



Document Control

Title	Student Academic Misconduct Policy
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Approver	Academic Board
Version/Date	4 Jun 2016
Version Approved	Submitted for Academic Board approval
Date of next review	01 July 2018

Student Academic Misconduct Policy

1. Overview

King's Own Institute (KOI) values academic honesty and integrity and demands ethical behaviour in all aspects of its academic endeavours. KOI investigates and deals with incidents of misconduct by its students in a consistent manner in accordance with this policy, affording natural justice and procedural fairness and applying penalties that are appropriate, fair and just.

KOI will take steps to ensure the integrity of its assessment processes. This may include setting assessment tasks in class and supplementary interviews to verify aspects of written assignments.

Academic integrity is a key principle underpinning the awarding of marks and grades for assessments and examinations. Students must ensure that the work they submit for assessment is their own and acknowledges the work, ideas and data of others.

Academic misconduct is any action or attempted action that may result in an unfair academic advantage to one or more students. This covers a wide range of behaviours and activities, including:

- **Plagiarism** – the presentation of work, ideas or data of others as one's own, **without** appropriate acknowledgement and referencing. Examples of plagiarism include:
 - the inclusion of one or more sentences from another person's work without the use of quotation marks and acknowledgement of the source (*Note: a general acknowledgement of the source but without the use of quotation marks to show the extent of copied text may still constitute plagiarism*);
 - the use of one or more sentences from the work of another person where a few words have been changed, or where the order of a few words has been changed;
 - copying the work of another student, with or without their permission;
 - copying tables, graphs, images, designs, computer programs and any other data, ideas or work without appropriate acknowledgement and referencing.

Poor or inadequate referencing is not necessarily plagiarism, although it still fails to meet the requirements for good academic practice. More information on plagiarism is available via the *Academic Integrity Module* and the *Student Information Centre* (both accessed via *Moodle*) and in *Subject Outlines*.

- **Self-Plagiarism** – the re-use of one's own work for more than one assessment, without acknowledgement and referencing. Every assessment is expected to be an **original** attempt.
- **Cheating** – fraud, dishonesty or deceit of any kind in relation to an academic assessment. Examples include:
 - copying or attempting to copy from other students in an assessment, or in an examination;
 - communicating with others during an examination;
 - using any unauthorised materials, or mechanical or electronic devices in an examination;
 - tampering with examination or assessment materials;
 - leaving examination or test answer papers exposed to the view of other students;
 - colluding with other students in individual assessments, such as online quizzes and/or written work;
 - allowing others to provide you with any materials that give you an unfair advantage in an assessment;
 - purchasing material and submitting it as your own work;
 - providing materials to other students to enable them to present it in part or whole as their own work;
 - completing an individual assessment for another person, or having someone else complete all or part of your individual assessment and submitting it as your own work;
 - making changes to an assignment that has been marked then returning it for re-marking claiming that it was not correctly marked;



- taking an examination for another person or having another person take an examination for you;
- providing forged or falsified academic, medical or other documents in order to gain unfair academic advantage;
- making a false claim in relation to an assessment or examination, in order to obtain an unfair advantage;
- the falsification of data, information or citations as part of an assessment;
- attempting to prevent other students from completing their assessment work.

Cheating is considered a **serious breach** of *Academic Integrity* (see Section 3 of this Policy) and the *Schedule of Penalties* (Attachment 2).

Other Academic Misconduct

Any act or omission that can be regarded as academically dishonest will be treated according to Section 3 of this Policy. Examples of such behaviour include:

- failing to abide by reasonable directions of a member of staff regarding the submission of an assignment or conduct in an examination;
- altering group assessment work that has been agreed as final by all participating students prior to submission without the consent of the other students.

2. Plagiarism Detection and Management

2.1 Plagiarism

Plagiarism and self-plagiarism are treated as a specific category of academic misconduct, based on whether it is a first or subsequent offence and whether or not the plagiarism is extensive. Other forms of academic misconduct are covered in Section 3.

