

Student Coursework Academic Misconduct and Plagiarism Rules

Section 1 - Overview

- (1) These Rules must be read in conjunction with the Associated Documents.
- (2) These Rules govern Academic Misconduct and Plagiarism arising in respect of the undergraduate and postgraduate coursework programs at the University of New England, including the coursework components of research higher degrees.
- (3) These Rules do not apply to:
 - a. The research components of higher degree by research courses; and
 - b. Staff Misconduct — See UNE Code of Conduct for Employees and the procedures for Unsatisfactory Performance, Conduct and Discipline in the University of New England (Academic Staff) Enterprise Agreement then current.
- (4) These Rules will be applied to all other institutions, domestic and international, with which UNE has a partnership arrangement and under which UNE accepts responsibility for moderation of assessment or quality assurance.

Section 2 - Policy

Academic Misconduct, including Plagiarism

- (5) The University expects fair and honest behaviour in the practice of academic endeavours, including in examination and assessment settings.
- (6) The University's objective is to foster good scholarship and effective learning. Good scholarship refers to and builds upon the work of others. Effective learning frequently requires both demonstrated knowledge and critical evaluation of the work of others.
- (7) The full and proper acknowledgement of sources is an intrinsic part of effective learning. The author and the source must be identified clearly whenever the ideas, words, drawings, designs, data, computer programs, performances or creative works of others are used. Acknowledgment of the work of others is not simply a matter of honesty. It plays a major role in academic assessment by demonstrating how well the student has taken into account work produced by others as a basis for her or his own independent learning outcomes.
- (8) Plagiarism and the falsification of information or data are dishonest practices entirely inconsistent with the University's objective of scholarship and learning. The University does not tolerate dishonesty and impropriety in academic work and imposes strict penalties on any student found to have acted dishonestly or improperly in assessment processes.
- (9) Academic Misconduct includes cheating, plagiarism and any other conduct by which a student:

- a. Seeks to gain, for themselves or any other person, any academic advantage or advancement to which they or that person are not entitled; or
- b. Improperly disadvantages any other Student.

(10) Academic Misconduct includes:

a. Plagiarism

i. Plagiarism means using the work of others without due acknowledgement and includes:

- The use or close paraphrasing of the ideas, data or work of others (in whole or in part); presenting extracts from written, printed, electronic or other media for an assessment task without fully and accurately indicating the nature and the extent of the work;
- Colluding with others to produce work that is presented misleadingly as the autonomous work of a student; and
- Presenting under one's own name work written substantially by another.
- These Rules distinguish between acts of inadvertent and intentional plagiarism. The University recognises that some students, especially early in candidature, may not understand fully the requirements of effective learning and the concept of plagiarism and its perception in the Western academic tradition. In these circumstances the University aims to offer, in the first instance, advice and support rather than to apply punitive sanctions. However, acts of intentional plagiarism are serious matters for which the University will impose severe penalties.

b. Examinations

- i. Cheating, acting dishonestly or otherwise attempting to gain an unfair advantage in an examination or any other assessment task, or collusion with or assisting someone else to do so;
- ii. Taking into or accessing any unauthorized text or data in any form in an examination setting;
- iii. Taking into or accessing unauthorized electronic devices (including mobile phones) in an examination setting;
- iv. Accessing unauthorized internet or other electronic files in an examination setting;
- v. Engaging in unauthorized communication of any form with any other person in an examination setting;
- vi. Failing to follow a reasonable instruction from an examination supervisor;
- vii. Misusing identity documents or identity declarations to permit another to sit for an examination in place of the authorised student;
- viii. Attempting to bribe or coerce an examination supervisor;
- ix. Communicating examination questions or answers to students in time zones where the examination has not yet taken place;
- x. Communicating any part of the contents of a restricted examination paper to unauthorised persons;
- xi. Taking examination stationery without authorization;
- xii. Disrupting illegitimately the running of an examination.

