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Academic Misconduct Policy

Maggie Scott

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Association of Colleges
QUALITY INFORMATION AND ADVICE SERVICE
Quality Information Pack

ACADEMIC MISCONDUCT POLICY
A MODEL FOR THE FE SECTOR

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Introduction for college staff

Plagiarism, cheating, collusion and attempting to obtain an unfair academic advantage are forms of academic misconduct and are entirely unacceptable for any student at a further education or sixth form college. This policy defines what the College means by plagiarism, give examples of the categories of other forms of unacceptable academic misconduct outside examinations, gives guidance to staff to help prevent the occurrence of such misconduct, determines the procedures to be adopted in suspected cases and indicates the academic penalties which may be appropriate in proven cases.

In establishing this policy, the College is seeking to maintain the integrity of its academic awards and procedures and to give any students affected a fair opportunity to respond to any allegation of academic misconduct. Each case will be determined on its own facts and merits. Accordingly, it may be necessary to adjust the procedures to allow a proper investigation or to ensure fairness to the student concerned in any particular case. It may be necessary for the College to seek legal advice in specific cases. The procedures in this policy are not contractual in nature and there is no right to compensation for any amendment to the procedures.

The policy is for use outside public examinations, where the examining boards' own procedures will apply. It includes college-assessed work which contributes towards external examination marks.

The policy has been re-written in user-friendly language for use with students. Students will need to read and understand the policy and its implications, probably with the support of staff, and sign to this effect. It is suggested that, if adopted for college use, this version is reproduced in induction literature, the student handbook or similar publication, so there is no danger of a student denying knowledge of its existence.

This policy is offered to the further education sector, and may be taken up in whole or in part. It may be used to augment existing college policies and procedures, or become part of a disciplinary procedure. In all cases, institutions should read the policy in conjunction with the guidance notes, which point up future changes to European law which may have a bearing on the policy. In all cases, the Association of Colleges advises that, as with all policies, colleges should consult with their own legal team before implementation.

Definitions –what activities are included in the Academic Misconduct Policy

Plagiarism is the presentation of someone else's work, words, images, ideas, opinions or discoveries, whether published or not, as one's own, or alternatively appropriating the artwork, images or computer generated work of others, without properly acknowledging the source, with or without their permission.

Plagiarism by students can occur in examinations but is most likely to occur in a Further Education or Sixth Form College outside sat, unseen exams, i.e. in coursework, assignments, portfolios, essays and dissertations.

Examples of plagiarism in such a context would include:

- i) Directly copying from written physical, pictorial or written material, without crediting the source;
- ii) Paraphrasing someone else's work, without crediting the source;

Examples of other forms of academic misconduct (such as cheating, collusion and attempting to obtain an unfair academic advantage) would include:

- i) Getting someone else to produce part or all of the work submitted;
- ii) Colluding with one or more student(s) to produce a piece of work and submitting it individually as one's own;
- iii) Copying the work of another student, with or without their permission;
- iv) Knowingly allowing another student to copy one's own work;
- v) Resubmitting one's own previously graded work;
- vi) Using forbidden notes or books in producing assigned work or tests;
- vii) Fabrication of results (including experiments, research, interviews, observations).

The use of the word "academic" in the title seeks to define the scope of policy as it relates to the delivery and assessment of the curriculum. It is intended to include vocational courses and assessed programmes. With GNVQ courses at level three now re-titled "Vocational A. Levels", it has been decided it is an appropriate term to use in relation to this policy. It is, however, at the discretion of colleges whether they wish to adopt this title.

College Academic Misconduct Policy – Action to be taken by staff

Plagiarism, cheating and collusion and attempting to obtain an unfair academic advantage are entirely unacceptable and not allowed. As such, these forms of academic misconduct will be subject to disciplinary regulations.

