

## ACADEMIC INTEGRITY PROCEDURES FOR MANAGING STUDENT BREACHES

<b>Section</b>	Academic
<b>Contact</b>	Provost
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### Purpose

These Procedures describe the way the University manages instances where academic integrity may have been breached. The Procedures seek to balance a primarily educative approach to correct behaviour that is inconsistent with academic integrity standards, with a disciplinary approach which is transparent, fair, and equitable. The Procedures support the *Academic Integrity Policy* and should be read alongside that Policy.

### Scope

These Procedures apply to all types and categories of suspected or alleged breaches of academic integrity, and to all students of Massey University and impose responsibilities on Massey University staff. Under the *Code of Responsible Research Conduct*, these Procedures also apply to Minor Breaches of research integrity and Research Misconduct by Students.

### Definitions

*Academic integrity*: a guiding principle of academic life, which refers to acting with the values of honesty, respect, trust, responsibility and fairness in all academic activity, outputs, and relations with others.

*Academic Integrity Officer (AIO)*: Staff who are appointed by their respective Pro Vice-Chancellor or the Dean: Research, with delegated authority to manage suspected breaches of academic integrity, support staff with advice and assistance in all matters pertaining to academic integrity, and ensure that rules pertaining to academic integrity are applied consistently and fairly.

*Academic Misconduct*: a breach of academic integrity when:

- any one or more of the criteria used to categorise the breach, namely the experience of the student, the nature of the breach or the extent of the breach, is higher than in the case of a Minor Breach; or
- none of the criteria used to categorise the breach is higher than in the case of a Minor Breach, but the cumulative impact of a combination of any of those three criteria are considered to be higher than a Minor Breach.

*Allegation*: refers to a stated concern that a student or staff member has possibly breached academic integrity.

Any reference to the *Policy* means the *Academic Integrity Policy*.

Any reference to the *Procedures* means the *Academic Integrity: Procedures for Managing Student Breaches*.

Any reference to the *Regulations* refers to the *Student Disciplinary Regulations*.

Artificial intelligence: refers to the simulation of human intelligence processed by machines or computer systems. It includes the ability of a computer, or a robot or software controlled by a computer, to do tasks that are usually done by humans because they require human intelligence and discernment, such as the ability to reason, discover meaning, generalise, or learn from past experiences.

Balance of Probabilities refers to the standard of proof used to determine whether an alleged breach of academic integrity has occurred. It means that the decision-maker must be satisfied, on the evidence, that the alleged behaviour or event was more likely than not to have occurred.

Contract Cheating: involves students outsourcing their academic work (e.g. coursework, assessments, tests, exams) to a third party, whether that is a commercial provider, current or former student, family member or acquaintance, to complete on their behalf (in whole or in part), and which they then submit as if they created it themselves. It includes unauthorised use of file-sharing sites and arranging for another person to take an examination for the student.

Generative artificial intelligence: a non-human adaptive tool or mechanism that can autonomously generate text, images, audio, video, or anything else that resembles human created content.

Investigation: means the process of identification, collection, and analysis of relevant evidence to assess whether a breach of academic integrity may have occurred, and to inform next steps.

Minor Breach: a breach of academic integrity when any of the criteria used to categorise the breach, namely the experience of the student, the nature of the breach or the extent of the breach, is higher than in the case of Poor Academic Practice but none reach the threshold of Academic Misconduct as set out in the *Procedures*.

Misconduct Register: a centrally held, confidential register of all cases where students have been found to have committed a Minor Breach, Academic Misconduct, or Non-academic Misconduct. Access to the Misconduct Register is restricted to authorised staff only, who will provide specific information to an AIO or the University Proctor, upon request, regarding any record in respect of a particular student who has been found to have committed a Minor Breach, Academic Misconduct, or Non-academic Misconduct, in order for the AIO or University Proctor to take that record into account when determining an appropriate outcome in the subsequent case.

Poor Academic Practice: an inadvertent and minor deviation from appropriate academic integrity practice or convention, below the level of Minor Breach or Academic Misconduct, where there is no or little discernible intention to deceive or derive an unfair advantage, and which could be suitably addressed through an educative intervention, including an adjustment to the assigned marks for the applicable assessment.

