

Student Coursework Plagiarism and Academic Misconduct Rules

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1. INTRODUCTION

- 1.1 These Rules must be read in conjunction with the Related Documents listed above.
- 1.2 These Rules govern Academic Misconduct and Plagiarism arising in respect of the undergraduate and postgraduate coursework programs at the University of New England, including the coursework components of research higher degrees.
- 1.3 These Rules do not apply to:
 - a. The research components of higher degree by research courses
 - b. Staff misconduct
- 1.4 These Rules will be applied to all other institutions, domestic and international, with which UNE has a partnership arrangement and under which UNE accepts responsibility for moderation of assessment or quality assurance.
- 1.5 Interference with the application of these Rules will be considered a breach of the Student Behavioural Misconduct Rules and will be dealt with under those Rules. Such interference includes but is not limited to:
 - a. Falsification, distortion, or misrepresentation of information before an investigation or hearing;

- b. Disruption to, or interference with, the orderly conduct of an investigation or hearing;
- c. Attempting to discourage an individual's proper participation in the application of these Rules;
- d. Attempting to influence the impartiality of an Investigating Officer or Appeal Officer, or member of the Student Conduct Appeals Committee prior to, or during the course of, the investigation or hearing;
- e. Harassment or intimidation of an Investigating Officer or Appeal Officer or member of the Student Conduct Appeals Committee prior to, during, or after an investigation or hearing.

Plagiarism

- 1.6 The University's objective is to foster good scholarship and effective learning. Good scholarship refers to and builds upon the work of others. Effective learning frequently requires both demonstrated knowledge and critical evaluation of the work of others.
- 1.7 The full and proper acknowledgement of sources is an intrinsic part of effective learning. The author and the source must be identified clearly whenever the ideas, words, drawings, designs, data, computer programs, performances or creative works of others are used. Acknowledgment of the work of others is not simply a matter of honesty. It plays a major role in academic assessment by demonstrating how well the student has taken into account work produced by others as a basis for her or his own independent learning outcomes.
- 1.8 The University provides an online self-testing module on academic misconduct and plagiarism for all coursework students. Submitted assessments will not have their results processed until the module has been completed successfully. Successful completion of the self-test module automatically entails demonstrated understanding, and assent to the application, of University rules on academic misconduct and plagiarism to all assessments subsequently submitted by the student.
- 1.9 Plagiarism and the falsification of information or data are dishonest practices entirely inconsistent with the University's objective of scholarship and learning. The University does not tolerate dishonesty and impropriety in academic work and imposes strict penalties on any student found to have acted dishonestly or improperly in assessment processes.

Inadvertent and Intentional Plagiarism

- 1.10 These Rules distinguish between acts of inadvertent and intentional plagiarism. The University recognises that some students, especially early in candidature, may not understand fully the requirements of effective learning and the concept of plagiarism and its perception in the Western academic tradition. In these circumstances the University aims to offer, in the first instance, advice and support rather than to apply punitive sanctions. However, acts of intentional plagiarism are serious matters for which the University will impose severe penalties.

Academic Misconduct

- 1.11 The University expects fair and honest behaviour in the practice of academic endeavours, including in examination and assessment settings.

2. DEFINITIONS

2.1 **Plagiarism** means using the work of others without due acknowledgment and includes, but is not limited, to:

- a. The use or close paraphrasing of the ideas, data or work of others (in whole or in part); presenting extracts from written, printed, electronic or other media for an assessment task without fully and accurately indicating the nature and the extent of the work;
- b. Colluding with others to produce work that is presented misleadingly as the autonomous work of the student;
- c. Presenting under one's own name work written substantially by another.

2.2 **Academic Misconduct** includes (but is not limited to) the following:

a. Examinations

- i. Cheating, acting dishonestly or otherwise attempting to gain an unfair advantage in an examination or any other assessment task, or collusion with or assisting someone else to do so;
- ii. Taking into or accessing any unauthorized text or data in any form in an examination setting;
- iii. Taking into or accessing unauthorized electronic devices (including mobile phones) in an examination setting;
- iv. Accessing unauthorized internet or other electronic files in an examination setting;
- v. Engaging in unauthorized communication of any form with any other person in an examination setting;
- vi. Failing to follow a reasonable instruction from an examination supervisor;
- vii. Misusing identity documents or identity declarations to permit another to sit for an examination in place of the authorised student;
- viii. Attempting to bribe or coerce an examination supervisor;
- ix. Communicating examination questions or answers to students in time zones where the examination has not yet taken place;
- x. Accessing a restricted examination paper outside the authorised examination setting;
- xi. Communicating any part of the contents of a restricted examination paper to unauthorised persons;
- xii. Taking examination stationery without authorisation;
- xiii. Accessing an examination paper before the authorised time;
- xiv. Disrupting illegitimately the running of an examination.

