



**HIBERNIA COLLEGE**

Ireland's Online College

## **ACADEMIC IMPROPRIETY PROCEDURE**

### **1. General Principles**

In the interest of all parties these procedures will be invoked as soon as possible and concluded as quickly as possible. Due consideration must be given to timings of other assessments / examinations and the Board of Examiners meeting.

Prior to any stage of these proceedings the student will be notified in writing (including email) of the reason for their attendance and their rights. Should a student decide not to attend at any stage, the appropriate committee or panel is authorised to proceed in their absence.

A written record will be made at each stage of this procedure. In the event of a decision that no offence has occurred, all records will be destroyed.

### **2 Initial Action to be taken in respect of suspected cases of Cheating, Plagiarism or Other Form of Academic Impropriety**

#### **2.1 Continuous Assessment**

In cases where an offence is suspected it is the responsibility of the member(s) of Faculty staff concerned to draw the matter in writing (including email) to the attention of the Office of Academic Affairs, detailing the grounds for concern and any supporting evidence.

#### **2.2 Action by Senior Invigilator during an Examination**

Where an offence is suspected during the course of an examination, the Senior Invigilator shall make a written record of their concerns and remove any materials / objects causing concern. A full report, including details of suspicious materials, should be submitted to the Office for Academic Affairs with immediate effect. In such instance the invigilator must instruct the candidate to contact the Registrar as soon as possible after the examination to discuss the incident.

#### **2.3 Offence suspected during the Marking of an Examination**

If, during the marking process, an intern examiner suspects that cheating, or other form of seeking unfair advantage, has taken place, he or she shall compile a full report detailing the grounds for suspicion and submit this to the Office for Academic Affairs with immediate effect. The Examination Script will be marked as normal.

#### **2.4 Offence identified through anti-plagiarism software random sampling**

Where standard sampling through anti-plagiarism software, carried out by the Office for Academic Affairs, highlights possible academic impropriety evidence of this should be referred to the Course Director (or nominee).

#### **2.4 Disclosure to Student**

All reports related to suspected incidents of academic impropriety will be made available to the student concerned.

### **3 Investigatory Interviews**

#### **3.1 Action by Office for Academic Affairs**

When the Office of Academic Affairs is in receipt of a report on suspected cheating, plagiarism or other form of academic impropriety, arrangements for an Investigatory Interview with the Course Director (or nominee) will take place.

**3.1 a** In the instance of suspected plagiarism in non examination assessment, the Office for Academic Affairs will initiate a preliminary Investigation through the use of anti-plagiarism software and through referring the matter to the Course Director (or nominee).

**3.1 b** In the instance of suspected academic impropriety identified by random sampling with anti plagiarism software, the Office for Academic Affairs will refer the matter to the Course Director (or nominee) to initiate the Investigatory Interview.

**3.1 c** In the instance of suspected / actual academic impropriety during an examination the Office for Academic Affairs will refer the matter to the Course Director (or nominee) to initiate the Investigatory Interview / Disciplinary Committee.

#### **3.2 Information to Student**

The student will be notified as quickly as possible and advised of the substance of the allegation.

#### **3.3 Format of the Interview**

This can be carried out in a semi-formal manner and will either involve email, telephone or face to face discussion with the student.

#### **3.4 Possible Outcomes**

The possible outcomes from an Investigatory Interview are:

- finding that no offence has occurred
- admission of the offence by the student concerned
- non-resolution of the issue i.e. nothing to confirm no offence has occurred nor admission from the student.

#### **3.5 Reaching a Decision**

The outcome of the Investigatory Interview will be determined as quickly as possible and the student will be informed of both the outcome and the

consequences (as below). The standard of proof required is balance of probabilities.

### **3.6 Finding that No Offence has Occurred**

If satisfied that no offence has occurred the matter shall be considered to be concluded

### **3.7 Admission of Offence**

If the offence is admitted at this stage, the Office for Academic Affairs will report the matter to the Chair of the Board of Examiners. The Office for Academic Affairs representative will advise the student in writing, of the following

- The outcome of Interview;
- The intent to advise the Chair of the Disciplinary Committee;
- The allocation of a fail grade and the implications of this as dictated by HETAC Marks and Standards;
- The offence will be recorded on their file.

