



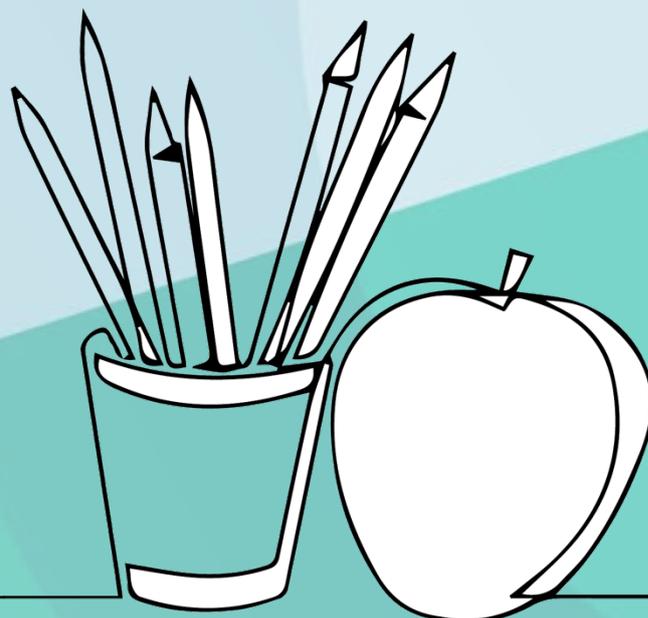
Stockbrokers and Investment  
Advisers Association

Serving the interests of investors

STOCKBROKERS AND INVESTMENT ADVISERS ASSOCIATION

# Student Academic Misconduct Policy

February 2023



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## Policy Statement

Stockbrokers and Investment Advisers Association (SIAA) is committed to academic integrity, honesty and the promotion of ethical training. It expects students to respect these values and to learn and observe the accepted academic requirements of their field/s of study.

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## Aims and Objectives

1. This policy defines the actions that constitute academic misconduct by students and SIAA's processes for investigating and hearing allegations of academic misconduct. It also describes the penalties that will apply, where allegations are proven.
  2. The policy applies to all students who are enrolled in subjects in SIAA's Professional Program.
  3. The policy only applies to alleged or proven academic misconduct, as defined in the policy.
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## Overview

4. Actions by students such as plagiarism and collusion (see definitions below) are not permitted. These actions will be treated by SIAA as academic misconduct and will be penalised.
5. All investigations of alleged academic misconduct by students are to be conducted with due regard for procedural fairness. The procedures prescribed in this policy for the hearing of allegations provide students with opportunities to respond to allegations.
6. All meetings to hear allegations of academic misconduct will be conducted with the principal object of impartially and fairly investigating the facts surrounding the allegation. Proceedings will be formal, but will not be adversarial. A student invited to attend such meetings to respond to an allegation may be assisted by a representative from their licensee. The support person may provide the student with advice, but may not act as an advocate, nor make direct comment in the meeting, unless given permission to do so by the convenor of the meeting. Meetings may be held via technological means.

7. The Manager Education & Operations may in circumstances defined in this policy, dismiss an allegation, or counsel, warn or discipline a student.
  8. In determining that academic misconduct has occurred, it is not necessary to show that a student has achieved an improper academic advantage. Some acts of plagiarism or collusion might not actually confer an academic advantage. For example, plagiarising an assignment that does not address the question that has been asked, leading to a mark of zero, does not confer any academic advantage, but is still academic misconduct.
  9. In determining a penalty for proven academic misconduct, SIAA will take into account the following:
    - whether the misconduct is minor or substantial misconduct;
    - whether the student has been able to demonstrate that there were any mitigating circumstances; and
    - whether the student has a record of previous, proven misconduct.
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## Definitions

### What is student academic misconduct?

10. Plagiarism: occurs in a student's work when the student submits work in which ideas, words or other work are taken from a source, for example, a website or computer program, another student's assignment, a book or journal article, a lecture, and presented as if they are the student's own, without appropriate acknowledgement of the original author. In this definition of plagiarism, it is the act of presenting material as one's own without appropriate acknowledgement that constitutes plagiarism, not the intention of the student when doing so. Plagiarism includes a student re-purposing their own written material, from a previous assessment for example, without providing proper attribution by citing the original content.
11. Collusion includes inciting, assisting, facilitating, concealing or being involved in plagiarism, cheating or other academic misconduct with others.
12. Other academic misconduct includes, but is not limited to:
  - tampering, or attempting to tamper, with assignment or exam results;
  - failing to abide by directions of a member of SIAA staff regarding individual responsibility for the submission of assessable work;
  - impersonating another student, or arranging for anyone to impersonate a student, in an assessment task;
  - falsifying or fabricating reports.