b. General

- i. Submitting, as a new work, an assessment task previously produced and assessed in the same or another unit or award, without appropriate acknowledgment and without the prior permission of the current Unit Coordinator;
- ii. Misrepresenting, fabricating or falsifying information or data;
- iii. Using information in breach of a duty of confidentiality;
- iv. Omitting reference to the relevant published work of others for the purpose of claiming personal discovery of new information;
- v. Claiming joint authorship with other authors without their permission;
- vi. Attributing work to others who have not contributed to the research;
- vii. Failing to acknowledge work primarily produced by a collaborator;
- viii. Interfering with any research-related property or material of another person, or assisting someone else to do so;
- ix. Failing to comply with UNE policies, rules or codes of ethics, or those of relevant professional and statutory registration societies and agencies, while completing assessment tasks or undertaking practical experience or WorkReady studies;
- x. Making improper use of copyright material;
- xi. Attempting to bribe or coerce a marker or Unit Coordinator;
- xii. Attempting to bribe or coerce a student or staff member to provide material to be incorporated into an assessment task.

2.3 **Appeal Officer** means the University Member authorised to hear appeals, or uphold or vary penalties, under Rule 8.

2.4 **Behavioural Misconduct** is defined in the Student Behavioural Misconduct Rules.

2.5 **Central Plagiarism/Academic Misconduct File** means a database where records of proven cases of plagiarism and academic misconduct are stored. The records must be retained for at least ten years after the student's graduation from the University. Access to these records is limited to the following (or nominees): Heads of Schools, Pro Vice-Chancellors and Deans, Academic Directors, Deputy Vice-Chancellor (Academic), Deputy Vice-Chancellor (Research), the University Lawyer, and the University Ombudsman.

2.6 **Chair** means the chair of the Student Conduct Appeals Committee appointed to that position by the Student Conduct Appeals Committee under Rule 8.5.

2.7 **Collusion** means conspiring with others to produce work that is presented misleadingly as the autonomous work of the student.

2.8 **Coursework** means:

- a. A type of award as defined in the UNE Glossary; and

- b. Work submitted for assessment as part of a coursework undergraduate or postgraduate program including a taught component of a research higher degree.
- 2.9 **Exclusion** or **Excluded** means the exclusion from any defined part of the University's Premises for a designated period.
- 2.10 **Expulsion** or **Expelled** means the permanent separation of the Student from the University.
- 2.11 **Group work** means a formal assessment task that is conducted by a number of students resulting in a single piece of assessment or a number of associated pieces of assessment.
- 2.12 **Head of School** means the Head (or nominee) of the relevant School responsible for the unit in which plagiarism or misconduct is alleged to have occurred.
- 2.13 **Inadvertent Plagiarism** is an act of plagiarism that arises from a lack of knowledge or understanding of the concept of plagiarism and/or does not involve intent to deceive. Plagiarism that is a result of negligence is included in this definition. Examples of acts of inadvertent plagiarism are provided in the Appendix to these Rules.
- 2.14 **Intentional Plagiarism** is an act of plagiarism that arises from an intention to deceive. Examples of acts of intentional plagiarism are provided in the Appendix to these Rules.
- 2.15 **Interview** means oral communication between the student and Investigating Officer or Appeal Officer, and includes communication both in face-to-face settings and through electronic mediating devices such as the telephone.
- 2.16 **Investigating Officer** means the University member authorised to investigate allegations and impose penalties under Rule 7.
- 2.17 **Penalty unit** is a cash value that comprises a fine. The UNE Council sets the Penalty unit cash value and may vary it from time to time.
- 2.18 **Plagiarism Declaration** means the declaration deemed to be automatically applicable to every assessment item submitted subsequent to successful completion of the academic misconduct and plagiarism self-test module. This Declaration affirms that the student agrees that:
- *He or she has read the University Rules on Plagiarism and Academic Misconduct and supporting material on the avoidance of plagiarism, the appropriate Referencing Guide and the Unit Handbook or Study Guide.*
 - *The submitted work is his or her own work and that all sources have been acknowledged in the work, and that the work contains no plagiarism, and that any information provided is not knowingly inaccurate.*
 - *The work, or any version of it, has not been previously submitted by him or her for assessment in the same or any other UNE (or UNE Partner) unit or award or a unit or award of another institution unless explicit written consent has been granted by the Unit Coordinator.*

