

ACADEMIC MISCONDUCT POLICY

Approved by Council: 4 December 2013

Revised by Council: None

1. Academic Misconduct

Academic misconduct means any action by students or staff of the University or its Colleges which attempts to undermine the integrity of the assessment process, or leads to false estimation of the value or findings of academic work.

Cheating, academic fraud and plagiarism are the most common forms of academic misconduct in a learning environment, and are strictly prohibited in any form. Students and staff found to be engaging in such practices face severe penalties.

1.1 Cheating means obtaining advantage through the use of prohibited resources.

1.2 Academic fraud means the falsification, fabrication or dishonest reporting of results or outcomes from research or study.

1.3 Plagiarism means the copying and use of previously assessed work, or the work of another person without proper acknowledgment. Plagiarism may take several forms. Any of the following, without full acknowledgment of the debt to the original source being made, constitutes plagiarism:

- a) Direct duplication, that is copying, or allowing to be copied, another's work, whether from a book, article, web site, another student's assignment or personal lecture notes, etc.;
- b) Paraphrasing another's work closely, with minor changes but with the essential meaning, form and / or progression of ideas maintained;
- c) Piecing together sections of the work of another or others into a new whole;
- d) Submitting work for a unit or thesis material which has already been submitted for assessment purposes in another unit or thesis (unless acknowledgment was made prior to the unit or thesis being commenced, and written permission given by the Academic Board);
- e) Producing assignments in conjunction with other people (such as another student, or a tutor) which should otherwise be the student's own independent work;
- f) Having another person write an essay or assignment on the student's behalf; and
- g) Purchasing and submitting essays or assignments from online repositories or elsewhere.

2. Statement of independent work

In order to ensure that students are aware of the above requirements, the following or a similar statement must be printed on the cover sheet of all work submitted for assessment, then signed and dated by the student(s) in whose name(s) it is made:

Cheating, plagiarism, academic fraud and similar activities undermine the integrity of the assessment process. They are strictly forbidden.

Cheating involves obtaining an unfair advantage over other students in any way, through the use of prohibited resources.

Plagiarism means the student using previously assessed work, or the work of another person without giving them proper acknowledgment; websites as well as books, articles or other students' work are included.

Academic fraud includes falsification, fabrication or dishonest reporting of results or outcomes of study or research.

In order to protect your good name, and that of the University of Divinity, you are required to sign this declaration. In the case of a group project, all group members are required to sign the declaration.

The attached assignment submitted for assessment is the result of my/our own work. All sources on which it is based, and any assistance received in writing the assignment have been acknowledged.

Name/s: _____ Signature/s: _____ Date: _____

3. Prohibited behaviours

3.1 A student enrolled in the University must not, by act or omission, do anything which has the purpose or has or is likely to have the effect of obtaining for that student or any other person an advantage, in or arising out of the performance of assessment, by unauthorised, unscholarly or unfair means. In particular, a student enrolled in the University must not, during or in connection with the performance of any component of assessment or research:

- a) Engage in cheating, academic fraud, or plagiarism;
- b) Use any unauthorised or prohibited information, books, notes, paper or other materials;
- c) Directly or indirectly assist any other student or accept assistance from any other person that would constitute unacceptable academic behaviour as stipulated in this policy;
- d) Copy from or otherwise use the work of any other person engaged in the performance of the same or comparable component of assessment, or permit any other person to copy from or otherwise use his or her work;
- e) Submit or represent as the work of the student the whole or part of published or unpublished material prepared by some other person, whether in written, recorded, electronic, web-based or any other form;

f) Fabricate, falsify or report dishonestly the outcomes of research or study.

3.2 A student enrolled in the University must not assist, or attempt to assist, any person, to do anything prohibited above.

3.3 Academic misconduct includes instances where a student enrolled in the University, during or in connection with the performance of any component of assessment:

- a) Causes a disturbance, annoyance to or interferes with, any other student;
- b) Disobeys any instruction or direction given for the performance of a component of assessment;
- c) Disobeys any reasonable instruction or refuses or fails to answer any reasonable question of an examination supervisor; or
- d) Commits a breach of discipline by engaging in any of these activities.

4. Academic misconduct by a staff member

Staff of the University and its Colleges must not be party to any of the prohibited behaviours listed above, and not engage in any conduct which may lead to false estimation or attribution of any academic work, including research and publications.

5. Allegation of academic misconduct against a coursework student

5.1 When a student is suspected of misconduct by an examiner, the two examiners must jointly consider whether or not academic misconduct has occurred. If the two examiners cannot agree on whether or not academic misconduct may have occurred, the matter must be referred to the appropriate Chair of Examiners to decide. If misconduct is not found to have taken place, the original grade stands, and no further action is to be taken or entry required to be made in the student's file. Unless otherwise required by law or with the consent of the student, no reference to the alleged misconduct should in the normal course be made. Confidentiality is essential; knowledge of the matter should in the normal course remain with the two examiners only, and the Chair of Examiners where also so involved, unless otherwise required by law or within the consent of the student.

