Register of Academic Misconduct

Updated October 2015

Guide for Academic and Professional staff

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For further assistance
Contact the Planning and Quality Office
Email: planning@auckland.ac.nz
Telephone: extension 83281
SECTION 1

Background to the Register and treatment of academic misconduct

Introduction
An online Register of Academic Misconduct was created by the University in 2009. In 2014 the Register was re-developed by the Planning and Quality Office and ITS.

The purpose of the redevelopment was to align the Register with the 2012 Student Academic Conduct Statute, and improve ease of use and accessibility for academic and professional staff users.

Changes made in 2014 included:

- For coursework offences, **ALL naive and inadvertent offences** are recorded in the Register. This ensures that **all** offences are reported, and assists in the identification of academic misconduct at this level across departments or faculties.
- Once an offence has been **confirmed**, the Register can be consulted to determine if there are prior ‘inadventent or naïve’ cases on record for the student concerned. This may inform the judgment of the Academic Head as to whether the case is ‘inadventent or naïve’ or deliberate.
- Examinations offences are included in the Register.
- Staff have the ability to upload scanned documentation, including the completed AS-75, AS-36 or AS-37 as PDF files.
- All deliberate, major cases are uploaded to the Register, with hard-copy records sent to the Office of the DVC(A) for Discipline Committee.
- Staff using the Register can see whether a student has completed the University’s Academic Integrity Course.

What is the Register?
The Register of Academic Misconduct is a central database used to record cases of academic dishonesty in coursework and examinations. The Register is used in conjunction with the AS-75 form (‘Academic Misconduct: Assessment and Report Form’) for coursework cases. For cases of academic misconduct in examinations, the AS-36 form (Report on Suspected Misconduct in an Examination) or the AS-37 form (Report on Unauthorised Material in an Examination) are used by Examinations Office staff.

What is the purpose of the online Register?
By providing a consolidated record of academic misconduct across coursework and examinations, the Register:

- facilitates identification of repeat misconduct across departments, and across faculties
- enhances the consistency and level of penalties applied to misconduct, through consultation of the Register
- enables aggregate trend reporting and analysis (e.g. incidence levels, types of cheating, penalties applied) which can be used internally at the University level, and, if necessary, externally
- provides indirect evidence related to the effectiveness of learning support, and student understanding of academic conventions and cultures.
SECTION 2

Academic misconduct policy framework

Users of the Register should consult the University’s Student Academic Conduct Statute (see Appendix 1) which provides the policy framework for use of the Register.

Types of academic misconduct:

(a) Coursework
The Student Academic Conduct Statute identifies three categories of offence:
1. Inadvertent or naïve
2. Deliberate and non-naïve – minor offence
3. Deliberate and non-naïve – major offence.

(b) Examinations
The Student Academic Conduct Statute identifies two categories of offence:
1. Supported by evidence or an admission
2. Not supported by conclusive evidence.

All confirmed cases of academic misconduct are recorded in the Register of Academic Misconduct.

Confirmed cases are treated as part of the student record and will be retained on the Register indefinitely.

The treatment of ‘inadvertent or naïve’ cases of academic misconduct:

The Statute recognises that a student may unwittingly commit an academic offence, often as a result of lack of knowledge of academic conventions. The University’s Academic Integrity Course has been developed as a response, and is now compulsory for all students.

In ‘inadvertent or naïve’ cases, Academic Heads may treat the matter as a learning issue and opt for an educative approach, without academic penalty. ‘Inadvertent or naïve’ cases are to be entered in the Register of Academic Misconduct.

Once an academic misconduct offence has been confirmed, the Register may be consulted to determine if there are prior ‘inadvertent or naïve’ cases on record for the student concerned. This may inform the judgment of the Academic Head as to whether the case is ‘inadvertent or naïve’ or deliberate.
If a student has completed the Academic Integrity course, the student should have some understanding of academic integrity, University rules relating to academic conduct, and the identification and consequences of academic misconduct regulations around academic misconduct at the University. It is still possible to classify the incident as inadvertent or naïve, but this should be the exception.

The Academic Integrity course will be shown as ‘Not attempted’ or ‘Complete [Year] [Semester]’. The Academic Integrity course will only be shown as complete if the student has completed all of the modules. Until that point it is recorded as ‘Not attempted’.

How suspected coursework misconduct is investigated and resolved:

The major steps are:

1. An initial assessment is done, usually by the course convenor or primary supervisor. The student is interviewed as part of this process.
2. The Academic Head considers the initial assessment, and makes a determination concerning guilt and, if the student has committed academic misconduct, classifies that misconduct as ‘inadvertent or naïve’ or ‘deliberate and non-naïve’.
   a. If the Academic Head has determined the incident to be inadvertent or naïve academic misconduct, the student is informed of the Academic Head’s determination, and marks are adjusted if necessary to remove any unfair advantage from the misconduct.
   b. If the Academic Head has determined the incident to be deliberate and non-naïve academic misconduct, the Academic Head and the Associate Dean (Academic) (or, in the case of research exercises worth more than 30 points, the Dean of Graduate Studies) classify the misconduct as either ‘minor’ or ‘major’.
3. If the misconduct is classified as ‘minor’, the Academic Head and the Associate Dean (Academic)/Dean of Graduate Studies determine the penalty and the student is informed of the decision.
4. If the misconduct is classified as ‘major’, the Academic Head and the Associate Dean (Academic)/Dean of Graduate Studies refer the matter to the Deputy Vice-Chancellor (Academic) with a recommendation that the matter be heard by the Discipline Committee.

How suspected misconduct in examinations is investigated and resolved:

The major steps are:

1. For incidents in the examination room the Exam Room Supervisor completes an AS-36 (Report on Suspected Misconduct in an Examination) or AS-37 form (Unauthorised Material in an Examination). For incidents identified at the time of marking the staff member marking the examination paper provides a written report to the Examinations Office.
2. The student is interviewed by Examinations Office staff. An Examiner’s Report (where requested) is shown to the student, who is then invited to complete a written statement.
3. The Examinations (Services) Manager reviews the documents and any other evidence, and makes a determination as to whether an offence has been committed.
4. Offences not supported by conclusive evidence result in a written warning to the student from the Examinations (Services) Manager, which is recorded on the Register.
5. Offences supported by evidence or an admission are referred to the DVC(A) with a recommendation from the Examinations (Services) Manager as to whether they should be referred to Discipline Committee. The outcome of Discipline Committee consideration is recorded on the Register by the Secretary of Discipline Committee.


SECTION 3

Main features of the Register

The Register functions in a straightforward manner:

1. Suspected cases of academic misconduct are investigated and the required data is entered on the relevant form if misconduct is confirmed. There is input from the course convenor (coursework) or room supervisor (exams); Academic Head (coursework) or Examinations (Services) Manager; and the student.

2. When an offence is confirmed the Register is consulted to determine if the student has committed any prior offence(s).

3. Data is entered into the online Register, and a scanned copy of the completed paper form is uploaded (other relevant documents can also be uploaded). The student is given a signed copy of the relevant form.

The paper form/s and associated documentation may be kept in the department.
### SECTION 4

**Roles and responsibilities**

#### 1. Academic staff

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibilities</th>
</tr>
</thead>
</table>
| Academic staff member teaching on a course | - Identifying alleged academic misconduct  
- Informing course convenor or primary supervisor |
| Course convenor | - Contacting and interviewing student(s)  
- Confirming whether academic misconduct has occurred  
- Completing and signing the relevant section of AS-75 and forwarding to Academic Head |
| Primary supervisor | - Informing Academic Head of cases of alleged misconduct  
- Completing the relevant section of AS-75 |
| Academic Head | - FOR COURSEWORK INCIDENTS: Consulting the Register (in confirmed cases) to determine whether academic misconduct is inadvertent or naïve; Deliberate and non-naïve and MINOR; or Deliberate and non-naïve and MAJOR  
- FOR RESEARCH DISSERTATION AND THESIS INCIDENTS: interviewing students to determine whether academic misconduct has taken place  
- For MINOR and INADVERTENT OR NAÏVE cases: determining the penalty (the Register may be consulted); obtaining the approval of the Associate Dean or Dean of Graduate Studies.  
- For MAJOR cases: referring the case to the Associate Dean, who will forward the case to the DVC(A).  
- Completing and signing the relevant section of the AS-75.  
- Determining the penalty applied to MINOR cases referred back down to the Department or School by the DVC(A). Recording the change of status of offence and penalty on the Register. |
| Associate Dean | - Approving the penalties applied to Deliberate and non-naïve MINOR cases.  
- Completing and signing the relevant section of the AS-75. |
| Academic staff member marking an examination | - Identifying academic misconduct  
- Reporting academic misconduct to the Examinations Office |
| Examiner | - Providing a report on the alleged misconduct to the Examinations Office |
| Deputy Vice-Chancellor (Academic) | - Reviewing MAJOR cases of academic misconduct in coursework, and determining whether to refer them to Discipline Committee or back to the academic unit  
- Reviewing the recommendation of the Examinations Manager for examination offences supported by evidence or an admission, and determining whether to refer them to Discipline Committee or back to the Examinations Office. |
| Dean of Graduate Studies | - Approving the penalties to be applied for cases of Deliberate and non-naïve MINOR offences in research dissertation or thesis cases worth more than 30 points.  
- Completing and signing the relevant section of the AS-75. |
2. Professional staff

Student and Academic Services Managers have primary responsibility for oversight of this process in their faculty, and communication of roles and responsibilities.

Each Faculty will determine the most efficient way to organise the entry of data into the Register, and the support provided for Academic Heads and Associate Deans. In principle, the roles and responsibilities will be:

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibilities</th>
</tr>
</thead>
</table>
| Student Academic Services Managers        | • Oversight of the process of data entry (whether it is done by the SASM, or delegated to another role in the faculty)  
• Point of contact with the Planning and Quality Office regarding the Register of Academic Misconduct (including faculty-level approval of requests for access)  
• Storage of documentation related to academic misconduct, where appropriate  
• Source of ‘expert’ information on the use of the Register to staff in their faculty. |
| Group Services Managers                   | • Supporting Academic Head where necessary in consulting the Register for previous offences  
• Supporting the Academic Head where necessary in obtaining the approval of the Associate Dean for minor and inadvertent or naïve offences  
• Supporting Academic Head where necessary in data entry for some sections of the Register record |
| Other Faculty professional staff          | • Data entry on the Register, where required by Student Academic Services Managers |
| Exam room supervisor                      | • Identifying and reporting alleged misconduct in the examination room on the AS-36 or AS-37 form |
| Examinations (Services) Manager           | • Interviewing student after the examination incident  
• Sending Examiner’s report (when one is requested) to student  
• Receiving student’s written statement  
• Sending recommendation to the DVC(A) for cases with clear and conclusive evidence  
• Issuing written warning to students for offences determined to be not supported by clear evidence or an admission  
• Issuing a written warning to the student for cases referred back to the Examinations (Services) Manager by the DVC(A). Recording the change of status of offence and penalty on the Register. |
| Examinations office staff as delegated    | • Data-entry of AS-36 and AS-37 forms on the Register of Academic Misconduct  
• Entering NAX grade for students awaiting outcome of academic misconduct investigation or Discipline Committee consideration. |
### SECTION 5

Access and use of the Register

**Notes to the table:**
Changes in the identity of the administrative staff responsible for data entry may be made upon request to the Register System Administrator (email: planning@auckland.ac.nz).

*Student Academic Services Managers should approve access requests at the faculty level.*

<table>
<thead>
<tr>
<th>User Role Name</th>
<th>Type of User</th>
<th>Activity</th>
<th>Access to Data</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DATA ENTRY</strong></td>
<td>Designated members of professional staff in faculty administrative positions – as delegated by Student and Academic Services Managers.</td>
<td><strong>Incident Records:</strong></td>
<td>User can see:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Search for records</td>
<td>All submitted records across all faculties;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Create incidents</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upload documents to OWN incidents (ie, created by the user)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Edit OWN incidents</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Save OWN incident records</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Submit completed records</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>User can edit:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Only records created by the user</td>
<td></td>
</tr>
<tr>
<td><strong>READ ONLY</strong></td>
<td>Associate Dean of Faculty Academic Heads (as necessary, in some faculties)</td>
<td><strong>Incident Records:</strong></td>
<td>User can see:</td>
</tr>
<tr>
<td></td>
<td>Discipline Committee Chair Vice -Chancellor</td>
<td>Search for records</td>
<td>All submitted records across all faculties</td>
</tr>
<tr>
<td></td>
<td>Deputy Vice-Chancellor (Academic) or nominee</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>User can edit:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No records</td>
<td></td>
</tr>
<tr>
<td><strong>SUPERVISOR</strong></td>
<td>Student Academic Services Manager</td>
<td><strong>Incident Records:</strong></td>
<td>User can see:</td>
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<tr>
<td></td>
<td></td>
<td>Search for records</td>
<td>All submitted records across all faculties</td>
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<td></td>
<td></td>
<td>Create incidents</td>
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<tr>
<td></td>
<td></td>
<td>Upload document/s to ALL incident/s</td>
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<td></td>
<td>Edit ALL incidents</td>
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<td></td>
<td></td>
<td>Save incident records</td>
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<td></td>
<td></td>
<td>Submit completed records</td>
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<td></td>
<td></td>
<td>User can edit:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>All records (prior to submission)</td>
<td></td>
</tr>
<tr>
<td><strong>ADMIN</strong></td>
<td>Register System Administrator (Planning and Quality Office)</td>
<td><strong>Users:</strong></td>
<td>User can see:</td>
</tr>
<tr>
<td></td>
<td>Senior Academic Quality Advisor</td>
<td>Create new user</td>
<td>All submitted incident records</td>
</tr>
<tr>
<td></td>
<td>Discipline Committee Secretary</td>
<td>Maintain user access</td>
<td>All user records</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Inactivate current user</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Incident Records:</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Search for records</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Unlock submitted records</td>
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<tr>
<td></td>
<td></td>
<td>Save records</td>
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<td></td>
<td></td>
<td>Submit completed records</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td>Enter DC information and submit approved records</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>User can edit:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>All records</td>
<td></td>
</tr>
</tbody>
</table>
SECTION 6

Information for DATA ENTRY and SUPERVISOR users

There are four main functions for data entry and supervisor users:

- Log in
- Search incidents
- Create new incidents
- Edit Incidents

1. Log in

When you log into the Register (using your staff username and password) you will be taken directly to the DATA ENTRY or SUPERVISOR home page.

2. Search incidents

You can search for a record related to a particular student by entering the student’s ID in the search field (‘student ID’). Any records related to that student will then appear and you can click on the appropriate incident number/s.

3. Register New Incident

To create a new record, click on ‘Register new incident’

This takes you to a screen where you are required to enter, working from the AS-75 form, the basic information about the student and the type of misconduct incident.

1. Fields marked as * are mandatory for submitting an incident record.
2. Student Name and ID Number:

Only 7-digit or 9-digit numbers should be entered. If incorrect, the system will be unable to find the student’s details. The Student’s Legal and Preferred Names will appear if the ID is found in the system. Please check the Student Name to make sure you have the right student.
3. Click ‘Save’.
4. At this point the system will automatically generate a new ‘incident number’ for the record. As a cross-reference, it is suggested that you record the ‘incident number’ on the paper form.

5. Fill in the required fields in Incident Details and upload a copy of the completed paper form. The record will not be able to be ‘submitted’ until an attachment has been uploaded.

6. Complete the Initial Investigation section.

Make sure that all marked fields * are completed. Error messages will appear where information is required but not inserted, and you will be unable to save the record.

7. Click ‘Save and Next’ to continue, or ‘Save and exit’ if you want to come back to the record later. The system saves data and directs you to the next section or back to the start page if you select ‘Save and exit’. The ‘Save and next’ button will only become active when all compulsory fields have been completed, and all **required signature boxes checked**.

8. Working from the form, complete the ‘Academic Head’ and ‘Student Declaration’ sections. The ‘Save and next’ and ‘Submit’ buttons will only become active when all compulsory fields have been completed. Make sure that all fields in the sections have been entered correctly, and match what is recorded in the completed paper form.

9. Click on the ‘Submit’ button when you have completed the data entry. The incident is entered and will now have the status ‘Submitted’ in the system. You must contact the system administrator if you need the record to be unlocked for any additional changes after this point.

NOTES:

* Major offences that have the status ‘Submitted’ on the Register are not automatically referred to Discipline Committee by the system. A hard copy of the AS-75 form and any supporting documentation should be forwarded to the DVC(A). Discipline Committee outcomes will be entered in the Register by the Secretary of Discipline Committee, except where the incident is reclassified as deliberate and minor or inadvertent or naïve by the Committee.

* Once the incident file is saved and submitted, the incident is locked to access. If there is a need for access (e.g., for further editing), permission must be sought from the Faculty Associate Dean for the incident to be unlocked. If a request is made for an incident record to be unlocked, the Register System Administrator in the Planning and Quality Office will advise the department when this has been done.

* Duplicate entries are blocked from being entered into the Register by a combination of student ID, date of incident and course code.

* In Section A of the form, the incident may be checked as ‘Inadvertent or naïve’ in the initial assessment by the course convenor, but this assessment may be revised by the Academic Head in section B.

**4. Edit Incident**

When you log in to the Register, you will be able to see all the records currently in your responsibility, and yet to be submitted.
Under status you will see the records in ‘Editing’ mode, which means they have not yet been completed.

Data Entry and Supervisor users can continue working on any of these records.

Supervisor users can search for and edit uncompleted records that were created by another user. Supervisor users can also upload documents to records created by another user. Once a record created by someone else has been accessed by the Supervisor, it will also show up with the status of ‘Editing’ when that person logs in to the Register until such point as the incident information has been completed and submitted.

**Change Incident Owner**

A department or school may wish to change the staff member who has ‘data-entry’ access to the Register. Please contact the system administrator through planning@auckland.ac.nz to make the change.
SECTION 7
Information for CONSULTATION/READ ONLY users
https://www.staff.auckland.ac.nz/students/misconduct/welcome

When you log into the Register you will be taken directly to the READ_ONLY Home.

Search Incident(s)

You can search for a record related to a particular student by entering the student’s ID in the search field. Any records related to that student will then appear and you can click on the appropriate incident number to view details.

