

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 1 з 19

**MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE
ХЕРСОНСЬКА ДЕРЖАВНА МОРСЬКА АКАДЕМІЯ**

APPROVED
First Vice-Rector

L.B. Kulikova

2019



B.B V.V. Cherniavskiy

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**REGULATION
on Commission on Academic Integrity and Academic Commission on Ethics and
Conflict Management**

QMS 04-101-2019

APPROVED

Academic Council of KSMA
minutes № dated

	Scientific Secretary M.I. Babyshena
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Entered into force by Order of Rector
dated

Kherson - 2019

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 2 з 19

CONTENTS

1. Foreword	3
2. Field of application	3
3. Regulatory references	4
4. Terms, definitions and abbreviations	4
5. General provisions	6
6. The purpose and tasks of the Commission	6
7. Composition, structure and authority of the Commission.....	7
8. Organisation of Commission work	12
9. Final provisions	15
10. Distribution List.....	16
11. Information List.....	18
12. Periodic Checks List	19

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 3 з 19

1. FOREWORD

1. The Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management is approved by the decision of the Academic Council and put into effect by order of Rector of Kherson State Maritime Academy.

2. Periodic review of the Regulation is carried out at the interval that does not exceed 12 months.

3. Changes are developed according to the results of practical application at Kherson State Maritime Academy or when changing the requirements of regulatory documents on the basis of which the Regulation was developed.

4. Changes and additions to the Regulation are approved by decision of Academic Council of KSMA and approved by Rector. The Regulation is canceled in the same order.

2. FIELD OF APPLICATION

2.1. The Regulation is a component of the internal academic normative framework of the quality management system of KSMA and it was developed to ensure ethics and academic integrity by staff and higher education applicants of KSMA.

2.2. The Regulation defines the procedure of work of Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management and the procedure for consideration the cases on violation of the Code of Corporate Culture and Academic Integrity of KSMA by academic community members.

2.3. The requirements of the Regulation are mandatory for all participants of educational process.

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page. 4 з 19

3. REGULATORY REFERENCES

The Regulation has been developed taking into account the requirements of the following normative documents:

- Law of Ukraine «On Education» of 05.09.2017 № 2145-VIII (article 42. Academic Integrity);
- Law of Ukraine «On Higher Education» (article 16. Quality Management System of Higher Education);
- Recommendations of the Ministry of Education and Science of Ukraine «On Prevention of Corruption» # 1/9-650 of 23.10.2018 for higher education institutions;
- Recommendations of National Agency for Higher Education Quality Assurance for higher education institutions regarding development and implementation of a university system for ensuring academic integrity dated October 29, 2019, minutes # 11;
- SSU ISO 9001:2015 «Quality Management System.Requirements»;
- QMS 04-96-2019 «Instruction on the development of Regulations, regulating the activity of Kherson State Maritime Academy»;
- DP 02-01-2018 «Documentation Management».

4. TERMS, DEFINITIONS AND ABBREVIATIONS

The following definitions are applied in this documented procedure:

Academic integrity-	is a set of ethical principles and rules that are defined by the law which must be followed by the participants of the educational process when training, teaching and realizing scientific (creative) work to ensure confidence to studying results and/or scientific (creative) achievements.
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Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 5 з 19
Academic plagiarism	- publicizing (partially or completely) scientific (creative) results obtained by other persons as the results of one's own research (creativity) and/or reproduction of published texts (publication of art work) of other authors without indicating authorship.		
Author	- an individual who has created work through his creative activity.		
Essay (work, paper)	- information as a result of creative, scientific or educational and methodical activity of the author or a team of the authors, presented on paper or in electronic form on the Internet (monograph, textbook, coursebook, article, thesis, preprint, abstract and dissertation manuscript (dissertation work), master's or bachelor's thesis, course paper or project, abstract, essay, test paper, etc.) or in oral form (speech, lectures and other oral works).		
Education applicants	- students, cadets, trainees, interns, post-graduate students, doctoral students, other persons who obtain education by any type and form at KSMA.		
Participants of educational and scientific process	these are education applicants, pedagogical, research and teaching scientific staff, individuals who carry out educational and scientific activity; other persons that are specified by special laws and involved in the educational and scientific process in accordance with the procedure established by KSMA.		