c. General

- i. Submitting, as a new work, an assessment task previously produced and assessed in the same or another unit or award, without appropriate acknowledgment and without the prior permission of the current Unit Coordinator;
- ii. Misrepresenting, fabricating or falsifying information or data;
- iii. Using information in breach of a duty of confidentiality;
- iv. Omitting reference to the relevant published work of others for the purpose of claiming personal discovery of new information;
- v. Claiming joint authorship with other authors without their permission;

- vi. Attributing work to others who have not contributed to the research;
- vii. Failing to acknowledge work primarily produced by a collaborator;
- viii. Interfering with any research-related property or material of another person, or assisting someone else to do so;
- ix. Failing to comply with UNE policies, rules or codes of ethics, or those of relevant professional and statutory registration societies and agencies, while completing assessment tasks or undertaking practical experience or WorkReady studies;
- x. Making improper use of copyright material;
- xi. Attempting to bribe or coerce a marker or Unit Coordinator; and
- xii. Attempting to bribe or coerce a student or staff member to provide material to be incorporated into an assessment task.

RESPONSIBILITIES

University Responsibilities

(11) The University has a responsibility to:

- a. Provide a self-test module to educate students about academic misconduct and plagiarism;
- b. Set in place and notify all relevant staff and all students of the University's rules and procedures relating to Academic Misconduct and Plagiarism;
- c. Inform all parties of their rights and responsibilities;
- d. Ensure that the rules and procedures are implemented consistently;
- e. Provide advice to staff on how to minimise opportunities for Academic Misconduct and Plagiarism, and how to detect instances of Academic Misconduct and Plagiarism;
- f. Provide students with adequate opportunity to answer allegations of Academic Misconduct and Plagiarism;
- g. Provide an appeal process for decisions arising from allegations of Academic Misconduct and Plagiarism;
- h. Maintain a limited-access Central Plagiarism/Academic Misconduct File as specified in Paragraph 131;
- i. Provide appropriate further learning experiences designed to facilitate students' understanding of plagiarism.
- j. Responsible University Officers:
 - i. The Pro Vice-Chancellor and Dean, and Head of School are responsible for the implementation of these Rules.
 - ii. Where a Head of School is the Unit Coordinator the Head of School's function will be transferred to the Faculty's Academic Director or to the Pro Vice-Chancellor and Dean or nominee.
 - iii. A Pro Vice-Chancellor and Dean and a Head of School may delegate their roles to appropriate nominees.

Staff Responsibilities

(12) Individual members of the relevant staff have a responsibility to assist the University to discharge the responsibilities listed above and to:

- a. Know the Rules, procedures and policies of the University, the Faculty and the School with respect to Plagiarism and Academic Misconduct, and to apply them consistently;
- b. Explain to students both good scholarly practice and the concept of Plagiarism and Academic Misconduct;
- c. Ensure that adequate information is provided to students about referencing requirements and academic conventions for the use of others' work, as appropriate for the discipline;
- d. Inform students of obligations regarding acknowledgment of collaborative work, and provide explicit guidelines on how to conduct and present collaborative/group work;

- e. Inform Students that every assessment task submitted and accepted for marking automatically entails assent to the University rules on Plagiarism and Academic Misconduct;
- f. Provide students with fair warning if they believe any individual or group may be at risk of breaching these Rules;
- g. Give feedback about referencing problems;
- h. Refer students to Student Support as appropriate;
- i. Report cases in which there is evidence of Plagiarism and/or Academic Misconduct in accordance with the Guidelines for the Rules; and
- j. Check for Plagiarism in assessment submission.

Student Responsibilities

(13) Students have the responsibility to:

- a. Read, understand and comply with these Rules;
- b. Familiarise themselves with the conventions of referencing for the discipline;
- c. Seek appropriate assistance when required; and
- d. Successfully undertake the self-test module on Plagiarism and Academic Misconduct before submitting their first piece of assessable work.

PENALTIES

(14) One or more of the following penalties may be imposed on any Students found to have committed Academic Misconduct, including Inadvertent Plagiarism or Intentional Plagiarism:

Academic Misconduct

(15) Reprimand

(16) Probation

(17) Reduction in unit grade

(18) Award of WFN (Withdrawn by Faculty and Deemed to have Failed) in the unit.

