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Shafston Academic and General Misconduct Policy and Procedure

Scope

This policy applies to all Shafston College students enrolled in any Shafston College course or packaged courses. It also applies to staff who have evidence that suggests a student may have engaged in academic or non-academic misconduct.

Principles of dealing with alleged cases of Academic and General misconduct

Shafston College values academic honesty and integrity and expects ethical behaviour in all aspects of its academic endeavours. The College approach to academic integrity is primarily aimed at educating students about expectations for academic writing and the appropriate use and acknowledgement of intellectual material, including authorship.

Academic integrity is a key principle underpinning the awarding of marks and grades for assessments and examinations. Students must ensure that the work they submit for assessment is their own (or that of their group in the case of authorised group work) and acknowledges the work, ideas, and data of others. Any form of cheating is a threat to the reputation of Shafston College and will be treated seriously.

Shafston College examines and deals with incidents of misconduct by its students in a consistent manner in accordance with this policy, affording natural justice and procedural fairness and applying penalties that are appropriate, fair, and just.

Shafston College will take steps to ensure the integrity of its assessment processes. This may include setting assessment tasks in class and supplementary oral assessment to verify aspects of written assignments.

Each case of alleged misconduct is dealt with on its merits, in consideration of the circumstances surrounding the case and in accordance with this policy.

Students are to be informed of their rights and responsibilities in relation to academic misconduct and its investigation.

Definitions

Cheating means fraud, dishonesty, or trickery of any kind in relation to an academic assessment. Examples cheating include:

- copying or attempting to copy from other students in an assessment, or in an examination.
- communicating with others during an examination.
- using any unauthorised materials, or mechanical or electronic devices in an examination.
- tampering with examination or assessment materials.
- leaving examination or test answer papers exposed to the view of other students.
- colluding with other students in individual assessments, such as online quizzes and/or written work.
- allowing others to provide you with any materials that give you an unfair advantage in an assessment.
- purchasing material and submitting it as your own work.
- providing Shafston College learning materials to other students to enable them to present it in part or whole as their own work.
- completing an individual assessment for another person or having someone else complete all or part of your individual assessment and submitting it as your own work.
- making changes to an assignment that has been marked then returning it for re-marking claiming that it was not correctly marked.
- taking an examination for another person or having another person take an examination for you.
- providing forged or falsified academic, medical, or other documents in order to gain unfair academic advantage.



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- making a false claim in relation to an assessment or examination, in order to obtain an unfair advantage.
- the falsification of data, information, or citations as part of an assessment.
- attempting to prevent other students from completing their assessment work.

Collusion occurs when a student works with others, contrary to Shafston's instructions, in an attempt to gain an unfair advantage in an assessment task.

Examples of collusion include:

- joint effort in an assessment (unless it is authorised collaboration).
- copying of material prepared by another person for use in an assessment.
- undue assistance from any other person in an assessment.
- making assessment answers or material available to other students for viewing or copying, either knowingly or unknowingly. It is the responsibility of students to ensure their assessment material is secure and not easily accessible to other students.

Contract cheating occurs when one or more students engage another party to complete work and then submit it as their own, without acknowledgement. It is illegal in Australia to provide or advertise academic cheating services in all education settings. *Contract cheating* is considered a serious breach of Academic Integrity.

Misconduct means any behaviour or action that is deemed inappropriate and can disrupt the learning of self and others, interfere with Shafston College operations, inhibit, or prevent staff members from carrying out their duties, or endanger the health and safety of yourself, other students, or staff.

The types of misconduct are:

- **Behavioural Misconduct:** Inappropriate personal conduct and behaviour.
- **Academic Misconduct:** Inappropriate conduct and behaviour when undertaking education and training activities.

Plagiarism means the presentation of work, ideas, or data of others as one's own, without appropriate acknowledgement and referencing.

Examples of plagiarism include:

- any use or attempt to use the work, words, or ideas of others without attribution of the author, or
- any attempt to pass off the work, words, or ideas of others as the writer's own.

Plagiarism also extends to reusing significant portions of one's own work, previously submitted for a different assessment. This is known as self-plagiarism.

In the context of assessment, plagiarism occurs when a student:

- presents any phrase or exact extracts from any source (including oneself and Shafston College learning materials), without appropriate use of quotation marks and reference to the author.
- presents all or part of an assessment event which has previously been submitted by the student or another student (past or present) in their assessment.
- copying the work of another student, with or without their permission.
- copying tables, graphs, images, designs, computer programs and any other data, ideas or work without appropriate acknowledgement and referencing.

Policy

Academic misconduct refers to any form of dishonesty by a student relevant to the student's learning experience at Shafston College.

Student Expectations

Students are expected to:

- act with integrity and honesty at all times.



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- observe standards of respect, equity, and cultural sensitivity.
- use Shafston's learning resources only for the purpose for which they are provided and take care of those resources.
- refrain from behaviour that diminishes Shafston reputation by breaching professional, ethical, legal, or social expectations; and
- respect Shafston name both on- and off-campus and in virtual environments.

