

PROMOTING AND SUSTAINING AN INSTITUTIONAL CLIMATE OF ACADEMIC INTEGRITY

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***“Respect for the truth comes close to
being the basis for all morality.”***

—U. Thant

ABSTRACT

THIS ACADEMIC SENATE PAPER IS IN response to two resolutions from Fall 2005 concerning academic dishonesty. One resolution, 14.02, “Student Cheating,” sought clarification on a System Office legal position that limits the ability of local faculty to fail a student for a single incident of academic dishonesty, and pending the result of clarification, to seek an appropriate Title 5 change. Resolution 14.01, “Student Academic Dishonesty and Grading,” required the Academic Senate to investigate faculty legal and professional rights and obligations with regards to dealing with academic dishonesty, including options for grading, disciplinary action, definitions of academic dishonesty, a statement of best practices, and an explanation of student rights.

The paper discusses the need for a culture of academic integrity that enriches the educational experience of students and faculty and, indeed, all individuals associated with the college as employees or community members. The paper recommends that colleges involve all constituent groups, particularly student leaders, in developing and promoting policies and procedures supportive of a climate of academic integrity. Students have key responsibilities and protections provided by Title 5 §51023.7 and have the potential to raise awareness throughout an institution concerning academic integrity. The paper includes examples of policies and procedures that have been adopted at several colleges. Central to all discussions of academic integrity is the importance of due process and the protection of student rights.

Suggestions for promoting a climate of academic integrity are provided, along with examples of policies applied to such issues as test taking, technology, distance education, Internet use, group work, and maintaining the integrity of graded assignments. Emphasis is placed on the roles of classroom faculty, library services, counseling, and the need to institute mandates for information competency as a means of creating and sustaining a culture of academic integrity.

The paper goes on to discuss the System Office’s 1995 legal interpretation of faculty rights with regards to failing a student for an incident of academic dishonesty. Included in this section is a brief discussion of potential changes to Title 5 and a consideration of student rights under the law. The paper also provides examples from colleges of policies and procedures that support academic integrity, recommendations to local senates, faculty, and the State Academic Senate, and concludes with references and appendices.

“Education must not simply teach work, it must teach life.”

—W. E. B. Du Bois

INTRODUCTION

PROMOTING AND SUSTAINING AN INSTITUTIONAL CLIMATE of academic integrity requires active participation by all members of a college community and is largely dependent on ongoing system-wide communications that are wedded more to principles of alliance than compliance. Such a climate is an extension of institutional integrity, an understanding that honesty must be woven throughout the fabric of a college. While the resolutions that resulted in this paper are concerned with legal interpretations of academic dishonesty, due process, and faculty and student rights, the authors believe that academic integrity is not merely a product of dogmatic adherence to rigid rules but, rather, an expression of values embraced by the institution as a whole.

It is difficult to discuss academic integrity without references to “academic dishonesty” or “cheating” and their inferences of intentional and premeditated behaviors. Recent reports indicate that a growing number of students cheat (Collison 1990a; McCabe and Trevino, 1996; Nilson, 1998). Students, though responsible for their actions, often receive ambiguous examples in today’s world, examples that result in their choosing behaviors which are rarely chastised or punished in the present social order. Dishonesty, regardless of its point of origin, has metastasized throughout our society. While it may be argued that the academic community is at a disadvantage in setting standards that rarely hold up in the real world, one should not ignore the potential for the academy to be part of the solution. The academic community has an opportunity to influence the future of corporate and elected officials, and all citizens, by promoting a culture of academic honesty and integrity throughout the entire structure.

While the promotion of academic integrity is by one reckoning as simple as the adoption of core principles about honesty, the details of dealing with the proliferation of electronic resources and the varied preparation of faculty to contend with infractions is also a matter of concern. Faculty have indicated that they feel uncertain about their rights and responsibilities as well as about those of their students. Therefore, preparatory to a local discussion on the matter, faculty and students might appreciate reading background articles, such as any of the many pieces authored or co-authored by a founder of The Center for Academic Integrity (<http://www.academicintegrity.org>), Donald I. McCabe. In “Ten Principles of Academic Integrity: How Faculty Can Foster Student Honesty” (http://www.findarticles.com/p/articles/mi_m1254/is_3_36/ai_n6153013/print), McCabe summarizes how both students and faculty need to be responsible and explains “modified

honor codes” which have been effective at many colleges and universities. The author further states, “We believe colleges and universities must use their academic-integrity systems to foster those qualities and to discourage students from falling into the habit of cheating and deception” (2004).

