

Formal Inquiry Committee Guidelines for School Staff

The following guidelines are for the information of staff that are either required to establish, to conduct or to attend a Formal Inquiry into the alleged academic misconduct by a student. A formal enquiry is initiated by a Head of School or the Director: CRE and in matters of academic misconduct are in response to the recommendation of an Academic Integrity Officer who has considered that the student conduct warrants a formal inquiry. These guidelines have been developed to ensure a level of consistency in the information provided to the committee members and to ensure there is a full brief of all the relevant information.

The membership of a committee of formal inquiry should be constituted according to the APPM cl. 9.6.5, and is instigated by the Head of School, with the following membership:

- the Head of School (chair)
- a member of academic staff nominated by the Divisional Pro Vice Chancellor (usually an Academic Integrity Officer from another school within the division)
- one other member of academic staff
- a nominee of the Director: Student and Academic Services, and
- the president of UniLife or nominee, or, in the case of transnational students, a representative of the UniSA partner institution

The formal inquiry may proceed even if all members are not in attendance, provided there is a quorum of three, including the Head of School or Director: Regional Engagement as Chair. However, every effort should be made to ensure that all members attend. Where members are unable to attend, they are to be notified of the outcome.

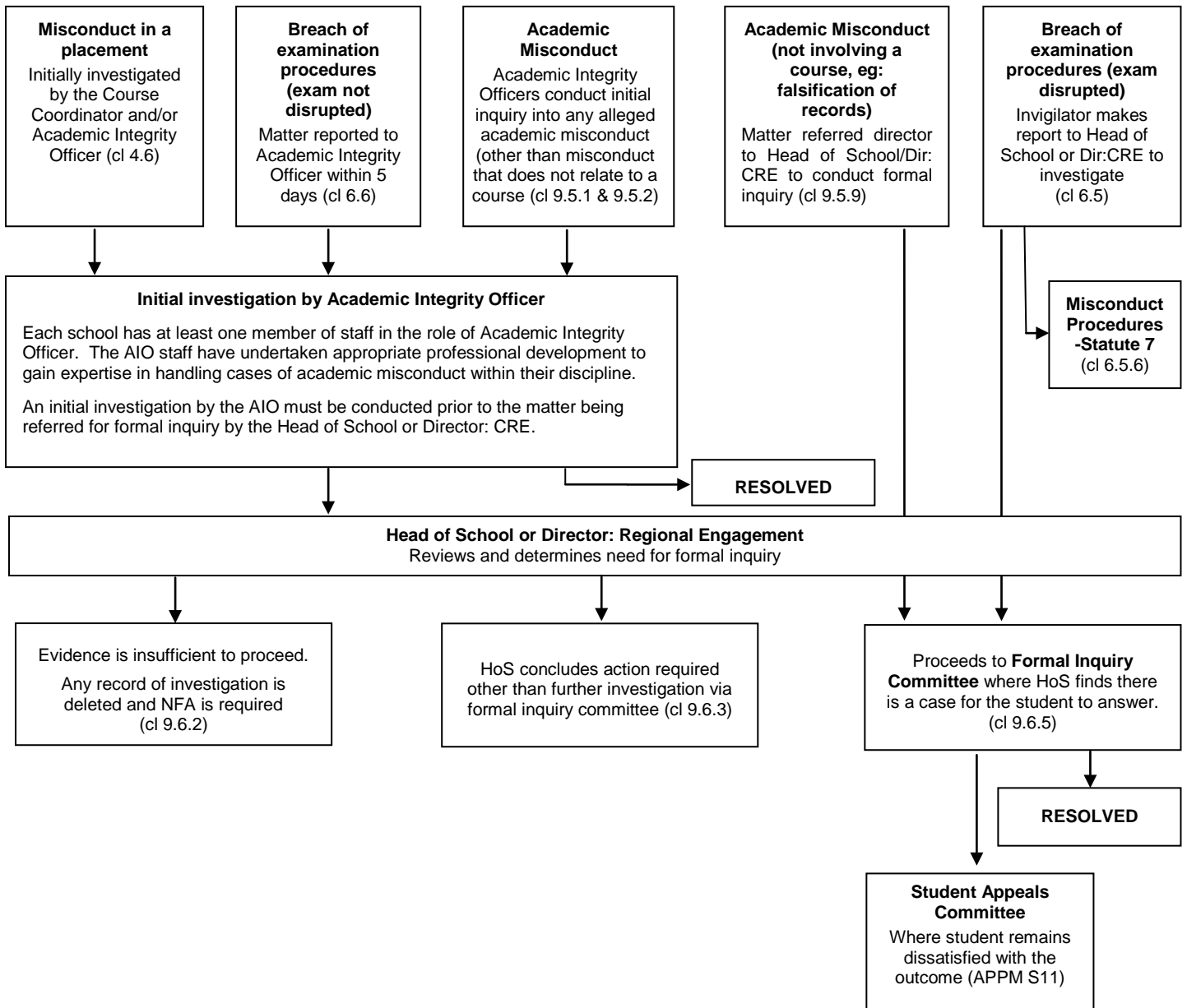
It is recommended that the members of the inquiry are provided with the following documents to ensure they are fully informed of the issues and have sufficient time before the inquiry to give due consideration to the matters under discussion.