Staff or staff member includes any person who is engaged by Massey University as an employee or worker and/or who holds a university office or post, as well as any person to whom the University makes available any of the privileges or facilities normally afforded to its employees. This includes academic visitors and other classes of temporary, honorary, and volunteer staff, and applies to graduate students, whether paid or unpaid, when teaching or undertaking teaching-related duties at the University.

Student in this policy refers to:

- a) a person who is enrolled in a programme of study (including courses, specialisation, qualifications, short courses, and micro-credentials) at the University.
- b) a person who was a student at the time of any alleged breach of academic integrity.
- c) a person who is seeking admission or enrolment at the University.
- d) a person who became a student after having allegedly done so by misleading or false means.
- e) a person who has consented in writing to be subject to the statutes, regulations, and policies of the University as a student.
- f) a person who is on suspension or leave of absence from or who has deferred enrolment in a programme of study (including courses, specialisation, qualifications, short courses, and micro-credentials) at the University.

**University Proctor:** the person who is designated by the University to provide advice and support to staff in relation to Academic Misconduct and Non-academic Misconduct, and to investigate cases of possible Academic Misconduct or Non-academic Misconduct when such an Investigation is referred to the University Proctor.

### **Detecting possible breaches of academic integrity**

Staff or examination invigilators may use different detection strategies to identify possible breaches of academic integrity. Those include:

- noting clear evidence of possible breaches of academic integrity.
- using their professional judgement.
- comparing a student's work against previous works submitted by that student.
- using search engine(s) to check phrases or references.
- making use of content matching, detection, or authenticity software.

To assist in the verification process to determine whether a breach of academic integrity has occurred or not, students may be required to:

- discuss or explain components of their assessment tasks.
- authenticate their work on the assessment task, for example, by showing notes/drafts/resource materials used in the preparation of the task, or prompts/interactions with artificial intelligence software.

### **Criteria for determining the category of an alleged breach of academic integrity.**

There are three categories within which breaches of academic integrity could fall, namely Poor Academic Practice, Minor Breach, and Academic Misconduct. The category determines the process to be followed.

There are three criteria for determining the category of an alleged breach of academic integrity, namely the experience of the student, the nature of the breach, and the extent of the breach. Categorisation often requires qualitative judgement which takes context and situational factors into account. Notwithstanding, the table in **Appendix 1** provides guidance for determining the applicable criteria and category in respect of each allegation.

#### 1. Experience of the student

Experience refers to students' length of time at Massey University (and/or at another university), and any engagement, training, or other exposure they may have had with academic integrity. A student's experience may reasonably be expected to inform their understanding of academic integrity and the required academic integrity conventions they are expected to comply with.

#### 2. Nature of the breach

The nature of the breach refers to the type of student activity or behaviour that does not conform to acceptable academic integrity standards, and whether it involves mistake, carelessness, negligence, disregard, or wilful intent. The nature of the breach also refers to whether the breach occurs in an assignment, test, examination, or other form of assessment, or in research. Generally, efforts to deceive will be considered to indicate a higher level or more serious breach of academic integrity, whereas unintentional or careless mistake(s) would, in many cases, be considered lower in level or seriousness.

#### 3. Extent of the breach

The extent of the breach relates to the scale, degree, or impact of the alleged breach of academic integrity on the integrity of the work or the interests of someone else or the University. The extent of a breach may depend on the context, convention, or expectations that may apply in a particular situation. For that reason,

professional judgement is often required to determine the extent of a breach. Staff may use similarity index scores from suitable software, or other suitable detection techniques to support their judgement.

### **Reporting possible breaches of academic integrity**

Where an allegation is made that a breach of academic integrity is suspected or has occurred, the matter must be reported in the first instance to the applicable course coordinator for the course in which the breach is alleged to have occurred or is suspected. Where an allegation is made later than one year after the occurrence of the alleged Academic Misconduct, the allegation may only be considered with the consent of the applicable Pro Vice-Chancellor.

When dealing with allegations of breaches of academic integrity, the course coordinator must determine whether the case may be considered Poor Academic Practice, and if so, deal with the case as directed in these Procedures.

Where the course coordinator is of the opinion that the matter ought to be dealt with as either a Minor Breach or Academic Misconduct, the matter must be referred to the AIO of the College or Unit within which the applicable course is being offered. The AIO will in that case determine whether the matter should be dealt with as either Poor Academic Practice, Minor Breach, or Academic Misconduct.