To prevent the occurrence of academic misconduct, staff should:

- i) Inform students clearly of the policy on academic integrity and honesty and of any guidelines on academic misconduct, recording the date/s and occasion/s for future reference.
- ii) Include statements on academic misconduct in college policies, the student handbook and each syllabus, ensuring consistency throughout the College.
- iii) Make students aware of the penalties for academic misconduct at the earliest stage of the course.
- iv) Provide students with guidance on the format of formal acknowledgement of source material.
- v) Inform students, in writing if possible, of the extent to which they can collaborate in coursework. Please refer to the notes in the guidelines from one of the awarding bodies as to what is, and is not, allowed when collaborating.
- vi) Be aware that most students are very computer literate and can scan text and surf the web for model essays, etc., with ease. Ensure adequate access controls are in place and that students are adequately supervised when using computers (especially when networked) to prevent students from copying or printing out other people's work as part of their own.
- vii) Devise procedures for assessing work in such a way that plagiarism, cheating and collusion are more detectable. This might include – ensuring that coursework assessment is supported by unseen and supervised work under test conditions, changing assignment topics yearly, on at least a three-yearly cycle; making less use of generic assignments in favour of tailored assignments; getting to know the style of students' writing/submissions, early on in the course; comparing subsequent work to initial assessment tests. Ideally, mark/assess a class group's coursework on a single occasion, to enhance the likelihood of the assessor spotting plagiarised passages.
- viii) Fully investigate all instances of suspected academic misconduct utilising the proper disciplinary procedures

College Academic Misconduct Policy – as it applies to students

The following are dishonest and therefore unacceptable and not allowed by the college -

- Taking someone else's work, images or ideas and passing it off as your own (This is called plagiarism),
- Using the computer, either the internet, or information stored on a hard or floppy disk which belongs to someone else, and passing it off as your own
- Cheating, that is, acting unfairly or dishonestly to gain an advantage
- Secretly agreeing with others to cheat or deceive. (This is known as collusion)

All these are called **academic misconduct**. If you are discovered or suspected of doing any of the things shown in the list above, the college will investigate and may take action against you. (That is, you will be subject to disciplinary regulations.)

This is what is expected of you whilst you are at the college-

- i) You will only hand in your own original work for assessment.
- ii) You will show when you have used information provided by someone else by giving the person's name and where you found the information in your work (or in your portfolio) as you go along. For example, if you use someone else's words you will enclose the quote with inverted commas. You will also repeat this information at the end of the piece (this is called a bibliography/references section). The same applies if you have received help. This is the standard practice in the world of learning. Your tutor or lecturer will give you help with this. You should seek advice and guidance from tutors if you are unsure how to do this properly.
- iii) You will show when you have downloaded information from the internet
- iv) You will never use another's disk as if it were your own work, nor copy work from a disk belonging to someone else and use it as if it were your own
- v) You will never use someone else's artwork, pictures or graphics (including graphs, spreadsheets etc.) as if they were made by you
- vi) You will never let other students use or copy from your work and pass it off as if they had done it themselves
- vii) You can expect all cases of suspected academic misconduct to be fully investigated using the college disciplinary procedures. If proved, you can expect the college to take action against you. What happens will depend on how serious what you have done appears to the college.
- viii) The member of staff who has looked into what you have done will decide how serious the case appears at first. This person will consult with senior colleagues when a moderate or serious case is suspected. The claims that you have done something illegal or wrong (the allegations) will be written down so that you know the case you have to answer.

The actions taken by the college, if they believe from the evidence you have done something wrong, may include the following:

When what you have done is thought to be a minor case of academic misconduct-

- i) What you have done will be discussed with you in a private tutorial.
- ii) You will be given a warning about how you must act in the future
- iii) You will have marks from your piece of work taken away (which may be 6% as a guide), or you will have work returned to re-do and hand in for remarking
- iv) If this has happened before, you will go straight to a second stage interview
- v) If you are working towards an exam, the relevant examining body will be told what has happened in accordance with the examination board's policy
- vi) External examiners/verifiers will also be told what you have done, in accordance with the examining board's policy

When what you have done is thought to be a moderate case of academic misconduct-

- i) Your mark or assessment grade will be reduced or you will be awarded zero, depending on how serious what you have done appears to the college
- ii) You may not be allowed to take the unit/exam/test again
- iii) The course tutor may decide that you must attend a second stage interview
- iv) The relevant examining body will be told what you have done, in accordance with the examination board's policy
- v) External examiners/verifiers will also be told what you have done, in accordance with the examining board's policy

