Academic Integrity, Honesty and Conduct Policy

Introduction
This policy is current as of 2 February 2015.

Scope
This policy is applicable to Kaplan Higher Education Pty Ltd, trading as Kaplan Professional Education.

Purpose
The purpose of the Academic Integrity, Honesty and Conduct Policy is to provide:

• a fair, equitable and confidential framework and process for investigating and resolving alleged cases of student misconduct
• a set of principles to underpin the investigation process
• a set of procedures for dealing with confirmed acts of misconduct by students.

Principles of dealing with alleged cases of misconduct
Students should refer to the ‘definition of terms’ in the policy section of Kaplan’s website for more information on relevant terms used in this policy (e.g. collaboration, collusion, plagiarism).

1. 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
2. Students will be treated fairly and equitably and with due regard to their privacy and the principles of natural justice and procedural fairness
3. Students will be regarded as not having committed the alleged Act of Misconduct unless they admit to the misconduct, or an investigation/hearing determines that they committed an Act of Misconduct
4. Knowledge of a student’s previous behaviour will not be assumed to be evidence that they have acted in the same manner again. Such knowledge, however, may be considered relevant to the level of penalty that may be imposed
5. Students are to be informed of their rights and responsibilities in relation to academic misconduct and its investigation.

What is an act of misconduct?
An act of misconduct refers to non-academic or academic misconduct by a student of Kaplan.

Academic misconduct
Academic misconduct refers to any form of dishonesty by a student related to the delivery of course material or assessment. It includes, but is not limited to:

• any attempt by a student to submit work for an assessment that is not their own (e.g. plagiarism, purloining, non-referencing, ghost writing)
• any form of collusion between students or other individuals other than authorised collaboration
• any act that may impair or hinder the learning or assessment performance of others
• any action which is contrary to the study and assessment instructions given by Kaplan
• taking material into an examination contrary to the instructions for that examination, or being in possession of material which might be used to convey information about the subject under examination
• acting dishonestly in any way, assisting or attempting to assist any other student to act dishonestly in relation to an assessment or part of an assessment.
• the removal or attempted removal (either physical or electronic) of examination materials from the examination environment.

Non-academic misconduct

Non-academic misconduct is any action or conduct by a student relating to people or property, which is contrary to the generally accepted standards expected by Kaplan. Non-academic misconduct may include, but is not limited to, a student:

• submitting fraudulent documents to gain admission to a Kaplan qualification
• behaving inappropriately in an activity under the administration or supervision of Kaplan
• placing other students or staff at potential threat to their own health and safety
• altering or defacing any document or record belonging to Kaplan
• misusing, stealing, destroying or damaging any property (including computer and communications facilities) of Kaplan, a staff member or another student
• wilfully disobeying or disregarding any order, direction, rule or condition made by Kaplan
• failing to comply with any condition or penalty imposed for student misconduct under this policy
• interfering with the freedom of others to pursue their studies or for staff to carry out their work-related functions at Kaplan
• harassing or intimidating another student or staff member 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 Kaplan, its representatives, its courses or means of assessment
• Use/supply of prohibited substances.

What is plagiarism/collusion?

Plagiarism

Plagiarism refers to:

• any use of 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.

In the context of assessment plagiarism occurs when a student:

• presents any phrase or extracts verbatim from any source (including Kaplan subject material), without appropriate use of quotation marks or reference to the author
• presents an assessment event as their own work when it has been produced, in whole or part with other people, for example, with other students, practitioners or work colleagues without appropriate recognition
• presents all or part of an assessment event which has previously been submitted by another student (past or present) in their assessment.
**Collusion**

Collusion occurs when students work together in an attempt to gain an unfair advantage in the gaining of a qualification or academic credit towards these. Collusion is considered contrary to authorised assessment preparation approaches and includes the following methods of work which are not authorised:

- joint effort in an assessment (unless it is part of authorised collaboration as defined above)
- copying of material prepared by another person for use in an assessment
- assistance from another person, not necessarily another student, 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.

