

Student Academic Conduct Statute (2021)

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1. Introduction

Waipapa Taumata Rau The University of Auckland (“The University”) has a statutory responsibility to encourage the development of intellectual independence in its students. It assesses the achievement of this goal through coursework, tests, examinations and research work.

The University expects all students to complete coursework, tests, examinations, and research work with integrity and honesty. Such integrity maintains the reputation and quality of its qualifications and protects their international recognition. Students and staff members have a responsibility to prevent, discourage and report breaches of academic integrity.

The purpose of this Statute is to set out the University’s processes for addressing suspected breaches of academic integrity and to ensure they are transparent, fair, and appropriately applied.

2. Scope

This Statute covers any practice that is inconsistent with the principles of academic integrity occurring in the preparation and submission of work which counts towards the attainment of a pass in any subject (“breaches of academic integrity”).

This Statute applies to all **staff members** and all **students** at the University.

3. Academic integrity

All students have a responsibility to understand the requirements of academic integrity as they apply to their studies at the University.

Breaches of academic integrity may be deliberate or arise through a failure to take reasonable care. Breaches of academic integrity include, but are not limited to, the following:

- i. Using the work of others without adequate acknowledgement and referencing (“adequate attribution”), that is, plagiarism. This includes: use of other people's data without adequate attribution; use of published or unpublished expressions and ideas from other people without adequate attribution; use of published or unpublished tables, figures, and diagrams without adequate attribution. To avoid doubt, where the principles of academic integrity require that certain material be cited as a quotation within quotation marks (i.e. because the material has been reproduced in verbatim or nearly verbatim form), referencing it as though it had been paraphrased does not constitute adequate attribution.
- ii. Copying from another student’s work (with or without their knowledge).
- iii. Using coursework that had been submitted previously at any educational institution by the student.
- iv. Submitting the same, or a substantially similar, assignment or piece of research for more than one assessment.
- v. Submitting for assessment work that has been produced, all or in part, by unauthorised collaboration with one or more other individuals.

Note: See [Third Party Assistance in Undergraduate and Postgraduate Coursework Guidelines](#).

- vi. Submitting for assessment material obtained from commercial providers (also known as "**contract cheating**").
- vii. Impersonation or arranging to have someone impersonate you or someone else during the performance of academic work or any examination.
- viii. Cheating during tests or examinations by using software, websites, materials or devices not explicitly permitted by the examiner.
- ix. Misrepresenting disability, temporary illness or injury, or exceptional circumstances beyond the student's control, and then claiming special conditions and/or special consideration.
- x. Misrepresenting or presenting false or misleading information in application for course credit or for provisions around research work.
- xi. Claiming results that have not been obtained.
- xii. The fabrication or falsification of data, including changing research records.
- xiii. Misleading ascription of authorship, including failing to acknowledge work primarily produced by any other person.
- xiv. A breach of a duty of confidentiality, privacy or the terms of any ethical approvals.
- xv. Interference, including taking, sequestering or materially damaging any research-related material of another researcher intentionally and without authorisation, including the apparatus, reagents, biological materials, writings, data, hardware, software, or any other substance or device or data used or produced in the conduct of research.
- xvi. Other misdemeanours in specific disciplines including breaches of the Code of Conduct for Research, and relevant professional practices and codes of ethics. This includes, but is not restricted to, departing from protocols approved by the University in the course of human or animal experimentation, behavioural standards whilst on clinical assignment or similar course or programme placements.
- xvii. Assisting a student to do any of the above.

4. Breaches of academic integrity in coursework, tests or research work

The University has three levels of classification for breaches of academic integrity that occur in the preparation and submission of **coursework**, **tests** and **research work**. The three levels are: poor academic practice; minor academic misconduct; and major academic misconduct.

Poor academic practice applies only to coursework and does not apply to breaches of academic integrity in tests or examinations. A breach of academic integrity is classified as poor academic practice where:

- i. The breach occurred in undergraduate coursework within the student's first two semesters of tertiary study at this University; or

- ii. The breach occurred in postgraduate coursework within the student's first semester (or first two quarters) of tertiary study at this University; and
- iii. The breach is minor with respect to:
 - Its overall impact on the academic integrity of the work;
 - The legitimate interests of others;
 - The interests and reputation of the University,
 - Evidence that the breach is the result of a deliberately dishonest act;
 - Prior record of academic integrity breach or academic misconduct.

