



Academic Misconduct Policy and Procedure

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1. PURPOSE

- 1.1. This document specifies Laneway International College's (the College) academic misconduct policy and procedure. It sets out guidance to staff and learners to assist them to minimise academic misconduct and manage it in a consistent and equitable manner for the protection of the institute's reputation.

2. SCOPE

- 2.1. This document applies to all staff and learners in the College.

3. DEFINITIONS

- 3.1. *Academic misconduct* is any type of cheating (such as plagiarism [intentional or unintentional], collusion and cheating) that occurs in relation to a formal academic exercise.
- 3.2. *Plagiarism* is "To take and use as one's own the thoughts, writings or inventions of another" (Oxford English Dictionary). Plagiarism therefore has two elements: Taking another's work; and using the work as your own. If you take another's work but do not use it as your own – because you reference it correctly – it is not plagiarism.
- 3.3. *Collusion* is a secret agreement between two or more parties for a fraudulent, illegal, or deceitful purpose.
- 3.4. *Cheating* means willfully and deliberately using or gaining an unfair advantage over fellow learners by flouting the rules and guidelines set down for assessments.

4. POLICY STATEMENT

- 4.1. The College commits to maintaining high ethical standards. Academic misconduct by staff or learners will not be tolerated under any circumstances. All staff and learners must be aware of the current Academic Misconduct Policy and Procedure and understand the terminology used in those documents.
- 4.2. Staff and learners each share the responsibility for adherence to the standards and behaviors expected within an academic environment. Staff and learners must be made aware of the type of actions that constitute academic misconduct.
- 4.3. Academic misconduct is deemed as conduct that allows an individual or group to obtain an unfair advantage through unethical practices and includes (but is not limited to) actions such as plagiarism, collusion, cheating, inappropriately disadvantaging others, copying other learners' work, falsifying documents (such as medical certificates and academic records), assisting others to cheat, the use of downloaded material for which copyright access has not been granted, the sharing of textbook material for which no copyright access has been granted, the provision of examination questions to learners, the unauthorized sharing of staff resources, the falsification of data (such as assessment task and unit of competency results), the acceptance of gifts or payment from learners or staff in exchange for benefits or staff doing work for learners.
- 4.4. Academic penalties may apply to learners in breach of this policy and the cancellation of work contracts may apply to staff found to be in breach of this policy. Acts of academic misconduct may be described as either *minor* or *major* in nature and the penalties associated with each will be clearly described in the academic misconduct procedures.

5. PROCEDURE OVERVIEW

- 5.1. The purpose of these procedures is to establish the processes related to identifying, reporting and implementing actions in response to a report of academic misconduct. The penalties for acts of academic misconduct will be applied in accordance with these procedures.
- 5.2. It is expected that staff and learners make every effort possible to reduce the chances and opportunities for academic misconduct to take place.
- 5.3. Any identified act of academic misconduct must be reported.
- 5.4. Acts of learner or staff academic misconduct must be initially reported to the Academic Director.
- 5.5. In all cases, any report of academic misconduct must be supported by sufficient evidence to warrant filing a report.
- 5.6. If a report for academic misconduct is received without sufficient supporting evidence, the report will be deemed as void.

