

Student Academic Conduct Statute (2020)

1. Introduction	2
2. Scope	2
3. Academic integrity	2
4. Breaches of academic integrity in coursework, tests or research.....	4
5. Procedures for poor academic practice and academic misconduct in coursework, tests or research	5
a. Poor academic practice in coursework	5
b. Suspected academic misconduct in coursework or tests	6
c. Suspected academic misconduct in research work worth 30 points or above.	7
d. Confirmed academic misconduct in coursework, tests or research	8
6. Procedures for academic misconduct in examinations	9
a. Suspected offences within the examination room	9
b. Suspected offences identified at the time of marking	9
c. Determination of conduct	9
7. Penalties for academic misconduct	10
a. Minor academic misconduct	10
b. Major academic misconduct and academic misconduct in examinations.....	11
8. Right of review	11
a. Reviewing decisions/penalties imposed by academic units.....	11
b. Reviewing decisions/penalties originally imposed by Discipline Committee.....	12
9. Amendments to Statute.....	12
10. Definitions	12
11. Key relevant documents	13

1. Introduction

The University has a statutory responsibility to encourage the development of intellectual independence in its students. It assesses the achievement of this goal through coursework, tests, examinations and research work, including theses. The University expects all students to complete coursework, tests, examinations, and theses with integrity and honesty. Such integrity maintains the reputation and quality of its qualifications and protects their international recognition. Students and staff members have a responsibility to prevent, discourage and report breaches of academic integrity.

The purpose of this statute is to set out the University's processes for addressing suspected breaches of academic integrity and to ensure they are transparent, fair and appropriately applied.

2. Scope

This Statute covers any practice that is inconsistent with the principles of academic integrity occurring in the preparation and submission of work which counts towards the attainment of a pass in any subject ("breaches of academic integrity").

This Statute applies to **all staff members** and all students at the **University of Auckland**.

3. Academic integrity

All students have a responsibility to understand the requirements of academic integrity as they apply to their studies at the University.

Breaches of academic integrity may be deliberate or arise through a failure to take reasonable care. Breaches of academic integrity include, but are not limited to, the following:

- i. Using the work of others without adequate acknowledgement and referencing ("adequate attribution"), that is, plagiarism. This includes: use of other people's data without adequate attribution; use of published or unpublished expressions and ideas from other people without adequate attribution; use of published or unpublished charts, and diagrams without adequate attribution. To avoid doubt, where the principles of academic integrity require that certain material be cited as a quotation within quotation marks (i.e. because the material has been reproduced

- in verbatim or nearly verbatim form), referencing it as though it had been paraphrased does not constitute adequate attribution.
- ii. Copying from another student's work (with or without their knowledge).
 - iii. Using coursework that had been submitted previously at any educational institution by the student.
 - iv. Submitting without acknowledgement work to which others have contributed.
 - v. Submitting the same, or a substantially similar, assignment or piece of research for more than one assessment.
 - vi. Submitting for assessment material obtained from commercial essay, assignment or research services (also known as "**contract cheating**").
 - vii. Impersonation or arranging to have someone impersonate you or someone else during the performance of academic work or any examination.
 - viii. Cheating in tests by bringing prohibited materials or devices into a test room; referring to such material in the course of the test.
 - ix. Misrepresenting disability, temporary illness or injury or exceptional circumstances beyond the student's control, and then claiming special conditions and/or special consideration.
 - x. Misrepresenting or presenting false or misleading information in application for course credit or for provisions around research work.
 - xi. Claiming results that have not been obtained.
 - xii. The fabrication or falsification of data, including changing research records.
 - xiii. Misleading ascription of authorship, including failing to acknowledge work primarily produced by any other person.
 - xiv. A breach of a duty of confidentiality, privacy or the terms of any ethical approvals.
 - xv. Interference, including taking, sequestering or materially damaging any research-related material of another researcher intentionally and without authorisation, including the apparatus, reagents, biological materials, writings, data, hardware, software, or any other substance or device or data used or produced in the conduct of research.
 - xvi. Other serious misdemeanours in specific disciplines including breaches of the Code of Conduct for Research, and relevant professional practices and codes of ethics. This includes, but is not restricted to, departing from protocols approved by the University in the course of human or animal experimentation, behavioural

standards whilst on clinical assignment or similar course or programme placements.

xvii. Assisting a student to do any of the above.

