

ORDINANCE 9 STUDENT ACADEMIC INTEGRITY

The Council of the University of Tasmania makes this Ordinance under the University of Tasmania Act 1992.

Preamble

The University is committed to providing an environment in which academic integrity is a fundamental principle that underpins all academic endeavour. All of the University's stakeholders have a role in developing and maintaining a culture that values and promotes academic integrity. Independent investigation followed by fair, effective and efficient resolution of alleged breaches of academic integrity is a core goal. Academic integrity breaches will be handled in accordance with the University's policies, procedures, guidelines and recommended outcomes for breaches of academic integrity as set out in this Ordinance.

Academic integrity underpins the quality of every aspect of academic work and the student journey. Upholding academic integrity creates expectations for the conduct of academic work for students and staff and is a quality benchmark for Australia's higher education sector. Academic integrity focuses on ensuring ethical and professional conduct in research and associated outputs, conduct of learning, teaching and assessment. It entails having robust organisational systems and processes that capture accurate information to promote and enhance academic integrity. It also entails having fair processes for investigation and the application of appropriate educational responses and sanctions to substantiated breaches of academic integrity.

PART 1 – INTRODUCTION

1.1 Purpose

1.1.1 This Ordinance protects the integrity of the University and the qualifications it offers by:

- a) defining and making clear the consequences of breaches of academic integrity on the part of students; and
- b) providing for the reporting of incidences of academic integrity breach allegations; and
- c) providing for the investigation, hearing and determination of academic integrity breach allegations.

1.1.2 Any associated materials and procedures produced in support of this Ordinance must be formulated with reference to national statements of good practice.

1.2 Scope

1.2.1 The definition of academic integrity and the University's commitment to it under this Ordinance are set out in the *Statement on Academic Integrity*.

1.2.2 The University will take action on the notification of all potential academic integrity breaches.

1.2.3 Academic integrity breaches occur when a student:

- a) fails to meet the expectations of academic integrity; or
- b) seeks to gain, for themselves or for any other person, any academic advantage or advancement to which they or that other person is not entitled; or
- c) improperly disadvantages any other member of the University community.

1.2.4 Breach examples are included as Appendix A, and include, but are not limited to plagiarism, cheating, collusion, fraud, misrepresentation and obstruction.

1.3 Application of this Ordinance

1.3.1 This Ordinance applies to any alleged academic integrity breach committed by a person who is currently or previously enrolled in any course, unit or other program of study offered by the University of Tasmania.

1.3.2 If an employee of the University, or a third-party provider who is delivering all or part of a University course or unit, has reason to suspect that a student has committed an academic integrity breach, they must report the matter, in the manner prescribed in this Ordinance.

PART 2 – ALLEGATION OF BREACH

2.1 All alleged academic integrity breaches must be referred to an Academic Integrity Adviser, using the process approved by the Provost.

2.2 For all alleged breaches relating to a research higher degree candidate, the Dean of Graduate Research will assume the role of Academic Integrity advisor. This applies irrespective of whether the alleged breach is in relation to a research thesis or a research coursework unit.

2.3 All alleged breaches relating to a research higher degree candidate or assessment carried out in a research context, must also be referred by the Academic Integrity Adviser to the designated officer in accordance with the *Managing Allegations of Research Misconduct Procedure* for preliminary assessment and recording.