5.2 If academic misconduct has occurred, the first examiner consults with the student, preferably in person, to establish whether there has been intent to deceive, or whether the cause is innocent misuse of referencing and/or poor scholarship. At the end of this initial meeting a record is written of the outcome, which is signed by the examiner and the student.

5.3 If unacceptable use of another person's work relates to a pedagogical issue with the work, this needs to be considered by the examiner, in accordance with the specific support structures of the College.

5.4 If the pedagogical issues are not subsequently resolved for a particular student the chief academic officer of the College may take action with regard to the student's progress in accordance with the Course Progress Policy.

5.5 Where deliberate academic misconduct is proved, the matter must be referred for further action to the appropriate Chair of Examiners, who shall within ten working days

do one or more of the following, in each case documenting the reason(s) for this decision:

- a) Issue a written warning to the student, a copy of which is included on the student's file;
- b) Apply a fail grade to the piece of work, or part thereof;
- c) Apply a fail grade overall to the unit;
- d) Require the student to undertake another form of assessment in lieu of the assessment work in question;
- e) Require the student to resubmit the work for assessment or to undertake additional and/or remedial work in substitution for the work submitted;
- f) Impose a maximum grade for the unit (e.g. a maximum grade of Pass) and/or reduce the final grade overall in the unit;
- g) Recommend to the chief academic officer of the College that the student's enrolment be discontinued;
- h) Refer the matter to the Director of Administration regarding the possible presentation of a case of breach of discipline to an Academic Conduct Panel.

5.6 When a penalty is applied to a student, notification of this academic misconduct must be made in writing to the chief academic officer of the College. If a student is found guilty of academic misconduct on more than one occasion the chief academic officer of the College may refuse the student enrolment. In either case the chief academic officer of the College must notify the Director of Administration and the student in writing of the action.

6. Allegation of academic misconduct against a Higher Degree by Research student

6.1 When a candidate for a Higher Degree by Research is suspected by an examiner during examination of academic misconduct, the examiner claiming the misconduct must immediately cease examination of the thesis and notify the Director of Research, who will in turn notify the relevant Chair of Examiners and the Director of Administration.

6.2 If, after consultation, the Director of Research and the Chair of Examiners believe that no *prima facie* case of misconduct has been established, the examiner who made the allegation will be asked to continue the examination process on the basis that no such case of misconduct has been established. Unless otherwise required by law or with the consent of the student, no reference to the alleged misconduct should in the normal course be made, including by the examiner in her or his report. If the examiner who made the allegation is unwilling to continue with the examination under such circumstances, she or he will be relieved of the task and the Director of Research shall invite the next examiner on the approved list to examine the thesis, without reference to these circumstances. The original examiner should be paid according to the full examiners' rates, even if she or he does not continue with the examination process.

6.3 If, after consultation, the Director of Research and the Chair of Examiners believe that a *prima facie* case of misconduct has been established, they will request in writing that

the Director of Administration convene an Academic Conduct Panel. The Director of Administration will convene such a Panel within 5 working days of receiving the written notice. In the event of such a Panel being convened, the Director of Research shall inform both the examiners and request that the examination process cease until the Panel has delivered its determination.

- 6.4 If misconduct is not found by the Panel to have taken place, the examination of the thesis is to re-commence on that basis, and the candidate is to be informed in writing. No further action is to be taken. Unless otherwise required by law or with the consent of the student, no reference to the alleged misconduct should in the normal course be made, including by the examiners in their reports. If either examiner is unwilling to continue with the examination under such circumstances, she or he will be relieved of the task and the Director of Research shall invite the next examiner on the approved list to examine the thesis, without reference to these circumstances. In this case, the original examiner(s) should be paid according to the full examiners' rates, even if they are unwilling to continue with the examination process.
- 6.5 If academic misconduct is found by the Panel to have taken place, it may recommend to the Council that one or more of the following actions be taken:
- a) That the student be excluded, either temporarily or permanently, from studying at the University, including all of its Colleges;
 - b) That the student be failed for the degree for which the thesis under examination had been submitted;
 - c) That the student be required to rewrite and resubmit the thesis for a second examination, with due regard to Regulation 26.3.6;
 - d) That the student be required to participate in an Oral Defence Panel.
- 6.6 The decision of the Council is final.

