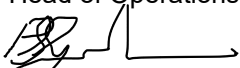


## PLAGIARISM

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## DOCUMENT CONTROL

Version	Version Date	Description	Approved by	Date
V6.0	November 2023	Revised Policy	Mr Paul Gericke Head of Operations  Signature:	November 2023

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# 1. INTRODUCTION

Optimi College (Pty) Ltd offers a face-to-face and distance learning educational experience. Therefore, students can continue their studies both part-time and full-time. Our goal is to accommodate and encourage lifelong learning in the South African labour force: employed, unemployed, and discouraged job seekers.

Optimi College is committed to providing education experience that is valid, reliable, and that embodies the highest level of integrity. To that end, this policy outlines our commitment to and application of both nationally and internationally accepted standards regarding plagiarism and copyright infringement.

# 2. PURPOSE

Optimi College recognises that students are not always aware of the standards relating to plagiarism and copyright infringement; we further acknowledge that these concepts, themselves, may not be adequately understood by our students.

Because the avoidance of plagiarism and copyright infringement are fundamental to the integrity of all academic institutes, Optimi College is firmly committed not only to the understanding of plagiarism and copyright infringement, but also to the stringent implementation and application of all relevant standards. Therefore, the purpose of this policy is to outline the meanings of both plagiarism and copyright infringement as well as to outline the standards required to avoid both.

Considering the above, this policy will:

- Define plagiarism and copyright infringement
- Distinguish plagiarism and copyright infringement
- Outline the necessary legislation and standards
- Outline the steps to be taken in guaranteeing the avoidance of plagiarism and the attribution of copyright through:
  - Referencing
  - Citation
  - Captioning

# 3. SCOPE

This policy applies to all programmes, whether accredited or non-accredited and to all students of Optimi College. It is supported by processes and procedures aligned with the relevant national legislation, treaties, and international conventions.

# 4. PRINCIPLES

- To ensure compliance with the South African Copyright Act, 1978 (Act No. 98 of 1978, as amended up to the Copyright Amendment Act 2002)
- To ensure compliance with international standards and conventions regarding plagiarism
- To ensure that the rights of authors and publishers are sufficiently recognised
- To ensure that any legally required licencing fees are paid to the correct party (parties)
- To avoid legal action and to avoid possible awards for damages
- To support local publishers through compliance with the Act
- To support the development, creation, and dissemination of new and authentic works of academic value and rigour by assuring authors of compensation

- To avoid the losses of income inflicted on authors through inadequate respect for and implementation of copyright acknowledgement and the avoidance of plagiarism
  - Adapted from (University of the Witwatersrand, Johannesburg, 2017)

## 5. GUIDELINES AND PROCEDURES

### 5.1 Definitions

- 1) Copyright infringement is understood to be:
  - a) Any form of unpermitted use of copyrighted material, whether for monetary gain or not, may be considered copyright infringement unless that material has been specifically licensed by the owner for use<sup>1</sup>.
  - b) Copyright applies to a wide range of intellectual property, including but not limited to:
    - i) Literary works:
      - (1) Novels
      - (2) Poems
      - (3) Textbooks
      - (4) Letters
      - (5) Reports
      - (6) Lectures
      - (7) Speeches
    - ii) Musical works
    - iii) Computer programs
    - iv) Artistic works
    - v) Videos
    - vi) Sound recordings
    - vii) Broadcasts
    - Adapted from (Smith & Van Wyk, 2005) & (the balance small business, 2018)

- 2) **General Exceptions** to copyright infringement:
  - a) When it comes to fair dealing regarding literary or artistic works, there is no copyright infringement if:
    - i) Copyrighted material is used for the purposes of research or private study
    - ii) Copyrighted material is used for the purposes of criticism or review
    - iii) Copyrighted material is used for the purposes of reporting on current events:
      - (1) For example, in a newspaper, magazine, or other type of periodical
      - (2) For example, through the medium of broadcasting or video

The above hold true when the author of the new material gives adequate credit via an acceptable means of referencing and citation including the name of the original author/artist.

- iv) Copyrighted material lawfully available to the public, including any newspaper or periodical, is used and adequate referencing and citation are applied, including the author's name
- v) Copyrighted material is used in the process of teaching or training provided that the resources are adequately referenced and cited.

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<sup>1</sup> This last point is the critical difference between copyright infringement and plagiarism: copyright infringement occurs if there is no official agreement for the use of intellectual property between the owner and the person or organisation using that property; plagiarism occurs when others' ideas, research, or work is used in a creator's original work without adequate acknowledgement. The difference is subtle but vitally important.