(19) Recommendation to the Pro Vice-Chancellor and Dean that the student be excluded from enrolment in a particular course or unit permanently or for such period as the Pro Vice-Chancellor and Dean may decide.

(20) Recommendation to the Pro Vice-Chancellor (Students and Social Inclusion) or Deputy Vice-Chancellor (Research) that the student be excluded from the University for a period of up to five years

(21) Fine not exceeding ten Penalty units and/or a restitution payment. This penalty may only be applied to breaches specified under Paragraph 10b vi — xii and Paragraph 10c xi — xii

(22) Withdrawal of Services for a period not exceeding three months

(23) Where a student is a resident or affiliate of a Residential College, such penalties as specified in the Residential College Code of Conduct

(24) Exclusion from a Residential College for a period not exceeding twelve months

(25) Residential College Exclusion from all Residential Colleges.

(26) Residential College Expulsion

(27) Expulsion

(28) Revocation of Award

Inadvertent Plagiarism

(29) Warning and/or reprimand

(30) Successfully complete the self-test module

(31) Require rewriting and resubmission of the assessment task, which may be subjected to a maximum reduction of 20-50% of the mark the assessed task would otherwise have received

(32) Require submission of a comparable, replacement assessment task, which may be subjected to a maximum reduction of 20-50% of the mark the assessed task would otherwise have received

(33) Where a student fails to comply with the requirements of Paragraph 31 or 32, and at the Unit Coordinator's discretion, either the marks for that assessment task shall be recorded as zero or the unit grade shall be recorded as NI (Failed-Incomplete).

Intentional Plagiarism

(34) Reduction in the unit assessment mark that would otherwise have been received

(35) Reduction in the unit grade

(36) Award of WFN (Withdrawn by Faculty and Deemed to have Failed) in the unit;

(37) Recommendation to the Pro Vice-Chancellor and Dean that the student be excluded from enrolment in a particular course or unit for such period, including permanently, as the Pro Vice-Chancellor and Dean may decide;

(38) Recommendation to the Pro Vice-Chancellor and Dean that the student be excluded from the University for a period of up to five years;

(39) Graduates whose work is found to contain Intentional Plagiarism after their graduation: Revocation of Award.

General

(40) Frequent occurrence. Where an investigator determines that, prior to the submission of the current assignment, a Student had been informed that there have been two or more previously recorded occurrences of proven Inadvertent Plagiarism, the investigation of the most recent allegation shall proceed on the basis that the allegation is of Intentional Plagiarism.

(41) Where a fine or the payment of restitution is imposed, the fine or payment of restitution is payable within ten working days of the imposition of the penalty unless the Student enters into a payment arrangement satisfactory to the Director of Financial Services or nominee.

(42) Disciplinary penalties, other than Expulsion, will not form part of the Student's permanent Academic Transcript but will be part of the Student's records with the University.

(43) A Student who is Excluded or Expelled after a Statutory Census Date shall have WFN (Withdrawn by Faculty and deemed to have Failed) recorded against the unit in which the plagiarism occurred.

(44) A Student who is Excluded or Expelled before a Statutory Census Date shall have all units, in which they are

enrolled, cancelled from the enrolment (recorded on the Students Academic Record).

(45) A Student Excluded or Expelled after a Statutory Census Date shall not be entitled to remission of HECS-HELP, FEE-HELP, OS-HELP or refund of any fees including any Residential College fees that remain outstanding under a payment plan. Any unpaid fines or fees may be treated as a bad debt under the University's financial policies including the application of encumbrances and/or referral to debt collection agencies.

(46) A Student who is Excluded or Expelled from the University relinquishes all positions they may occupy on committees or boards within the University.

(47) A Student who is Excluded or Expelled from a Residential College relinquishes all positions they may occupy on committees within the Residential College, in addition to any affiliation or membership of the Residential College.

(48) Partnership Agreements. Before any penalty is applied to a student in a partnership arrangement, consultation is to take place between UNE and Partner Representatives to ensure that any penalties are equitably applied across the two institutions.

