

# ACADEMIC MISCONDUCT POLICY

APPROVALS AND REVIEW	
Policy Title	Academic Misconduct Policy
Policy Owner:	Dean of Studies
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Superseded documents	Academic Misconduct Policy PO/ACAD/02/11
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<b>Endorsed by Academic Board</b>	<b>5 November 2015</b>

## POLICY INTENT

All students enrolled in INSEARCH courses, including those delivered by offshore third party providers, are expected to maintain high standards of academic honesty and integrity as a condition of enrolment. Penalties will be imposed on any student who seeks to gain advantage through academic misconduct. The purpose of this policy is to set out in clear terms what constitutes academic misconduct, the processes by which

which may be imposed as a result of a finding of academic misconduct.

The penalty provisions contained in this policy are necessary for the purpose of deterring students from engaging in academic misconduct, and for dealing appropriately with students who are found to have acted inappropriately.

Nothing in this policy precludes INSEARCH and its offshore third party providers from initiating civil or criminal proceedings against a student or former student in respect of misconduct.

## SCOPE

This policy applies to all students enrolled in INSEARCH courses, including those delivered by offshore third party providers, and in respect of misconduct by a person who was a student at the time of the misconduct, whether or not the person is currently enrolled.

The policy applies to all assessment events and tasks excluding formal examinations in Foundation Studies and Diploma courses. These are covered by the Non-Academic Misconduct Policy. English Language examinations are within the scope of this policy.

The INSEARCH Assessment Policy specifies conduct expected of students in formal and informal examinations and in assessments.

## DEFINITIONS

### **Academic misconduct**

Attempts by students to cheat, plagiarise or otherwise act dishonestly in undertaking an assessment task, or assisting other students to do so which includes but is not limited to:

- (1)
  - a) cheating or acting dishonestly in any way
  - b) assisting any other student to cheat or act dishonestly in any way
  - c) seeking assistance from others in order to cheat or act dishonestly
  - d) attempting to do (a) or (b) or (c) in an examination, test, assignment, essay or any other assessment task under the supervision of INSEARCH that a student undertakes as part of the educational requirements of the course or level in which the student is enrolled.
- (2) using, or attempting to use, any material or equipment that is not specified on an examination paper for use in an informal examination.
- (3) plagiarising, i.e. Intentionally (or on occasions unintentionally) taking and using someone else's ideas or manner of expressing them and passing them off as his or her own by failing to give appropriate acknowledgement of the source.
- (4) contravening any provision of the INSEARCH policy and procedure relating to dealing with student academic conduct.
- (5) acting in contravention of any official statement that defines acceptable academic practice as approved by the INSEARCH Board or INSEARCH Academic Board from time to time.
- (6) engaging in any other improper academic conduct as deemed by the Dean of Studies.

ACON1-5

These refer to the levels of Penalty. See section 4.2 for details

Formal Examinations

Examinations administered by Operations for Foundation Studies and Diplomas. These are covered by the Non Academic Misconduct Policy.

ELT Examinations

English Language term tests administered by English Language Level Coordinators.

Informal Examinations

Exams held in normal class time

Minor and Major Misconduct

Minor - minimal threat to the integrity of assessment processes; result of a student's lack of understanding of referencing;

Major - four factors are considered in determining the seriousness of an act of academic misconduct: the type; the extent; the intent and the experience of the student. A student's second and/or subsequent case of alleged misconduct will fall in this category

Plagiarism	Taking and using someone else's ideas or manner of expressing them and passing them off as his or her own by failing to give appropriate acknowledgement of the source.
Student Conduct Committee	Has oversight of the investigations into alleged acts of misconduct and reporting requirements to the INSEARCH Academic Board. The Student Conduct Committee is made up of INSEARCH Education Managers or offshore equivalents.

## **POLICY PRINCIPLES**

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1. All investigations of alleged academic misconduct by students are to be conducted with close regard for procedural fairness.
2. Students must be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry of the Student Conduct Committee (or delegate) to have so behaved.
3. All meetings to hear allegations of academic misconduct will be conducted with impartiality and fair investigation of the facts surrounding the allegation, in accordance with the principles of natural justice.
4. INSEARCH regards student misconduct as a confidential matter. Staff involved in the student misconduct process must not divulge to any unauthorised person any information related to any allegations against an individual student.
5. All students must have an opportunity to seek advice regarding an allegation of academic misconduct
6. All students must be provided with opportunities to learn about and understand academic integrity and what constitutes academic misconduct.