- 2.19 **Pro Vice-Chancellor and Dean** means the head (or nominee) of the relevant Faculty containing the School offering the unit in which plagiarism or misconduct is alleged to have occurred.
- 2.20 **Probation** is a result which means the Student is reprimanded in writing and, if found guilty of further acts of misconduct during a specified period not exceeding three years, is subject to further and more severe penalties.
- 2.21 **Reprimand** is a result which means the Student is notified in writing that they have been found guilty of misconduct and formally admonished, a record will be held on the Student's individual file.
- 2.22 **Residential College Exclusion** means the Student is prohibited from entering one or more of the Residential Colleges for a specified period not exceeding twelve months. On completion of the specified period of exclusion, the Student is eligible to return to a Residential College although conditions on readmission may be applied.
- 2.23 **Residential College Expulsion** means permanent expulsion of the Student from one or more of the Residential Colleges.
- 2.24 **Residential College** includes a hall of residence, an affiliated college or hall of residence, Wright Village, and the buildings, grounds and parking areas associated with these buildings.
- 2.25 **Revocation of Award** is the cancellation of a University of New England award by the UNE Council.
- 2.26 **Staff** means the staff retained by the University of New England, staff employed by Residential Colleges and University of New England associates such as Cooperative Research Centres, Honorary and Emeritus staff, contractors and employees of contractors engaged by the University.
- 2.27 **Student** means a person who is enrolled in a University of New England higher education course or in an enabling course or in a unit of study on a non-award basis.
- 2.28 **Student Conduct Appeals Committee** is a committee constituted under Rule 8.5.
- 2.29 **Student Support** means those University offices and persons with responsibility for assisting students with their studies including the Academic Skills Office of the Teaching and Learning Centre, First Year Advisors, International Services and StudentAssist.
- 2.30 **Unit Coordinator** means the coordinator of the unit in which misconduct is alleged to have occurred.
- 2.31 **University Exclusion** means the Student is prohibited from entering University Premises for a specified period of time not exceeding three years after which the Student is eligible to return to the University.

- 2.32 **University Member** includes any person who is a Student, member of the Staff, member of the UNE Council, or any other person employed by the University.
- 2.33 **University Premises** includes all land, buildings, facilities, Residential Colleges, and other property (including adjacent streets, footpaths and bicycle paths) in the possession of or owned, used or controlled by the University.
- 2.34 **Viva Voce Examination** means an oral examination of a student on any submitted assessment task.
- 2.35 **Withdrawal of Services** means the withdrawal of specified services for a designated period as follows:
- a. UNE libraries: loss of borrowing rights for a period not exceeding 12 months;
 - b. Computer facilities: loss of user rights and access for a period not exceeding 12 months;
 - c. Loss of access to specified buildings and precincts for a period not exceeding 12 months.

3. UNIVERSITY RESPONSIBILITIES

The University has a responsibility to:

- 3.1 Provide a compulsory self-test module to educate students about academic misconduct and plagiarism;
- 3.2 Set in place and notify all relevant staff and all students of the University's rules and procedures relating to Academic Misconduct and Plagiarism;
- 3.3 Inform all parties of their rights and responsibilities;
- 3.4 Ensure that the rules and procedures are implemented consistently;
- 3.5 Provide advice to staff on how to minimise opportunities for Academic Misconduct and Plagiarism, and how to detect instances of Academic Misconduct and Plagiarism;
- 3.6 Provide students with adequate opportunity to answer allegations of Academic Misconduct and Plagiarism;
- 3.7 Provide an appeal process for decisions arising from allegations of Academic Misconduct and Plagiarism;
- 3.8 Maintain a limited-access Central Plagiarism/Academic Misconduct File as specified in Rule 2.5;
- 3.9 Provide appropriate further learning experiences designed to facilitate students' understanding of plagiarism.

Responsible University Officers

- 3.10 The Pro Vice-Chancellor and Dean, and Head of School are responsible for the implementation of these Rules.
- 3.11 Where a Head of School is the Unit Coordinator the Head of School's function will be transferred to the Faculty's Academic Director or to the Pro Vice-Chancellor and Dean or nominee.
- 3.12 A Pro Vice-Chancellor and Dean and a Head of School may delegate their roles to appropriate nominees.

4. STAFF RESPONSIBILITIES

Individual members of the relevant staff have a responsibility to assist the University to discharge the responsibilities listed above and to:

- 4.1 Know the Rules, procedures and policies of the University, the Faculty and the School with respect to Plagiarism and Academic Misconduct, and to apply them consistently;
- 4.2 Explain to students both good scholarly practice and the concept of Plagiarism and Academic Misconduct;
- 4.3 Ensure that adequate information is provided to students about referencing requirements and academic conventions for the use of others' work, as appropriate for the discipline;
- 4.4 Inform students of obligations regarding acknowledgment of collaborative work, and provide explicit guidelines on how to conduct and present collaborative/group work;
- 4.5 Inform Students that every assessment task submitted and accepted for marking automatically entails assent to the University rules on Plagiarism and Academic Misconduct;
- 4.6 Provide students with fair warning if they believe any individual or group may be at risk of breaching these Rules;
- 4.7 Give feedback about referencing problems;
- 4.8 Refer students to Student Support as appropriate;
- 4.9 Report cases in which there is evidence of Plagiarism and/or Academic Misconduct in accordance with the Guidelines for the Rules; and
- 4.10 Check for Plagiarism in assessment submission.

