

# Higher Education Academic Misconduct Procedure

## RELATED POLICY:

[Higher Education Academic Integrity Policy](#)

### 1. PURPOSE

To outline Holmesglen's processes to identify and manage allegations of student academic misconduct.

### 2. SCOPE

Applies to all students enrolled in a higher education programs at Holmesglen.

### 3. PROCEDURE

Action	Accountability
<b>3.1 Identify and report allegations of academic misconduct</b>	
3.1.1. Ensure that students are trained in, and required to use content matching or authenticity software, when appropriate for assessment types. <b>Note:</b> Student must submit the content matching/authenticity software report with their relevant assessment..	Academic staff
3.1.2. Identify any alleged instance of academic misconduct. <b>Note:</b> Instances of academic misconduct are noted in Appendix 1 of this Procedure.	Holmesglen academic and/or professional staff
3.1.3. Submit allegations of academic misconduct in writing to the Course Leader. <b>Note:</b> <ul style="list-style-type: none"> <li>▪ Reports of allegations of academic misconduct must be in writing and accompanied by evidence.</li> <li>▪ If the Course Leader is the academic staff member reporting the academic misconduct, they must report the allegation to the Head of Department.</li> </ul>	Holmesglen academic staff and/or, professional staff and/or students.
<b>3.2 Make preliminary determination</b>	
3.2.1. Conduct preliminary investigation within three (3) working days of the allegation of academic misconduct report being received and determine: <ul style="list-style-type: none"> <li>a) whether there is a prima facie case; and</li> <li>b) the gravity of the alleged misconduct - minor or serious academic misconduct.</li> </ul>	Course Leader in consultation with Head of Department
3.2.2. Notify the Registrar of the allegation of academic misconduct.	Course Leader
3.2.3. Record allegation of academic misconduct in the Institute Complaint and Appeals register.	Registrar
<b>3.3 Manage allegations of minor academic misconduct</b>	
3.3.1. Advise the alleged student in writing about the nature of the allegation of academic misconduct within three (3) working days <b>Note:</b> An allegation of academic misconduct must specify each individual act of alleged academic misconduct in writing.	Course Leader

Action		Accountability
3.3.2	Provide the student with an opportunity to respond to the allegation of academic misconduct in writing.	Course Leader
3.3.3	Meet with the student to discuss the alleged academic misconduct.	Course Leader and Head of Department
3.3.4	Determine if the allegation of minor academic misconduct is upheld and the nature of the penalty to be applied. <b>Notes:</b> <ul style="list-style-type: none"> <li>▪ Penalties in the case of minor academic misconduct must include an educative response.</li> <li>▪ Penalties must take into account the intent of the academic misconduct in line with Action 3.5.</li> </ul>	Head of Department
3.3.5	Communicate the outcome of the academic misconduct meeting in writing to the student, including educative response and penalties if applicable, within three (3) working days of the meeting being held. <b>Note:</b> The communication to the student must advise them that they have the right to appeal the decision under the Higher Education Assessment and Moderation Policy in line with the Higher Education Academic Appeal procedure.	Course Leader
3.3.6	Forward report of the outcomes of the academic misconduct meeting, including educative response and penalties if applicable, and a copy of the written response to the student, to the Registrar within two (2) working days.	Course Leader
3.3.7	Record the outcomes of the academic misconduct meeting, including educative response and penalties, in the Institute Complaint and Appeals register	Registrar
<b>3.4 Manage allegations of serious academic misconduct</b>		
3.4.1	Forward allegation of serious academic misconduct to the Dean	Course Leader
3.4.2	Advise the alleged student in writing about the nature of the allegation of academic misconduct within three (3) working days. <b>Note:</b> An allegation of academic misconduct must specify each individual act of alleged academic misconduct in writing and be accompanied by evidence	Dean
3.4.3	Provide the student with an opportunity to respond to the allegation of academic misconduct in writing.	Dean
3.4.4	Form an 'ad hoc' Academic Misconduct Committee and nominate a chair person.	Dean
3.4.5	Conduct a hearing with the student to discuss the alleged academic misconduct. <b>Notes:</b> <ul style="list-style-type: none"> <li>▪ Students have the right to have a support person to attend the academic misconduct hearing with them.</li> <li>▪ The support person may be a friend, a partner, immediate family member, health professional or Student Services Officer, other than a registered legal practitioner or a person acting in the capacity of a lawyer. The support person may not speak on behalf of, nor make arguments on behalf of the student</li> </ul>	Chair of the 'ad hoc' Academic Misconduct Committee