Where the breach does not meet the criteria described above in (i) or (ii), or the breach is judged to be more serious, it is classified as academic misconduct.

Academic misconduct may be minor or major. Relevant factors for determining whether academic misconduct is minor or major include, but are not limited to, the factors noted above under clause 4 (iii).

All confirmed breaches of academic integrity and academic misconduct incidents are recorded on the University's Register of Academic Misconduct ("The Register").

The Register may be consulted by an **Academic Integrity Adviser (AIA)**, **Academic Head**, Associate Dean, or the Dean of Graduate Studies, only to assist in the determination of the classification of an academic integrity breach, or the determination of an appropriate penalty.

Note: Where the penalties available for academic units to impose for minor academic misconduct are not sufficient to adequately penalise a student for their misconduct, the misconduct should be classified as major academic misconduct.

5. Procedures for poor academic practice, and academic misconduct in coursework, tests or research work

For the purposes of clauses 5 (a) and 5 (b), procedural steps may be undertaken by the relevant Course Director, or the relevant faculty or academic unit AIA. Where the AIA is responsible, they will consult with and inform the Course Director as appropriate.

a. Poor academic practice in coursework

A staff member, student, or any other person may report a suspected incident of poor academic practice.

The following procedures must be followed:

- i. Details of alleged incidents will be received and reviewed by the Course Director or AIA.
- ii. Marks adjustment is at the discretion of the Course Director or AIA and may mean (as appropriate):
 - Reducing the marks for the piece of work to eliminate any unfair advantage resulting from the practice.
 - Requiring the student to resubmit the relevant work in a form that meets the

requirements of academic integrity. The newly submitted work may be subject to an appropriate mark reduction to remove any unfair advantage in the student being given additional time to submit a compliant work (where submitting work after the deadline for submission would have resulted in a mark reduction).

- iii. If the Course Director or AIA considers the student has engaged in poor academic practice, they must notify the student of the finding and provide them with the details of the incident and the proposed outcome. Students must be invited to respond in writing and may state any extenuating circumstances in their case. The student will be informed of the time available to submit a written response (five working days) and that the process will proceed without a response where that time is exceeded.
- iv. After considering the student's response the Course Director or AIA may revise or uphold the original finding.
- v. Where the student disagrees with the finding of poor academic practice and the Course Director or AIA upholds the finding, the student may request a review of the finding by the Academic Head.
- vi. The Academic Head will review the incident and the student's response and may:
 - confirm the finding of poor academic practice; or
 - determine that the incident represents deliberate academic misconduct;
 - dismiss the finding of the Course Director or AIA.

Where the Academic Head determines that the incident represents deliberate academic misconduct the procedure set out in clause 5 (b) below must be followed.

- vii. Where the Academic Head confirms the finding of poor academic practice, or where the student does not respond within five working days to the initial notification, the student will be advised in writing of the finding of poor academic practice and the outcome (including adjustment of marks where appropriate).
- viii. The advice to the student must also include a recommendation for the student to take up further educative options. This may include inviting the student to meet with the Course Director or AIA for a discussion about the student's academic practice; and/or directing the student to complete or retake the Academic Integrity Course; and/or recommending that the student review relevant material on academic integrity, referencing or academic writing available through Te Tumu Herenga, Libraries and Learning Services.

b. Suspected academic misconduct in tests or coursework (including research components of less than 30 points)

A staff member, student, or any other person may report a suspected incident of academic misconduct in coursework or a test.

The following procedures must be followed for suspected academic misconduct in coursework or tests:

- i. Details of alleged incidents will be received and reviewed by the Course Director or AIA.
- ii. Where the Course Director or AIA considers the student may have engaged in

academic misconduct, or the Academic Head refers a poor academic practice case back to be investigated by the Course Director or AIA as potential academic misconduct, the student must be advised:

- of the nature of the alleged misconduct; and
 - of their opportunity to respond to the allegation and to detail any extenuating circumstances in their case; and
 - of the time available to respond (10 working days); and that the process will proceed without a response where that time is exceeded.
- iii. The Course Director or AIA may invite the student to attend an interview to discuss the allegation. Where an interview is conducted, the Course Director or AIA must conduct the interview with another staff member present (unless the interview is conducted online and recorded). The student may attend the interview with a support person.

Note: Where interviews are conducted, in cases involving more than one student all students must be interviewed separately.

