

# Student Academic Misconduct Policy

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Description	This policy sets out the principles and procedures for dealing with academic misconduct in relation to students enrolled in non-award, undergraduate and coursework postgraduate programs. This policy recognises that the seriousness of academic misconduct varies, and sets out a two-tiered approach to dealing with academic misconduct depending on the seriousness of the conduct as specified in the Institutional Framework for Promoting Academic Integrity among Students, which should be considered in conjunction with this policy. The Staff Guidelines on Decision-Making also complement this policy.

#### **Related documents**

Assessment Policy
Assessment Procedure for Staff
Assessment Procedure for Students
Institutional Framework for Promoting Academic Integrity among Students

The Responsible Conduct of Research

Guidelines for Undertaking a Dissertation in Bachelor (Honours), Graduate Diploma and Masters Degree Programs

Student Review and Appeals Policy Student Review and Appeals Procedures

Staff Guidelines on Decision-Making in Student Cases

Review of Decision Form

Academic Transcripts

Student Administration Policy

Readmission After Exclusion Form

Role Statement Course Convenor

Student Charter

Student Communication Policy

Student Communication Policy Schedule A: SMS for Current Student Guidelines

File Note Template

Student Academic Integrity Website

Queensland Ombudsman

[Definition of Student Academic Misconduct] [Roles and Responsibilities] [Principles for dealing with Student Academic Misconduct] [Seriousness of Academic Misconduct] [Decision Makers] [Student Academic Misconduct Process] [Confidentiality and Procedural Fairness] [Consequences and Outcomes] [Recording of Penalties on Academic Transcripts] [Appeals] [Readmission]

# 1. DEFINITION OF STUDENT ACADEMIC MISCONDUCT

Student academic misconduct encompasses all behaviour:

- involving the misrepresentation of academic achievement; or
- undermining the core values (honesty, trust, fairness, respect and responsibility) of academic integrity; or
- breaching academic integrity;

whether intentional or unintentional. Student academic misconduct includes doing as well as attempting to do any of the acts, omissions or things that constitute academic misconduct.

Student academic misconduct is defined in the Institutional Framework for Promoting Academic Integrity among Students.

The University regards student academic misconduct as unacceptable, because it undermines the core values of academic integrity (honesty, trust, fairness, respect and responsibility), and as a result is liable to be dealt with under this policy by way of an Educational Response and/or a Penalty (refer 8.0 below).

# 2. ROLES AND RESPONSIBILITIES

The following have a role in dealing with a concern of academic misconduct:

- Student Academic Integrity Coordinator
- Head of School
- Program-based Support
- Course Convenor
- Dean (Learning and Teaching).

The responsibilities of these roles in dealing with misconduct are set out in the Institutional Framework for Promoting Academic Integrity among Students.

# 3. PRINCIPLES FOR DEALING WITH STUDENT ACADEMIC MISCONDUCT

The University has a two tiered response for dealing with instances of student academic misconduct, based on the seriousness of the academic misconduct (refer 4.0 below) and whether the student has a history of academic misconduct.

# 4. SERIOUSNESS OF ACADEMIC MISCONDUCT

Five factors are considered in determining the seriousness of an act of academic misconduct:

- the type of misconduct
- the extent of the misconduct
- the experience of the student
- the intent of the student
- the impact of the misconduct

Cases of academic misconduct are classified into two tiers - Tier 1 (less serious) and Tier 2 (more serious)

For guidance in assessing the seriousness of an act of academic misconduct and determining whether it is a Tier 1 or a Tier 2 Case refer to Institutional Framework for Promoting Academic Integrity among Students.

### 5. DECISION MAKERS

There are two decision makers who deal with student academic misconduct:

- Tier 1 Decision Maker
- Tier 2 Decision Maker

#### 5.1 The Tier 1 Decision Maker is the:

**Course Convenor** - The academic staff member appointed by the Head of School to have responsibility for the teaching and assessment of a course.

