

**STUDENT PLAGIARISM AND ACADEMIC MISCONDUCT: HIGHER DEGREE
RESEARCH POLICY-NON COURSEWORK COMPONENTS**

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1. INTRODUCTION

- 1.1.** This policy governs Plagiarism and Academic Misconduct arising in respect of the preparation or examination of theses, dissertations, or creative works undertaken by higher degree research Students and Graduates, whilst enrolled as students at the University of New England, excluding the coursework components of their research higher degree.
- 1.2.** This policy does not apply to:
 - (a) Staff Misconduct by members of academic staff, who are enrolled in higher degree research at UNE. See the *UNE Code of Conduct for Employees*. Their cases will be dealt with according to the procedures for *Unsatisfactory Performance, Conduct and Discipline* in the University of New England Workplace Agreement 2006-2008 or equivalent as then current;
 - (b) Behavioural misconduct – as defined in the Student Behavioural Misconduct Rules.
 - (c) Plagiarism and Academic Misconduct arising in respect of coursework undertaken by higher degree research students - This is dealt with by the Student Plagiarism and Academic Misconduct: Coursework Policy.
- 1.3.** This policy applies to UNE and must be incorporated into all agreements with other institutions, domestic and international, with which UNE has a partnership arrangement involving the supervision and examination of UNE higher degree research programs.
- 1.4.** Good scholarship requires building on and incorporating the work of others. This use must be appropriately acknowledged. Whenever the thoughts, words, drawings, designs, statistical data, computer programs, performances or creative works of others are used, either by direct quotation, by paraphrasing or by the use of another's ideas, the author and the source must be clearly

identified through the use of proper referencing. This acknowledgment of the contributions of others is not solely a matter of honesty. In the case of Student work, it also shows the extent to which the Student has consulted appropriate references and source materials during preparation of their work for submission. It thus plays a very positive role in academic assessment, by demonstrating how well the Student has taken into account work already done in the relevant field. Good scholarship also requires accurate primary and secondary information or data.

- 1.5. Plagiarism and the falsification of information or data are dishonest practices that contravene academic values of respect for knowledge, scholarship and scholars. These practices can destroy the value of research conducted, including those portions produced honestly, and the reputations of the perpetrators. The University views with the greatest concern the actions of those who act dishonestly or improperly in connection with their academic work and imposes strict penalties on those Students who are found to contravene the University Plagiarism and Academic Misconduct policy. To avoid plagiarism and other academic misconduct, it is important for Students to understand how to attribute the work and ideas they use to their proper sources, and to adhere to the guidelines set out in the Code of Conduct for Research.

2. PURPOSE OF THE POLICY

2.1 The purpose of this document is:

- (a) to identify the responsibilities of the University and of individual Staff and the rights and responsibilities of Students with regard to the prevention and detection of Plagiarism and Academic Misconduct in higher degree research programs;
- (b) to outline procedures to be applied consistently in the investigation and resolution of cases of alleged Plagiarism and Academic Misconduct whilst ensuring procedural fairness for Students;
- (c) to provide advice for academic Staff on the prevention and detection of Plagiarism and Academic Misconduct; and
- (d) to provide advice to Students on ways to avoid Plagiarism and Academic Misconduct.

3. DEFINITIONS

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

- (a) Plagiarism or assisting someone else to commit Plagiarism;
- (b) research misconduct as outlined in the Code of Conduct for Research and the NHMRC/AVCC Guidelines on Research Practice (1997);
- (c) 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;

- (d) submitting, as a new work, an assessment task previously produced and assessed for another unit or award, without appropriate acknowledgment and without the prior permission of the current Unit Coordinator; and
 - (e) misrepresenting, fabricating or falsifying information or data;
 - (f) using information in breach of a duty of confidentiality;
 - (g) omitting reference to the relevant published work of others for the purpose of claiming personal discovery of new information;
 - (h) claiming joint authorship with other authors without their permission;
 - (i) attributing work to others who have not contributed to the research;
 - (j) failing to acknowledge work primarily produced by a collaborator;
 - (k) interfering with any research-related property of another person, including the apparatus, reagents, biological materials, written notes, data, hardware, software, or any other substance or device used or produced in the conduct of research, or assisting someone else to do so;
 - (l) 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;
 - (m) making improper use of copyright material.
- (2) **Associate Dean (Research)** means the Associate Dean (Research) of the Faculty controlling the award in which the alleged Plagiarism or Academic Misconduct occurred.
- (3) **Behavioural Misconduct**, as defined in the Student Behavioural Misconduct Rules, includes, but is not limited to, the following:
- (a) failure to comply with University rules or policies;
 - (b) providing information known to be false;
 - (c) forgery, alteration, or misuse of any University document, record, or instrument of identification;
 - (d) conduct prejudicial to the reputation, good order and governance of the University;
 - (e) abuse, threats, intimidation, harassment, coercion, deceitful or other conduct (whether by physical, verbal or by electronic means) that:
 - (i) threatens or endangers the health, freedom or safety of any person;
 - (ii) obstructs a University Member in performance of their duties; or
 - (iii) interferes with teaching, research or related activity, the ability of University Members to pursue their studies, examinations, official meetings, graduations, or other proceedings of the University.