6. REPORTING PROCEDURE

- 6.1. A staff member or learner making the report of academic misconduct must submit the complaint form available from the College website.
- 6.2. All supporting evidence of the claim of academic misconduct must be attached electronically to the complaint form.
- 6.3. The reporting individual(s) must provide a clear explanation as to the proposed act of academic misconduct.
- 6.4. Within 10 business days of receipt of the complaint, the Academic Director will assess the complaint and either;
 - a) Inform the learner or staff member in writing via email that a complaint of academic misconduct has been made against them if the Academic Director deems that sufficient evidence has been provided, OR
 - b) Dismiss the complaint as void due to the lack of evidence if the Academic Director deems that insufficient evidence had been provided with the complaint. In this instance, the reported individual/group will not be notified of the complaint, OR
 - c) If the reporting individual/group has informed the alleged individual/group that a complaint has been made against them, the Academic Director will inform in writing via email the alleged individual/group that the complaint has been dismissed.
- 6.5. In the case of 6.4.a) above, the reported individual/group will have an opportunity to defend the accusations made against them through the submission of a written response directly to the Academic Director. This must be received within 10 business days of notification of the allegation.
- 6.6. If the alleged act of academic misconduct is upheld but considered *minor*, the Academic Director will make a decision as to whether a penalty shall be imposed or not based on all evidence provided. For minor acts of academic misconduct there will be no provision for further investigation or appeal.
- 6.7. If the alleged act of academic misconduct is upheld and considered *major*, the CEO will make a decision as to the extent to which a penalty will be imposed based on the Guidelines for Penalties for cases of academic misconduct (below).
- 6.8. For instances where item 6.7. has occurred, the reported individual/group will have the right of appeal through the Complaints and Appeals Policy and Procedure.

7. GUIDELINES FOR PENALTIES

Staff Academic Misconduct:

- 7.1. All confirmed acts of academic misconduct by College staff are considered *major*. The penalty for a *first* confirmed offence of academic misconduct by College staff will be:
- a) The staff member(s) will receive a formal warning letter from the CEO, AND
 - b) The staff member(s) warning letter will be added to their staff employment file.
- 7.2. The penalty for a *second* confirmed offence of academic misconduct will be the cancellation of employment.

Learner Academic Misconduct:

- 7.3. Academic misconduct by learners will be considered either *minor* or *major*.
- 7.4. *Minor* offences will carry lower impact penalties than *major* offences.
- 7.5. Penalties for *minor* offences will be dealt with on a case-by-case basis with the penalties being applied differently depending on the level of study and the length of time the learner has had to adjust to studying at the College.
- 7.6. The suggested penalties for *minor* confirmed acts of academic misconduct are as follows:
- a) *First offence*: a formal warning (in writing) will be issued to the learner indicating that an offence has been committed. A copy of the warning will be added to the learner's official file. The learner will be provided an opportunity to re-do and re-submit all (or a component of) the relevant assessment task, if applicable. This is considered a learning experience.
 - b) *Second offence*: a formal notification letter will be issued to the learner indicating that a second offence has been committed. A copy of the formal notification letter will be added to the learner's official file. At the discretion of the Academic Director and/or CEO, the learner may be provided an opportunity to re-do and re-submit all (or a component of) the relevant assessment task, or may be required to repeat the entire unit, if applicable.
 - c) *Third offence*: a formal notification letter will be issued to the learner indicating that a third offence has been committed. A copy of the formal notification letter will be added to the learner's official file. A learner found guilty of a third offence must meet with the Academic Director and/or CEO prior to determine if the learner is permitted to continue their studies.
- 7.7. All instances of academic misconduct reported during assessments will be treated as *major*. Other examples of *major* offences include:
- a) The use of unauthorised mobile technology for closed book assessments,
 - b) The submission of substantially plagiarised work,
 - c) The stealing of other learner's work,
 - d) Colluding with a third party, be it internal or external to the College to produce work, paid for or not, which is fraudulently presented as the learner's work,
 - e) Repeatedly asking staff to change results without academic merit.
- 7.8. The penalties for *major* confirmed acts of academic misconduct will be as follows:
- a) *First offence*: an unsatisfactory result for the assessment task will be applied, and the learner will be provided the opportunity to resubmit and/or redo the assessment under supervised conditions,
 - b) *Second offence*: an unsatisfactory result for the assessment task will be applied AND a Not Yet Competent result will be applied for the unit of competency. A learner in this category must meet with the Academic Director and/or CEO prior to being permitted to repeat this unit.
- 7.9. *Third offence*: termination of the learner's enrolment.

8. RESPONSIBILITIES

- 8.1. The Chief Executive Officer is responsible for the implementation of this policy and procedure and to ensure that staff and learners are aware of its content.

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Revision History			
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