



PREMIUM-ENGLISH FOR ACADEMIC REQUIREMENT (PEAR) AUSTRALASIA LLP

Academic Integrity and Academic Misconduct Procedure

1 PURPOSE & OBJECTIVE

- 1.1 The purpose of this procedure is to operationalise the academic integrity component of the Academic Policy, define the standard of academic integrity demanded by the Academy of its students and staff, categorise academic misconduct and provide a framework for identifying and addressing breaches to academic integrity provisions.

2 SCOPE

- 2.1 This procedure applies to all Academy students and staff.

3 PROCEDURE

Defining Academic Integrity and Academic Misconduct

- 3.1 The Academy expects and demands a commitment to academic integrity from its students and staff.
- 3.2 Academic integrity requires that students and staff act honestly, impartially and responsibly in the development, dissemination and engagement with teaching, learning and the scholarship of teaching.
- 3.3 Any breach to the principles of academic integrity outlined in clause 3.2 constitutes academic misconduct.
- 3.4 Academic misconduct by staff may be characterised by, but not limited to the following:
 - a) disseminating false or dishonest information in relation to the performance (academic, teaching or scholarship) of other scholars and students;
 - b) biased marking of assessments;
 - c) plagiarising or presenting the thoughts, words, phrases or works of another as one's own, by:
 - failing to or incorrectly acknowledging text, images, videos and other artefacts sourced from others in teaching materials, works of scholarship or research outputs;
 - contract cheating or paying for another person to prepare works of scholarship;

- soliciting their services to undertake contract cheating on behalf of another person;
 - copying or paraphrasing material from any source without due acknowledgment in teaching materials, works of scholarship or research outputs;
 - using another's expression or ideas without appropriate recognition or due acknowledgement (e.g. by failure to use an academic referencing system) in teaching materials, works of scholarship or research outputs;
 - falsifying or fabricating data obtained from experiments, interviews, surveys, or similar activities in works of scholarship or research outputs;
- d) acquiring, attempting to acquire, possessing, or distributing (either physically, electronically or orally) restricted assessment-related material or information, such as examination questions or an examination question paper, without the prior authorisation of the relevant Program Coordinator;
- e) providing a student with the opportunity to copy or plagiarise work completed by another person in order that the student can include that work in material to be submitted for assessment:
- by enabling the student to copy answers produced during an examination;
 - providing the student with a copy of work which has been completed by another student on the same or a similar assessment task and is to be submitted for assessment or had been assessed previously; and
- f) offering or accepting bribes (money or sexual or other favours) for academic or career gain.

3.5 Academic misconduct by students may be characterised by, but not limited, to the following:

- a) Plagiarising or presenting the thoughts, words, phrases or works of another as one's own, by:
- contract cheating or paying for another person to prepare an assignment;
 - soliciting their services to undertake contract cheating on behalf of another person;
 - copying or paraphrasing material from any source without due acknowledgment;
 - using another's expression or ideas without appropriate recognition or due acknowledgement (e.g. by failure to use an academic referencing system);
 - falsifying or fabricating data obtained from experiments, interviews, surveys, or similar activities;
 - making changes to work submitted for assessment after that work has been assessed and then lodging a grievance or appeal with a claim that the work has been incorrectly assessed;
 - in group work that is presented for assessment, falsely representing the contribution made by an individual student to the work of the group;
 - submitting, for the purposes of meeting the assessment requirements for a subject that a student is currently undertaking, work that has been assessed previously and counted towards completion of another subject;

- b) acquiring, attempting to acquire, possessing, or distributing (either physically, electronically or orally) restricted assessment-related material or information, such as examination questions or an examination question paper, without the prior authorisation of the relevant Program Coordinator;
- c) taking unauthorised materials into an examination;
- d) communicating with other students undertaking the examination;
- e) reading or copying the answers of another student undertaking the same examination;
- f) impersonating another student in an examination or other assessment activity (e.g. undertaking an examination or a work placement for another student);
- g) a student making arrangements for another person to falsely represent himself or herself as that particular student for the purpose of undertaking an assessment activity or producing work to be submitted for assessment;
- h) making arrangements with another person to be party to an act of academic fraud;
- i) participating in any other actions that are intended to give a student an unfair or dishonest advantage in learning activities and assessment;
- j) collusion in academic fraud – encouraging and assisting a student or fellow staff member in committing, or in attempting to commit, academic fraud;
- k) providing a student with the opportunity to copy or plagiarise work completed by another person in order that the student can include that work in material to be submitted for assessment:
 - by enabling the student to copy answers produced during an examination;
 - providing the student with a copy of work which has been completed by another student on the same or a similar assessment task and is to be submitted for assessment or had been assessed previously; and
- l) offering or accepting bribes (money or sexual or other favours) for academic or career gain.