PART 3 – PROCESS OF DETERMINATION AND NOTIFICATION

3.1 If the Academic Integrity Adviser decides there is evidence of a potential breach they must:

- a) record the potential breach using the process approved by the Provost; and

- b) advise the student in writing of the substance of the allegation and the sanction that will be imposed in the absence of any additional evidence provided by the student, using the template approved by the Provost; and
 - c) investigate and offer the student an opportunity to meet within ten (10) working days of receipt of the breach allegation; and
 - d) advise the student of their right to be accompanied by a support person at that meeting; and
 - e) afford procedural fairness at all stages of the investigation.
- 3.2** If the student does not respond in accordance with clause 3.1, the Academic Integrity Adviser can determine the matter without further communication with the student and in the absence of any evidence or representation from the student.
- 3.3** The student may be accompanied to the meeting with the Academic Integrity Adviser by a support person. That person may be a friend, relative, peer or student advocate that can accompany a student to the meeting and provide emotional support and reassurance, but they cannot advocate on their behalf. A support person may not be a lawyer or other legal professional.
- 3.4** Student advocates are available to provide advice and assistance to students. A student advocate may assist a student with an allegation by, for example:
- a) providing advice and assistance in understanding an allegation;
 - b) explaining the options for resolving the allegation, including referral to appropriate parties;
 - c) assisting students with a formulating a response under this Ordinance;
 - d) attending any formal meetings relating to an allegation to support the student.
- 3.5** The student advocate must not make any decisions for, or speak on behalf of, the student.
- 3.6** If, after conducting an investigation, the Academic Integrity Adviser decides that the student did breach academic integrity, they must:
- a) assign a breach level using the breach level matrix (See Part 7); and
 - b) impose an appropriate sanction and educative response using the breach level matrix.
- 3.7** Following the initial decision, the Academic Integrity Adviser must then check for previous substantiated breaches related to the student.
- 3.8** If the student does have previous substantiated breaches, the Academic Integrity Adviser may reassess the allegation at a higher breach level using the breach level matrix.
- 3.9** If the Academic Integrity Adviser decides the sanction should include a restriction on the student's enrolment they must have their decision confirmed by the Provost before advising the student.
- 3.10** In some cases, the Academic Integrity Adviser may impose an educative response and sanction even if the student is not enrolled in a unit or course offered by the organisational unit in which the Academic Integrity Adviser is employed.
- 3.11** After the determination is reached, including where no breach is found, the Academic Integrity Adviser must:

- a) notify the student of their determination in writing, using the template approved by the Provost;
- b) clearly state the type of breach, sanction, educative response and reasons for the decision (if the allegation is substantiated);
- c) advise the student that within ten (10) working days of the date of the notice of determination, they may apply for appeal to the College/Division Associate Dean, Learning and Teaching and outline the permissible grounds for appeal; and
- d) record the outcome in the manner approved by the Provost.

3.12 In addition, the Academic Integrity Adviser must communicate their determination to other relevant persons, being:

- a) for a low-level breach – the Unit Coordinator;
- b) for intermediate or high-level breaches – the Unit Coordinator, Head of School, and College/Division Associate Dean, Learning and Teaching; or
- c) in the case of a research higher degree candidate, the relevant academic supervisor and the Deputy Vice-Chancellor (Research).

PART 4 – APPEALS

4.1 Application and Grounds for Appeal

4.1.1 Appeals concerning the determination will be heard and determined under this Ordinance, by the College/Division

4.1.2 A student, may, within ten (10) working days of receiving a notice of determination, notify the College/Division Associate Dean, Learning and Teaching, of their intention to appeal the determination. Such an appeal must conform to the permissible grounds for appeal as set out in clause 4.1.3.

4.1.3 An application for appeal can only be based on the grounds of:

- a) manifestly excessive or inappropriate sanction for the level of breach; and/or
- b) evidence that the student did not have at the time of the decision, and which could not by reasonable diligence have been obtained at that time, and that would probably have affected the decision; and/or
- c) material procedural error that would probably have affected the decision.

4.1.4 An application for an appeal must be made in writing to the College/Division Associate Dean, Learning and Teaching, including:

- a) An application coversheet from the University’s website which must specify the date of the original determination, the student’s details and the grounds on which the appeal is sought; and
- b) An accompanying written explanation and associate evidence in support of those specific grounds.

4.1.5 Within ten (10) working days of receiving the application for appeal from the student, the College/Division Associate Dean, Learning and Teaching must consider the request for appeal and determine whether it discloses a reasonable basis on which any of the permissible grounds can be made out.

- 4.1.6 If the College/Division Associate Dean, Learning and Teaching determines that the request does not disclose a reasonable basis, an appeal will not progress. The basis for that determination will be communicated to the student and recorded in the manner prescribed by the Provost.
- 4.1.7 If the College/Division Associate Dean, Learning and Teaching finds that the grounds for appeal are met, they will move to convene a College/Division Appeal Panel to consider the substantive appeal.