- iv. Where an interview is conducted the Course Director or AIA must complete a summary of the interview and provide a copy of that summary to the student for their comment. Any comment made by the student should be retained with the interview summary.
- v. After the Course Director or AIA concludes their investigation, the Academic Head will decide whether academic misconduct is confirmed.

c. Suspected academic misconduct in research work

A staff member, student, or any other person may report a suspected incident of academic misconduct in sub-doctoral research work of 30 points or above or in doctoral research.

For the purposes of clause 5 (c) the Academic Head may only delegate procedural steps to an appropriate role in the academic unit, or to a faculty or academic unit AIA. The Academic Head must retain the final decision on the determination of academic misconduct.

The following procedures must be followed for suspected academic misconduct in research work:

- i. Details of alleged incidents will be received by the relevant Academic Head or delegate.
- ii. The Academic Head or delegate must advise the student:
- of the nature of the alleged misconduct; and
 - of their opportunity to respond to the allegation and to detail any extenuating circumstances in their case; and
 - of the time available to respond (10 working days), and that the process will proceed without a response where that time is exceeded.
- iii. The Academic Head or delegate must conduct the interview with another staff member present (unless the interview is conducted online and recorded). The student may attend the interview with a support person.

Note: Where interviews are conducted in cases involving more than one student all students must be interviewed separately.

- iv. The Academic Head or delegate must record a summary of the interview and provide a copy of that summary to the student for their comment. Any comment made by the student should be recorded with the interview summary.
- v. After the investigation is concluded the Academic Head will decide whether academic misconduct is confirmed.

d. Confirmed academic misconduct in coursework, tests or research work

If academic misconduct in coursework, a test, or research work is confirmed the Academic Head must:

- i. Determine whether it is major or minor academic misconduct (see 4 (iii)); and
- ii. In the case of minor academic misconduct only, decide on the appropriate penalty.
- iii. Penalties must be approved as follows:
 - The Associate Dean (Academic) must approve any penalty for minor academic misconduct in coursework (including research components of less than 30 points).
 - The Associate Dean (Postgraduate Research) (or appropriate role in the faculty or Large-Scale Research Institute) must approve any penalty for minor academic misconduct in sub-doctoral research work of 30 points or above.
 - The Dean of Graduate Studies must approve any penalty for minor academic misconduct in doctoral research.
- iv. If the relevant party in (iii) cannot confirm:
 - that the appropriate process was followed; and
 - that the penalty is appropriate (taking into account all the circumstances)the case must be referred back to the Academic Head for reconsideration. In the case of a dispute the final decision on the outcome of the incident and/or the penalty rests with the relevant party as listed in (iii).
- v. Referrals to Discipline Committee via the Provost must be approved as follows:
 - The Associate Dean (Academic) must approve referral for major academic misconduct in undergraduate or postgraduate taught courses (including research components of less than 30 points).
 - The Associate Dean (Postgraduate Research) (or appropriate role in the faculty or Large-Scale Research Institute) must approve referral for major academic misconduct in sub-doctoral research components of 30 points or above
 - The Dean of Graduate Studies must approve referral for major academic misconduct in doctoral research.
- vi. If the relevant party in (v) cannot confirm:
 - that the appropriate process was followed; and
 - that the referral to Discipline Committee is appropriate (taking into account all

the circumstances),

the case must be referred back to the Academic Head for reconsideration. In the case of a dispute the final decision on the outcome of the incident and/or the penalty rests with the relevant party as listed in (v).

- vii. For referred major academic misconduct cases the Provost will decide whether to send the matter to Discipline Committee or to refer it back to the Associate Dean (Academic), the Associate Dean (Postgraduate Research) or the Dean of Graduate Studies (as appropriate).
- viii. When the Provost refers the matter back as in (vii), the incident is reclassified as minor academic misconduct and the Associate Dean (Academic), or the Associate Dean (Postgraduate Research) or the Dean of Graduate Studies (as appropriate) makes a decision on the penalty to be imposed.

e. Doctoral examinations

- i. Where academic misconduct is confirmed during a doctoral examination, the Academic Head will provide the Examination Committee with the details of any material contained within the thesis that constitutes academic misconduct. To avoid doubt: this material is provided for the purposes of facilitating statutory assessments in relation to the criteria for the award of the degree and not for any punitive or disciplinary purpose.

