

## STUDENT PLAGIARISM AND ACADEMIC MISCONDUCT: COURSEWORK POLICY

<b>Document Type:</b>	Policy and Procedures
<b>Administering Entity:</b>	Academic Board
<b>Records Management System Number:</b>	SED07/948
<b>Date Endorsed by Academic Board:</b>	17 Nov 2008
<b>Date Approved:</b>	11 Dec 2008
<b>Approved by:</b>	Council
<b>Implementation date:</b>	Semester 1, 2009
<b>Indicative time for Review:</b>	3 years from implementation date
<b>Responsibility for Review:</b>	Standing Committee of Academic Board
<b>Related Documents:</b>	Student Plagiarism and Academic Misconduct: Higher Degree Research Policy, Avoiding Plagiarism and Academic Misconduct: Coursework, Preventing and Detecting Plagiarism (Coursework)

### 1. INTRODUCTION

- 1.1. This policy governs Plagiarism and Academic Misconduct arising in respect of the undergraduate and postgraduate Coursework programs undertaken by Students and Graduates, whilst enrolled as students at the University of New England, including the Coursework components of research higher degrees. The policy applies to the preparation or presentation of an essay, report, assessment, examination answer, exercise or other submission.
- 1.2. This policy does not apply to:
  - (a) Research conducted by Students at the University of New England – see Student Plagiarism and Academic Misconduct: Higher Degree Research – Non Coursework Components.
  - (b) Behavioural Misconduct – as defined in the Student Behavioural Misconduct Rules
  - (c) Staff misconduct - See *UNE Code of Conduct for Employees* and the procedures for *Unsatisfactory Performance, Conduct and Discipline* in the University of New England Workplace Agreement 2006-2008 or equivalent as then current.
- 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 under which UNE accepts responsibility for moderation of assessment or quality assurance.
- 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 the work for submission. It therefore 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 devalue the quality of learning at the University. The University views with the greatest concern the actions of those who act dishonestly or improperly in connection with 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.

## 2. PURPOSE OF THE POLICY

The purpose of this document is:

- (a) to identify the responsibilities of the University, of individual Staff, and the rights and responsibilities of Students with regard to the prevention and detection of Plagiarism and Academic Misconduct in coursework 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 or material of another person, 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) **Behavioural Misconduct**, as defined in the Student 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:
  - a. threatens or endangers the health, freedom or safety of any person;
  - b. obstructs a University Member in performance of their duties; or
  - c. 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:
  - a. unauthorised entry into a file;
  - b. unauthorised transfer of, or change to, a file;
  - c. unauthorised use of another individual's identification and password; and/or
  - d. 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:
  - 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 an investigation or hearing, or use of, the Student Conduct Rules;
  - d. 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;

- e. 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.
- (3) **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.
- (4) **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.
- (5) **Coursework** means any work submitted for assessment as part of an undergraduate award (e.g. bachelors, bachelors honours, diploma, or advanced diploma), postgraduate coursework award (e.g. graduate certificate, graduate diploma, masters by coursework, masters honours, and juris doctor), or the coursework components of research higher degrees.
- (6) **Graduate** means a former Student who has attained an award at the University of New England.
- (7) **Group work** means a formally established assessment task to be conducted by a number of Students working together, resulting in a single piece of assessment or a number of associated pieces of assessment.
- (8) **Head of School** means either
  - (a) the Head of the School with which the Unit Coordinator, who is currently responsible for coordinating the unit in which the alleged Plagiarism has occurred, 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.
- (9) **Intentional Plagiarism** is an act of Plagiarism that arises from an intention to deceive.
- (10) **Legitimate Collaboration** means any constructive educational and intellectual practice that aims to facilitate optimal learning outcomes through interaction between Students.
- (11) **Plagiarism** is intentionally or unintentionally using the work of other persons, copying (in whole or in part) the work or data of other persons, paraphrasing closely or presenting substantial extracts from written, printed, electronic or other media in a Student's written, oral, electronic, online or group assessment 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.
- (12) **Plagiarism Declaration 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 Unit Coordinator, 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.