7. Allegation of breach of discipline

- 7.1 Allegations of breach of discipline may be made by any person associated with the University. Such allegations must be raised within ten working days of the alleged breach of discipline. It is to be lodged in the first place with the chief academic officer of the College. Where the matter involves a chief academic officer of the College or a member of staff of the Office of the Vice-Chancellor, the allegation is to be lodged with the Director of Administration. Where the matter involves the Director of Administration or the Vice-Chancellor, the allegation is to be lodged with the Chancellor.
- 7.2 If a *prima facie* case is believed to exist, the chief academic officer concerned must acknowledge the complaint in writing within five working days of its being made and ensure that the complaint is put in writing to the Director of Administration.
- 7.3 The written allegation must identify the person against whom it is made, the nature of the alleged breach of discipline, and provide supporting evidence, including the names of witnesses where appropriate.
- 7.4 The Director of Administration must convene an Academic Conduct Panel within five working days of the written allegation being received.

7.5 Unless otherwise required by law or with the consent of the relevant party, the University is to take all reasonable steps to preserve the strict confidentiality of all such allegations until the Academic Conduct Panel makes its decision.

8. Allegation of academic misconduct against a faculty or staff member

8.1 Allegations of academic misconduct against a staff member of the University or its Colleges may be made by any person associated with the University.

8.2 Such allegations must be made in writing to the Director of Administration within ten working days of any event in which academic misconduct is alleged to have taken place.

8.3 The Director of Administration must acknowledge the complaint in writing within five working days of its being made and convene an Academic Conduct Panel within five working days of the written allegation being received.

8.4 The written allegation must identify the person against whom it is made, the nature of the alleged misconduct, and provide supporting evidence, including the names of witnesses where appropriate.

8.5 Unless otherwise required by law or with the consent of the relevant party, the University is to take all reasonable steps to preserve the strict confidentiality of all such allegations until the Academic Conduct Panel makes its decision.

9. Academic Conduct Panel

9.1 Academic Conduct Panels are to be convened by the Director of Administration where a breach of academic discipline is alleged against a student or any form of academic misconduct is alleged against a staff member. Unless otherwise required by law or with the consent of the relevant party, the University is to take all reasonable steps to preserve the strict confidentiality of all such allegations until the Academic Conduct Panel makes its decision.

9.2 The Director of Administration convenes and chairs any Academic Conduct Panel, unless he or she is involved in the allegation, in which case the Chancellor will undertake this role. The other members are:

- a) Two members of the Council nominated by the Chancellor. The two Council members must not be associated with the person against whom allegations have been made, nor with any College involved;
- b) The Liaison Officer of the Human Research and Ethics Committee.
- c) A person nominated by the student or staff member against whom an allegation has been made, but this person cannot be a legal representative.

9.3 The Academic Conduct Panel will meet as soon as possible after written notice of the allegation has been made and not more than 15 working days later. All deliberations must be strictly confidential, subject to minute-taking processes.

9.4 The Panel may receive submissions in writing from any interested party, and must, to ensure provision of natural justice, interview the student or faculty member against whom academic misconduct is alleged.

- 9.5 All decisions of the Panel are made by majority vote of the members; the Chair has the casting vote in the event of a tied vote.
- 9.6 Minutes must be taken of all Academic Conduct Panel meetings. All members of the panel constitute the quorum, necessary to take any decision on the allegation. Decisions must be communicated in writing to the Chancellor, as a recommendation to Council.
- 9.7 If the Panel upholds the allegation, it may recommend to Council that one or more of the following actions be taken:
- a) Require the student to write and submit another item of assessment if a coursework student; if a HDR student, rewrite and resubmit the thesis for a second examination, with due regard to Regulation 26.3.6.
 - b) Require the student to participate in an Oral Defence Panel.
 - c) Deprive the student of credit for the unit or component of assessment of the unit to which the misconduct relates;
 - d) Terminate the student's enrolment;
 - e) Exclude the student from studying with the University and any of its Colleges, either permanently or temporarily;
 - f) Revoke or annul the conferral of a degree or other award;
 - g) Deny approval for an academic to teach, supervise or examine in association with the University;
 - h) Impose a fine, and / or full cost recovery, including any legal costs associated with the matter, if appropriate;
 - i) If the person is a staff member, that he or she be demoted or their employment terminated, as appropriate, with the Office of the Vice-Chancellor or the relevant College, as applicable;
 - j) Recommend that the matter be referred to the police.
- 9.8 The decision of the Council is final.

10. Confidentiality regarding complaints

- 10.1 All documentation from an Academic Conduct Panel must be lodged securely with the Director of Administration with a separate file for each complaint.
- 10.2 When a complaint is established, a note recording its nature and any penalty imposed will be placed on the person's University file. Unless the matter reaches beyond the bounds of the University, all other documentation will be destroyed five years after the date of the decision of the Panel.
- 10.3 When a degree or other award is revoked or annulled, the Director of Administration is authorised to make an appropriate announcement.

- 10.4 The Director of Administration is authorised to inform other educational institutions of an established complaint if appropriate.
- 10.5 If no action is recommended by Council regarding an allegation of academic misconduct, and following the determination of the Academic Conduct Panel, Council informs those who have been involved, and any others whom the Council decides to inform, including the general public if this is appropriate.