**Guidelines for alleged cases of misconduct**

**Stage 1: Alleged act of misconduct reported**

Where a staff member, marker, student or other approved individual reasonably believe or suspect that an Act of Misconduct by a student has occurred, or may have occurred, that person must submit a Report of Alleged Act of Misconduct to the relevant Kaplan manager within two (2) working days of the matter being detected. Confidentiality is to be maintained by all parties in this process.

The Report of Alleged Misconduct (see Appendix A) can be in the form of an email or a written document but it must contain specific details of the alleged act of misconduct. This includes: the details and position of the person submitting the report, when the event occurred, the nature of the event and other information as deemed relevant such as other people involved and any action that was taken, etc. Confidentiality is to be maintained by all parties in this process.

**Stage 2: Investigation**

An investigation of the allegation will be conducted by Kaplan. The investigation will normally take no longer than ten (10) working days and may involve an interview with the student or other relevant parties to discuss the allegations and the evidence presented. Should an interview take place with the student, they are entitled to be supported by another person, but the student must advise Kaplan in writing the name of the support person prior to the interview. Where the investigation relates to assessment results, these will be withheld until all proceedings relevant to the allegation have been finalised.

**No misconduct identified**

Where it is determined that there is no case of misconduct the student will be notified in writing of the outcome of the investigation within (5) working days of the conclusion of the investigation, and where relevant assessment results will be released.

**Misconduct identified**

Where it is determined that a case of misconduct has occurred the student will be notified in writing of the outcome of the investigation within (5) working days of the conclusion of the investigation and any penalty that is to be imposed. The student will also receive details on the appeals process. (Refer to the Student Complaints and Appeals Policy for this information).

**Note:** Any overseas student who is suspended or excluded due to an Act of Misconduct will be reported to the Department of Immigration and Board Protection (DIBP) through the Department of Education, Employment and Workplace Relations’ (DEEWR) reporting system.
Admission of misconduct by a student

If, at any time during the process of the investigation the student concerned formally admits to the alleged Act of Misconduct, then all further investigation, hearing or referral of the allegation ceases. A determination will then be made as to an appropriate penalty. See Stage 3 - Determination of penalty.

Misconduct cannot be resolved or established

Where a determination is unable to be reached after investigation the matter will be referred to a Review Panel. See Stage 4 Hearing of misconduct by Review Panel.

Stage 3: Determination of penalty

Penalties imposed are to be appropriate to the nature and gravity of the Act of Misconduct established by the evidence. The decision on the penalty will take into account, but is not limited to:

- the type of misconduct involved, whether academic or non-academic
- the previous discipline record of the student concerned
- whether the student admitted to the alleged misconduct
- whether the student assisted or hindered the investigation process
- whether or not there were any extenuating circumstances or mitigating factors
- the number of students affected by or involved in the misconduct
- the benefit derived from the misconduct by the student
- any other similar cases of student disciplinary and their outcomes.

Penalties for proven Acts of Misconduct

One or more of the following penalties may be imposed on the student:

- a formal caution or reprimand, to be recorded on the student’s record with Kaplan
- a probationary period to be placed on the student and recorded on the student’s record with Kaplan
- suspension from a course of study for a period of time
- expulsion from a course of study
- a deduction of all or a specific number of marks for the assessment event/item (or part thereof)**
- the imposition of a maximum allowable grade (i.e. ‘Pass’ grade) for the assessment item or overall mark
- a requirement to undertake supplementary assessment with the costs associated with marking and evaluating the additional assessment item to be borne by the student
- the annulment of all marks and the awarding of a ‘Disciplinary fail’ on the student’s record, and as a ‘Fail’ grade on any public record relating to that assessment item or subject.
- the exclusion of the student from Kaplan courses permanently or for a period of time as specified
- to make good any damage caused by the student to the property, performance or standing of the institution, a staff member or another student.