Where any report or allegation is under investigation at the time of approval of these Procedures, and in the absence of an agreement between the parties to follow the procedures set out in these Procedures, the procedures as set out in the previously approved version of the Procedures in effect at the time when the report or allegation was made, will be followed.

### **Procedural fairness**

The principles of procedural fairness (also referred to as natural justice) apply to managing and investigating possible breaches of academic integrity. These principles encapsulate the hearing rule (providing an opportunity to be heard), the rule against bias (decision-makers are impartial, unbiased, and have not made any predetermination) and the evidence rule (decisions are based on evidence). It is expected that staff consider, investigate, and deal with possible breaches of academic integrity in a timely, accessible, culturally safe, and competent manner, and in a way that is:

- ***Proportional***: Investigations and subsequent actions, including the outcome imposed, need to be proportional to the alleged breach. In determining that a breach of academic integrity or academic misconduct occurred, the finding must be based on the evidence considered, and on a Balance of Probabilities.
- ***Fair***: Investigations need to afford procedural fairness to students and, where appropriate, staff and others who may be adversely affected by any investigation. Students must be advised of their right to be represented and supported by a person or persons of their choice during the process.
- ***Impartial***: Investigators and decision-makers must be impartial and must therefore not have any prior knowledge or any interests that do, may, or may be perceived to jeopardise their impartiality. They must also act in a way that upholds specific individual and cultural needs or circumstances of the parties.
- ***Timely***: Investigations into possible breaches should be conducted in a timely manner to avoid undue delays, and to mitigate the impact on those involved.
- ***Transparent***: Information about the complaint(s), evidence and process must be provided to students, staff, and any other persons impacted by an allegation, and they must be afforded a reasonable opportunity to respond to the allegation(s). Accurate records are to be maintained for all parts of the process, in accordance with the University's record keeping system (as defined in the *Information Records Management Policy*).

- **Confidential:** Information will be treated as confidential and will only be disclosed:
  - when required by law, regulation, or legal process.
  - to university staff who may have a legitimate need to know such information for the purpose of fulfilling their duties; or
  - when the student consents to disclosure

## Poor Academic Practice

On receiving a report or allegation of a suspected breach of academic integrity, a course coordinator may, after consideration of all available evidence, determine whether the student has engaged in Poor Academic Practice. The course coordinator may seek advice from the AIO if necessary.

The following examples (which are not exhaustive) may generally be regarded as Poor Academic Practice, where none of the criteria reach the threshold to be classified as either Minor Breach or Academic Misconduct:

- Minor amounts of inadequate paraphrasing.
- Mistakes or carelessness with regard to referencing, copying, or crediting.
- Actions regarded as unintentional or naïve.
- Flawed attempt to demonstrate academic integrity.
- Over-reliance on model or sample answers.

Where the course coordinator determines that the student has engaged in Poor Academic Practice, the course coordinator must:

- provide the student in writing with:
  - details of the Poor Academic Practice.
  - copies of all available evidence relating to the alleged Poor Academic Practice.
  - educative feedback for learning, in order that the student can correct their behaviour in future; and
  - an outcome determined by the course coordinator in accordance with Appendix 2.
- communicate the outcome to any additional relevant staff for action as required.

There is no appeal against an outcome managed as Poor Academic Practice. Any student who wishes to challenge such a decision must use the mechanisms for reconsideration of assessed grades, or the process for student complaints and grievances set out in the *Student Complaints and Grievance Procedures*.

Copies of the notice of any meeting with the student, all relevant evidence collected, all correspondence, and the letter informing the student of the outcome must be kept in accordance with the requirements set out in the University's *Information Records Management Policy*.

## Minor Breach

A Minor Breach refers to a breach of academic integrity that is more significant than Poor Academic Practice based on the criteria outlined above, and which does not reach the threshold for Academic Misconduct.

The following examples (which are not exhaustive) may generally be regarded as Minor Breaches, where none of the criteria reach the threshold to be classified as Academic Misconduct:

- Minor disregard or negligence in appropriate paraphrasing or referencing.
- A minor but noteworthy portion of an assignment or assessment is compromised.
- Minor use of generative artificial intelligence without proper disclosure.
- Minor disregard of assessment instructions.
- Evidence of the breach relies mainly on the testimony of another person (a witness).