– Adapted from (Republic of South Africa, 2002)

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3) **Plagiarism** is understood to be taking the words and/or ideas of others and presenting them as one's own; specifically:

- a) Presenting the work of others as one's own; this applies to, for example:
  - i) Written content
  - ii) Video content
  - iii) Recorded content, whether vocal or music
- b) Presenting the words or ideas of others without affording them the correct credit
- c) Stealing the literary work of another
- d) Presenting as one's own any idea, product, literary work, or any other content based on an existing source
- e) Specific to our students:
  - i) Assessments
  - ii) Portfolios of evidence
  - iii) Presentations (PowerPoint, Key Note, Prezi, or other formats)
  - iv) Recordings (video or audio)
- f) The following are cases behaviour which risk attracting plagiarism
  - i) Submitting someone's else's work
  - ii) Copying images and other media from any source (hardcopy or websites for example) for use in
  - iii) Making use of copyrighted videos or clips – assume all such content to be copyrighted unless specifically informed otherwise; e.g. clips from sites which provide copyright-free content
  - iv) Performing an artist's copyrighted music in – assume all such content to be copyrighted unless specifically informed otherwise; e.g. sound clips or music from sites which provide copyright-free content
  - v) Creating a piece of music that is similar to copyrighted material in
- g) Specific examples of where plagiarism may not be clear but where use without proper referencing and acknowledgement is copyright infringement:
  - i) A photograph, scan, or photocopy of a copyrighted image:
    - (1) In a book, magazine, periodical, newspaper, or other print medium
    - (2) Online material whether from a downloaded resource or a website
  - ii) Making a recording or presentation in which copyrighted music or another video is playing in the background
  - iii) Recreating a visual or literary work in the same medium or composition (e.g. recreating a PowerPoint presentation with the same elements or an assessment following the same subject matter as another author's)
  - iv) Recreating a visual project in a different medium (e.g. creating a video based on the content of a website)
  - v) Remixing or altering copyrighted images, videos, or audio recordings; this applies to original arrangements

– Adapted from (Plagiarism.org, 2017)

4) Types of plagiarism:

- a) *Direct plagiarism*: word-for-word duplication of another author's/artist's content without credit and appropriate quoting.
- b) *Self-plagiarism*: the submission by a student of previously submitted work or variations thereof as if it were original, and without the permission of *Optimi College*
- c) *Mosaic plagiarism*: presenting selections of another author's/artist's work(s) without using quotation marks or adequate paraphrasing without adequate referencing while maintaining the original author's/artist's structure or meaning.

- d) *Accidental plagiarism*: neglecting to cite used resources, or misquoting sources, or unintentionally paraphrasing a source without adequate referencing or citing.

Despite having no intent to commit plagiarism, this does not excuse the student.

5) Levels of plagiarism:

- a) *First level*: first time offence and minor – the use of copyrighted intellectual property either with inadequate referencing and/or citation, or without any form of credit. In this case, the offence is considered minor because the act of plagiarising and/or committing copyright infringement may have been unintentional.
- b) *Second level*: a repeated minor offence or first time major offence – a minor offence (intentional or unintentional) which reoccurs after an initial penalty has been imposed but may require a more severe penalty to elicit the intended effect; a major offence indicating the intentional act of copyright infringement and/or plagiarism whether direct plagiarism, self-plagiarism, mosaic plagiarism, and/or accidental plagiarism.
- c) *Third level*: repeated major offence – the intentional infringement of copyright or act of plagiarism despite previous penalties for the same action(s).

– Adapted from (University of the Witwatersrand, 2018)

Plagiarism weakens the educational process and could lead to a disciplinary response from *Optimi College*; this could include expulsion from a programme. Please, refer to the *Referencing Guide for Students*. This document can be obtained from Optimi College and is available on the website.

Optimi College views plagiarism and copyright infringement as academic dishonesty and describes the consequences of this offence in detail in the **Student Code of Conduct**. For your convenience, these have been outlined below:

- 1) **Disciplinary Warning**: a written reprimand regarding behaviour that violates the Student Conduct Code
- 2) **Restriction**: exclusion from some modules but still on the system
- 3) **Suspension**: removal of the student for a time period (still on the system)
- 4) **Expulsion**: permanent disciplinary removal of the student from Optimi College (off the system)

Please note that this is not an increasing scale. In other words, the response from Optimi College will be based on the level of misconduct regarding plagiarism.