Action		Accountability
3.4.6	Determine if the allegation of serious academic misconduct is upheld and the nature of the penalty. <b>Notes:</b> <ul style="list-style-type: none"> <li>▪ The ad hoc Academic Misconduct Committee must evaluate the allegation after hearing and examining any evidence available and determine an appropriate penalty.</li> <li>▪ Penalties must take into account the intent and severity of the academic misconduct in line with Action 3.5.</li> </ul>	Chair of the 'ad hoc' Academic Misconduct Committee
3.4.7	Forward report of the outcomes of the hearing concerning the allegation of academic misconduct, and associated penalties to be applied, to the Registrar within three (3) working days of the hearing.	Dean
3.4.8	Record the allegation of academic misconduct and the resulting outcomes, including penalties, in the Institute Complaints and Appeals register.	Registrar
3.4.9	Communicate the outcome of the academic misconduct hearing decision in relation to the allegation of academic misconduct in writing to the student with two (2) working days of receipt of the hearing outcomes. <b>Note:</b> The communication to the student must advise that they have the right to appeal the decision under the Higher Education Assessment and Moderation Policy.	Registrar
<b>3.5 Apply penalties for academic misconduct</b>		
3.5.1	Apply penalties appropriate to the intent and severity of the academic misconduct in line with the categories and penalties as outlined in Appendix 2 of this Procedure.	Dean
<b>3.6 Maintain records of academic misconduct</b>		
3.6.1	Table a summary of the outcomes of any upheld academic misconduct allegations and associated penalties, at the next Board of Examiners, following conclusion of any appeals against the outcomes, for consideration in determining students at risk of unsatisfactory progress.	Course Leader
3.6.2	Report on trends in academic misconduct to the Faculty Education and Applied Research Committee.	Course Leader
3.6.3	Maintain a register of all allegations and findings of academic misconduct and the penalties imposed.	Registrar
3.6.4	Monitor risks to academic integrity. Provide advice on the nature and occurrence of allegations of academic misconduct and take action to address underlying causes.	Council of Education and Applied Research

#### 4. DEFINITIONS

Term	Meaning
Academic integrity	<p>The moral code of academia. It involves using, generating and communicating information in an ethical, honest and responsible manner.</p> <p>Academic integrity is honesty, responsibility and the maintenance of academic standards in scholarship. Honesty in scholarship means that all academic work results from an individual student's own efforts and that credit is given to other peoples' ideas. Maintaining academic integrity involves a student:</p> <ul style="list-style-type: none"> <li>▪ creating and expressing their own ideas in their work;</li> <li>▪ acknowledging all sources of information;</li> <li>▪ completing assessments and research independently or acknowledging collaboration;</li> <li>▪ accurately reporting results when conducting research or in clinical or laboratory work; and</li> <li>▪ honesty during examinations</li> </ul>
Academic misconduct	Conduct by which a student seeks to gain for themselves or another person an unfair or unjustified academic advantage in a program or subject.
Minor academic misconduct	Academic misconduct which fall short of serious academic misconduct in all circumstance and is generally an unintentional or accidental breach of academic integrity
Serious academic misconduct	<p>Academic misconduct which is, or appears to be from the evidence, at least one of the following:</p> <ul style="list-style-type: none"> <li>▪ an intentional act to breach, flout or contravene Holmesglen's requirements for academic integrity</li> <li>▪ planned, deliberate, repetitive, organised or systematic in nature</li> <li>▪ of significant scale and scope.</li> </ul>
Student	For the purpose of this procedure, a student is a person who is, or was at the time of an alleged offence, enrolled in a program or a subject offered by Holmesglen or by one of its third party teaching partners.
Prima facie case	The allegation of academic misconduct has enough merit to warrant further investigation
Ad hoc Faculty academic misconduct committee	<p>An academic misconduct committee convened by a Faculty Dean for the specific purpose of investigating an allegation of serious academic misconduct and dissolved after the completion of the investigation, determination of the outcomes and, if applicable, determination of the penalty to be imposed.</p> <p>Membership of this ad hoc committee will be:</p> <ul style="list-style-type: none"> <li>▪ Dean (Chair)</li> <li>▪ Head of Department</li> <li>▪ Higher Education academic staff member not teaching in the relevant program.</li> </ul>

## 5. CONTEXT AND/OR REFERENCED DOCUMENTS

### Internal

[Higher Education Assessment and Moderation Policy](#)

[Higher Education Academic Integrity Policy](#)

[Student Discipline Policy](#)

[Complaints and Appeals Policy](#)

[Higher Education Academic Appeals Committee Terms of Reference](#)

[Student Rights and Responsibilities](#)

### External

[Higher Education Standards Framework \(Threshold Standards\) 2015](#)

[TEQSA Guidance Note - Academic Integrity](#)

[National Code of Practice for Providers of Education and Training to Overseas Students](#)

## 6. VERSION HISTORY

Version Number	Date	Summary of changes
1	October 2019	New procedure

## Appendix 1 – Academic Misconduct Definition

Academic misconduct includes and is not limited to:

- cheating,
- contract cheating,
- assisting others to cheat,
- collusion,
- plagiarism,
- copyright infringement,
- falsification of information,
- bribery,
- submitting one piece of work for more than one assessment or for more than one class,
- helping or attempting to help another student to cheat including:
  - a) doing work for another student
  - b) designing or producing a project for another student
  - c) providing answers during an exam, test or quiz including by electronic device
  - d) providing a student with an advance copy of a test, quiz or examination
  - e) leaving relevant materials behind at the examination, quiz or test site
- altering the outcome of results,
- acting dishonestly or improperly in assessment tasks and/or examinations,
- cheating in examinations or in assessments,
- falsification of or distorting data,
- attending classes or examinations on behalf of someone else or asking someone to attend a class or take an examination instead of the enrolled student, and
- interfering with the work of others, such as sabotaging laboratory experiments, research or digital files, providing misleading information, or disrupting class activities.

