Student Academic Misconduct Procedure

Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') is committed to the effective management of allegations of breaches of academic integrity and academic misconduct.

(2) The University will train its staff to provide consistent and coherent support to students in all matters related to academic integrity. The University will prioritise the prevention of academic dishonesty by providing information and education so that every student understands their obligation to work independently and apply the required industry or professional standards in their assessments and broader education.

(3) Any form of cheating, plagiarism, collusion, inappropriate or unsanctioned use of generative artificial intelligence tools, or dishonesty devalues the quality of learning for every student and undermines the academic standards of the University. Allegations of academic misconduct will be taken seriously and dealt with fairly, consistently, and transparently.

Section 2 - Purpose

(4) This procedure outlines the University's management of alleged academic integrity breaches by students.

Section 3 - Scope

(5) This procedure applies to all students enrolled at the University or with a partner organisation in:

a. a vocational qualification, training product or short course;
b. a higher education coursework course, including award courses, single units of study, and short courses; or
c. the coursework components of a higher degree by research.

(6) This procedure applies to all assessment activities including those on campus, online, in workplaces or in the field.

(7) The University may deal with academic misconduct under this procedure if the individual was a student at the time of the alleged misconduct, even if they are no longer a student when proceedings are started or finalised.

(8) Where a student is suspected of engaging in fraudulent behaviour the case may be dealt with under the Fraud and Corruption Control Policy.

Section 4 - Procedure

Types of academic misconduct

(9) Academic misconduct occurs where a student seeks an unfair advantage for themselves or others by behaving in a way that is contrary to the ethical principles of academic honesty and integrity, and includes the actions and behaviours described in table 1.

Table 1 – Types of academic misconduct

Term	Definition
Academic Fraud	A false representation made in attempting to gain an unfair advantage.
Cheating	A deliberate attempt to gain an unfair advantage, including: 1. unauthorised early access to assessment/exam papers or answer sheets; 2. communicating with or copying from another person during an exam; or 3. supplying or receiving unauthorised material in an examination.
Collusion	Any unauthorised collaboration in preparation or presentation of work, including knowingly allowing personal work to be copied by others.
Contract Cheating	Securing a person or computer program to complete part or all of your assessment, including using work prepared by another person.
Duplicate Submission	Resubmitting or largely reusing work that you have previously had assessed as new work, without permission from the lecturer/tutor.
Fabrication	The intentional use of information or data that has been made up but is implied to be real.
Impersonation	Assuming the identity of another person and completing assessments on their behalf.
Inappropriate or unsanctioned use of generative artificial intelligence	Generative artificial intelligence or GenAI is a type of artificial intelligence that focuses on the creation and generation of new content such as audio, code, images, text, simulations and videos.
Misrepresentation	Presenting an untrue or incomplete statement that could mislead, including: 1. about attendance or participation in practical, performance or professional learning and assessment activities; 2. citations to non-existent or incorrect sources; or 3. failing to disclose information when there is a duty to disclose it, or when failing to disclose it misleads the assessor.
Plagiarism	Presenting the work of another as your own work without proper acknowledgement that clearly identifies which parts of the work originate from another source. Work includes ideas, interpretations, words or creative works such as works in print and electronic media, published and unpublished documents, designs, music, sounds, images, photographs, computer codes and ideas gained through working in a team.
Solicitation and Promoting the Breach of Academic Integrity	Offering, inducing or advertising for a person to complete an assessment on your behalf, including work likely to be used for cheating, misrepresentation and/or plagiarism. Note that a student who agrees to assist another student through solicitation, cheating, misrepresentation or plagiarism (for example by willingly sharing their own work or advertising the availability of their own work or someone else's work) is also in breach of academic integrity, and will be subject to disciplinary action.

Academic misconduct resolution

(10) Breaches of academic integrity will usually be dealt with under this procedure in the first instance, acknowledging that repeated or serious cases may be referred to the Code of Conduct - Students for action.

(11) The University will:

a. investigate allegations of academic misconduct in a consistent, transparent and timely manner;
b. act in accordance with the principles of procedural fairness and confidentiality, including advising students of allegations of misconduct against them in a timely manner and ensuring that students have an opportunity to respond to any allegation against them and to appeal any penalties imposed;
c. make decisions on whether an act of misconduct has occurred after the facts have been established to the

satisfaction of the decision-maker, ensuring that staff with direct interest in an allegation against a student are not involved in making a determination of misconduct in relation to that student; and

d. not take into account previous misconduct breaches when determining whether a minor breach has occurred, but may take into account previous breaches when deciding on penalties to be imposed.