The responsibilities of the Course Convenor include initial identification or receipt of concerns about possible cases of academic misconduct at the undergraduate and coursework postgraduate program levels, reporting concerns to the Student Academic Integrity Coordinator, providing the Student Academic Integrity Coordinator with evidence of the concern, acting as the Tier 1 Decision Maker and reporting outcomes to the Student Academic Integrity Coordinator for the purpose of the record contained on the Student Academic Integrity Management System.

The Course Convenor shall consider:

 Cases allocated to the Course Convenor by the Student Academic Integrity Coordinator as Tier 1 Cases.

#### 5.2 The Tier 2 Decision Maker is the:

**Dean (Learning and Teaching)** - The academic staff member appointed by the University Council who reports to the Group Pro Vice Chancellor and is responsible for the determination of grades from individual examiners, individual student cases, monitoring of results and for the provision of advice on student achievement, in respect of all programs which are the responsibility of that Group with the exception of higher degrees by research.

The Dean (Learning and Teaching) shall consider:

- Cases allocated to the Dean (Learning and Teaching) by the Student Academic Integrity Coordinator as Tier 2 Cases
- Cases referred by the Tier 1 Decision Maker (refer 6.5.1 below)
- Cases where the student seeks a review of the decision of the Tier 1 Decision Maker (<u>refer</u> <u>6.9 below</u>).

# 6. STUDENT ACADEMIC MISCONDUCT PROCESS

The Student Academic Misconduct Process is illustrated as a flow chart in <u>Diagram 1</u>. The flow chart in Diagram 1 is necessarily an abbreviated and partial representation of the Student Academic Misconduct Process and in the event of any inconsistency between it and the text of this policy, the text of this policy shall prevail.

#### 6.1 Identification of a Concern about Academic Misconduct

A concern about academic misconduct may be notified to either the Tier 1 Decision Maker (Course Convenor) or to the Student Academic Integrity Coordinator who shall refer it to the appropriate Decision Maker. The Course Convenor is responsible for entering a concern into the Student Academic Integrity Management System.

#### 6.2 Entering the Concern into the Student Academic Integrity Management System

On receipt or identification of a concern of academic misconduct by the Tier 1 Decision Maker, a Concern about a Possible Breach of Academic Integrity is initiated within the Student Academic Integrity Management System by the Tier 1 Decision Maker. A scanned copy of the relevant annotated assessment item, affected by the misconduct and/or a text matching report is attached. Submission of the Concern in the Student Academic Integrity Management System assigns the Concern to the Student Academic Integrity Coordinator for action. At this point the Course Convenor may choose to notify the student by e-mail advising that a concern has been raised and returning a copy of the annotated student's assessment item, keeping the original for investigation.

#### 6.3 Initial Action by Student Academic Integrity Coordinator

The Student Academic Integrity Coordinator checks the student's record in the Student Academic Integrity Management System and assigns the matter to either a Tier 1 or Tier 2 Decision Maker via the Student Academic Integrity Management System.

The following are referred to the Tier 1 Decision Maker:

Cases assessed by the Student Academic Integrity Coordinator to be Tier 1 Cases

The following are referred to the Tier 2 Decision Maker:

Cases assessed by the Student Academic Integrity Coordinator to be Tier 2 Cases

The Tier 2 Decision maker also considers:

- Cases referred by the Tier 1 Decision Maker (refer 6.5.1 below)
- Cases where the student seeks a review of the decision of the Tier 1 Decision Maker (refer <u>6.9 below</u>).