When what you have done is thought to be a serious case of academic misconduct-

- i) A penalty will be awarded. This will be decided by the college staff interviewing you and will depend on the seriousness of what you have done. Any of the following may be given –
 - A zero grade in the exam/test/module is given or the assessed work is not awarded a grade.
 - You are not allowed to re-sit the exam or test, or you are not allowed to re-do the piece of assessed work.
 - You are disqualified from your course.
 - You are expelled from the college.
- i) The relevant examining body will be told what you have done, in accordance with the examining board's policy
- ii) External examiners/verifiers will also be told what you have done, in accordance with the examining board's policy

In all cases, a note will be made on your file of the allegation, the outcome and any penalty you are given. You need to know that this information may be used by the college when it is asked to provide a reference for you, for example if you want to go to another college or get a job.

You must sign the statement below to show that you have read and understood the college rules on academic misconduct as they are shown on this paper.

“I agree that I have read and understood the College Policy on Academic Misconduct. I understand that if I cheat and present others’ work as my own, without showing who did the work and where I found it, the college will take action.

I agree that all the work I hand in during my course or put in my portfolio will be entirely my own, unless I show clearly in my work where I have used someone else’s work, have worked with someone else, or have received help.”

Signed..... Date.....

Procedure to deal with academic misconduct for staff:

Consider prima facie level of severity of academic misconduct – guidelines on definitions

A college will decide who will undertake this determination and ensure there is a consistency of approach in all cases. In the first instance this person is likely to be the academic member of staff undertaking the initial investigation. Provision must be made for consultation with more senior staff in the case of a moderate or severe case being suspected.

The allegations against the student should be provided to the student in writing before any action is taken, so that the student is clear of the case to be answered.

Examples of *minor cases* could include a student:

- i) Receiving undue help in good faith because instructions have been misunderstood.
- ii) Copying a couple of sentences or using someone else's diagrams.
- iii) Copying small amounts of text from books without direct acknowledgement, but which does not make a significant contribution to the overall work
- iv) Downloading from the internet without acknowledgement, using another's disk or copying work from another's disk
- v) Using another's artwork
- vi) Not referencing work properly.
- vii) Failing to acknowledge the source of a small section of an assignment.
- viii) Infringing the policy when the assessed work does not contribute to final grade.

Examples of *moderate cases* could include:

- i) Copying from books without acknowledgement which has the effect of making a significant contribution to the overall work
- ii) Limited plagiarism from professional work (not course books).
- iii) Limited copying of other candidates work (hard copy or from a disk), or excessive help within one piece of work.
- iv) Limited downloading of information from the internet
- v) The use of model answers downloaded from the internet
- vi) In the situation where the assessed work contributes to final grade.
- vii) Repeated minor cases.

Examples of *serious cases* could include:

- i) Extensive copying of textbooks in one piece of work or limited copying in two or more pieces of work which makes a significant contribution to the work/s.
- ii) Extensive plagiarism of professional works (more than 100 words)
- iii) Buying, selling or stealing of work.
- iv) Repeated evidence of extensive use of information from the internet without acknowledgement
- v) Using model internet answers
- vi) Using past candidates' work from previous years.
- vii) Undue help from outside of the centre.
- viii) Repeated moderate cases.

Action to be taken by staff if academic misconduct is believed to be proven beyond reasonable doubt with direct reference to the parent text or other evidence, and/or is admitted by student

If the student admits misconduct:

- i) Arrange a meeting with the student to hear his/her comments. The investigating member of staff determines the level of seriousness of the incident and considers the appropriate action.