2.2 Identification of Plagiarism

Where a member of staff identifies a possible case of plagiarism, it should be brought to the attention of the relevant Head of Program with the supporting evidence.

Plagiarism will often be identified by a *Turnitin Report*. However it must be remembered that a *Turnitin Report* will identify **text matching**, which may or may not constitute **plagiarism**. Careful analysis of the *Turnitin Report* and the assessment must be made prior to a charge of plagiarism being made.

Students are encouraged to submit a draft of their assignments through Turnitin to identify and correct the referencing and avoid plagiarism.

Plagiarism or suspected plagiarism may be identified in other ways. For example, a much higher level of English than the student has demonstrated in other work or in the classroom, observing a student asking for, or being given another student's work, or taking another student's work surreptitiously, or a verbal report from a student.

2.3 Reporting and Recording

The Head of Program will investigate and may seek an explanation from the student(s) involved. Where the Head of Program believes that the student has a case to answer, the matter will be fully recorded on the *Suspected Plagiarism/Copying Incident Report Form* (see Attachment 1) and reported to the Academic Manager for further investigation and assessment. All appropriate details, including relevant assignments and supporting evidence, are attached to the incident report.

2.4 Adjudicating and Penalising

Following the submission of a *Suspected Plagiarism/Copying Incident Report Form*, the Academic Manager registers the case on the *Academic Misconduct Database* and checks the student's details to establish if it a first or repeat offence. The Academic Manager will review all the evidence and provide a report to the Deputy Dean (Academic).

If the Deputy Dean (Academic) decides to take further action, the Deputy Dean and the Academic Manager will interview the student. The letter/email inviting the student to the interview will include



sufficient detail of the allegations to allow the student to understand the nature of the alleged misconduct and a copy of the evidence on which the allegation is based. The student is entitled to be accompanied at the interview by a support person (for example, a fellow student, or a KOI student counsellor), but is not entitled to legal representation. Other parties involved may also be interviewed.

If the Deputy Dean (Academic) decides the charge of Plagiarism is proven, the Deputy Dean will determine a penalty according to the *Schedule of Penalties for Plagiarism/Self-plagiarism and Other Offences* (Attachment 2), and based on the guidelines and policy explained in the following sections.

The Academic Manager will advise the student in writing of the decision and the penalty. This letter will contain the following information:

- sufficient detail of the allegations to allow the student to understand the nature of the alleged misconduct;
- details of the basis on which the misconduct was determined;
- the penalty imposed;
- a referral to the *Appeals Process*;
- a recommendation that the student obtain independent advice and support, such as that offered by the KOI Student Counsellor.

The student has the right to appeal any decision as described in Section 4.

The student's name and the nature of the offence, along with other pertinent details including the penalty to be applied is to be recorded in the *Academic Misconduct Database*. The outcomes will be communicated to the Head of Program and the Subject Coordinator to make any necessary adjustment(s) to the marks/results spreadsheets and student records.

2.5 Penalties

2.5.1 First Offence Plagiarism/Self-Plagiarism

KOI acknowledges that first offence plagiarism may occur early in a student's program, possibly due to poor understanding of academic practice. In such circumstances, the Academic Manager will record the incident in the *Academic Misconduct Register* and the Deputy Dean (Academic) will choose an appropriate outcome to educate the student on correct academic practice. This may include one or more of the following:

- a warning to the student;
- requiring the student to do (or re-do) the *Academic Integrity Module*;
- requiring the student to attend English Development Classes or other academic support classes as available;
- requiring the student to resubmit the assessment with a maximum possible grade of a Pass (if the resubmitted work is satisfactory).

The student will receive the *Standard Warning First Offence Letter* (Attachment 3).

2.5.2 Repeat Offence or Serious First Offence Plagiarism/Self-Plagiarism

Where *Plagiarism/Self-plagiarism* is proven and constitutes a repeat offence or where the offence is serious and cannot be deemed to result from unfamiliarity with good academic practice, the penalty will be determined based on the seriousness of the offence.