- (13) **Pro Vice-Chancellor Dean** means the Pro Vice-Chancellor Dean of the Faculty responsible for the unit for which the allegedly plagiarised work has been submitted.
- (14) **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.
- (15) **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.
- (16) **Student Conduct Appeals Committee** is the Committee constituted under rule 7 of the Student Conduct Rules.
- (17) **Student Support** means the Academic Skills Office within the Teaching and Learning Centre, Student Assist and other Student Support services provided by the University.
- (18) **UNE or University** means the University of New England.
- (19) **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.
- (20) **Unit Coordinator** means the academic Staff member who is responsible for coordinating the unit in which the alleged Plagiarism has occurred.

#### **4. RESPONSIBILITIES OF THE UNIVERSITY**

**4.1.** The University has an obligation to:

- (a) set in place and notify all academic Staff and Students of 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;
- (h) maintain the *Central Plagiarism/Academic Misconduct File*, allowing only limited access as specified in **3(3)**.

**4.2.** The relevant Pro Vice-Chancellor Dean and Head of School are responsible for the implementation of this policy.

**4.3** **In this policy if** the Head of School is the Staff member who raises the allegation of Plagiarism or Academic Misconduct, the Associate Dean (Teaching and Learning) or Academic Director of the relevant Faculty will perform the Head of School role. If the Pro Vice-Chancellor Dean is the one who raises the allegation of Plagiarism or Academic Misconduct, the Pro Vice-Chancellor (Academic) will perform the role of the Pro Vice-Chancellor Dean.

**4.4** The Head of School and Pro Vice-Chancellor Dean may delegate their role.

## **5. RESPONSIBILITIES OF UNIVERSITY ACADEMIC STAFF**

**5.1.** Individual members of the academic Staff 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, Legitimate Collaboration and Group work, and to apply them consistently;
- (b) explain to Students both good scholarly practice and the concept of Plagiarism and Academic Misconduct and play a central 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 obligations regarding acknowledgment of collaborative work, and give clear guidelines for Group work;
- (f) inform Students of the obligation to submit a signed and dated *Plagiarism Declaration Form* with every assessment task submitted for marking;
- (g) provide access to an appropriate *Plagiarism Declaration Form* for Students to use;
- (h) provide Students with notification or fair warning if they believe any individual or group may be at risk of breaching guidelines relating to Plagiarism and Academic Misconduct, Group work, Collusion and collaboration, and reliability of information;
- (i) give clear feedback about referencing problems;
- (j) refer Students to sources of advice on academic writing;
- (k) ensure that allegations of Plagiarism and Academic Misconduct are based on evidence;
- (l) report cases in which there is evidence of Plagiarism and Academic Misconduct to the Head of School; and

- (m) check for Plagiarism in Student assessment submissions, using computer assisted and manual methods.

## 6. RESPONSIBILITIES AND RIGHTS OF STUDENTS

### 6.1. Students have a responsibility and obligation to:

- (a) read, understand and comply with this policy;
- (b) familiarise themselves with the conventions of referencing for the discipline;
- (c) avoid acts which could be considered Plagiarism or Academic Misconduct;
- (d) seek assistance from appropriate sources and support services on becoming aware they need more knowledge and skills;
- (e) include a *Plagiarism Declaration Form* as part of every assessment task submitted; and
- (f) be aware that when they submit an assessment task electronically, they are deemed to have signed the *Plagiarism Declaration Form* as at the date of submission of the assessment task.

### 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 Group work;
- (b) be provided with clear guidelines on academic styles required in each unit;
- (c) receive practical comments which assist them to review their work;
- (d) expect clear guidelines relating to all aspects of Group work and Legitimate Collaboration;
- (e) expect notification or fair warning in the case where an academic believes a Student or group of Students may be at risk of breaching guidelines relating to Plagiarism, Academic Misconduct, Collusion and collaboration;
- (f) participate in appropriate learning experiences designed to improve competency in writing and study skills, understanding of the requirements of Group work and Legitimate Collaboration, and development of personal attributes, in particular, ethical behaviour;
- (g) expect consistent interpretation of this policy; and
- (h) be aware that each assessment task will not be marked unless a *Plagiarism Declaration Form* has been received.