Promoting Academic Integrity and Preventing Academic Misconduct

3.6 Taking a proactive approach to academic integrity is best practice for minimising and managing academic misconduct. Thus, the Academy actively promotes academic integrity and provides advice on preventing academic misconduct to staff and students.

3.7 Academic staff are:

- a) required to participate in staff induction at the commencement of their employment to advise on the Academy's expectations in relation to staff behaviours and student conduct and to undergo training in the use and interpretation of tools and practices to detect academic misconduct;
- b) provided with tools to assist them to promote academic integrity in their own practice and to prevent and detect student academic misconduct;
- c) required to undertake 'refresher' training as approved by the Academy once every three years in relation to academic integrity and misconduct.

- 3.8 Academic staff and staff who interact with students within the teaching and learning environment are also expected to contribute to the prevention of student academic misconduct by:
- a) emphasising expectations for academic integrity and conveying to students and staff the importance and implications of this policy, its parent policy and the associated procedures;
 - b) providing students with clear information to avoid academic fraud in advance of students commencing assessment tasks;
 - c) eliminating or reducing the opportunity for academic misconduct through careful design of deployment of formative assessment and avoiding repeated use of the same assessment tasks or examination questions over time;
 - d) using electronic submission of assignments in association with electronic text matching detection systems unless specific dispensation is granted by Management and
 - e) requiring students to sign statements that their assignment task is their own when lodging any work submitted for assessment.
- 3.9 Students are also provided with a written guide on expected standards of academic integrity as part of student induction. This information will also be available as a standard requirement within the Learning Management System (LMS).

Categories of Academic Misconduct

- 3.10 The Academy recognises that a distinction should be drawn between instances of academic misconduct which may involve simply inexperienced academic study and writing skills and more serious instances which may involve intentional misconduct and misrepresentation.
- 3.11 Academic Misconduct is categorised as either a Category One or Category Two offence dependent on a number of factors:
- a) the type of misconduct;
 - b) the extent of the misconduct;
 - c) the experience of the person;
 - d) the intent of the misconduct; and
 - e) the impact of the misconduct.
- 3.12 Category One offences are confined to:
- a) instances of plagiarism that appear to be a consequence of a person's lack of knowledge of, or skill in, the conventions of academic writing or arising from carelessness rather than a deliberate act of deception;
 - b) instances of collusion, or attempted collusion that appear to be other than a deliberate act of deception.
- 3.13 Category Two offences are deemed to be offences where the intention to engage in misconduct appears to be conscious, pre-mediated and intended to deceive.

- 3.14 The matrix at Appendix 1 provides a guide to assess whether academic misconduct is either a Category One or a Category Two offence.

Reporting Academic Misconduct

- 3.15 Where a staff member suspects or has evidence of apparent academic misconduct of a fellow staff member, they must immediately report the incident to the Academic Integrity Officer. The report must be accompanied by relevant evidence, e.g. direct or documentary evidence or witness statements.
- 3.16 Where student misconduct is suspected, it must be reported immediately to the Academic Integrity Officer. The report must be accompanied by relevant evidence, e.g. direct or documentary evidence such as student work, text matching reports, or witness statements.