5. STUDENT RESPONSIBILITIES

Students have a responsibility to:

- 5.1 Read, understand and comply with these Rules;
- 5.2 Familiarise themselves with the conventions of referencing for the discipline;
- 5.3 Seek appropriate assistance when required; and
- 5.4 Successfully undertake the self-test module on Plagiarism and Academic Misconduct before submitting their first piece of assessable work. Assessment tasks submitted by those who have not successfully completed the self-test module on Plagiarism and Academic Misconduct will not have results processed until the module has been completed successfully.

6. OUTCOMES AND PENALTIES

Outcomes

- 6.1 The following findings can result from investigation:
 - a. An act of Inadvertent Plagiarism occurred.
 - b. An act of Intentional Plagiarism occurred.
 - c. An act of Academic Misconduct occurred.
 - d. The case is not established.

Penalties

- 6.2 The following penalties may be applied. More than one penalty may be applied.

a. Inadvertent Plagiarism

- i. Warning and/or reprimand
- ii. Mandatory counselling
- iii. Reduction in the unit assessment mark by up to 50% of the mark the assessed task would otherwise have received
- iv. Require rewriting and resubmission of the assessment task, which may be subjected to a maximum reduction of 20% of the mark the assessed task would otherwise have received
- v. Require submission of a comparable, replacement assessment task, which may be subjected to a maximum reduction of 20% of the mark the assessed task would otherwise have received
- vi. Where a student fails to comply with the requirements of 6.2a-iv or 6.2a-v, and at the Unit Coordinator's discretion, either the marks for that assessment task shall be recorded as zero or the unit grade shall be recorded as NI (Failed-Incomplete).

b. Intentional Plagiarism

- i. Reduction in the unit assessment mark by at least 50% of the mark that would otherwise have been received
- ii. Reduction in the unit grade
- iii. Award of WFN (Withdrawn by Faculty and Deemed to have Failed) in the unit;
- iv. Recommendation to the Pro Vice-Chancellor and Dean that the student be excluded from enrolment in a particular course or unit for such period, including permanently, as the Pro Vice-Chancellor and Dean may decide;
- v. Recommendation from the Pro Vice-Chancellor and Dean to the Deputy Vice-Chancellor (Academic) that the student be excluded from the University for a period of up to five years.
- vi. **Graduates whose work is subsequently found to contain Intentional Plagiarism:**
Revocation of Award

c. Academic Misconduct

- i. Reprimand
- ii. Probation
- iii. Reduction in unit grade
- iv. Award of WFN (Withdrawn by Faculty and Deemed to have Failed) in the unit. ***This penalty is mandatory in the case of cheating in examinations.***
- v. Recommendation to the Pro Vice-Chancellor and Dean that the student be excluded from enrolment in a particular course or unit permanently or for such period as the Pro Vice-Chancellor and Dean may decide
- vi. Recommendation to the Deputy Vice-Chancellor (Academic) or Deputy Vice-Chancellor (Research) that the student be excluded from the University for a period of up to five years
- vii. Fine not exceeding ten Penalty units and/or a restitution payment. ***This penalty may only be applied to breaches specified under Rule 2.2 a vi-xiv and Rule 2.2 b xi-xii.***
- viii. Withdrawal of Services for a period not exceeding three months
- ix. Where a student is a resident or affiliate of a Residential College, such penalties as specified in the Residential College Code of Conduct
- x. Exclusion from a Residential College for a period not exceeding twelve months
- xi. Residential College Exclusion from all Residential Colleges
- xii. Residential College Expulsion
- xiii. Expulsion
- xiv. Revocation of Award