AUTHORISED INVESTIGATORS AND IMPOSITION OF PENALTIES

(49) The following University Members are authorized to investigate allegations and impose penalties:

Academic Misconduct

(50) Initial reports are to be made according to the reporter's appropriate line of supervision:

- a. Head of relevant School or nominee
- b. Director of Student Administration and Services or nominee
- c. Director of Research Services or nominee
- d. Director of Residential Services or nominee

Inadvertent Plagiarism

(51) Unit Coordinator or delegate nominated by the Head of School

Intentional Plagiarism

(52) Head of School or nominee

(53) Academic Director or nominee

(54) Pro Vice-Chancellor and Dean or nominee

(55) Where the Head of School is also the Unit Coordinator, the Head of School role shall be taken by the Academic Director or Pro Vice-Chancellor and Dean or their nominees. Where the Academic Director is also the Unit Coordinator, the Head of School or nominee is authorised to investigate and impose penalties. Only the Pro Vice-Chancellor and Dean or nominee may act under the circumstances set out in Paragraph 37 and 38.

CONDUCT OF INVESTIGATIONS AND DETERMINATIONS

Academic Misconduct

(56) Initial investigations of academic misconduct are conducted by an appropriate University Member defined in Paragraph 50.

(57) Although initial complaints of Academic Misconduct against a Student can be made verbally, a formal

investigation under these Rules can only be conducted on the basis of a written complaint. Student Assist can advise any University Member or member of the public on how to make a formal complaint. Anonymous complaints will not be accepted for investigation.

(58) In the first instance, the complaint will be referred to a University Member authorised under paragraph 49 - 55 to investigate complaints ('the Investigating Officer'), to decide whether prima facie the complaint:

- a. Has merit and is within the University's Members jurisdiction; or
- b. Can be handled through mediation (by mutual consent of the parties); or
- c. Should be referred to a higher level because a major penalty may be at issue.

(59) The Student will be provided with a copy of these Rules and will be advised in writing of:

- a. The nature of the complaint along with a copy of all documentation and statements relevant to the complaint;
- b. The name of the Investigating Officer authorised to conduct the initial investigation;
- c. The time, date and place for the interview;
- d. The right to be accompanied by another University Member for advice and support, that person shall not have the right of audience or to question or cross-examine the witnesses;

(60) The right to make a statement, call witnesses and lead them through their evidence;

(61) The opportunity, with the permission of the Investigating Officer, to question any witness to the extent the Investigating Officer deems relevant and reasonable (but not to cross-examine witnesses); and

(62) The right to choose not to attend the interview at the indicated time, they can seek to have the interview rescheduled or to participate in a telephone conference, or to provide a written submission. They will be granted at least ten working days from the date of notification to prepare for the interview or provide a response in writing to the complaint including any evidence in defence of the complaint.

(63) Within ten working days from the date of the interview, the Student will be advised in writing of:

- a. The decision;
- b. The penalty (if any);
- c. The right of, and method for, appeal (if relevant).
- d. The University will maintain their enrolment while the appeal process is ongoing (if relevant).

(64) Where it is not possible to respond to the Student within ten working days as required in Paragraph 63, an explanation for the delay should be provided within this period.

(65) Where the Student fails to attend an interview, provide a written submission, or participate in a telephone conference without reasonable explanation, the Investigating Officer may proceed to determine the case in the absence of the Student.

(66) A record of a Student's past Academic Misconduct or Behavioural Misconduct may be taken into account when having regard to any penalty that may be imposed.

(67) Investigations will take account of a Student's special needs status including the provision of an Auslan interpreter, if appropriate.

Plagiarism

(68) Initial investigations of plagiarism are conducted by the Unit Coordinator or delegate who will determine prima

facie whether the case:

- a. Has no merit;
- b. Is one of Inadvertent Plagiarism in which case the Unit Coordinator will decide on the application of a penalty; or
- c. Is one of Intentional Plagiarism which is to be escalated to the Head of School for investigation and, if appropriate, application of a penalty.

