

NMIT BREACH OF ACADEMIC INTEGRITY PROCEDURE

Section	Problem Resolution		
Approval Date	19.07.2023	Approved by	Academic Committee
Next Review	24.04.2024	Responsibility	Interim Operations Lead
Last Reviewed	24.04.2023	Key Evaluation Question	6

This procedure is supplemental to [Te Kawa Maiooro, Te Pūkenga Educational Regulatory Framework](#).

Te Kawa Maiooro sets out the overarching regulations that apply to learning and delivery (teaching, assessment, rangahau and research, and support activities) at Te Pūkenga. As and when finalised, Te Pūkenga will publish policies and procedures that are intended to sit underneath Te Kawa Maiooro and prescribe detailed requirements.

In the meantime, pursuant to Te Pūkenga Grandparenting Policy, the regulations, policies, and procedures of the former subsidiaries apply unless there is a national regulation or policy in place. Accordingly, where a specific matter is not addressed within Te Kawa Maiooro, this procedure is intended to prescribe the requirements that are specific to the NMIT business division.

To the extent that there is any conflict or inconsistency between any of NMIT's policies or procedures and Te Kawa Maiooro, Te Kawa Maiooro shall prevail and have priority.

PURPOSE

To ensure that all members of Te Pūkenga-NMIT community have a clear understanding of the consequences of **academic misconduct**.

To provide the Te Pūkenga -NMIT community with the procedural steps to be taken when **academic misconduct** is suspected, and/or alleged, and/or proven.

SCOPE

Intentional or unintentional academic misconduct involving ākonga in relation to summative assessments and exams (including oral examinations).

NOT IN SCOPE

For ākonga who have allegedly committed a behavioural misconduct breach, refer to [NMIT Ākonga Misconduct Procedure](#).

For ākonga failing to meet academic standards for reasons other than academic misconduct, refer to [NMIT Unsatisfactory Academic Progress Procedure](#).

For ākonga wishing to challenge an assessment decision including final grades, refer to [NMIT Ākonga Appeals Procedure](#) and [Te Pūkenga Ākonga Appeals Policy](#)

Please note: Programme Regulations related to exclusions from programmes shall take precedence over the principles identified below.

DEFINITIONS

The definitions of specialist terms relevant to this policy/the relevant programme or business support area are listed below:

Academic Integrity	Academic integrity is a commitment from kaimahi and ākonga to apply the fundamental values of honesty, trust, fairness, respect, and responsibility to all academic matters.
Academic Misconduct	Acting in a way that is contrary (either intentionally or unintentionally) to the principles of Academic Integrity. Any breach of any rules relating to the conduct of tests or examinations and any dishonest practice occurring in the preparation or submission of any work (whether during an examination or not) which counts towards the attainment of a grade in any course or otherwise occurring in connection with any summative assessment.
Advocate	A person who advises the student and may speak on their behalf. Examples of those who may be asked to be an advocate: <ul style="list-style-type: none"> • A member of the Student Association (SANITI) or Staff Association/union; • A chosen associate or professional person; • A colleague, friend, member of family or whānau. The ākonga and Advocate need to complete the Authorisation to Advocate form.
Ākonga	Learner
Curriculum Area Manager	In the context of this Procedure, Curriculum Area Manager refers to the Curriculum Area Manager OR delegate approved by the Curriculum Area Manager.
Generative Artificial Intelligence	Commonly known as AI. This form of technology includes AI chatbots such as ChatGPT and other AI tools that can generate text, images, video, audio and other outputs Refer: <i>Artificial Intelligence (AI) – Guidelines for Ākonga (students)</i> <i>Artificial Intelligence (AI) – Guidelines for Kaimahi</i>
Honesty Declaration	Submitted by ākonga with assignments to declare that they have understood, and will adhere to, the principles of academic integrity.
Intentional academic misconduct	Academic misconduct with the intention to deceive. Refer Level Two Academic Misconduct below
Kaiako	Tutor / course facilitator
Kaimahi	Staff member, includes kaiako, learning advisor (WBL), ākonga support, and allied services
Support person	Person or group able to provide support or advice to the ākonga (e.g. Student Association (SANITI); NMIT Student Learning Advisor, friend or family member). A support person's role is to empower the ākonga to speak for themselves with knowledgeable support. A support person cannot speak on behalf of the ākonga, unless the ākonga chooses for the support person to move into the role of advocate (if this is the case, the ākonga needs to complete the Authorisation to Advocate form).
Turnitin	An internet-based plagiarism detection service

