances, the person responsible for a unit may allow students to resubmit work from a previous term of study in a failed unit, where that student is repeating the unit.
- (7) "Collusion" occurs when two or more students, or a student and any other person(s), act together to cheat, plagiarise or engage in academic misconduct, or incite others to do so.
- (8) Other academic misconduct includes, but is not limited to:
- a. tampering or attempts to tamper with examination scripts, class work, grades or class records;
 - b. failure to abide by directions of an academic member of staff regarding the individuality of work to be handed in;

- c. acquisition, attempted acquisition, possession, or distribution of examination materials or information without the authorisation of the academic member of staff;
- d. impersonation of another student in an examination or other class assignment;
- e. falsification or fabrication of clinical, practical or laboratory reports; or
- f. non-authorised use of tape recording of lectures.

(9) Other definitions

- a. "Student" - means all persons taking any courses in the Academic Pathway Programs at the College.
- b. "Working Day" - means any day that is not a Saturday or a Sunday or a public holiday or a College shutdown day.
- c. "College Academic Misconduct Committee" - consists of three Program Delivery/Curriculum Coordinators.
- d. "College Academic Misconduct Appeals Committee" - consists of at least one Teaching and Learning Manager or above and two other Program Delivery/Curriculum Coordinators. The Program Delivery/Curriculum Coordinators should be different to the previous committee.
- e. "College" - means **UWSC**College Pty. Ltd.

(10) The terms "Lesser Academic Misconduct", "Minor Academic Misconduct" and "Substantial Academic Misconduct" in the policy indicate the College's view of the gravity of the impact of the alleged breach of the policy. College staff applying this policy will determine what constitutes lesser, minor or substantial misconduct, according to the following definitions.

- a. "Lesser Academic Misconduct" - may be defined as, but not limited to, plagiarism or collusion that has been discovered in a small proportion only of a given assessment task in the first term of study of a student at the College. It is judged to be the result of the student's lack of understanding of appropriate referencing or other academic conventions required by the College. It is to be identified as a mechanism to prevent any future incidents of academic misconduct.
- b. "Minor Academic Misconduct" - may be defined as but not limited to, plagiarism, collusion or cheating which may occur in the first term of study at the College or it may be plagiarism in a student's second term of study. It may be in the first term of study and involve a large portion of the entire assessment task or in a subsequent term of study and only involve a small proportion of the entire assessment task. It is judged to be a minimal threat to the integrity of the assessment task in which it occurred.
- c. "Substantial Academic Misconduct" - is judged by the College to be a significant threat to the integrity of the College's assessment processes. It could also involve behaviour where the student's level of experience might reasonably be interpreted as evidence that the student was aware that the behaviour was not in keeping with standards or practices related to Ethical Scholarship allegations of Substantial Academic Misconduct which can include but are not limited to:
 - i. allegations of academic misconduct in the formal examination period;

- ii. an incident of academic misconduct in a second or third term of study;
- iii. any incident involving collusion;
- iv. cheating in an assessment task;
- v. coercion;
- vi. use of another person's work without their knowledge or permission; and/or
- vii. an assessment task where a clear majority of the task has some element of academic misconduct in evidence.

SECTION 3 - POLICY STATEMENTS

Part A - Objectives

- (11) The College expects students to avoid any action or behaviour that may give them an academic advantage to which they are not entitled or which will bring the College's academic processes into disrepute. The College undertakes the responsibility to ensure that students are made aware of accepted academic conventions in their field/s of study and the consequences of failing to follow these conventions. It is the responsibility of students to learn the academic conventions appropriate to their field, including acknowledgement of the intellectual property of others and to become familiar with the policies and procedures regarding all forms of academic misconduct.
- (12) The College is committed to academic integrity and good scholarship and supports the rights of a scholar's ownership of their ideas and research - their intellectual property. The authors who have developed knowledge and research deserve the right to have their work acknowledged. Failure to give due acknowledgement is the equivalent of stealing.
- (13) Any member of the Academic Pathway Programs teaching or invigilating staff who have reason to believe that a student has acted in a manner that constitutes academic misconduct, according to the College's definition, is to complete the appropriate form and report the incident to their Coordinator according to the appropriate procedures listed in Part D. The allegations will be investigated under the procedures described in this section and if found substantiated, penalties may be imposed.