Assessment of Allegations of Academic Misconduct (Staff)

- 3.17 The Academic Integrity Officer receives reports of alleged staff academic misconduct and is required to make a preliminary assessment of the allegation within 10 working days of receipt of the allegation.
- 3.18 Based on the information and evidence provided with the report, the Academic Integrity Officer determines whether:
- a) there is sufficient evidence that the matter should be investigated as a Category 1 or Category 2 case, or
 - b) there is no case and the matter should proceed no further.
- 3.19 If further inquiry is determined to be unwarranted, the Academic Integrity Officer will prepare an internal memorandum-for-file including a statement of the allegation and the rationale for not conducting further inquiry.
- 3.20 Within 5 working days of the determination that further inquiry is warranted, the Academic Integrity Officer will:
- c) notify the staff member against which the allegation is made (the Respondent), the Principal, the Director for Academic Development, the Chair of Academic Council, and the Principal Administrator of the allegation;
 - d) appoint an Academic Misconduct Investigator (AMI) who is without conflict of interest, and has appropriate expertise to evaluate the information relative to the case. The AMI must be external to the Academy;
 - e) notify all parties of the proposed AMI and ask all parties to identify any real or potential conflict of interest between the proposed AMI and the parties involved in the allegation;
 - f) provide the AMI will copies of all relevant documentation.

- 3.21 Within 20 working days of the appointment the AMI:
- a) will review all relevant documentation;
 - b) conduct and record interviews as required;
 - c) provide a report on the findings to the Academic Integrity Officer.
- 3.22 Within 5 working days of receipt of the AMI findings, the Academic Integrity Officer will advise the Respondent of the outcome.
- 3.23 Where the finding is:
- a) in the favour of the Respondent the matter will be deemed closed, the Principal Administrator, and the Chair of Academic Council will be advised and all records stored with reference to the Information and Data Management Policy;
 - b) of a possible Category One or Category Two offence the respondent has the right of reply, in writing, to the Principal Administrator within 10 working days of receipt of the findings.
- 3.24 Where the Respondent:
- a) does not invoke the right of reply, the Academic Integrity Officer will advise the Principal Administrator, and the Chair of Academic Council, to initiate appropriate action;
 - b) appeals the decision, the Principal Administrator will review all records pertaining to the allegation and provide a review report within 20 working days of receipt of the initial reply from the Respondent.
- 3.25 Within 5 working days of receipt of the review report from the Principal Administrator, the Academic Integrity Officer will advise the Respondent of the outcome.
- 3.26 Where the review report is:
- a) in the favour of the Respondent the matter will be deemed closed and Academic Integrity Officer will advise the Principal Administrator, and the Chair of Academic Council will be advised and all records stored with reference to the Information and Data Management Policy;
 - b) to uphold the original decision in relation to a Category One or Two offence the Respondent is advised of the outcome and their right of appeal.
- 3.27 Where the respondent does not exercise their right of appeal the Chair of Academic Council is advised of the final outcome, to ensure all required action is initiated.

Assessment of Allegations of Academic Misconduct (Student)

- 3.28 Following receipt of information pertaining to an alleged case of academic misconduct (clause 3.16) the Academic Integrity Officer is required to make a preliminary assessment within 10 working days of receipt of the allegation.
- 3.29 Based on the information and evidence provided with the report, the Academic Integrity Officer determines whether:

- a) There is sufficient evidence that the matter should be investigated as a Category 1 or 2 case, or
 - b) there is no case and the matter should proceed no further.
- 3.30 The purpose of the investigation in all cases is to make an independent evidence-based determination of whether:
- a) It has been established on the balance of probabilities that the misconduct did occur; and
 - b) if there were any associated extenuating circumstances.
- 3.31 Where there is sufficient evidence of misconduct the Academic Integrity Officer will make an assessment as to the likely severity of the case, based on the Academic Misconduct Matrix. The reasons for the decision are to be documented and verified by the Principal Administrator.
- 3.32 Within 5 working days of the determination that further inquiry is warranted, the Academic Integrity Officer will notify the student against which the allegation is made (the Respondent), the Program Coordinator and the Principal Administrator of the allegation.

Category One Offence

- 3.33 Where the offence is deemed a Category One offence, the Academic Integrity Officer commences an investigation and must reach a determination within 20 working days of the initial determination.
- 3.34 Where the finding is:
- a) in the favour of the Respondent the matter will be deemed closed, Principal Administrator will be advised and all records stored with reference to the Information and Data Management Policy;
 - b) of a possible Category One offence the respondent has the right of reply, in writing, to the Principal Administrator within 10 working days of receipt of the findings.
- 3.35 Where the Respondent:
- a) does not invoke the right of reply the Principal Administrator will advise the Program Coordinator to ensure that required action is initiated;
 - b) appeals the decision, Principal Administrator will review all records pertaining to the allegation and provide a review report within 20 working days of receipt of the initial reply from the Respondent.
- 3.36 Where the review report is:
- a) in the favour of the Respondent the matter will be deemed closed. The Program Coordinator will be advised and all records stored with reference to the Information and Data Management Policy;
 - b) to uphold the original decision the Respondent is advised of the outcome and their right of appeal under the Student Complaints and Appeals Procedure.