(12) The University recognises that there are varying degrees of seriousness in relation to breaches of academic integrity, as outlined in table 2.

Table 2 – University responses to misconduct

Level	Description	Penalties / outcomes	Impact on results
Serious	Academic Misconduct will be deemed serious if it appears to be: 1. deliberately planned, and/or 2. is substantial in scale or scope All cases of contract cheating will be deemed serious.	1. Mandated education (see clause 13),and 2. Recorded on student file, and 3. Fail (0%) or Unsatisfactory for the submitted work. 4. Fail or Not Competent for the unit. For severe or repeated cases, and for all cases of contract cheating: 1. Disciplinary action under the Code of Conduct - Students. 2. Referral to external agencies for conduct deemed a reportable or criminal offence.	Fail (0%) (Higher Education (HE)) Not Competent (VET)
Minor	All academic misconduct not deemed to be serious will be deemed minor.	1. Mandated education (see clause 13), and 2. Recorded on student file, and 3. For HE students: 1. Warning with 0-10% reduction in marks, or 2. Second attempt at the assessment, or 3. Second attempt at the assessment with Pass only grade available, or 4. Mark original content only, disregarding sections in question. 4. For VET students: 1. Warning only, or 2. Warning with supplementary skills assessment, or 3. Warning with second attempt at the assessment item(s).	Depending on the breach: 1. Full range of marks and grades, or a reduced range (HE) 2. Satisfactory or Unsatisfactory assessment outcome or Competent or Not Competent unit outcome (VET)

(13) The University will refer all students who breach academic integrity, regardless of the level of breach, to undertake an educative intervention strategy to ensure future academic integrity. This includes, but is not limited to:

a. appointment with the trainer or lecturer to refresh knowledge on required standards, and/or
b. referral to the Language and Learning support team for support, and/or
c. requirement to repeat the academic integrity induction module.

Responding to minor breaches

(14) The TAFE Team Leader or higher education Unit Coordinator will manage minor breaches of academic integrity, with potential breaches referred to them by trainers, lecturers, markers, or exam invigilators.

(15) The TAFE Team Leader or higher education Unit Coordinator will assess referred cases using their academic expertise and judgement in addition to the evidence from the person making the referral and any supporting evidence from text-matching software or other technology to assist in determining the percentage of similarity between the students submitted work and other sources as a guide.

(16) Where the TAFE Team Leader or higher education Unit Coordinator does not find a breach to have occurred, the matter will be dismissed, and the work referred back to the assessor or marker who will mark the assessment in full.

(17) Where the TAFE Team Leader or higher education Unit Coordinator finds sufficient evidence of a breach, they will:

a. advise the student in writing of the type of academic breach detected;
b. provide the student with a copy of the evidence; and
c. invite the student to a meeting or provide them with the opportunity to respond in writing.

(18) The student will have five (5) working days to attend a meeting or provide a response to the allegation. Where no response is received within the stipulated time period, the TAFE Team Leader or higher education Unit Coordinator will proceed based on the available evidence.

(19) The TAFE Team Leader or higher education Unit Coordinator will make a decision about whether a breach has occurred, taking into account:

a. the type of academic misconduct;
b. the extent of the misconduct;
c. the experience of the student; and
d. the stage or level of the student in their course.

(20) If the TAFE Team Leader or higher education Unit Coordinator decides that a breach has not occurred, no further action will be taken and no record will be held against the student file.

(21) If the TAFE Team Leader or higher education Unit Coordinator decides that a minor breach has occurred, they will determine the most appropriate outcome for the breach, and may take the student’s history of academic integrity breaches into account.

(22) Once an outcome has been determined, the TAFE Team Leader or higher education Unit Coordinator will:

a. advise the student in writing of the outcome and any action to be taken;
b. refer the student to undertake appropriate educative intervention;
c. record the mark; and
d. inform the student of the option to request a review by the relevant Pro Vice-Chancellor if the student disagrees with their decision. Reviews must be submitted within 10 working days of the date of the TAFE Team Leader or higher education Unit Coordinator's decision.

Responding to serious breaches

(23) The TAFE Team Leader or higher education Unit Coordinator will refer serious breaches to the relevant Pro Vice-Chancellor for assessment of the evidence and decision.

