

## 16.7. Student Notes for Guidance for allegations of Academic Misconduct

The Assessment Board is concerned that you appear to have been academically dishonest in work submitted for assessment and therefore needs to investigate the situation.

These notes are to help explain the procedures that will be followed, and to give you advice on the course of action you need to take.

### ACADEMIC MISCONDUCT: DEFINITIONS AND REGULATIONS

Academic misconduct (cheating) in assessments is where a student gains, seeks, attempts or intends to gain advantage in relation to assessments or to aid another to gain such an advantage by unfair or improper means.

Academic misconduct is subject to disciplinary action. Definitions and the University's regulations governing Academic Misconduct can be found in the [Policy and Procedures for Academic Integrity and Misconduct](#).

*Here are some examples. **This is not an exhaustive list.***

- **Plagiarism** using extensive unacknowledged quotations from, or direct copying of, another person's work and presenting it for assessment as if it were your own effort.
- **Collusion** working with other students (without the tutor's permission), and presenting similar or identical work for assessment.
- **Copying** consciously presents as their own work material copied directly from a fellow student or other person without their knowledge.
- **Fabricating or falsifying data**  
Fabricating or falsifying data to include presenting work that has not taken place.
- **Purchasing or commissioning**  
Either purchasing of work for an assessment from the Internet (essay mills) or commissioning someone else to complete an assessment.
- **Infringement of Examination Room Rules**  
Communication with another candidate, passing notes to another candidate, taking notes to your table in the examination room and/or referring to notes during the

examination.

A full list of what the University considers to be academic misconduct can be found in the [Policy and Procedures for Academic Integrity and Misconduct](#).

### **Your progress as a student at Middlesex University until the matter is resolved**

- You will be temporarily awarded a U grade (“under investigation”) for the module.
- The decision by the Assessment Board regarding your progression will be temporarily deferred. However, you may enrol and continue on your programme of study in which you are advised to take all scheduled assessments.

***For advice on resitting an assessment before the final decision has been made, refer to Appendix 1, on page 7.***

### **WHERE TO GET ADVICE**

- It is recommended that you speak to either the Programme Co-ordinators or the Quality Office team (particularly if you are opting to deny the allegation).
- Confidential counselling is available from the Counselling Service.
- Your Programme Co-ordinator can give advice about your progress at both academic and personal level.

### **WHO IS TOLD AN ALLEGATION HAS BEEN MADE**

Normally: Deputy Dean, Chair of Assessment Board or equivalent;  
Academic Integrity Tutor;  
Your Campus Programme Coordinator, Module Leader and Module Tutor;  
The Secretary to Academic Board (or nominee);  
Academic Misconduct Officer in the Academic Registry;  
Quality Manager in Dubai;  
Members of the Panel of Investigation, should one be called.

### **THE ALLEGATION LETTER**

You will receive a letter giving details of the allegation, and a copy of part or all of the evidence of the alleged academic misconduct from the Dubai campus on behalf of the Secretary to Academic Board, in London.

### **ACTION TO TAKE FOLLOWING THE ALLEGATION**

For the allegation against you to be upheld, the University does not need to prove that you deliberately intended to be academically dishonest nor that you would have gained unfair advantage over other students. The University considers it to be your responsibility to guarantee the quality of the work submitted for assessment and to ensure that you are not involved, through negligence or foolishness, in any behaviour which can be interpreted to be an infringement of the assessment regulations.

However, the University is concerned that students are given the opportunity to answer the allegation.

This is the action you can choose to take:

- You may wish to **accept the allegation** – that through foolishness, negligence or deliberate intent, you were guilty of academic misconduct.

If so, choose Action A

- You may wish to **deny the allegation** – that you have not infringed the Regulations of the University.

If so, choose Action B

You are required to complete the 'response box' on the 'response form' to indicate the action that you choose.

If you choose **not to reply to the allegation** within the permitted deadline – this will be regarded as accepting the allegation. The Secretary to Academic Board (or nominee) will, dependent on the reply from any other student that may be involved, recommend an appropriate penalty to the Chair of the Faculty Assessment Board.

## RESPONDING TO THE ALLEGATION LETTER

### *Accepting the Allegation*

Action A *This is the option you take if you are accepting the allegation.*

### *Denying the allegation*

Action B *This is the option you take if you are disputing the allegation that you were academically dishonest in the assessment.*

If choosing to deny the allegation, it is recommended that you speak to either your Programme Co-ordinators, or the Quality Office team.

Complete the response form including as much information as possible on the grounds of your denial. *Note: to simply state that it was not deliberate action is not an acceptable reason for disputing the allegation.*

*It will be at the discretion of the Secretary to Academic Board (or nominee) if your denial is accepted. It may be necessary to hold an Academic Misconduct Panel of Investigation to further investigate the case.*

## PENALTIES

### What happens if you accept the allegation (Action A or no response)

After the ten working days' deadline, the Secretary to Academic Board (*or nominee*), will advise on an appropriate penalty to recommend to the Chair of the Faculty Assessment Board. S/he will decide which of the categories of offence it falls in to by comparing with the guideline criteria, in Section F of the regulations, as outlined below:

### Category B (Moderate Misconduct)

#### Standard penalty:

- a) Fail module, grade P\* awarded;
- b) I) Resubmit the component of assessment in which the *resubmitted component* will be capped at maximum 16.

