

# VPS21 ACADEMIC MISCONDUCT – PLAGIARISM AND CHEATING POLICY AND PROCEDURE

## Abbreviations:

<b>ATMC (The Company)</b>	Australian Technical and Management College
<b>CEO</b>	Chief Executive Officer
<b>DHA</b>	Department of Home Affairs
<b>NYC</b>	Not Yet Competent
<b>VET</b>	Vocational Education and Training

## Policy

### 1 Introduction

The Australian Technical and Management College (ATMC) Academic Misconduct – Plagiarism and Cheating Policy and Procedure is designed to support academic quality, to protect ATMC’s academic reputation, to foster good practice and to drive compliance with mandated education standards.

### 2 Purpose

- 2.1 To ensure a rigorous practice and monitoring process is employed that will enable assessment marks to reflect individual knowledge and effort and to encourage the ATMC’s students to conduct themselves professionally and ethically when they enter the work force or continue with further studies.
- 2.2 All training and assessment staff, invigilators, and student support staff are expected to be familiar with this policy and incorporate its principles in their management and communication in relation to the conduct of all assessments.
- 2.3 The policy identifies how the management of situations where plagiarism or cheating are suspected or proven.
- 2.4 Plagiarism and cheating are academic misconduct, will be dealt with under the Student Code of Conduct Policy and Procedure.

### 3 Scope

- 3.1 This Policy and Procedure applies to ATMC students and staff.

### 4 Principles

- 4.1 Allegations of breaches of academic misconduct will be dealt with expeditiously.
- 4.2 Investigations into academic misconduct will be fair, transparent, accord with principles of natural justice, and appropriately respect the privacy of those involved.

### 5 Complaints and Appeals

Enrolled students of ATMC may lodge a complaint or appeal if they are dissatisfied with any aspect of ATMC’s decision-making on academic misconduct breaches through the complaints and appeals process outlined in the Complaints and Appeals Policy and Procedure.

## 6 Policy Statements

- 6.1 Students are provided with on-going written and verbal advice regarding the behaviours, actions and conduct that breach academic honesty.
- 6.2 This written and verbal advice is provided in orientation and transition activities, through unit outlines, unit materials, in class, in the Student Handbook and in a stand-alone Academic Integrity on module on Moodle.
- 6.3 They are advised also of ATMC's approach to detecting breaches, including through the use of text-matching software, to managing breaches, and of the consequences for student of committing breaches.

## 7 Types of Academic Dishonesty

- 7.1 ATMC endeavours to detect, and appropriately respond to, all types of academic dishonesty. These include:
  - 7.1.1 Plagiarism, which is submitting work that is not one's own as if it is one's own, and without acknowledging, citing or referencing the original source of the work;
  - 7.1.2 Recycling, which is submitting work that is one's own, but which has already been assessed, and failing to clearly indicate this;
  - 7.1.3 Fabrication, which is making up information, such as experimental or interview data, inventing sources of data, citing publications that one knows, or reasonably should know, to be incorrect or that don't exist;
  - 7.1.4 Collusion, which is engaging in illegitimate cooperation with other students to complete assessment tasks that are meant to be done individually;
  - 7.1.5 Cheating in exams, such as
    - 7.1.5.1 By writing notes on one's body or materials taken into the exam room,
    - 7.1.5.2 Copying from other students,
    - 7.1.5.3 Communicating with other students or people outside the exam room while the exam is in progress,
    - 7.1.5.4 Using electronic devices to access information related to the exam while the exam is in progress, or
    - 7.1.5.5 Bringing prohibited items, such as unapproved calculators or textbooks into the exam room;
  - 7.1.6 Contract cheating, which is illegal commercial cheating where one pays someone else, or one accepts payment from someone else, to complete part or all of an assessment item;
  - 7.1.7 Offering bribes or inducements to gain an academic advantage, and accepting bribes or inducement to give an academic advantage; and
  - 7.1.8 Providing false information or fraudulent documentation, such as academic transcripts and medical certificates, to gain an academic advantage.
- 7.2 Levels of, and Penalties for, Student Academic Misconduct

ATMC's approach to academic misconduct allows that some breaches of academic honesty have more to do with students being insufficiently aware of academic practices and conventions.

7.2.1 Plagiarism, for example, is academic misconduct. However, the seriousness of the misconduct is determined, in part, by whether the conduct is intentional or unintentional.

7.2.1.1 Intentional plagiarism involves an intent to deceive, and is therefore serious misconduct.

7.2.1.2 Unintentional plagiarism involves no intention to deceive and may occur due to lack of familiarity with academic practices and conventions, and the specific requirements academic honesty.

7.2.2 At its first occurrence unintentional plagiarism is not serious academic misconduct and the appropriate response is educative not punitive.