13. Minor and Substantial Misconduct: The terms 'minor misconduct' and 'substantial misconduct' in the policy indicate SIAA's view of the gravity of the impact of the alleged breach of the policy, according to the following definitions:
    - Minor misconduct: is behaviour that is judged by SIAA to be a minimal threat to the integrity of assessment processes in the subject or to be the result of the student's lack of understanding of appropriate academic conventions required for the course, or both;
    - Substantial misconduct: is behaviour that is judged by SIAA to be either a significant threat to the integrity of SIAA's assessment processes or behaviour where the student's level of experience might reasonably be interpreted as evidence that the student was aware that the behaviour was not in keeping with standards or practices related to appropriate academic conduct, or both.
  14. The following instances of alleged misconduct will always be treated as 'substantial misconduct':
    - once a student has been found to have committed minor or substantial misconduct, any subsequent allegation;
    - all allegations of collusion.
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## Procedures

### Part A — Processes for Investigating and Hearing Allegations of Misconduct

15. Investigations and hearings of allegations of academic misconduct by students, or of appeals by students, will be conducted in a non-adversarial manner and in accordance with the following summary.

#### Initial Notification

#### Suspected Academic Misconduct

16. Where the course coordinator or other person has reason to believe that a student has engaged in academic misconduct, they must provide to the Manager Education & Operations a signed report, setting out information and any evidence relating to the suspected academic misconduct. Copies of relevant original documents must be kept securely, for later reference if required.

## Assessment and proceeding to Investigation

### ***If the student's enrolment was paid for by the licensee:***

17. Within ten working days of receiving an allegation, the Manager Education & Operations will pursue the matter as follows:
  - confer with the course coordinator, to decide whether the allegation requires further investigation, making whatever enquiries are considered necessary;
  - if it is decided that the allegation requires further investigation, notify the student's supervisor in writing, providing a copy of all documentation related to the allegation and the policy and seeking advice as to how the supervisor would like to proceed;
  - if the supervisor advises that they will manage the matter internally, SIAA will take no further action and will record a note on the student's file that the matter was resolved internally by the licensee;
  - if the supervisor wishes to progress the matter, the Manager Education & Operations will notify the student in writing providing a copy of all documentation related to the allegation and the Academic Misconduct Policy to seek their initial written response;
  - if the student withdraws from the course or provides a response to the satisfaction of the Manager Education & Operations that the allegation cannot be substantiated, SIAA will take no further action, and will record a note on the student's file that the allegation was dismissed;
  - if the student does not withdraw from the course or provide a response to the satisfaction of the Manager Education & Operations that the allegation cannot be substantiated the Manager Education & Operations will invite the student in writing, to a meeting to investigate the matter further and advise the student that they may be assisted at the meeting by a representative of their licensee;
  - schedule the meeting as soon as practicable after eight working days, or more, from the date of despatch of the invitation, but no later than 15 working days after the date of despatch.

### ***If the student's enrolment was self-funded:***

18. Within ten working days of receiving an allegation, the Manager Education & Operations will pursue the matter as follows:
  - confer with the course coordinator, to decide whether the allegation requires further investigation, making whatever enquiries are considered necessary;
  - if it is decided that the allegation requires further investigation, notify the student in writing, providing a copy of all documentation related to the allegation and the Academic Misconduct Policy and seek their initial written response;

- if the student withdraws from the course or provides a response to the Manager Education & Operations that the allegation cannot be substantiated, SIAA will take no further action and will record a note on the student's file that the allegation was dismissed;
  - if the student does not withdraw from the course or provide a response to the satisfaction of the Manager Education & Operations that the allegation cannot be substantiated the Manager Education & Operations will invite the student in writing, to a meeting to investigate the matter further and advise the student that they may be assisted at the meeting by a representative of their licensee;
  - schedule the meeting as soon as practicable after eight working days, or more, from the date of despatch of the invitation, but no later than 15 working days after the date of despatch.
19. Within seven working days of the date the invitation was despatched, the student must respond to the invitation, advising whether they will attend the meeting. Failure to do so, other than in the case of extenuating circumstances, will mean that a determination about the allegation will be made in the student's absence.
20. Following the meeting, or its scheduled date if the student does not attend, the Manager Education & Operations in consultation with the course coordinator, will determine an appropriate course of action from among the following options:
- if it is decided that the allegation is not substantiated, the Manager Education & Operations will dismiss the allegation and will not impose a penalty for misconduct;
  - if it is decided that misconduct has occurred, but that it is minor misconduct, the Manager Education & Operations will decide on one of the following courses of action, or a combination of them:
    - require the student to submit a replacement for any relevant assessment task, with a requirement that the student must satisfactorily achieve the outcomes for the assessment task, specifying a maximum mark or grade that can be awarded for this replacement task — for example, 50%; or
    - downgrade the mark for a relevant assessment task, in consultation with the course coordinator (this mark may be zero).
  - if the Manager Education & Operations judges that the alleged misconduct is substantial, as defined in the policy (including a second or later case of minor misconduct or any case of collusion), the Manager Education & Operations will:
    - notify the student in writing of the misconduct alleged and that it is considered to be of a substantial nature;
    - invite the student to respond to the allegation at a meeting with a student academic misconduct panel comprised of the SIAA CEO (who will chair the meeting) and Manager Education & Operations and a representative from the student's licensee which will be held as soon as practicable

- inform the student that, at the meeting, the panel will seek information from the course coordinator and that the student may be accompanied by a representative from their licensee; and
  - enclose with the notification a copy of all documentation related to the allegation that will be considered by the panel.
21. Within seven working days of the date on the invitation, the student must respond to the invitation, advising whether they will attend the meeting. Failure to do so, other than in the case of extenuating circumstances, will mean that a determination about the allegation will be made in the student's absence.