Part B - Responsibilities of Staff

- (14) The Academic Pathway Programs (APP) of the College has the responsibility to:
 - a. ensure APP staff are aware of the College's policies and procedures regarding academic misconduct and plagiarism;
 - b. provide training for academic staff regarding the detection of plagiarism and other academic misconduct, and appropriate ways to deal with academic misconduct;
 - c. inform students of the College's policies and procedures regarding academic misconduct and plagiarism regardless of the student's stage of study;

- d. provide an opportunity for students to demonstrate that they are capable of producing the work that they have submitted, if a question arises concerning the authorship of a submitted task;
- e. provide instructions for students on how to avoid plagiarism and collusion and how to provide appropriate acknowledgement of academic sources; and
- f. ensure all investigations of alleged academic misconduct by students are to be conducted with close regard for procedural fairness. The processes prescribed in this policy for the hearing of allegations provide students with opportunities to respond to allegations and, on specified grounds, to appeal disciplinary decisions.

Part C - Responsibilities and Rights of Students

(15) Students have the responsibility to:

- a. read, understand and respect the College's policies and procedures regarding plagiarism, collusion, cheating and other forms of academic misconduct;
- b. acquire the knowledge and skills to ensure that they are able to use the appropriate academic conventions in their field of study;
- c. ensure they give due acknowledgement in work presented for assessment to any research and ideas obtained from others; and
- d. avoid any action or behaviour that may give them an academic advantage to which they are not entitled or which will bring the College's academic processes into disrepute.

(16) Students have the right to:

- a. be made aware of the College's policies and procedures regarding academic misconduct and the penalties that will be imposed for proven academic misconduct;
- b. be made aware of the appropriate academic conventions in their field of study; and
- c. respond to allegations of plagiarism, cheating, collusion and other academic misconduct.

Part D - Responsibility and Consideration of Managing Academic Misconduct

Lesser Academic Misconduct

- (17) Alleged academic misconduct of a Lesser nature will be managed by the teacher(s) of a unit.
- (18) A single teacher of a unit may confer with the person responsible for the unit, or if there are multiple teachers on a unit, may confer with another teacher on the unit.
- (19) Teachers may impose a penalty that falls within the criterion and standards based assessment rubric for the assessment task.

- (20) The teacher has a responsibility to discuss the academic misconduct with either an individual student or a group of students who may all have engaged in Lesser Academic Misconduct on the same task.
- (21) A Lesser Academic Misconduct form should be completed, with the penalty explained. This is to be forwarded to the Program Delivery Coordinator who will forward the form to Adminapp@uws.ed.au.
- (22) If the student is not satisfied with the outcome they can appeal to the Program Delivery Coordinator or Curriculum Coordinator (as appropriate).

Minor Academic Misconduct

- (23) Alleged Minor Academic Misconduct shall be managed by the relevant Program Delivery Coordinator responsible for the course in which the student is enrolled.
- (24) The Program Delivery Coordinator, in consultation with the teacher having reached a decision, may impose a penalty. The Program Delivery Coordinator will complete the Minor Academic Misconduct form and arrange to meet the student. The form will be used as the basis for the meeting with the student. One or more of the following penalties may be imposed:
 - a. a warning/reprimand given and no further action taken;
 - b. a requirement that the student meet and apologise formally to the aggrieved party(ies);
 - c. a requirement that the student resubmit an item of work in which misconduct has been detected, after he or she has edited or totally rewritten it, as appropriate, so that it meets the required academic standards; this resubmitted task may or may not receive all the marks allocated to the submitted work;
 - d. a request that the student completes a new assessment task (other than a formal examination) where misconduct has been detected in the originally submitted work; this resubmitted task may or may not receive all the marks allocated to the submitted work;
 - e. a request that the student attends a workshop on preventing academic misconduct;
 - f. a penalty which reduces the mark for an item of assessment;
 - g. a penalty which reduces the mark for that assessment task to zero; or
 - h. any combination of the above.
- (25) Where appropriate, students will also be encouraged to seek advice or attend a workshop on academic misconduct.
- (26) If a student does not agree that the allegation of academic misconduct is correct or that the penalty imposed is not fair, then such a student would have a right to appeal the decision of the Program Delivery Coordinator. This appeal would be lodged with an Academic Misconduct Appeal Form and would be submitted to the College Academic Misconduct Committee.
- (27) All committee meetings and meetings with students to discuss allegations of academic misconduct will be conducted with the principal object of impartially and fairly investigating

the facts surrounding the allegation. Proceedings will be informal. A student invited to attend a meeting with their Program Delivery Coordinator to respond to an allegation may be assisted by a fellow enrolled student, a member of the College's staff, such as one of their teachers or a Student Advisor. The support person may provide the student with advice, but may not act as an advocate, nor make direct comment in the meeting, unless given permission to do so by the convenor of the meeting.

Substantial Academic Misconduct

- (28) The College Academic Misconduct Committee shall consider allegations of Substantial Academic Misconduct where:
- a. there has been previous instance(s) of proven academic misconduct by the student;
 - b. the allegation is considered by the Program Delivery Coordinator to be substantial and requires referral to the College Academic Misconduct Committee.