#### 6.4 Tier 1 Process - Investigation and findings

- 6.4.1 The Tier 1 Decision Maker initiates a Tier 1 Concern Letter from the Student Academic Integrity Management System to the student. A copy is sent to the Head of School so they are informed of all academic integrity concerns. The Tier 1 Decision Maker may choose to edit the Tier 1 Concern Letter within the Student Academic Integrity Management System before sending it to the student and the Head of School.
- 6.4.2 The Tier 1 Concern Letter must include the following:
  - details of the student conduct that represents a possible breach of academic integrity;
  - state by reference to the Institutional Framework for Promoting Academic Integrity among students whether the student's conduct is alleged to involve the misrepresentation of academic achievement and/or undermine the core values of academic integrity;
  - if relevant, state, by reference to the Institutional Framework for Promoting Academic Integrity among Students, whether the student's conduct is alleged to fall within one of the inclusive heads referred to in the definition of student academic misconduct;
  - attach copies of or give the student an opportunity to inspect all relevant documents under consideration by the Tier 1 Decision Maker and provide information about accessing the Student Academic Misconduct Policy and the Institutional Framework for Promoting Academic Integrity among Students;
  - a timeframe of fourteen days from the date of the Concern letter to respond to the Tier 1 Decision Maker. The student will be given a reasonable opportunity to:
    - (a) appear before the Tier 1 Decision Maker (face-to-face or on the telephone) with the option to be accompanied by a support person who is not a legal representative or a currently practicing solicitor or barrister within fourteen days of the date of the e-mail; or
    - (b) respond to the allegations in writing via e-mail within fourteen days of the date of the e-mail;
  - advise on the outcomes of a Tier 1 Concern and potential consequences if on investigation it is referred to a Tier 2 Decision Maker as specified in <u>section 8</u> of this policy.
- 6.4.3 The Tier 1 Decision Maker conducts an investigation of the possible breach giving the student an opportunity to respond to the possible breach (in writing via e-mail, face-to-face or on the telephone). A meeting may be arranged with the student who may be accompanied by a support person who is not a legal representative or a currently practicing solicitor or barrister. If a meeting is arranged The Tier 1 Decision Maker may include (but is not obliged) in the meeting: the Program Director, the Student Success Advisor or the Student Academic Integrity Coordinator. The Tier 1 Decision Maker is to

make a record of the conversation with the student. A File Note Template is available on the Policy Library for this purpose. This record and any correspondence from the student are entered into the Student Academic Integrity Management System.

6.4.4 If the student does not respond within the fourteen day timeframe then the Tier 1 Decision Maker, reaches a decision, selects a Tier 1 educational response within the Student Academic Integrity Management System and closes the investigation.

#### 6.5 Tier 1 Outcomes

- 6.5.1 If the Tier 1 Decision Maker, after completion of the investigation, but before receipt of any information as to any previous breaches from the Student Academic Integrity Coordinator, decides the case is a Tier 2 case, then the concern is reassigned within the Student Academic Integrity Management System by the Student Academic Integrity Coordinator to the Tier 2 Decision Maker.
- 6.5.2 In selecting one or more Tier 1 Educational Responses (<u>refer 8.0 below</u>) the Tier 1 Decision Maker must take into account the principles set out in section 8.1.
- 6.5.3 The Tier 1 Decision Maker selects a Tier 1 Educational Response within the Student Academic Integrity Management System. Following the recording of a decision, the Tier 1 Decision Maker will be advised of any previous breaches by the Student Academic Integrity Coordinator and given the opportunity to revise the consequence or outcome imposed on the student. The Tier 1 Decision Maker initiates a Tier 1 Decision Letter which informs the student in writing of the decision and information set out below. The Tier 1 Decision Letter (sent via e-mail) addresses:
  - the student's conduct that was the subject of the Tier 1 Concern;
  - the finding as to whether the student has or hasn't engaged in student academic misconduct;
  - the reasons for the decision;
  - the educational response to a finding of student academic misconduct;
  - the appropriate sources of study skills help;
  - the need for the student to discuss their work with academic staff if they are uncertain about how to avoid subsequent breaches of academic integrity;
  - whether or not this is the student's first student academic misconduct breach;
  - the notification to Law students that they will be required to make a disclosure of academic misconduct to the Legal Practitioner's Admission Board;
  - the potential serious consequences of subsequent offences as set out in <u>section 8.0</u> of this policy;
  - access to the Student Academic Misconduct Policy and the Institutional Framework for Promoting Academic Integrity among Students;
  - the student's rights and the process of review to the Tier 2 Decision Maker (Dean (Learning and Teaching) under the provisions of the *Student Review and Appeals Policy* and <u>section 6.9</u> of this policy.
- 6.5.4 There is normally a four week (28 days) timeframe from case identification to case closure. At 21 days, if the concern remains open within the Student Academic Integrity Management System the Tier 1 Decision Maker is reminded by the Student Academic Integrity Coordinator, via e-mail, of the timeframe for closing the concern.

