



Academic Misconduct Procedure

Academic Misconduct Procedure

2023



The Academic Misconduct Procedure is aligned with the Standard Operating Procedure for processing of academic misconduct reports (TD-005-01) effective as of 25 October 2023.

Neither the European Union Agency for Asylum (EUAA) nor any person acting on behalf of the EUAA is responsible for the use that might be made of the information contained within this publication.

© European Union Agency for Asylum (EUAA), 2023

Cover photo: © iStock.com

Reproduction is authorised provided the source is acknowledged. For any use or reproduction of photos or other material that is not under the EUAA copyright, permission must be sought directly from the copyright holders.



Contents

Contents 3

Key terms and definitions 4

Disclaimer 5

Introduction 6

Procedure 6

 Reporting an incident of suspected academic misconduct 6

 Processing of academic misconduct report 7

 Examples of academic misconduct/plagiarism 9





Key terms and definitions

Term	Definition
Academic misconduct	Any action or attempted action that may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other member or members of the academic community. This includes a wide variety of behaviours such as cheating, plagiarism, altering academic documents or transcripts, gaining access to materials before they are intended to be available, and helping a friend to gain an unfair academic advantage. (reference: University of California Berkeley, online ⁽¹⁾).
Academic Misconduct Panel	Ad hoc panel constituted to perform an assessment of substantiated allegations of academic misconduct; chaired by the Head of the QAAS (having a casting vote), the Head of the Training Planning and Programming Sector, a Senior Training Standards Officer in QAAS and relevant assessors. The panel is supported by a Legal Officer from the Legal Services Unit. The panel may meet via videoconference or in hybrid meetings
Prima facie:	Latin legal term – ‘based on what at first seems to be true, although it may be proved false later’ ⁽²⁾ .

⁽¹⁾ <https://sa.berkeley.edu/conduct/integrity/definition>

⁽²⁾ See online [Oxford Advanced Learner's Dictionary](#)





Disclaimer

The Academic Misconduct Procedure is aligned with the Standard Operating Procedure for processing of academic misconduct reports (SOP TD-005-01) effective as of 25 October 2023. The master document is held by the EUAA. In case of dispute, the SOP TD-005-01 will apply.





Introduction

This document sets out the procedures in place to deal with academic misconduct issues, including definitions, processes, and consequences.

Academic misconduct relates to a range of unethical practices which compromise the integrity of teaching, learning and research. The EUAA takes academic misconduct seriously and has put in place a standard operating procedure to deal with academic misconduct issues ⁽³⁾.

Learners undertaking training modules as part of the European Asylum Curriculum are expected to conduct themselves in accordance with the ethical values of a professional learning community as enshrined in the Code of Conduct for participants in EUAA training activities ⁽⁴⁾. That is, they should abide by the principles of intellectual integrity, as well as the fair and respectful treatment of others, including other learners, training staff and administrative personnel.

When undertaking assessments, students confirm that the work submitted (or undertaken) is their own and that they have not copied or attempted to pass off the work of others as their own. This would be considered as plagiarism. Plagiarism falls within the category of academic misconduct, and is defined as using someone else's ideas, words, data, or other material produced by them without acknowledgement. A distinction is sometimes made between intentional and unintentional academic misconduct/plagiarism, with the former being considerably more serious than the latter.

For more information, please refer to the Internal guidance on academic freedom, institutional autonomy and academic integrity which includes guidelines on plagiarism and referencing ⁽⁵⁾

Procedure

Reporting an incident of suspected academic misconduct

At any time after an incident, if you suspect that academic misconduct has taken place, notify the EUAA by sending an email to registrar@euaa.europa.eu.

- Select the 'high importance' option.
- In the 'subject' field of the email write 'ACADEMIC MISCONDUCT CONCERN'. Do not list in that field any further information that could lead to the identification of the learner or of the nature of the incident.

⁽³⁾ Standard Operating Procedure for processing of academic misconduct reports (TD-005-01)

⁽⁴⁾ [Code of Conduct for participants in EUAA's training activities](#)

⁽⁵⁾ Internal guidance on academic freedom, institutional autonomy and academic integrity (IG-016-01)





- In the email, provide an overview of the alleged academic misconduct, including the grounds for suspicion and any supporting evidence, when and where the incident(s) occurred, as well as the names and contact details of any witnesses to the incident(s).