### **3.8 Non-Resolution of the Issue**

If the matter is not resolved at this stage, the Office for Academic Affairs representative should without delay refer the matter to a Disciplinary Committee, through the Registrar. The student will be notified in writing of this decision.

### **3.11 Witnesses**

Both the Committee members and the student are within their rights to call witnesses. Names and contact details of witnesses should be provided to the Office of Academic Affairs as soon as a decision to convene a committee has been confirmed and not later than 2 working days after this confirmation.

## **4 Disciplinary Committee**

### **4.1 Remit of a Disciplinary Committee**

On consideration of the evidence, the Committee reaches one of two conclusions:

- (i) Academic Impropriety has not occurred
- (ii) Academic Impropriety has occurred

### **4.2 Membership**

The Disciplinary Committee normally consists of

Registrar (Chair)

External member of Faculty including supervisors

Examinations Officer

The College will seek to include student representation on the Disciplinary Committee.

No individual with any involvement in the incident thus far or who has had previous contact with the student can be a member of the Disciplinary Panel.

### **4.3 Explanation of the Procedure**

The Chair of the Disciplinary Committee will outline:

- the procedure to be followed;
- the possible outcomes of the meeting; and
- will ask the student to confirm the address to which the Panel's decision should be sent.

The Committee will be bound by the following guidelines:

- In the event that conclusion (i) is reached, the matter will be considered closed
- In the event that conclusion (ii) is reached, the decision must be a majority one
- The Committee must meet and reach a decision before the relevant meeting of the Board of Examiners
- The Committee, through the Chair, will notify the student of the decision in writing
- The Committee, through the Chair, will forward a report to the relevant Board of Examiners detailing all situations for which conclusion (ii) was reached. Such a report will detail the seriousness of the matter and any mitigating circumstances.

### **4.4 Authority to Adjourn the Hearing**

The Chair of the Disciplinary Committee, in consultation with other Panel members, has the power to adjourn the hearing if statements submitted by the student or witnesses suggest other enquiries which need to be made before a decision can be reached.

### **4.5 Admission of Offence: report**

If the offence is admitted at this stage, or was previously admitted at Investigatory Interview stage, the Chair of the Committee will report in writing to the Chair of the Board of Examiners detailing the offence and the penalty applied.

### **4.6 Decision on the Offence**

If the offence has not been admitted, the Disciplinary Committee will consider its decision. This will be reached on the basis of the written and oral evidence, and the standard of proof required is balance of probabilities. The decisions open to the Panel are:

- Academic Impropriety has not occurred
- Academic Impropriety has occurred.

### **4.7 Finding that No Offence has Occurred**

If the Disciplinary Committee is satisfied that no offence has occurred, the student will be notified in writing that the matter shall be considered to be concluded

### **4.8 Finding Alleged Offence has Occurred: reports**

If the Disciplinary Committee finds that the alleged offence has occurred, the Chair of the Committee will report the matter to the Chair of the Board of Examiners, detailing the offence and the penalty applied.

A copy of this report will also be retained within the Office for Academic Affairs, and will be made available to the student in the event of an appeal.

#### **4.9 Determining Penalties**

The Disciplinary Committee will decide what penalty, if any, should be imposed in cases of academic impropriety. The penalty will be appropriate to the seriousness of the case. The student will be informed in writing of the penalty.

#### **4.10 Finding Alleged Offence has occurred: Right of Appeal**

If the Disciplinary Committee finds that the alleged offence has occurred, the Chair of the Committee must write to the student within 2 working days. This requirement is to enable the student to appeal should he or she so wish. The communication must outline the panel's decision, the impact of this decision, the student's right to appeal and the timeframe within which the appeal should be lodged as well as who the appeal should be addressed to.

#### **4.11 Action in the event of an Appeal**

If the student lodges an appeal, the matter will be considered by an Academic Appeals Committee

- no action will be taken in respect of the findings of the Disciplinary Committee until the appeal has been heard;
- the student will not be prevented from undertaking any relevant re-assessment opportunity.

#### **4.12 Action in the event of No Appeal**

If the student does not appeal, the matter is concluded. The outcome will be reported to the Chair of the Board of Examiners

### **5 Notification, Grounds and Acceptance of Appeal**

#### **5.1 Timescales for Lodging an Appeal**

If the student wishes to appeal the decision of the Disciplinary Committee they must inform the college of this intention, in writing, within 5 working days of the meeting of the Disciplinary Committee. It is the responsibility of the student to ensure this is received by the College within the required timeframe. The grounds for appeal and details of any potential witnesses must be included in the notification.