4. Breaches of academic integrity in coursework, tests or research

The University has three levels of classification for breaches of academic integrity that occur in the preparation and submission of **coursework, tests** and research work. The three levels are: poor academic practice; minor academic misconduct; and major academic misconduct.

Poor academic practice applies only to undergraduate or postgraduate coursework and does not apply to breaches of academic integrity in invigilated tests or examinations. A breach of academic integrity is classified as poor academic practice where:

- i. The breach occurred in undergraduate coursework within the student's first two semesters of tertiary study in New Zealand; or
- ii. The breach occurred in postgraduate coursework within the student's first semester (or first two quarters) of tertiary study in New Zealand; and
- iii. The breach is minor with respect to:
 - its overall impact on the academic integrity of the work;
 - the legitimate interests of others;
 - the interests and reputation of the University,
 - the likelihood that the breach is the result of a deliberately dishonest act;
 - prior record of academic integrity breach or academic misconduct.

Where the breach does not meet the criteria described above in i) or ii), or the breach is judged to be more serious, it is classified as academic misconduct. Academic misconduct may be minor or major. Relevant factors for determining whether academic misconduct is minor or major include, but are not limited to:

- Overall impact on the academic integrity of the work;
- The legitimate interests of others;
- The interests and reputation of the University;
- The likelihood that the breach is the result of a deliberately dishonest act;
- Prior record of academic integrity breach or academic misconduct.

Notes:

- The Register of Academic Misconduct or faculty record may be consulted by the Course Director, Academic Head, Associate Dean, or Dean of Graduate Studies for any prior record of academic integrity breach or academic misconduct.
- Where the penalties available for academic units to impose for minor academic misconduct are not sufficient to adequately penalise a student for their misconduct, the misconduct should be classified as major academic misconduct.

5. Procedures for poor academic practice and academic misconduct in coursework, tests or research

a. Poor academic practice in coursework

Where a staff member, a student or any other person has grounds for believing that poor academic practice has taken place, the relevant **Course Director** must be informed. The following procedures must be followed:

- i. Where the Course Director considers the student has engaged in poor academic practice, the Poor Academic Practice Form must be completed. The Course Director must notify the student in writing of the finding and provide them with a copy of the incident form.
- ii. The incident form will include a recommendation for marks adjustment, where appropriate. Marks adjustment is at the Course Director's discretion and may mean:
 - Reducing the marks for the piece of work to eliminate any unfair advantage resulting from the practice.
 - Requiring the student to resubmit the relevant work in a form that meets the requirements of academic integrity. The newly submitted work may be subject to an appropriate mark reduction to remove any unfair advantage in the student being given additional time to submit a compliant work (where submitting work after the deadline for submission would have resulted in a mark reduction).
- iii. Students must be invited to respond in writing to the finding and be given the opportunity to state any extenuating circumstances in their case. The student will be informed in the initial communication of the time available to submit a written response (15 working days) and that the process will proceed without a response where that time is exceeded.
- iv. After considering a written response the Course Director may revise or uphold the original finding.

