

These rules support the Academic Integrity Policy.

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## 1 PRELIMINARY

These Rules relate to student conduct, investigations, penalties and appeals.

## 2 DEFINITIONS

Refer to definitions in the Academic Integrity Policy which are also applicable to this document. In addition, the following definitions will apply.

TERM	DEFINITION
<b>Academic Integrity Coordinator</b>	Refers to the person who is authorised to investigate an allegation of Misconduct
<b>Assessment Task</b>	A process or task to determine a Student's achievement of identified learning outcomes, which may include a range of written and oral methods, practice, demonstration, test or examination.
<b>Bribery or Coercion</b>	To attempt to bribe or coerce a Staff member or another Student in order to gain academic advantage including but is not limited to: <ul style="list-style-type: none"> <li>• Attempts to coerce, blackmail or intimidate another person; or</li> <li>• Offering or accepting bribes (money, incentives, in-kind offers or similar); in order to obtain Assessment outcomes (marks, grades)</li> </ul>
<b>Cheating in Tests and Examinations</b>	To engage in dishonest or unfair conduct during an examination by failing to comply with specified requirements, conditions and instructions, including but not limited to: <ul style="list-style-type: none"> <li>• Copying or attempting to copy from another Student;</li> <li>• Communicating or attempting to communicate with another Student;</li> <li>• Possessing or attempting to use any unauthorised: <ul style="list-style-type: none"> <li>○ printed or written material (for example, study notes or inappropriate reference material);</li> <li>○ electronic calculating, information storage or communication device (for example, programmable calculator, mobile phone, smartwatch or any other Wi-Fi enabled device);</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Sending, receiving or accessing, or attempting to send, receive or access, any source of unauthorised electronic information;</li> <li>• Failing to follow instructions in an Examination (for example, continuing to write or perform a task being examined after an Invigilator has announced the end of the Examination);</li> <li>• Removing or attempting to remove any question or answer paper or other ECC materials from the Examination room; or</li> <li>• Distributing Examination questions or materials such that it would unfairly prejudice other Students.</li> </ul>
<b>Conflict of Interest</b>	A situation where one party has the potential for contradictory interest or loyalty. In the event that a Conflict of Interest exists, an independent third party will be appointed to investigate allegations of Academic Misconduct.
<b>Contract Cheating</b>	To employ or use a third party to undertake all or part of an Assessment Task, including but not limited to: <ul style="list-style-type: none"> <li>• Outsourcing, purchasing, exchanging, or selling, or attempting or offer to outsource, purchase, exchange, or sell, any item that can be submitted for an Assessment Task, whether pre-written or specially prepared for another student(s) including through unauthorised or improper use of internet or file-sharing sites;</li> <li>• Submitting an Assessment Task produced by someone else, including a friend, family member, current or former student, private tutor or academic staff member; or</li> <li>• Impersonating another person or allowing someone else to impersonate you, in order to complete an examination or Assessment Task.</li> </ul>
<b>Electronic Record</b>	ECC electronic reporting system used to internally record, manage and report on Academic Integrity offences and penalties applied.
<b>Examination</b>	An invigilated form of assessment where a Student is required to undertake specific Assessment Tasks within a specified period of time and where the location and access to external assistance is regulated.
<b>Fabrication or Falsification</b>	To make up or lie about documents, data, content, sources, or information about materials submitted for an Assessment Task, including but not limited to: <ul style="list-style-type: none"> <li>• Fabricating or falsifying Research data;</li> <li>• Fabricating or falsifying information and sources, including citing non-existent or incorrect sources;</li> <li>• Making false statements about material submitted for Assessment Task, including misleading information about: <ul style="list-style-type: none"> <li>○ Individual contributions to a group Assessment Task or attributions of authorship; or</li> <li>○ Attendance at or participation in practical, performance or professional learning activities;</li> </ul> </li> <li>• Failing to disclose information about an Assessment Task when information is requested or there is a duty to disclose such information; or</li> <li>• Fabricating or falsifying documents (including but not limited to medical certificates, police reports) for purposes related to an Assessment Task (including special consideration for an Assessment Task).</li> </ul>
<b>Failure to meet required Research standards</b>	Failure to meet required Research standards including but not limited to: <ul style="list-style-type: none"> <li>• Conducting Research without ethics approval as required by the <i>National Statement on Ethical Conduct in Human Research</i> and the <i>Australian Code for the Care and Use of Animals for Scientific Purposes</i>;</li> <li>• Failing to conduct Research (and manage data) as approved by an appropriate ethics review body;</li> <li>• Conducting Research without the requisite approvals, permits or licences;</li> <li>• Misuse of Research funds; or</li> <li>• Concealment or facilitation of Academic Misconduct in Research by others.</li> </ul>