If a minor case is identified, the member of staff may choose one or more of the following at their discretion -

- i) Discuss the incident with the student in a tutorial.
- ii) Warn the student about future conduct.
- iii) Deduct marks from the student's work (guide 6%), or return work to be re-done and resubmitted for marking
- iv) If this has happened before, refer directly to a second stage interview
- v) Inform the examining body, in line with their procedures
- vi) Inform external examiners/verifiers in line with examining body's procedures

If a moderate case is identified, staff may elect to

- i) Award a mark which may be on a scale between a minimum pass mark only and a zero grade, or similarly reduce the assessment grade
- ii) Withdraw the right of the student to re-sit an exam/test or resubmit an assessed piece of work
- iii) Refer the case immediately to a second stage interview (at the discretion of the investigating member of staff). This will be with the Head of Department who will recommend an appropriate sanction.
- iv) Notify the examining body, in line with their procedures
- vii) Inform external examiners/verifiers in line with examining body's procedures

If a serious case is identified, staff are entitled to

- i) Award a zero grade in the exam/test/module, or withhold from awarding a grade for assessed work
- ii) Withdraw the right of the student to re-sit the exam or test, or withdraw the right to resubmit work for assessment.
- iii) Disqualify the student from the course
- iv) Recommend expulsion of the student from the college.
- v) Inform the examining body, in line with their procedures
- vi) Inform external examiners/verifiers, in line with their procedures

In all cases, a note of the allegation/s, outcome and action taken should be recorded on the student's file. Students should be aware that notes on a student's file might be drawn on, in the event of the College being asked to provide a reference for the student.

Action by staff, if academic misconduct is not proven yet still suspected, or if the misconduct is proven, yet not admitted by the student, there will be the need to investigate, as described above.

If a minor case is alleged - Student attends a 1st Stage Interview – the process

- i) Interview will be chaired by the course tutor, and attended by relevant teacher/s and student.
- ii) Written notice of the nature of interview and allegations should be sent to the student prior to the interview, notifying the individual that he/she can bring a friend, relative or a student council representative.
- iii) The incident is discussed with the student, with the evidence and location/s in the student's work being identified.
- iv) The student is questioned, to test knowledge of the work.
- v) The student has an opportunity to explain.
- vi) The tutor listens to each case carefully and makes a decision.

Possible outcomes

- i) No academic misconduct has taken place and the assignment remains marked as it stands.
- ii) The student accepts that academic misconduct has taken place and is allowed to redo and resubmit the work and is awarded the minimum pass mark. A verbal warning is issued.
- iii) The student accepts that academic misconduct has taken place and accepts a reduced mark (guide 6%) and a report is made to the modular and external examiner. A verbal warning is issued.
- iv) The student denies academic misconduct has occurred and a second stage interview is necessary.
- v) The college informs external examiners, in line with their procedures
- vi) The college informs external examiners/verifiers in line with the examining board's procedures.

If a moderate case is alleged

Student attends a 1st Stage Interview – the process

- i) The interview will be chaired by the course tutor, and attended by the relevant teacher/s and student.
- ii) Written notice to the student of the nature of interview and the allegations should be sent prior to the interview, notifying him/her that they can bring a friend, relative or a student council representative.
- iii) The incident is discussed with the student, with evidence and the location/s in the student's work identified.
- iv) The student is questioned, to test knowledge of the work.
- v) The student has an opportunity to explain.
- vi) The tutor listens to each case carefully and makes a decision.

Possible outcomes

- i) No academic misconduct has taken place and the assignment remains marked as it stands.
- ii) The student accepts that academic misconduct has taken place and is allowed to redo and resubmit the work and is awarded no more than the minimum pass mark. A formal written warning is issued and if the offence is repeated, this constitutes misconduct, requiring an automatic second stage interview.

- iii) The student accepts that academic misconduct has taken place and, according to the circumstances, may be referred by the tutor to a second stage interview with the Head of department who will recommend an appropriate sanction.
- iv) The student denies academic misconduct has occurred. A second stage interview is required
- v) The college informs external examiners, in line with their procedures
- vi) The college informs external examiners/verifiers in line with the examining board's procedures.

If a serious case of academic misconduct is alleged -

A report made by course tutor who will institute disciplinary procedures.

Student attends a 1st Stage Interview -

- i) Chaired by course tutor, attended by relevant teacher and student.
- ii) Written notice to student of nature of interview and allegations should be sent prior to the interview, notifying them that they can bring a friend, relative or a student council representative.
- iii) Incident discussed with evidence and location in student's work of plagiarism.
- iv) Student is questioned, to test his/her knowledge of the work.
- v) The student has an opportunity to explain.
- vi) The tutor listens to each case carefully and makes a decision.