Creating a culture of academic honesty requires agreement that integrity and honesty are valued qualities in all members of the college family. Moreover, implicit to all discussions of academic integrity is the understanding that people who value learning would never view cheating as a viable choice. Strategies for developing academic integrity vary from college to college, but the similarities fall into several categories:

- ▶ **Educate and involve students** in discussions about promoting and sustaining an institutional climate of academic integrity
- ▶ **Develop and publish clear** definitions and examples of academic dishonesty
- ▶ **Formulate clear and consistent** methods of communication about unacceptable behaviors and their consequences
- ▶ **Establish clear processes for** documenting infractions and providing due processes and clearly defined consequences for unacceptable behaviors

Classroom teachers, staff members, counselors and librarians all have regular access to students, where the opportunities and teachable moments regarding honesty and integrity are many. Local academic senates should work with local student leadership to facilitate institution-wide discussions and promote the creation of practices that respect the learning environment while encouraging academic integrity.

Resolutions in Fall 2005 directed the Academic Senate to investigate a legal opinion from the System Office regarding the consequences assigned to acts of academic dishonesty and the assignment of grades. The results of the investigation are included in this paper along with effective practices for promoting academic integrity and fulfilling legal obligations to establish reasonable due process for students accused of academic dishonesty. The resolutions are as follows:

FALL 2005, 14.02, STUDENT CHEATING

Whereas, When a student has engaged in any form of academic dishonesty, the array of penalties that the instructor may impose on a student has been limited in some districts but not in others; and

Whereas, A 1995 opinion by Ralph Black, then legal counsel in the System Office, holds that an instructor may fail a student for the assignment on which that student engaged in cheating or plagiarism, but not award a failing grade for the entire course for one incident of cheating or plagiarism;

Resolved, That the Academic Senate for California Community Colleges investigate whether or not the interpretation of Title 5 Regulations and Education Code that does not allow an instructor to fail a student for an entire course for one incident of academic dishonesty, no matter how egregious, is correct; and

Resolved, That if the Academic Senate for California Community Colleges finds this interpretation to be correct, then the Academic Senate pursue a change in regulation or law that gives full discretion to the instructor as to the penalty for a student engaging in any form of academic dishonesty.

FALL 2005, 14.01 STUDENT ACADEMIC DISHONESTY AND GRADING

Whereas, There is confusion across the state about the options that faculty have for awarding grades and/or disciplining students following incidents of student academic dishonesty; and

Whereas, There is great variance in policies in California community colleges regarding grading and disciplining students for academic dishonesty;

Resolved, That the Academic Senate for California Community Colleges investigate the legal and professional obligations and options for faculty in grading policies and disciplinary actions following student academic dishonesty; and

Resolved, That the Academic Senate for California Community Colleges develop a statement of best practices for defining academic dishonesty and handling the grading of assignments, the awarding of course grades and the disciplining of students in cases of academic dishonesty, including an explanation of student rights.

The intent of this paper is to offer guidance toward creating and sustaining a climate of academic integrity and to provide an update on the legal opinion from 1995 regarding allowable consequences assigned to students by teachers when academic dishonesty is established.

“Character cannot be developed in ease and quiet. Only through the experience of trial and suffering can the soul be strengthened, vision cleared, ambition inspired, and success achieved.”

—Helen Keller

INSTITUTIONAL COMMITMENT AND PRACTICES

CREATING A CLIMATE OF ACADEMIC HONESTY and integrity begins with a commitment to high standards which demand honorable behavior. It involves institution-wide agreement about attitudes and behaviors that concern learning, achieving success, and accepting responsibility for one’s actions. Because of the nature of the California community colleges and its open door policy, the challenge to establishing agreed upon attitudes and behaviors must be embraced within every classroom. With the mix of underage students, recent high school graduates, returning students, and individuals from many cultures, one cannot presume automatic consensus on the central principles of a climate of academic integrity, so it must be an ongoing topic of conversation in all academic settings.

While catalog statements concerning academic integrity exist throughout California’s Community College System, they vary widely in terms of length, tone, content, and specificity. Some statements reflect the minimal bureaucratic language of a board policy and several paragraphs in the schedule of classes. At the same time other colleges have created fully fleshed out policies and explanations that represent an ongoing, college-wide discourse on academic integrity. In contrast to the sterility of rules that are dusted off only when violations are alleged, the ongoing discursive approach elevates the cause of academic integrity to that of an institutional core value. Because the staff and faculty constitute a more perennial presence than do the majority of students who spend but a few years at a college, a climate of academic integrity must be treated as a renewable resource by having its tenets revisited by each successive generation of students.