4.2 College/Division Appeal Panel

- 4.2.1 College/Division Appeal Panels will be formed, for individual appeals, from a pool of senior academic staff nominated by the Head of College/Division.
- 4.2.2 In each College/Division, the Head of College/Division will nominate at least ten (10) members of senior academic staff as members of an appeal pool that will be called upon to serve for an initial period of three years, except in the case of a small College where a smaller number of nominees may be proposed by the Head of College, where agreed by the Provost. All pool nominations will be approved by the Provost.
- 4.2.3 The Provost may nominate senior academic staff from another College to an appeal pool, if they believe it requires more diversity (academic or otherwise), or scale to transact appeals processes.
- 4.2.4 The College/Division Associate Dean, Learning and Teaching will form an Appeals Panel of two (2) members from the pool to hear the appeal, in addition to the College/Division Associate Dean.
- 4.2.5 No member of the appeal pool can take part in an Appeals Panel if they have been previously involved in that investigation.
- 4.2.6 The College/Division Associate Dean, Learning and Teaching may chair the Appeals Panel, or appoint an alternate Chair.
- 4.2.7 The College/Division Associate Dean, Learning and Teaching may select a senior academic member from another College/Division appeal pool to avoid conflicts of interest.

4.3 Appeal Process

- 4.3.1 The College/Division Appeal Panel may follow any procedure it thinks appropriate to the appeal at hand.
- 4.3.2 Further evidence may be called upon if needed, including a request for the student to attend to provide further information, but such attendance will not be required as a matter of course.
- 4.3.3 The College/Division Appeal Panel must make a decision as outlined in clause 4.4 within fifteen (15) working days of receiving the substantive appeal.

4.4 Decision

- 4.4.1** The panel may uphold one or more of the grounds for appeal, the responses to which (singly or in combination where there is more than one ground) may include:
- a) directing that no sanction be applied; or
 - b) modifying the sanction applied; or
 - c) making no change to the sanction.
- 4.4.2** The panel must notify the Academic Integrity Adviser in writing of their decision.
- 4.4.3** The Academic Integrity Adviser must:
- a) notify the student in writing of the panel’s decision; and
 - b) record the outcome in the manner approved by the Provost; and
 - c) advise the student that the decision of the College/Division Appeal is final, and that they may choose to seek advice from the Tasmanian State Ombudsman or other relevant external agency.
 - d) in the case of an appeal made by an undergraduate student, notify the relevant unit coordinator.
 - e) in the case of an appeal made by research higher degree candidate, notify the relevant academic supervisor and the Deputy Vice-Chancellor (Research).
- 4.4.4** College/Division -level appeal may only be requested once.

PART 5 – ADMINISTRATIVE MATTERS

5.1 Notice to Students

- 5.1.1** Where the University is required to give notice, that notice will be deemed to have been given if it is in writing and is:
- a) hand delivered to the person; or
 - b) if the person has an allocated University email address, emailed to that address; or
 - c) posted to the person at the address provided by that person recorded by the University as being their address for correspondence.
- 5.1.2** A notice is deemed to have been received:
- a) immediately when hand delivered;
 - b) 24 hours after it was sent by email; or
 - c) if sent by post, on the fifth working day after it was sent.

5.2 Time Limits

- 5.2.1** A time limit set out in this Ordinance must be complied with if reasonably practicable. In exceptional circumstances where it is not possible for an action to be completed within the time limit, steps must be taken to ensure that the process is completed within a reasonable time. Under such circumstances, the student will be kept informed of progress. However, despite anything else in this Ordinance, no action is invalidated simply because a time limit is exceeded.

5.3 Non-compliance with Sanctions

- 5.3.1** Where a student does not comply with a sanction or complete and educative response, the University may restrict or limit the student’s ability to:
- a) enrol; and/or
 - b) receive any results of assessment; and/or
 - c) graduate or receive a diploma, degree or any certificate stating that the student is qualified to graduate or receive a diploma or degree from the University; and/or
 - d) receive a certificate of academic record.
- 5.3.2** A student will not at any time be given credit at the University for any study that is undertaken by the student at the University or any other institution while the student’s enrolment at the University is suspended.

5.4 Record Keeping and Reporting

- 5.4.1** All relevant records at all stages of a process in relation to an academic integrity breach must be documented by staff. Records should be complete and provide reliable and accurate evidence in support of decisions and actions.
- 5.4.2** Records and information will provide an evidence basis for quality enhancement in the reduction of instances and seriousness of instances of breaches of academic integrity.
- 5.4.3** Summarised de-identified accounts of breaches and imposed sanctions may be published on the University website at the discretion of the Provost and can be used as case studies for educative purposes for both students and staff.
- 5.4.4** The University may share academic integrity records concerning individual students with external groups who have a legitimate professional interest in upholding the integrity of certain qualifications and professions.
- 5.4.5** Records must be retained in accordance with relevant state legislation and University records management policy and guidelines.