6. Procedures for academic misconduct in examinations

a. Suspected academic misconduct identified during the examination

For suspected incidents of academic misconduct identified during in-person examinations conducted on campus the following procedures must be followed:

- i. The examination must be allowed to continue.
- ii. The examination invigilator must record and submit the details of the suspected incident on the prescribed form or system.
- iii. The student will be interviewed by a staff member of the Assessment Services Office directly after the examination in which the suspected incident occurred. The student concerned must be informed of the details of the suspected incident and invited at that time to submit a written statement.
- iv. Where a suspected offence occurring in one examination involves more than one student, all students must be interviewed separately.
- v. Where appropriate, the examiner will be asked to provide a report on the significance of the suspected incident of academic misconduct. Where such a report is provided, the student must be sent a copy of the report and be given an opportunity to make a further written statement in response.
- vi. The procedure then follows that outlined in clause 6 (c).

For suspected incidents of academic misconduct identified during remote online examinations, the following procedures must be followed:

- i. The examination must be allowed to continue.
- ii. Where a remote, online examination has in-person invigilation the invigilator must record and submit the details of any suspected incident on the prescribed form or system.
- iii. The examiner may be asked to provide a report on the significance of the suspected academic misconduct.
- iv. The procedure then follows that outlined in clause 6 (c).

b. Suspected incidents of academic misconduct after the examination

Suspected incidents of academic misconduct may be identified after the examination at the time of marking, or when recordings captured by digital invigilation software are reviewed.

The following procedures must be followed:

- i. The Assessment Services Office staff member who is reviewing information captured by digital invigilation software after the examination has been completed must record and submit details of the suspected academic misconduct on the prescribed form or system. The examiner may be asked to provide a report on the significance of the suspected academic misconduct.
- ii. The member of staff who is marking the examination paper must submit the details of the suspected academic misconduct to the Assessment Services Office, including a comment on its significance.

Note: Where a suspected incident is identified at the time of marking and the examination was conducted using digital invigilation, the relevant recording may be reviewed to assist in the determination of an academic integrity breach.

c. Determination of conduct

- i. The student will be provided with a copy of the details of the incident and asked to submit a response. After a reasonable time (but no less than five working days) if the student has not responded, the process will proceed without the student's input.
- ii. The Assessment Services Manager (or delegate) will review the evidence and decide whether academic misconduct has occurred.
- iii. When there is sufficient evidence (supported by the Examiner's report, where provided) the Assessment Services Manager (or delegate) must:
 - Determine whether it is Category 1 academic misconduct in examinations, or Category 2 academic misconduct in examinations, and
 - In the case of Category 1 academic misconduct in examinations only, decide on the appropriate penalty.
- iv. Academic misconduct in examinations is determined to be Category 1 or Category 2 based on the severity of the incident. Category 2 academic misconduct incidents are high severity; Category 1 incidents are medium to low severity. Relevant factors for determining whether academic misconduct in examinations are Category 1 or Category 2 include, but are not limited to:
 - Overall impact on the academic integrity of the work;

- The legitimate interests of others;
 - The interests and reputation of the University;
 - Prior record of academic integrity breach or academic misconduct;
 - Evidence the breach was the result of a deliberately dishonest act.
- v. If the Assessment Services Manager determines the offence to be Category 2 academic misconduct in examinations, the case must be referred to the Provost with a recommendation for forwarding to Discipline Committee.
- vi. The Provost reviews the documentation to determine whether the case, supported by evidence or an admission, meets the standard for academic misconduct and referral to Discipline Committee as Category 2 academic misconduct in examinations. If not, the case is referred back to the Assessment Services Manager who will resolve the case as Category I academic misconduct in examinations.
- vii. If academic misconduct is confirmed, the case is recorded in the Register.