Documents to be provided to ALL members of the formal inquiry committee and the student

The executive officer to the committee is responsible for providing each member with the documents listed below at least 4 working days before the formal inquiry, where possible. *In the interests of natural justice, this documentation is also to be provided to the student who is the subject of the inquiry.* The executive officer should also collect all documentation at the end of the meeting and ensure that it is destroyed using a confidential disposal method.

1. A summary (in dot point) setting out the chronology of the events leading up to the Formal Inquiry.
2. A copy of the relevant section of the Assessment Policies and Procedures Manual:
 - Misconduct in a placement – Section 4: Practicum, Field and Clinical Placements; or
 - Breaches of examination procedures – Section 6: Examination Procedures; or
 - Academic Integrity – Section 9: Academic Integrity.
3. A copy of the relevant Course Information Booklet to clarify the course / assessment requirements.
4. A copy of the program schedule to clarify where the course sits in the program structure.
5. A copy of the student's academic record.
6. Any other relevant information on the student's file at Campus Central.
7. Any written submissions from the student.
8. Any communication (including a write up of a telephone conversation) that may be provided by an academic about the student.
9. A copy of the student's assignment/s in question.
10. A copy of Academic Integrity Officer's report.
11. A copy of all documents/e-mails/records indicating when and what was communicated to the student leading up to the student enquiry together with a summary of these documents in chronological order to ensure proper process was followed.

Process Flowchart



Outcome options	Reference (2010)
<p>1. The options available to the formal inquiry committee are set out in clause 9.6.11 of the APPM and are as follows:</p> <p>a) Where the formal inquiry concludes that the action of the student does not constitute academic misconduct, no further action will be taken.</p> <p>Where the inquiry arose following the removal of a student from a placement (Section 4: Practicum, Field and Clinical Placements), the student may be reinstated in the existing placement or arrangements made to complete an alternative placement following counselling from the Academic Integrity Officer.</p> <p>b) Where the formal inquiry concludes the action of the student constitutes academic misconduct, warranting an outcome equivalent to or less serious than failure in the assessment component of the course, the outcomes described in clause 9.5.4 (b) apply, as follows—</p> <ul style="list-style-type: none"> i. re-submission of the assessment; if resubmissions are provided for in the course information booklet, or ii. another outcome appropriate to the case but with an impact less serious than a zero in the assessment component of the course; or iii. failure, with a zero score, in the assessment component of the course. <p>The matter may be referred back to the Academic Integrity Officer for implementation of the above outcomes where appropriate.</p> <p>c) Where the formal inquiry concludes that the action of the student constitutes academic misconduct, and warrants an outcome more serious than failure in the assessment component of the course, the committee will determine one of the following outcomes:</p> <ul style="list-style-type: none"> a) Failure in the course; or b) failure in the course and suspension from the course for a period not exceeding one year; or c) suspension from the University for a period not exceeding three years; or d) another outcome appropriate to the case but with an impact less serious than expulsion from the University; or e) expulsion from the University <p>d) Where the formal inquiry concludes that the action of the student warrants suspension, the student will be notified by registered mail within ten working days that:</p> <ul style="list-style-type: none"> (i) re-admission to the University in any program will not normally be considered during the period of suspension (ii) application for re-admission to the University will follow normal procedures and is not guaranteed, and (iii) students who gain re-admission will be classified as new students for the purposes of assessing fees and eligibility for Commonwealth support or assistance. 	<p>Clause 9.6.12(a)</p> <p>Clause 9.6.12(b)</p> <p>Clause 9.5.4(b)</p> <p>Clause 9.6.12(c)</p> <p>Clause 9.6.13</p>

