

Procedure	Academic Grievance - Assessment misconduct
Procedure number	H 8.1.2
Policy area	ASSESSMENT

The purpose this procedure is to detail the processes involved in the disciplining of JMC Academy students who have plagiarised.

JMC Academy is committed to developing and maintaining an effective complaints and grievance handling system. We view receipt of a complaint or grievance as an opportunity to improve our ability to meet the needs of our clients.

Students of the College or those seeking to enrol in a course of study with the College are entitled to access the grievance procedures set out below, regardless of the location of the campus of the College at which the grievance has arisen, the student's place of residence or the mode in which they study.

The Academy's *Academic Grievance – assessment misconduct* policy and procedure will be published in Student Handbooks, in Trainers Handbooks and Office Manuals and on the Academy website at www.jmccademy.edu.au. The Director of Education is responsible for the training of Academic Staff in the application of this policy while the Campus Manager is responsible for the training of support staff.

Neither the complainant nor the respondent will be victimised or discriminated against in any of the stages of the resolution process.

Section A: Processing results

Section A describes the results processing process.

1. The lecturer will submit all marks for a subject to the relevant Head Lecturer
2. The lecturer will identify to the Head lecturer any assessment material that may contain plagiarised elements
3. The lecturer will submit all assessment material, except that under question, to Administration
4. Where there is a query, the Head lecturer will confer with the lecturer and review the assessment material
5. Where the allegation of plagiarism is confirmed, the assessment material will be forwarded to the Director of Education for action
6. The Head lecturer will review the marks and give final approval and forward the final results to the Campus Manager
7. Where there are outstanding results, both the Head lecturer and the Campus Manager will deal with this as a matter of urgency
8. The Campus Manager will arrange for the publication of results at pre-designated locations not later than three weeks from the end of the subject
9. At no stage are Academy staff permitted to provide a student with results verbally.

Section B: Assessment appeals

Section B provides information about the process for disciplining a student for plagiarism or other academic misconduct. Each stage of the assessment appeals process is free of charge.

1. Informal resolution process

- 1.1 In the first instance, the student shall be contacted in writing by the Campus Manager within seven (7) working days of the date of the Campus Manager receiving notice of the misconduct advising them that their conduct is under review.
- 1.2 The Campus Manager can take what action is deemed appropriate to resolve the matter. This may include, but is not limited to:
 - Reviewing attendance
 - Confirming plagiarism and source of unacknowledged material
 - Discussing the issue with the student
 - Allowing the student to re-submit an assignment, or section of an assignment where the Campus Manager is of the opinion that the student had valid grounds for misinterpreting what was required
- 1.3 As the result of the informal review, the student will be asked to:
 - 1.3.1 Re-submit their assignment for marking by the relevant Head Lecturer
 - 1.3.2 The Head lecturer will inform the Campus Manager of the revised mark
 - 1.3.3 The Campus Manager will amend the student's results and inform the student of the new mark
 - 1.3.4 Where the student is found to have plagiarised again, they will be required to repeat the subject.
 - 1.3.5 Sign a written declaration that their behaviour will improve, including an apology to JMC Academy for their misbehaviour
- 1.4 The informal process can take no longer than ten (10) working days from the student first receiving the written advice from the Campus Manager
- 1.5 If the matter is not resolved informally, i.e. the student is not satisfied with the outcome, then the Campus Manager will write a report of the informal review (including relevant dates) and notify the Academic Board.

2. Formal resolution process

- 2.1 If the student is not satisfied with the outcome of the informal resolution process the student may submit in writing to the Director of Education, within five (5) working days from the date of notification of the outcome from the informal review process, a request for a formal assessment review.
- 2.2 The written request shall state the following:
 - a. An outline of why the student thinks the original assessment result was inappropriate, or the allegation of misconduct was unsubstantiated
 - b. Details of the outcome of the informal resolution process
 - c. Any specific issues which the student believes are relevant
 - d. Any new and relevant evidence
 - e. Where the assessed work has been handed back to the student, the student will attach the marked work to the letter as well as a clean copy of the assessment task
- 2.3 The Director of Education will read the student's letter and the Head lecturers letter to determine if a formal resolution process is warranted
- 2.4 If a formal review is warranted, the Director of Education will:
 - 2.4.1 Verify that all appropriate assessment procedures have been correctly carried out
 - 2.4.2 Arrange for the work to be independently reassessed and a report written by a person whose identity is not revealed to the staff member who carried out the informal review
 - 2.4.3 Ensure the work to be marked is an unmarked copy and no original mark, comment or grade is disclosed to the independent assessor; and,
 - 2.4.4 Discuss the matter directly with the student if further information is required.

- 2.5 The student will be informed of the outcome in writing within ten (10) working days of submission of the request for a formal review as identified by the date of receipt by the Director of Education of the request for formal review. The written report will set out the result of the reassessment, the revised mark if given and the reasons for the decision
- 2.6 As a result of the formal review the student's result can only be improved or left as originally given
- 2.7 If, in the process of the formal review, it is confirmed again that the student did plagiarise, the student will be asked to repeat the subject
- 2.8 If, after considering the student's request for a formal review, the Director of Education does not consider a formal review is warranted, a letter so advising the student must be sent within ten (10) working days of submission of the request for a formal review. The student must be advised as to why no formal review has been initiated
- 2.9 A student may appeal the outcome of the formal resolution process.