## **POLICY STATEMENTS**

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### **1. ALLEGATIONS OF ACADEMIC MISCONDUCT**

- 1.1 A student who seeks to gain unfair advantage by copying another person's work, or in any way misleading a member of academic staff about their knowledge, ability, or the amount of original work they have done will be found to have engaged in academic misconduct.
- 1.2 Reporting allegations of academic misconduct  
INSEARCH teachers report acts of alleged misconduct to the Student Conduct Committee
- 1.3 Clear understanding of the allegation  
Before any conclusion is reached in an inquiry into alleged misconduct by a student, the student must be given:
  - a) the precise terms of and any reasons for the allegation

- b) an outline or summary of all details intended to be given to the inquiry body
- c) access to or a copy of documentation intended to be given to the inquiry body
- d) an opportunity to address all the information supplied
- e) adequate time to prepare for the inquiry and to deal with the information provided; what is adequate depends upon the nature of the matter and the volume and complexity of the information.

#### 1.4 Admission of Academic Misconduct

A student may admit an act of misconduct (in writing) at any time. When a student admits both the occurrence and the substance of an act of misconduct any enquiry being undertaken by the relevant officer of INSEARCH in relation to that act of misconduct will cease. The student will be afforded the opportunity to seek independent advise.

1.5 All students must be provided with opportunities to learn about and understand academic integrity and what constitutes academic misconduct.

## **2. INVESTIGATION OF MISCONDUCT IN ASSESSMENT OTHER THAN FORMAL EXAMINATIONS**

### 2.1 Minor First Offence

A student's first allegation of academic misconduct, if minor, will be investigated by the relevant Program Manager (or ELT DoS for ELT cases) and another education manager under delegation of the Student Conduct Committee

Penalties are restricted to ACON1. ACON2 and ACON 3.

### 2.2 Major Offence

A serious case of academic misconduct or a student's second or subsequent allegation of academic misconduct will be investigated by the Associate Dean of Studies and either a program manager or DOS under delegation of the Student Conduct Committee. For offshore third party providers, the relevant senior Education Manager undertakes the responsibilities of the INSEARCH Associate Dean of Studies.

### 2.3 Failure to Respond

If the student fails to respond within 7 days to reasonable attempts to communicate by the Student Conduct Committee (or delegate) or does not provide the Student Conduct Committee with acceptable reasons for not attending a hearing, the Student Conduct Committee (or delegate) will make its own determination as to whether it will adjourn or proceed in the absence of the student.

### 2.4 Appeal Against Findings

The student is free to appeal to the Associate Dean of Studies in minor cases or to the Dean of Studies in major cases against the process and/or merit with respect to the original inquiry and/or against the severity of the penalty imposed. Offshore third party providers will nominate their own Education Managers to take on the roles under the appeal provisions of this policy.

### **3. INVESTIGATION OF MISCONDUCT IN FORMAL EXAMINATIONS**

#### 3.1 Misconduct in Formal Examinations

Allegations of misconduct in formal examinations against a student will be treated as non-academic misconduct and as such be investigated by the Chief Operating Officer, or offshore equivalent, as stipulated in the Non-Academic Misconduct Policy

### **4. PENALTIES**

#### 4.1 Imposing Penalties

4.1.1 The Student Conduct Committee (or delegate) will determine the penalty or penalties in accordance with this policy.

4.1.2 Matters that may be taken into account when imposing a penalty are:

- a) the nature and seriousness of the misconduct
- b) a student's previous record of misconduct
- c) previous penalties imposed for misconduct
- d) whether a student has admitted an alleged act of misconduct, and/or
- e) whether a student came forward on the student's own initiative and admitted an act of misconduct.

4.1.3 Each case is dealt with on its own merits and according to its own circumstances with the proviso that the second instance of misconduct will normally be penalised more severely than previous instances of misconduct and a student's third offence will normally result in exclusion (ACON5).