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

- (a) the nature of the allegation;
- (b) the right to present a case in writing or orally to the Head of School;
- (c) in the case of an allegation of Plagiarism, the fact that the signed *Plagiarism Declaration 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 any penalty.

**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 Head of School determines that the allegation of Plagiarism or Academic Misconduct, or both, is not supported by the evidence, the Head of School must dismiss the allegation.

**7.2** If the Head of School determines that Unintentional Plagiarism occurred, one or more of the following actions must be taken at the discretion of the Head of School:

- (a) give a warning or reprimand to the Student;
- (b) arrange counselling for the Student to prevent further occurrences;
- (c) reduce the mark for the assessment task by up to 50%;
- (d) require the Student to rewrite and resubmit the assessable task, for a maximum possible pass mark of 50%;
- (e) require the Student to undertake a comparable alternative assessment task, for a maximum possible pass mark of 50%.

**7.3.** If the Head of School determines that Intentional Plagiarism, Academic Misconduct, or both occurred, one or more of the following penalties must be imposed at the discretion of the Head of School:

- (a) reduce the mark for the assessment task by at least 60%;
- (b) require the Student rewrite and resubmit the assessment task, for a maximum possible mark of 40%;
- (c) require the Student to undertake a comparable alternative assessment task, for a maximum possible mark of 40%.
- (d) reduce the grade for the unit.

**7.4** If the Head of School determines that Intentional Plagiarism, repeated cases of Plagiarism, and/or Academic Misconduct occurred, and that the case merits a severe penalty, the Head of School will refer the matter to the Pro Vice-Chancellor Dean. The Pro Vice-Chancellor Dean may impose one or more of the following penalties:

- (a) any of the penalties described in 7.3(a) – (d);
- (b) an award of the grade of WFN (withdrawal from the unit, deeming the Student to have failed);
- (c) an exclusion of the Student from enrolment in a particular course and/or unit permanently or for such period as the Pro Vice-Chancellor Dean may decide.

**7.5** If it is determined by Pro Vice-Chancellor Dean that Intentional Plagiarism, repeated cases of Plagiarism, or Academic Misconduct occurred, and that the case merits the most severe penalty, the Pro Vice-Chancellor Dean will refer the matter to the Pro Vice-Chancellor (Academic). The Pro Vice-Chancellor (Academic) may exclude the Student from the University for a period of up to five years.

**7.6** If it is determined by the Pro Vice-Chancellor (Academic) 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 Pro Vice-Chancellor (Academic) may impose the following penalties:

- (a) In the case of a finding of Unintentional Plagiarism or Academic Misconduct:
  - (i) a warning or reprimand to the Graduate;
  - (ii) arrange counselling for the Graduate to prevent further occurrences;
  - (iii) reduce the mark for the assessment task by up to 50%;
  - (iv) require the Graduate to re-enrol, rewrite and resubmit the assessable task, for a maximum possible pass mark of 50%;
  - (v) require the Graduate to re-enrol and undertake a comparable alternative assessment task, for a maximum possible pass mark of 50%.
- (b) In the case of a finding of Intentional Plagiarism or serious Academic Misconduct:
  - (i) reduce the mark for the assessment task by at least 60%;
  - (ii) require the Graduate to re-enrol, rewrite and resubmit the assessment task, for a maximum possible mark of 40%;
  - (iii) require the Graduate to re-enrol and undertake a comparable alternative assessment task, for a maximum possible mark of 40%;
  - (iv) reduce the grade for the unit;
  - (v) change the grade awarded for the unit to WFN (withdrawn from the unit, deeming the Graduate to have failed);
  - (vi) impose a ten penalty unit fine;
  - (vii) refer the matter to Academic Board.

