Academic Misconduct Procedure

1. Purpose

The Academic Misconduct Procedure is designed to implement the College [Academic Misconduct Policy](#) and should be read in conjunction with that Policy.

2. Scope

This Policy applies to staff and students at UNSW College.

3. Breaches of academic integrity

(a) A breach of academic integrity is any behaviour or attempted behaviour that may result in an unfair academic advantage to one or more students. Breaches of academic integrity are considered to be academic misconduct and treated seriously by the College.

(b) The College [Academic Misconduct Policy](#) defines types of academic integrity breaches that include, but are not limited to, the following:
   i. plagiarism;
   ii. recycling one's own work without referencing the earlier work;
   iii. fabricating information;
   iv. collusion;
   v. cheating in exams;
   vi. contract cheating;
   vii. offering bribes or inducements to gain academic advantage;
   viii. providing false information or fraudulent documentation to gain an academic advantage.

4. Detecting breaches of academic integrity

(a) Breaches of academic integrity may be detected in various ways, including use of technology or data matching software, checking sources cited to verify authenticity, inconsistency in marks across similar courses or assessment or reporting of alleged breaches by students or staff.

(b) The staff member who detects a suspected breach, completes a report outlining the suspected breach and confers with the relevant College Education Manager to determine the next steps. Where a student reports the breach, the relevant College Education Manager will complete a report outlining the suspected breach and determine the next steps.

5.   Procedural fairness

Investigation of a suspected breach of academic integrity will be guided by procedures which are equitable, consistent, fair, timely, provide an opportunity for a student response and deliver outcomes which are appropriate for the nature and type of breach.

6.   Investigation of a breach

(a)   The Education Manager:

    i.   will send a Notice of Suspected Breach to the student, outlining the alleged / suspected breach and providing the student with an opportunity to respond within ten working days of receipt of the Notice;

    ii.   the Notice will include guidance to the student on how to seek independent professional advice and language assistance;

    iii.   may ask to meet with the student to discuss the alleged breach. The student may bring a support person to any meetings and the Education Manager will ensure the student has access to language support if needed.

(b)   The student:

    i.   on receipt of the Notice of Suspected Breach, may seek advice from the College Student Support team to assist them to prepare a response and accompany them to any meeting;

    ii.   is required to provide a written response to the Notice within ten (10) working days which either:
- admits to the breach and explains the circumstances that led to the breach; or
- does not accept the breach allegation and provides supporting details and evidence;

    iii.   can request a meeting to discuss the suspected breach, if not already sought by the Education Manager.

(c)   If the student does not respond to the Notice or fails to attend a requested meeting with the Education Manager, a decision will be made without the student's input.

7.   Outcome of an investigation

(a)   On finalisation of the investigation process, the staff member reporting the breach and Education Manager determine whether, as a result of the investigation, there is a high probability that a breach of academic integrity has occurred, or not. The Education Manager will record the determination in writing.

(b)   If it is determined there is insufficient evidence that a breach has occurred, the student is sent a written notice to that effect, within twenty working days of receipt of the student's submission or meeting with the Education Manager.

(c)   If the investigation determines there is a high probability that a breach has occurred, the marker and Education Manager determine whether the breach is

minor, moderate, major or serious. This determination will then guide the penalty which is applied.

(d) The student will be advised of the outcome in writing with reasons and any subsequent actions within twenty working days of either the receipt of the student's submission and / or a meeting with the student to discuss the suspected breach.

8. Breach levels and penalties

(a) Examples of the different levels of academic integrity breaches include, but are not limited to, those listed below.

(b) Penalties imposed are calibrated to the seriousness of the breach, any extenuating circumstances and the frequency and seriousness of any prior breaches.

(c) Repeated instances of academic misconduct may constitute a breach of the College Student Code of Conduct and managed under the Student Misconduct Policy.

8.1 Minor breach

(a) Examples would include minor plagiarism by an inexperienced student, which is not deemed to be significant to the outcome of the assessment and there has been no prior occurrence of academic misconduct.

(b) Actions and outcomes available to the staff member making the report and Education Manager are educative and, together with a referral to the Student Progress Officer for a refresher on academic integrity, include:

   i.   resubmission of work with no mark penalty;
   ii.   resubmission of work with a 25% mark reduction;
   iii.   warning with 25% mark reduction;
   iv.   marking of the student's original content, disregarding plagiarised sections.

8.2 Moderate breach

(a) Examples would include moderate extent of plagiarism by an inexperienced student as assessed by the Education Manager, copying or collusion of relatively small sections of the work submitted, recycling a student's own work without referencing the earlier submission and no prior occurrence of academic misconduct.

(b) Actions and outcomes include a referral to the Student Progress Officer for a refresher on academic integrity, together with:

   i.   marking of the student's original content, disregarding plagiarised sections;
   ii.   resubmission of work with a maximum mark of 50%.