- (f) attempted or actual endangerment of, or damage to, or wrongful dealing with any persons and/or their property, University or public property, including any act of hazing arising from initiation, affiliation, or continued membership of any group or organisation;
- (g) failure to comply with reasonable directions of Staff (including Safety and Security staff) or officers of the public emergency services acting in performance of their duties or failure to identify oneself to these persons when requested to do so;
- (h) unauthorised possession, duplication or use of keys and/or access cards to any University premises or unauthorised entry to or use of University premises;
- (i) unlawful use, possession, cultivation or distribution of narcotic or other dangerous drugs;
- (j) illegal or unauthorised possession or use of firearms, ammunition, explosives, other weapons, or dangerous chemicals on University premises;
- (k) disorderly or indecent conduct; breach of peace; or aiding, abetting or procuring another person to breach the peace on University premises or at activities (including excursions) sponsored by, or participated in, by the University;
- (l) influencing or attempting to influence another person to commit an act of academic or Behavioural Misconduct;
- (m) theft or other abuse of University computer time or facilities, including but not limited to:
 - (i) unauthorised entry into a file;
 - (ii) unauthorised transfer of, or change to, a file;
 - (iii) unauthorised use of another individual's identification and password; and/or
 - (iv) use of computing facilities to interfere with the work of another Student, or Staff; use of computing facilities to send obscene or abusive messages; use of computing facilities to interfere with normal operation of the University's computing systems;
- (n) interference with the application of these Rules including but not limited to:
 - (i) falsification, distortion, or misrepresentation of information before an investigation or hearing;
 - (ii) disruption to, or interference with, the orderly conduct of an investigation or hearing;
 - (iii) attempting to discourage an individual's proper participation in an investigation or hearing, or use of, the Student Conduct Rules;

- (iv) attempting to influence the impartiality of an investigating or appeals officer, or member of the Student Conduct Appeals Committee prior to, or during the course of, the hearing;
 - (v) harassment or intimidation of an investigating or appeals officer or member of the Student Conduct Appeals Committee prior, to, during, or after an investigation or hearing;
 - (o) divulging any confidential information relating to any University intellectual property;
 - (p) conduct which involves acts or threats of violence, harassment, intimidation or discrimination; and
 - (q) any form of criminal activity not otherwise specified in these Rules.
- (4) **Central Plagiarism/ Academic Misconduct File** means a database, maintained by the Records Management Office, where the records of investigations of allegations of Plagiarism and other misconduct are stored. For any Student, these records will be deleted ten years after graduation from the University. Access to this file is restricted to the following people or their delegates: Heads of School, Pro Vice-Chancellor Deans, Associate Dean (Teaching and Learning) or Academic Directors, Associate Deans (Research), Director of Student Administration Services, Deputy Vice-Chancellor (Academic), Deputy Vice-Chancellor (Research), University lawyer and any UNE Ombudsman.
- (5) **Collusion** means unauthorised collaboration. It involves working with others without the permission of the Unit Coordinator to produce work that is then presented as work completed independently by the Student.
- (6) **Dean of Graduate Studies** means the Chair of the Higher Degree Research Committee and as such, the Chair of the Examining Committee.
- (7) **Deputy Vice-Chancellor (Research)** means the person, along with the Examining Committee, responsible for implementing the Plagiarism and Academic Misconduct Higher Degree Research policy.
- (8) **Director of Research Centre** means the Director of the Research Centre to which the Supervisor of the student subject to alleged plagiarism or academic misconduct is affiliated.
- (9) **Examining Committee** means the duly constituted body under the University regulations with responsibility for administering the examination of a thesis, dissertation, or creative work, including appointing examiners, receiving examiners' reports, and recommending the outcome of the examination process. An Examining Committee may appoint a sub-committee, which will include the Chair of the Examining Committee, to investigate alleged cases of plagiarism or academic misconduct. The sub-committee will report back to the full Examining Committee for final decision.

- (10) **Graduate** means a former Student who has attained an award at the University of New England. Unless otherwise stated, a Graduate is in the same position as a Student for the purposes of this policy.
- (11) **Head of School** means either
- (a) the Head of the School to which the Supervisor of the Student alleged to have committed plagiarism or academic misconduct is affiliated; or
 - (b) The member of the academic staff who is the nominee of that Head of School appointed for the purpose of administering this policy.
- (12) **Intentional plagiarism** is an act of Plagiarism that arises from an intention to deceive.
- (13) **Legitimate collaboration** means any constructive educational and intellectual practice that aims to facilitate research outcomes through interaction between Students.
- (14) **Plagiarism** is intentionally or unintentionally using the work of other persons, copying (in whole or in part) the work or data of other persons, or paraphrasing closely or presenting substantial extracts from written, printed, electronic or other media in a Student's written, oral, electronic or online work without due acknowledgment. Plagiarism involves giving the impression that a Student has thought, written or produced something that has, in fact, been taken from another.
- (15) **Statement of Authorship Form** means a pro forma Plagiarism declaration to be included by the Student as part of every task submitted for assessment or examination. The specific content of this declaration will require the Student to affirm:
- (a) that the Student has read the University Policy on Plagiarism and Academic Misconduct, the document on Avoiding Plagiarism and any guidelines provided in the University of New England Referencing Guide and, where relevant, the Unit Handbook or Study Guide;
 - (b) that the work being submitted is the Student's own work, that all sources have been acknowledged in the work, that the information contains no Plagiarism, and that the information provided is not knowingly inaccurate; and
 - (c) that, unless explicit provision has been made and written permission obtained from the Supervisor, the work or any version of it has not been previously submitted for assessment in any other unit or award offered by the University of New England, its partner institutions or other institutions.