Unintentional academic misconduct	Academic misconduct resulting from genuine lack of knowledge or misunderstanding. Refer Level One Academic Misconduct below
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TYPES OF ACADEMIC MISCONDUCT

- a) Plagiarism
 - I. taking and using another’s work as one’s own without proper acknowledgment (knowingly or unknowingly)
 - II. copying the work of another ākongā, including copying any part of another’s work, and/or summarising another’s work
 - III. copying visual materials, images etc. without clearly indicating the source
- b) Unauthorised collaboration: submitting work for summative assessment which has been jointly prepared for presentation, in circumstances where this has not been communicated to ākongā as legitimate
- c) Multiple submissions of the same assessment: submitting work for summative assessment which has previously been submitted elsewhere, without the prior permission of the Curriculum Area Manager or delegate
- d) Using unauthorised materials:
 - I. using unauthorised notes during a closed-book examination
 - II. receiving notes by cell phone or other electronic/smart devices, including watches (in an examination)
- e) Assisting others in Academic Misconduct:
 - I. misrepresenting identity for purposes of assessment
 - II. sitting an examination for someone else
 - III. allowing another ākongā to copy one’s own work
 - IV. writing an assessment for another ākongā
- f) Misrepresentation: feigning exceptional circumstances beyond one’s control and then claiming special consideration
- g) Purchasing an assessment or having it written by a third party, e.g.
 - I. another ākongā,
 - II. commercial essays
 - III. assignment services
 - IV. artificial intelligence technologies
- h) Making up or altering data or information, and presenting it as true or accurate
- i) Falsely citing a source or attributing work to a source from which the referenced material was not obtained.

RESPONSIBILITIES

Kaiako (including kaiako at Contracted Training Providers)	Managing authenticity issues for all assessments. Adopting proactive strategies to ensure authenticity, including where possible providing an Assessment Cover Sheet (or similar) for the ākongā to sign and submit as a declaration of originality. Ensuring all ākongā are informed about standards and expectations of academic integrity. See NMIT Academic Integrity Policy Meet with ākongā to discuss initial concerns.
Curriculum Area Manager (CAM)	Meeting with the ākongā (and kaiako or Programme Support Coordinator if required by the CAM) to discuss the allegation of academic misconduct. Deciding on whether the allegation of academic misconduct is valid, and determining the appropriate penalty.

(or delegate approved by the CAM)	Sending out notification of the formal meeting to the ākongā (where no delegate available).
Curriculum Director	Ensuring all Curriculum Area Managers and kaiako are following best practice in preventing and detecting academic fraud, and that this procedure is followed when it is suspected and/or alleged.
Programme Support Coordinator	Ensure the procedure is followed, including sending out the initial letter confirming the meeting between the ākongā and the Curriculum Area Manager (or delegate).

PRINCIPLES

Kaimahi will ensure ākongā are fully informed about assessment and examination practices and expected academic behaviour from ākongā, including clear guidelines regarding group work and jointly prepared assignments; and for explaining what constitutes academic misconduct. This is particularly important for ākongā nō tāwāhi (international learners) who may have a different understanding of what is acceptable.

NMIT defines two levels of academic misconduct:

Level One: A first instance of academic misconduct where ākongā actions may be regarded as unintentional and resulting from genuine lack of knowledge or misunderstanding.

Level Two: Academic misconduct where ākongā actions are perceived to be intentional and where the ākongā could reasonably be expected to understand academic practice, or any repeated instances of academic misconduct.

The Principles of Natural Justice are incorporated throughout this procedure (see APPENDIX 2)

If the ākongā does not engage in the process documented in this Procedure (e.g. has not been contactable, has not responded to requests to attend meetings, telephone calls or emails, has not evidenced behaviour that convinces NMIT that there is genuine commitment to improve), NMIT reserves the right to recommend exclusion, notwithstanding the process requirements.

NMIT reserves the right to use electronic systems to detect potential academic misconduct. Ākongā will be notified where such systems are in place.