Examples of Misconduct

Misconduct is generally broken into two types:

- **Minor Misconduct; and**
- **Major Misconduct.**

Whilst these are sometimes dependent on the context of what has occurred, below are some guidelines of which each involves.

Minor Misconduct

Personal conduct and behaviour that breaches the standards of conduct set out in the Shafston College students Rules and Policies, but where the extent or impact of the breach is not substantial, such as:

Behavioural Misconduct

- use of inappropriate or offensive language.
- failure to comply with directions from Shafston College staff.
- inappropriate use of personal electronic devices; and
- inappropriate clothing, including clothing that contains offensive language or images that may offend others.
- smoking on Shafston College and sites (including burning tobacco products, herbs, drugs, or the vapour from a personal vaporiser, e-cigarette, or other device).

Academic Misconduct

Minor breach of assessment and academic progression rules, including:

- Failure to comply with directions from a Shafston College staff member for a classroom or learning activity.

Major Misconduct

Personal conduct and behaviour that breaches the standards of conduct set out in the Shafston College student rules and policies, and where the extent or impact of the breach is substantial, such as:

Behavioural Misconduct

- any form of harassment, whether based on gender, race, age, sexual preference or religious belief.
- behaviour that subjects another person to an unsolicited act of physical intimacy, makes an unsolicited demand or request of a sexual nature to another person, makes a remark with sexual connotations relating to the other person, or engages in any other unwelcome conduct of a sexual nature towards the other person.
- abusive or aggressive behaviour that causes offence, fear, or harm to others, such as verbal abuse or making threats to others.
- use of technology to hurt, threaten, harass, or humiliate another person and cause fear and distress,



including use of collaboration and communication functions with systems/platforms and social media channels.

- physical violence directed to others.
- being under the influence of prohibited drugs and/or substances, including alcohol.
- possessing dangerous articles or banned substances.
- willfully obstructing or disrupting any official meeting, ceremony, activity, class, or examination.
- willfully damaging or wrongfully dealing with Shafston College property and resources, or the property of other persons.
- making a false representation concerning your identity or status as a student.
- trespassing or knowingly entering any place within Shafston College premises that is out of bounds to students.
- refusing to obey health and safety and emergency procedures; and
- repeated instances of minor behavioural misconduct.

Academic Misconduct

Major breach of assessment and academic progression rules, including:

- directly copying another person's work without proper acknowledgement.
- using or developing another person's ideas without acknowledging them.
- using the work of other students (with or without their permission) and claiming it as your own.
- handing in an assessment item that is a duplicated or copied from another person.
- colluding with another student in a deceitful way to develop a submission for an assessment that is restricted to an individual attempt.
- using notes or other resources without permission during formal assessment.
- having several people write one assessment response or exercise and hand in multiple copies, all represented (implicitly or explicitly) as individual work.
- contributing Shafston College learning materials and/or assessment to third party online platforms (e.g., Course Hero) that are accessed by the public to obtain study resources (this at a minimum constitutes copyright infringement and may be considered as colluding with another student in a deceitful way to develop a submission for an assessment that is restricted to an individual attempt).
- obtaining and using assessment answers or solution from a teacher without permission.
- misrepresenting, falsifying, misstating or fabricating data, results or information used for the purposes of assessment.
- providing fraudulent certification in order to gain academic credit or recognition.
- failing to comply with instructions relating to the conduct of assessment/examinations.
- failing to participate in structured training, assessment, or another course related activities.
- failing to attend the formal meetings scheduled to discuss your academic progression.
- failing to adhere to the learning intervention strategies developed to support your academic progression.
- not working towards achieving the qualification or statement of attainment stated in the training contract or confirmation of enrolment (CoE); and
- repeated instances of minor academic misconduct.

Other Non-academic misconduct

Non-academic misconduct is any action by a student relating to people or property, which is contrary to the generally accepted standards expected at Shafston College. These acts of misconduct are not restricted to those that occur on Shafston College but also include those that occur while the student is with a host employer as part of a work placement or internship arrangement.



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Non-academic misconduct may include but is not limited to, a student:

- submitting fraudulent documents to gain admission to a Shafston College qualification.
- behaving inappropriately in an activity under the administration or supervision of Shafston College.
- placing others or themselves at risk in regard to health and safety.
- altering or defacing any document or record belonging to Shafston College.
- misusing, stealing, destroying, or damaging any property (including computer and communications facilities) of another, including Shafston College.
- willfully disobeying or disregarding any order, direction, rule, penalty, or condition made by Shafston College.
- interfering with the freedom of others to pursue their studies or for staff to carry out their work-related functions at Shafston College.
- harassing or intimidating another because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, religious beliefs, or political conviction or for any other reason.
- unreasonably prejudicing or undermining the reputation, academic standing, authority, integrity, or credibility of Shafston College, its representatives or courses
- using or supplying prohibited substances.

Procedure

The following will be considered when determining the seriousness of an act of academic misconduct:

- type of academic misconduct,
- extent of academic misconduct,
- experience of the student,
- prior offences, if any (this will include prior offences in other courses at the College), and
- the student's stage or level in the course.