## 5.2 Conventions & Legislation Applicable to Copyright Infringement and/or Plagiarism

In the South African context, issues of copyright and plagiarism are governed by the Copyright Act No. 98 of 1978 (as amended) and its Regulations (Section 13). However, there are additional governances which influence the application of copyright rules:

- Copyright legislation and treaties:
  - The Universal Copyright Convention
- South Africa: Copyright Regulations, No. 6252 of December 22, 1978

*Optimi College* is committed to following all international treaties and conventions as well as national legislation:

- Berne Convention
- Copyright (UNESCO)

- Copyright: the TRIPS Agreement
- Copyright Laws in Africa
- Intergovernmental Copyright Committee (UNESCO)
- International Conventions (UNESCO)
- Overview: the TRIPS Agreement
- TRIPS Agreement
- Universal Copyright Convention
- WIPO Copyright Treaty
- WIPO Performances and Phonograms Treaty
- WTO Legal Texts: TRIPS

### 5.3 Roles & Responsibilities

#### 5.3.1 Lecturer/Coordinator

The **Lecturer/Coordinator** oversees the identification and investigation of suspected cases of copyright infringement and/or plagiarism in works produced by students. As the gatekeeper of both identification and investigation, the **Lecturer/Coordinator** works closely with the Academic Team in identifying and managing cases of copyright infringement and/or plagiarism.

The **Lecturer/Coordinator** is further tasked with the teaching of correct referencing and citation techniques; i.e. Harvard Referencing Style and image captioning.

#### 5.3.2 Manager: Learning Delivery

The **Manager: Learning Delivery** is the final arbiter in establishing the outcomes of all cases of suspected copyright infringement and/or plagiarism.

The phases of a disciplinary process and levels of severity are discussed in the **Student Code of Conduct**.

#### 5.3.3 Accreditation and QA Specialist

If the student believes that the outcome of the investigation is not fair, s/he must submit a written account of the penalty to be submitted to the **Accreditation and QA Specialist** for consideration.

A grievance should be submitted in writing, addressed to the **Accreditation and QA Specialist**, clearly indicating the details of the complaint and the expected outcome of the process. Grievances must be sent to the following email address: [grievances@optimicollege.co.za](mailto:grievances@optimicollege.co.za)

The **Accreditation and QA Specialist** ensures that the resolution of student grievances follows consistent procedures across Optimi College and provides an independent, impartial review of academic and administrative grievances.

Refer to the Student Complaints and Grievances Policy available on the website.

### 5.4 Appeals Process

Any and all appeals processes will be dealt with by the **Accreditation and QA Specialist**.

## 6. POLICY REVIEW

The Policy on Development and Review of policies provide guidelines for the formulation, development, and review for Optimi College policies and procedures. The review date on the Policy Dashboard will initiate the review process owned and managed by the Review Manager. The Review Manager will delegate the policy and review deadline to the Policy Owner for analysis. The review process is implemented following Stages One to Five of the guidelines. Optimi College policies are reviewed on an annual basis or if changes in legislation or qualifications.

The Review Manager coordinates the new policy development process and the review of policies on an annual basis, in collaboration with the Policy Owner or subject matter expert. The Review Manager ensures that the necessary document management process is maintained in the Policy Master File, both printed (Accreditation and QA Specialist) and online (QMS Final Policies). The Review Manager submits all new and updated policies to the Academic Committee for final approval. The Review Manager is the person who is responsible for maintaining the Policy Management Dashboard (PMD) and reporting on this at Academic Committee Meetings.

## 7. GLOSSARY OF TERMS

Term	Definition
Accidental plagiarism	Neglecting to cite used resources, or misquoting sources, or unintentionally paraphrasing a source without adequate referencing or citing.
Copyright infringement	Selling another's work or commercially exploiting it without the proper rights to do so. Copyright infringement for example, will occur when a university copies parts of the whole book and then selling it to students. Theft thus takes place. (Plagiarism.org, 2017)
Direct plagiarism	Word-for-word duplication of another author's or artist's content without credit and/or quotation marks; i.e. adequate referencing or citation.
Mosaic plagiarism	Presenting selections of another author's/artist's work(s) without using quotation marks or adequate paraphrasing while maintaining the original author's/artist's structure or meaning.
Plagiarism	Original work is manipulated and credit is not given where due or it can be done with the specific purpose of deceiving the reader to think that the ideas are your own.
Self-plagiarism	The submission by a student of previously submitted work or variations thereof as if it were original, and without the permission of Optimi College