Term	Meaning
Cheat/Cheating	To seek to obtain an unfair advantage in an examination or written, oral or practical work, required to be submitted or completed for assessment in a program or subject and includes the resubmission of work that has already been assessed in another subject.
Contract cheating	Where a student pays another student to complete their work
Collusion	<p>Unauthorised collaboration on assessable written, oral or practical work with another person or persons. Collusion occurs when a student:</p> <ul style="list-style-type: none"> <li>▪ works with one or more people to prepare and produce work;</li> <li>▪ allows others to copy their work or share an answer to an assessment task;</li> <li>▪ allow, without the permission of the assessor, someone else to write or edit their work (except when such a use is expressly allowed eg the use of a scribe as part of a disability access accommodation);</li> <li>▪ writes or substantially edits work for another student without the knowledge of the assessor (proofreading is allowable and is not collusion); offers to complete work, or seeks payment for completing academic work, for other students.</li> </ul>

Term	Meaning
Plagiarism	<p>To take and use another person's ideas and or manner of expressing them and to pass them off as one's own by failing to give appropriate acknowledgement. Plagiarism occurs when the work of another is represented, intentionally or unintentionally, as one's own work, without appropriate acknowledgement of the author or the source. This category of academic misconduct includes but is not limited to the following:</p> <ul style="list-style-type: none"> <li>▪ collusion – where a piece of work prepared by working closely with one or more individuals or in a group is represented as if it were the person's own individual work. This includes: <ul style="list-style-type: none"> <li>a) writing the piece of work together</li> <li>b) determining the method or approach to question and answers or completed assessment tasks</li> <li>c) sharing answers or giving access to questions and answers or completed assessment tasks</li> </ul> </li> <li>▪ cheating and contract cheating - acquiring or commissioning a piece of work, which is not the person's own and representing it as if it were, by: <ul style="list-style-type: none"> <li>a) purchasing a paper/essay from a commercial service, including internet sites, whether pre-written or specially prepared for the student concerned</li> <li>b) submitting a paper written by another person, either a fellow student or a person who is not a student at Holmesglen.</li> </ul> </li> </ul> <p>Plagiarism also includes:</p> <ul style="list-style-type: none"> <li>▪ the use of material from any source, staff, students or the Internet, published and unpublished works and representing it was one's own the use of one's own previous work in satisfaction of a new assessment requirement.</li> </ul>
Bribery	<p>Any offer of exchange of favours or benefits of any kind, to influence or attempt to influence a person, for unmerited academic advantage and includes inducements offered for:</p> <ul style="list-style-type: none"> <li>▪ obtaining an offer of admission or an offer of advanced standing to a course</li> <li>▪ granting of a particular mark or grade level in a piece of assessment or subject overall</li> <li>▪ opportunity to resubmit or resit failed assessment tasks outside of the Institute's protocols for doing this</li> <li>▪ any other matter that would give an unearned academic advantage.</li> </ul>
Falsification of information	<p>Falsifying any information, including:</p> <ul style="list-style-type: none"> <li>• fabricating, inventing or distorting data (including statistical data) which you rely on in an assessment response to support an argument</li> <li>• inventing or distorting arguments, whether represented as direct quotations or not, ascribed to other individuals</li> <li>• falsifying your identity or allowing another person to falsely claim to be you (impersonation)</li> </ul>
Copyright infringement	<p>When someone other than the copyright owner exercises any of the exclusive rights of the owner without their permission and no other exception apply. An infringement occurs where an act comprised in the copyright is done in relation to a 'substantial part' or reasonable portion' of a work or other subject matter.</p>

## Appendix 2 – Academic Misconduct Penalties

1. Academic offences categories and associated penalties are as follows:
  - a) A first offence of minor academic misconduct will usually draw penalties from a) to c) below with a stern warning.
  - b) A serious academic misconduct will draw penalties from d) to i) depending on the nature of the offence and will be determined by the Chair of the Ad hoc academic misconduct committee.
2. All academic misconduct in an examination is treated as serious misconduct.
3. Educative response to minor academic misconduct must include:
  - a) counsel the student and refer the student to support services such as the learning Skills Centre or Library;
  - b) issue and record a written warning regarding the consequences of breaching Holmesglen policies on assessment and academic integrity and misconduct.
4. Academic misconduct penalties may include:
  - a) a request to resubmit the specific task;
  - b) a zero mark for any part of the assessment for a subject;
  - c) a requirement to complete an alternative additional assessment for the subject;
  - d) a fail grade on the student's official transcript;
  - e) withdrawal from any practicum or clinical placement;
  - f) suspension from the program of study for up to twelve (12) months;
  - g) expulsion from the program of study;
  - h) revocation of a recommendation that a student has satisfied all requirements for an award;
  - i) revocation of an academic award.