- 6.3 **Frequent occurrence.** Where an investigation reveals that there have been two or more previously recorded occurrences of Inadvertent Plagiarism, the most recent allegation shall be escalated to investigation as an act of Intentional Plagiarism.
- 6.4 Where a fine or the payment of restitution is imposed, the fine or payment of restitution is payable within ten working days of the imposition of the penalty unless the Student enters into a payment arrangement satisfactory to the Director of Financial Services or nominee.
- 6.5 Other than Expulsion, disciplinary penalties will not form part of the Student's permanent Academic Transcript but will be part of the Student's records with the University.
- 6.6 A Student who is Excluded or Expelled after a Statutory Census Date shall have WFN (Withdrawn by Faculty and deemed to have Failed) recorded against all units in which they are enrolled in that semester and all other pre-census units cancelled from the enrolment.
- 6.7 A Student who is Excluded or Expelled before a Statutory Census Date shall have all units in which they are enrolled, cancelled from the enrolment.
- 6.8 A Student Excluded or Expelled after a Statutory Census Date shall not be entitled to remission of HECS-HELP, FEE-HELP, OS-HELP or refund of any fees including any Residential College fees that remain outstanding under a payment plan. Any unpaid fines or fees may be treated as a bad debt under the University's financial policies including the application of encumbrances and/or referral to debt collection agencies.
- 6.9 A Student who is Excluded or Expelled from the University relinquishes all positions they may occupy on committees or boards within the University.
- 6.10 A Student who is Excluded or Expelled from a Residential College relinquishes all positions they may occupy on committees within the Residential College, in addition to any affiliation or membership of the Residential College.
- 6.11 Where a University Member becomes aware of criminal activity by a Student, they must immediately advise the Deputy Vice-Chancellor (Academic) and the relevant authorities.

Penalties – Partnership Agreements (including Joint Medical Program and Cross-Institutional Enrolments)

- 6.12 Before any penalty is applied to a student in a partnership arrangement, consultation is to take place between UNE and Partner Representatives to ensure that any penalties are equitably applied across the two institutions.

7. STAFF AUTHORISED TO INVESTIGATE ALLEGATIONS AND IMPOSE PENALTIES

The following University Members are authorised to investigate allegations and impose penalties.

7.1 **Inadvertent Plagiarism.**

- a. Unit Coordinator or delegate nominated by the Head of School

7.2 **Intentional Plagiarism.**

- a. Head of School or nominee
- b. Academic Director or nominee
- c. Pro Vice-Chancellor and Dean or nominee

Where the Head of School is also the Unit Coordinator, the Head of School role shall be taken by the Academic Director or Pro Vice-Chancellor and Dean or their nominees. Where the Academic Director is also the Unit Coordinator, the Head of School or nominee is authorised to investigate and impose penalties. Only the Pro Vice-Chancellor and Dean or nominee may act under the circumstances set out in Rules 6.2b-iv and 6.2b-v.

7.3 **Academic Misconduct**

- a. Head of relevant School or nominee
- b. Director of Student Administration and Services or nominee
- c. Director of Research Services or nominee
- d. Director of UNE Residential System or nominee

Initial reports are to be made according to the reporter's appropriate line of supervision.

7.4 **Ratification of University Exclusion and Revocation of Award**

Once the appeal process is exhausted the penalties of University Exclusion and Revocation of Award shall be subject to the ratification of the Vice-Chancellor, who shall have the authority to uphold the penalty, vary the period of Exclusion or refer the penalty to the Student Conduct Appeals Committee for reconsideration as appropriate. The Vice-Chancellor shall receive the papers of the initial investigation and appeal but shall not receive representations when making a decision.

8. APPEALS

The following are authorised to hear appeals. They may uphold an appeal or uphold or vary the penalties.

8.1 **Inadvertent Plagiarism**

Head of School or nominee

- 8.2 **Intentional Plagiarism** (with the exception of appeals against Exclusion and Revocation):
- a. Academic Director or nominee (except where the Academic Director or nominee has acted under Rule 7.2)
 - b. Pro Vice-Chancellor and Dean or nominee (where the Academic Director or nominee has acted under Rule 7.2 or is otherwise unavailable)

8.3 **Intentional Plagiarism – Penalty of Exclusion or Revocation**

Student Conduct Appeals Committee

8.4 **Academic Misconduct**

- a. Pro Vice-Chancellor and Dean or nominee (for penalties imposed under Rule 6.2 c i – iii)
- b. Pro Vice-Chancellor Students and Social Inclusion or nominee (for penalties imposed under Rule 6.2 c vii – xii)
- c. Student Conduct Appeals Committee (for penalties imposed under Rule 6.2 c iv – vi and Rule 6.2 c xiii – xiv)

8.5 **Student Conduct Appeals Committee**

The membership of the Student Conduct Appeals Committee is as stipulated in the *Student Behavioural Misconduct Rules*.

- 8.6 In the event that a member of the Student Conduct Appeals Committee has been involved in the initial investigation or determination of the case, the Chair of the Student Conduct Appeals Committee may co-opt another person of equivalent standing to the member standing aside, to serve as a member of the Student Conduct Appeals Committee.

