



UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG

POLICY DOCUMENT

STUDENT ACADEMIC MISCONDUCT POLICY

Version Control

Version	Lead author(s)	Date	Description
S2002/2038 and S2002/2039		2002	Early version of the policy
S2003/251B and S2003/351A		2003	Current version
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Policy Title	Student Academic Misconduct Policy
Policy Officer	R Muponde and R L Drennan
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1. CONTEXT

- 1.1. The University of the Witwatersrand, Johannesburg (Wits, or the University) is a research-intensive university that strives for excellence in all aspects of scholarly endeavour, including teaching, research and academic service. Knowledge, which is at the core of scholarship, is inherently associated with understanding, truth and discovery. The intertwined principles of integrity and honesty form the foundation on which scholarship is built.
- 1.2. Integrity is the bedrock upon which an institution of higher learning is built. Integrity is also manifested in the reliability of assessment methods that will reflect an honest academic outcome that can be trusted by the University and society at large.
- 1.3. Integrity, when associated with knowledge, is manifested in a wide array of behaviours, conventions and conduct. Illustrative examples include approval of ethical research, honest management of experimental data and information, selection and use of appropriate research methodologies, principled teaching according to appropriate curricula, and the declaration of conflicts of interest; all of which is covered by the Wits Research Integrity Policy.
- 1.4. This Policy focuses on:
 - 1.4.1. Academic Misconduct which constitutes a misconduct in terms of the University's rules, regulations, procedures and policies.
 - 1.4.2. Academic Misconduct results in damage to the reputation of individuals concerned and of the University. Plagiarism and cheating are particularly serious forms of academic misconduct and will harm the quality of the scholarship to which the University aspires.
 - 1.4.3. Academic Misconduct can be committed by any student. Given the breadth of concern and the impact of the risk to the University, it is vital that the University has a consistent approach, which is sensitive to differences between academic disciplines and levels, whilst providing the reasonable developmental opportunities set out in this Policy for students to learn and practice the conventions of academia, including how to appropriately and correctly reference the work of others and avoid plagiarism and that conduct which enables one to gain an unfair advantage is not acceptable.
- 1.5. This Policy is to be read in conjunction with the Wits Code of Conduct¹, the Wits Research Integrity Policy² and the Rules for Student Discipline³.

¹ HRG/26, C2006/482, Code of Conduct, 2006 (<http://intranet.wits.ac.za/exec/registrar/Policies/HRG26%20-%20Code%20of%20Conduct.pdf#search=code%20of%20conduct>)

² Research Integrity Policy (2020)

³ C2017/627A, Rules for Student Discipline, Version number 01, 2017 ([http://intranet.wits.ac.za/exec/registrar/Policies/Rules%20for%20Student%20Discipline%20\(2018%20-%202005\).pdf](http://intranet.wits.ac.za/exec/registrar/Policies/Rules%20for%20Student%20Discipline%20(2018%20-%202005).pdf))

2. DEFINITIONS

2.1. Key concepts used in this Policy are defined here to give specific and appropriate meaning.

- 2.1.1. **Academic Misconduct** includes any action which gains, attempts to gain, or assists others in gaining or attempting to gain an unfair academic advantage. It includes Plagiarism as defined below, collusion, cheating, copying, contract cheating, fabrication of data, the use and/or possession of unauthorised materials or devices during an assessment; and falsification or misrepresentation of information including, falsification of a medical certificate, and/or changing a script after it has been marked.
- 2.1.2. **Assessment** includes online and in person, examinations; tests and the like.
- 2.1.3. **Plagiarism** is a form of Academic Misconduct and is described as the failure to acknowledge the ideas and writings of others and/or the presentation of others' ideas or writings as one's own. This definition includes intentional and/or unintentional failure to acknowledge the ideas or writings of others.
- 2.1.4. **Others** refers to any persons, living or deceased, including students, academics, professionals, lay people, published authors anywhere in the world using any medium, or any other person to whom works, ideas, presentations or writings may be attributed. The recording of their ideas may be in any form, including but not limited to writing (including text messages and other electronic or digital messages), coding, formula, graffiti, film, performances, video, as recorded in books, journals, magazines, and anywhere on the internet.
- 2.1.5. **Self-plagiarism** is the same as plagiarism, but in instances of self-plagiarism the term "other" includes the plagiarising author and the failure to acknowledge one's own ideas that have been previously published, presented or submitted.
- 2.1.6. **Policy and Guideline** means this Academic Misconduct Policy and attached Guideline, which Guideline may be amended and/or supplemented by the Legal Office from time to time.
- 2.1.7. **Students** refers to registered and visiting (in the form of an inbound exchange) undergraduate and postgraduate students as defined in the Rules of the University, and who are registered students at the time of the conduct.
- 2.1.8. **SDC** means the Student Disciplinary Committee, as defined in the University Rules for Student Discipline.
- 2.1.9. **SAMC** means the relevant School Academic Misconduct Committee, whose responsibilities are set out in more detail in this Policy.