#### 6.6 Tier 2 Process - Investigation and findings

- 6.6.1 The Tier 2 Decision Maker initiates a Tier 2 Concern Letter from the Student Academic Integrity Management System to the student. A copy is sent to the Head of School so they are informed of all academic integrity concerns. The Tier 2 Decision Maker may choose to edit the Tier 2 Concern Letter within the Student Academic Integrity Management System before sending it to the student and the Head of School.
- 6.6.2 The Tier 2 Concern Letter must include the following:

- details of the student conduct that represents a possible breach of academic integrity;
- state, by reference to the Institutional Framework for Promoting Academic Integrity among Students, whether the student's conduct is alleged to involve the misrepresentation of academic achievement and/or undermine the core values of, or breach, academic integrity;
- if relevant, state, by reference to the Institutional Framework for Promoting Academic Integrity among Students, whether the student's conduct is alleged to fall within one of the inclusive heads referred to in the definition of student academic misconduct;
- attach copies of, or give the student an opportunity to, inspect all relevant documents under consideration by the Tier 2 Decision Maker and provide information about accessing the *Student Academic Misconduct Policy* and the Institutional Framework for Promoting Academic Integrity among Students;
- a timeframe of fourteen days from the date of the Concern letter to respond to the Tier 2 Decision Maker. The student will be given a reasonable opportunity to:
  - (a) appear before the Tier 2 Decision Maker (face-to-face or on the telephone) with the option to be accompanied by a support person who is not a legal representative or a currently practicing solicitor or barrister within fourteen days of the date of the e-mail; or
  - (b) respond to the allegations in writing via e-mail within fourteen days of the date of the e-mail;
- direct the student to <u>section 8</u> of this Policy, which contains the potential outcomes following a finding of student academic misconduct, including that the student may be excluded from the University.
- 6.6.3 The Tier 2 Decision Maker conducts an investigation of the possible breach giving the student an opportunity to respond to the possible breach (in writing via e-mail, face-to-face or on the telephone). A meeting may be arranged with the student who may be accompanied by a support person who is not a legal representative or a currently practicing solicitor or barrister. The Tier 2 Decision Maker is to make a record of any meeting or telephone conversation with the student. A File Note Template is available on the Policy Library for this purpose. The Tier 2 Decision Maker may include (but is not obliged to) have another staff member present for any meeting or telephone conversation for the purpose of producing a draft of that record, however the Tier 2 Decision Maker must finalise the record. This record and any correspondence from the student are entered into the Student Academic Integrity Management System.
- 6.6.4 If the student does not respond within the fourteen day timeframe then the Tier 2 Decision Maker reaches a decision, selects a response within the Student Academic Integrity Management System, and closes the investigation.

#### 6.7 Tier 2 Process on Reference from Tier 1 Decision Maker

6.7.1 If the concern has been referred to the Tier 2 Decision Maker by the Tier 1 Decision Maker then the Tier 2 Decision Maker may reach a decision based on the investigation carried out by the Tier 1 Decision Maker, or may choose to conduct further investigations.

#### 6.8 Tier 2 Outcomes

- 6.8.1 The Tier 2 Decision Maker may choose one or more of the following
  - Tier 1 Educational Responses;
  - Tier 2 Educational Responses; and
  - Penalties

(refer 8.0 below).