## Meeting with a student academic misconduct panel from the Education Committee

22. At the commencement of the meeting, the chair of the academic misconduct panel must outline the allegation against the student and the purpose of the meeting. The chair must invite the student to respond to the allegation and to inform the committee whether the student agrees that the allegation is correct and, if so, whether the student wishes any mitigating circumstances to be considered.
23. At the end of the meeting, the chair must inform the student of the need to confirm that the allegation is correct and that the student is therefore prepared to accept the determination of the panel.

## Following the meeting

24. If the student academic misconduct panel decides, after meeting with the student, that the allegation is not substantiated, the panel will dismiss the allegation, impose no penalty and the chair will advise the student in writing of the decision. A note will be recorded on the student's file that the allegation was dismissed.
25. If the panel decides, after meeting with the student, that the allegation is substantiated, the panel will decide whether the misconduct is minor or substantial, as defined in this policy. The committee will also consider whether there are any mitigating circumstances and note whether the student has been found to have engaged in any other incidents of academic misconduct.

## Actions and Penalties available to the Student Academic Misconduct Panel

26. Whether or not the student attends, the student academic misconduct panel will determine an appropriate course of action from among the following options, or any appropriate combination of them, or proceed as provided for below, and the chair will advise the student in writing, giving reasons for the decision:
- reprimand the student;

- require the student to submit a replacement for any relevant assessment task, with a requirement that the student must satisfactorily achieve the outcomes for the assessment task (the panel may specify a maximum mark that can be awarded for this replacement task — for example, 50% (this mark may be zero));
  - downgrade the mark for a relevant assessment task, in consultation with the course coordinator (this mark may be zero); or
  - downgrade a final grade or impose a grade of fail in a relevant subject
  - record the determination of misconduct and agreed penalty on the student file.
27. The student will be informed of the decision and the reasons for it in writing within five working days of it being made.
28. The determination of the academic misconduct panel is conclusive.
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## Guidelines

29. The following clauses outline the general procedural principles that SIAA will apply at all stages of the processes described this policy.

### Advice to Students about an Allegation

30. Wherever further investigation of an allegation is required under the provisions of this policy, the Manager Education & Operations and CEO as appropriate, must, in writing:
- notify the student who is the subject of the allegation of what they are alleged to have done;
  - giving appropriate notice, invite the student to attend a meeting, as appropriate in accordance with this policy, in order for him or her to respond to the allegation;
  - advise the student of the time and date of the meeting;
  - provide the student with copies of all relevant documentation, including evidence of the allegation, to be considered at the meeting, and invite the student to respond to the allegation in writing also, if they wish, prior to the meeting; and advise the student that they may be assisted at the meeting by direct comment in the meeting, unless given permission to do so by the convenor of the meeting.
31. The student must also be advised:
- that it is in the student's interests to attend any meeting held in accordance with this policy, because otherwise a decision, which may include the imposition of a penalty, will be taken in their absence; and
  - that at any such meeting, the student may be assisted by a representative from their licensee.

## Standard of Proof

32. Hearings of allegations under this policy are not legal proceedings. Officers of SIAA who conduct the hearings will, therefore, consider evidence, to the best of their abilities, in order to determine the facts on the basis of the balance of probabilities, not on the basis of a stricter legal standard of proof.

## Availability of Evidence

33. Information supplied as evidence relating to an allegation of academic misconduct against a student will be made available to the student, who will normally be informed of its source. In exceptional cases, the officer of SIAA in charge of an investigation or hearing of a student academic misconduct matter may determine that the identity of the person providing the information may need to remain confidential or that proceedings be conducted with appropriate safeguards for the student's privacy and safety.

## Variations to Timeframes

34. While allegations of academic misconduct will be considered by SIAA as promptly as possible, the timeframes contained in the policy may be affected by a number of factors, including the need for SIAA officers, or the student who is the subject of an allegation, to obtain additional evidence or specialist advice. In such exceptional circumstances, the timeframes prescribed in the policy may be varied, with the approval of the Manager Education & Operations.

## Recording of all Misconduct Allegations and Proceedings

35. At every stage of the above processes for consideration of an allegation of academic misconduct, the relevant SIAA officer must ensure that all proceedings and associated papers are formally recorded in an appropriate academic misconduct 'meeting' file, and that a record of the decision(s) made is placed in the student's file.