ABBREVIATIONS:

KSMA	- Kherson State Maritime Academy;
QMS	- Quality Management System.

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page. 6 з 19

5. GENERAL PROVISIONS

5.1. When developing the Regulation, the norms of the Statute of KSMA, other normative legal acts of the current legislation of Ukraine and organizational and administrative documents of the Academy were taken into account. Also, when developing this Regulation, the norms of the Regulation on Academic Integrity and University Commission on Ethics and Conflict Management of Sumy State University were taken into account.

5.2. The work of the Commission is based on the principles of legality, honesty and decency, justice, mutual trust, competence and professionalism, responsibility, partnership and mutual respect, transparency.

6. PURPOSE AND TASKS OF THE COMMISSION

6.1. The purpose of the Commission is to control functions regarding the observance of academic integrity, the authority regarding establishing and reviewing the facts of violation of academic integrity, as well as promoting compliance with ethical principles and standards, fundamental principles of academic integrity, and solving ethical conflicts between the members of the academic community.

6.2. The tasks of the Commission are:

- to contribute to the strengthening of confidence, partnership relations between participants of scientific and educational process, consolidation of the university community;
- to establish a dialogue and reach an agreement through an objective and fundamental discussion of complex ethical situations;
- to give consultations in situations that cause uncertainty regarding ethics, and regarding actions that may lead to violations of the Code of Corporate Culture and Academic Integrity of KSMA or the Regulation on Academic Integrity and Ethics of Academic Relations at Kherson State Maritime Academy;

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 7 з 19

- to provide expert evaluations on the ethics of actions and behavior of the university community members and recommendations on the application of sanctions for violations of the Code of Corporate Culture and Academic Integrity of KSMA and the Regulation on Academic Integrity and Ethics of Academic Relations at Kherson State Maritime Academy;

- to develop recommendations for improving the culture of behavior of the university community members and spreading ethical values, principles and standards;

- to make decisions on the type of responsibility that should be applied to persons who violate ethical norms and on violations of norms of academic integrity.

7. COMPOSITION, STRUCTURE AND AUTHORITY OF THE COMMISSION

7.1 The members of the permanent Commission on Ethics and Conflict Management work on a public basis. The composition of Commission on Ethics and Conflict Management is approved by order of Rector of KSMA. The term of authority of Commission on Ethics and Conflict Management is 2 years.

7.2 The composition of Commission on Ethics and Conflict Management includes first vice-rector, vice-rector in scientific and pedagogical work, vice-rector in educational and methodological work, head of Legal Department, head of Postgraduate and Doctoral Studies Department, head of Human Resources Department, head of Department of Monitoring and Quality Management System, head of the Trade Union Organisation of the academy, and head of student government.

7.3 Internal or external experts may be involved in the work of the Commission on Ethics and Conflict Management on the issues under consideration, without the right to participate in voting.

7.4 The Commission on Ethics and Conflict Management is organised under the chairmanship of the first vice-rector. The chairman of the Commission conducts meetings, signs minutes, decisions, etc. In the chairman's absence, their duties are

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 8 з 19

performed by the deputy. The secretary is responsible for keeping the minutes of the meeting, technical preparation of the materials for their consideration at the meeting.

7.5. If required, one-time commissions on academic integrity are established by order of Rector. The Commission on Academic Integrity is created under the chairmanship of Dean of Faculty dean and consists of representatives of the teaching staff of the faculty departments in the amount of at least one member of department, head of the representative body of Trade Union Organisation of the faculty.

7.6 In order to consider violations of academic integrity by higher education applicants, the composition of the above mentioned commissions on academic integrity must necessarily include representatives of student government.

7.7 The composition of the commissions cannot include persons who have been held academically responsible for violating academic integrity. If a member of the Commission is found to have violated academic integrity they are removed from the Commission by order of Rector.