(69) Where a Unit Coordinator has reasonable grounds to suspect that the presented assessment task has been substantially put together by a person or persons other than the ostensible author, he or she may request the Head of School to arrange for an examination on the relevant topic as part of the process of determination of authorship. The examination may be a supervised written examination or a viva voce examination. Reasonable grounds may include, but are not limited to, discrepancies between the assessment task and the previous performance of the student(s) in the unit. Participants in the viva voce examination should include:

- a. The Head of the relevant School or nominee (Chair);
- b. The student under whose name the assessment task has been presented;
- c. At the option of the student, a University Member nominated by the student for advice and support, that person shall not have the right of audience or to question or cross-examine the witnesses;
- d. The relevant Unit Coordinator or other member of the relevant discipline as nominated by the Head of School;
- e. A Member of a School Equity Committee or equivalent.

(70) The failure of a student to participate in a viva voce examination will be taken as admission of non-authorship, and acceptance that a penalty will be applied.

(71) The Head of School will decide whether there is a basis for an investigation of alleged Intentional Plagiarism.

(72) Investigation and Determination. Where the case is dealt with as intentional plagiarism the Student will be provided with a copy of these Rules and will be advised in writing of:

- a. The nature of the complaint along with a copy of all documentation and statements relevant to the complaint;
- b. The name of the Investigating Officer authorised to conduct the initial investigation;
- c. The time, date and place for the interview;
- d. The right to be accompanied by another University Member for advice and support, that person shall not have the right of audience or to question or cross-examine the witnesses;
- e. The right to provide a written submission or participate in a telephone or video conference instead of attending an interview (written submissions must arrive at least one working day prior to the date of the interview as advised in the notice). In such cases, a statutory declaration of identity may be required.
- f. The right to provide a written submission, or participate in a telephone or video conference, they will be granted at least ten working days from the date of notification to prepare for the interview or provide a response in writing to the complaint including any evidence in defence of the complaint.
- g. Where the Student fails to attend an interview or viva voce examination, provide a written submission, or participate in a telephone or video conference without reasonable explanation, the Investigating Officer may proceed to determine the case in the absence of the Student.
- h. Within ten working days from the date of the interview, the Student will be advised in writing of:
 - i. The decision;
 - ii. The penalty (if any);
 - iii. The right of, and method for, appeal (if relevant); and
 - iv. The University will maintain their enrolment while the appeal process is ongoing (if relevant).

(73) Where it is not possible to respond to the Student within ten working days as required in Paragraph 72h, an explanation for the delay should be provided within this period.

(74) A record of a Student's proven past plagiarism as recorded in the Central Plagiarism File may be taken into account when having regard to any penalty that may be imposed.

(75) Investigations will take account of a Student's special needs status including the provision of an Auslan interpreter, if appropriate.

General

(76) Investigations shall not be in the form of a legal hearing.

(77) Action taken under these Rules may proceed, unless prevented by court order, irrespective of any action involving the Student in any court, commission or tribunal, and irrespective of external investigation of the matters.

(78) All notices sent to students shall be sent to the student's officially recorded emailing address in the University's student database.

(79) Students shall be granted ten working days to respond to all notices sent to them.

(80) Responses to students should be made within ten working days; where this is not possible, an explanation for the delay should be provided within this period.

(81) Students who do not respond to notices of allegations, by the deadline given in the notice, will be assumed not to wish to defend the allegation, in which case the appropriate penalty will be applied. Late responses shall be handled as appeals.

(82) The Manager, International Services and Compliance must be notified of a penalty applied to an international student where one of the outcomes can be termination of the student's enrolment.

(83) All decisions from proven cases of Academic Misconduct and/or Plagiarism shall be appropriately recorded in accordance with university policy and included in the Central Plagiarism/Academic Misconduct File.

(84) Annual Report. At the end of each academic year the Records Manager will submit a report to the Academic Board listing by School the number of investigations that were carried out. This report should also specify the nature of the penalty and the final decision-maker in each instance.

APPEALS

Authorised Appeals Officers

(85) The following are authorised to hear appeals. They may uphold an appeal or uphold the penalties. An Authorised Appeals Officer must not have been involved in the initial investigation or determination of the case.

Academic Misconduct

(86) Pro Vice-Chancellor and Dean or nominee (for penalties imposed under Paragraph 15 — 18.)