Possible outcomes

- i) No academic misconduct has taken place and the assignment remains marked as it stands.
- ii) The student accepts that academic misconduct has taken place and is referred to a second stage interview with the head of department who will recommend an appropriate sanction.
- iii) The student accepts that academic misconduct has taken place. A zero grade in the exam/test module is given, or the assessed work is not awarded a grade. Neither a re-sit, nor re-doing and re-presenting coursework is allowed.
- iv) The student denies academic misconduct has occurred and a second stage interview is required.
- v) The college informs external examiners, in line with their procedures
- vi) The college informs external examiners/verifiers in line with the examining board's procedures.

In all cases, a note of the allegation/s, outcome and action taken will be recorded on the student's file. Students should be aware that notes on a student's file might be drawn on, in the event of the College being asked to provide a reference for the student.

2nd Stage Interview - the process

- i) Chaired by Head of Department and attended by course tutor, assessing teacher and student.
- ii) Written notice is sent to the student stating the allegations, a summary of the evidence, the time and place and possible outcomes, and allowing them to bring a friend, relative or student council representative.
- iii) Copies of any documents, which will be considered or relied upon by any of the parties, should be disclosed to the student with the written notice if possible but in any event at least three clear days before the interview.
- iv) A formal record of the interview is made, with the assessing teacher presenting the case and allegations of academic misconduct.
- v) The student states their case.
- vi) The Head of Department or other member of staff as appropriate questions the student to test their knowledge of the work
- vii) The Head of Department reaches a decision.

Possible outcomes

- i) No academic misconduct has taken place and the assignment is marked as it stands.
- ii) The course tutor's decision is upheld and the work is assigned a zero mark. The examining body is informed. The examining body will review this and decide whether the student should progress or whether they are awarded any credits based on previously assessed work.
- iii) The student is found in breach of the Code of Conduct and a recommendation for expulsion is made in writing.
- iv) The college informs external examiners, in line with their procedures
- v) The college informs external examiners/verifiers if appropriate

Penalties (including Expulsion)

At any stage in the procedures when the College imposes a penalty of any kind in respect of an allegation of academic misconduct (save in respect of minor cases), the College will provide a written note of the reasons for its decision to the student within 7 days if reasonably practicable in all the circumstances.

Expulsion

- i) The student has a right to appeal against expulsion, by written notice to the Principal via the Head of Department, with grounds for their appeal, within 7 days of receipt of written notice of expulsion.
- ii) An appeal panel will be convened consisting of the Principal, a member of the senior management team and a staff member familiar with the course but not the case.
- iii) The student will be invited to present their case with evidence and can be accompanied. All parties should be sent copies of all documentation, which is provided to the appeal panel.
- iv) If the matter is still not resolved, the student can appeal to the Governing Body within 14 days or on the following grounds:
 - v) A material irregularity in the consideration of evidence;
 - vi) A failure by the appeals panel to observe procedural requirement;
 - vii) That the punishment imposed was not commensurate with the offence;
 - viii) The emergence of new evidence which could not reasonably have been brought to the attention of the appeals panel.

Penalties other than expulsion

- i) For penalties other than expulsion, a student has the right of appeal by written notice to the nominated senior person, via the Head of Department, with grounds for their appeal, within 7 days of receipt of the written note detailing the outcome of the interview and the reasons for its decision.
- ii) Following a stage 2 interview, the Head of Department may recommend expulsion from the college to the Vice Principal [or another designated senior post-holder] who has the right to act on this recommendation. That person can hear representations from the student on the question of expulsion, and formal notification of expulsion [or a lesser sanction] can then be given to the student.