Category Two Offence

- 3.37 Where the offence is deemed a Category 2 offence, the Academic Integrity Officer refers the report to the Principal who is responsible for investigation of all Category 2 instances of alleged student misconduct.
- 3.38 The Principal will convene a Student Misconduct Committee within 20 days of receipt of the notification from the Program Coordinator consisting of:
- a) Principal;
 - b) Program Coordinator;
 - c) two members of academic staff independent to the case.
- 3.39 Student Misconduct Committee must:
- a) Act fairly without bias, and without preconceived notions of culpability;
 - b) Make inquiries and take actions to determine the facts of the matter based on sound reasoning and relevant evidence;
 - c) Commence and complete the investigation without undue delay;
 - d) Inform the student/s concerned of the general substance of the allegation and the range of possible consequences if the investigation results in the allegation being substantiated;
 - e) Provide the student/s concerned with the opportunity to respond to and put forward evidence or arguments in their favour; and
 - f) Provide opportunity for the student/s concerned to make a case concerning why a particular consequence should not follow in the event that the allegation is substantiated;
 - g) reach a majority decision on the allegation and prepare a findings report.
- 3.40 Where the finding is:
- a) in the favour of the Respondent the matter will be deemed closed and all records stored with reference to the Information and Data Management Policy;
 - b) of a possible Category Two offence the respondent has the right of reply, in writing, to the Principal within 10 working days of receipt of the findings.
- 3.41 Where the Respondent:
- a) does not invoke the right of reply the Principal will advise the Program Coordinator to ensure that required action is initiated;
 - b) appeals the decision the Academic Integrity Officer will review all records pertaining to the allegation and provide a review report within 20 working days of receipt of the initial reply from the Respondent.

3.42 Within 5 working days of receipt of the review report from the Academic Integrity Officer the Principal Administrator will advise the Respondent of the outcome.

3.43 Where the review report is:

- a) in the favour of the Respondent the matter will be deemed closed the Program Coordinator and Principal will be advised and all records stored with reference to the Information and Data Management Policy;
- b) to uphold the original decision the Respondent is advised of the outcome and their right of appeal under the Student Complaints and Appeals Policy Procedures.

Penalties for Substantiated Cases of Academic Misconduct

3.44 In determining the penalty for proven academic misconduct the following circumstances are required to be taken into consideration:

- a) Whether the person is relatively new and inexperienced;
- b) Whether the person has a history of academic misconduct;
- c) Any admissions by the particular person in relation to the misconduct;
- d) The nature and extent of the misconduct;
- e) Whether the misconduct was a deliberate act of deception or cheating; and
- f) The extent to which the misconduct approximates an offence in the wider community that under law might lead to legal proceedings, e.g. theft, fraud, false representation.

3.45 Where the person is a student, the following should also be taken into consideration:

- a) the nature and extent of the misconduct relative to assessment weighting;
- b) the extent to which the misconduct, if undetected, would have resulted in an unfair advantage for the student;
- c) the extent to which the misconduct, if undetected, would have had potential to inflate another student's assessment grade or otherwise result in another student gaining an unfair advantage; and
- d) the extent to which the misconduct, if undetected, would have had potential to compromise the integrity of the Academy's assessment processes.