<b>Invigilator</b>	Any person employed by or acting on behalf of ECC or Partner Provider to attend and/or supervise students sitting a test or examination.
<b>Outcome</b>	A course of action, consequence, direction, result, or penalty imposed by the Academic Integrity Coordinator in accordance with ECC Academic Misconduct Rules and Procedures.
<b>Plagiarism:</b>	<ul style="list-style-type: none"> <li>• A form of Academic Misconduct which means to intentionally or unintentionally present as one's own ideas or work, the ideas or work of another person without appropriate referencing or acknowledgement. This includes, but is not limited to a person whether identically, substantially or in essence:             <ul style="list-style-type: none"> <li>○ sentences or whole passages of written text, without appropriate paraphrasing and referencing of sources;</li> <li>○ another person's or persons' assignment;</li> <li>○ Research data or results, formulae, proofs, designs, computer code or software, without appropriate referencing or acknowledgement; or</li> <li>○ figures, drawings, cartoons, paintings, still photographs, audio or visual files, multimedia objects, art objects or practical artefacts, without appropriate referencing or acknowledgement;</li> </ul> </li> <li>• Copying (identically, substantially or in essence) one's own work that has been submitted for assessment at another time (either at ECC or another institution), without permission from the Unit Coordinator for which the assessment is to be submitted. This does not include copying your own work when repeating a Unit or resubmitting an Assessment Task.</li> </ul>
<b>Unauthorised Collaboration</b>	<p>To work with one or more persons in a dishonest way to develop a response or submission for an Assessment Task, which is restricted to individual effort. This may include, but is not limited to a Student:</p> <ul style="list-style-type: none"> <li>• Working with one or more persons on an Assessment Task, which is presented as an individual Student's response;</li> <li>• Working with another group or other groups on a group Assessment Task, which is presented as an individual group's response; or</li> <li>• Assisting another Student or group, intentionally or recklessly, to commit an act of Academic Misconduct by sharing responses or allowing another Student or group to copy their work.</li> </ul>

### 3 ACADEMIC MISCONDUCT PROCEDURES

- 3.1 ECC staff will refer to the ECC Academic Misconduct Procedures which is to be read and implemented with these Rules. From time to time, the Academic Misconduct Procedures may be amended with the approval of the ECC Academic Council.

### 4 REPORTING

- 4.1 A Staff member who has been told about, or who has reasonable grounds to believe that a Student has committed Academic Misconduct, will report it in accordance with the Academic Misconduct Procedures.
- 4.2 Where there is insufficient evidence of Academic Misconduct, the Academic Integrity Coordinator may dismiss an allegation of Academic Breach or Academic Misconduct.
- 4.3 Where there is sufficient evidence of Academic Breach or Academic Misconduct, the matter will be further investigated by the Academic Integrity Coordinator.