Notes:

- *The Register may be consulted by the Assessment Services Manager (or delegate) for any prior record of academic integrity breach to assist in the determination of the category of an academic misconduct incident, or the determination of an appropriate penalty.*
- *Where the penalties available for the Assessment Services Manager to impose for Category 1 academic misconduct in examinations are not sufficient to adequately penalise a student for their misconduct, the misconduct should be classified as Category 2 academic misconduct in examinations. Evidence of any prior incidents of academic misconduct against the student to assist in the determination of the appropriate penalty.*

7. Penalties for academic misconduct

The penalties for academic misconduct vary with such factors as the seriousness of the offence, previous instances of academic misconduct by the student, and extenuating circumstances.

a. Minor academic misconduct

Academic units may impose the following penalties in cases of minor academic misconduct:

- i. Reduction of the mark for the piece of work to which the academic misconduct refers, down to and including a mark of zero; or not marking the piece of work, thus giving it a mark of zero.
- ii. Reduction of the student's final grade for the course by up to three grade steps.
- iii. An oral or written reprimand.

b. Category 1 academic misconduct in examinations

The Assessment Services Manager (or delegate) may impose the following penalties in cases of Category 1 academic misconduct in examinations:

- a. Reduction of the mark for the examination, down to and including a mark of zero; or not marking the examination, thus giving it a mark of zero.
- b. Reduction of the student's final grade for the course by up to three grade steps.
- c. An oral or written reprimand.

c. Major academic misconduct and Category 2 academic misconduct in examinations

Discipline Committee may impose the penalties listed below in confirmed cases of major academic misconduct and in cases of academic misconduct in examinations:

- i. Reduction of the grade for the piece of work to which the academic misconduct refers, down to and including a grade of zero, or not marking the piece of work, thus giving it a grade of zero.
- ii. Reduction of the student's grade for the course, down to and including a grade of 'Fail'.
- iii. An oral or written reprimand.
- iv. A fine not exceeding \$1,000.
- v. Suspend attendance at the University for a period to be determined.
- vi. Cancel enrolment, i.e., expulsion from the University.

8. Right of review

Penalties imposed under this Statute may only be reviewed as specified below.

When seeking a review, a student must clearly indicate the reason/s the review is being sought, and in particular whether the student seeks review of:

- i. The decision to find the student guilty of the offence; or
- ii. The penalty imposed on the student; or
- iii. Both the decision and the penalty imposed.

The student must provide sufficient details to support their reason for seeking review.

a. Reviewing decisions/penalties imposed by the Assessment Services Manager

Any student upon whom a penalty is imposed by the Assessment Services Manager may, by giving written notice to the Provost within 20 working days of the imposition of the penalty, seek a review of the decision and/or the penalty imposed. The review shall be heard by the Discipline Committee whose decision shall be final.

b. Reviewing decisions/penalties imposed by academic units

Any student upon whom a penalty is imposed by an academic unit may, by giving written notice to the Provost within 20 working days of the imposition of the penalty, seek a review of the decision and/or the penalty imposed. The review shall be heard by the Discipline Committee whose decision shall be final.

c. Reviewing decisions/penalties originally imposed by Discipline Committee

Any student upon whom a penalty is imposed by the Discipline Committee may, by giving written notice to the Provost within 20 working days of the imposition of the penalty, seek a review of the decision and/or the penalty imposed. The review shall be heard by the Appeals Committee of the Council, as specified in the University's Statute for Student Discipline. The Decision of the Appeals Committee shall be final.

9. Amendments to Statute

This Statute may be reviewed, amended or replaced from time to time. This Statute comes into effect on 1 January 2022 and replaces the 2020 Statute for Student Academic Conduct.

10. Definitions

All staff members means any individual employed or contracted by the University on a full or part-time basis. This includes permanent, fixed-term or casual staff members.

Academic Head refers to the Head of a department, school or disciplinary area, or their nominee.

Contract cheating means the form of academic misconduct where students have academic work completed on their behalf, which they then submit for academic credit as if they had created it themselves. Contract cheating can involve the payment of a fee to a third party.

Coursework, for the purposes of this Statute, means assessments in taught courses (excluding examinations), including research components of less than 30 points.

Examinations mean summative, time-limited assessments completed in the prescribed examination period.

Research work, for the purposes of this Statute, means sub-doctoral research components of 30 points and above, or doctoral research.

Waipapa Taumata Rau University of Auckland means the University of Auckland and includes all subsidiaries.

11. Key relevant documents

[Student Discipline Statute](#)

[Resolution of Student Academic Grievances and Complaints Statute](#)

[Examination Regulations](#)

[Student Charter](#)

[University Code of Conduct](#)

[Assessment \(Coursework, Tests and Examination\) Policy and Procedures](#)

[Research Code of Conduct Policy](#)

[Authorship Guidelines](#)

12. Document management and control

Prepared by: Office of the General Counsel; Academic Quality Office

Owned by: Provost

Approved by: Council

Date approved: Interim review approved 8.12.21

Review date: