

ACADEMIC MISCONDUCT POLICY

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Date of Next Review	28 September 2020	
Approved by	Academic Board	28 September 2015
Responsible Person	Dean	
Related Documents	Complaints, Grievances and Appeals Policy and Procedure, Principles of Procedural Fairness, Student Code of Conduct, Academic Integrity Statement	
References and Legislation	Tertiary Education Quality and Standards (TEQSA) Act 2011 (Cth); Higher Education Standards Framework (Threshold Standards) 2015; Education Services for Overseas Students Act 2000 (Cth); Education Services for Overseas Students Regulations 2001; National Vocational Education and Training Regulator Act 2011; Migration Act 1958 (Cth); National Code of Practice for Providers of Education and Training to Overseas Students 2018; the Higher Education Support Act 2003 (Cth); Privacy Act 1988 (Cth)	

1. Purpose:

The purpose of this policy is to define:

- the actions and behaviours that constitute academic misconduct at the College and
- the procedures relating to the handling of allegations of academic misconduct.

This policy is not intended to discourage legitimate cooperation among students.

2. Scope:

This policy applies to all College functions.

3. Definitions:

Term	Definition
<i>Academic fraud</i>	The fabrication, falsification or misrepresentation of information, findings or research.
<i>Academic misconduct</i>	A breach of the conventions of academic honesty. Examples of such breaches include academic fraud, cheating, misrepresentation, commissioning or buying assessment tasks, accepting a commission to write all or part of an assessment and/or selling assessments, plagiarism, collusion, and recycling.
<i>Academic staff / teaching staff</i>	Permanent and casual employees engaged in teaching and assessment of courses at the institution.
<i>Acknowledgement</i>	Identifying the author and source of material used within assessments in accordance with College academic referencing guidelines.
<i>Accepting a commission</i>	To write all or part of an assessment and/or selling assessments and/or intentionally providing others with the opportunity to engage in academic misconduct, whether for economic or other reasons, are also considered serious cases of academic misconduct.

Term	Definition
<i>Cheating</i>	<p>Dishonesty in regards to any academic activity such as:</p> <ul style="list-style-type: none"> ▪ the exchange of information either with other candidates or with external parties during an examination ▪ reading or attempting to read another student's work during an examination ▪ engaging another party to complete an examination in place of the student or assessment for the student ▪ taking into or accessing any unauthorized texts, data, electronic device and/or internet files during an examination.
<i>College (the)</i>	The Australian College of Applied Psychology (ACAP).
<i>Collusion</i>	<p>When a student presents an assessment as his or her own when in fact the task represents in whole or part the result of an unauthorised collaboration with another person or persons. Both the student presenting the assignment and the person(s) willingly supplying unauthorised material (colluders) are considered participants in the act of collusion.</p>
<i>Extenuating circumstances</i>	<p>Relating to the welfare of the student may include, but are not limited to the following. The student:</p> <ul style="list-style-type: none"> ▪ is missing; ▪ has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing; ▪ has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others; or ▪ is at risk of committing a criminal offence. <p>Any claim of extenuating circumstances will need to be supported by appropriate evidence.</p>
<i>Ghost writing</i>	<p>The presenting of another individual's work or assignment, as the student's own. Ghost writing exists when someone has made substantial contributions to writing and this role is not mentioned.</p>
<i>International student/ Overseas student</i>	A student required to hold a student visa for study in Australia.
<i>Legitimate cooperation</i>	<p>Interaction between students through peer assistance, discussion groups and student networking which involves the scholarly exchange of ideas and does not include plagiarism.</p>
<i>Misrepresentation</i>	<p>falsely claiming academic achievement including:</p> <ul style="list-style-type: none"> ▪ submitting falsified academic transcripts or falsely claiming medical circumstances to avoid an exam, assessment or other academic task or activity ▪ submitting one's own assessment task or part thereof, that has already been submitted in another assessment, for academic credit.

Term	Definition
	<ul style="list-style-type: none"> ▪ Commissioning assessments and/or buying assessments have elements of academic fraud, cheating and misrepresentation and are considered very serious misconduct.
<i>Plagiarism</i>	<p>The use of another person’s work, thoughts and/or intellectual property without appropriate reference or acknowledgment of that source. Plagiarism involves:</p> <ul style="list-style-type: none"> ▪ submitting, as one’s own, work that another person has completed ▪ using information, text, artwork, graphics or other material from any source (including the Internet) and presenting it as one’s own without acknowledgment ▪ quoting or paraphrasing material from a source without acknowledgment ▪ quoting without using quotation marks ▪ contributing less, little or nothing to a group assessment and then claiming an equal share of the marks and grading.
<i>Recycling</i>	<p>When a student submits an assessment which is substantially the same as one which has previously been submitted in another unit of study, and where the assessor has not been informed that the student has already received credit for that work.</p>
<i>Unit</i>	<p>A unit of study in a higher education course or a unit of study, module and/or unit of competency in a vocational education and training course.</p>

4. Policy:

Ethical conduct and academic integrity and honesty are fundamental to the operations of the college as an academic community. Academic misconduct will therefore not be tolerated.

4.1 Education and prevention

The college will take a proactive approach in preventing academic misconduct through educating students in academic integrity and plagiarism prevention through academic skills workshops, orientation, class activities, library resources, the use of Turnitin, web resources, such as the Student Learning Support website and relevant publications such as the Student Handbook.

5. Procedures

5.1 The following section outlines procedures to be followed in handling cases of academic misconduct.

- i. Allegations of academic misconduct with supporting evidence must be made to the respective academic unit or course Program Coordinator/Convenor or Manager Academic Program and may be brought by college teaching, academic and professional staff; students or external persons. The Program Coordinator or Manager Academic Programs will become the investigating officer.
- ii. The investigating officer will gather and consider evidence in the matter which may involve contacting the student, educator, staff member or external persons. Where relevant, students will be expected to provide evidence that an assessment task submission is the result of their original work.

- iii. If the investigating officer determines that no academic misconduct has occurred no action will be taken and the complaint will not be kept on file.
- iv. If the investigating officer is of the view that the allegations merit further investigation, the student involved will be contacted, informed of the allegations in detail and in writing, and asked to respond. The response will be taken into account in any further deliberations and will be treated without bias.
- v. In general, the investigating officer will take into account the following factors:
 - experience and intent of the student
 - nature and extent of the academic misconduct.

5.2 Cases of unintentional academic misconduct

In cases of a first offence where the student is inexperienced and / or there is no clear evidence of intent to engage in academic misconduct and /or when the nature indicates a lack of knowledge rather than a clear intent to engage in academic misconduct, and the extent of the academic misconduct is not substantial the penalty or requirement that is imposed will be at the discretion of the investigating officer.

In such cases, the investigating officer may:

- require the student to attend student support services workshops; and/or
- require the student to resubmit the assessment task; and/or
- award a 0 per cent mark to the assessment task.

The outcome is recorded on the student's electronic and hardcopy file.

5.3 Cases of serious intentional academic misconduct

In very serious cases where the student is experienced and / or there is clear evidence of intent to engage in academic misconduct and /or when the nature and extent of the academic misconduct is substantial, and in all cases of a second offence, a Student Conduct Panel will normally be convened by the investigating officer to deal with the matter.

The panel will be comprised of the investigating officer and two other relevant staff members including Associate Dean or their representative. The panel chair will be determined by the panel and the chair must ensure that all parties have a fair hearing and those who have had complaints made against them are given an opportunity to respond.

The panel will determine the action which will be taken by the College which may include the application of a requirement or penalty.

The student will be informed that a panel is being formed to consider their case and that, if they wish, they may address the panel in person, by telephone, and/or may make a submission in writing. The student has the right to be accompanied by a third party (family member, friend, colleague, interpreter or other non-legal support person). A student who does not voluntarily address the panel may be called before the panel.

The penalty, if applied, will be determined by the type and severity of the academic misconduct. The penalty which may be applied by the panel includes:

- reduction of mark or awarding of a nil mark for the assessment task; or
- awarding a fail grade for the module; or
- suspension from the College or discontinuation of enrolment for a period to be determined by the panel. In case of discontinuation of enrolment, the student will need to reapply for admission to the College; or

- where a student has been found guilty of academic misconduct on more than one occasion, the previous misconduct will be taken into account in determining the appropriate penalty which could include the awarding of a fail grade to the module or in instances of a severe nature, suspension from the College or discontinuation of enrolment.

The student will be informed of the outcome of the panel's deliberation in writing by letter attached to an email and posted by mail.

Where suspension or cancellation has not been initiated by the student, this notification will advise the student that he or she has 20 working days to access the College's internal grievances, complaints and appeal process, and that the suspension or cancellation of the student's enrolment will not take effect until the internal appeals process is completed unless extenuating circumstances relating to the welfare of the student apply.

Deliberations of the panel must be recorded and kept in the student file both electronic and hardcopy.

5.4 Procedural fairness

The implementation of the procedures in this policy including, the procedures of the Student Conduct Panel, will be conducted in accord with the College's policy Principles of Procedural Fairness.

5.5 Appeals

The student may appeal any decision or penalty in the above process through the college's Complaints, Grievances and Appeals Policy and Procedure.

6 Responsibilities

6.1 Student responsibilities

Students have a responsibility to:

- a. comply with the principles of academic honesty as set out in this Policy in relation to the submission of academic assessments
- b. understand and apply the conventions of academic writing, especially in relation to referencing
- c. seek assistance from appropriate sources in respect of academic writing where necessary
- d. retain a copy of all assignments submitted and evidence assessments are original work.

6.2 Responsibilities of the College

The College has an obligation to:

- a. publish and promote its policies on academic misconduct to all academic staff and students
- b. implement and apply its policies on academic misconduct consistently
- c. use fair and well-publicised procedures for considering any cases where students are accused of academic misconduct consistent with the College's Principles of Procedural Fairness
- d. incorporate a program to inform students of the nature of academic integrity
- e. implement appeal processes consistent with the College Academic Complaints, Grievances and Appeals Policy and Procedure.

6.3 Responsibilities of academic staff

Academic staff members are required to:

- a. know the College academic misconduct policies and apply them consistently
- b. incorporate academic integrity principles into course outlines and assessment criteria;
- c. apply appropriate referencing styles/conventions for all assessment tasks
- d. provide feedback and consultation to students concerning academic integrity
- e. provide clear written instructions where legitimate cooperation is encouraged and where it is prohibited

- f. report cases of academic misconduct in accordance with the requirements of this policy and its procedures.

6.4 Rights of Course Coordinators

To guard against the potential emergence of ghost writing, Course Coordinators are authorised to initiate random and/or targeted checks of relevant assessment submissions. If a submission is the subject of a check, the student will be required, within three (3) working days, to provide evidence that their submission is the result of their original work. This requirement can apply at any time over the period of a student’s studies.

Failure to comply with the request will be viewed as a breach of this policy and sanctions may be applied.

7. Document Management Control

Date	Summary of Changes	Author
20/04/2010	Initial approval	Dean
28/09/2015	Benchmarked review, update and template change	Dean
27/11/2015	Minor administrative amendments	Dean
25/01/2016	Minor template technical amendments	Dean
6/06/2016	Minor amendment	Dean
30/06/2017	Administrative update to business and academic titles and roles	Dean
12/10/2018	Change of template	VET Compliance Manager