

## Key Advice

Following proper process is essential in investigating academic misconduct; to ensure this, departmental investigators should be familiar with the [Student Academic Misconduct Procedures](#) and use:

- The Alleged Academic Misconduct Reporting form on the [AskOtago portal](#)
- the Template Level 1 communication to a student

Resources are available on the [Academic misconduct information for staff](#) page on the website.

*The following provides additional guidance on each step of the investigation process.*

### 1. Determining whether poor practice should be investigated as possible academic misconduct (see clause 5 in the [Student Academic Misconduct Procedures](#))

- Some forms of poor practice fall below the threshold for investigation as academic misconduct. These will usually be flawed attempts to 'do the right thing', such as attempts to reference but with errors. These can normally be dealt with through marking and feedback, particularly for students at lower stages (e.g. 100-Level; first-year students). However significant or repeat instances of these types of errors may require investigation as academic misconduct.
- The determination of whether poor practice meets the threshold for investigation will normally be made by the marker. The student is not involved in discussions or contacted at this stage.

*Proceed to step 2 if it is determined that an investigation of potential academic misconduct is required.*

### 2. Preliminary investigation

(see clause 6 in the [Student Academic Misconduct Procedures](#))

- The preliminary investigation determines whether there is sufficient evidence of wrongdoing to proceed with an investigation, and if so, whether this should initially be investigated as Level 1 or Level 2 misconduct.
- The preliminary investigation is completed by the Head of Department or their nominee.
- The student is **not** involved in discussions or contacted at this stage.
- Complete the first two parts of the online form, following the process contained therein.
- Complete within seven days of detection of alleged offence.

*Proceed to step 3 if the case is to be investigated as possible Level 1 academic misconduct. Otherwise:*

- *If there is insufficient evidence or no case to answer, indicate this on the online form and upload the associated documentation. This will complete the process.*
- *If the case is to be investigated as possible Level 2 or 3 academic misconduct, indicate this on the online form, and Academic Integrity will coordinate further investigation by the appropriate Associate Dean (Academic). Make sure to upload all required documents. The Head of Department and other relevant parties will be informed of the outcome of the investigation at the end of this process.*

### 3. Full investigation at Level 1

(see clause 7 in the [Student Academic Misconduct Procedures](#))

- The full investigation determines whether the student has engaged in academic misconduct. It should consider material from the preliminary investigation, any further evidence collected, and the student's account of events.
- For misconduct which is preliminarily assessed at Level 1, the formal investigation is completed by the Head of Department or their nominee.
- **The student must be informed that they are being investigated for academic misconduct and given the options to attend a meeting and/or make a written submission to give their account of events.** To ensure proper process the student should initially be sent a communication based on the Template Level 1 communication to a student. It is recommended this be sent by email with a subject line such as "Concern around possible academic misconduct."
- To ensure proper process and record the investigation, complete the final part of the online form.
- The student has a right to see evidence of their misconduct, including evidence from other students (for example in collusion cases) – this should normally be shown to them when they meet with you. They should not automatically be shown the Investigation form or other correspondence; however, staff should be aware that the student has a right to see these on request.
- If the student elects to meet, it is recommended that the investigator take notes at the meeting. It is important to remember that the student may exercise their right to access these notes at a later time (e.g. if appealing the decision).
- If the student elects to meet, this can also be used as an opportunity to answer queries the student may have about the process.
- Complete this part of the process (including deciding on an outcome if appropriate – see below) within two weeks where practicable.

*Proceed to step 4 if Level 1 academic misconduct is found to have occurred. Otherwise:*

- *If academic misconduct has not occurred, or there is insufficient evidence to establish this with reasonable certainty, advise this using the online form, providing **all** documentation from the investigation.*
- *If, after investigation, it is decided that the offending is more serious than first thought, the case can be reconsidered as possible Level 2 or 3 academic misconduct – indicate this on the online form, and Academic Integrity will coordinate further investigation by the appropriate Associate Dean (Academic). The Head of Department and other relevant parties will be informed of the outcome of the investigation at the end of this process.*

#### 4. Determining an outcome for Level 1 Misconduct

(see clause 8 in the [Student Academic Misconduct Procedures](#))

- Where Level 1 academic misconduct has occurred, the primary purpose is to educate students, so that they will be better informed about proper practice in future. Penalties for engaging in academic misconduct are not applied at Level 1.
- Taking into account the type and extent of misconduct that has occurred and the student's circumstances (e.g. study commitments), the department should select one or more of the following educative actions:
  - A warning with additional information about resources on academic integrity.
  - Requirement to attend a one-on-one session with a Student Learning Development adviser.
  - Requirement to write a supplementary, formative assessment on a topic relating to academic integrity.
  - Requirement to resubmit the assessment affected by the academic misconduct (any mark awarded for this must not exceed the initial mark they received, as otherwise they would be benefitting from their misconduct).
- As well as an educative response, it may be appropriate to deduct marks for the assessment concerned. **This should not be used as a penalty**, but only as a mark adjustment so that the student doesn't benefit from work that is not their own (or from other misconduct). For example, a student who has completely plagiarised one section of an assignment might receive zero marks for that section. Please consider:
  - When the student's assessment is initially marked, marks should not usually be deducted on the basis of academic misconduct, as a student is considered innocent until proven guilty. However, sometimes poor referencing or other clearly poor practice may have resulted in marks being deducted at this stage. This should be taken into account in consideration of any mark adjustment arising from the misconduct investigation, so as to avoid a 'double mark adjustment'. **Liaison with the marker before determining any mark adjustment is strongly recommended.**
  - For Level 1 misconduct a mark adjustment should not normally exceed 50% of the total marks available for the assessment. If a greater adjustment than this is needed, thought might be given as to whether the misconduct is serious enough to be considered potential Level 2 misconduct. Note that mark adjustments greater than 50% may be justifiable for assignments worth very little of the overall mark for a paper. If a Level 1 adjustment of greater than 50% is recommended, please provide a justification for this when filling out the final part of the form.
- Sharing the recommended outcome with the student in advance of the formal notification (see below) is not usually advisable in case the recommended outcome needs to change for some reason.

*Following determination of an outcome, upload all documentation from the investigation to the online form for notification under step 5 below.*

## 5. After the investigation

- Academic Integrity administration may contact the department to clarify any points before proceeding with the formal notification.
- A formal letter will be sent from Academic Integrity to the student advising them of the outcome of the investigation. This will be copied to all relevant parties, including the Head of Department.
- The misconduct will be recorded in a central Academic Misconduct register.
- The department is responsible for ensuring the student completes any prescribed educative outcomes and for applying any mark adjustments (see 4 above).
- The student may appeal the outcome to the Pro-Vice-Chancellor, in which case the Associate Dean (Academic) will review the process followed, conclusions reached, and outcome decided upon.
- The student has the right to access documents relevant to the investigation, whether to support an appeal, or for any other purpose.

For additional resources and sources of advice, and to ensure templates used are up to date, see the [Academic misconduct information for staff](#) webpage.