Cases involving a Minor Breach are managed by the AIO at the applicable College or academic unit within which the course or program in which the alleged Minor Breach occurred was offered. In cases involving more than one College or academic unit, where practicable, the applicable AIOs will consult one another to determine whether it is practical and fair for all matters to be resolved through a single process, and if so, which AIO will be assigned to manage that process, or to resolve the respective cases separately.

When a course coordinator notifies the AIO of an alleged breach of academic integrity which is in their view more serious than Poor Academic Practice, and provides any evidence they have found in relation to the alleged breach, the AIO considers the allegation, evidence, the nature and extent of the alleged breach, and the experience of the student, and determines whether:

- the case should be managed as Poor Academic Practice, in which case it should be referred back to the course coordinator for management as such, with advice if required,
- the case should be managed as a Minor Breach.
- the case should be managed as Academic Misconduct.

Where the AIO determines that the case shall be managed as a Minor Breach, the AIO must complete any further investigation that may be required. Once the AIO is satisfied that the evidence that has been collected supports a possible Minor Breach, the AIO must:

- notify the student in writing.
- provide the student with details of the allegation and copies of all evidence collected during the investigation in relation to the allegation.
- invite the student to a virtual or in-person meeting with the AIO to discuss the Minor Breach which is alleged or suspected to have occurred; and
- inform the student of the principles of procedural fairness that will apply, including their right to have a support person(s) of their choice at the meeting.

The aim of the meeting is to discuss the allegation, evidence, process, and possible outcomes with the student, and to allow the student to respond to it if they wish to do so. The AIO may need to investigate further if the student has brought new evidence during this discussion. The AIO should also use the meeting to help the student identify gaps in their skills or knowledge that may have led to the Minor Breach, and to then impose (after considering all the evidence) an educative outcome that will facilitate learning and appropriate academic integrity behaviour by the student in the future.

The AIO may only find that a Minor Breach occurred where the evidence substantiates the allegation on a Balance of Probabilities.

Where the student does not respond to the allegation, does not attend the meeting, or does not provide any representations or evidence, the AIO must determine a finding and outcome on the available evidence.

The AIO may, only after they have made a finding that a Minor Breach had occurred, verify from the Misconduct Register whether the student has been found to have committed a breach of academic integrity before, and this information may be taken into account when determining an appropriate outcome in that case.

Where the AIO finds that the evidence substantiates a Minor Breach, details of the case including the finding and outcome must be recorded in Misconduct Register. The AIO must also inform the student in writing of the finding and outcome, as well as their right to appeal.

If the AIO finds that the evidence does not substantiate a Minor Breach, the AIO must inform the student accordingly in writing. Such a case will not be recorded in the Misconduct Register.

Copies of the notice of any meeting with the student, all relevant evidence collected, and all correspondence including the letter informing the student of the outcome, must be kept in accordance with the requirements under the University's *Information Records Management Policy*.

The AIO must advise applicable staff of the outcome, in order for it to be actioned.

#### Appeals against a Minor Breach finding and/or outcome.

A student who was found to have committed a Minor Breach may appeal against the finding and/or outcome of that decision, in writing, and within ten (10) working days of the date of the decision. The appeal against a decision by the AIO must be made to the Pro Vice-Chancellor or equivalent of the relevant College, or to the Dean: Research in the case of doctoral students.

An appeal may only be made on one or more of the following grounds, and is not intended to allow a mere reconsideration of the case by a different decision-making entity:

- a) that the process for investigating the allegation and/or determining the outcome was procedurally unfair.
- b) that the finding could not be reasonably sustained on the evidence, on a balance of probabilities.
- c) that the outcome imposed is disproportionate to the Minor Breach.
- d) that significant new evidence, which was not reasonably available before, has become available since the decision that is being appealed against, and which could reasonably be expected to have a material effect on the finding or outcome.

Decisions on appeals will be based exclusively on the consideration of written submissions and supporting evidence provided to the relevant Pro Vice-Chancellor or equivalent by or on behalf of the student making the appeal, and the University. Oral submissions will not be permitted unless in exceptional cases. To initiate an appeal, a student must submit a written appeal which includes an explanation of the grounds for appeal, along with any supporting evidence.

