



聖若瑟大學  
UNIVERSITY OF  
SAINT JOSEPH

## ACADEMIC INTEGRITY COMMITTEE

### TERMS OF REFERENCE AND PROCEDURES

#### 1. INTRODUCTION

- 1.1 Academic integrity is essential in all aspects of a university's work. The Academic Integrity Committee of the University of Saint Joseph (USJ) handles staff- and student-related academic matters (distinct from non-academic conduct and disciplinary matters).
- 1.2 The Academic Integrity Committee adopts a proactive stance to promoting, disseminating and sustaining academic integrity in the work of the University and all its members, and the prevention of breaches of academic integrity.
- 1.3 The Academic Integrity Committee handles relevant matters of breaches of academic integrity by all members of the University. These include, but are not limited to allegations of breaches of academic regulations/integrity.
- 1.4 Abbreviations used here are: 'Faculty' = Faculty/School/Institute.

#### 2. THE ACADEMIC INTEGRITY COMMITTEE

- 2.1 The Academic Integrity Committee is a committee of the University under the Executive Council.

#### 3. THE TERMS OF REFERENCE OF THE COMMITTEE

- 3.1 To take active and proactive steps to promote, disseminate and sustain academic integrity in the work of the University and all its members, and to prevent breaches of academic integrity and academic conduct. Academic integrity requires ethical academic behaviour and practices, including, but not limited to, honesty, fairness, truthfulness, respect, responsibility, diligence, courage, rigour in research, high academic standards, and giving due credit to others. All of these must be put into practice in the academic work of the University.
- 3.2 To review, hear, consider, adjudicate and report allegations and issues of breaches of regulations and integrity in academic matters/academic conduct, together with awarding penalties for such breaches, including, but not restricted to: Academic integrity requires ethical academic behaviour and practices, including honesty, fairness, respect and responsibility. Breaches of academic integrity include, but are not restricted to: breaches of honesty, trust, respect, fairness and ethical treatment of others; failure to take responsibility for academic integrity where required; assessments; examinations;



plagiarism; cheating; misconduct in research; unauthorized collaboration; improper and unattributed use of others' work; failing to acknowledge the work of others where credit is due; copying, fabricating data and results; failure to acknowledge and disclose the assistance of others where appropriate; unauthorised disclosure of material without necessary permissions; breaches of copyright and intellectual property; engaging the involvement or assistance others where this is deliberately prohibited; deliberately enabling others to breach academic integrity and ethical academic standards; falsifying, distorting, or misusing documents and data, academic results or records of the University; failing to observe any regulation or order of the University which disrupts the teaching, learning, scientific research or other academic and related administrative activities of the University; bribery; cheating; misrepresentation; fabrication; collusion and/or conspiracy; producing intentional misrepresentation or false academic statements in any application or academic document submitted to or from the University; disturbing the normal work of academic members of the University and related administrative staff of the University; or other unethical academic practices that are brought formally to its attention by relevant offices or parties of the University.

- 3.3 To hear academic integrity allegations by members of the University which are brought to that Committee, and to report the outcomes of such hearings to relevant parties of the University (as defined in the procedures and mechanisms).
- 3.4 An important principle in promoting academic integrity and in handling any breaches of academic integrity is one of *subsidiarity*: where the matter is of a sufficiently minor nature (either in the promotion or breach of academic integrity) to be handled at the Faculty level, i.e. not to warrant being brought to the Academic Integrity Committee for consideration and adjudication, as decided by the Dean of the Faculty (who may consult the members of the Faculty, relevant and suitable parties in the University and/or Chair of the Academic Integrity Committee about this), then this should be handled at the Faculty level. If there is any doubt or uncertainty about this, or if the breach of academic integrity requires any formal warning or other formal penalty, then the Dean is required to consult the Chair of the Academic Integrity Committee. If a breach of academic integrity is discovered in any other University unit outside the Faculty, then this must be reported directly to the Dean of the Faculty of the Chair of the Academic Integrity Committee.