The **Appendix** to this policy lists examples of Plagiarism and Academic Misconduct practices, which constitute major infringements of the University's academic values and policies.

- (16) **Pro Vice-Chancellor Dean** means the Pro Vice-Chancellor Dean of the

Faculty to which the Supervisor of the student subject to alleged plagiarism or academic misconduct is affiliated.

- (17) **Staff** means the Staff retained by the University, Staff employed by residential colleges and UNE associates such as Cooperative Research Centres, honorary and emeritus Staff, and employees of contractors engaged by the University.
- (18) **Student** means a person who is enrolled in a UNE higher education course or in an enabling course or in a unit of study on a non-award basis, and includes a Student of a course taught by another higher education provider for which the University of New England has accepted by contract a quality assurance responsibility.
- (19) **Student Support** means the Academic Skills Office within the Teaching and Learning Centre, Student Assist and other student support services provided by the University.
- (20) **Supervisor** means the principal Supervisor of a student enrolled in an award requiring an original research thesis, dissertation, or creative work
- (21) **UNE or University** means the University of New England.
- (22) **Unintentional plagiarism** is an act of Plagiarism that arises from lack of knowledge or understanding of the concept of plagiarism, or lack of preparation, skill or care.

4. RESPONSIBILITIES OF THE UNIVERSITY

4.1. The University has an obligation to:

- (a) set in place and publicise to all academic Staff and Students the University's policies and procedures relating to Plagiarism and Academic Misconduct;
- (b) inform all parties of their rights and responsibilities;
- (c) ensure that the policies and procedures are implemented consistently;
- (d) advise Students on how to avoid Plagiarism and Academic Misconduct;
- (e) advise Staff on how to minimise opportunities for Plagiarism and Academic Misconduct, and how to detect instances of Plagiarism and Academic Misconduct;
- (f) provide Students with adequate opportunity to answer allegations of Plagiarism and Academic Misconduct;
- (g) provide a process for Students to appeal decisions arising from allegations of Plagiarism and Academic Misconduct; and
- (h) maintain the *Central Plagiarism/Academic Misconduct File*, allowing only limited access as specified in **3.17**.

4.2. The relevant Examining Committee, and the Deputy Vice-Chancellor (Research) are responsible for the implementation of this policy.

- 4.3.** In this policy, if the Staff member who raises the allegation of Plagiarism or Academic Misconduct, has a role on the Examining Committee or has a role in the implementation of this policy that staff member will step aside.

5. RESPONSIBILITIES OF UNIVERSITY ACADEMIC STAFF

5.1. Supervisors have a responsibility to:

- (a) know the policies and procedures of the University, the Faculty and the School with respect to academic honesty, including Plagiarism and Academic Misconduct, Collusion, and Legitimate Collaboration, and to apply them consistently;
- (b) explain to students both good scholarly practice and the concepts of plagiarism and Academic Misconduct and play a role in assisting the University to discharge the responsibilities listed above;
- (c) 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;
- (d) take all reasonable steps to ensure that information presented is reliable;
- (e) inform Students of any rules or policies which require students to identify their use of the work of others and provide for the satisfactory storage of original information or data collected as part of their research work;
- (f) inform Students of obligations regarding acknowledgment of collaborative work;
- (g) provide Students with early notification or fair warning if they believe any individual may be at risk of breaching guidelines relating to Plagiarism, Academic Misconduct, Collusion and Collaboration, and reliability of information;
- (h) give clear feedback about referencing and information management problems;
- (i) refer Students to sources of advice on academic research and writing;
- (j) ensure that allegations of Plagiarism or Academic Misconduct are based on firm evidence;
- (k) report cases in which there is evidence of Plagiarism or Academic Misconduct to the Dean of Graduate Studies and to the relevant Head of School;
- (l) check for Plagiarism in Student drafts, using computer assisted and/or manual methods;
- (m) inform Students of the obligations implicit in the obligation to provide the Candidate's Certification (clause 12.5 of the Handbook for Supervisors) when submitting a thesis) for marking;

6. RESPONSIBILITIES AND RIGHTS OF STUDENTS

6.1. Students have a responsibility and obligation to:

- (a) read, understand and respect this policy;
- (b) familiarise themselves with research and referencing conventions for their discipline;
- (c) avoid all acts which could be considered Plagiarism or Academic Misconduct;
- (d) take all reasonable steps to ensure that information presented is reliable;
- (e) seek assistance from appropriate sources and support services on becoming aware that they need more knowledge and skills;
- (f) provide the Candidate's Certification when submitting a thesis for marking; and
- (h) meet the requirements of rules or policies which require students to identify their use of the work of others and provide for the satisfactory storage of original information or data collected as part of their research work.

