



**Opulence  
College**

# **Academic Misconduct Policy and Procedure**

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## 1. PURPOSE

- 1.1. This document specifies the academic misconduct policy and procedure of Opulence College (the College).
- 1.2. It aims to protect the College's reputation by providing guidance for staff and learners in minimising and managing academic misconduct in a consistent and equitable manner.

## 2. SCOPE

- 2.1. This document applies to all College staff and learners.

## 3. DEFINITIONS

- 3.1. *Academic misconduct* refers to a breach of academic integrity. Such conduct that breaches academic integrity includes but is not limited to:
  - a) Plagiarism
  - b) Collusion
  - c) Cheating.
- 3.2. *Plagiarism* means "to take and use as one's own, the thoughts, writings or inventions of another" (Oxford English Dictionary). Plagiarism therefore has two elements: 1) taking another's work and 2) using the work as your own. If you take another's work, but do not use it as your own because you reference it correctly, it is not plagiarism.
- 3.3. *Collusion* refers to a secret agreement between two or more parties for a fraudulent, illegal, or deceitful purpose. It is not a collusion, however, if:
  - a) A person's involvement is unintentional; or
  - b) A person collaborates by undertaking work jointly, in accordance with course requirements.
- 3.4. *Cheating* means to willfully and deliberately use or gain an unfair advantage over fellow learners by flouting the rules and guidelines set down for assessments.

## 4. POLICY STATEMENT

- 4.1. The College is committed to maintaining high ethical standards. Academic misconduct by staff or learners will not be tolerated under any circumstances. All staff and learners must be aware of and understand the College's Academic Misconduct Policy and Procedure.
- 4.2. Staff and learners are responsible for adhering to the standards and behaviours expected within an academic environment. They must be made aware of the type of actions that constitute academic misconduct.
- 4.3. Academic misconduct refers to a breach of academic integrity. Actions constituting academic misconduct include but are not limited to:
  - a) Plagiarism
  - b) Collusion
  - c) Cheating

- d) Improperly engaging another person to prepare, or assist in preparing, work for the learner (whether paid or unpaid)
  - e) Recycling work
  - f) Copying other learners' work
  - g) Fabricating or falsifying documents such as medical certificates and academic records
  - h) Assisting or encouraging others to cheat
  - i) Providing examination/assessment questions to learners
  - j) Unauthorised sharing of staff and College resources
  - k) Falsifying data such as assessment task and unit of competency results
  - l) Accepting gifts or payment from learners or staff in exchange for benefits or staff doing work for learners.
- 4.4. Academic penalties and the cancellation of work contracts may apply to learners and staff, respectively, in breach of this policy. Acts of academic misconduct may be described as either *minor* or *major* in nature, and their associated penalties will be clearly described in the academic misconduct procedures.

## 5. PROCEDURE OVERVIEW

- 5.1. The purpose of these procedures is to establish the processes related to identifying and reporting academic misconduct and implementing actions in response. The penalties for acts of academic misconduct will be applied in accordance with these procedures.
- 5.2. It is expected that staff and learners make every effort possible to reduce the chances and opportunities for academic misconduct to take place.
- 5.3. Any identified act of academic misconduct must be reported to the College Manager.
- 5.4. Any report of academic misconduct must be supported by sufficient evidence to warrant reporting.
- 5.5. If academic misconduct is reported without sufficient evidence, the report will be deemed as void.

## 6. REPORTING PROCEDURE

- 6.1. A staff member or learner making the report of academic misconduct must submit a Complaints and Appeals form available at [opc.edu.au/forms](http://opc.edu.au/forms).
- 6.2. All supporting evidence of the claim of academic misconduct must be attached electronically with the Complaints and Appeals form and sent to [info@opc.edu.au](mailto:info@opc.edu.au).
- 6.3. The reporting individual(s) must provide a clear explanation as to the proposed act of academic misconduct.
- 6.4. Within 10 business days of receiving the complaint, the College Manager will assess the complaint and either:

