

# Procedures for consideration of an allegation of academic misconduct by a higher degree research candidate

The current policy concerning “Academic Misconduct” addresses the following matters:

## **Grounds for the allegation**

Deliberate failure to provide adequate documentation to acknowledge the source of ideas and expressions used in written work may constitute plagiarism.

## **Point of reference for the allegation**

The matter may be referred in writing to the Dean and the academic boards for decision.

## **Possible outcomes if the allegation is proven**

Exclusion from the award for a period of 2 years, or awarding of a fail grade for the whole unit, or awarding of 0% for the assessment

## **Right of appeal**

Candidates have a subsequent right of appeal by letter and/or in person to the Board of Directors, whose decision shall be final.

This policy is rather silent on procedures, so the following attempts to provide a suggestion about how consideration may be given to an allegation of academic misconduct against a higher degree research candidate. These procedures will focus particularly on an allegation arising during the process of examination of a thesis.

## **Procedures in cases of alleged academic misconduct by a higher degree research candidate during the examination of a thesis**

The procedures described below are presented in three parts:

- Initial inquiry into the alleged misconduct
- Formal inquiry into the alleged misconduct
- Appeals against the outcome of the formal inquiry

### **1. Initial inquiry into the alleged misconduct**

- 1.1 Where an examiner has reason to allege that the thesis of a candidate evidences academic misconduct, s/he will bring this issue to the attention of the Dean.
- 1.2 If the Dean believes the allegation warrants further investigation, the Dean shall request the examiner to provide as much documentation as possible supporting the allegation.

On receipt of the documentation, the Dean and the Chair of the Research Awards Board shall review the material with a view to determining if there are grounds for suspension of the examination process. If they determine there are insufficient grounds, the examination process will continue with this advice given to the examiner who raised the concern. If they determine there are sufficient grounds, they shall suspend the examination process and pass the material to the Thesis/Project Examinations Committee of the Research Awards Board for initial investigation. The Chair shall report the matter confidentially to the Research Awards Board.

- 1.3 To determine whether or not the material provided evidences academic misconduct, the Examinations Committee shall review the material provided by the examiner and make any other investigations as deemed necessary but without direct contact with the candidate or supervisor(s).

If the Examinations Committee determines the material does not evidence academic misconduct, they shall so advise the Dean and the Chair of the Research Awards Board and provide a report supporting their determination.

If the Examinations Committee determines the material does evidence academic misconduct, they shall recommend to the Dean and the Chair of the Research Awards Board that the case proceed to formal inquiry. A report shall be provided supporting the recommendation.

- 1.4 If the Dean and the Chair of the Research Awards Board accept the determination that the material does not evidence academic misconduct or reject the recommendation for a formal inquiry, they shall lift the suspension on the examination process and the Dean shall advise the examiner with the suggestion that the examination report might give clear directions towards rewriting of the relevant sections or revision and resubmission of the thesis for examination.

If the Dean and the Chair of the Research Awards Board accept the recommendation for a formal inquiry, they shall advise the Research Awards Board and proceed to the formal inquiry.

## **2. Formal inquiry into the alleged misconduct**

- 2.1 Within 10 working days of the determination to proceed to the formal inquiry, the Dean shall write to the candidate, the supervisor(s) and the college Postgraduate Coordinator setting down the allegation of academic misconduct and appending relevant documentation. The Dean shall invite the candidate to provide a response in writing regarding this allegation within 15 working days of the date on his/her letter, and advise the candidate that s/he shall be invited to address a formal inquiry committee on the matter.
- 2.2 The Chair of the Research Awards Board shall establish a formal inquiry committee consisting of:
  - Chair of the Research Awards Board
  - two members of the Research Awards Board not related to the college in which the candidate is enrolled
  - a college staff member expert in the discipline area of the thesis not related to the college in which the candidate is enrolled
- 2.3 The Chair will write to the candidate providing details of the alleged misconduct and inviting the candidate to attend a meeting of the committee in person or via teleconferencing to provide evidence regarding the allegation. The letter to the candidate must include a copy of these procedures. The candidate may be assisted or represented at the inquiry by any staff member employed or student nominee studying in the College.
- 2.4 The formal inquiry may proceed whether or not the candidate responds (in 2.1) or attends.
- 2.5 Options available to the formal inquiry committee:
  - where the formal inquiry concludes that the action of the candidate does not constitute academic misconduct as defined above, no further action will be taken.
  - where the formal inquiry concludes that the action of the candidate lacked intent, but constituted academic misconduct, then examination process shall be terminated and the candidate may be permitted to undertake further research, if necessary, and resubmit the work or rewrite and resubmit the work, as considered appropriate for a new examination.
  - where the formal inquiry concludes that the action of the candidate evidences academic misconduct, the committee will determine an appropriate outcome and the Dean shall notify the candidate by registered mail within ten working days of the decision. A copy of these procedures and notification of the candidate's right to appeal must be included.
- 2.6 Outcomes may include:
  - Failure in the unit; or
  - Exclusion from the course for a period not exceeding two years; or
  - Another outcome appropriate to the case but with an impact less serious than exclusion from enrolment in any award of the Australian College of Theology; or
  - Exclusion from enrolment in any award of the Australian College of Theology.