Outcome options	Reference (2010)
<p>2. The Head of School or Director: CRE is to provide written confirmation of the outcome to:</p> <ul style="list-style-type: none"> a) the student (by registered mail within ten working days of the decision); and b) the relevant Academic Integrity Officer; and c) the Course Coordinator and Program Director; and d) Campus Central to be retained on the student's file. 	Clause 9.6.14
<p>3. A copy of section 9 of the APPM is to be included with the Head of School's letter to the student, together with advice about appeal rights.</p>	Clause 9.6.15

Appendix A

Process for initial inquiry into Misconduct in a placement (APPM S4)	Reference (2010)
<p>Note: The University has a responsibility to ensure all students who are required to undertake a placement have the capacity to behave appropriately, without endangering themselves or others or having a detrimental impact on the placement environment or the University.</p>	Clause 4.1.4
<p>1. The Course Coordinator or placement provider identified that the student's:</p> <ul style="list-style-type: none"> a. behaviour on the placement contributed to risk to self, persons in the care of the placement provider, the placement provider, or a third party, or b. behaviour constitutes misconduct under Statute 7 of the University of South Australia Statutes; or c. actions involved academic misconduct as described in Section 9 of this Manual. 	Clause 4.6.1
<p>2. The student was required to discuss the matter with the Course Coordinator and/or Academic Integrity Officer (in person or via email or teleconference).</p> <p>OR</p>	Clause 4.6.1
<p>The student was immediately removed from the placement (by the placement provider, Course Coordinator or Program Director).</p>	Clause 4.6.2
<p>3. The student was invited to bring along a representative of UniLife, or in the case of transnational students, a representative of the UniSA partner institution, or any staff member or student of the University.</p>	Clause 4.6.3
<p>4. As a result of this meeting the Course Coordinator made a decision to suspend the placement and to remove the student.</p>	Clause 4.6.5
<p>5. The Course Coordinator made a written recommendation, including reasons, to the Head of School/Director: Centre for Regional Engagement.</p>	Clause 4.6.5
<p>6. The Head of School/Director: CRE reviewed the Course Coordinator's recommendation and made the decision:</p> <ul style="list-style-type: none"> a) that the student be allowed to continue the placement; or b) that arrangements be made to enable the student to complete an alternative placement, or c) to remove (or confirm the immediate removal of) the student from the placement, and d) after consultation with the Course Coordinator, an investigation was required into the removal of the student from the placement. 	Clause 4.6.6
<p>7. The Head of School/Director: CRE decides that the matter is to be investigated in accordance with the formal inquiry procedures of the APPM (clause 9.6) (See Appendix C)</p>	Clause 4.6.7

Appendix B

Process for initial inquiry into breaches of examination procedures (S6)	Reference (2010)
<p>Note: A breach of the examination procedures may constitute academic misconduct. Procedures are deemed to be breached even if it cannot be demonstrated that the student gained an advantage as a result of the breach.</p> <p>eg: if a student takes a mobile telephone or device into the examination room but does not switch it on or remove it from their pocket, it may still constitute academic misconduct although the intent is recognised in determining an appropriate outcome.</p>	Clause 6.4.1
<p>Breaches of the examination procedures which constitute academic misconduct, as determined by the Academic Integrity Officer, are dealt with under Section 9: Academic Integrity of the APPM.</p>	Clause 6.4.2
<p>Incident resulting in instant dismissal from the exam room by the chief invigilator</p>	
<p>1. Where the chief invigilator has dismissed a student from the examination room for disrupting the exam, the chief invigilator documented the incident and provided a report to the Head of School or Director: Regional Engagement.</p>	Clause 6.5.1
<p>2. The Head of School or Director: Regional Engagement investigated the incident as either:</p> <ul style="list-style-type: none"> a) academic misconduct by following the procedures for formal inquiry set out in Section 9: Academic Integrity, or b) misconduct under Statute 7: Student Misconduct. 	Clause 6.5.2
<p>Incident that did not cause a disruption or did not result in dismissal from the exam room</p>	
<p>1. The invigilator documented the incident and provided a copy of the report to the Academic Integrity Officer at the relevant school within five working days of the incident taking place.</p>	Clause 6.6.2
<p>2. The Academic Integrity Officer determined that the breach constituted academic misconduct and investigated the incident in accordance with the procedures for managing alleged academic misconduct set out in Section 9: Academic Integrity. (See page Appendix C)</p>	Clause 6.6.3