PART 6 – TRANSITIONAL PROVISIONS

- 6.1** Any breach of academic integrity that is alleged to have occurred before the commencement of this Ordinance must be dealt with under this Ordinance, unless in the opinion of the Provost, its application is unreasonable having regard to the circumstances of the matter. In such circumstances, the matter must be dealt with under the previous Ordinance as in force immediately before its revocation.
- 6.2** Any discipline proceedings that are, at the commencement of this Ordinance, in progress (in accordance with the previous Ordinance) must be completed under the previous Ordinance.
- 6.3** This Ordinance takes effect on **1 January 2020**.
- 6.4** This Ordinance replaces Ordinance 9 - Student Discipline.

PART 7 – BREACH LEVEL MATRIX

Level of Breach	
Low-level Breach – fails to meet the expectations of academic integrity	
<p>Typical Characteristics</p> <p>a. The student is at an early stage of an undergraduate program of study; and/or</p> <p>b. the student is undertaking study at an Australian university for the first time; and/or</p> <p>c. the conduct represents a minor contravention of acknowledgement practice, academic standards or requirements; and/or</p> <p>d. the conduct represents a misunderstanding of the expectations of academic integrity; and/or</p> <p>e. there is other compelling evidence that the conduct arose from a genuine lack of understanding of acknowledgement practice or other academic standards or requirements.</p>	<p><i>Responses to breaches at low or 'poor academic practice level' are focused on student outcomes for the <u>assessment item</u> in which the breach was detected.</i></p> <p>Available Sanctions</p> <ul style="list-style-type: none"> • Resubmission. • Alternative assessment, equivalent to the original task. • A request to provide additional material to support the assessment item. • If the assessment task is weighted at 15% or less of the available marks for the <i>unit</i> as a whole, any reduction of marks, including cancellation of marks for that assessment task. • If the assessment task is weighted at more than 15% of the available marks for the <i>unit</i> as a whole, a maximum reduction of marks equal to 15% of the available marks for the unit. <p>Educative Response The student <i>must</i> to be referred to an appropriate academic integrity/honesty module and/or support service to educate the student on correct academic practice.</p>
Intermediate-level Breach – seeks an unfair advantage	
<p>Typical Characteristics</p> <p>a. The student has a previously substantiated breach; and/or</p> <p>b. the student has attempted to deceive or gain an unfair advantage; and/or</p> <p>c. the student has attempted to disadvantage others through their actions.</p>	<p><i>Responses to breaches at the 'intermediate level' are focused on student outcomes for the <u>unit</u> in which the breach was detected.</i></p> <p>Available Sanctions</p> <ul style="list-style-type: none"> • Formal reprimand. • Resubmission. • Resubmission with mark restriction. • Alternative or additional assessment. • Reduced mark in unit. • Zero mark/NN for the unit. <p>Educative Response The student may be required to submit alternative assessment focussed on academic integrity or an appropriate academic integrity module/support service to educate the student on correct academic practice.</p>
High-level Breach - sustained or significant attempt to seek an unfair advantage	
<p>Typical Characteristics</p> <p>a. The student has multiple previously substantiated breaches; and/or</p> <p>b. the student has attempted to deceive or gain an unfair advantage; and/or</p> <p>c. the breach involves fraudulent activities and/or misrepresentation; and/or</p> <p>d. the breach involves activities that threaten to harm the academic reputation of the University as a whole.</p>	<p><i>Responses to breaches at the 'high-level' are focused student outcomes for their <u>progression</u> or <u>enrolment</u> in their course of study.</i></p> <p>Available Sanctions</p> <ul style="list-style-type: none"> • Formal reprimand. • Resubmission. • Resubmission with mark restriction. • Alternative or additional assessment. • Reduced mark in unit. • Zero mark/NN for the unit. • Suspension of enrolment from the course in which the student is enrolled for a specified period of time. • Deferred suspension of enrolment, subject to one or more conditions. • Permanent exclusion from the University. • Revocation of degree (with approval of University Council).

PART 8 – DEFINITIONS

Academic Integrity Adviser means a member of staff employed by a School, Institute, the University College or Division with responsibility for advising on, investigating and making decisions relating to alleged academic integrity breaches. The Dean of Graduate Research assumes this role for all breaches involving research higher degree candidates.

breach: a breach of academic integrity occurs when a student:

- (a) fails to understand and meet academic integrity expectations; or
- (b) seeks to gain, for themselves or for any other person, any academic advantage or advancement to which they or that other person is not entitled; or
- (c) improperly disadvantages any other member of the University community.

breach level means the breach level assigned in accordance with Part 7 of this Ordinance.