3. PURPOSE OF THE POLICY

- 3.1. The purpose of this Policy is to ensure that all students are informed and aware of the risks and consequences of Academic Misconduct, with the intention to completely avoid the behaviour. More specifically, the Policy sets out:
 - 3.2. The responsibilities of students in relation to Academic Misconduct;
 - 3.2.1. The principles which reinforce the University's approach to Academic Misconduct, as underpinned by its responsibility to teach;
 - 3.2.2. The responsibilities and duties of the Schools in relation to Academic Misconduct; and

3.2.3. The processes, procedures, guidelines and responses which are applied by the University in respect of the various instances of Academic Misconduct.

4. SCOPE

The scope of this Policy includes all students as defined in clause 2.

5. PRINCIPLES

- 5.1. Academic Misconduct has the potential to damage the University's reputation and destroy the credibility of its qualifications. Accordingly, Academic Misconduct cannot be permitted and is treated seriously by the University.
- 5.2. It is the responsibility of the student to understand the risks and consequences which result from Academic Misconduct. This responsibility increases as the student progresses through their academic training at the University.
- 5.3. Whilst this context of student responsibility is central to the University's approach to Academic Misconduct matters, the University recognises its role to facilitate adequate understanding and to provide learning opportunities and information in order to avoid Academic Misconduct.
- 5.4. Academic Misconduct does not always require intention and a lack of intent is not a defence to Academic Misconduct. However, it may be a factor to consider when determining the level at which the Academic Misconduct will be managed and/or the sanction which may be handed down should there be a finding against the student in the relevant forum.
- 5.5. All students should be required to sign a declaration that the work they have submitted is their own unaided work, acknowledging that Academic Misconduct is unacceptable behaviour and declaring that they have not engaged in any form of Academic Misconduct.
- 5.6. In some instances, Academic Misconduct may amount to copyright infringement in terms of the Copyright Act 98 of 1978. Nothing in this Policy precludes the owners of the rights in the original work from pursuing a separate copyright infringement claim.

6. DEVELOPMENTAL RESPONSIBILITY OF THE UNIVERSITY

- 6.1. Notwithstanding the ultimate responsibility that a student has in relation to Academic Misconduct, this Policy recognises the developmental role that the University has in educating students about Academic Misconduct, as well as being vigilant in considering work both prior to and post it being submitted for assessment.
- 6.2. University staff implement this Policy by detecting instances of Academic Misconduct and managing them in line with the provisions of this Policy. There is no limitation to methods of detection of Academic Misconduct and such may include both manual and electronic resources and systems.
- 6.3. In order to meet the responsibilities placed on University staff, reasonable measures must be put in place throughout the course of a student's academic career to ensure that they have a clear understanding of Academic Misconduct and the consequences which result from such conduct. These measures include introducing students to and familiarising students with the requirements of assessments and the conventions used in the relevant School for referencing and acknowledging the ideas, work and writings of others and take into account the student's level of study.

- 6.4. In order to enforce these measures, staff must necessarily familiarise themselves with these conventions, as well as the expectations of their respective disciplines. It is the responsibility of the School to ensure that there is as little ambiguity as possible in respect of the principles and processes set out in this Policy and that the School adheres to the same level of expectations in this regard.
- 6.5. The duties imposed by the University on its staff and the School in this Policy are duties owed to the University, not to any student(s). Where these duties are not discharged, it is a matter between the University and that staff member(s) which will be ventilated in the appropriate forum. This failure by the staff member does not constitute any defence for students accused of Academic Misconduct.

7. PROCESS AND PROCEDURE

- 7.1. This Policy sets out the different levels into which Academic Misconduct can be classified and how each category and level of Academic Misconduct should be managed and, where appropriate, sanctioned. The decision relating to the determination of the level of Academic Misconduct may take into consideration inter alia the nature, form and extent of the Academic Misconduct, the year of study and experience of the student, and whether the most appropriate remedial action should be education-focused or follow a formal disciplinary process.
- 7.2. It is the responsibility of the relevant academic staff member to initially establish whether Academic Misconduct has taken place and assess the seriousness of the infringement – this may be done in consultation with others.
- 7.3. The recognised levels of Academic Misconduct (excluding Plagiarism), together with the appropriate disciplinary fora of first instance and appeal mechanisms are set out in Table 1 below. This Table must be read together with the attached Guideline document.