### 7.3 Factors

7.3.1 In determining the level of academic misconduct, academic staff will take into account relevant factors such as:

7.3.1.1 The knowledge and experience of the student.

7.3.1.2 The type of misconduct.

7.3.1.3 Whether the misconduct was intentional or unintentional.

7.3.1.4 Whether misconduct has occurred before.

### 7.4 Levels of Misconduct

7.4.1 There are three levels of academic misconduct, with each level having appropriate responses or penalties.

#### 7.4.1.1 Level 1 – Minor

The conduct is assessed as being unintentional and due to lack of knowledge or experience. Examples include plagiarism of less than 10% of an assignment due to poor referencing or using paraphrasing that is too close to the original and unacknowledged or copying of a few sentences without referencing.

#### 7.4.1.2 Level 2 – Moderate

The conduct is assessed as being intentional or, if unintentional, more extensive than is reasonably allowable in virtue of insufficient understanding of academic practice and conventions; Examples include moderate plagiarism of between 10-25%; fabricating or falsifying data in an assessment other than a thesis; colluding with other students and submitting work as individual work.

#### 7.4.1.3 Level 3 – Major

The conduct is assessed as being intentional and constitutes a serious and substantial breach. Examples include cheating in examinations; major plagiarism of more than 25%; fabricating or falsifying data in a thesis.

## 7.5 Investigating Suspected Academic Misconduct and Determining Penalties

- 7.5.1 The decision-makers for investigating suspected academic misconduct and determining penalties are as follows:
- 7.5.1.1 Level 1 – VET Manager/CEO;
  - 7.5.1.2 Level 2 – Course Coordinator
  - 7.5.1.3 Level 3 – Investigated by a Committee that will be convened by the CEO. The Committee includes the CEO, Student Administration, and where deemed necessary, relevant students and staff.
- 7.5.2 Where an academic staff member suspects academic misconduct they must refer the matter to the relevant Course Coordinator, along with a provisional assessment of the Level of misconduct and all relevant evidence and background information.
- 7.5.3 The student's record is checked to determine if there have been any other instances of academic misconduct recorded.
- 7.5.4 The Course Coordinator's decide on the basis of the evidence, the background information, and the record of academic misconduct, to either take remedial action or to refer the matter to the VET Manager, within seven (7) working days.
- 7.5.5 The student is then invited via email and by formal letter to attend a meeting with the VET Manager to discuss the issue. This communication advises the student to respond in writing to the allegation within twenty (20) working days and advises that they may bring a support person to the meeting.
- 7.5.6 If the student does not respond within the twenty (20) working day timeframe, the VET Manager makes a decision whether a penalty will be imposed, determines the penalty; and determines if academic or counselling support is required.
- 7.5.7 If the student does respond in writing and attends the meeting with the VET Manager, then the VET Manager takes into account the written response and the meeting discussion in deciding whether a penalty will be imposed, determines the penalty; and determines if academic or counselling support is required.
- 7.5.8 If academic misconduct is determined to have occurred, supported by the evidence collected, the following penalties may be applied:
- 7.5.8.1 In the case of Level 1 (minor) academic misconduct, the student may be issued with a warning, or some marks may be deducted for the assessment.
  - 7.5.8.2 In the case of Level 2 (moderate) academic misconduct, marks may be deducted for the assessment, or a mark of zero may be awarded for the assessment.
  - 7.5.8.3 In the case of Level 3 (major) academic misconduct, a mark of zero may be awarded for the assessment or for the unit.

7.5.8.4 The Committee will decide on whether disciplinary action should be taken based on evidence and any documented compassionate or compelling circumstances. This could include cancellation of enrolment.

7.5.8.4.1 Potential outcomes for substantiated breaches are, but not limited to:

7.5.8.4.2 Written Warning;

7.5.8.4.3 Suspension from Class;

7.5.8.4.4 Request for Apology;

7.5.8.4.5 Referral to Counselling;

7.5.8.4.6 Student Monitoring;

7.5.8.4.7 Mediation;

7.5.8.4.8 Removal from class with supervision from another ATMC staff member, other than the lecturer;

7.5.8.4.9 Cancellation of Enrolment.

7.5.8.5 In cases where multiple instances of academic misconduct have been committed, the VET Manager may refer the matter to the Academic Board, which may suspend the student's enrolment or expel the student from ATMC. Further, no fees paid by a student relating to a period where the student's enrolment is suspended as a result of misconduct are refundable or repayable to the student, and no fees paid by a student are refundable or repayable to the student where the student is expelled from ATMC.

7.5.9 A formal notice of the decision is sent to the student together with information outlining their right to appeal the decision under ATMC's Student Complaints and Appeals Policy and Procedure.

7.5.10 For international students, this formal notice to either suspend or cancel their enrolment must advise an intention to either suspend or cancel their enrolment; the detailed reasons for this decision; advice to seek advice from the Department of Home Affairs (DHA) on the potential impact on their visa of either suspension or cancellation of enrolment; and of their right to appeal this decision within twenty (20) working days from the date the intention to suspend or cancel has been received.

7.5.10.1 Copies of the notice and subsequent actions are sent to relevant administrative and academic staff to ensure that the details of the decision are recorded on the student's file, and assessment results are adjusted where relevant. All documentation relating the investigation is retained in a secure place for a period of at least seven (7) years.