If more than one ākongā is implicated or involved in an allegation of academic misconduct, each ākongā should be interviewed separately. They are entitled to support, but the support person must not be someone who is also implicated or involved in the allegation being investigated.

A record of the process and any penalties imposed will be documented and held on the ākongā personal record.

GENERATIVE ARTIFICIAL INTELLIGENCE (AI)

While the need to develop Generative Artificial Intelligence (AI) literacy skills is acknowledged, in addition to generic digital literacy skills, ākongā should use AI in ethical and responsible ways that uphold academic integrity.

Kaimahi focus needs to be on early educative interventions, clear instructions, and teaching ākongā about the ethical and intellectual implications of using AI technologies.

Turnitin will be checking all submitted material for indications of AI-generated content as part of the similarity report. Should Turnitin generate a high similarity score, further investigation will be carried out to exclude any false positives.

Where AI misuse is suspected, a holistic approach should be used to collect all available evidence (e.g ākongā writing history, similarity checking, use ChatGPT to check, talking to the ākongā etc) before progressing with the Breach of Academic Integrity Procedure and imposing punitive measures.

PROCEDURE FOR SUSPECTED MISCONDUCT IN EXAMINATIONS

When an ākongā is suspected of academic misconduct **in the context of an examination**, refer to APPENDIX 7 of [NMIT Examination Guidelines](#).

PROCEDURE FOR SUSPECTED MISCONDUCT IN ASSESSMENTS

Where a suspicion, allegation or complaint of academic misconduct is received or identified **in the context of an assessment**, the following procedure shall apply:

Please Note: Where AI misuse is suspected, a holistic approach should be used to collect all available evidence (e.g ākongā writing history, similarity checking, use ChatGPT to check, talking to the ākongā etc) before progressing with the following Steps. Refer Principles above.

STEP 1 FIRST MEETING

The kaiako will contact the ākongā for a face-to-face meeting to discuss any concerns with the ākongā work. The kaiako may have conferred with an academic colleague.

The ākongā will be provided with all information relating to the kaiako concerns, **prior** to the face-to-face meeting.

The kaiako presents their initial thoughts on the suspected academic misconduct. Both the ākongā and the kaiako have the option to bring a support person to this meeting. The ākongā has the additional option of bringing an advocate.

If the kaiako is satisfied with the ākongā's explanation of the incident, no further action is taken and the ākongā is advised accordingly.

If the matter remains unresolved, the kaiako will let the ākongā know there is the need for a formal meeting with the Curriculum Area Manager (or delegate).

STEP 2 ARRANGING A SECOND MEETING

The allegation of academic misconduct will be recorded in a letter, sent to the ākongā, together with evidence and summary of allegations. The letter ([Template](#) available for NMIT staff) will suggest a time and place to attend a formal meeting with the Curriculum Area Manager (or delegate). The letter will confirm that an initial discussion took place and will document the original prompts for the kaiako's 'cause for concern'. The letter will explain that the ākongā has the opportunity to present their evidence at this scheduled meeting.

The ākongā has the right to bring a support person and/or advocate or an advocate to this meeting, and will be advised of this right. Please use [Authorisation to Advocate form](#).

STEP 3 FORMAL MEETING

Meeting between ākonga and Curriculum Area Manager (or delegate) to discuss the allegation and evidence. If the Curriculum Area Manager (or delegate) is satisfied with the ākonga's explanation, no further action is taken and the ākonga is advised accordingly. If the ākonga admits academic misconduct, the admission is documented and signed by the ākonga, and the Curriculum Area Manager (or delegate) will determine the appropriate penalty.

If the Curriculum Area Manager (or delegate) is **not** satisfied with the ākonga's explanation, they determine the appropriate penalty (see below).

The Curriculum Area Manager (or delegate) may also ask the ākonga to undertake an additional assessment or challenge test, in order to confirm the integrity of an earlier assessment result; for example, an oral assessment may be used. A re-sit fee may be charged. See [NMIT Fees, Charges and Refunds \(Ākonga nō Aotearoa - Domestic Learners\)](#) and [NMIT Fees, Charges and Refunds \(Ākonga nō tāwāhi – international learners\)](#).