The establishing of new policies or the revisiting and even revising of existing policies in support of academic integrity all constitute the need for an ongoing system-wide conversation. While local senates will likely initiate such discussions, academic integrity is not simply the province of the faculty but of students and administrators alike. Otherwise, where colleges rely solely on the posting of rules, issues of authority and due

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process will likely overshadow the more profound principles that relate to academic integrity. A model for such discussions may be found, in part, in the ongoing dialogue associated with the creation of successful accreditation self-studies wherein outcomes are determined by collegial deliberations.

Discussions about academic integrity may begin with local academic senates and student governments and then evolve into broader deliberations that include staff training and professional development activities. Faculty and students may collaborate to create a joint statement of values and best practices for upholding principles of academic honesty, and they may pool resources with local administrators on issues related to due process and codes of ethics. It is entirely appropriate that faculty work closely with students in such an endeavor in as much as Title 5 §51023.7 requires colleges to ensure students have a participatory role in the development of academic disciplinary policies (Appendix II). Because there are different assumptions in society and among individuals regarding intellectual property, cooperative work, idea sharing, and reference citing, among other practices, it is critical for far reaching participation throughout the institution. The opportunities vary with each college, but the end result is not only a climate of academic integrity but an increasing sense of unity and cohesion within the institution.

As the institution commits to a culture of academic integrity, attitudes, policies, and procedures may need to be adjusted or reviewed, but this should involve a healthy discussion among all constituents. The Center for Academic Integrity (<http://www.academicintegrity.org>) suggests that success of academic integrity policies depends upon the level of institutional commitment for the policies. Every college should involve constituent groups in the establishment of policies and procedures in order for the final product to be accepted and effective. The webpage listed above for the Center for Academic Integrity provides models of policies.

This paper also includes related documents from various California community colleges in the appendices. It is recommended that procedures include definitions, rights and responsibilities of faculty and students, and include the due processes that are protective of student rights.

***“A teacher affects eternity; one can never tell where
one’s influence stops.”***

—Henry Brooks Adams

PROMOTING ACADEMIC INTEGRITY

PREVENTION OF ACADEMIC DISHONESTY IS AN ideal worthy of discussion. Such a discussion should begin with faculty and students working together seeking ways to remind the entire institution of the importance of integrity—academic or otherwise. Students should discuss their ideas of what integrity might mean, how it may relate to high ideals, stature, and core principles concerning personal integrity. And, naturally, students will want to be aware of their rights; they’ll want to know if there is a students’ code of ethics, and how the college deals with accusations of dishonesty. They’ll want to know the missteps that could result in allegations of academic dishonesty. In effect, this is a conversation that works best when it occurs in every office, cubicle, and classroom. This process represents an opportunity for EVERYONE: everyone on staff, every administrator, every board member, all foundation members, students, parents, spouses, faculty—and people who read about such topics of discussion as banner-events in the college’s presentation of general information.

Although faculty members should be the primary role models for academic integrity, the fact is that defining, promoting, and protecting academic integrity must be a community-wide responsibility—not only to identify repeat offenders and apply consistent due process procedures, but also to affirm the shared values that make colleges and universities true communities. (McCabe, Donald L. “Ten Principles”)

Globally, a discussion should involve an institutional immersion if the end result is to be a general climate of academic integrity. Within the topic there exist issues of ethics, the question of what it means to stand for something (even when nobody’s watching). It can take place within the disciplines of political science and history—entwined as they are on the subject of veracity. The topic can find expression in business administration and the law—and even the law’s enforcement. It may also find purchase in courses on fire protection, dental hygiene, roof joist construction, nursing, literature, philosophy, aeronautics, mathematics, at the local senate, and in the office of the chief instructional officer. One has only to imagine how such a discussion might be a source of rich exchange in budget meetings, student government, at a regional consortium, and among the employers throughout the community who hire local students. It can measure accountability of the college mission. It embodies the liberating opportunity to sit down and work constructively toward the achievement of something as fundamental as a reawakening passion for character within our surrounding community—and beyond.

“While the conversation should be initiated by local senates, the topic of academic integrity offers an excellent opportunity for student governments to establish a presence on campus.”