- a) Inform the reported learner or staff member in writing via email that a complaint of academic misconduct has been made against them if the College Manager deems that sufficient evidence has been provided, OR
  - b) Dismiss the complaint as void due to lack of evidence if the College Manager deems that the evidence provided is insufficient. In this instance, the reported individual/group will not be notified of the complaint, OR
  - c) If the reporting individual/group has informed the alleged individual/group that a complaint has been made against them, the College Manager will inform the alleged individual/group in writing via email that the complaint has been dismissed.
- 6.5. In the case of 6.4 a) above, the reported individual/group will have an opportunity to defend the accusations made against them by submitting a written response directly to the College Manager. This must be received within 10 business days of being notified of the allegation.
- 6.6. If the alleged act of academic misconduct is upheld but considered *minor*, the College Manager will decide as to whether a penalty shall be imposed based on all evidence provided. For minor acts of academic misconduct, there will be no provision for further investigation or appeal.
- 6.7. If the alleged act of academic misconduct is upheld and considered *major*, the College Manager will decide as to the extent to which a penalty will be imposed based on the Guidelines for Penalties for cases of academic misconduct (see section 7 below).
- 6.8. For instances where item 6.7 has occurred, the reported individual/group will have the right to appeal in line with the College's Complaints and Appeals Policy and Procedure.

## 7. GUIDELINES FOR PENALTIES

### Staff Academic Misconduct

- 7.1. All confirmed acts of academic misconduct by College staff are considered *major*. The penalty for a *first* confirmed offence of academic misconduct by College staff will be:
- a) The staff member(s) will receive a formal warning letter from the CEO/Director; and
  - b) The staff member(s)' warning letter will be added to their staff employment file.
- 7.2. The penalty for a *second* confirmed offence of academic misconduct will be the cancellation of employment.

### Learner Academic Misconduct

- 7.3. Academic misconduct by learners will be considered either *minor* or *major*.
- 7.4. *Minor* offences will carry lower impact penalties than *major* offences.
- 7.5. Penalties for *minor* offences will be dealt with on a case-by-case basis, where the penalties are applied differently depending on the level of study and the length of time the learner has had to adjust to studying at the College.
- 7.6. The suggested penalties for *minor* confirmed acts of academic misconduct are as follows:

- a) *First* offence: a formal warning in writing will be issued to the learner indicating that an offence has been committed. A copy of the warning letter will be added to the learner's official file. The learner will be provided an opportunity to re-do and re-submit all (or a component of) the relevant assessment task, if applicable. This is considered a learning experience.
  - b) *Second* offence: a formal notification letter will be issued to the learner indicating that a second offence has been committed. A copy of the formal notification letter will be added to the learner's official file. At the discretion of the College Manager and/or CEO/Director, the learner may be provided an opportunity to re-do and re-submit all (or a component of) the relevant assessment task, or may be required to repeat the entire unit, if applicable.
  - c) *Third* offence: a formal notification letter will be issued to the learner indicating that a third offence has been committed. A copy of the formal notification letter will be added to the learner's official file. A learner found guilty of a third offence must meet with the College Manager and/or CEO/Director prior to determining if the learner is permitted to continue their studies.
- 7.7. All instances of academic misconduct reported during or regarding assessments will be treated as *major*. Other examples of *major* offences include but are not limited to:
- a) The use of unauthorised mobile technology for closed book assessments,
  - b) The submission of substantially plagiarised work,
  - c) The stealing of another learner's work,
  - d) Colluding with a third party, be it internal or external to the College, to produce work, paid for or not, which is fraudulently presented as the learner's work,
  - e) Repeatedly asking staff to change results without academic merit.
- 7.8. The penalties for *major* confirmed acts of academic misconduct will be as follows:
- a) *First* offence: an unsatisfactory result for the assessment task will be applied and the learner will be provided the opportunity to resubmit and/or redo the assessment under supervised conditions,
  - b) *Second* offence: an unsatisfactory result for the assessment task will be applied AND a Not Yet Competent result will be applied for the associated unit of competency. A learner in this category must meet with the College Manager and/or CEO/Director prior to being permitted to repeat this unit.
  - c) *Third* offence: termination of the learner's enrolment.

## 8. RESPONSIBILITIES

- 8.1. Opulence College implements a RASCI Responsibility Matrix to assign and display responsibilities of individuals to carry out a process within the organisation.

R - Responsible – the person who is responsible for carrying out the entrusted task, monitoring compliance and maintaining records.

A - Accountable (also Approver) – the person who is responsible for the whole task and who is responsible for what has been done.

S - Support – the person who provides support during the implementation of the process.

C - Consulted – the person who can provide valuable advice or consultation for the process.

I - Informed – the person who should be informed about the process.

	CEO	Director	College Manager	Compliance Officer	Student Support Officer	Trainers & Assessors
R			X			
A	X	X				
S					X	
C				X		
I						X

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