- v. Where the student disagrees with the finding of poor academic practice and the Course Director upholds the finding, the student may request a review of the finding by the **Academic Head**.
- vi. The Academic Head will review the incident form and student's response, and may (a) confirm the finding of poor academic practice; or (b) determine that the incident represents deliberate academic misconduct; or (c) dismiss the finding of the Course Director. Where the Academic Head determines that the incident represents deliberate academic misconduct the procedure set out in clause 5 b) below must be followed.
- vii. Where the Academic Head confirms the finding of poor academic practice, or where the student does not respond within a reasonable time (but no more than 15 working days) to the initial notification, the student will be advised in writing of the finding of poor academic practice and the outcome (including adjustment of marks where appropriate).
- viii. The advice to the student must also include a recommendation for the student to take up further educative options. This may include inviting the student to meet with the Course Director for a discussion about the student's academic practice; and/or directing the student to complete or retake the Academic Integrity Course; and/or recommending that the student review relevant material on academic integrity, referencing or academic writing available through Libraries and Learning Services.
- ix. Incidents of poor academic practice are not recorded on the Register of Academic Misconduct.
- x. Academic units will keep internal records of poor academic practice incidents and a summary report will be received each semester by the relevant faculty-level committee.

b. Suspected academic misconduct in coursework or tests

The following procedures must be followed for suspected academic misconduct in coursework or tests:

- i. Where a staff member, a student or any other person has grounds for believing that academic misconduct in coursework or a test has taken place, the relevant Course Director must be informed.
- ii. Where the Course Director considers the student may have engaged in academic misconduct, or the Academic Head refers the case back to be investigated by the

Course Director as potential academic misconduct, the Course Director must contact the student setting out the nature of the alleged misconduct.

- iii. The student will be invited to attend an interview with the Course Director or delegate. The Course Director must conduct the interview with another staff member present. The student may attend the interview with a support or whānau person.
- iv. Where interviews are conducted in cases involving more than one student all students must be interviewed separately.
- v. The Course Director must record a summary of the interview and provide a copy of that summary to the student for their comment. Any comment made by the student should be recorded with the interview summary.
- vi. The Course Director must give the student a reasonable time to engage with each step of the investigation which provides for input by the student. After a reasonable time (but no more than fifteen working days) if the student has not responded the process will proceed without the student's input. The student will be informed of this in the initial invitation to attend an interview.
- vii. After the Course Director concludes their investigation, the Academic Head will decide whether academic misconduct is confirmed.

c. Suspected academic misconduct in research work worth 30 points or above.

The following procedures must be followed for suspected academic misconduct in research work worth 30 points or above:

- i. Where a staff member, a student or any other person has grounds for believing that misconduct has occurred during the preparation or examination of research work, the Academic Head must be notified.
- ii. The Academic Head will then contact the student setting out the nature of the alleged misconduct and invite the student to attend an interview. Where interviews are conducted in cases involving more than one student all students must be interviewed separately.
- iii. The Academic Head must conduct the interview with another staff member present. The student may attend the interview with a support or whānau person.
- iv. The Academic Head must record a summary of the interview and provide a copy of that summary to the student for their comment. Any comment made by the student should be recorded with the interview summary.

- v. The Academic Head must give the student a reasonable time to engage with each step of the investigation which provides for input by the student. After a reasonable time (but no more 15 working days) if the student has not responded the process will proceed without the student's input. The student will be informed of this in the initial invitation to attend an interview.
- vi. After the investigation is concluded the Academic Head will decide whether academic misconduct is confirmed.

d. Confirmed academic misconduct in coursework, tests or research

- i. If academic misconduct in coursework, a test, or research work is confirmed, the Academic Head must:
 - Determine whether it is major or minor academic misconduct, and
 - In the case of minor academic misconduct only, decide on the appropriate penalty.
- ii. Any penalty is subject to the approval of the Associate Dean (Academic) or, in the case of research work worth 30 points or above, to the Dean of Graduate Studies.
- iii. If academic misconduct is not confirmed, but there has been poor academic practice (relevant to coursework incidents only), then the matter should be resolved within the academic unit as specified in clause 5 a).
- iv. If the Academic Head determines the offence to be a major offence, the case must be referred by the Associate Dean (Academic) to the Deputy Vice-Chancellor (Academic) who will decide whether to send the matter to Discipline Committee or to refer it back to the Academic Head, or Dean of Graduate Studies.
- v. When the Deputy Vice-Chancellor (Academic) refers the matter back to the Academic Head or Dean of Graduate Studies, the incident is reclassified as minor academic misconduct and the Academic Head or Dean of Graduate Studies makes a decision on the penalty to be imposed.
- vi. Confirmed incidents of academic misconduct in coursework, tests or research work must be recorded in the University's Register of Academic Misconduct in accordance with the procedures relating to the Register.
- vii. Where academic misconduct is confirmed during a doctoral examination, the Academic Head will provide the Examination Committee with the details of any material contained within the thesis that constitutes academic misconduct. To avoid doubt: this material is provided for the purposes of facilitating statutory assessments in relation to the criteria for the award of the degree and not for any