6.2. Students should:

- (a) be informed of the policies of the University, the Faculty and the School with respect to academic honesty including Plagiarism and Academic Misconduct, Collusion, Legitimate Collaboration and reliability of information ;
- (b) be provided with clear guidelines on academic styles required for their theses, dissertations, or creative works;
- (c) receive practical comments which assist them to review their work;
- (d) expect clear guidelines relating to all aspects of Legitimate Collaboration;
- (e) expect early notification or fair warning in the case where a Supervisor believes a Student may be at risk of breaching guidelines relating to Plagiarism or Academic Misconduct;
- (f) participate in appropriate learning experiences designed to improve competency in writing and study skills, understanding of the requirements of Legitimate Collaboration, and development of personal attributes, in particular, ethical behaviour;
- (g) expect consistent interpretation of this policy; and
- (h) be aware that a thesis, dissertation or creative work will not be marked unless the Candidate's Certification has been received.

6.3. Where an allegation of Plagiarism or Academic Misconduct has been made, the Student shall be advised in writing of:

- (a) the nature of the allegation;

- (b) the right to present a case in writing or orally to the Examination Committee or the Dean of Graduate Studies;
- (c) in the case of an allegation of Plagiarism, the fact that the signed Statement of Authorship Form, submitted with the alleged plagiarised work, has been retained as evidence for the investigation;
- (d) the Student Support available; and
- (e) the fact that upon completion of the investigation by the Head of School in relation to the case, the Student will receive a written statement as to the outcome of the investigation and the decision as to the penalty, if any, to be applied.

6.4 The Student will also be provided with a copy of these Rules.

7. PENALTIES FOR PLAGIARISM OR ACADEMIC MISCONDUCT

- 7.1.** If the Dean of Graduate Studies determines that the allegation of Plagiarism or Academic Misconduct, or both, is not supported by the evidence, the Dean of Graduate Studies must dismiss the allegation.
- 7.2.** If the Examining Committee determines that Unintentional Plagiarism, minor Academic Misconduct, or both occurred, one or more of the following actions must be taken at the discretion of the Examining Committee:
 - (a) give a warning or reprimand to the Student;
 - (b) arrange counselling for the Student to prevent further occurrences;
 - (c) if the allegation was raised during the primary examination process, the student will be required to revise and resubmit the work for examination, taking care to correct all cases of Unintentional Plagiarism detected. The Student will be advised that this exercise may require additional data collection and analysis; the reading of, and reference to, additional literature; and a careful search of the whole work for further instances of inadequate scholarship, including the unattributed paraphrasing of text;
 - (d) if the allegation was raised prior to submission of the work for examination, the Student will be instructed to rectify any instances of inadequate data or information, or of poor scholarship.
- 7.3.** If the Examining Committee determines that Intentional Plagiarism, Academic Misconduct, or both occurred, but the Examining Committee determines that mitigating circumstances exist, the Student will be required to redo or revise and resubmit the work, taking care to avoid the problems detected. The Student will be advised that this exercise may require additional data collection and analysis; the reading of, and reference to, additional literature; and a careful search of the whole work for further instances of inadequate scholarship.
- 7.4.** If the Examining Committee determines that Intentional Plagiarism, repeated cases of Plagiarism, or Academic Misconduct occurred, and that mitigating

circumstances do not exist or are not persuasive so that the case merits a severe penalty, the Examining Committee will refer the matter to the Deputy Vice-Chancellor (Research). The Deputy Vice-Chancellor (Research) may:

- (a) decide that the allegation of Plagiarism or Academic Misconduct, or both, is not supported by the evidence and dismiss the allegation; or
- (b) impose one or more of the following penalties:
 - (i) one of the penalties described in **7.2 (a)-(d), or 7.3**;
 - (ii) if the allegation was raised during the examination phase, the student will be deemed to have failed the degree in which they are enrolled;
 - (iii) if the allegation was raised during the process of research, a recommendation that the student's candidature be terminated will be forwarded to the Academic Board.

7.5 Any penalty imposed under **7.4(b)(ii), or (iii)** will debar the student from enrolling in a University research higher degree for a period not less than ten years.

7.6 If it is determined by the Higher Degree Research Committee that, in relation to a Graduate of the University of New England, Plagiarism or Academic Misconduct has occurred whilst the Graduate was a Student at the University of New England, the Higher Degree Research Committee may impose one or more of the following penalties:

- (a) In the case of a finding of Unintentional Plagiarism or Academic Misconduct:
 - (i) a warning or reprimand to the Graduate; or
 - (ii) a requirement that the Graduate re-enrol, rewrite and resubmit the thesis,
- (b) In the case of a finding of Intentional Plagiarism or serious Academic Misconduct the matter will be referred to Academic Board with a recommendation that the award should be rescinded.

7.7 Where a matter has been referred under **7.6 (b)**, Academic Board may recommend to Council, that Council rescind an award made to a Graduate with or without conditions. The decision of Council will be final.