7.8 Authority of the Commission is:

- to receive, consider, analyse the applications regarding violations of the Code of Corporate Culture and Academic Integrity of KSMA and Regulation on Academic Integrity and Ethics of Academic Relations at Kherson State Maritime Academy and prepare relevant conclusions;
- to receive from all participants of the educational process and structural subdivisions of the academy the information and documents that are necessary to perform the authority;
- to involve experts from different fields, as well as to use technical and software tools to reliably establish the facts of violation of the norms of academic integrity according to the submitted application;

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 9 з 19

- to carry out informational activities on popularizing the principles of professional ethics and academic integrity of scientific and pedagogical staff and higher education applicants;

- to prepare proposals for increasing the effectiveness of implementing ethical principles and principles of academic integrity in the educational and scientific process of KSMA;

- to provide recommendations and consultations on means and ways of more effective compliance with the Code of Corporate Culture and Academic Integrity of KSMA and Regulations on Academic Integrity and Ethics of Academic Relationships at Kherson State Maritime Academy;

- to make decisions about the type of responsibility that should be applied to persons who are found to have violated the academic integrity norms.

Commissions on Academic Integrity may impose the following types of academic responsibility:

- for higher education applicants – be expelled from the rating of applicants for academic scholarship or be given penalty points in such a rating, be deprived of academic scholarship;

- for academy staff – be deprived of the right to participate in competitions for funding for research and implementation of educational projects, scholarship and grants, etc.

Academic Commission on Ethics and Conflict Management (in addition to assigning the above types of academic responsibility) may:

- assign the following types of academic responsibility for of higher education applicants:

- to inform a person who provides financial support for education (conducting research), the institution that issued the grant for education (research), potential employers,

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 10 з 19

the parents of higher education applicant about the violation;

- to deprive of the right to participate in competitions for scholarship, grants, etc;
- to restrict participation in scientific research, exclude from certain scientific projects;

- to recommend for consideration by Rector, Academic Council of the Academy or other bodies (in accordance with the distribution of the authority) assigning for a violator the following types of academic responsibility:

- o for higher education applicants:

- to deprive of tuition benefits provided by the academy;
- expell from the educational institution;

- o for academy staff:

- to exclude from the Academic Council, advisory and working bodies of the academy or to restrict of the right to participate in the work of such bodies for a certain period;

- written warning;

- to deprive of honorary titles, awards, scholarships, etc. awarded by the academy;

- to refuse from the recommendation regarding assignment of an academic title, scientific degree, etc;

- to dismiss.

- to recommend for consideration by the Academic Council of the academy (with a subsequent petition to the Ministry of Education and Science of Ukraine, the National Agency for Higher Education Quality Assurance, and other agencies at the national and international levels) the issue of assigning such types of academic responsibility to the academy staff: - be deprived of the right to participate in the work of the bodies defined by the law or to hold positions defined by the law;

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 11 з 19

- be refused from awarding a scientific (educational and creative) degree or academic title;

- be deprived of the awarded scientific degree or assigned academic title.

For each violation of academic integrity, higher education applicants and academy staff may be subject to one or more types of academic responsibility, depending on the decision of the above-mentioned commissions. The commissions may also consider the issue of actions that contain signs of violation of academic integrity, with recommendations for bringing to other types of responsibility provided for by the current legislation of Ukraine.

The application of a particular type of academic responsibility for a violation of academic integrity shall take into account:

- recognition of guilt for a breach of academic integrity by a violator and the inadmissibility of further violations by them;

- the fact of cooperation with the commission or refusal to cooperate during the consideration of the violation case;

- the fact of the first violation or the systematic nature of violations, their totality;

- the degree of impact of the violation on the reputation of the academy, faculty, department, etc;

- the degree of impact of a violation on the quality and subsequent learning outcomes (for higher education applicants) and the implementation of educational and research activities (for pedagogical, research and teaching, scientific staff).

If a teacher, a supervisor of a qualification work, head of department, dean of faculty, vice-rector of the academy are not authorised to make a decision on assigning certain types of academic responsibility, they submit to Rector a petition to organise a commission on academic integrity for consideration of a violation or for consideration of a violation by Academic Commission on Ethics and Conflict Management (in accordance with the authority of the Commission to impose the types of academic responsibility described above). The petition shall provide reasonable information on the nature of the

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page. 12 з 19

violation and the type of academic responsibility to be imposed on the violator.

It is not allowed to submit a petition without substantiated information on the nature of the violation, with false (defamatory) information about the fact of the violation, based on unverified facts (it has the nature of an assumption), an anonymous petition.