(87) Pro Vice-Chancellor Students and Social Inclusion or nominee (for penalties imposed under Paragraph 21 — 28.)

(88) Student Conduct Appeals Committee (for penalties imposed under Paragraph 21 — 28 and Paragraph 29 — 30.)

Inadvertent Plagiarism

(89) Head of School or nominee

Intentional Plagiarism

(90) With the exception of appeals against Exclusion and Revocation:

- a. Academic Director or nominee (except where the Academic Director or nominee has acted under Paragraph 52-55.)
- b. Pro Vice-Chancellor and Dean or nominee (where the Academic Director or nominee has acted under Paragraph 52-55 or is otherwise unavailable).

(91) Appeals against Exclusion and Revocation:

- a. Student Conduct Appeals Committee

Student Conduct Appeals Committee

Membership

(92) The Student Conduct Appeals Committee is appointed for two years by the Vice-Chancellor and comprises:

- a. Chair of the Academic Board or nominee (Chair of the Student Conduct Appeals Committee);
- b. A General Staff member (HEO 7 or higher) appointed by the Vice-Chancellor (or nominee);
- c. Three members of the full-time Academic staff of at least Level C each from a different School, at least one of whom shall be a Head of School;
- d. A member of the local community (who shall not be a member or former member of Staff); and
- e. Director of Residential System or Head of a Residential College.

(93) The Chair of Committee will provide secretarial support.

(94) At least one member of the Committee must have legal qualifications.

(95) In the event that a member of the Student Conduct Appeals Committee has been involved in the initial investigation or determination of the case, the Chair of the Student Conduct Appeals Committee may co-opt another person of equivalent standing to the member standing aside, to serve as a member of the Student Conduct Appeals Committee.

Quorum

(96) The quorum for a Student Conduct Appeals Committee shall be four members

Constitution

(97) The Student Conduct Appeals Committee may be constituted by an even number of members, in which case the Chair will have a casting vote.

Alternates

(98) There shall be two alternates for each member of the Student Conduct Appeals Committee.

Investigation

(99) Appeals against penalties for plagiarism must be submitted formally to the appropriate Appeal Officer (Paragraph 92 a-b) or the Student Conduct Appeals Committee (Paragraph 92 -95.)

(100) Appeals must be made in writing and addressed to the appropriate University Member specified in paragraph 84

('the Appeal Officer') within ten working days of the notice of the imposition of a penalty. The Appeal Officer may refer the case to the Chair of the Student Conduct Appeals Committee. Appellants should structure their appeal in terms of Paragraph 101 a — c and provide evidence to support their appeal.

(101) Appeals review the record of the initial investigation and its supporting documents for one or more of the following purposes:

- a. To decide whether the initial investigation was conducted fairly and in conformity with these Rules;
- b. To decide whether the original decision was based on sufficient and appropriate evidence to establish that Academic Misconduct occurred; or
- c. To decide whether the penalty imposed was appropriate. Where it is determined that the penalty was inappropriate the Appeal Officer or the Student Conduct Appeals Committee may vary the penalty, provided that the new penalty is not at a higher level than the original penalty.

(102) If it is determined under Paragraph 101a that the initial investigation was not conducted fairly and/or not in conformity with these Rules, the matter will be referred back to the initial investigating body with appropriate advice from the Appeal Officer or Chair of the Student Conduct Appeals Committee.

(103) Previously unconsidered material may be presented only at the discretion of the Appeal Officer or the Chair of the Student Conduct Appeals Committee.

(104) The Student will be formally advised of:

- a. The time, date and place for the appeal hearing;
- b. The right to be accompanied by another University Member for advice and support, that person shall not have the right of audience or to question or cross-examine the witnesses; and
- c. The right to provide a written submission or participate in a telephone conference instead of attending a hearing (written submissions must be received not later than one working day prior to the date of the appeal hearing as advised in the notice).