3. Appeal

- 3.1 A student may appeal an outcome from a formal resolution process on one or more of the following grounds
 - 3.1.1 That the case has not been heard or decided on its merits
 - 3.1.2 That the student is able to provide new evidence
 - 3.1.3 That a procedural irregularity has occurred
- 3.2 These are the only grounds that the Assessment Appeals Committee will consider.
- 3.3 A student must lodge the appeal in writing within ten (10) days of the notification of the outcome of the request for a formal resolution
- 3.4 The student must lodge the appeal with the Director of Education
- 3.5 The appeal must be lodged in the format below:
 - 3.5.1 Itemise the grounds for appeal in accordance with 3.1 above.
 - 3.5.2 Detail and provide relevant evidence relating to the ground(s) for appeal to enable the Appeals Committee to prepare for the hearing
 - 3.5.3 If applicable state the procedural irregularity and as far as possible how this has affected the outcome of the initial review
 - 3.5.4 Student's signature, date, family name, given names, student ID, address for notices, contact telephone, email address.
- 3.6 Upon receipt of the appeal the Director of Education will confirm that the case has been considered in accordance with the informal and/or formal resolution process. If the case has not been considered through the formal resolution process, the matter shall be referred to the Head lecturer and the student advised accordingly.
- 3.7 Where the appeal does not comply with the criteria and therefore should not be heard by the Committee, the Director of Education will reject the appeal and notify the student for the reasons for the rejection.
- 3.8 Where the appeal has not been rejected, the matter shall be forwarded to an Assessment Appeals Committee.
- 3.9 The Assessment Appeals Committee hears all appeals in respect of assessment, examination and assessment discipline and other academic matters referred to it by the Academic Board, the Curriculum and Delivery Committee, and/or the Director of Education.
- 3.10 Where a member of the Committee has had any involvement in a student's case, that member cannot sit as a member of the Committee hearing that student's appeal
- 3.11 The Director of Education is the Chair to that Committee.

4. Appeal Hearing

- 4.1 The student, the Head lecturer and the Assessment Appeals Committee are given a minimum of five (5) days written notice of the hearing and all relevant documentation forwarded to the members of the Committee
- 4.2 The student and the Head lecturer will be given the opportunity to give evidence at the hearing
- 4.3 The student can be represented by an advocate at the hearing
- 4.4 The Committee must hear the matter on its merits, taking into account all circumstances of the student's case
- 4.5 After consideration of all evidence available in the case, the Committee shall reach its decision by a majority vote by agreement by the members, each of whom has equal voting rights. The Secretary does not have voting rights.
- 4.6 The Committee may decide to:
 - 4.6.1 Confirm the outcome/decision against which the student lodged their appeal
 - 4.6.2 Uphold the appeal and any or all of 4.6.3
 - 4.6.3 Cancel any penalty imposed on the student; modify any penalty imposed on the student; direct the Head lecturer to undertake a course of action (eg re-assess the student's work, allow the student to sit a further examination, submit further written work, provide ongoing academic support for the student)
- 4.7 The Secretary will then:
 - 4.7.1 Document the decision and the reasons for the decision
 - 4.7.2 Contact the Campus Manager with the decision and the reasons for the decision
 - 4.7.3 Prepare the written communication for the student for co-signing by the Chair of the Assessment Appeals and the Campus Manager
- 4.8 The written advice shall be sent to the student's contact address.

5. External appeals

Should the student be dissatisfied with the outcome of an Assessment Appeal hearing, they may seek resolution from an external mediation service. This process will co-ordinated by the: -

Executive Officer

Australian Council for Private Education and Training
Suite 12 Level 14 329 Pitt Street Sydney NSW 2000
Box Q1076, QVB PO, Sydney NSW 1230
Ph: (02) 9264 4490 Fax: (02) 9264 4550
E-mail acpet@acpet.edu.au

The complainant must inform the Campus Manager in writing of their decision to proceed with an external dispute resolution process.

The JMC Academy will then request ACPET to appoint an independent mediator to resolve the dispute. This process will take no longer than 30 days. The JMC Academy will bear all costs in this mediation process.

The complainant may request another person to accompany them during this mediation process.

If the independent mediator makes recommendations in relation to a grievance they have reviewed, the mediator will forward those recommendations to the Campus Manager within 14 days who will ensure that the recommendations are implemented within 30 days of receipt of the mediator's report.

Records management

Records of complaints and/or grievances and their outcomes, including applications for review will be kept strictly confidential and filed in a separate file and stored in the office of the Campus Manager for a period of three years, after which time they will be removed to secure off site storage. Records will be kept for a minimum of five (5) years. Parties to the complaint will be allowed supervised access to these records in accordance with relevant legislation.

Positions responsible for implementing procedure

- Students
- Administration and Student Support Services
- Campus Manager
- Director of Education
- Chief Executive Officer
- Academic Board
 - Curriculum and Delivery Committee/s
 - Assessment Appeals Committee.

Related Policies

Policy H8.1 Academic Grievance - Assessment and assessment appeals

Procedure H8.1.1 Academic Grievance – Assessment and assessment appeals

This policy was approved on October 31, 2007.