## 7.6 Appeals

7.6.1 A student who is dissatisfied with decisions resulting from an academic misconduct investigation and the resultant penalty may appeal those decisions as follows:

7.6.1.1 A written appeal to the VET Manager regarding decisions made by a Course Coordinator. If that appeal is unsuccessful, they may then appeal in writing to the CEO.

7.6.2 Once internal avenues for appeal are exhausted, a student who still dissatisfied may make an appeal to an external agency, such as the Ombudsman.

## Procedure

### 8 Student Understanding

8.1 Students are expected to read, comprehend, respect and comply with this policy regarding plagiarism, collusion and cheating. Students should also seek assistance from appropriate trainers/assessors if students are not sure about the proper way of gathering and using data or references.

### 9 Trainer and Assessor Understanding

9.1 This ATMC expects all assessors to be vigilant and be aware of the potential areas where plagiarism and cheating would likely occur.

9.2 An assessor is to make sure that students understand the implications of either act and both the reputational and financial cost of undertaking in such practices.

9.3 An assessor must take the time, especially at the beginning of a qualification to ensure that students understand what plagiarism and cheating are. Importantly an assessor should take the time to explain to students how to reference correctly.

### 10 Detection of Cheating

10.1 When marking assessments, an assessor is to look for authenticity and originality of the student's work.

10.2 In order to detect cheating or plagiarism in student's written work, an assessor will need to have concrete evidence of cheating – for example:

10.2.1 By observation in closed book test, or

10.2.2 By comparison of two students work.

10.3 The offending student should be immediately made aware that the assessor knows and if it is a test situation, remove the students from that test.

10.4 If just one student is involved (e.g. obtaining answers without another student's knowledge) then that student should be made aware that ATMC will conduct an investigation.

10.5 If collusion is suspected then ALL students will be declared as cheating and will be marked as failing their assessment – Refer to the following actions:

10.5.1 Actions:

10.5.1.1 The assessor will inform the VET Manager at earliest opportunity.

10.5.1.2 Offending student will be given an opportunity to explain their case.

10.5.1.2.1 Depending on the situation, the VET Manager shall decide whether the student should repeat the unit and pay the repeat tuition fee or resubmit the assessment.

- 10.5.1.3 The student's result will be marked as "Not Yet Competent (NYC)" until after the investigation and/or authenticated results are obtained.
- 10.5.1.4 An improvement plan will be developed to assist the student to complete the course where applicable. The procedure for dealing with the offending student is described in policy Student Code of Conduct Policy and Procedure.
- 10.5.1.5 If a student is found to be a repeat offender of the offending practice the VET Manager can:
  - 10.5.1.5.1 Suspend the student until a decision is made on how the offence will be managed,
  - 10.5.1.5.2 Expel the student.

Students must assume responsibility for maintaining honesty for all assessable tasks. The policy underlines the ATMC's intent to promote integrity and academic honesty.

## 11 Responsibilities

### 11.1 The VET Manager

- 11.1.1 Implementing this Policy and Procedure
- 11.1.2 Investigating, and making decisions regarding, cases of academic misconduct as required by this Policy and Procedure; and
- 11.1.3 Considering, where required, written appeals regarding the outcomes of academic misconduct investigations and associated penalties.

### 11.2 Staff

- 11.2.1 Educating and advising students regarding academic honesty;
- 11.2.2 Modeling academic honesty in their own academic, scholarly and professional activities;
- 11.2.3 Identifying and reporting suspected breaches of academic honesty.

### 11.3 Students

- 11.3.1 Ensuring that their academic work is their own;
- 11.3.2 Appropriately acknowledging the work and ideas of others; and
- 11.3.3 Reporting suspected breaches of academic honesty.

## Definitions:

<b>Academic misconduct</b>	Includes but is not restricted to; cheating, plagiarism, collusion and improper collaboration during the preparation and conduct of any prescribed assessment tasks
<b>Cheating</b>	Dishonest act(s) by a student to gain an unfair advantage in taking an assessment or examination or test in a dishonest way.
<b>Collusion</b>	The unauthorised collaboration between a group of students in the preparation and production of work which is ultimately submitted by each in an identical or similar form as to be the product of their individual efforts.
<b>Plagiarism</b>	Defined as presenting someone else's works which include ideas, words, images, or opinions without proper citation as if they are his or her own.

## Legislation

- [Disability Discrimination Act 1992](#)
- [Education Services for Overseas Students Act 2000](#)
- [Education Services for Overseas Students Regulations 2001](#)
- [National Code of Practice 2018](#) – Standard
- [Standards for Registered Training Organisations \(RTOs\) 2015](#) – Standard 1
- [VET Funding Contract Victorian Training Guarantee Program](#)

## Related Documents

- Student Code of Conduct Policy and Procedure
- Student Complaints and Appeals Policy and Procedure

## Version Control

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