#### **4. THE MEMBERSHIP OF THE COMMITTEE**

- 4.1 The Academic Integrity Committee is a permanent one, activated on an ad hoc basis. It comprises:
- (a) The Chair, who is appointed by the Rector or his/her nominee, and who is normally at Full Professorial level or above;
  - (b) Up to three academic members, each from different Faculties, who is at the Assistant Professor level or above, who is appointed by the relevant Dean or his/her



nominee from each Faculty, each of whom must have a minimum of 2 years' university experience in this or another university;

- (c) The Head of the Student and Alumni Affairs Office;
- (d) A Secretary who is appointed by the Chair.

4.2 Members of the Committee must attend the meetings in person and may not assign or entrust others to attend the meeting in their place.

4.3 The Chair may co-opt one or more relevant USJ staff to be present whose presence is deemed by the Chair to be important for any specific hearing.

## **5. OPERATIONS OF THE COMMITTEE**

5.1 The quorum for the Committee is two thirds of the voting Committee members, rounded down to the nearest whole number.

5.2 The Committee convenes when the occasion arises, and in accordance with the procedures set out separately.

5.3 All members of the Committee, save for the Secretary, shall have voting rights. Co-opted members do not have voting rights.

5.4 Voting operates on a simple majority in a quorate meeting. In the case of an even split of voting, the Chair has the casting vote.

5.5 Minutes of the meeting are kept and are available to the members of the Executive Council. Given the sensitive nature of the proceedings of the Committee, the contents of the meeting are normally considered confidential, with permission for release of information and minutes to be decided by the Chair, who may request the decision of the Rector in matters of release of information.

5.6 The Committee must keep a record of:

- (a) all hearings, findings and decisions of misconduct referred to the Academic Integrity Committee;
- (b) all penalties imposed in respect of such hearings, findings and decisions.

5.7 At the discretion of the Chair of the Academic Integrity Committee, the record may constitute part of the University member's record for a fixed or indefinite period of time, and must form part of the file which must be made available to persons within or outside the University if, in the opinion of the Chair, they have a legitimate need to know, including, but not limited to: (a) the police, in response to a written request where they are investigating this or a related matter; (b) a court order or subpoena in response to a written request; (c) to a Faculty or another institute of higher education if, in the opinion of the Chair it has/they have a legitimate need to know and in response to a written request. A record must be kept of all external parties to whom the part or all of the record of the disciplinary file has been shown. Records are confidential and



subject to the clearance indicated in the provisions for data protection in the University. If the record is part of the University member's record for an indefinite period of time, then it must be reviewed a minimum of once a year.

5.8 The Chair should pass the full set of documentation upon completion of each case to the Rector's Office for record purpose.

## **6. PROCEDURES FOR THE COMMITTEE**

6.1 The Committee operates within the Regulations of the University. The Academic Integrity Committee enacts the requirements for alleged and actual breaches of these regulations as they relate to academic matters.

6.2 An allegation that a member of the University has engaged in conduct rendering them subject to action by the Academic Integrity Committee may be made by:

- (a) a student; or
- (b) a member of the academic, administrative or general staff of the University; or
- (c) any other person.

6.3 Any allegation of misconduct, violation of Regulations, Rules, academic integrity or a breach of a Code of Conduct must be made in writing to one of the:

- (a) the Dean of the Faculty in which the student is registered or in which the staff member works;
- (b) where the person making the allegation is the Dean, then the allegation must be brought to the Chair of the Academic Integrity Committee will perform the functions of the Dean;
- (c) where the allegation is being made against the Dean of the Faculty then this must be brought to the Chair of the Academic Integrity Committee.

6.4 In the case of 6.3 (a) of 6.3. (b), the allegation to be considered by the Academic Integrity Committee comes from the Dean of the Faculty, which prepares and assembles all the relevant documentation and evidence for the Academic Integrity Committee. In the case of 6.3 (c) the Chair of the Academic Integrity, in consultation with one or more members of the Academic Integrity Committee, decides the appropriate party/ies to prepare and assemble all the relevant documentation and evidence for the Academic Integrity Committee. The Committee then convenes its initial meeting to hear and review the allegations and evidence.