At the point that academic misconduct has been confirmed, Academic Heads may consult the Register for evidence of previous offences in order to assist in determining whether an offence is inadvertent or naïve, or deliberate; major or minor. The Register may also be consulted to assist in the determination of the appropriate penalty.
SECTION 8

FAQs

Once an academic misconduct offence has been confirmed, can I check to see if a student has had a prior offence?
Yes. The Register MAY NOT be consulted to confirm whether an offence has occurred. However, the Register may be used to check if a student has had a prior inadvertent or naïve, or deliberate academic misconduct offence.

Should all incidents be recorded in the Register, even those resolved at the level of the Academic Unit?
Yes. It is important that all confirmed cases of academic misconduct (including inadvertent or naïve) be recorded on the Register. Academic Heads should take responsibility for reminding academic staff to report all confirmed cases.

The Register now records whether a student has completed the University’s Academic Integrity course. How will that affect a decision to categorise an incident as inadvertent or naive, or deliberate and non-naïve?
If a student has completed the Academic Integrity course, this may suggest that the student cannot plead naiveté. However, this judgement must be made by the Academic Head on a case-by-case basis. The Academic Integrity Course is now compulsory for all students starting a new programme. However, it is possible that students could be involved in an academic misconduct case without having completed the Academic Integrity course.

The Register now records exams offences. If, as Academic Head, I consult the Register to determine whether a coursework offence is major and minor and the student concerned had received a written warning for an ‘inconclusive’ examinations offence, how should this be interpreted?
Relevance of previous incidents is a decision for the Academic Head. Exams offences cannot be directly compared to previous coursework offences but can inform the Academic Head’s judgement.

When offences are referred back to the Academic Head from the DVC(A) are they considered ‘major’ or ‘minor’?
They are considered to be minor offences and the record on the Register should be amended to reflect the change in status of the offence.

How long will information be retained on the Register?
Register of Academic Misconduct files are part of the student record, and as such may be kept by the University indefinitely.

What grade do I give a student when the academic misconduct case has not been completed (i.e., no outcome yet)?
An NAX (Not Available for Misconduct) holding grade can be entered until the outcome is ascertained. You need to let the Examinations Services Manager know the student name, ID and course. This code can also be put on Cecil grades.
**What is a ‘reasonable length of time’ to wait for student response to an invitation to attend an interview?**

‘Reasonable’ means reasonable given all known circumstances. For example, a student may be overseas or not able to be contacted for some reason. This is left to the judgement of the academic staff involved.

**How do I obtain technical assistance?**

Technical assistance is available through the Staff Service Centre.

[staffservice@auckland.ac.nz](mailto:staffservice@auckland.ac.nz)

ext 86000
1 SCOPE

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 and examinations. The University expects all students to complete coursework, examinations and theses with integrity and honesty. Such integrity maintains the reputation and quality of its degrees and diplomas and protects their international recognition.

The University of Auckland will not tolerate cheating, or assisting others to cheat. It views cheating as a serious academic offence. To ensure that the standard of all University of Auckland qualifications is maintained, students and staff have a responsibility to prevent, discourage and report cheating.

This Statute is to be read in conjunction with information pertaining to the Register of Academic Misconduct. It covers any dishonest practice occurring in the preparation and submission of work which counts towards the attainment of a pass in any subject. It addresses:

a) ‘Academic misconduct’: This includes dishonest or inappropriate practices occurring in the preparation and submission of coursework (which includes, but is not restricted to, assessable work produced by students and normally submitted during periods of teaching) and work produced in the preparation and submission of dissertations, theses or other products of research which count towards the attainment of a degree or diploma.

b) ‘Academic misconduct in Examinations’: This includes any practice which takes place in the context of University examinations which is dishonest or
inappropriate or inconsistent with the principles of integrity and which in turn is exemplified in Clause 2 of this Statute and/or in breach of relevant parts of clauses 7 and 8 of the Examination Regulations.

2 ‘ACADEMIC MISCONDUCT’ AND ‘ACADEMIC MISCONDUCT IN EXAMINATIONS’

The following are examples of academic misconduct and academic misconduct in examinations. This list is not exhaustive:

a) Using the work of others without explicit acknowledgement and referencing, that is, plagiarism. It includes: use of other people's data without acknowledgement; use of published or unpublished expressions and ideas from other people without adequate attribution; use of published or unpublished charts, diagrams.

b) Copying from another student’s work (with or without their knowledge).

c) Using coursework that had been submitted previously at any educational institution by the student.

d) Submitting without acknowledgement work to which others have contributed.

e) Submitting the same, or a substantially similar, assignment for more than one assessment.

f) Submitting for assessment material obtained from commercial essay or assignment services, including web-based sources.