8. PROCESSES FOR HANDLING ALLEGATIONS OF PLAGIARISM OR ACADEMIC MISCONDUCT

8.1. Principles

Overarching principles for judging a case of alleged Plagiarism or Academic Misconduct:

- (a) each case will be treated on its merits;
- (b) in the case of Plagiarism, the intent to deceive, the extent of the Plagiarism, and the Student's history in regard to Plagiarism and/or Academic Misconduct, will be the principal criteria;

- (c) in the case of Academic Misconduct, the nature of the misconduct and the Student's history in regard to Plagiarism and/or Academic Misconduct, will be the principal criteria;
- (d) the Deputy Vice-Chancellor (Research) will be kept informed at all stages in the process, from the establishment of a prima facie case, through investigation, to decision and outcome. Heads of Schools, Directors of Research Centres and Supervisors of the student, against whom allegations of Plagiarism or Academic Misconduct have been made, will be informed on a similar basis.
- (e) investigations under this policy and advice to the Student of the outcomes of the investigation will be dealt with in as timely a manner as possible. The response from the University at each stage should be within twenty calendar days. Students will be given 20 calendar days to respond to the allegations at each stage.

8.2. Detection

If a member of Staff, an examiner or a fellow Student has reason to suspect Plagiarism or Academic Misconduct, that person must inform the Dean of Graduate Studies at the earliest opportunity. The Dean of Graduate Studies will investigate whether there is any evidence to support the suspicion.

If the evidence is detected in the first instance by a person other than the Supervisor or examiner, that person must inform the Supervisor at the earliest opportunity.

8.3. Allegation

Responsibility for managing allegations of Plagiarism or Academic Misconduct resides with the Examining Committee. The Higher Degree Research Committee is the Examining Committee for all Higher Degree Research awards.

When a suspicion of Plagiarism or Academic Misconduct arises, and there is some evidence to support the allegation, the Supervisor shall present a written report detailing that evidence to the Dean of Graduate Studies. When such a report is received, the Dean of Graduate Studies will decide whether or not there is a prima facie case for Plagiarism or Academic Misconduct. If the Dean of Graduate Studies raised the allegation of Plagiarism, clause 4.3. applies.

8.4. Notification.

If a prima facie case of Plagiarism or Academic Misconduct is found to exist, the Dean of Graduate Studies will notify the Student in writing, to be sent by recorded delivery wherever possible, of:

- (a) the allegation;
- (b) the Student's rights; and
- (c) the Student Support available.

8.5. Accompanying Documents. The written advice to the Student will be accompanied by:

- (a) a copy of this policy;
- (b) in the case of Plagiarism, a copy of relevant sections of the written work with the allegedly plagiarised passages identified;
- (c) in the case of Academic Misconduct, a report stating instances detected with supporting documentary evidence; and
- (d) a copy of any other documentary evidence used to support the claim of Plagiarism or Academic Misconduct, or both, whether arising from an electronic detection system or otherwise.

8.6. Invitation to Respond. The Student shall be invited to respond to the allegation within 20 calendar days of the date on the letter of advice. The Student will be informed that the response should be directed to the Dean of Graduate Studies.

8.7. Record of Investigation. A record of the investigation will be kept and will be noted in the *Central Plagiarism/Academic Misconduct File*. Any written response from the Student will form part of the record of the investigation. In the case of any other response an accurate written record of the discussion must be made and dated by the Chair of the Examining Committee as soon as possible after the event.

8.8. Support Person. The Student may invite a support person to any meeting. The support person may provide the Student with advice, but may not act as an advocate or make direct comment to the meeting without the permission of the Chair of the Examining Committee.

8.9. Further Information. The Chair of the Examining Committee may seek such further information or advice on the substance of the allegation as is deemed necessary from academic Staff other than the Supervisor. Such information or advice will be made formally in writing and sent to the Student for response.

8.10. Action Pending Determination. If the allegation occurs during the examination phase, the examination process will be suspended until the allegation is resolved. Examiners will not be advised of the suspension. If the allegation occurs during the research or creative phase, the student will be allowed to continue with their work pending completion of the investigation.

9. DECISION (ALLEGATIONS OF STUDENT PLAGIARISM OR ACADEMIC MISCONDUCT)

9.1. When the Student's response has been received, or where no response has been received after 20 calendar days, the Dean of Graduate Studies will decide whether or not the evidence is sufficient to support a finding of Plagiarism, Academic Misconduct, or both. If the Dean of Graduate Studies decides that the allegation of Plagiarism or Academic Misconduct is not substantiated, the allegation must be dismissed. If the Dean of Graduate Studies determines that a prima facie case exists, the matter is referred to the Examining Committee for investigation.

The Examining Committee will determine:

- (a) in the case of Plagiarism whether the Plagiarism was intentional or unintentional; and
- (b) whether mitigating circumstances exist.

9.2. Prior Instances. Where the Examining Committee determines that Plagiarism, Academic Misconduct, or both has occurred, the Chair of the Examining Committee will consult the *Central Plagiarism/Academic Misconduct File* for prior instances of Plagiarism or Academic Misconduct by the Student before determining the course of action. Existence of prior instances shall be cause for discounting any suggested mitigating circumstances and imposing a harsher penalty.