6.5 The allegation must be made in writing and must include a statement of:

- (a) the allegation;
- (b) the regulation which has allegedly been breached;
- (c) evidence to support the allegation.



## 7. THE MEETINGS OF THE COMMITTEE

- 7.1 The Academic Integrity Committee initially convenes to hear allegations of breaches of academic integrity, in light of the evidence brought before it.
- 7.2 If the allegations are deemed by the Committee to be vexatious, not well-founded, untenable (e.g. for lack of evidence) or are not upheld, i.e. rejected, then the case is dismissed and this is minuted. In these circumstances, if the member of the University has not been informed that the allegation has been made, then he/she will normally not be informed that the allegation has been heard, as, up to that point, the member of the University will be unaware that the allegation has been made, and this avoids creating unnecessary anxiety for him/her. If the member of the University is already aware that the allegation has been made, then he/she will be informed in writing of the outcome of the initial meeting.
- 7.3 If the allegations are deemed by the Committee to be not vexatious, well-founded and not untenable, such that they warrant consideration and action by the Committee, then the member of the University is informed in writing of the allegation and of the evidence being brought to the Committee. The Committee must invite the member of the University against whom the allegation is made to provide any relevant evidence and/or material that he/she wishes. The Academic Integrity Committee must inform the member of the University against whom the allegation is made that the Committee may seek any further evidence before the hearing is convened, and that the date of the hearing will be fixed only when the Committee is satisfied that it has sufficient material on which to proceed with the hearing.
- 7.4 If no written explanation or submission of evidence or request for a hearing is received from the member of the University against whom the allegation is made, the Chair may proceed to deal with the allegation normally within 14 days of the issuing of the letter to member of the University against whom the allegation is made, including the conduct of a hearing, in the absence of member of the University against whom the allegation is made.
- 7.5 The Chair of the Academic Integrity Committee must give the member of the University against whom the allegation is made: (a) the opportunity to provide in writing an explanation or submission of evidence in response to the allegation(s) and /or to have a hearing for the allegation to be addressed; (b) the time and date of the hearing (where possible, or an indication that a date will be fixed for this); (c) the rights of member of the University against whom the allegation is made at the hearing, including but not limited to, that member providing written evidence in response to the allegation(s), the member's right to be accompanied by one support person of his/her choice and to call witnesses. A minimum of 24 hours' notice must be given by the student to the Chair, of any support person or witness who will be in attendance or called respectively. The support person must not be a person who was involved in, associated with, or alleged to have been involved in or associated with, the academic misconduct which is included in



the allegation, or a qualified legal practitioner, unless permitted by the Chair. The support person accompanying member of the University against whom the allegation is made in a hearing has no right to be heard at the hearing, except by permission of the Chair, and may be excluded by the Chair if he or she disrupts or unreasonably impairs the conduct of the hearing.

- 7.6 The member of the University against whom the allegation is made must be given at least 7 days' notice of the time and place of the hearing.
- 7.7 The member of the University against whom the allegation is made and the Chair may agree in writing at any time to extend the time limits or to reschedule the date, time and place for a hearing.
- 7.8 When the Academic Integrity Committee has assembled what it considers to be sufficient material to safely hold the hearing; it will convene the hearing, at which the member of the University against whom the allegation is made is invited to be present.
- 7.9 At this meeting the Chair of the Academic Integrity Committee must report: (a) the allegation; (b) the regulation which has allegedly been breached; (c) the evidence brought in advance of the hearing. The Academic Integrity Committee hears any further material or matters from any or all of the parties (including the member of the University against whom the allegation is made), and then retires to consider its decision, and the hearing is over. If the Academic Integrity Committee considers that it requires further evidence, then it has the power to request this before coming to its final decision. The Academic Integrity Committee may:
  - (a) dismiss the allegation and impose no penalty; or
  - (b) uphold the allegation, but impose no penalty; or
  - (c) uphold the allegation, and impose one or more penalties; or
  - (d) adjourn the hearing and reconvene within a specified time limit, in order to allow further time to investigate and acquire information in relation to the allegation(s).
- 7.10 Once the decision/judgement of the Academic Integrity Committee has been taken then the Chair of the Academic Integrity Committee must contact in writing the member of the University against whom the allegation is made. This written communication must include, *inter alia*:
  - (a) the decision judgement of the Academic Integrity Committee;
  - (b) where relevant, the penalty imposed by the Committee;
  - (c) the automatic right of appeal by the member of the University against whom the allegation is made, which must be lodged in writing by the student to the Chair of the Committee within 14 days of the date of the letter sent to the member of the University;