**7.7** Where a matter has been referred under 7.6 (b)(vii), 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.

### **7.8 Bachelor of Medicine – JMP students**

Before any penalties are applied to BMed – JMP students, appropriate consultation must be held between Course/Unit Coordinators and SACO (University of Newcastle) and Head of School (University of New England) and in more severe cases between the Chair of the Discipline Committee (Newcastle) and the appropriate Pro Vice Chancellor Dean (New England).

## **8. PROCESSES FOR HANDLING ALLEGATIONS OF STUDENT 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 relation to Academic Misconduct and/or Plagiarism will be the principal criteria;
- (d) judgments may be more lenient for Students in the first semester of undergraduate study; and
- (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 normally be within 20 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 or a fellow Student has reason to suspect Plagiarism or Academic Misconduct, that person must inform the Unit Coordinator at the earliest opportunity. The Unit Coordinator will investigate whether there is any evidence to support the suspicion.

## **8.3. Allegation**

When Plagiarism or Academic Misconduct is suspected, and there is some evidence to support the allegation, the Unit Coordinator must present a written report on the matter to the Head of School detailing the evidence on which the allegation is based. If the allegation is one of Plagiarism, the Unit Coordinator 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 Unit coordinator and Head of School will discuss whether or not there is a prima facie case of Plagiarism or Academic Misconduct. If the Head of School 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 Head of School 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, whether arising from an electronic detection system or otherwise.

**8.6 Invitation to Respond.** The Student will be invited to respond to the allegation within 20 calendar days of the date in the letter of advice. The Student will be informed that the response should be directed to the Head of School.

**8.7 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 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 Head of School 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 Head of School.

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

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

**9.1** When the Student's response has been received, or when no response has been received after 20 calendar days, the Head of School will decide:

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

and

- (c) whether mitigating circumstances exist.

**9.2 Prior Instances.** Where the Head of School determines that Plagiarism, Academic Misconduct, or both occurred, the Head of School 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 may be cause for imposing a harsher penalty.

**9.3 Action by Head of School.** As a consequence of the decisions made in **9.1**, the Head of School shall follow one of four 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, but that mitigating circumstances do exist, and apply a penalty chosen from **7.2**;
- (c) conclude that Intentional Plagiarism or Academic Misconduct, or both occurred, but that mitigating circumstances do not exist, or are not persuasive, and apply a penalty chosen from **7.3**; or
- (d) conclude that Intentional Plagiarism or Academic Misconduct, or both, occurred and is such as to merit a severe penalty as listed in **7.4** or **7.5**, and refer the case to the Pro Vice-Chancellor Dean.

**9.4 Action by the Pro Vice-Chancellor Dean.** Where the case has been referred to the Pro Vice-Chancellor Dean, the Head of School will provide the Student with a copy of all materials sent to the Pro Vice-Chancellor Dean and the Student will be given an opportunity to further answer the allegation. The Pro Vice-Chancellor Dean will review all aspects of the case and will follow one of five possible courses of action:

- (a) conclude that the allegation of Plagiarism or Academic Misconduct, or both, is not substantiated. The Student will be advised of this outcome in writing;
- (b) conclude that Unintentional Plagiarism occurred, then advise the Head of School what action is to be taken under **7.2**;
- (c) conclude that Intentional Plagiarism or Academic Misconduct, or both, occurred, but that the severity of the case only warrants choice of a penalty from **7.3**, decide on such penalty, and advise the Head of School accordingly;
- (d) conclude that Intentional Plagiarism or Academic Misconduct, or both, occurred and merits a severe penalty, decide on a penalty from **7.4**, and take the appropriate administrative steps to enforce the relevant penalty; or
- (e) conclude that Intentional Plagiarism or Academic Misconduct, or both occurred and then decide that the most severe penalty under **7.5** may be warranted and refer the case to the Pro Vice-Chancellor (Academic).

**9.5 Referral to Pro Vice-Chancellor (Academic).** Where the case has been referred to the Pro Vice-Chancellor (Academic), the Student will be provided by the Pro Vice-Chancellor Dean with a copy of the Pro Vice-Chancellor Dean's report to the Pro Vice-Chancellor

(Academic) and will be given the opportunity to further answer the allegation in writing if the Student chooses to do so. The Pro Vice-Chancellor (Academic) will review all aspects of the case and follow one of the following courses of action.