g) Impersonation or arranging to impersonate someone else during the performance of academic work or any examination.

h) Cheating in examinations by bringing prohibited materials and devices into an examination room; referring to such material in the course of the examination.

i) Misrepresenting disability, temporary illness or injury or exceptional circumstances beyond the student’s control, and then claiming special conditions and/or special consideration.

j) Misrepresenting or presenting false or misleading information in application for course credit.
k) Claiming results that have not been obtained.
l) The fabrication or falsification of data, including changing research records.
m) Misleading ascription of authorship, including failing to acknowledge work primarily produced by any other person.
n) A breach of a duty of confidentiality, privacy or the terms of any ethical approvals.
o) 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.
p) Other serious 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.

3 **CLASSIFYING ACADEMIC MISCONDUCT AND ACADEMIC MISCONDUCT IN EXAMINATIONS**

Instances of academic misconduct and academic misconduct in examinations (‘misconduct’) may be classified by reference to the intention of the offender, the degree of culpability attending the offence and the magnitude of the offence:

a) Intention: Misconduct may be deliberate, that is, carried out with an adequate understanding of the requirements of academic integrity, or inadvertent, that is, carried out in ignorance of these requirements and/or their appropriate application.

b) Culpability: the blame attributed to a student who has engaged in misconduct will vary according to presuppositions on which the student acted; misconduct may thus be either naive or non-naive.
c) Magnitude: offences may be judged ‘minor’ or ‘major’ with respect to their impact on the integrity of the work presented, the legitimate interests of others and the interests and reputation of the University.

As a general principle, instances of academic misconduct that are classified as ‘inadvertent’ or ‘naïve’ result from a lack of understanding of what academic integrity entails or an innocent failure to give effect to its requirements. Educative responses are appropriate to such offending but it may also be necessary to eliminate any unfair advantage resulting from it, by, for example, reducing the marks awarded for a piece of work. In these cases the adjustment will reflect the magnitude of the advantage gained. Second and subsequent acts of academic misconduct are unlikely to be classified as inadvertent or naïve.

4 ACADEMIC MISCONDUCT - PROCEDURES

Allegations of Academic Misconduct shall be dealt with by processes consistent with the principles of natural justice. The following procedures must be followed (see Schedule 1):

a) Coursework

i) Where a staff member, a student or any other person has grounds for believing that academic misconduct has taken place, the course convenor must be informed.

ii) The student(s) concerned should be contacted and interviewed by the course convenor. The purpose of the interview is to assist the course convenor to investigate whether academic misconduct has taken place. One other person must be present at this interview. If this person is nominated by the course convenor, the student will also be invited to bring a support person if they wish.
Research

iii) If misconduct arises during the preparation of work for a research dissertation or thesis, it should be drawn to the attention of the primary supervisor who will notify the Academic Head. The Academic Head or nominee will then interview the student as per the provisions in ii) above.

b) If academic misconduct is not confirmed, no further action is needed.

c) If academic misconduct is confirmed, form AS-75 must be completed.

d) In the event of a student being non-responsive to requests either for an interview or to complete form AS-75 the process will, within a reasonable length of time, proceed with the student in absentia.

e) If academic misconduct is determined by the Academic Head or nominee to be ‘inadvertent or naïve’ (See Schedule 2 below for examples illustrating these terms), it should be resolved within the academic unit, usually through educative means. Marks may be adjusted.

f) If academic misconduct is confirmed and it is determined by the Academic Head or nominee to be ‘deliberate and non-naïve’, the Head should (i) determine whether it is a major or minor offence and (ii), in the case of a minor offence only, decide on the appropriate penalty. In order to assist in determining whether an offence is major or minor, the Register of Academic Misconduct should be consulted at this stage for any evidence of previous offending. Any penalty is subject to the approval of the Associate Dean or, in the case of research exercises worth more than 30 points, to the Dean of Graduate Studies.

g) If the Academic Head or nominee determines the offence to be a major offence, the case must be referred through the Associate Dean to the DVC (A) who will decide whether to send the matter to Discipline Committee or to refer it back to the Academic Head or nominee who makes a decision on the penalty to be imposed, as in 4e) and f).

h) Confirmed minor and major offences which are ‘deliberate and non-naïve’ are recorded in the University’s Register of Academic Misconduct in accordance with the procedures relating to the Register. At this point, the Register should also
be consulted for evidence of any prior offences committed by the student to assist in the determination of the appropriate penalty.