Where the relevant Pro Vice-Chancellor or equivalent or Dean: Research has prior knowledge of the case, they shall not adjudicate the appeal, and the appeal shall in such a case be referred to the Pro Vice-Chancellor in a different College, who does not have prior knowledge or interest in the case, to adjudicate.

The Pro Vice-Chancellor or equivalent or Dean: Research adjudicating the appeal may:

- a) determine that the grounds for appeal are not met, and dismiss the appeal, or
- b) determine that the grounds for appeal are met, and:
  - i. uphold the appeal and set aside the AIO's decision.
  - ii. dismiss the appeal and uphold the AIO's decision.
  - iii. vary the AIO's decision; or
  - iv. vary the outcome to any of the possible outcomes relating to a Minor Breach outlined in Appendix 2.

The decision of the Pro Vice-Chancellor or equivalent or Dean: Research shall be the final decision and shall be notified to the student in writing.

## **Academic Misconduct**

Academic Misconduct refers to a breach of academic integrity when any of the three criteria used to categorise academic integrity breaches (namely the experience of the student, the nature of the breach, and the extent of the breach), or a combination of any of the three, are higher than a Minor Breach. Appendix 1 provides guidelines for making such a determination.

The following examples (which are not exhaustive) may generally be regarded as Academic Misconduct, where any of the criteria reach the threshold to be classified as Academic Misconduct:

- intention to deceive.
- deliberate dishonesty.
- any form of contract cheating.
- plagiarism that is not minor in terms of its nature or extent.
- postgraduate or doctoral research misconduct.
- falsification or fabrication of data.

Academic Misconduct, including appeals relating to Academic Misconduct, is managed in accordance with the process described in the *Student Disciplinary Regulations*, which has precedence in case of inconsistencies between the *Procedures* and the *Student Disciplinary Regulations*.

Where an AIO determines that an alleged breach of academic integrity may meet the criteria for Academic Misconduct, the AIO may contact the University Proctor for support and guidance. The AIO may either manage the case themselves, or may refer the case to the University Proctor for investigation and management where:

- the case may involve procedural or substantive complexities; or
- the commission of a crime is alleged; or
- the allegation is made against a doctoral candidate.

## Record keeping

Records of all documents relating to cases managed as Poor Academic Practice, Minor Breach, or Academic Misconduct must be kept securely and confidentially in accordance with the requirements set out in the University's *Information Records Management Policy*. This includes:

- copies of the notice of any allegation(s)
- record of any meeting(s) with the student.
- all relevant evidence collected, and correspondence.
- any documents provided by the student in response to allegations and evidence.
- the letter(s) informing the student of the finding and outcome.
- all documents relating to an appeal.

Those records will be disposed of in accordance with the *General Disposal Authority for New Zealand Universities*.

Information relating to all cases where students have been found to have committed a Minor Breach or Academic Misconduct will be recorded in the Misconduct Register. The Misconduct Register will be centrally managed, and access to it will be restricted to authorised staff only. AIOs and the University Proctor must, at the time when the student is notified of the outcome, provide details of every case to be recorded in the Misconduct Register to the staff member authorised to manage the Misconduct Register.

## Audience

All staff and students

## Relevant legislation

Official Information Act 1982  
Privacy Act 2020  
Public Records Act 2005



## **Related policies and procedures**

Academic Integrity Policy

Code of Ethical Conduct for Research, Teaching and Evaluations Involving Human Participants

Code of Ethical Conduct for the Use of Animals for Research, Testing and Teaching

Code of Responsible Research Conduct

General Disposal Authority for New Zealand Universities

Information Records Management Policy

Intellectual Property Policy

Kaupapa Here Aratohu/Code of Student Conduct

Paerangi: Massey University Learning and Teaching Plan

Student Disciplinary Regulations

Tā te Taura Kirimana/Student Contract

## Appendix 1: Determining the Category of Breach

The table below provides broad guidance for determining the category of an alleged breach of academic integrity. Staff determining the appropriate category of breach are required to exercise their own judgement based on the specific circumstances of the case under consideration and the guidance provided in this table.