**Or**

***Where the student has already had a resubmission opportunity due to failure of the component, the penalty applied will be, (subject to Programme Regulations):***

- II) Repeat the module, or an alternative module in which the repeated or alternative module will be capped at maximum 16 (*and charged full fees\*\**)
- c) Warning that further offences will have serious consequences for the final qualification.

### Category C (Serious Misconduct)

#### Standard penalty:

- a) Fail module, grade P\* awarded;
- b) I) Resubmit the component of assessment in which the *module* will be capped at maximum 16.

**Or**

***Where the student has already had a resubmission opportunity due to failure of the component, the penalty applied will be subject to Programme Regulations.***

- II) Repeat the module, or an alternative module in which the repeated or alternative module will be capped at maximum 16 (*and charged full fees\*\**)

#### ***Or, for the most serious misconduct:***

- a) Fail module, grade P\* awarded for all modules at that level/stage;
- b) Repeat the modules in which all repeated modules will be capped at maximum 16 (*and charged full fees\*\**)

**Or**

Exceptionally, it may be decided a candidate may not be reassessed.

- c) Warning that further offences will have serious consequences for the final qualification.

### Category D (Gross Misconduct)

#### Standard penalty:

- a) Fail module, grade P\* awarded.

**either:**

- b) I) Repeat module/s with new registration (*and charged full fees\*\**)

- Or
- II) Award lower level qualification
- Or
- III) Expulsion
- Or
- IV) Revoking a previously awarded degree

*\*P grade denotes Academic Misconduct Upheld – the P grade will be replaced by a grade 20 on the final Diploma Supplement.*

*\*\* Payment for the module is not part of the penalty, but is normal practice when re-registering to retake modules.*

### **What happens if you deny the allegation (Action B)**

*If your **explanation is accepted:***

- The case will be dropped, your work will be marked and all record of the allegation will be removed from your file;
- The Assessment Board will inform you of the grade awarded to you.

*If your **explanation is not accepted:***

- Further investigation will be undertaken;
- A Panel of Investigation will be arranged.

### **PANEL OF INVESTIGATION**

If you deny the allegation, and your explanation is not accepted by the Assessment Board, the case will be forwarded to the Secretary to Academic Board in London, who will consider holding a Panel of Investigation, to which you will be required to participate. As it is not feasible for you to attend in person, in London, the Panel will take place at your campus in Dubai. If you do not participate, the Panel may hear the case without you.

- Panel membership will consist of senior staff of the University.
- Also present are staff involved in the assessment from the School.
- You may bring a companion to the meeting; a member of the University (i.e. a student or member of staff). No legal representation is allowed.
- At the meeting you will have the opportunity to describe how you prepared your work, any special circumstances which caused this allegation to be made, and answer questions put to you.
- After the evidence has been heard, the Panel will consider its decision in private.
- This decision will be recommended to the Chair of the Faculty Assessment Board.
- You will be notified of the decision, normally within 5 working days of the Panel.

See penalties as described above.

## MAKING AN APPEAL AGAINST THE FINAL DECISION OF THE ASSESSMENT BOARD

Full information on making an Appeal can be found at <http://unihub.mdx.ac.uk/yourstudy/assessment-and-regulations/appeals>

You may appeal against the decision of the Assessment Board. Such an appeal is to be made through the established appeal procedures.

Normally an appeal may be made on the following grounds:

- That there is new and relevant evidence which you demonstrably and for the most exceptional reasons were unable to present during the investigation. This may include evidence in mitigation.
- That the procedures were not complied with, in such a way that it might cause reasonable doubt as to whether the result would have been different.
- That there is documented evidence of prejudice or bias on the part of one or more members of staff.

### APPENDIX 1

#### Resitting an assessment **before** the final decision has been made by the Assessment Board

If the grade of U has been temporarily given for a **first attempt** at an assessment, and while the investigation is still taking place, you are entitled to **and advised to** resit the assessment at the first available opportunity. However, this is your decision.

When making this decision, you should consider the following:

- A grade will not have been given to your work, and so it is unknown whether you would have passed or failed.
- A resit is taken without prejudice to the outcome of the case.
- *For examinations:* if you decide to wait until the investigation is complete, the case is not upheld, then find you have failed the examination, you will have to wait until the normal scheduled examination period to resit, and this may delay your progression.
- *For coursework:* if you decide to wait until the investigation is complete, the case is not upheld, then find you have failed the work and the resubmission deadline has passed, it **may be possible** that a special arrangement could be made for you to complete a reassessment, if necessary, following the outcome of the case.

If you decide to take the first opportunity to resit before the final decision has been made, you should note the following:

The results of this resit will be withheld pending the outcome of your case.

If the allegation is **not** upheld:

- a) the original result, if passed, will stand; or
- b) the original result, if failed, will stand, and the resit result will stand.

If the allegation **is** upheld:

- a) the original result will be replaced by a P grade; and
- b) the resit grade will stand; or
- c) the resit will be disallowed and the grade annulled.

If you decide to take the first opportunity to resit:

*For an examination*

- You must refer to UniHub for a copy of the examination timetable;

*For coursework*

- You must contact your Programme Co-ordinator or Module Tutor to confirm that you will be taking the reassessment and check what is required for this resubmission.