punitive or disciplinary purpose.

6. Procedures for academic misconduct in examinations

a. Suspected offences within the examination room

The following procedures must be followed:

- i. If the suspected offence occurs within the Examination Room the invigilator must complete either form AS-36 (Report on Suspected Misconduct in an Examination) or AS-37 (Report on Unauthorised Material in an Examination).
- ii. The candidate will be interviewed by two Examinations Office staff directly after the suspected offence has been notified. The candidate will be informed of the details of the suspected offence and invited to submit a written statement.
- iii. Where a suspected offence occurring in one examination involves more than one student, all students must be interviewed separately.
- iv. Where appropriate, the Examiner will be asked to provide a report (on the form provided) on the significance of the suspected offence. Where such a report is requested, the candidate must be provided with a copy of the report and be given an opportunity to make a further written statement in response.
- v. The procedure then follows that outlined in 6 c).

b. Suspected offences identified at the time of marking

The following procedures must be followed:

- i. The member of staff who is marking the examination paper must fill out form AS-36 (Report on Suspected Misconduct in an Examination).
- ii. The Examiner will then be asked to provide a report (on the form provided) on the significance of the suspected offence.
- iii. The Examinations Office will provide the student concerned with a copy of the completed form AS-36, and invite the student to make a written statement. After a reasonable time (but no more than fifteen working days) if the student has not responded the process will proceed without the student's input.

c. Determination of conduct

- i. On receipt of the report from the Examiner (where one has been requested) the Examinations Services Manager will review the documentation and decide whether or not an offence has been committed.

- ii. Where there is insufficient evidence to determine that an offence has been committed and a finding of academic misconduct is not endorsed by the Examiner, the Examinations Manager will warn the student in writing. This warning is recorded in the Register of Academic Misconduct.
- iii. When there is sufficient evidence (supported by the Examiner's report, where provided), or an admission, the case is referred to the Deputy Vice-Chancellor (Academic) with a recommendation for forwarding to Discipline Committee.
- iv. The Deputy Vice-Chancellor (Academic) reviews the documentation to determine whether the case, supported by evidence or an admission, meets the standard for academic misconduct and referral to Discipline Committee. If not, the case is referred back to the Examinations Manager who issues a written warning to the student.
- v. If academic misconduct is confirmed, the case is recorded in the Register of Academic Misconduct.
- vi. The Register may be consulted for evidence of any prior offences or warnings against the student to assist in the determination of the appropriate penalty.

7. Penalties for academic misconduct

The penalties for academic misconduct vary with such factors as the seriousness of the offence, previous instances of academic misconduct by the student, and extenuating circumstances.

a. Minor academic misconduct

Academic units may impose the following penalties in cases of minor offences of academic misconduct:

- i. Reduction of the mark for the piece of work to which the academic misconduct refers, down to and including a mark of zero; or not marking the piece of work, thus giving it a mark of zero.
- ii. Reduction of the student's final grade for the course by up to three grade steps.
- iii. An oral or written reprimand.

Any penalties imposed by academic units must be approved by an Associate Dean or, in the case of research exercises worth more than 30 points, the Dean of Graduate Studies.