#### 4.2 Levels of Penalty:

- ACON1: a reprimand or warning will be imposed where there is no clear evidence of intention to commit academic misconduct and where no unfair advantage has been obtained
- ACON2: a reduction in grades for a minor infringement where there is indication of intentionality but where the unfair advantage is negligible or only minor in degree
- ACON3: a fail grade for the assessment where there is clear intentionality and clear potential for obtaining unfair advantage (even if unfair advantage has not been obtained)
- ACON4: a fail grade for the subject or level where there is a prior history of academic misconduct and/or in the Student Conduct Committee's determination the misconduct warrants such a penalty.
- ACON5: exclusion from INSEARCH where there is a prior history of academic misconduct and/or the academic misconduct of such seriousness it warrants exclusion.

4.3 Decision of the Student Conduct Committee the penalty determined will be recorded on the student's file and the student will be notified by email of the imposition of the penalty within 7 days.

The student must be given the reasons for the decision and/or recommendation at the time it is made known to the student.

## **5. STUDENT RIGHTS**

5.1.1 All students who are the subject of recommendations or decisions in respect of allegations of misconduct are entitled to be treated fairly and with dignity.

5.1.2 All students are entitled to be regarded as not having behaved in an alleged manner until and unless they admit that behaviour or a fair and proper inquiry leads to a reasonable conclusion that they have so behaved.

5.1.3 Knowledge that a student has behaved in a particular way in the past is not evidence that the student has behaved in the same manner again. Such knowledge may be evidence that the person is aware that the behaviour is an act of misconduct (or it may be relevant to the level of penalty).

5.1.4 Each case must be dealt with on its own terms and merits and in accordance with its own circumstances.

### **5.2 Access to Advice**

All students must have an opportunity to seek advice; in some circumstances it may be appropriate for INSEARCH to make arrangements for advice to be given where there may be a need for translating and/or interpreting services to be provided.

## **6. REPORTING MATTERS RELATED TO STUDENT ACADEMIC MISCONDUCT**

6.1 Foundation Studies and Diploma courses onshore: The Student Conduct Committee will provide a written report to the Academic Board on the recommendations and actions taken during the semester in relation to student academic misconduct and any trends or patterns across the programs

6.2 Foundation Studies and Diploma courses offshore: The Student Conduct Committee will provide a written report to the relevant offshore Management Committee on the recommendations and actions taken during the semester in relation to student academic misconduct and any trends or patterns across the programs. This will be included in reports to the INSEARCH Academic Board.

6.3 English Language programs: The Student Conduct Committee will provide a written report to the English BOS on the recommendations and actions taken during the period in relation to student academic misconduct.

## **ROLES AND RESPONSIBILITIES**

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Dean of Studies responsible for oversight of Student Conduct Committee, appeals against findings of major misconduct cases

Student Conduct Committee consists of the program managers and the ELT Director of Studies, or offshore equivalents, responsible for implementing this policy, analysing trend data and reporting to the Academic Board or Offshore Management Committee

Associate Dean of Studies (or offshore equivalent) responsible for investigating the alleged major misconduct to determine whether the misconduct has been proven and whether a penalty will be imposed, appeals against findings of minor misconduct cases

Director of Studies (DOS) responsible for investigating the alleged misconduct to determine whether the misconduct has been proven and whether a penalty will be imposed

ELT coordinator responsible for investigation of alleged acts of minor misconduct

Executive Assistant Education (or offshore equivalent) responsible for informing the students of their rights and responsibilities in regards to alleged misconduct recording results onto Student One and conveying the decisions of the Student Conduct Committee

Program Managers (or offshore equivalent) responsible for investigating the alleged misconduct to determine whether the misconduct has been proven and whether a penalty will be imposed

Teachers/Subject Coordinators responsible for reporting acts of alleged misconduct and recording results on PAN2

Registrar responsible for withholding completion of award if misconduct being investigated

Chief Operating Officer responsible for investigating the alleged misconduct in formal examinations to determine whether the misconduct has been proven and whether a penalty will be imposed

## **SUPPORTING DOCUMENTS**

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*Non-Academic Misconduct Policy*  
Assessment Policy  
Academic Misconduct Procedure  
Student Conduct Committee Terms of Reference

## VERSION CONTROL AND CHANGE HISTORY

Date  
Version  
Approved by and resolution no.  
Amendment

24.11.11  
PO/ACAD/02/11  
Academic Board

28.8.14  
PO/EDUC/V1/09/14  
Academic Board

Signature:

A handwritten signature in dark ink, appearing to read 'Rosie Wickert', with a stylized flourish at the end.

Name:

Dr Rosie Wickert, Chair of Academic Board

Date: 5 Nov 2015