3.46 Penalties will be applied as outlined in the table below.

Category	Student	Staff
Category 1	<p>Educational/Remedial activities and one or more of the following penalties will be applied:</p> <p>The student is given a formal written warning or reprimand including advice of the possible consequences of any further student academic misconduct AND/OR</p> <p>The student is required to undertake and submit work in place of any work that was associated with the misconduct and is advised that where the work is an assessment item, any mark or rating awarded for the work may not exceed a score of 50% of the worth of the assessment item</p>	Educational/Remedial activities and given a formal written warning.
Category 2 (Generic)	Educational/Remedial activities and the student is given a formal written warning or reprimand, including advice of the possible consequences of any further student academic misconduct PLUS	
Category 2 (First Offence)	<p>The student is required to undertake and submit work in place of any work that was associated with the misconduct and is advised that where the work is an assessment item, any mark or rating awarded for the work may not exceed a score of 50% of the worth of the assessment item OR</p> <p>The student is advised in writing that specified work associated with the misconduct will not be counted towards meeting the assessment requirements for completion of a specified program</p>	
Category 2 (Subsequent Offence)	<p>The student is awarded the grade of Withdrawn (WX), withdrawal from the program, deeming the student to have failed, for a specified program associated with the misconduct in which the student is/was enrolled OR</p> <p>The student is immediately excluded from enrolment at the Academy for one calendar year OR</p> <p>A recommendation to the Board of Directors for permanent expulsion of the student</p>	

- 3.47 If the penalty of exclusion from the Academy is imposed on a student the following conditions apply following the completion of all appeals mechanisms:
- a) The student's enrolment will be terminated;
 - b) The student will be recorded as excluded from the Academy for the specified period of exclusion;
 - c) The student will not be entitled to any benefits, advantages or privileges of the Academy during the specified period of exclusion;
 - d) The student will not be permitted to enrol in any programs at the Academy whether for award or otherwise during the period of exclusion;
 - e) The student may re-apply for readmission to the program at the Academy at the end of the period of exclusion. Readmission is not automatic and conditions may be applied relating to the student's future conduct at the Academy.
- 3.48 If the penalty of expulsion is imposed on a student the following conditions apply following the completion of all appeals mechanisms:
- a) The student's enrolment will be terminated;
 - b) The student will be recorded as excluded from the campus;
 - c) The student will not be entitled to any benefits, advantages or privileges of the institution;
 - d) The student will not be permitted to enrol in any program or course whether for award or otherwise at the Academy;
 - e) Any further applications from the student for admission to any program at the Academy will only be considered with the approval of the Board of Directors.

Student Academic Misconduct Register

- 3.49 The Academic Integrity Officer will maintain a Student Academic Misconduct Register which will include summary records of each substantiated instance of student academic misconduct and the associated educational/remedial actions and penalties applied.
- 3.50 The Principal Administrator and the Program Coordinator may request information from the Academic Integrity Officer to determine if a student under investigation for a suspected case of academic misconduct has a previous record.
- 3.51 Access to the Register otherwise will be determined by the Principal Administrator.

Confidentiality

- 3.52 All information associated with reports, investigations and outcomes associated with individual instances of academic misconduct must be treated as confidential and not released to any third party or external agency unless required by law or the person has expressly consented to its release in writing.

Governance Reporting

3.53 The Academic Integrity Officer will ensure that a report on academic integrity and academic misconduct is provided to Academic Council and the Board of Directors on an annual basis.

4 ROLES AND RESPONSIBILITIES

4.1 The Board of Directors is responsible for making a determination on expulsion where Category 2 repeat offences have taken place.

4.2 The Principal Administrator is responsible for:

- a) approving requests for access to the Student Academic Misconduct Register
- b) administering appeals.

4.3 The Academic Integrity Officer, the Principal Administrator and Program Coordinator are responsible for all actions pertinent to their role as outlined from Clause 3.15 through to 3.44.

4.4 All staff and students are responsible for becoming familiar and complying with this procedure.

5 DEFINITIONS

AMI	means the Academic Misconduct Investigator
EXCLUSION	means exclusion from the Academy for a minimum period of one year, after which period the student must reapply for admission if they are seeking re-enrolment.
EXPULSION	means permanent exclusion from the Academy
GRADE	means the final letter conversion of the aggregate mark attained by a student undertaking a subject
PROGRAM	means a diploma or certificate or other qualification, which is approved by the Academic Council and the Board of Directors, and is conferred upon completion of the relevant program requirements
STAFF	means employees of the Academy
STUDENT	means an admitted or enrolled student of the Academy Admitted student means a student who has been admitted to a the Academy program of study and who is entitled to enrol in a subject of study. Enrolled student means a student who has been admitted to an Academy program of study who is enrolled in a subject at the Academy
SUBJECT	means that each program of study comprises a number of subjects which may be core/compulsory or elective. Each subject comprises a discrete set of objectives, content, methods and assessment which jointly ensure that program objectives and learning outcomes are met. Each subject consists of individual topics of study, unique to each subject

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