As a guide, an offence is considered serious if there is a deliberate intent to deceive or if the amount of plagiarised content exceeds 20% of the assignment. Plagiarised content means content which is identical, or nearly identical (minor paraphrasing), to other source(s) which have not been identified in the assignment. Standardised parts of the assignment such as title pages, tables of contents and student declarations will be excluded.

Penalties for repeat or serious plagiarism/self-plagiarism are listed in Attachment 2. The principles are:

- to penalise the behaviour in a manner which is fair and just in all of the circumstances;
- to protect and maintain standards of conduct and behaviour in the workplace and the learning environment which allow KOI to perform its higher education role and functions.

Penalties may include (but are not limited to):

- for relatively minor offences:



- requiring the student to resubmit the assessment with a maximum possible grade of a Pass (if the resubmitted work is satisfactory);
- reducing the mark on the assessment.
- for more significant breaches:
 - 0 marks for the assessment;
 - a fail for the subject.
- for serious repeated offences:
 - suspension or expulsion from KOI.

3 Academic misconduct offences other than plagiarism/self-plagiarism

All other forms of academic misconduct, including cheating in exams and class tests are to be referred to the Academic Manager, using the *Exam Incident Report* (Attachment 4) or the *Student Misconduct Form* (Attachment 5).

Cheating in exams and tests is considered a **serious breach** of academic integrity, and is not tolerated by KOI.

The Academic Manager, in consultation with the relevant staff and the Head of Program where appropriate, will investigate the incident to determine if academic misconduct has occurred. The Academic Manager will review all the evidence and provide a report to the Deputy Dean (Academic).

If the Deputy Dean (Academic) decides to take further action, the Deputy Dean and the Academic Manager will interview the student. The letter/email inviting the student to the interview will include sufficient detail of the allegations to allow the student to understand the nature of the alleged misconduct and a copy of the evidence on which the allegation is based. The student is entitled to be accompanied at the interview by a support person (for example, a fellow student, or a KOI student counsellor), but is not entitled to legal representation. Other parties involved may also be interviewed.

If the Deputy Dean (Academic) decides the charge of misconduct is proven, the Deputy Dean will determine a penalty according to the **Schedule of Penalties for Plagiarism/Self-plagiarism and Other Offences** (Attachment 2), and based on the guidelines and policy explained in the preceding sections.

The Academic Manager will advise the student in writing of the decision and the penalty. This letter will contain the following information:

- sufficient detail of the allegations to allow the student to understand the nature of the alleged misconduct;
- details of the basis on which the misconduct was determined;
- the penalty imposed;
- a referral to the Appeals Process;
- a recommendation that the student obtain independent advice and support, such as that offered by the KOI Student Counsellor.

The student has the right to appeal any decision as described in Section 4.

The student's name and the nature of the offence along with other pertinent details including the penalty to be applied is to be recorded in the Academic Misconduct Database. The outcomes will be communicated to the Head of Program and the Subject Co-ordinator to make the necessary adjustment(s) to the marks/results spreadsheets and student records.

3.1 Academic Misconduct and Graduation

In a situation where academic misconduct is not identified until sometime after it has occurred, it must be investigated in a similar manner as if it had been identified immediately.

Where a student has received an award from KOI for which the subject in which the academic misconduct occurred was a component, and as a consequence of that misconduct the student is failed in the subject, then the award will be rescinded, the student's name shall be deleted from the *Register of Graduates* and the student will be required to return the testamur and final transcript to KOI.



4 Student Appeals

4.1 Right to Appeal

If dissatisfied with the outcome of an academic misconduct offence, students have the right to appeal.

The first stage for an appeal is through informal consultation. The student should seek a meeting with the Academic Manager to discuss the outcome of the case. Any such request should be made within ten (10) working days of the date of the letter from the Academic Manager in which the decision on the misconduct was notified.

If the student remains dissatisfied, there are options for a *Final Internal Appeal* and *External Appeal*. Full details of the *Final Internal Appeal* and the *External Appeals Process* are found in the *Complaints and Appeals Policy*.