** For proven acts of cheating, plagiarism and/or collusion the minimum penalty applied will be a zero mark for the identified part of the assessment. Where more than 50% of the work submitted in an assessment is proven to be plagiarised/colluded the student will receive a zero (0) mark for the whole assessment item. Students who are found guilty of plagiarism or collusion for a second time will receive an automatic disciplinary fail in the subject. Where cheating is identified and proven in an exam the student will receive zero marks for the whole exam.
Stage 4: Hearing

If a misconduct matter cannot be resolved after investigation, a Review Panel will be convened to hear the case of alleged misconduct within seven (7) working days of the student being informed that the matter cannot be resolved.

The Review Panel will consist of the Vice President, Higher Education or nominee, an external independent person nominated by the Vice President, Higher Education, and the relevant Kaplan manager who will chair the panel. The Review Panel will determine the conduct of investigations into the alleged Act of Misconduct, and determine the procedures to be adopted at a hearing, consistent with general principles of procedural fairness.

Notice of misconduct hearing

Students will be provided with:

- details of the hearing including the procedures to be followed by the Review Panel at the hearing
- details relating to the alleged Act of Misconduct
- notification that the student should attend the hearing in person (unless this is not feasible due to geographic, or other reasons) and to contact Kaplan if they cannot attend the hearing
- notification that, if desired, the student may have one support person attend the hearing
- any other information that the Panel deems necessary to provide
- notification that the student has five (5) working days after receipt of the Notice of Misconduct Hearing to make any queries or objections in relation to the hearing or composition of the Panel.

Student’s confirmation

The student will be required to confirm their attendance at the hearing (via email/letter/text). Failure to confirm their attendance/non-attendance at least two (2) working days prior to the hearing day will result in an automatic disciplinary fail in the assessment and the hearing will be cancelled.

Conduct of the hearing

The Review Panel will review all evidence presented and may make inquiries as it thinks fit prior to and during the hearing. The student and institution will be entitled to provide any evidence, present a defence, correct any information and explain their conduct and any mitigating factors or extenuating circumstances relevant to the allegation. The Review Panel may also call on a person to give evidence or examine or cross-examine any person giving evidence at the hearing when reasonably necessary to do so.

The hearing will be minuted and may be referred to by the Panel members or the student during any deliberations. The minutes may also be referred to by the Appeals Committee in the event of an appeal by the student against the Panel’s decision.

The Panel must determine whether or not an Act of Misconduct has occurred and whether or not the student concerned committed that act and will also submit a written report to the relevant Manager containing the findings and recommendations of the Panel for the record and for any further action required, within three (3) working days of the Panel completing its investigation.
Stage 5: Appeals process

Right to appeal

Any student subject to a determination or penalty in relation to an Act of Misconduct is entitled to appeal to the Academic Board Appeals Committee against the determination made or the penalty imposed.

If a student wishes to appeal against a determination, they must lodge a written Notice of Appeal. Please see the Student Complaints and Appeals policy for more information on the Appeal process and any forms.

Documentation

The details relating to allegations of Acts of Misconduct, both academic and non-academic will be documented in writing and recorded on file in the relevant Kaplan office and, where appropriate, in the students' individual file. All records of the alleged Act of Misconduct will be retained on file for a period of five years, or for the period of the student's enrolment.

In order to strictly enforce the rules and regulations of the Commonwealth and relevant State Law and to implement the rules and regulations of Kaplan, students are to adhere to the rules and regulations contained in this Policy.

Kaplan reserves the right to change the rules and regulations as necessary. Students are to be notified of any changes made to the rules and regulations through the programme Email Updates.

Related policies

This policy should be read in conjunction with the following Kaplan policies:

- Definition of terms
- Access and Equity Policy
- Assessment Policy
- Student Complaints and Appeals Policy

Responsible Officer

The responsible officer for the implementation and relevant training of this policy is the Vice President, Academic.
## Appendix 1

### The Report of Alleged Misconduct form

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