#### **5.2 Valid Grounds for Appeal**

A simple request for a re-hearing does not constitute valid grounds for an appeal. With this exception, there are no restrictions on the grounds which may be adduced.

#### **5.3 New Evidence**

If it is the intent to present new evidence the substance of said evidence should be identified at this point. New evidence not identified will not be considered by the Assessment Appeals Committee unless exceptional circumstances are identified and these are accepted at the Chair's discretion.

#### **5.4 Acceptance or Rejection of Appeal**

The designated Administrative Officer will forward the notification of appeal to the Academic Chairperson who is entitled to dismiss the appeal without hearing in the following circumstances:

- intention to appeal was not notified within the prescribed timescale
- no identifiable grounds for appeal were presented.

In such cases the student will be informed of this decision in writing and the process will be concluded at this point.

### **6 Convening an Academic Appeals Committee**

#### **6.1 Responsibility for Convening an Academic Appeals Committee**

Where a student has been found to have valid grounds for appeal, an Academic Appeals Committee will be convened. The student will be informed in writing that the grounds for his or her appeal have been accepted and that an appeal hearing is being arranged. The student will also be informed of his or her right to submit a written statement to the Panel concerning the alleged offence in advance of the meeting, if he or she wishes to do so.

#### **6.2 Membership**

The Academic Appeals Committee consists of  
Academic Chairman  
Director of Operations  
Chief Knowledge Officer or External member of Faculty

No member of the Academic Appeals Committee can have had previous involvement with the student or the case concerned.

#### **6.2 Minimum Notice to Student**

As a result of externally imposed deadlines in respect of Board of Examiners the student and any witnesses may be required to attend the Assessment Appeals Committee at short notice but will be given a minimum of 2 working days notice.

### **7 Conduct of the Academic Appeals Committee**

#### **7.1 Remit of the Academic Appeals Committee**

The Academic Appeals Committee will consider the grounds for appeal as set out by the student in his or her notification of appeal.

#### **7.2 Explanation of the Procedure**

The Chair of the Assessment Academic Appeals Committee will advise the student of the role of the committee, the possible outcomes and subsequent action.

#### **7.3 Possible Outcomes**

The possible outcomes are:

- the appeal is upheld
- that a less serious offence has occurred
- the appeal is quashed

#### **7.4 Procedures and Standard of Proof**

The procedures to be followed, and the standard of proof required are as set out for Disciplinary Committees.

#### **7.5 Finding that No Offence has Occurred**

If the Assessment Academic Appeals Committee is satisfied that no impropriety has occurred, the matter will be considered concluded at this point and all documentation will be shredded. The student will be notified in writing.

#### **7.6 Other findings**

If the Academic Appeals Committee concludes that the decision of the Disciplinary Committee is upheld or that a less serious offence has occurred, the Chair of the Committee will report the matter to the Chair of the Board of Examiners, including a copy of the report of the Assessment Appeals Committee meeting. The student will be informed in writing of the decision of the Committee, the requirement to inform the Chair of the Board of Examiners and the intent to record the offence on the student's record.

#### **7.7 Conclusion of Process**

There is no appeal against the decision of the Academic Appeals Committee, and the process is concluded at this point.

### **8 Report to the Academic Board**

#### **8.1 Report from Boards of Examiners**

After a meeting at which consideration was given to penalties in respect of proven or admitted cases of cheating, plagiarism, or other forms of impropriety, the Chair of the Board shall make an immediate report for submission to the Academic Board. The report will include the name of the student and details of the offence, a summary of evidence, decision reached and the penalty applied by the Board of Examiners.

### **9 Documentation**

#### **9.1 Finding that No Offence has Occurred**

Where a finding that no offence has occurred is made at any stage of these procedures, the documentation associated with the allegation shall be shredded immediately after the decision is reached.

#### **9.2 Offence Admitted or Found**

Where an offence has been admitted or a finding that the offence has occurred has been made at either the Disciplinary Committee stage or the Assessment Appeal stage, all documentation associated with the case will be securely retained until two academic years after the student in question has finished his or her programme of study at the College.