While the conversation should be initiated by local senates, the topic of academic integrity offers an excellent opportunity for student governments to establish a presence on campus. Because colleges are all about the students, such organizations will generally have exceptional access to otherwise busy people. They will be permitted to ask penetrating

questions and to expect forthright responses. Therefore, the best approach is for the local senate to serve in an advisory role and allow the students to take the lead on facilitating a college-wide discussion. Moreover, the topic of academic integrity, when taken to its logical conclusion at a college, is not only about expected behaviors; it is about consequences for those who are found to have violated agreed upon behaviors.

Within the framework of such discussions should be a thorough consideration of Title 5 §51023.7 among students and across the entire campus. Just as faculty are aware of participatory governance and their primacy in academic and professional areas, so students and the college as a whole should understand student rights:

(a) The governing board of a community college district shall adopt policies and procedures that provide students the opportunity to participate effectively in district and college governance. Among other matters, said policies and procedures shall include the following:

(1) Students shall be provided an opportunity to participate in formulation and development of district and college policies and procedures that have or will have a significant effect on students. This right includes the opportunity to participate in processes for jointly developing recommendations to the governing board regarding such policies and procedures.

(2) Except in unforeseeable, emergency situations, the governing board shall not take action on a matter having a significant effect on students until it has provided students with an opportunity to participate in the formulation of the policy or procedure or the joint development of recommendations regarding the action. (<http://government.westlaw.com/>)

For additional information on student rights and responsibilities, refer to Appendix II.

When student organizations fully appreciate that the institution is, in effect, the sum of its inhabitants and embrace the opportunity to support academic integrity through their actions, both collectively and individually, they develop their abilities to ethically traverse the landscape of an institutional setting. They gain practical experiences about organizational dynamics, communications, diplomacy, and many other skills that offer advantages in the larger world beyond the college. Therefore, with students at the center of the conversation, the college community will want to consider specific issues in some detail that involve standards of behavior.

Faculty have the greatest opportunity to promote academic integrity in their classes and programs by promoting dialogue on the topic. They should make it clear that they will pay close attention to the content and sources associated with student work. In addition, faculty may minimize the occasion for unintentional dishonesty by including helpful statements and disclaimers in their syllabi and through their approaches to introducing and sequencing assignments.

THE COURSE SYLLABUS should operate as a contractual agreement between a student and the teacher, and as such is the best document to communicate acceptable classroom behaviors and expectations. Faculty can define plagiarism as it pertains to that course, expectations for data collection and the integrity of data, and the appropriate set of behaviors expected during exams. This might include turning off of all cell phones and electronic devices (unless calculators are required or permitted for the exam), not allowing baseball caps (hidden listening devices and notes written under the bill) to be worn during exams, and other such behaviors. It is unlikely that a list of unacceptable behaviors will ever be complete as some students will seek to find new ways to increase their chances for success using the easiest means possible; however, discipline faculty, local senates, and student organizations should have discussions that mediate against such an arms race.

Aside from statements concerning plagiarism and student conduct, syllabi can also deal with such subjects as the dual submissions of the same or slightly altered paper in more than one class. While the multiple uses of a single paper represent a long standing survival tactic for busy students, reasons that argue against this practice may be worthy of a few lines on a syllabus. Idealistically, such papers undercut the opportunities afforded by classes to help students mine new possibilities. A recycled paper produces nothing new, so to speak. One professor mentioned a student who submitted in two classes a paper which received an “A” in English and a “B” in history. A problem is that differing course requirements and grade criteria offer a potential for a grade dispute. For these reasons, it may be advisable to either disallow such practices or to establish explicit criteria within the syllabus that requires students to ask permission of their instructors and to agree that faculty will not be expected to employ identical grading criteria—particularly as different courses, instructors, and disciplines will likely be at variance on how they assess an assignment. One English instructor created a form for such occasions that required acknowledgment and consent from the other instructor, including room for any concerns or conditions as well as a signature from the student acknowledging that differing grading criteria may be involved. A similar statement may either deny the recycling of old papers or establish conditions under which they will be considered.

Most colleges have adopted statements regarding student conduct for inclusion in syllabi. While helpful, particularly from a legal standing, their true benefit is founded in classroom discussions around the topic of academic integrity.

ASSIGNMENTS. Among the most constructive means to promote academic integrity is to introduce assignments in a manner that permit students to gradually develop academic skills and self-confidence in their abilities to produce effective work. Suggestions include not giving the same assignments and exams during successive terms. By creating new assignments, faculty not only lessen opportunities for dishonesty, their instructional efforts retain an ongoing sense of renewal. Another idea is to provide small, manageable introductory assignments at the beginning of the term so that students may, while the stakes are small, encounter potential pitfalls with quoting, paraphrasing, and acknowledging sources in assignments.