9.3. Action by the Examining Committee.

As a consequence of the decisions made in **9.1**, the Examining Committee shall follow one of three possible courses of action:

- (a) conclude that Unintentional Plagiarism, minor Academic Misconduct, or both occurred, and apply a penalty chosen from **7.2**; or
- (b) conclude that Intentional Plagiarism, Academic Misconduct, or both occurred but that mitigating circumstances exist and that action should be taken under **7.3**;
- (c) conclude that Intentional Plagiarism, repeated cases of Plagiarism, or Academic Misconduct occurred, that mitigating circumstances do not exist or are not persuasive, that the case merits a severe penalty, and that according to 7.4 the case should be referred to the Deputy Vice-Chancellor (Research).

The Examining Committee should inform the relevant Pro Vice-Chancellor Dean of the outcome and grounds for the decision.

9.4. Action by the Deputy Vice-Chancellor (Research). Where the case is referred under **9.3** to the Deputy Vice-Chancellor (Research), the Chair of the Examining Committee will provide all documentation on the case to the Deputy Vice-Chancellor (Research). The Student will also be provided with a copy of those materials, and be given further opportunity to answer the allegation. The Deputy Vice-Chancellor (Research) will review all aspects of the case with the Chair of the Examining Committee, and will impose one of four possible courses of action:

- (a) conclude that the allegation of Plagiarism or Academic Misconduct, or both is not substantiated and dismiss the allegation.
- (b) conclude that Unintentional Plagiarism, minor Academic Misconduct, or both occurred, that warrants action under **7.2(a)-(d)**, and advise the Chair of the Examining Committee accordingly; or

- (c) conclude that Intentional Plagiarism, Academic Misconduct, or both occurred, but that mitigating circumstances exist such that the case can be dealt with under **7.3**, and cause the appropriate administrative steps to be taken to enforce the relevant penalty.
- (d) conclude that Intentional Plagiarism, repeated cases of plagiarism, or Academic Misconduct occurred, that mitigating circumstances do not exist or are not persuasive, that the case merits a severe penalty, such that the case can be dealt with under **7.4(b)**, and cause the appropriate administrative steps to be taken to enforce the relevant penalty.

9.5. Determination and Notification. As a consequence of any decision referred to in **9**, the decision maker will advise all relevant parties. In the case where a penalty is applied the Student will be advised at this time of the right to, and procedures for, appeal under **10**.

9.6. Record Keeping. At each stage of the investigation, records should be gathered of all relevant documentation including:

- (a) the piece of work in which the alleged Plagiarism or Academic Misconduct occurs;
- (b) records of meetings and/or telephone conversations with the Student, which records should be made as soon as possible after the event and should be signed and dated by the person making the record;
- (c) copies of relevant laboratory notebooks or other research records prepared by the Student;
- (d) examiners' reports;
- (e) progress reports; and
- (f) copies of correspondence whether or not in electronic form.

School administrative staff will establish a case file with the Records Management Office, all contents of which will be recorded on the TRIM database.

9.7. Central Plagiarism/Academic Misconduct File. At the end of the matter, whatever decision is reached, records referred to in **9.6** and a record of the final decision will be deposited in the *Central Plagiarism/Academic Misconduct File* maintained by the Records Management Office.

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 and reporting whether, for each investigation, the ultimate decision was made by the Examining Committee or the Deputy Vice-Chancellor (Research) and the nature of the penalty.

10. APPEALS

10.1 A Student who wishes to appeal against a decision made by the Examining Committee under **7.1**, may appeal to the Deputy Vice-Chancellor (Research).

The Deputy Vice-Chancellor (Research) will consider all information relevant to the case and the appeal lodged by the student, and will decide that:

- (a) the allegation is not substantiated;
- (b) one of the courses of action listed in **9.3** will be followed; or
- (c) the decision is upheld.

10.2 A Student who wishes to appeal against one of the decisions made by the Deputy Vice-Chancellor (Research) and who believes that he or she can present new grounds or to appeal the penalty imposed may request that the Deputy Vice-Chancellor (Research) refer the case to the Student Conduct Appeals Committee. The Student Conduct Appeals Committee will consider all information relevant to the case and the appeal lodged by the Student and will decide that:

- (a) new grounds do or do not exist, and
- (b) in the event that new grounds exist will determine that:
 - (i) the allegation is not substantiated;
 - (ii) one of the courses of action listed in **9.4** will be followed; or
 - (iii) the decision of the Deputy Vice-Chancellor (Research) is upheld.

10.3 The decision of the Student Conduct Appeals Committee will be final.

10.4 As with any other University decision and only after all other avenues have been exhausted, a Student may file a complaint, relating solely to the process and procedures of reaching the final decision, with a University Ombudsman, in accordance with the principles and guidelines outlined in the University Ombudsman policy (see also the website: <http://www.une.edu.au/ombudsmen/>).