(24) The relevant Pro Vice-Chancellor will assess referred cases using their academic expertise and judgement in addition to the evidence from the person making the referral and any supporting evidence from text-matching software or other technology to assist in determining the percentage of similarity between the students submitted work and other sources as a guide.

(25) Where the relevant Pro Vice-Chancellor does not find a serious breach to have occurred, the matter will be referred back to the TAFE Team Leader or higher education Unit Coordinator to be assessed as a minor breach.

(26) Where the relevant Pro Vice-Chancellor finds sufficient evidence to support an allegation of a serious breach, they will:

a. advise the student in writing of the type of academic breach detected; and
b. provide the student with a copy of the evidence; and
c. invite the student to a meeting or provide them with the opportunity to respond in writing.

(27) The student will have five (5) working days to attend a meeting or provide a response to the allegation. Where no response is received within the stipulated time period, the relevant Pro Vice-Chancellor will proceed based on the available evidence.

(28) The relevant Pro Vice-Chancellor will make a decision about whether a breach has occurred, taking into account:

a. the type of academic misconduct;
b. the extent of the misconduct;
c. the experience of the student; and
d. the stage or level of the student in their course.

(29) If the relevant Pro Vice-Chancellor decides that a breach has not occurred, no further action will be taken and no record will be held against the student file.

(30) If the relevant Pro Vice-Chancellor decides that a breach has occurred, they will determine the most appropriate outcome for the breach, and may take the student's history of academic integrity breaches into account.

(31) Once an outcome has been determined, usually within 10 working days of the meeting with the student, the relevant Pro Vice-Chancellor will:

a. advise the student in writing of the outcome and any action to be taken, including whether the case will be referred for action under the Code of Conduct - Students (for severe cases) or to external agencies for conduct deemed reportable or a criminal offence, as applicable;
b. refer the student to undertake appropriate educative intervention;
c. record the fail grade or Not Competent notation; and
d. inform the student of the option to appeal the finding by the Student Appeals Committee.

Complaints and appeals

(32) A student can make a complaint about or appeal a decision under this procedure in accordance with the Complaints Policy - Students.

Formal record of breach and monitoring

(33) The TAFE Team Leader, higher education Unit Coordinator or relevant Pro Vice-Chancellor will submit a full record of all stages of academic misconduct proceedings, for both minor and serious breaches, including all actions, evidence, correspondence, meetings and minutes, on a confidential file with the Student Conduct & Complaints Management Unit team. When misconduct is determined to have taken place, a summary of the investigation and determination will be recorded on the student's file.

(34) The Student Conduct & Complaints Management Unit team will monitor, review and report on breaches of academic integrity to the Vice-chancellor's Advisory Committee, Academic Board and the Audit, Risk and Compliance

Committee. Reporting will occur in accordance with the University's reporting cycle.

(35) The Student Conduct & Complaints Management Unit team will monitor, review, and report instances of multiple breaches by individual students to relevant Pro Vice-Chancellors.

(36) Confidential records will be disposed of according to the Records and Information Management Policy and Procedure.

Section 5 - Non-compliance

(37) Non-compliance with governance documents is considered a breach of the Code of Conduct - Employees or the Code of Conduct - Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2025 and the Code of Conduct - Students.

(38) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy - Students.

(39) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

Status	Historic
Effective Date	31st October 2025
Review Date	31st October 2026
Approval Authority	Academic Board
Approval Date	29th October 2025
Expiry Date	19th March 2026
Responsible Executive	Sarah Fletcher Director Student Engagement
Implementation Officer	Drew Harper Manager Student Policy and Complaints
Enquiries Contact	Drew Harper Manager Student Policy and Complaints --- Student Conduct & Complaints Management Unit

Glossary Terms and Definitions

"VET" - Means Vocational Education and Training. VET includes all students of CDU TAFE and all TAFE courses.

"University" - Charles Darwin University, a body corporate established under section 4 of the Charles Darwin University Act 2003. The University is comprised of the various faculties, CDU TAFE, organisational units, and formal committees, including the governing University Council and Academic Board.

"Governance document" - means policy or procedure published in the Governance Document Library. Policies and procedures are collectively called ‘governance documents’ and are often referred to as ‘policy’ or ‘University policy’.

"Higher education coursework course" - Higher education coursework courses include award courses, which lead to a qualification recognised by the AQF, and accredited non-award courses, including enabling, foundation, preparatory, bridging, study abroad, international exchange, and other types of accredited non-award courses.