## **3. Appeals against outcome of the formal inquiry**

- 3.1 The candidate has the right of appeal against the decision of the formal inquiry committee.
- 3.2 The candidate must make the appeal in writing to the Chair of Board of Directors within twenty (20) working days of the date on the written document from the ACT advising the decision that is the subject of the appeal. The candidate must set out fully the grounds for appeal and provide

- documentary evidence in support of the appeal. Within five (5) working days of the receipt of the appeal, the Chair of the Board of Directors shall acknowledge receipt of the appeal.
- 3.3 The Hearing and the Outcome of the Appeal shall occur according to procedures set down in the Policy on Student Appeals under Research Degree Rules (see [www.actheology.edu.au](http://www.actheology.edu.au) > Policies) with the amendment that the Board of Directors Appeals Committee may have an additional member, if the candidate requests, being an observer, agreeable to both sides, drawn from a list of senior academics devised by the Primate or his representative.
- 3.4 The candidate may continue in the course pending the outcome of an appeal, or be granted suspension from the course. Should their appeal be denied, their enrolment may be amended or terminated, depending on the outcome determined.
- 4. Recording of and access to information about academic misconduct**
- 4.1 The College will store data about academic misconduct and breaches of examination procedures in a central database. The data will be stored for a minimum period of 7 years from the date of the last incident recorded.
- 4.2 No data will be recorded where, following an informal inquiry involving the candidate, it is determined that no academic misconduct occurred.
- 4.3 The Dean, and the Chair and the Examinations Committee of the Research Awards Board will have access to any data stored in the database about a candidate, for consideration when determining whether the action of that candidate was academic misconduct, and if so in determining the appropriate outcome.
- 4.4 When it is determined academic misconduct occurred, the Dean will record the case in a central database, setting out:
- details of the candidate, the program, the course (if applicable) and the research work;
  - the type of academic misconduct;
  - the factors taken into consideration;
  - the evidence or other material on which the findings were based;
  - the outcome and the reasons for its determination; and
  - the candidate's agreement to the specified outcome
- 4.5 Where, as a result of an initial inquiry, the Dean and the Chair of the Research Awards Board conclude that the action of the candidate does not evidence academic misconduct, the suspension on the examination process shall be lifted and any record of that investigation will be removed from the database.
- 4.8 Where, as a result of a initial inquiry, the Dean and the Chair of the Research Awards Board conclude that the action of the candidate does evidence academic misconduct, the Dean will add a record to the database to indicate the case was referred to a formal inquiry committee and the factors taken into consideration in making that decision.
- 4.9 Where a formal inquiry committee is constituted, the committee, through the Chair, will have access to the data stored regarding the initial inquiry relating to that case, and to any other cases recorded against that candidate, in order to assist in their determination. The committee will add a record of their determination to the database, including:
- the factors taken into consideration in determining an outcome;
  - the evidence or other material on which the findings were based;
  - the outcome and the reasons for its determination.
- 4.10 Where a candidate appeals the outcome of a formal inquiry, the Board of Directors Appeals Committee, through the Chair, will have access to the data stored regarding the initial inquiry and formal inquiry relating to that case, and to any other cases recorded against that candidate, in order to assist in their determination.
- 4.11 The candidate's transcript will record Exclusion or Expulsion.