A petition may be submitted on behalf of a higher education applicant if he has witnessed a violation of academic integrity or is ready to provide substantiated information about a violation of academic integrity by another higher education applicant or a member of the academy staff;

- other authority in accordance with the requirements of the current legislation of Ukraine and regulatory (local) acts of KSMA.

7.9. The Commission shall report on its work to the Academic Council of KSMA at least once a year.

8. ORGANISATION OF COMMISSION WORK

8.1 The organisational form of the Commission work is a meeting. Meetings are convened whenever it is necessary to resolve operational and essential issues.

8.2 The Commission may execute its authority provided that the number of its members present at the meeting is not less than two thirds of its composition determined by the order of the Rector of the academy.

8.3 The procedure for consideration of a violation of academic integrity by Commission on Academic Integrity or Academic Commission on Ethics and Conflict Management consists of the following steps:

- conducting an official investigation;
- informing a person on a suspected violation of academic integrity;
- preparing a report on the results of the official investigation with conclusions and determination of the type of academic responsibility.

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 13 з 19

Consideration of the fact of a violation of academic integrity is carried out confidentially by giving information about the progress of the case only to the members of the commissions and the person suspected of committing a violation of academic integrity. At the same time, a person suspected of committing a violation of academic integrity has the right to

- get acquainted with materials considered by the commission, the protocol on the results of the official investigation and other information related to the consideration of the violation;

- on one's own initiative or at the request of the commission, provide written explanations on the merits of the case, refuse explanations in case of a request for their provision from the commission;

- be present at the meeting of the commission at the stage of consideration of the issue of bringing to academic responsibility.

The Commission on Academic Integrity or the Academic Commission on Ethics and Conflict Management shall review the violation and render its decision based on reasonable information on the merits of the violation and the results of the official investigation.

8.4 Decisions are made by open voting. The decision is considered to be adopted if more than half of the Commission members present at the meeting have voted for it.

8.5 In case of an equal distribution of votes, the vote of the chairman of the Commission shall be decisive.

8.6 Based on the results of the meeting of the Commission, a protocol shall be compiled and signed by the chairman (in his absence - by the deputy) and the secretary.

8.7. The results of consideration of applications and notifications shall be brought to the attention of the Rector of the academy for further response.

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 14 з 19

8.8 In case of disagreement with the decision of the person who assigns a specific type of academic responsibility or the relevant commission on bringing to academic responsibility, a person accused of the violation has the right to appeal. The appeal shall be filed personally by the violator or through a representative to the Rector within ten days after the announcement of the commission decision. In case of an appeal is initiated by a higher education applicant who studies at the academy or the academy staff member, the appeal is considered by the appeal commission established by the order (instruction) of the Rector.

8.9. In case of an appeal is based on applications from third parties (as well as on the instructions of the Ministry of Education and Science of Ukraine, the National Agency for Higher Education Quality Assurance, and relevant state institutions), the appeal is considered by the Academic Commission on Ethics and Conflict Management by the order of the Rector.

8.10 The appeal shall be considered by the relevant commission within one week from the day following the issuing of the order (instruction) of the Rector to consider the appeal, unless another term is specified in the order (instruction). The conclusions of the commission are drawn up in the relevant protocol and submitted to the Rector (or a person authorised by him), who makes the final decision on the results of the review of the violation (assignment of a type of academic responsibility, recommendation for consideration of the issue on assigning of a type of academic responsibility by the Academic Council, etc.)

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page 15 з 19


9. FINAL PROVISIONS

9.1. The responsibility for updating the Regulation and monitoring the fulfilment of its requirements lies with the officials of KSMA in accordance with their functional duties.


9.2 This Regulation shall be posted on the official website of KSMA.

COMPILERS:

Authorised person for
Corruption Prevention and Detection
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Head of Technical Information
Department I. Blakh
«<Y» // 2019



O.I. Кириленко



I.V. Блах

AGREED:

Head of Legal Department
«Ой» y y 2019



O.Sliepchenko

Head of Department of Monitoring and
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/Y 2019



O.Ustymenko

Kherson State Maritime Academy		Quality Management System	04-101-2019
CHANGE: 0	ISSUE: 19.1 1.2019	Regulation on Commission on Academic Integrity and Academic Commission on Ethics and Conflict Management	Page. 16 з 19

DISTRIBUTION LIST

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