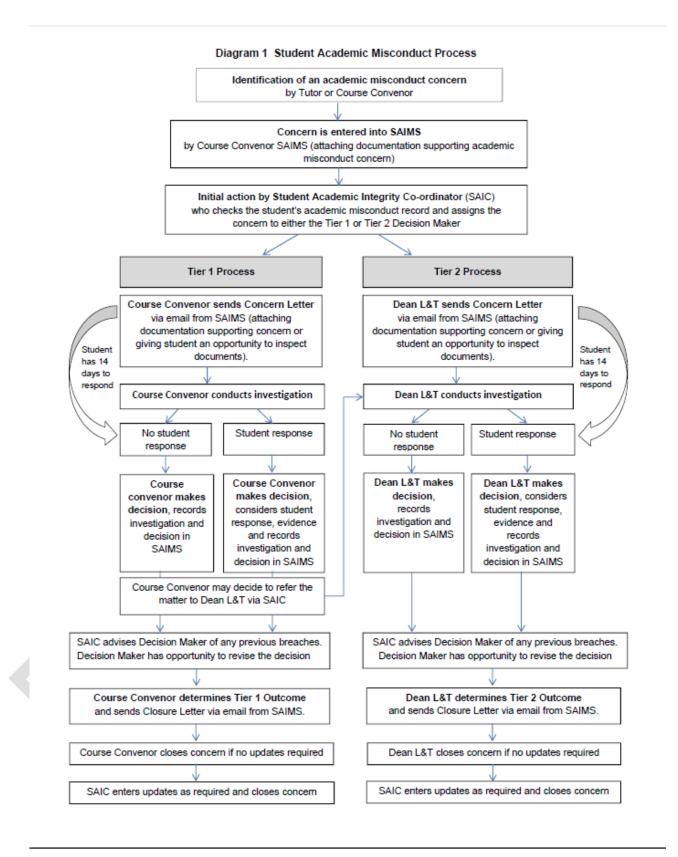
In selecting one or more Tier 1 Educational Responses, Tier 2 Educational Responses and/or Penalties that will apply to a student, the Tier 2 Decision Maker must take into account the principles set out in <u>section 8.1</u> of this policy.

- 6.8.2 The Tier 2 Decision Maker selects a Tier1/Tier 2 educational response and/or a penalty within the Student Academic Integrity Management System. Following the recording of a decision, the Tier 2 Decision Maker will be advised of any previous breaches by the Student Academic Integrity Coordinator and given the opportunity to revise the consequence or outcome imposed on the student. The Tier 2 Decision Maker initiates a Tier 2 Decision Letter which informs the student in writing of the decision and information set out below. Where a penalty of exclusion is applied, a hard copy letter is to be forwarded to the latest mailing address advised by the student. The Tier 2 Decision Letter to the student addresses:
  - the student's conduct that was the subject of the Tier 2 Concern;
  - the finding as to whether the student has or hasn't engaged in student academic misconduct and the Educational Response and/or Penalty;
  - the reasons for the decision, including:
    - the findings on any material questions of fact;
    - o the evidence or other material on which those findings were based;
    - the record of any meeting or telephone conversation with the student, where applicable and
    - an explanation of how the decision maker arrived at the penalty or educational response with reference to <u>Section 8.1 Principles</u>;
  - ;the appropriate sources of study skills help, where applicable;
  - the need for the student to discuss their work with academic staff if they are uncertain about how to avoid subsequent breaches of academic integrity;
  - the student's Student Academic Integrity Management System record;
  - the notification to Law students that they will be required to make a disclosure of academic misconduct to the Legal Practitioner's Admission Board;
  - the potential serious consequences of subsequent offences by reference to <u>section</u> <u>8</u> of this policy;
  - access to the Student Academic Misconduct Policy (this policy) and the Institutional Framework for Promoting Academic Integrity among Students, and
  - the student's right to appeal, where relevant, the finding of academic misconduct and/or the Penalty to the University's Appeals Committee under the provisions of the Student Review and Appeals Policy.
- 6.8.3 There is normally a four week (28 day) timeframe from the referral to the Tier 2 Decision Maker to case closure.
- 6.8.4 The Tier 2 Decision Maker's decision is recorded in the Student Academic Integrity Management System. Where a penalty of exclusion is applied the academic record will bear the annotation "excluded from the University on (date) for disciplinary reasons".
- 6.8.5 Where a Penalty is imposed by the Tier 2 Decision Maker, a student may appeal to the University Appeals Committee under the provisions of the *Student Review and Appeals Policy*. The student is informed of the right of appeal in the Tier 2 Decision Letter.
- 6.8.6 Where a Penalty is not imposed by the Tier 2 Decision Maker, there is no further opportunity for the student to appeal.