College means:

- the primary organisational unit in the academic structure of the University, as per Ordinance 14 – Academic Structure; or
- the University College.

educative response means an outcome that supports a student to undergo remedial training or education in one or more areas relating to the art of scholarship and academic integrity.

formal reprimand means a formal notation on the student's academic record on the University student record system/s.

procedural fairness includes acting without bias and providing all involved parties the opportunity to present and respond to any allegations and/or evidence used during the process of investigation.

sanction means one or more of the penalties listed in Part 7 of this Ordinance.

School means:

- the secondary organisational unit in the academic structure of the University, as per Ordinance 14 – Academic Structure.

third-party provider is a party external to the University providing education delivery or support for student learning.

Made by Council on 30 August 2019.

Takes effect 1 January 2020.

APPENDIX A: EXAMPLES OF ACADEMIC INTEGRITY BREACHES

Plagiarism, for example:

- Using another person's ideas, designs, words, code or any other work without appropriate acknowledgement; or
- Re-using one's own work without appropriate acknowledgement; or
- Submitting an assignment already submitted, either in whole or in part, and assessed for the work required for a previous assessable unit.

Cheating, for example:

- Cheating in relation to a formal examination or assessment; or
- Accessing, purchasing, exchanging or trading with a third party, any item to be submitted in completion (in whole or in part) of an assessment task (i.e. contract cheating). A third party may include a service (e.g. an assignment writing service, proofreading or editing service, tutoring company or document sharing website) or an individual (e.g. another student, family member or private tutor); or
- Behaving deceitfully or dishonestly in examinations, in the preparation of assessable items or during in-class assessments; or
- Using or possessing prohibited equipment or material during an examination; or
- Sending, receiving or accessing or endeavouring to send, receive or access any source of stored electronic information during the examination unless specifically authorised by the examiner; or
- Drawing or writing on materials, other than the exam papers provided, during an examination; or
- Removing or endeavouring to remove from the examination room any question or answer paper, other than paper provided for use by the student during the course of the examination, or property of the University, unless authorised by the examination supervisor and examiner.
- Any conduct which constitutes a breach of any University rules relating to a formal examination or assessment including failure to comply with any reasonable direction or instruction of an adviser, employee or agent of the University relating to the conduct of a formal examination or assessment.

Collusion / Facilitating Breaches of Academic Integrity, for example:

- Assisting another student, whether intentionally or otherwise, to commit a breach of academic integrity; or
- Unauthorised collaboration with other students on assessable work; or
- Uploading a copy of a unit outline or other unit or course materials to a website or server without express permission of the University, for any other reason than personal use; or
- Drawing on excessive, and unacknowledged assistance in the production and submission of formal assessment tasks; or
- Knowingly allowing an essay or assignment to be copied by someone else for an assessed piece of work.

Fraud / Forgery, for example:

- Impersonating another student, or a student allowing another individual to impersonate them, for the purpose of completing an exam, assessment task or online activity; or
- Creating, altering and/or submitting forged documents or statements such as a medical certificate, academic transcript, student record, exam result, placement report or other official document.

Misrepresentation / Fabrication, for example:

- Submitting a piece of work, including an assessable group work item, with the intention of deceiving the assessor regarding individual contributions to the work; or
- Intentional and unauthorised falsification or invention of any information, experimental data or citation in an assessable item; or
- Falsely attributing authorship of a text or article to a particular person or claiming authorship of a piece of writing/assessment (including e.g. claiming authorship of parts of a group assignment prepared by other students); or
- Representing data or information incorrectly, improperly or falsely; or
- Falsely indicating participation, or recording attendance on behalf of another student, in an activity where attendance is required for assessment purposes; or
- Submitting a text/code-matching software originality report that falsely represents the originality of an assignment submitted for assessment; or
- Changing the metadata within an electronic file with the intent to deceive; or
- Not acknowledging through, for example attribution, the work of others used in producing the assessable item.

Obstruction / Interference, for example:

- Behaviour that deliberately obstructs or in any way limits the academic opportunities of other students by improperly impeding their work or their access to educational resources (e.g. retaining library materials, stealing or removing other student's work, property, etc); or
- Deliberately passing on misinterpreted and/or incorrect feedback from staff (e.g. through social media).