These parties must confirm that:

- i. The appropriate process was followed in coming to a decision about the penalty and,
- ii. The imposed penalty is appropriate to the offence, taking into account all the circumstances.

b. Major academic misconduct and academic misconduct in examinations

Discipline Committee may impose the penalties listed below in confirmed cases of major academic misconduct and in cases of academic misconduct in examinations:

- i. Reduction of the grade for the piece of work to which the academic misconduct refers, down to and including a grade of zero, or not marking the piece of work, thus giving it a grade of zero.
- ii. Reduction of the student's grade for the course, down to and including a grade of 'Fail'.
- iii. An oral or written reprimand.
- iv. A fine not exceeding \$1,000.
- v. Suspend attendance at the University for a period to be determined.
- vi. Cancel enrolment, i.e., expulsion from the University.

8. Right of review

Penalties imposed under this Statute may only be reviewed as specified below. The only grounds for review are that:

- i. There was a failure of the University's process and/or,
- ii. The basis of the decision was manifestly at odds with the evidence.

a. Reviewing decisions/penalties imposed by academic units

A student may request the Deputy Vice-Chancellor (Academic) to refer the decision on academic misconduct and/or the penalty imposed by an academic unit to Discipline Committee for review.

Any review request against a decision or penalty imposed by academic units must be notified in writing to the University Registrar within 20 working days of the decision or the penalty being notified to the student. The decision of Discipline Committee in these cases is final.

b. Reviewing decisions/penalties originally imposed by Discipline Committee

A student may request the Deputy Vice-Chancellor (Academic) to refer the decision and/or penalty to the Appeals Committee of the Council, as specified in the University's Statute for Student Discipline. Any review request against a decision or penalty imposed by Discipline Committee must be notified in writing to Deputy Vice-Chancellor (Academic) within 20 working days of the decision or the penalty being notified to the student.

When seeking a review, the student must clearly indicate the grounds on which the review is being sought and in particular whether the student seeks review of:

- i. The decision to find the student guilty of the offence; or
- ii. The penalty imposed on the student; or
- iii. Both the decision and the penalty imposed.

The student must also provide sufficient supporting details to enable the Deputy Vice-Chancellor (Academic) to determine if the appeal can proceed.

Where the Deputy Vice-Chancellor (Academic) declines a request under 8a) or 8b) the student will be notified in writing of the reason for the decision by reference to 8i) or 8ii). The Deputy Vice-Chancellor (Academic)'s decision on these requests is final.

9. Amendments to Statute

This Statute may be reviewed, amended or replaced from time to time. This Statute comes into effect on 27 July 2020 and replaces the 2010 Statute for Student Academic Conduct.

10. Definitions

All staff members means any individual employed or contracted by the University on a full or part-time basis. This includes permanent, fixed-term or casual staff members.

Academic Head refers to the Head of a department, school or disciplinary area, or delegate.

Course Director refers to the staff member responsible for academic oversight of the course. The Course Director may delegate some of the tasks described in this Statute to another nominated member of staff, but must work with that staff member as required to resolve poor academic practice and academic misconduct incidents.

Contract cheating means the form of academic misconduct where students have

academic work completed on their behalf, which they then submit for academic credit as if they had created it themselves. Contract cheating can involve the payment of a fee to a third party.

Coursework, for the purposes of this Statute, means assessments in taught courses, including pieces of research work worth less than 30 points. Invigilated tests are not defined as coursework.

Tests means tests conducted under examination conditions.

University of Auckland means the University of Auckland and includes all subsidiaries.

11. Key relevant documents

[Student Discipline Statute](#)

[Resolution of Student Academic Grievances and Complaints Statute](#)

[Examination Regulations](#)

[Student Charter](#)

[University Code of Conduct](#)

[Assessment \(Coursework, Tests and Examination\) Policy and Procedures](#)

[Research Code of Conduct Policy](#)

[Authorship Guidelines](#)

[Third Party Assistance in Undergraduate and Postgraduate Coursework Guidelines](#)

12. Document management and control

Prepared by: Office of the General Counsel; Academic Quality Office

Owned by: Deputy Vice-Chancellor (Academic)

Approved by: Council

Date approved: Interim review approved 27 July 2020

Review date: January 2021