Within 10 working days, the EUAA will determine if the incident you reported on is covered by the academic misconduct procedure. Below are some examples of what will happen if it is outside the scope.

- If the report involves an allegation of a violation of fundamental rights by a member of an asylum support team, your email will be transmitted to the Fundamental Rights Officer.
- Where misconduct is related to human resource processes or decisions in an organisation external to the EUAA and EUAA training, you will be advised to use your organisational reporting processes.
- If it is determined that the misconduct relates to a training complaint, you will be advised to follow the training complaints procedure ⁽⁶⁾.
- If it is established that there are grounds for an assessment appeal, you will be advised to follow the assessment appeals procedure ⁽⁷⁾.

Within 15 working days of receipt of email, the EUAA will acknowledge receipt of the email. Due to the confidential nature of academic misconduct cases, no further update will be provided until the procedure has been concluded.

When the procedure has been concluded, you will then be informed of the outcome of the academic misconduct report and of any actions that the EUAA is taking to prevent any future similar incidences, provided that such actions do not directly concern any individual.

The case file will be closed and **the procedure ends**.

Processing of academic misconduct report

Within 10 working days of receiving a report of an incident of academic misconduct, the EUAA carries out a preliminary assessment to determine if the concern falls within the scope of the procedure for processing academic misconduct reports ⁽⁸⁾. An academic misconduct panel is convened. If the panel decides that there is prima facie evidence of academic misconduct having taken place, (whether intentional or unintentional) an investigation will be started. An investigating officer will be appointed to compile a report on the facts.

- The person alleged to have committed academic misconduct (and/or their employer) will be informed that an 'Academic Misconduct Concern' has been received and that an investigation has been opened. They will be given an overview of the alleged misconduct, including which assessment the incident relates to and the nature of the alleged incident.

⁽⁶⁾ Standard operating procedure for processing of training complaints (TD-001-01)

⁽⁷⁾ Standard operating procedure for processing of assessment appeals (TD-002-01)

⁽⁸⁾ Standard operating procedure for processing of academic misconduct report (TD-005-01)





- The person alleged to have committed academic misconduct (and/or their employer) will be invited to submit any observations or comments on the report and the facts gathered in writing to registrar@euaa.europa.eu or in person **within 15 working days**.

The process is confidential in nature and only witnesses to the alleged academic misconduct, and/or the trainer(s) and/or assessor(s) involved, will be contacted as part of the investigation.

Within 40 working days of the academic misconduct panel receiving the report from the investigating officer, the panel will decide whether the academic misconduct was intentional or unintentional (see examples in table below).

If the panel decides, after reviewing the Investigating Officer's report and all supporting evidence, that the alleged misconduct is intentional, corrective actions with the aim of preserving the quality of the EUAA's training activities will be taken. (Note: The EUAA however reserves the right to take the final decision on the individual's further participation in the EUAA's training activities.)

In cases of unintentional academic misconduct, the persons concerned (and/or their employers) will be informed that the case has concluded that unintentional academic misconduct has occurred. An appropriate and proportionate sanction will be applied. They will be given advice (such as relating to referencing etc.) to avoid academic misconduct in the future. The advice will be in line with EUAA's Internal guidance on academic freedom, institutional autonomy and academic integrity ⁽⁹⁾.

The process ends

⁽⁹⁾ Internal guidance on academic freedom, institutional autonomy and academic integrity (IG-016-01)





Examples of academic misconduct/plagiarism

Unintentional	Intentional
<p>Minor referencing errors (e.g., where attempts to reference have been made but some short excerpts of text are not cited) There is indication that the learner was not sure when to cite, paraphrase or quote.</p>	<p>Major referencing errors (such as where no attempts to reference have been made at all in the document and/or where large excerpts of text, such as entire paragraphs, have not been referenced at all) attempting to pass off the ideas as their own. This should be both major and deliberate.</p>
<p>The text of the assessment strings together quote after quote or paraphrases, even if cited correctly. The work submitted by the learner should be original, making appropriate use of other people's work only where necessary to support own arguments and juxtapose to one's own ideas.</p>	<p>Copying other individuals during the assessment by looking at the responses produced by others and repeating them, trying to pass them off as one's own ideas.</p>
	<p>The learner is found in possession of notes or other unauthorised materials during an assessment.</p>