8.7 **Quorum**

The quorum for a Student Conduct Appeals Committee shall be four members.

8.8 **Constitution**

The Student Conduct Appeals Committee may be constituted by an even number of members, in which case the Chair will have a casting vote.

8.9 **Alternates**

There shall be two alternates for each member of the Student Conduct Appeals Committee.

9. CONDUCT OF INVESTIGATIONS AND APPEALS

General

- 9.1 Investigations and Appeals shall not be in the form of a legal hearing.

- 9.2 Where a matter is running in another jurisdiction any action taken under these Rules may proceed, irrespective of any action involving the student in any court, commission or tribunal, and irrespective of any other external investigation of the matters giving rise to the allegations against the student.
- 9.3 All notices sent to students shall be sent to the student's officially recorded emailing address in the University's student database.
- 9.4 Students shall be granted at least ten working days to respond to all notices sent to them including for the lodging of an appeal.
- 9.5 Responses to students should be made within ten working days; where this is not possible, an explanation for the delay should be provided within this period.
- 9.6 Students who do not respond to notices of allegations sent to them by the deadline given in the notice will be assumed not to wish to defend the allegation, in which case the appropriate penalty will be applied. Late responses shall be handled as appeals.
- 9.7 All records of all cases (excepting those that have no merit under Rule 6.1d) shall be referred to the Records Management Office for recording and inclusion in the Central Plagiarism/Academic Misconduct File.
- 9.8 **Annual Report.** At the end of each academic year the Records Manager will submit a report to the Academic Board listing by School the number of investigations that were carried out. This report should also specify the nature of the penalty and the final decision-maker in each instance.

Investigations - Plagiarism

- 9.9 Initial investigations of plagiarism are conducted by the Unit Coordinator who will determine *prima facie* whether the case:
- a. Has no merit; or
 - b. Is one of Inadvertent Plagiarism allowing investigation and application of a penalty directly by the Unit Coordinator; or
 - c. Is one of Intentional Plagiarism and to be escalated to the Head of School for investigation and, if appropriate, application of a penalty.
- 9.10 Where a Unit Coordinator has reasonable grounds to suspect that the presented assessment task has been substantially put together by a person or persons other than the ostensible author, he or she may request the Head of School to arrange for a viva voce examination on the relevant topic as part of the process of determination of authorship. Reasonable grounds may include, but are not limited to, discrepancies between the assessment task and the previous performance of the student(s) in the unit. Participants in the viva voce examination should include:
- a. The Head of the relevant School or nominee (Chair);

- b. The student under whose name the assessment task has been presented;
- c. At the option of the student, a University Member nominated by the student for advice and support (but who shall not have the right of audience or of cross-examination of witnesses);
- d. The relevant Unit Coordinator or other member of the relevant discipline as nominated by the Head of School;
- e. A Member of a School Equity Committee or equivalent.

The failure of a student to participate in a viva voce examination will be taken as admission of non-authorship, and acceptance that a penalty will be applied.

- 9.11 The Head of School will decide whether there is a basis for an investigation and how the investigation is to be conducted.
- 9.12 The Student will be provided with a copy of these Rules and will be advised in writing of:
- a. The nature of the complaint along with a copy of all documentation and statements relevant to the complaint;
 - b. The name of the Investigating Officer authorised to conduct the initial investigation;
 - c. Where a written response is inadequate or inappropriate, the time, date and place for the interview or telephone or video conference and, where relevant, viva voce examination;
 - d. The right to be accompanied by another University Member for advice and support (but who shall not have the right of audience or of cross-examination of witnesses);
 - e. Where no interview or viva voce examination is required: the right to provide a written submission or participate in a telephone or video conference instead of attending an interview (written submissions must arrive at least one working day prior to the date of the interview as advised in the notice);
 - f. Where a viva voce examination is required: the right to participate in a telephone or video conference instead of attending an interview. In such cases, a statutory declaration of identity may be required.
- 9.13 The Student will be granted at least ten working days to provide a response in writing in defence against the complaint including any evidence in support of the defence.
- 9.14 Within ten working days from the date of the interview, the Student will be advised in writing of:
- a. The decision;
 - b. The penalty (if any); and
 - c. The right of, and method for, appeal (if relevant).
- 9.15 Where the Student fails to attend an interview or viva voce examination, provide a written submission, or participate in a telephone or video conference without reasonable explanation, the Investigating Officer may proceed to determine the case in the absence of the Student.

- 9.16 A record of a Student's proven past plagiarism as recorded in the Central Plagiarism File may be taken into account when having regard to any penalty that may be imposed.
- 9.17 Investigations will take account of a Student's special needs status including the provision of an Auslan interpreter, if appropriate.