In the case of Plagiarism:

- (a) determine that the allegation of Plagiarism is not substantiated;
- (b) determine that the allegation of Plagiarism is substantiated and unintentional, then advise the Pro Vice-Chancellor Dean and Head of School what action is to be taken under **7.2**;
- (c) determine that the allegation of Plagiarism is substantiated and intentional, then advise the Pro Vice-Chancellor Dean as to which penalty under **7.3** or **7.4** is warranted; or
- (d) determine that the allegation of Plagiarism is substantiated and intentional, then decide that the most severe penalty under **7.5** is warranted, and take the appropriate administrative steps to enforce the penalty.

In the case of Academic Misconduct:

- (e) determine that the allegation of Academic Misconduct is not substantiated;
- (f) determine that the allegation of Academic Misconduct is substantiated, then advise the Pro Vice-Chancellor Dean as to which penalty under **7.3** or **7.4** is warranted; or
- (g) determine that the allegation of Academic Misconduct is substantiated and that the most severe penalty under **7.5** is warranted, and take appropriate administrative steps to enforce the penalty.

**9.6 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**.

**9.7 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 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; 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.

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

**9.9 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 the ultimate decision was made by the Head of School, Pro Vice-Chancellor Dean, or Pro Vice-Chancellor (Academic) and the nature of the penalty.

## **10. APPEALS**

**10.1** A Student who wishes to appeal against a decision made by the Head of School may appeal to the Pro Vice-Chancellor Dean. The Pro Vice-Chancellor Dean will consider all information relevant to the case and the appeal lodged by the Student and will decide that:

- (a) one of the courses of action listed in **9.4** will be followed; or
- (b) the decision of the Head of School will be upheld.

**10.2** A Student who wishes to appeal against one of the decisions made by the Pro Vice-Chancellor Dean or Pro Vice-Chancellor (Academic) and who believes that he or she can present new grounds or to appeal the penalty imposed may request that the Pro Vice-Chancellor (Academic) 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 **9.5** will be followed; or
  - (iii) the decision of the Pro Vice-Chancellor Dean or Pro Vice-Chancellor (Academic) 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, that person must inform their Head of School at the earliest opportunity. The Head of School 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 Head of School must present a written report on the matter to the Pro Vice-Chancellor (Academic) detailing the evidence on which the allegation is based. If the allegation is one of Plagiarism, the Head of School 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 Head of School and Pro Vice-Chancellor (Academic) will discuss whether or not there is a prima facie case of Plagiarism or Academic Misconduct. If the Head of School 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 Pro Vice-Chancellor (Academic) 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 Pro Vice-Chancellor (Academic). The Pro Vice-Chancellor (Academic) 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 Head of School and Pro Vice-Chancellor (Academic) 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 Pro Vice-Chancellor (Academic).

### **11.9 Further Information**

The Pro Vice-Chancellor (Academic) may seek such further information or advice on the

substance of the allegation as is deemed necessary from academic Staff other than the Head of School. 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 Pro Vice-Chancellor (Academic) 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 Pro Vice-Chancellor (Academic) determines that Plagiarism or Academic Misconduct, or both, occurred, the Pro Vice-Chancellor (Academic) 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 Pro Vice-Chancellor (Academic)**

As a consequence of the decisions made in **12.1**, the Pro Vice-Chancellor (Academic) 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 Pro Vice-Chancellor (Academic) with a copy of the Pro Vice-Chancellor (Academic)'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 of New England Academic Board Policy on Plagiarism and Academic Misconduct: Coursework**

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 context of any assessment task (may be intentional or unintentional plagiarism; referred to as 'sham paraphrasing').
- Direct quotations 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 that was previously produced and assessed for another unit or award, without appropriate acknowledgment of the fact and without the prior permission of the current Unit Coordinator (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' (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. The 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 Academic 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](http://www.umass.edu/provost/admin/policies/misconduct.pdf))]