For further information about this or other Quality Information Packs developed by the Quality Information and Advice Service, please contact Rosemary Clark or Maggie Scott on 020 7827 4611 or email qualityadvice@aoc.co.uk

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NOTES TO BE READ BY COLLEGES IN CONJUNCTION WITH THE ACADEMIC MISCONDUCT POLICY

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Section 1: Introduction

The policy addresses the wider forms of "academic misconduct" outside examinations. Colleges may wish to broaden the policy to include cases of academic misconduct which occur within an examination, or highlight in this document a reference to other such procedures, determined either by college or by examining boards relating to policies concerned with academic misconduct which occur within an examination.

Section 2: Definitions

In this section plagiarism and the broader term academic misconduct are defined. The policy does not include *intention* in its definition. A comment is made later however, that a student's intentions may be taken into account at the point of determining the severity of the penalty to be imposed.

Section 3: College Policy – action to be taken by staff

The entire policy, with the exception of the section 3, giving specific guidance for staff, should be available to students. The section which refers directly to students has been written in simple plain english so that it may be read and understood by students with different levels of skills attainment.

All students should be aware of the policy, for example, through its inclusion in college literature, a student handbook, induction, and tutorial or classroom materials.

All students must sign a declaration relating to academic misconduct. An example of such a declaration appears in the policy.

Our legal team suggests that the college records the dates and occasions when it informs students' of its policy on academic misconduct (for example during induction or in class). It suggests it would be helpful for an institution to run specific lessons on the proper acknowledgement of some material and what it considered to be the "principles and practices of proper scholarly documentation". The context of the lesson / tutorial / induction and the date of delivery could then be shown to a court if necessary.

Colleges should ensure that there is consistency in references made to its policy on academic misconduct in its various central and departmental documents.

As you may be aware, if any incident is noted on a student's written record, then it may become subject to the Data Protection Act 1998 if a wide view is taken of the 1998 Act (which may also include the right of access to written student records).

College policy as it applies to students



To avoid inconsistency, colleges need to identify who is to make the initial assessment of the severity of the case, which must then be applied throughout the institution. The draft policy suggests this could be determined by the member of staff conducting the initial enquiry, who is likely to be the academic member of staff teaching the subject. Institutions will need to identify the designation of the person undertaking the initial assessment, and whom that person should consult at a more senior level. We advise that allegations need to be set out in writing for the student.

Procedure to deal with academic misconduct

The definition of academic misconduct adopted in this policy seeks to take out the mental element of the offence and to seek to make it misconduct irrespective of the mental element of dishonesty. However, the mental element may be considered of relevance to colleges in determining the severity of the penalty to be imposed.

The policy uses the term "minor" to describe some cases of academic misconduct. This may be construed as taking away from the seriousness of the offence and lessening the deterrent effect of the policy. Other classifications could be substituted, provided that the definition of each category is clear. Colleges do require, however, a means of dealing with the least serious cases informally.

Our legal team suggests that even in the case of seemingly clear-cut cases, where the college believes academic misconduct is proven, or where academic misconduct has been admitted informally by a student, the college should arrange a meeting with the student to hear his or her comments.

It is at such a meeting that a student may be asked formally to admit the allegations (which should be provided in writing to the student before hand along with any documents relied upon) and allowed to make any representations in mitigation. It would be preferable to specify who within the College is to hold such meetings and this may depend on the severity of the case and the authority given to impose particular penalty.

It is suggested in the interest of fairness that students should be advised that they are able to bring a representative to an interview at any stage. If a student were to request legal representation then again, colleges may wish to err on the side of fairness and allow this also.

It is suggested that the course tutor conducts the first stage interview in minor, moderate or serious cases of academic misconduct. Note that in the case of moderate cases, in addition to the Zero mark sanction, accommodation has been made for the tutor to refer the matter to a second stage interview to determine whether academic misconduct has occurred and a greater penalty is appropriate.

Second stage interviews. We would suggest that a student is provided with advance copies of documents which will be seen by the person making the decision about the offence and any penalties.

Penalties (including expulsion)

Although in English law there has been no general requirement for public bodies to give reasons for their decisions, we are advised that we should pre-empt any judicial review brought about as a result of the passing of the 1998 Human Rights Act, by providing a student with a written note of the colleges decision. Note, it is important to ensure that reason/s are cogent and defensible to scrutiny.

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