Appeals – Plagiarism

- 9.18 Appeals against penalties for plagiarism must be submitted formally to the appropriate Appeal Officer (Rule 8) or the Student Conduct Appeals Committee (Rule 8).
- 9.19 Appeals shall be conducted in accordance with Rules 9.27-9.33.

Investigations and Appeals – Academic Misconduct

- 9.20 Initial investigations of academic misconduct are conducted by an appropriate University Member defined in Rule 7.

General

- 9.21 Although initial complaints of Academic Misconduct against a Student can be made verbally, a formal investigation under these Rules can only be conducted on the basis of a written complaint. Student Assist can advise any University Member or member of the public on how to make a formal complaint. Anonymous complaints will not be accepted for investigation.

Investigations and Determinations

- 9.22 In the first instance, the complaint will be referred to a University Member authorised under Rule 7 to investigate complaints ('the Investigating Officer').
- 9.23 The Student will be provided with a copy of these Rules and will be advised in writing of:
- a. The nature of the complaint along with a copy of all documentation and statements relevant to the complaint;
 - b. The name of the Investigating Officer authorised to conduct the initial investigation;
 - c. The time, date and place for the interview;
 - d. The right to be accompanied by another University Member for advice and support (but who shall not have the right of audience or of cross-examination of witnesses);
 - e. The right to make a statement, call witnesses and lead them through their evidence;
 - f. The opportunity, with the permission of the Investigating Officer, to question any witness to the extent the Investigating Officer deems relevant and reasonable (but not to cross-examine witnesses); and
 - g. The right to provide a written submission or participate in a telephone conference instead of attending an interview (written submissions must arrive at least one working day prior to the date of the interview as advised in the notice).

- 9.24 The Student will be granted at least ten working days to provide a response in writing to the complaint including any evidence in defence of the complaint.
- 9.25 Within ten working days from the date of the interview, the Student will be advised in writing of:
- a. The decision;
 - b. The penalty (if any); and
 - c. The right of, and method for, appeal (if relevant).
- 9.26 Where the Student fails to attend an interview, provide a written submission, or participate in a telephone conference without reasonable explanation, the Investigating Officer may proceed to determine the case in the absence of the Student.
- 9.27 A record of a Student's past Academic Misconduct or Behavioural Misconduct may be taken into account when having regard to any penalty that may be imposed.
- 9.28 Investigations will take account of a Student's special needs status including the provision of an Auslan interpreter, if appropriate.

Appeals

- 9.29 Appeals must be made in writing and addressed to the appropriate University Member specified in Rule 8 ('the Appeal Officer') within ten working days of the notice of the imposition of a penalty. The Appeal Officer may refer the case to the Chair of the Student Conduct Appeals Committee. Appellants should structure their appeal in terms of Rule 9.30 a – c and provide evidence to support their appeal.
- 9.30 Appeals are normally limited to a review of the record of the initial investigation and its supporting documents for one or more of the following purposes:
- a. To decide whether the initial investigation was conducted fairly and in conformity with these Rules;
 - b. To decide whether the original decision was based on sufficient and appropriate evidence to establish that Academic Misconduct occurred; or
 - c. To decide whether the penalty imposed was appropriate. Where it is determined that the penalty was inappropriate the Appeal Officer or the Student Conduct Appeals Committee may vary the penalty, provided that the new penalty is not at a higher level than the original penalty.

If it is determined under Rule 9.30a that the initial investigation was not conducted fairly and/or not in conformity with these Rules, the matter will be referred back to the initial investigating body with appropriate advice from the Appeal Officer or Chair of the Student Conduct Appeals Committee.

- 9.31 Previously unconsidered material may be presented only at the discretion of the Appeal Officer or the Chair of the Student Conduct Appeals Committee.
- 9.32 Where major penalties are imposed, an appeal hearing may be provided. The Student will be formally advised of:
- a. The time, date and place for the appeal hearing;
 - b. The right to be accompanied by another University Member for advice and support (but who shall not have the right of audience or of cross-examination of witnesses); and
 - c. The right to provide a written submission or participate in a telephone conference instead of attending a hearing (written submissions must be received not later than one working day prior to the date of the appeal hearing as advised in the notice).
- 9.33 Appeal hearings shall:
- a. Whenever possible, be heard within twenty working days of receipt of the appeal;
 - b. Be conducted in private;
 - c. Be conducted separately or collectively at the Appeal Officer's or Chair's discretion when involving more than one accused Student;
 - d. Admit any other person only at the Appeal Officer's or Chair's discretion, except in respect of the University Member entitled to be present under Rule 9.32b;
 - e. Grant to the Student access to relevant records, exhibits and written statements;
 - f. Produce a written record of all hearings which will be the property of the University; and
 - g. Proceed to decide the matter if the Student fails to appear or provide a submission.
- 9.34 After the appeal hearing the Student will be formally advised within ten working days of:
- a. The decision;
 - b. The new penalty (if any); and
 - c. The right to seek review of the conduct of the disciplinary process by a University Ombudsman or the New South Wales Ombudsman.
- 9.35 All decisions of the Student Conduct Appeals Committee shall be reported to the Records Management Office.