	Poor Academic Practice	Minor Breach	Academic Misconduct
Experience of the Student	<ul style="list-style-type: none"> <li>Pre-degree or undergraduate students in their first year of study, or postgraduate students in their first semester of study in New Zealand</li> <li>No prior instructions or guidance received.</li> <li>Lack of understanding of acceptable academic practice</li> </ul>	<ul style="list-style-type: none"> <li>Pre-degree or undergraduate student not in first year of study, or postgraduate student not in first semester of study in New Zealand</li> <li>Student could reasonably be expected to understand acceptable academic practice – e.g. received instructions/guidance/support</li> </ul>	<ul style="list-style-type: none"> <li>Pre-degree or undergraduate student not in first year of study, or postgraduate student not in first semester of study in New Zealand</li> <li>Doctoral candidates</li> <li>Master's thesis or postgraduate research report students</li> </ul>
Nature of the Breach	<ul style="list-style-type: none"> <li>Coursework or assignment</li> <li>Mistake or carelessness with regard to referencing, copying, paraphrasing, or crediting.</li> <li>Actions regarded as unintentional or naïve.</li> <li>Flawed attempt to demonstrate academic integrity.</li> <li>Over-reliance on model or sample answers</li> </ul>	<ul style="list-style-type: none"> <li>Coursework, assignment, test, or exam</li> <li>Negligence or disregard in applying acceptable academic practice or instructions, including referencing, copying, paraphrasing, crediting, or use of artificial intelligence.</li> <li>Unauthorised collaboration</li> <li>Duplicating existing work without acknowledgement</li> <li>Unfair advantage over other students</li> </ul>	<ul style="list-style-type: none"> <li>Coursework, assignment, test, or exam</li> <li>Intent to deceive, or deliberate dishonesty.</li> <li>Presenting data obtained improperly.</li> <li>Research Misconduct</li> <li>Misrepresenting academic records or achievements</li> <li>Commission of a crime</li> <li>Falsification or fabrication of data</li> <li>Submitting work done (in part or whole) by someone else or by technology or software (e.g. contract cheating; artificial intelligence) when this was not permitted</li> </ul>
Extent of the Breach	<ul style="list-style-type: none"> <li>Little impact on integrity of the work</li> <li>Minor portion of the assessment involved.</li> <li>No impact on interests of others</li> <li>Minor deviation from academic conventions or assessment instructions</li> </ul>	<ul style="list-style-type: none"> <li>Moderate portion of the assessment involved.</li> <li>Moderate impact on integrity of the work</li> <li>Minor impact on interests of others</li> <li>The work does not represent a fair reflection of the student's learning</li> </ul>	<ul style="list-style-type: none"> <li>Involves more than one assessment or a major portion of a single assessment, or an assessment that contributes significantly to a qualification (e.g. thesis, high % value)</li> <li>Major impact on the integrity of the work</li> <li>Legitimate interests of others may be impacted.</li> <li>Student's actions are deserving of disciplinary sanction rather than or in addition to an educative outcome.</li> <li>Reputation of the University, College or Unit may be impacted</li> </ul>

## Appendix 2: Determining the Outcome

The possible outcomes available for each category of academic integrity breach are shown in the diagram below. The options increase in severity in line with the increase in breach category.

The outcome should seek to balance a primarily educative approach to correct behaviour that is inconsistent with academic integrity standards, with a disciplinary approach which is transparent, fair, and equitable.

Exclusion from the University			
Period of suspension from the University			
Fail the course in which the breach occurred			
Zero for the whole assessment in which the breach occurred			
Reduced mark (up to zero) for the assessment component in which the breach occurred, or for a whole assessment where the assessment makes out less than 5% of the course mark. <i>(This outcome may not be given on compulsory assessment items where a fail grade or a zero mark would effectively result in the student failing the whole course)</i>	<b>Poor Academic Practice</b> Course coordinator	<b>Minor Breach</b> Academic Integrity Officer or University Proctor	<b>Academic Misconduct:</b> Academic Integrity Officer or University Proctor
Repeat the assessment (in whole or in part) with or without a reduced maximum mark			
Recommendation to undertake an appropriate learning support activity			
Remedial/educative advice			
Warning			
Dismiss the allegation as not proved, or for being trivial or vexatious			