(105) Appeal hearings shall:

- a. Whenever possible, be heard within twenty working days of receipt of the appeal;
- b. Be conducted in private;
- c. Be conducted separately or collectively at the Appeal Officer's or Chair's discretion when involving more than one accused Student;
- d. Be in the form of a non-adversarial procedure;
- e. Admit any other person only at the Appeal Officer's or Chair's discretion, except in respect of the University Member entitled to be present under Paragraph 104b;
- f. Grant to the Student access to relevant records, exhibits and written statements;
- g. Produce a written record of all hearings which will be the property of the University; and
- h. Proceed to decide the matter if the Student fails to appear or provide a submission.

(106) After the appeal hearing the Student will be formally advised within ten working days of:

- a. The decision;
- b. The new penalty (if any);
- c. The right to seek a review of the conduct of the disciplinary process by a University Ombudsman or the New South Wales Ombudsman; and
- d. The University's intention to notify the Department of Education if they are an international student and the

decision is to terminate their enrolment.

(107) If the appeal process results in a decision that supports the student the University will immediately implement any decision and/or correction and preventative action required and will advise the student of the outcome.

(108) All decisions from an Appeal shall be appropriately recorded in accordance with university policy.

Ratification of University Expulsion and Revocation of Award

(109) Once the appeal process is exhausted the penalties of University Expulsion and Revocation of Award shall be subject to the ratification of the Vice-Chancellor, who shall have the authority to uphold the penalty, or refer the penalty to the Student Conduct Appeals Committee for reconsideration as appropriate. The major penalty of Revocation of Award shall only be imposed with approval of the UNE Council made on a recommendation by the Academic Board. The Vice-Chancellor shall receive the papers of the initial investigation and appeal but shall not receive representations when making a decision.

INTERPRETATION OF THESE RULES

(110) Any unresolved question of interpretation regarding these Rules should be referred to the Pro Vice-Chancellor (Educational Innovation and International) or Chair of Academic Board for determination.

Section 3 - Definitions

(111) The following definitions apply for the purposes of application of the policy

(112) Academic Misconduct means academic misconduct specified in paragraphs 9 - 10.

(113) Appeal Officer means the University Member authorised to hear appeals, or uphold or vary penalties, specified in paragraphs 85 - 91.

(114) Behavioural Misconduct is defined in the Student Behavioural Misconduct Rules.

(115) Central Plagiarism/Academic Misconduct File means a database where records of proven cases of plagiarism and academic misconduct are stored. The records must be retained for at least ten years after the student's graduation from the University. Access to these records is limited to the following (or nominees): Heads of Schools, Pro Vice-Chancellors and Deans, Academic Directors, Pro Vice-Chancellor (Students and Social Inclusion), Deputy Vice-Chancellor (Research), Chair of Academic Board, Vice Chancellor, the University Lawyer, and the University Ombudsman.

(116) Chair means the chair of the Student Conduct Appeals Committee appointed to that position by the Vice Chancellor under Paragraph 92.

(117) Collusion means conspiring with others to produce work that is presented misleadingly as the autonomous work of the student.

(118) Coursework means:

- a. A type of award as defined in the UNE Glossary; and
- b. Work submitted for assessment as part of a coursework undergraduate or postgraduate program including a taught component of a research higher degree.

(119) Exclusion or Excluded means a Student is:

- a. excluded from entering the University's Premises or any defined part of the University Premises or engaging in an activity as a Student; or
- b. excluded from enrolment in a particular course or unit at the University for the specified period.

(120) Expulsion or Expelled means the permanent separation of the Student from the University.

(121) Group work means a formal assessment task that is conducted by a number of students resulting in a single piece of assessment or a number of associated pieces of assessment.

(122) Head of School means the Head (or nominee) of the relevant School responsible for the unit in which plagiarism or misconduct is alleged to have occurred.

(123) Inadvertent Plagiarism is an act of plagiarism that arises from a lack of knowledge or understanding of the concept of plagiarism and/or does not involve intent to deceive. Plagiarism that is a result of negligence is included in this definition. Examples of acts of inadvertent plagiarism are provided in the Appendix to these Rules.

(124) Intentional Plagiarism is an act of plagiarism that arises from an intention to deceive. Examples of acts of intentional plagiarism are provided in the Appendix to these Rules.

(125) Interview means oral communication between the student and Investigating Officer or Appeal Officer, and includes communication both in face-to-face settings and through electronic mediating devices such as the telephone.