All Shafston College students will be provided with, and have access to, information about Academic and General Misconduct and how to avoid during orientation. They will also access this information via the Student Handbook and the online Learning Management System.

Management of allegations of academic and general misconduct

Step 1 – Detection

Where a staff member reasonably believes or suspects that a student has committed an Act of Misconduct, that person must submit a written Report and add specific details regarding the Alleged Act of Misconduct to the relevant Shafston college Academic Manager within five (5) working days of the matter being identified.

The written report must include: the details and position of the person submitting the report, when the alleged misconduct occurred, the nature of the alleged misconduct and other information as deemed relevant, such as other people involved and any action already taken. Confidentiality is to be maintained by all parties during this process.

The offence will be recorded in *the Academic Misconduct Register* and the matter will also be referred to Student Support Officer (SSO) and Academic Manager so the investigation stage can start.

Step 2 - Investigation

All alleged breaches will be investigated according to the principles of Procedural Fairness, as quickly as possible by the Academic Manager. An investigation of the allegation will be conducted by Shafston College and the student will be notified of the case against them with an opportunity to provide comment on the allegations. The investigation will normally take no longer than ten working days and in some cases may involve that the student will receive a standard Warning letter via email and an interview with the student or other relevant parties to discuss the allegations and the evidence presented will be scheduled.

Should an interview take place with the student: if the student is under 18 the student must be supported by



a parent or legal guardian. If the student is over 18 the student is entitled to be supported by another person.

Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.

Depending on the nature and complexity of the case, the time taken to properly gather the relevant information and to decide a case will vary.

The designated Academic Manager must record what was discussed during the meeting in the interview.

Where the student does not respond to the meeting request or refuses to participate, the designated Academic Manager makes a recommendation based on available evidence.

The process then moves to the decision stage in Step 3.

Step 3 – Decision

After considering all the evidence, the designated Academic Manager makes a recommendation regarding whether a breach of academic integrity can be substantiated and whether it is a 'minor' or 'significant' breach, based on the evidence gathered.

Minor academic misconduct (and not minor plagiarism detected).

Typically, lower penalties apply to minor misconduct such as plagiarism, self-plagiarism and/or misconduct that is deemed not to be a major offence. Shafston College acknowledges that minor misconduct offences like plagiarism may occur early in a student's program, possibly due to poor understanding of academic practice. In such circumstances, the purpose of the penalty is to educate the student on correct academic practices.

Penalties imposed will consider the nature and the extent of the misconduct, penalties will be dependent on the nature of the misconduct which may vary from police intervention (e.g., for theft) to re-sitting of assessments for cheating or plagiarism). Some examples of minor misconduct penalties are:

- a warning or formal reprimand to the student.
- requiring the student to attend academic support classes.
- allowing the student to resubmit the assessment, possibly with a cap imposed on the maximum possible mark.
- a reduced mark for the assessment, including to zero.
- penalties imposed will consider the students' stage in the program.

if minor, whether initial or repeated, the designated Academic Manager recommends the penalty based on details gathered in the investigation.

Major academic misconduct:

All Academic teachers and trainers need to inform the Academic Manager immediately when a major academic misconduct is suspected.

Academic Teachers and trainers:

- Do not release the marks of the assessment to the student when violation of Academic Integrity is suspected.
- Do not have any further correspondence with the student once the Academic Misconduct issue has been referred to the Academic Manager. Such correspondence will be handled by the Academic Manager.

Penalties may include one or more of:

- A reduced mark in respect of the piece of Assessment to which the allegation relates.
- no marks in respect of the piece of Assessment to which the allegation relates.
- a written reprimand.
- prevention of student from having any or such specified contact with particular students or members of staff of the College, as is considered necessary or appropriate.



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- a Fail grade for the unit to which the allegation relates.
- notation of disciplinary action on the student's academic file.
- multiple and/or other penalties, as deemed appropriate by the Academic Manager.

The Academic Manager must keep a record of all findings of breaches of Academic Misconduct matters and all penalties imposed in respect of such findings. This information is recorded on the student's file and forms part of the student's disciplinary record.

Appeals Process

If dissatisfied with the outcome of an academic misconduct offence, students have the right to appeal.

The first stage for an appeal is through informal consultation. Appeals must be lodged in writing to the Academic Manager of Shafston within twenty working days of the date of the student being notified of the consequence. The student's appeal will be acknowledged within five working days with a response to the student complaint being returned within ten working days.

If the student remains dissatisfied, there are options for a *Formal Internal Appeal* and an *External Appeal*. Full details of the *External Appeals Process* are found in the *Complaints and Appeals Policy*.

Relevant Legislation

Education Services for Overseas Students Act 2000 (ESOS Act) [Education Services for Overseas Students Act 2000 \(legislation.gov.au\)](http://www.legislation.gov.au)

National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(legislation.gov.au\)](http://www.legislation.gov.au)

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***** END OF POLICY *****