Moreover, well constructed assignments should include objectives that assist students in understanding their relevance. Donald McCabe relates the opinion of one student on this topic in “Ten Principles of Academic Integrity”:

[W]hen most of the assignments seem to be, or are in fact, little more than copious amounts of busywork, which not even the TAs who grade actually care about seeing, it's very difficult to take an assignment or cheating on that assignment seriously. In order to reduce cheating, assignments must be more personal and more relevant. It's much more difficult, at least in my own mind, to justify cheating on an original work such as an essay, paper, or personally designed experiment or project.

GRADING of student work poses potential problems for teachers. Faculty should maintain some record of the conditions that resulted in individual grades in order to counter potential attempts to modify work and challenge grades. Faculty from all disciplines may want to organize guidelines for grading and the recording of responses to student work for particular types of assignments. While efforts to prepare for such challenges should not exceed the size of the problem itself, some care with record keeping is advisable, particularly with major graded assignments.

Other, more positive avenues for grading include rubrics, holistic assessments, and portfolios. Rubrics, particularly when they are developed cooperatively within the setting of a classroom, allow students a deeper understanding of what is expected. Moreover, a rubric is less ambiguous than some forms of assessment, and helping to create it provides students with a greater sense of authority over the process. When applied to portfolio assessments, rubrics frequently include an expectation of self-reflection wherein students respond meta-cognitively to their own outcomes and participate in the establishment of personal goals for improvement. Where students are expected to participate actively in their own educational development, academic integrity becomes a matter of personal growth. Rubrics employed in holistic assessment also provide clear expectations with the additional benefit of collegial collaboration in norming and scoring sessions.

GROUP WORK can be especially challenging for students when expectations and criteria are fuzzy. Faculty must clearly communicate expectations about when and how group projects will be graded, when the group project ends and individual work begins, and how students can effectively participate in a group. Clearly designed roles and expectations can reduce confusion and promote socially constructed learning which tends to find its way into long-term memory. Generally, group members should be assigned roles such as timekeeper, note taker, facilitator, and presenter, and they should be given a time certain to complete a specific task. Faculty should recognize that students who study in groups often reproduce the same definitions or understandings of topics on test questions, a typical signal that either academic dishonesty has occurred or that the group produced a common misunderstanding of the material. Either way, such results may indicate that students may need more education about how to phrase responses in their own words. Again, as with the above paragraph on assignments, the suggestion is to begin with small and manageable low stakes assignments and build from there.

TEST TIME is challenging for both teachers and students. Faculty who monitor students consistently during exams have fewer incidents of dishonesty, and when it does occur, the careful observations by a faculty

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member will be an important part of deliberations should the alleged infraction have to be forwarded to the appropriate administrator and/or council for adjudication.

DISTANCE EDUCATION courses offer a unique set of challenges when it comes to academic integrity, particularly

with testing and the posting of assignments and chat room entries. There may be questions about the true identity of the students enrolled and the validity of student work submitted in the course. The scheduling of in person meetings, proctored examinations, and frequent professor/student contact by phone, email, and in person can help to mediate against occurrences of academic dishonesty.

LIBRARY REFERENCE GUIDES can play an important role in teaching students about plagiarism and helping students learn how to appropriately cite references. As research experts, there are probably no more qualified discipline faculty than those in library science to help students learn about academic dishonesty. Librarians acknowledge the confusion that students sometimes have in understanding how to cite others' work correctly, and in many instances, have created assessment tools and exercises for students to review sample citations and summaries to determine whether the examples represent plagiarism or honest referencing.

LIBRARY SKILLS COURSES, taught on most college campuses, provide further opportunities to embed information regarding academic honesty. A library research skills course is an excellent setting for assessing students' skills at citing references in a way that provides for deeper learning than the drop-in support that the reference desk would normally provide. Similar to the guest lectures that counselors make to classrooms, librarians could, and often do, make presentations upon invitation by instructional faculty. Students may see librarians as more neutral parties and may be more comfortable to discuss plagiarism and references problems with librarians than with the instructor upon whom they depend for a grade.

Because a preponderance of academic dishonesty issues relate to the gathering and using of information in a wide variety of subject areas, disciplines, and programs, it is advisable that local senates and statewide organizations continue to pursue Title 5 changes that mandate information competency.