7.11 If member of the University against whom the allegation is made does not attend the hearing, the Chair or his/her delegate may allow the allegation to be heard by the Academic Integrity Committee on the same date/time of the scheduled meeting, in the absence of the member of the University against whom the allegation is made.

7.12 Penalties imposed by the Academic Integrity Committee are in accordance with the Regulations of the University.

## **8. PROCEDURE FOR THE HEARING OF THE ACADEMIC INTEGRITY COMMITTEE**

8.1 Firstly, the Chair opens the hearing by informing everyone of the business and operation of the hearing, and the sequence of the procedure to be followed. Then the Chair will invite comments, questions and responses from any or all of the parties present, including the member of the University against whom the allegation is made, if he/she wishes to speak. Nobody may speak without the permission of the Chair. Then the Chair will invite the member of the University against whom the allegation is made to make any final comments that he/she may wish to make. Then the Chair will ask the member to leave the hearing, and that is the end of his/her part of the hearing, so he/she is free to go. The Committee will not recall the member.

8.2 Following the member's departure, the Academic Integrity Committee will consider the evidence placed before it, and will decide whether it needs further evidence or advice as appropriate. The Academic Integrity Committee has the right to seek further advice from any member of the University or outside the University concerned with the hearing. The Academic Integrity Committee will deliberate on the evidence, it will judge whether to uphold or reject the allegation, and it will decide on action to be taken and, if appropriate, penalties to be imposed.

8.3 The Academic Integrity Committee must give the member of the University against whom the allegation is made the opportunity to present material and submissions concerning the hearing and the allegation, to respond to any other material relating to the allegation, and it must consider any materials presented or made.

## **9. DECISIONS ON PENALTIES FOR BREACHES OF ACADEMIC INTEGRITY AND ACADEMIC REGULATIONS AVAILABLE TO THE ACADEMIC INTEGRITY COMMITTEE**

9.1 Within the Regulations of the University, with reference to penalties for breaches of academic integrity Regulations, the Academic Integrity Committee has the power to:

- (a) Issue a 'warning letter';
- (b) Issue a 'serious warning letter';
- (c) Require 'under observation in the University';
- (d) Require a student 'to suspend study';



聖若瑟大學  
UNIVERSITY OF  
SAINT JOSEPH

- (e) Require a student 'to withdraw from study';
- (f) Expel a student or staff member from the University;
- (g) Reduce the grade or mark awarded to a student;
- (h) Require a student to take one or more make-up examinations or assessments/assignments;
- (i) Require a student to retake one or more courses/assessments/assignments;
- (j) Award a zero mark for an examination or course.
- (k) Impose a penalty on the staff member, as it deems appropriate, and in accordance with the laws of Macau;
- (l) Suspend a staff member from working in the University for a fixed period of time, in accordance with the laws of Macau;
- (m) Initiate formal steps of terminating a staff member's contract in accordance with the terms of his/her contract, in accordance with the laws of Macau.

9.2 The severity of the penalty corresponds to the gravity of the breach of academic Regulations and integrity, within the procedures of the University and the laws of Macau.

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