#### 6.9 Review of Tier 1 Decision by Tier 2 Decision Maker

6.9.1 Tier 1 Educational Responses for which students may seek a review are set out in 8.3.4, 8.3.5 and 8.3.6. Where a student seeks a review of the decision of a Tier 1 Decision Maker to the Tier 2 Decision Maker, the Tier 2 Decision Maker shall review all the material before the Tier 1 Decision Maker and at their complete discretion the Tier 2 Decision Maker may choose to conduct further investigations or choose to interview the student.

- 6.9.2 Prior to taking action under section 6.9.3, the student must be given:
  - a copy of, or an opportunity to inspect, all documents before the Tier 2 Decision Marker; and
  - a reasonable opportunity to make written submissions using the Review of Decision Form to the Tier 2 Decision Maker.
- 6.9.3 The Tier 2 Decision Maker may affirm the decision of the Tier 1 Decision Maker or set it aside varying the finding or the Educational Response. Unless further material emerges in the investigation which would justify a Tier 2 Educational Response or a Penalty, only a Tier 1 Educational Response may be the outcome. The student is advised of the outcome of the review with supporting reasons.



# 7. CONFIDENTIALITY AND PROCEDURAL FAIRNESS

#### 7.1 Confidentiality

All documentation relating to student academic misconduct is kept confidential and only disclosed to those persons who have a role in the Student Academic Misconduct Process, or as required by law.

To protect confidentiality the Student Academic Integrity Coordinator controls access to the Student Academic Integrity Management System. The student's record is used by the Student Academic Integrity Coordinator to determine whether the student's case needs to be referred to the Tier 2 Decision Maker and to inform the Tier 1 or Tier 2 Decision Maker of previous academic misconduct breaches for the purpose of determining an Educational Response and/or a Penalty, after a finding of academic misconduct has already been determined.

#### 7.2 Procedural Fairness

The University's Student Academic Misconduct Process ensures a student alleged to have engaged in academic misconduct is afforded procedural fairness. Procedural fairness involves:

- the student's right to know the details of any allegation against them
- the opportunity to present their case
- the right to be treated without bias
- a decision made on an objective and unbiased assessment of the evidence.

To ensure the decision of the Tier 1 or Tier 2 Decision Maker is objective and free from bias, each and every separate concern about a breach of academic integrity is investigated as an individual event. Consequently, no decision maker shall be given access to the information in the student's record from the Student Academic Integrity Management System during the process of investigation. Only if a finding of academic misconduct is made will the Decision Maker be informed of the student's record by the Student Academic Integrity Coordinator for the purposes of determining an appropriate Educational Response or Penalty.

When in the investigation of an alleged breach there is discovery of further unrelated separate breaches, each such breach will be managed by the Student Academic Integrity Coordinator through the academic misconduct process separately and independently.

In this process students are given the opportunity to respond to any concerns raised, to be advised of any information or material available to the decision maker upon which they propose to rely, and to be made aware of the appeals processes.