Table 1: General cases of Academic Misconduct (excluding Plagiarism):

Level	Description	Disciplinary Forum	Appeal Forum
1	Minor first-time infringements	The relevant academic staff may: <ul style="list-style-type: none"> - Impose a penalty of up to 100% of the mark for that work but not more severe than the loss of Duty Performed (DP). Such penalty may be limited to a 100% penalty for a specific question in an assessment; 	SAMC may: <ul style="list-style-type: none"> - Uphold the decision of the academic staff member; or - Set aside or amend the decision of the academic staff member to a lesser penalty; The decision of the SAMC is final.
2	Significant first-time infringements or repeat infringements.	SAMC may: <ul style="list-style-type: none"> - Impose a penalty of up to 100% of the mark for that work but not more severe than the loss of Duty Performed (DP); AND / OR - Community service of up to 15 hours, as per the attached Guideline. - In matters where the merits and the extent of the conduct so warrant, the SAMC <u>may</u> refer the matter to the SDC. 	Faculty Dean may: <ul style="list-style-type: none"> - Uphold the decision of the SAMC; - Set aside or amend the decision of the SAMC to a lesser penalty; or - Refer the matter to the SDC. The decision of the Dean is final.

7.4. The recognised levels of Plagiarism, together with the appropriate disciplinary fora of first instance and appeal mechanisms are set out in Table 2 below:

Table 2: Plagiarism

Level	Description	Disciplinary Forum	Appeal Forum
1	First time or minor infringement in work, including assignments, class tests, semester and end of year exams, reports, essays, proposals, that is submitted or presented but will not be published.	The relevant academic staff member may: <ul style="list-style-type: none"> - Require the work to be amended as instructed and resubmitted for grading; or - Impose a penalty of up to 100% of the mark for that work. 	SAMC may: <ul style="list-style-type: none"> - Uphold the decision of the academic staff member; or - Set aside or amend the decision of the academic staff member to a lesser penalty. <p>The decision of the SAMC is final.</p>
2	Significant first time or repeated infringements in work, including assignments, class tests, semester and end of year exams, reports, essays, proposals, that is submitted or presented but will not be published.	SAMC may: <ul style="list-style-type: none"> - Impose a penalty of up to 100% of the mark for that work but not more severe than the loss of Duty Performed (DP); - Require the work to be amended as instructed and resubmitted for grading; or - Refer the matter to the SDC. 	Faculty Dean may: <ul style="list-style-type: none"> - Uphold the decision of the SAMC; - Set aside or amend the decision of the SAMC to a lesser penalty; or - Refer the matter to the SDC. <p>The decision of the Dean is final.</p>
3	Significant first time or repeated infringements in work, including assignments, class tests, semester and end of year exams, reports, research reports, essays, dissertation, theses that is submitted or presented and which may be published.	SAMC must: <ul style="list-style-type: none"> - Consider the merits of the matter; and - Determine the extent of the offence. <p>In matters where the merits and the extent of the conduct so warrant, the SAMC must refer the matter to the SDC.</p> <p>In all other matters, the sanctions set out above in respect of Level 2 offences may be applied by the SAMC in relation to Level 3 plagiarism.</p>	Where matters are referred to the SDC, appeals to that process may be submitted in line with Section 7 of the Rules for Student Discipline. <p>Appeals in all other matters will follow the process for appeals set out at Level 2 above.</p>

7.5. In all instances of Academic Misconduct, dealt with by the SAMC, a record of the misconduct, finding, and of the action taken should be kept within the School, and in a central office identified by the Senior Deputy Vice-Chancellor: Academic. This will ensure that students who have been given appropriate developmental opportunities are held accountable for future infringements.

7.6. Nothing in this Policy detracts from the discretion granted to the University in an SDC enquiry to make a determination not to charge a student as permitted in the Rules for Student Discipline, even where that student has been referred to the SDC by an SAMC.

7.7. In circumstances where the Senior Deputy Vice-Chancellor: Academic deems it appropriate, they

may directly refer any matter, which ordinarily would be considered by the SAMC to the University's Legal Office for processing in terms of the University's Rules for Student Discipline.

8. SCHOOL ACADEMIC MISCONDUCT COMMITTEE

- 8.1. The SAMC comprises of at least three academic staff members and one appointed student, and is chaired by a senior academic staff member (senior lecturer or above).
- 8.2. Periods of service on the SAMC should not exceed three years for each member and should be staggered to ensure continuity. Membership to the SAMC should be reported on an annual basis to the applicable Faculty board.
- 8.3. The SAMC considers reported infringements and scrutinises the publication of conventions within the School.
- 8.4. The SAMC is required to:
 - 8.4.1. Confirm whether the student concerned wishes to appear and/or make representations before the SAMC. Given that the nature of the processes before the SAMC are not intended to be adversarial and/or legalistic in nature, but instead developmental, no legal representation will be permitted for the purpose of those processes.
 - 8.4.2. Note the nature and keep a record of minor infringements, as well as the penalties imposed by academic staff members. The SAMC should identify trends and patterns and bring these to the attention of the Head of School and individual academic staff members as this information may have value to the educational development of students.
 - 8.4.3. Ensure and monitor that accurate records are kept as needed.
 - 8.4.4. Consider the student's record to ascertain whether there have been previous instances of Academic Misconduct recorded or noted against the student.
 - 8.4.5. Always act within the spirit and principles of this Policy.
- 8.5. The principles of good governance should guide the work and decisions of the SAMC. This would include but not be limited to the declaration of conflicts of interest.