## 5 INVESTIGATION

- 5.1 In conducting an investigation, the Academic Integrity Coordinator:
- 5.1.1 May seek evidence from whatever sources as they consider to be appropriate;
  - 5.1.2 May interview any person(s) who made an allegation or reported the matter;
  - 5.1.3 Will take reasonable steps to contact and ask the Student to participate in a Student interview;
  - 5.1.4 Will (subject to Rule 6.1) provide the Student with copies of evidence (documents, information, or photos) before any Student interview and before making an adverse decision against the Student;
  - 5.1.5 Will provide the Student with natural justice (the right to be heard);
  - 5.1.6 Will make reasonable and fair decisions based on the evidence and on the *balance of probabilities* (that the allegation is more than 50% likely to have occurred)
  - 5.1.7 Will act as quickly as is practicable and in line with Academic Misconduct Procedures; and
  - 5.1.8 May dismiss an allegation if, in their reasonable opinion, there was no Academic Breach or Academic Misconduct.

## 6 INTERVIEWS WITH STUDENTS

- 6.1 Student interviews will be conducted in line with the Academic Misconduct Procedures. If, after taking reasonable steps to make contact, the Student fails to respond or fails to participate in an interview, the Academic Integrity Coordinator will investigate and decide the matter without input from the Student

## 7 DECISIONS AND OUTCOMES:

- 7.1 The first step in an investigation is that the Academic Integrity Coordinator will decide if there is evidence of Academic Breach or Academic Misconduct.
- 7.2 If the Academic Integrity Coordinator determines that Academic Breach or Academic Misconduct occurred, then he/she will consider:
- 7.2.1 the context (circumstances) and severity of the conduct;
  - 7.2.2 the Student's previous record of Academic Breach or Academic Misconduct-related Outcomes, and
  - 7.2.3 any mandatory Outcomes to be imposed as described in the Academic Misconduct Procedures;
  - 7.2.4 which Outcome described in Rule 7.3 will be imposed.
- 7.3 The Academic Integrity Coordinator may impose one or more of the following Outcomes:
- 7.3.1 require the Student to engage in educational interventions – if the Student fails to provide evidence of completing this within a reasonable period, the Academic Integrity Coordinator may apply another Outcome;
  - 7.3.2 give the Student a written warning;
  - 7.3.3 require resubmission of an Assessment Task, to be awarded a maximum 50% pass mark;
  - 7.3.4 deduct marks based on severity of the Academic Misconduct;
  - 7.3.5 award zero (0%) for the Assessment Task or Examination
  - 7.3.6 for Academic Misconduct in an Examination, require the Student sits another Examination (only in cases of extreme extenuating personal circumstances);
  - 7.3.7 record a Fail in the relevant Unit;
  - 7.3.8 suspend the Student from ECC for up to twelve months; or
  - 7.3.9 expel the Student from ECC.
- 7.4 The Academic Integrity Coordinator (or in the case of Academic Breach – the Unit Coordinator) will notify the Student in writing of the Outcome of any investigation – regardless of whether it was dismissed or if a penalty was imposed, and the reasons for the decision.
- 7.5 If, at a later date, new evidence arises, the Academic Director or Director of Studies may have the matter re-investigated and if applicable, apply a different Outcome.
- 7.6 Nothing in these Rules limits the provisions for cancellation of enrolment or Student expulsion under the Admission, Enrolment and Academic Progress Rules.

## 8 APPEALS

- 8.1 If a Student is dissatisfied with a finding of Academic Breach or Academic Misconduct, or the Outcome imposed, the Student may appeal against that decision in line with the grounds specified in the ECC *Complaints and Appeals Policy*.

## 9 CONTACT INFORMATION

For queries relating to this document please contact:

<b>RULES OWNER</b>	Academic Director
<b>ALL ENQUIRIES CONTACT:</b>	Academic Integrity Officer Academic and Program Coordinators
<b>TELEPHONE:</b>	08 6279 1100
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## 10 APPROVAL HISTORY

<b>APPROVED BY:</b>	ECC Academic Council
<b>DATE FIRST APPROVED:</b>	May 2019
<b>DATE LAST MODIFIED:</b>	August 2019
<b>REVISION HISTORY:</b>	Originally incorporated into the Student Misconduct Policy Previously named Academic Breach and Academic Misconduct Rules (Students)
<b>NEXT REVISION DUE:</b>	August 2021

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For further information on the ECC Rules and Procedures Framework contact:

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