11. PROCESSES FOR HANDLING ALLEGATIONS OF GRADUATE PLAGIARISM OR ACADEMIC MISCONDUCT

11.1. Principles

Overarching principles for judging a case of alleged Plagiarism or Academic Misconduct:

- (a) each case will be treated on its merits;
- (b) in the case of Plagiarism, the intent to deceive, the extent of the Plagiarism and the Graduate's history at the University of New England in regard to Plagiarism and/or Academic Misconduct, will be the principal criteria;
- (c) in the case of Academic Misconduct, the nature of the misconduct and the Graduate's history at the University of New England in relation to Academic Misconduct and/or Plagiarism will be considered;
- (d) investigations under this policy and advice to the Graduate of the outcomes of the investigation will be dealt with in as timely a manner as possible. The response from the University at each stage should normally be within 20 calendar days. Graduates will be given 20 calendar days to respond to the allegations at each stage.

11.2. Detection

Where a member of Staff has reason to suspect plagiarism or Academic Misconduct, in connection with work submitted for an award to the University of New England while the author of that work was a student at the University, that person must inform the Dean of Graduate Studies at the earliest opportunity. The Dean of Graduate Studies will investigate whether there is any evidence to support the suspicion.

11.3. Allegation

When Plagiarism or Academic Misconduct is suspected, and there is some evidence to support the allegation, the Dean of Graduate Studies must present a written report on the matter to the Deputy Vice-Chancellor (Research) detailing the evidence on which the allegation is based. If the allegation is one of Plagiarism, the Dean of Graduate Studies must also present a copy of the written work with the alleged Plagiarism identified and any other evidence to be relied upon to support the claim of Plagiarism. The Dean of Graduate Studies and Deputy Vice-Chancellor (Research) will discuss whether or not there is a prima facie case of Plagiarism or Academic Misconduct. If the Dean of Graduate Studies raised the allegation of plagiarism, 4.3 applies.

11.4. Notification.

If a prima facie case of Plagiarism or Academic Misconduct is found to exist, the Deputy Vice-Chancellor (Research) will notify the Graduate in writing, to be sent by recorded delivery wherever possible, of:

- (a) the allegation;
- (b) the Graduate's rights; and
- (c) the Student Support available.

11.5 Accompanying Documents

The written advice to the Graduate will be accompanied by:

- (a) a copy of this policy;
- (b) in the case of Plagiarism, a copy of relevant sections of the written work with the allegedly Plagiarised passages identified; and
- (c) a copy of any other documentary evidence used to support the claim of Plagiarism or Academic Misconduct, whether arising from an electronic detection system or otherwise.

11.6 Invitation to Respond

The Graduate will be invited to respond to the allegation within 20 calendar days of the date in the letter of advice. The Graduate will be informed that the response should be directed to the Deputy Vice-Chancellor (Research). The Deputy Vice-Chancellor (Research) will determine an acceptable medium for the Graduate's response having regard to the Graduate's circumstances.

11.7 Record of Investigation.

A record of the investigation will be kept and will be noted on the *Central Plagiarism/Academic Misconduct File*. Any written response from the Graduate will form part of the record of the investigation. In the case of any other response an accurate written record of the discussion must be made and dated by the Dean of Graduate Studies and Deputy Vice-Chancellor (Research) as soon as possible after the event.

11.8 Support Person.

The Graduate may invite a support person to any meeting. The support person may provide the Graduate with advice, but may not act as an advocate or make direct comment to the meeting without the permission of the Deputy Vice-Chancellor (Research).

11.9 Further Information

The Deputy Vice-Chancellor (Research) may seek such further information or advice on the substance of the allegation as is deemed necessary from academic Staff other than the Dean of Graduate Studies. Such information or advice will be made formally in writing and sent to the Graduate for response.

12. DECISION (ALLEGATIONS OF GRADUATE PLAGIARISM OR ACADEMIC MISCONDUCT)

12.1 When the Graduate's response has been received, or when no response has been received after 20 calendar days, the Deputy Vice-Chancellor (Research) will decide:

- (a) whether or not the evidence is sufficient to support a finding of Plagiarism or Academic Misconduct, or both; and
- (b) in the case of Plagiarism, whether it was intentional or unintentional.

12.2 Prior Instances

Where the Deputy Vice-Chancellor (Research) determines that Plagiarism or Academic Misconduct, or both, occurred, the Deputy Vice-Chancellor (Research) will consult the *Central Plagiarism/Academic Misconduct File* for prior instances of Plagiarism or Academic Misconduct by the Graduate whilst a Student at the University of New England before determining the course of action.

12.3 Action by Deputy Vice-Chancellor (Research)

As a consequence of the decisions made in **12.1**, the Deputy Vice-Chancellor (Research) shall follow one of three possible courses of action:

- (a) conclude that the allegation of Plagiarism or Academic Misconduct, or both, is not supported and dismiss the allegation;
- (b) conclude that Unintentional Plagiarism or Academic Misconduct, or both, occurred, and impose a penalty under **7.6(a)**;
- (c) conclude that Intentional Plagiarism or serious Academic Misconduct, or both occurred, and impose a penalty under **7.6(b)**.