The Program Delivery Coordinator should complete the Substantial Academic Misconduct Form.

- (29) The Program Delivery Coordinator will organise an interview with the student. The outcome of the interview will be documented on the Substantial Academic Misconduct form and will be submitted to Adminapp@uws.edu.au. The responsible administrative assistant will convene a College Academic Misconduct Committee.
- (30) The College Academic Misconduct Committee having reached a decision on Substantial Academic Misconduct may impose a penalty and document the same on the form. One or more of the following penalties may be imposed:
- a. a warning/reprimand given and no further action taken;
 - b. a requirement that the student meet and apologise formally to the aggrieved party(ies);
 - c. a requirement for the student to resubmit an item of work in which misconduct has been detected, after he or she has edited or totally rewritten it, as appropriate, so that it meets the required academic standards; this resubmitted task may receive a maximum of fifty per cent of the total possible marks allocated to the submitted work;
 - d. a request that the student to complete a new assessment task (other than a formal examination) where misconduct has been detected in the originally submitted work; this resubmitted task may receive a maximum of fifty per cent of the possible marks allocated to the submitted work;
 - e. a request that the student attends a workshop on preventing academic misconduct;
 - f. a penalty which reduces the mark for the item of assessment;
 - g. a penalty which reduces the mark for the item of assessment to zero;
 - h. a penalty which reduces a final grade in a unit;
 - i. the imposition of a fail grade in a unit or units;

- j. in the most serious of cases, a requirement that the student may be subject to suspension of enrolment. This would be only undertaken under advisement from UWS and in accordance with UWS policies. This would only be considered in situations where the student accused of Substantial Academic Misconduct posed some risk to other students or staff of the Academic Pathway Programs at the College.
- (31) After the College Academic Misconduct Committee meeting, the form will be returned to the relevant administrative assistant who will email the form to the student and copy the same to a confidential TRIM record.
- (32) A student may appeal to the College Academic Misconduct Appeals Committee (using the Appeal Against Academic Misconduct Decision Form) against determinations made in relation to Substantial Academic Misconduct on either one or more of the following grounds:
- a. the student does not agree that the allegation is correct and appeals;
 - b. the student does not accept the penalty imposed by the College Academic Misconduct Committee;
 - c. evidence exists that a determination made by the College Academic Misconduct Committee was made in breach of procedural fairness; or
 - d. substantial new evidence relating to the original act of misconduct that was not previously available has become evident.
- (33) Non-receipt of correspondence from the College will not be accepted as grounds for appeal if the student has not ensured that the College is in receipt of accurate and current contact details.

Part E - Timeframes

- (34) Whilst allegations of academic misconduct are to be considered by the College with due diligence and expedition, the timeframes may be affected by a number of factors including availability of the College Academic Misconduct Committee members.
- (35) The College will endeavour to consult with a student within two weeks of an alleged breach of academic misconduct being observed.
- (36) The College will endeavour to finalise any matters of academic misconduct in one term and prior to the start of the next term.

Part F - Confidentiality

- (37) All matters relating to academic misconduct including any “sensitive” or personal information presented shall be treated in confidence by those involved in any academic misconduct matter. All academic misconduct forms, appeal forms and evidence will be ‘Trimmed’ into a confidential TRIM portal.

SECTION 4 - PROCEDURES

- (38) The Dean or nominee has approved the use of the following procedures, work instructions, forms and other documents for the application of this policy:
- a. Procedures Relating to APP Academic Misconduct Policy
 - b. Academic Misconduct Summary

SECTION 5 - GUIDELINES AND REFERENCES

Related Legislation/Policies/Procedures

Forms

- a. Lesser Academic Misconduct Form
- b. Minor Academic Misconduct Form
- c. Substantial Academic Misconduct Form
- d. Appeal Against Academic Misconduct Decision Form

ACADEMIC PATHWAY PROGRAMS ACADEMIC MISCONDUCT POLICY

STATUS AND DETAILS

Status:	Current		
Version:	5		
Effective Date:	12 November 2013		
Review Date:	12 November 2016		
Approval Authority Policy:	UWS College Academic Committee		
Endorsed by:	UWS College Academic Management Committee		
Approval Date:	10 December 2013		
Expired Date:	N/A		
Unit Responsible:	Academic Pathway Programs		
Enquiries Contact:	Leanne Yard P: 9852 4473 E: l.yard@uws.edu.au		
Available On:	Intranet only	<input type="checkbox"/>	Intranet / Internet <input checked="" type="checkbox"/>

Summary of Changes from Previous Version