5 ACADEMIC MISCONDUCT IN EXAMINATIONS – PROCEDURES

Suspected Academic Misconduct in Examinations will be dealt with according to the following procedures:

a) If the suspected offence occurs within the Examination Room:

   i) The Room Supervisor must fill out either form AS-36 (Report on Suspected Misconduct in an Examination) or AS-37 (Report on Unauthorised Material in an Examination).
   
   ii) The student concerned will be invited to make a written statement.

   iii) Where appropriate, the Examiner will be asked to provide a report (on the form provided) on the significance of the suspected offence. Where such a report is requested, it must be shown to the candidate suspected of the misconduct prior to extending the invitation outlined in clause 5 b iii).

   iv) The procedure then follows that outlined in 5c, d and e.

b) If the suspected offence is noticed at the time of marking:

   i) The member of staff who is marking the examination paper must fill out form AS-36 (Report on Suspected Misconduct in an Examination).

   ii) The Examiner will then be asked to provide a report (on the form provided) on the significance of the suspected offence.

      a) The report must be shown to the candidate suspected of the misconduct prior to extending the invitation outlined in clause 5 b iii).

   iii) The student concerned must then be invited to make a written statement.

   iv) The procedure then follows the procedure outlined in clause 5 c, d and e.
c)  

i) On receipt of the report from the Examiner (where one has been requested) the Examinations Manager and Deputy Manager will review the documentation and decide whether or not an offence has been committed.

ii) Where evidence is not clear or conclusive and does not have the endorsement of the examiner, the Examinations Manager warns the student in writing. This warning is recorded in the Register of Academic Misconduct. When there is evidence or an admission, the case is referred to the DVC (A) with a recommendation for forwarding to Discipline Committee.

d) The DVC (A) reviews the documentation and decides either to return the case to the Examinations Manager who issues a written warning to the student, or to refer it to Discipline Committee.

e) If Academic Misconduct is confirmed, it must be logged in the Register of Academic Misconduct and the Register then must be consulted for evidence of any prior offences committed by the student to assist in the determination of the appropriate penalty.

6 PENALTIES

a) The penalties for academic misconduct and academic misconduct in examinations vary with such factors as the seriousness of the offence, previous instances of academic misconduct by the student, and extenuating circumstances. Where appropriate, penalties should be imposed by Academic Units.

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

i) Reduce the grade for the piece of work to which the academic misconduct refers, down to and including a grade of zero.

ii) Cancel any marks previously given for the piece of work concerned.

iii) Not mark the piece of work, thus giving it zero.
iv) Issue oral or written reprimand.

c) Any penalties imposed by academic units must be approved by an Associate Dean or, in the case of research exercises worth more than 30 points, to the Dean of Graduate Studies. These parties must confirm that:

i) The appropriate process was followed in coming to a decision about the penalty and,

ii) The imposed penalty is appropriate to the offence, taking into account all the circumstances.

d) Discipline Committee may impose the penalties listed below in confirmed cases of major deliberate and non-naive cases of academic misconduct and in cases of academic misconduct in examinations:

i) A fine not exceeding $1,000.

ii) Suspend attendance at the University for a period to be determined.

iii) Cancel enrolment, i.e., expulsion from the University.

iv) Not credit a course or courses to the student’s degree programme.

v) Cancel any previously-credited pass in a course associated with the offence.

7 RIGHT OF REVIEW

a) Penalties imposed under this Statute may only be reviewed as specified in 7b-e. The grounds for review are only that:

i) There was a failure of the University’s process and/or,

ii) The basis of the decision was manifestly at odds with the evidence.

b) Reviewing decisions/penalties imposed by academic units: A student may request the DVC (A) to refer the decision and/or penalty to Discipline Committee for review. Any review request against a decision or penalty imposed by academic units must be notified in writing to the University Registrar within one calendar
month of the decision or the penalty being notified to the student. The decision of
Discipline Committee in these cases is final.

c) **Reviewing decisions/penalties originally imposed by Discipline Committee:** A
student may request the DVC (A) to refer the decision and/or penalty to the
Appeals Committee of the Council, as specified in the University’s Disciplinary
Statute.

d) When seeking a review, the student must clearly indicate the grounds on which 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 also provide sufficient supporting details to enable the DVC (A)
to determine if the appeal can proceed.

e) Where the DVC (A) declines a request under 7b) or 7c) the student will be notified
in writing of the reason for the decision by reference to 7a) or 7d). The DVC (A)’s
decision on these requests is final.

**8. AMENDMENTS TO STATUTE**

This Statute may be reviewed, amended or replaced from time to time.

This Statute comes into effect on 1 January 2013 and repeals or amends the following
documents:

Guidelines: Conduct of Coursework
Guidelines for the Conduct of Research
Examination Regulations
Schedule 1: Process for considering cases of alleged academic misconduct

If there is reasonable suspicion that an offence has occurred

Pathway A

Academic Head decides initial pathway

Is it a deliberate and non-naive offence?