9. COMMENCEMENT, REPEAL AND TRANSITIONAL MATTERS

- 9.1. The Policy will come into operation on the date on which it is approved by all the relevant structures of the University and shall replace the Plagiarism Policy that was approved by Senate in 2020 with document number G-C-2020-071 ("the 2020 Plagiarism Policy").
- 9.2. At the date of commencement of this Policy, all matters which were initiated in terms of the 2003 and/or 2020 Plagiarism Policy shall be decided and finalised in terms of that policy.

10. ACKNOWLEDGEMENTS

Important note on acknowledgments: This policy is a development of previous policies in the same area. The text used in this policy is a combination of text used before with some original ideas added. Given that policies in the past did not include the names of the authors it is difficult to acknowledge the contributions of these individuals by name. Therefore, the best that can be done for now is to acknowledge the contributions of all previous authors that worked on the versions of this policy.

APPENDIX 1: ACADEMIC MISCONDUCT POLICY GUIDELINE

	TYPES OF ACADEMIC DISHONESTY	LEVEL	FORUM	RESPONSE
1.	Use and / or possession of unauthorised materials, webservices and devices	1	Relevant Academic Staff Member	<p>Provided that the Academic Staff Member is satisfied that there is academic misconduct and the evidence presented supports it, they may:</p> <ol style="list-style-type: none"> 1. Award a penalty of up to 100% of the mark for the relevant question(s) or section(s); OR 2. Award a penalty of up to 100% of the mark for the assessment; AND/OR 3. Issue a verbal or written warning.
2.	Payment to a third party to complete assessments, assignments or provide solutions on behalf of the student, including use of unauthorized webservices (e.g. Chegg and Course Hero)	2	SAMC	<p>Provided that the SAMC is satisfied that there is academic misconduct and the evidence presented supports it, the SAMC may:</p> <ol style="list-style-type: none"> 1. Award a penalty of up to 100% of the mark for the relevant question(s) or section(s); OR 2. Award a penalty of up to 100% of the mark for the assessment; AND/OR 3. Issue a verbal or written warning.
3.	Someone else writing out answers for a student during an assessment	2	SAMC	<p>Provided that the SAMC is satisfied that there is academic misconduct and the evidence presented supports it, the SAMC may:</p> <ol style="list-style-type: none"> 1. Award a penalty of up to 100% of the mark for the relevant question(s) or section(s); OR 2. Award a penalty of up to 100% of the mark for the assessment; AND/OR 3. Issue a verbal or written warning.
4.	Collusion including through WhatsApp and Social Media Groups, and in-person interactions	2	SAMC	<p>Provided that the SAMC is satisfied that there is academic misconduct and the evidence presented supports it, the SAMC may:</p>

				<ol style="list-style-type: none"> 1. Award a penalty of up to 100% of the mark for the relevant question(s) or section(s); OR 2. Award a penalty of up to 100% of the mark for the assessment; AND/OR 3. Issue a verbal or written warning.
5.	Falsification of information including fraudulent medical certificates	2	SAMC	<p>Provided that the SAMC is satisfied that there is academic misconduct and the evidence presented supports it, the SAMC may:</p> <ol style="list-style-type: none"> 1. Recommend that the Faculty not grants the deferred assessment; AND / OR 2. Issue a verbal or written warning; AND/ OR 3. Impose up to 15 hours of community service, facilitated through WCCO.
6.	Changing a script or answers after an assessment and / or changing a mark given	REFER TO LEGAL OFFICE		
7.	False logbook entries, forgery (other than medical certificates), fabrication of research data	REFER TO LEGAL OFFICE		
8.	Publishing course materials on sites without permission and stealing exam scripts (hacking, physical stealing etc.)	REFER TO LEGAL OFFICE		
<p>NOTE: 1. The levels recorded above are not reflective of the degree of seriousness of the misconduct but instead reflect the level of interrogation and consideration required to make a decision on the matter. The more complex the evidentiary burden is, the higher the referral level.</p> <p>2. Any matter where the evidence is unclear should be referred to the Legal Office.</p> <p>3. This document serves as a guideline only and may be amended and/or supplemented by the Legal Office as and when appropriate.</p>				