STEP 4 PENALTY

Where academic misconduct is confirmed the Curriculum Area Manager (or delegate) determines the appropriate penalty (refer below) and notifies the ākonga of the decision.

STEP 5 DOCUMENTATION AND RECORD ON ĀKONGA FILE

Throughout the process, the Coordinator will record details of any meetings. Records are to include dates, attendees, allegation, outcome of meeting, actions resulting, and copies of any letters sent. This record will be uploaded onto the ākonga file (ebs). If, however, the allegation is not upheld, all records pertaining to the issue must be destroyed.

If the allegation is upheld, in accordance with the [Information and Records Management Policy](#), NMIT must retain the record for 7 – 10 years depending on the seriousness of the misconduct and the subsequent disciplinary action.

Where a disciplinary hearing results in a finding that the ākonga has committed a minor breach or that no disciplinary action is taken, the minimum retention period is seven years.

Where a disciplinary hearing results in a finding that the ākonga has committed a breach and disciplinary action is taken, the minimum retention period is 10 years.

PENALTIES FOR LEVEL ONE ACADEMIC MISCONDUCT

Where the Curriculum Area Manager (or delegate) accepts that the ākonga's academic misconduct was **unintentional**, an educative process will be followed.

The following are possible educative processes:

- Facilitated discussion with appropriate kaiako
- Issue the ākonga with a written warning, with reference to this Academic Integrity policy and resources to support the policy
- Contract with Learner Services for skills development
- Require the ākonga to provide a formative reflective assessment on academic integrity

- Require the ākongā to submit a new or revised version of the assessment, with the mark awarded not exceeding the original mark
- Reduce the mark given for the assessment, whilst ensuring the mark reduction does not penalise the ākongā beyond removing any advantage gained from the academic misconduct
- Individual educative process designed for the ākongā in the particular case

PENALTIES FOR LEVEL TWO ACADEMIC MISCONDUCT

Where an allegation of academic misconduct is proven as **intentional** any or all of the following penalties may be imposed:

- Require the ākongā to submit a new or revised version of the assessment – with a maximum grade of a passing grade
- Award a fail grade or a nil mark for the affected summative assessment event.
- Cancel any course credit for a course connected to the misconduct
- Disqualify the ākongā from sitting for any summative assessments for a specified period.
- Suspend the ākongā from any course for a specified period.
- Exclude the ākongā from the programme for a specified period.
- Recommend to the NMIT Business Division Lead exclusion from any NMIT programme.

APPEALS

If the ākongā wishes to appeal the decision made by the Curriculum Area Manager or NMIT Business Division Lead, please refer to the [NMIT Ākongā Academic Appeals Procedure](#) and [Te Pūkenga Ākongā Appeals Policy](#).

REFERENCES

INTERNAL

[Academic Misconduct – Meeting Request Letter \[Template\]](#) (for internal use only)
[Information and Records Management Policy](#)
[NMIT Academic Integrity Policy](#)
[NMIT Ākongā Academic Appeals Procedure](#)
[Te Pūkenga Ākongā Appeals Policy](#)