4.2 Formal Appeal Procedures

Students who wish to appeal formally must lodge their appeal in writing within ten (10) working days of receipt of an official notification from KOI of the decision or matter they wish to appeal. Receipt of the appeal will be notified to the student by the Academic Manager.

A student can appeal on one of the following grounds:

- procedural grounds, i.e. where it is thought that the *Academic Misconduct Procedures* were not followed;
- severe extenuating circumstances which must be validated with supporting documentation; or a letter of support from the KOI Student Counsellor.

The appeal should include the following details:

- the student's full name (family/surname and first name), student number and contact details;
- the nature of the decision or matter being appealed;
- the basis for the appeal;
- details of the specific outcome(s) sought by the student; and
- copies of all relevant documents.

The student appeal, together with all relevant supporting material, will be submitted by the Academic Manager to the CEO and Dean for resolution. The CEO and Dean or designated person may appoint an Appeals Committee to review the grievance and make final decisions based on all the evidence, with this committee to be the final point of appeal within KOI, or appoint a mediator to try to resolve the matter. The CEO and Dean, designated person or committee may interview the student and anyone who may have information about the case.

The CEO and Dean will advise the student in writing of the decision on their appeal within twenty (20) working days from the date the appeal is submitted. If the student's appeal is unsuccessful the notification will acknowledge their circumstances and explain why their appeal has been unsuccessful.

Should the student remain dissatisfied with the outcome, there remains a further avenue for *External Appeal*. The *Complaints and Appeals Policy* details the process for External Appeal.

If the appeal is successful, the offence will be removed from the *Academic Misconduct Database* and the student's academic record.

4.3 Rejection of an Appeal

An appeal at any level may be rejected if:

- no reasonable grounds are stated for the appeal;
- no new or different grounds are stated for the appeal from those already considered by the previous hearing/adjudicator;
- the student has not ensured that they are in a position to receive all notifications from KOI. Late or non-receipt of official letters will not be accepted as grounds for appeal if changes of address have not been notified and received by KOI; or
- the appeal is lodged outside the time limits stipulated in the *KOI Academic Appeals Procedures*.



4.4 External Appeal

If the internal appeal to the CEO and Dean is unsuccessful and the student remains dissatisfied with the outcome of the *Formal Procedure*, the student may request that the matter is dealt with through an External Dispute Resolution process. There are avenues for external dispute resolution which can be followed by any student who believes that an appeal has not been satisfactorily resolved. Any student is entitled to take a matter outside KOI, however students seeking external review in the first instance are encouraged, and often directed by external bodies to seek internal resolution of their complaint or grievance first.

- a) *External Mediation*. The student may contact KOI's *External Mediator* and request mediation of an unresolved complaint and appeal. LEADR is KOI's current *External Mediator*. Complainants can apply for *External Mediation* by completing the *Application for External Review* (available from KOI Reception or downloaded directly from LEADR's website <http://www.leadriama.org/membership-information/student-mediation-scheme>). KOI will cover the fee charged by the *External Mediator*.

Details of LEADR's *Student Mediation Scheme* can be found at <http://www.leadriama.org/documents/item/1205>

LEADR's contact details are:
Level 1, 13-15 Bridge St, Sydney NSW 2000 Australia
T: + 61 2 9251 3366 F: + 61 2 9251 3733
E: leadr@leadr.com.au www.leadr.com.au

- b) *Overseas Student Ombudsman (OSO)*. The OSO investigates complaints about problems that overseas students have with private education and training in Australia. Contact details for the OSO are: telephone 1300 362 072; email: ombudsman@ombudsman.gov.au website: www.oso.gov.au.

5. Responsibilities

The Deputy Dean (Academic) is responsible for the carriage of this policy and for the adjudication and application of penalties.

Responsibilities for actions under these procedures are detailed throughout this document.

6. Reporting

The Academic Manager or nominee will provide a report to the Deputy Dean (Academic) for the Academic Board detailing academic misconduct cases each trimester.