12.4 Referral to Academic Board

Where the case has been referred to Academic Board under **7.6(b)(vi)**, the Graduate will be provided by the Deputy Vice-Chancellor (Research) with a copy of the Deputy Vice-Chancellor (Research)'s report to Academic Board and will be given the opportunity to further answer the allegation in writing if the Graduate chooses to do so. Academic Board will review all aspects of the case and may:

- (a) recommend to Council, that Council rescind an award made to a Graduate with or without conditions, which decision by Council is final; or
- (b) follow one of the following courses of action outlined in **12.3**, except **7.6(b)(i)**.

12.5 Determination and Notification:

As a consequence of any decision referred to in **12**, the decision maker will advise all

relevant parties.

12.6 Record Keeping. At each stage of the investigation, records should be kept of all relevant documentation including:

- (a) the piece of work in which the alleged Plagiarism or Academic Misconduct occurs;
- (b) the Plagiarism Declaration Form, where submitted;
- (c) records of meetings and/or telephone conversations with the Graduate, which records should be made as soon as possible after the event and should be signed and dated by the person making the record; and
- (d) copies of correspondence whether or not in electronic form.

School administrative staff will establish a case file with the Records Management Office, all contents of which will be recorded on the TRIM database.

12.7 Central Plagiarism/Academic Misconduct File

At the end of the matter, whatever decision is reached, records referred to in **12.4** and a record of the final decision will be deposited in the *Central Plagiarism/Academic Misconduct File* maintained by the Records Management Office.

Appendix 1 to the University Policy on Plagiarism and Academic Misconduct: Higher Degree Research

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

- Direct quotations of text are used and the source has been acknowledged, but the quotes are closely paraphrased or summarised by the student in the content of any assessment task (may be intentional or unintentional plagiarism; referred to as 'sham paraphrasing')
- Direct quotations of text are not used, but are closely paraphrased or summarised by the student in the content of any assessment task and the source of the material is not acknowledged either by footnoting or other simple reference within the text or bibliography of the paper (may be intentional or unintentional plagiarism; referred to as 'illicit paraphrasing');
- Paragraphs, sentences, a single sentence or significant parts of a sentence are copied directly into the content of any assessment task by the student but are not enclosed in quotation marks and the source has not been appropriately cited and listed in a footnote or bibliography (may be intentional or unintentional plagiarism; referred to as 'verbatim copying');
- Paragraphs, sentences, a single sentence or significant parts of a sentence are copied directly into the content of any assessment task by the student but are not enclosed in quotation marks, the source is cited and listed in a footnote or bibliography but there is no indication that the passage is being quoted (may be intentional or unintentional plagiarism; referred to as 'unidentified quotation');
- An idea or information which appears elsewhere in any form* is represented in any assessment task as the student's own, without reference being made to the author of that idea or the source of the information (may be intentional or unintentional plagiarism; a form of 'purloining');
- Portions of the content of any assessment task have been copied, cut and pasted, or closely paraphrased from the work of other students, staff, or other person, but submitted under the student's own name (may be intentional or unintentional plagiarism; a form of 'purloining');
- The student submits, as a new work, an assessment task he or she previously produced and had assessed for another unit or award, without appropriate acknowledgment of the fact and without the prior permission of the current Unit Coordinator/Supervisor (may be intentional or unintentional plagiarism, referred to as 'recycling');
- 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' (academic misconduct with intention to assist plagiarising);
- 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) (intentional plagiarism, referred to as 'use of a ghostwriter');
- The inclusion, without due acknowledgment, of diagrams, charts, maps, flowcharts, photographs, tables, or other creative works originated by others (intentional plagiarism; a form of 'purloining');
 - 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 under the student's own name and this content has been obtained by the student from the other person without their knowledge (intentional plagiarism; a form of 'purloining').
 - 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 under the student's own name and this content has been obtained by the student from the original source using inappropriate social, emotional or physical pressures (intentional plagiarism; a form of 'bullying').
- * Some examples of this are books, journals, newspaper or magazine articles, television programs, material downloaded from an Internet site, computer stored data and software, lecture notes, video or audio tapes, material downloaded from a CD-ROM.

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

- Falsification of data: Data falsification may range from the fabrication of data to selective reporting of data. Falsification covers the 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. Examples include 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.
- Violations of rules and regulations concerning the conduct of research: Examples include violations of federal, state or local governmental regulations, or University regulations dealing with protection of human subjects, use of dangerous or hazardous substances, improper use of recombinant DNA, and careless handling of radioactive materials.
- Misrepresentations in publication: This form of misconduct involves the publishing or public circulation of material intended to mislead the readers. Examples include 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: Examples include the deliberate taking or destroying the research related property of others, such as data, research papers, notebooks, equipment, or supplies."

Acknowledgments:

The examples of plagiarism in this appendix are loosely connected to the framework employed by Macquarie University Policy on Plagiarism and the discussion of the "plagiarism continuum" in Walker, J. 1998, "Student plagiarism in universities: What are we doing about it?", Higher Education Research and Development, vol. 17, no. 1, pp 89-105. The examples of academic misconduct are drawn from material published on the web by The University of Massachusetts Amherst at (www.umass.edu/provost/admin/policies/misconduct.pdf)]