(126) Investigating Officer means the University member authorised to investigate allegations and impose penalties specified in paragraphs 49 -55.

(127) Penalty unit is a cash value that comprises a fine. The UNE Council sets the Penalty unit cash value and may vary it from time to time.

(128) Plagiarism means plagiarism specified in paragraph 10.

(129) Plagiarism Declaration means a declaration included in the unit materials and deemed to be automatically applicable to every assessment item submitted. This Declaration affirms that the student agrees that:

(130) He or she has read the University Rules on Plagiarism and Academic Misconduct and supporting material on the avoidance of plagiarism, the appropriate Referencing Guide and the Unit Handbook or Study Guide.

(131) The submitted work is his or her own work and that all sources have been acknowledged in the work, and that the work contains no plagiarism, and that any information provided is not knowingly inaccurate.

(132) The work, or any version of it, has not been previously submitted by him or her for assessment in the same or any other UNE (or UNE Partner) unit or award or a unit or award of another institution unless explicit written consent has been granted by the Unit Coordinator.

(133) Pro Vice-Chancellor and Dean means the head (or nominee) of the Faculty containing the School offering the unit in which plagiarism or misconduct is alleged to have occurred.

(134) Probation means a Student who has received a reprimand is alerted that, if found guilty of further acts of misconduct during a specified period not exceeding three years, a specific penalty will be applied.

(135) Reprimand means an official statement confirming the fact that a finding of misconduct has been sustained, issued in writing to the student coupled with a caution against repeating the conduct. A copy of a reprimand will be held on the student's individual file.

(136) Residential College Exclusion means the Student is prohibited from entering one or more of the Residential

Colleges for a specified period not exceeding twelve months. On completion of the specified period of exclusion, the Student is eligible to return to a Residential College although conditions on readmission may be applied.

(137) Residential College Expulsion means permanent expulsion of the Student from one or more of the Residential Colleges.

(138) Residential College includes a hall of residence, an affiliated college or hall of residence, Wright Village, and the buildings, grounds and parking areas associated with these buildings.

(139) Revocation of Award is the cancellation of a University of New England award by the UNE Council.

(140) Staff means the staff retained by the University of New England, staff employed by Residential Colleges and University of New England associates such as Cooperative Research Centres, Honorary and Emeritus staff, contractors and employees of contractors engaged by the University.

(141) Student means a person who is enrolled in a University of New England higher education course or in an enabling course or in a unit of study on a non-award basis.

(142) Student Conduct Appeals Committee is a committee constituted under Paragraph 92.

(143) Student Support means those University offices and persons with responsibility for assisting students with their studies including the Academic Skills Office of the Teaching and Learning Centre, First Year Advisors, International Services and StudentAssist.

(144) Unit Coordinator means the coordinator of the unit in which misconduct is alleged to have occurred.

(145) University Exclusion means the Student is prohibited from entering University Premises for a specified period of time not exceeding three years after which the Student is eligible to return to the University.

(146) University Member includes any person who is a Student, member of the Staff, member of the UNE Council, or any other person employed by the University.

(147) University Premises includes all land, buildings, facilities, Residential Colleges, and other property (including adjacent streets, footpaths and bicycle paths) in the possession of or owned, used or controlled by the University.

(148) Viva Voce Examination means an oral examination of a student on any submitted assessment task.

(149) Withdrawal of Services means the withdrawal of specified services for a designated period as follows:

(150) UNE libraries: loss of borrowing rights for a period not exceeding 12 months;

(151) Computer facilities: loss of user rights and access for a period not exceeding 12 months;

(152) Loss of access to specified buildings and precincts for a period not exceeding 12 months.

Status and Details

Status	Historic
Effective Date	17th February 2016
Review Date	18th February 2016
Approval Authority	Vice-Chancellor and Chief Executive Officer
Approval Date	14th February 2013
Expiry Date	28th February 2016
Unit Head	Christopher Moran Vice-Chancellor and Chief Executive Officer
Enquiries Contact	Office of the Deputy Vice-Chancellor +61 2 6773 5050