10. INTERPRETATION OF THESE RULES

Any unresolved question of interpretation regarding these Rules should be referred to the Deputy Vice-Chancellor (Academic) for determination.

Student Coursework Plagiarism and Academic Misconduct Rules
Appendix 1

Examples of Prohibited Practices

The following practices constitute examples of **Plagiarism** and are infringements of the University's academic values and policies. This list should be considered as representative and not as exhaustive of possible practices.

Table 1 Examples of Plagiarism

Type	Description	Citation of Sources	Intentional / Inadvertent
Straight/verbatim copying	The writer uses the exact words of the source text without quotation marks	and Sources are not acknowledged	May be Intentional or Inadvertent plagiarism
	The writer uses the exact words of the source text without quotation marks	and Sources are acknowledged in a footnote/citation and bibliography/list of references	May be Intentional or Inadvertent plagiarism
	The writer presents diagrams charts, maps, flowcharts, photographs, tables, or other creative works originated by others	and Sources are not acknowledged	May be Intentional or Inadvertent plagiarism
Incorrect paraphrasing	<i>Sham paraphrasing:</i> The writer takes directly from another text, changing very little from the original text, e.g., only selected words or phrases or the order of phrases	and Sources are acknowledged	May be Intentional or Inadvertent plagiarism
	<i>Illicit paraphrasing:</i> The writer takes directly from another text, changing very little from the original text, e.g., only selected words or phrases or the order of phrases	and Sources are not acknowledged	May be Intentional or Inadvertent plagiarism
Intellectual theft	The writer presents substantial concepts, argu-	and Sources are not acknowledged	May be Intentional or Inad-

Type	Description	Citation of Sources	Intentional / Inadvertent
	ments, ideas or information from elsewhere (e.g., published work, television programs, material downloaded from an internet site, staff, colleagues, fellow students)		vertent plagiarism
	The student submits under their own name work written substantially by another	n/a	Intentional
Collusion	Conspiring with others to produce work that is presented misleadingly as the autonomous work of the student	n/a	Intentional

The following practices constitute examples of **Academic Misconduct** and are infringements of the University's academic values and policies. This list should be considered as representative and not as exhaustive of possible practices.

Table 2 Examples of Academic Misconduct

Type	Description	Examples
Cheating	Any form of cheating in an examination setting	
Bullying	The content of an assessment task has been obtained by the student from another using inappropriate social, emotional or physical pressures	
Ghostwriting	The student knowingly and voluntarily produces or contributes content for an assessment task with the intent of assisting another student to plagiarise, that is, acting as a 'ghostwriter'	
	The content of any assessment task has been written by someone other than the student, but the work, which may have been edited, is submitted without acknowledgment, under the student's own name.	This includes procuring and submitting work that may be available through various Internet websites offering to produce essays and other documents which may be used or purchased with specific intent of passing the work off as the student's own intellectual work.
Recycling	The student submits, as a new work, an assessment task that was previously produced and assessed for the same or another unit or award, without appropriate acknowledgment of the fact and without the prior permission of the current Unit Coordinator	
Falsification of data	Data falsification may range from the fabrication of data to inappropriately selective reporting of data. Falsification covers the misleading omission of data as well as the modification of data.	
Abuse of confidentiality	This includes the use or release of information given to one under the understanding of confidentiality	Taking ideas from documents to which access was given, under rules of confidentiality, such as in the reviewing of grant proposals, award applications, manuscripts submitted for publication, scholarly prizes or journals

Type	Description	Examples
Violations of rules and regulations concerning the conduct of research	See the <u>Code of Conduct for Research Higher Degrees</u> for information that is also useful for any research component of a coursework award	Violations of federal, state or local government regulations, or University regulations dealing with protection of human and animal subjects, use of dangerous or hazardous substances, improper use of recombinant DNA, and careless handling of radioactive materials.
Misrepresentations in publication	This form of Academic Misconduct involves the publishing or public circulation of material intended to mislead the readers	Misrepresenting data (particularly its origins) or adding or deleting the names of other authors without the latter's consent
Violations of Research-related Property Rights		The deliberate taking or destroying the research related property of others, such as data, research papers, notebooks, equipment, or supplies