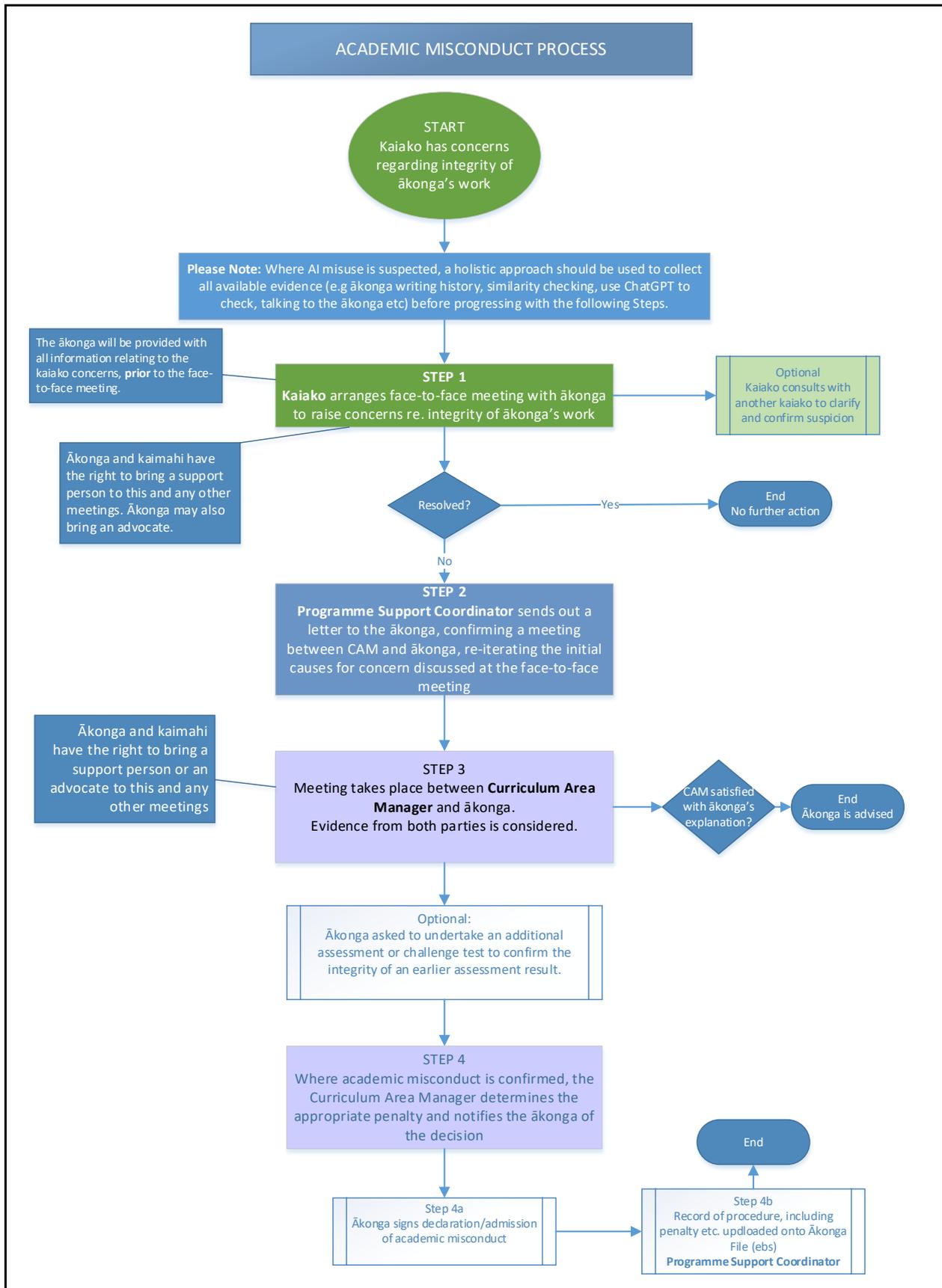
EXTERNAL

[Authenticity \(NZQA\)](#)
[AI writing Detection – How to use guide](#)
[AI writing FAQs](#)
[NZQA’s Guide to effective Practice in Preventing and Detecting Academic Fraud](#)

APPENDICES

[APPENDIX ONE: ACADEMIC MISCONDUCT PROCESS MAP](#)

[APPENDIX TWO: The Principles of Natural Justice](#)



PRINCIPLES OF NATURAL JUSTICE (TAKEN FROM THE STATE SERVICES COMMISSION)

- Freedom from bias on the part of the person making the decision/judgement; and
- Transparency and fairness of the procedure

Guidelines for a fair process include:

- Take an allegation seriously and act on it immediately
- Students meet attendance requirements while the investigation is underway.
- Maintain confidentiality
- Give the misconduct procedure priority and respond in a timely manner
- Inform the student of the allegation of academic misconduct
- Give the student the opportunity to respond to the allegation
- Do not ask irrelevant questions
- Keep both parties informed about progress of an investigation
- Ensure the parties' safety is protected during an investigation, including protection from retaliation or victimisation
- Give both parties a full opportunity to read/see and respond to all evidence collected in an investigation before a decision is made
- Consider all the evidence and weigh it carefully before deciding whether there is substance to the allegation of academic misconduct
- Provide all parties with a copy of the decision and the reasons for the decision, and their options in terms of settlement, review etc.
- Ensure any disciplinary action is proportionate to the level of behaviour complained of; and
- Offer the right of appeal or review.