ACADEMIC HEAD
To determine if offence is major or minor. The Register of Academic Misconduct should be consulted

MINOR OFFENCE

ACADEMIC UNIT RESOLUTION
- Most likely educative, led by course convenor/primary supervisor.
- Marks may be adjusted to eliminate any unfair advantage gained

MAJOR OFFENCE

ACADEMIC HEAD
To make final decision on penalty.

Note: At the ‘academic unit resolution’ stage for a deliberate and non-naive offence, a minor offence can be re-classed as a major offence, e.g. if a pattern of similar offenses is discovered.

MINOR OFFENCES

MAJOR OFFENCES

REGISTER OF ACADEMIC MISCONDUCT
Process for considering cases of alleged academic misconduct in an examination:

If suspected offence occurs within the Examination Room:

- Room supervisor fills out appropriate form
- Student invited to make written statement
- Examiner provides report

If suspected offence occurs at time of marking:

- Marker fills out appropriate form
- Examiner provides report
- Student invited to make written statement

EXAMINATIONS MANAGER and Deputy Manager [to decide if an offence has occurred].

Inconclusive evidence

- Written warning issued

Presence of evidence or admission

- DVC (A)
- DISCIPLINE COMMITTEE
- EXAMINATIONS MANAGER

If offence confirmed

- Written warning issued

REGISTER OF ACADEMIC MISCONDUCT
Schedule 2 - Protocols to assist in classifying academic offences

1. Is the matter in question an offence, in terms of a violation of academic norms or conventions? This decision is made on the merits of the case, with no access/referral to the student’s previous record. It is typically the course convenor who determines the possible existence of an offence, discusses the incident with the student, and makes the initial classification of the nature of the offence and the subsequent pathway (see flow chart diagram) under which it will be considered. If it is determined that there is an offence:

2. Determine whether the offence should be classified as one which is: (A) “inadvertent or naïve”; or (B) “deliberate and non-naïve”. This requires a judgment about the student’s intentions and reasonable understandings at the time of the offence.

<table>
<thead>
<tr>
<th>Pathway A</th>
<th>Pathway B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Inadvertent or naïve</strong></td>
<td><strong>Deliberate and non-naïve</strong></td>
</tr>
</tbody>
</table>

General Points

- The student:
  - did not intend to commit an offence
  - is new to the University and did not know what they did was wrong; the problem is a lack of knowledge

- The student:
  - committed the offence, and
  - admits they knew it was wrong, or
  - was given clear instructions, and has had sufficient time to learn referencing practices and standards

  - There is evidence the student knew what they were doing was wrong

Examples

**Pathway A**
- A first-year undergraduate student submits a first essay assignment in a course. The essay includes several un-referenced ‘cut and pastes’ from the web, and a bibliography of references. The offence probably reflects a lack of understanding of academic referencing conventions. While intentional, the incident may be found to be ‘naïve’.

**Pathway B**
- In a Stage 2 course, four students work as a team to conduct a lab experiment. The course instructor encouraged this collaboration, but also made it clear that each student should prepare their lab assignment submission separately. However, one student copies a section from the written assignment of another student in the team. The student has not observed the assignment ground rule that each
meeting, an MSc candidate is given a small amount of data from one of their colleague’s recent experiments for inclusion as background in the introduction to their thesis. The student fails properly to attribute it believing that, as the data were produced as part of a collaborative project and was not central to their thesis argument, such attribution was unnecessary. Again, while the inclusion of the data was intentional, it may be considered to be ‘naive’.

A case may arise where the incident is determined to be ‘deliberate’ yet there is still an element of naivety. For example, a student copies material without referencing but believes this is acceptable and there is a plausible reason for so believing, e.g., there has been no exposure to academic conventions and referencing norms. This case may be determined to be deliberate but it is still naive.

student’s submission should reflect their own learning. The copying may be determined to be ‘deliberate and non-naive’.

For a second semester course, a substantial amount (e.g., 50%) of a postgraduate student’s essay comprised word-for-word material that the student had submitted previously for grading in another course. The student considered that it was their intellectual property, and could be re-used as needed. The student admitted that they were aware of the Enrolment and Programme Regulations’ clause that work submitted for credit in one course cannot be resubmitted for credit in another course. Given this admission, the student’s academic level, and the amount of material re-used, the incident may be determined to be ‘deliberate and non-naive’.

A PhD candidate applies for approval from the University’s Human Participants Ethics Committee because their research involves the working with human participants. However, instead of waiting for approval, the PhD candidate commences the collection of data with human participants before receiving approval from the
committee. In this case the incident could be determined to be 'deliberate and non-naïve'.