Appendix C

Process for initial inquiry into Academic Misconduct (APPM S9)	Reference (2010)
<p>Note: Cases of academic misconduct that do not relate to a particular course [eg. falsification or misrepresentation of academic records (see clause 9.2.1 f), are referred directly to the Head of School or Director: Regional Engagement to undertake a formal inquiry. There is no initial inquiry process.</p> <p>If, at the conclusion of the formal inquiry, the action is determined to constitute academic misconduct, the following outcomes, as specified in clause 9.6.12c apply as follows:</p> <ul style="list-style-type: none"> (i) failure in the course, or (ii) failure in the course and suspension from the course for a period not exceeding one year, or (iii) suspension from the University for a period not exceeding three years, or (iv) another outcome appropriate to the case but with an impact less serious than expulsion from the University, or (v) expulsion from the University 	<p>Clause 9.5.9</p>
<p>1. Academic staff member raised concerns of possible academic misconduct with the School Academic Integrity Officer.</p>	<p>Clause 9.5.1</p>
<p>2. Academic Integrity Officer to notify student of allegation within 5 working days of becoming aware of the issue.</p>	<p>Clause 9.5.2</p>
<p>3. Academic Integrity Officer met/discussed with student about the issue within 20 days of initially notifying the student of the concerns.</p>	<p>Clause 9.5.2</p>
<p>4. The student was provided with the opportunity to have a representative UniLife, or in the case of transnational students, a representative of the UniSA partner institution, or any staff member or student of the University to participate in the discussion.</p> <p>NB: The University has made the decision not to permit solicitors/lawyers to represent students in matters of internal review. If the student is unhappy with the outcome of the review there are procedures for appeal against the initial decision. Once the internal processes are exhausted students have the right to take a matter outside the University to say, the State Ombudsman.</p>	<p>Clause 9.5.3(a) & (b)</p>
<p>5. The student received academic counselling and was provided with a proposed course of action.</p>	<p>Clause 9.5.4(b)</p>
<p>6. The Academic Integrity Officer advised the Head of School or Director: CRE to initiate a formal inquiry, and provided a record of the initial inquiry.</p>	<p>Clause 9.5.4(c)</p>
<p>7. Where the AIO determined there was academic misconduct, they:</p> <ul style="list-style-type: none"> • recorded the case in a central database • provided a report to the student and the Course Coordinator within ten working days of receiving the report from the AIO (see cl. 9.5.6.b.) • forwarded a copy of the report to Campus Central to be retained on the student's file. 	<p>Clause 9.5.6</p>

Process for initial inquiry into Academic Misconduct (APPM S9)	Reference (2010)
<p>8. The student notified the Academic Integrity Officer in writing of their agreement, or otherwise, to the proposed course of action within five working days of the Academic Integrity Officer's advice.</p> <p>NB: Even if the student chose not to participate in the preliminary discussion with the AIO, the AIO can decide on the most appropriate outcome.</p>	<p>Clause 9.5.7</p> <p>Clause 9.5.5</p>
<p>9. The Head of School: Director CRE reviewed the AIO's report and determined that the matter proceed to formal inquiry.</p>	<p>Clause 9.6.1</p>
<p>10. The Head of School or Director: CRE established a formal inquiry committee.</p>	<p>Clause 9.6.5</p>
<p>11. The Head of School or Director: CRE wrote to the student with details of the alleged misconduct, inviting the student to attend or provide evidence to the formal inquiry, and provided a copy of section 9 of the APPM – Academic Integrity.</p>	<p>Clause 9.6.9</p>
<p>12. The student was invited to bring along or be represented at the inquiry by a representative of UniLife, or in the case of transnational students, a representative of the UniSA partner institution, or any other staff member of the University.</p> <p>NB: The University made the decision not to permit solicitors/lawyers to represent students in matters of internal review. If a student is unhappy with the outcome of the review there are procedures for appeal against the initial decision. Once the internal processes are exhausted students have the right to take a matter outside the University to say, the State Ombudsman.</p>	<p>Clause 9.6.10</p>