7. Privacy

KOI will maintain the confidentiality and privacy of student information. However, information collected from students will, as required, and in accordance with the *ESOS Act*, The *National Code 2007* and the *Migration Act 1958*, be provided to the *Department of Education*, the *Department of Immigration and Border Protection (DIBP)* and other State or Territory government agencies. KOI is bound by the *Privacy Act 1988*, the *Australian Privacy Principles (APPs)* under the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* with respect to the collection, use and disclosure of personal information. For more information please see KOI's *Privacy Policy* available on the KOI website.

8. Related Policies

- *Assessment and Assessment Appeals Policy*
- *Complaints and Appeals Policy*
- *Course Progress and Intervention Policy*
- *Privacy Policy*
- *Records Management Policy*

***** END OF POLICY *****



SUSPECTED PLAGIARISM/COPYING INCIDENT REPORT

ASSESSMENT DETAILS (Lecturer /Tutor to complete- one form for each student if a group incident)

Subject No: _____ Subject Name: _____ Trimester T _____

Assessment No: _____ Assessment Name: _____

Assessment Type: Individual/ Group Weight: _____% Due date: ___/ ___/ _____

Brief

Description:

STUDENT DETAILS (Lecturer /Tutor to complete)

Student ID: _____ Family Name: _____ Given Name(s): _____

INCIDENT DETAILS (Lecturer /Tutor to complete)

Turnitin Report? ___ % Similarity: ___ % Where does the suspect material come from? _____

Is there any referencing? If any references are provided, briefly describe:

.....
.....

Please explain why you are reporting this incident:

.....
.....

EVIDENCE (Lecturer /Tutor to complete) (please indicate evidence below - submit evidence with this form).

<input type="checkbox"/>	Copy of Assessment Task
<input type="checkbox"/>	Copy of Student's Assessment submission
<input type="checkbox"/>	Turnitin Report
<input type="checkbox"/>	Other – please describe

Other evidence:
.....
.....

INFORMAL DISCUSSION WITH STUDENT (Lecturer /Tutor to complete)

Have you discussed this matter with the student? Date: ___/ ___/ _____

Briefly describe the student's response:

.....
.....

Lecturer/
Tutor Signature: _____ Date: ___/ ___/ _____

HEAD OF PROGRAM CONCURRENCE

I, _____, concur with the submission of this as a valid Suspected Academic Mis-Conduct Incident. The matter is referred to the Academic Manager for review.

Head of Program Signature: _____ Date: ___/ ___/ _____



ATTACHMENT 2

SCHEDULE OF PENALTIES FOR PLAGIARISM/SELF-PLAGIARISM AND OTHER OFFENCES

1. First Offence Plagiarism/Self-Plagiarism (not qualifying as “serious”)

Incident is recorded in the *Academic Misconduct Database*.

Penalty applied will be designed to educate the student and may include, but is not limited to:

- a warning to the student;
- requiring the student to do (or re-do) the *Academic Integrity Module*;
- requiring the student to attend English Development Classes or other academic support classes as available;
- requiring the student to resubmit the assessment with a maximum possible grade of a Pass only. If the student does not submit a satisfactory assessment, they may still receive a Fail grade for the assessment.

2. Second or Subsequent Offence or serious Plagiarism/Self-Plagiarism AND Other Offences

Plagiarism is assessed in terms of seriousness and scale, with associated increasingly severe penalties. Other Offences, including exam cheating, should be assessed in terms of seriousness and appropriate penalties applied. One or more of the following may be applied, in any combination, once the adjudicator has made a decision that this level/type of misconduct has occurred:

- written warning with reprimand with the possibility of reduced marks on the assignment (based on the extent of plagiarised material);
- direction to attempt the assessment item again, with or without a capped mark;
- award of a fail grade for the item of assessment;
- mandatory counselling;
- academic probation with a requirement to attend and complete to the satisfaction of the Academic Manager such counselling and remedial courses on code of conduct, plagiarism and academic integrity as directed;
- suspension or expulsion from KOI;
- such other punishment as may be authorised by the Academic Board;



Second or Serious Offence Letter

Academic Manager, or equivalent, or nominee
Direct Dial (XX) XXXX XXXX

Date

Student No:
Address

Email address of student:

Dear <insert student name>

Course: xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx Trimester xx 20____ Assignment: xxxxxxxx

Include a statement about the nature of academic misconduct.