8.3 Significant breach

(a) Examples would include significant plagiarism as assessed by the Education Manager in which large sections of the work are plagiarised or recycled, copying or collusion where large sections of the submitted work are identical / almost identical to that submitted by another student.

(b)   Actions and outcomes available to the marker and Course Convenor include:

    i.   fail (0%) for the submitted work.

8.4   Serious breach

(a)   Examples would include submitting work in which all or most has been plagiarised, evidence of copying or collusion of all or most of the work, exam cheating, contract cheating, fabrication of data or sources, evidence of a deliberate attempt to disguise plagiarism, false information or fraudulent documentation and / or repeated breaches of academic integrity.

(b)   Actions and outcomes include one or more of the following:

    i.   fail (0%) grade for the course; and / or
    ii.   referral to the Student Misconduct Committee (which would consider serious penalties such as suspension for up to 12 months, permanent exclusion from the College and / or rescission of a qualification / testamur already awarded).

(c)   Any suspension or exclusion from the College (other than those of an emergency or interim nature) will take effect once all appeal periods have been exhausted (see the Student Review and Appeal Policy) and in the case of a suspension of greater than 8 weeks or exclusion, there may be an impact on students who are studying on a student visa.

9.   Communication of outcome

(a)   The Education Manager, following consultation with the staff member making the report, will determine the outcome of the breach based on the information available, including any submissions from the student, and record the determination in writing.

(b)   The Education Manager or nominee will notify the student by email of the outcome, including reasons for the decision, any subsequent action to be taken and the appeal process if the student wishes to pursue this action. This notification will be sent to the student within ten working days of receipt of the student's submission and / or a meeting with the student to discuss the suspected breach.

10.   Record keeping

(a)   All instances of academic integrity breaches are recorded in the College Academic Integrity Register.

(b)   An annual report on trends and emerging issues will be provided to the College Academic Board and other committees as required.

11.   Confidentiality

(a)   Information gathered in the processes outlined are confidential and handled in accordance with the College Privacy Policy. Outcomes are not released to any external agency unless required by law or with the consent of the student.

(b)   Analysis and internal reporting of trends must be de-identified. Entries in the College Academic Misconduct Register may only be accessed by nominated staff.

12.   Appeals

(a)   A student has the right to appeal a decision made by the Education Manager, through the [Student Review and Appeal Policy](#) and [Student Review and Appeal Procedure](#).

(b)   Appeals may only be validly made on the grounds of lack of procedural fairness, not on the merits of the decision.

(c)   Appeals must be submitted by email to the College Appeals Committee (appeals@unswcollege.edu.au) with the Request to Appeal Form within ten (10) working days of the notification regarding the outcome of the academic breach.

13.   Other matters

The College reserves the right to investigate and determine allegations of academic integrity breaches outside the scope of this Procedure where they are considered by the College to be of a serious nature and which may adversely impact upon the College, its programs or other students.

14.   Roles, responsibilities and delegations

Role	Responsibility
Academic Board	Set academic standards and promote a culture of academic integrity across the whole institution.
College Staff	Educate and advise students regarding academic integrity, model academic integrity in their own academic, scholarly and professional activities, and identify breaches of academic integrity.
Students	Understand the requirements of academic integrity, promote academic integrity to fellow students and urge them to seek advice where appropriate, and avoid breaches of academic integrity.

15. Definitions

Definitions and Acronyms	
Academic Integrity	Acting in academic and scholarly contexts with honesty, truthfulness, trustworthiness, openness, transparency, fairness and respect.
Academic Standards	Benchmarks or indicators that are used to define a level or quality of achievement or performance in academic activities and academic outcomes, such as student selection, teaching, curriculum, assessment, learning outcomes, and research.
Related Policy Documents and Supporting Documents	
Legislation	- Education Services for Overseas Students (ESOS) Act 2000 (Cth) - Higher Education Standards Framework (Threshold Standards) 2021 (Cth) - Higher Education Support Act 2003 (Cth) - National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth) - TEQSA Guidance Note: Academic Integrity, Version 1.2
Policy	- Assessment Policy - Student Code of Conduct - Student Review and Appeal Policy - Student Misconduct Policy
Procedures	- Assessment Procedure - Student Review and Appeal Procedure - Student Misconduct Procedure
Forms	- Request to Appeal Form - Notice of Suspected Breach Form

16. Policy Governance

Academic Misconduct Procedure	
Category/Business Group	Academic Programs
Published Externally (Yes/No)	Yes
Approver	Executive Director Academic
Responsible Officer	Executive Director Academic
Contact Officer	Executive Director Academic
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Revision History

Version	Approved By	Approval Date	Effective Date	Sections Modified
1	David West – Executive Director Academic	04 August 2023	17 August 2023	N/A

Please visit our website to ensure that you have the latest version of this Procedure. Policies and Procedures are available at: unswcollege.edu.au/about/policies