## 8. CONSEQUENCES AND OUTCOMES

#### 8.1 Principles

A decision about the consequences a student should bear as a result of having a case of academic misconduct found against them needs to take account of the following considerations, balanced with any mitigating circumstances which may have a bearing on the decision:

- the intent and the level of remorse exhibited by the student;
- the seriousness of the academic misconduct including the type and extent of misconduct engaged in by the student as well as its impact on others;
- the student's explanation of the situation;
- the extent of the affected work and its importance in the context of the course or dissertation/thesis component;
- the stage of the student in their program;
- the extent of the student's knowledge of the concept of academic misconduct (experience of the student);

 the experience of the student and previous findings of academic misconduct against the student;

for the outcome to be proportional to the breach. Selection of one or more of the following outcomes should not only be proportional to the breach but facilitate a graduated response if the student continues to engage to the same extent in the same type of misconduct or if the student's engagement in academic misconduct escalates.

#### 8.2 Educational Responses

These are classified as:

- Tier 1 Educational Responses; and
- Tier 2 Educational Responses.

#### 8.3 Tier 1 Educational Responses

The Tier 1 Decision Maker may choose to impose one or more of the following Tier 1 Educational Responses:

- 8.3.1 give the student a warning;
- 8.3.2 require the student to seek appropriate study skills advice from Learning Services;
- 8.3.3 require the student to undertake the Academic Integrity Student Tutorial within one month of receiving the letter from either a Tier 1 or Tier 2 decision maker advising them to do so;
- 8.3.4 allocate a mark for the student's assessment item, based on the portion of the assessment item unaffected by the academic misconduct;
- 8.3.5 allow the student to resubmit the assessment item to achieve a mark no higher than a "pass" mark for the item;
- 8.3.6 require the student to undertake replacement assessment to be awarded a grade no higher than a 4 for the course.

#### 8.4 Tier 2 Educational Responses

The Tier 2 Decision Maker may choose to impose one or more Tier 1 Educational Responses and/or one or more of the following Tier 2 Educational Responses:

- 8.4.1 require the student to exclude the affected work from an honours/postgraduate coursework dissertation/thesis;
- 8.4.2 require the student to rewrite an honours/postgraduate coursework dissertation/thesis in a specified timeframe.

Only the Tier 2 Decision Maker may impose one of the Tier 2 Educational Responses.

8.5 Penalties

A Tier 2 Decision Maker may, in addition to, or instead of one or more Tier 1 or Tier 2 Educational Responses, choose to impose one or more of the following Penalties:

- 8.5.1 a nil mark for the assessment item affected by the academic misconduct;
- 8.5.2 a fail grade for the course in which the academic misconduct occurred;
- 8.5.3 exclusion from the University.

Only the Tier 2 Decision Maker may impose a Penalty.

## 9. RECORDING OF PENALTIES ON ACADEMIC TRANSCRIPTS

9.1 All Educational Responses and Penalties are recorded on the Student Academic Integrity Management System.

- 9.2 The fact that the University has imposed a Penalty, based on a finding of academic misconduct, shall not be recorded on a student's academic transcript, with the exception of the penalty of exclusion from the University.
- 9.3 Where a penalty of exclusion is imposed under this Policy the penalty is to be recorded on the student's Official Academic Transcript for a period of 10 years after the student has had their enrolment terminated unless a student is re-admitted or successfully applies to have the noting removed. Additional information is provided in the *Academic Transcript* policy.
- 9.4 Where a penalty of exclusion is imposed by a Tier 2 Decision Maker, the academic record will bear the annotation "excluded from the University on (date) for disciplinary reasons".

## 10. APPEALS

Where any Penalty for academic misconduct is imposed as provided for in Penalties section, a student may appeal to the University Appeals Committee under the provisions of the *Student Review and Appeals Policy* and the *Student Review and Appeals Procedures*. The student is informed of the right of appeal in the Tier 2 Decision Letter.

### 11. READMISSION

Students excluded on disciplinary grounds may apply for readmission to the Deputy Vice Chancellor (Education), via lodgement of an *Readmission After Exclusion* form three years from the date specified in the annotation on the Official Academic Transcript.

Additional information is included in the University's Student Administration Policy.