Provide details of the basis on which the academic misconduct was determined.

Provide the penalty imposed.

Your name has been recorded on the Institute's Academic Misconduct Database.

Provide a recommendation that the student obtain appropriate advice and support, such as that offered by the Student counsellor. If the offence is plagiarism, recommend relevant training on the value of academic honesty and contact the academic student support officer available at KOI and/or your lecturers for assistance. Information is also available through the library services and Moodle.

Should there be any further misconduct in any course offered by KOI, the penalty may be serious with the possibility of suspension or expulsion from KOI.

Please refer to the Academic Misconduct Policy for information on your right of appeal. These procedures can be located at the KOI

Yours sincerely

.....
<insert Academic Manager, or equivalent, or nominee>

<insert designation>

Cc: Deputy Dean (Academic Services)



ATTACHMENT 4

EXAM INCIDENT REPORT

This form is to be used for all mid-trimester and final exam incidents.

Name of Student	
Student ID	Date of Offence
Subject Name and Code	
Location of Examination (Room and Building)	

1. Description of offence:

2. Seating location (if relevant): _____

3. Identity of unauthorised person with whom the student was alleged to be communicating (if applicable):

4. Was the student made aware that they were suspected of an academic offence? (if not, why not?)

5. After the student was informed that he or she was suspected of an academic offence, what comments, if any, did he or she make in your presence that may be relevant to the allegation?

5. Did any other person assist you during the incident? If so, please identify:

6. Did any other person witness the incident? If so, please identify:

7. Date Incident Report completed: _____

8. Your Name: _____

9. Your Position: _____

10. Your telephone number: _____

Signed: _____ Date: _____

This report must be given to the Academic Manager or authorised supervisor as soon as possible.



Student Misconduct Form

In accordance with the Academic Misconduct Policy, this form may be used:

- to refer investigations of student misconduct to the Academic Manager in the first instance
- to record investigations of student misconduct for entry on the Academic Misconduct Register

for Student Misconduct, excluding plagiarism and exam / test cheating, but including any other form of cheating or any other behaviour that is considered Misconduct. Please complete Sections A, B and C and refer to the Academic Manager.

Section A – General Information

Student Number	<input type="text"/>	Student Name	<input type="text"/>
Trimester	<input type="text"/>	Campus	<input type="text"/>
Subject Number <i>(where relevant)</i>	<input type="text"/>	Subject Name <i>(where relevant)</i>	<input type="text"/>

Date of Incident / /

Name of Complainant *(where relevant)*

Name of Subject Co-ordinator *(where relevant)*

Form Completed by *(please print name)* Signature

Position held Date / /

Section B – Misconduct Incident

- Please indicate misconduct type and provide details
- | | |
|---|---|
| <input type="checkbox"/> Library Misconduct | <input type="checkbox"/> IT Misconduct |
| <input type="checkbox"/> Property damage | <input type="checkbox"/> Cheating (other than in exams/tests) |
| <input type="checkbox"/> Theft | <input type="checkbox"/> Other Misconduct |

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Section C – Evidence

Please summarise key evidence – attach detailed evidence as available.

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Section D – Investigation Details (Academic Manager) (add additional pages if required)

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Section E – Recommendation (including Penalty) (Academic Manager)

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Signature Name Date/...../.....

Section F – Outcome (Deputy Dean [Academic Services], CEO and Dean as appropriate)

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.....
.....

Signature Name Date/...../.....

Student Advised of Outcome Yes Date/...../.....

Academic Misconduct Register Updated Yes Student File Updated Yes