RESOURCES FOR FACULTY can be provided by librarians for accessing the most recent information about academic dishonesty and plagiarism. Classroom faculty can usually rely on their library colleagues for information regarding commercial term paper mills, research paper archives, web sites with archived student papers, access to electronic versions of journals that are not likely to appear in typical web searches, tools for differentiating purposeful from unintentional academic dishonesty, the omission of data in order to slant an argument, detecting plagiarism, access to online classroom lecture notes, and more valuable resources. Librarians can demonstrate both helpful faculty resources and Internet cheating web sites at faculty workshops conducted during flex day, department meetings, and other professional development activities.

STUDENT ORIENTATION PROGRAMS offered by the counseling department for new matriculating students are available on nearly every campus and participation varies from college to college, with some students required to participate in an orientation program. This is an excellent venue for counselors to inform students of the college standards for academic conduct and to present them with the established policy for violations. Counselors and classroom faculty can also collaborate by requesting counselors to present guest lectures on the topics related to academic integrity in courses typically taken by first year students (e.g. basic writing, reading, math, and introductory social science courses).

Counselors are ideally suited to address the problem of academic dishonesty because they are equipped to get in touch with why students are dishonest rather than simply doling out consequences. The confidential nature of the student-counselor relationship creates an environment in which students would naturally feel safer to share their experiences concerning personal lapses as well as in the reporting of infractions they observe with other students. Counselors can help students come to terms with why they may have acted dishonestly and to develop corrective strategies.

While academic dishonesty is a reason for personal disappointment, it is often a rational decision. Students may feel pressure to meet the expectations of others. Pressure may exist because they know that earning high grades will increase the likelihood of their being accepted into competitive two-year programs (e.g. nursing) or to transfer to highly selective universities. A lack of self-confidence may be a factor in a student's decision to engage in acts of academic dishonesty, and evidence suggests that students who are more critical of themselves are more likely to take shortcuts that further detract from their self-respect.

Counselors can help students understand how academic dishonesty hurts themselves as well as the entire academic community and support them in modifying established patterns. Counselors can also help students develop healthy ways to cope with the stress of academic life. Outside of the classroom, individual and group counseling sessions can help students explore their reasons for engaging in academic dishonesty in greater depth and to begin to build on genuine successes that align with a climate of academic integrity. Since academic dishonesty may mean different things to students and faculty, counselors can help students examine different situations so that they can learn to discern for themselves what constitutes honest or dishonest academic work. This is in addition to ensuring that students understand the college policies and behavioral expectations.

COLLEGE SURVIVAL SKILLS-TYPE COURSES allow counselors and other faculty to help students to develop the requisite skills for academic work. Integrating academic integrity issues into the curriculum allows for the topic to be addressed in greater depth than can be accomplished during the more abbreviated student orientations and thereby provide increased opportunity for student reflection and dialogue on the topic. Courses like Dave Ellis's Master Student program offer opportunities for students to examine study skills techniques, read inspirational passages about the successful approaches of various famous and historical people, and to develop through journal entries strategies that work within a college setting. Some colleges have established study skills as a requirement for students on academic probation and for those who wish to return from academic suspension. Whether offered as a one or two unit course or tied to a course in basic reading or composition, study skills courses can provide students with the tools and confidence necessary to succeed through the application of solid study habits.

“Enlighten the people generally, and tyranny and oppressions of body and mind will vanish like evil spirits at the dawn of day.”

—Thomas Jefferson

EXAMPLES OF PLAGIARISM, TECHNOLOGY, AND INTENTIONAL DECEPTION

AS STUDENTS AND FACULTY WORK TO encourage an institutional climate of academic integrity, a discussion that looks closely at academic pitfalls is in order. While issues related to plagiarism, technology, academic dishonesty, and intentional deception are anathema to academic integrity, they also represent strategies that must be understood to be countered.

PLAGIARISM, from the Latin *plagiarius* (kidnapper), refers to the “unacknowledged” use of another person’s words, ideas, or information. Plagiarism falls under the same category of law as intellectual property. Considered from a forensic science perspective, intellectual property must retain at every point of its development the identity of its maker. In effect, acts of plagiarism can interrupt an essential chain of evidence, the effect of which can be to cast doubt on the genealogy of an intellectual property. Once denied its rightful place in the chain of causation, the absence of intellectual pedigree weakens both the chain of evidence and the viability of the property itself. Taken to its logical conclusion, such abuses undermine the very tradition of intellectual inquiry—and integrity. What is NOT plagiarism is a matter of common sense. Items of general knowledge do not need to be sourced. For example, if one writes that Neil Armstrong was the first person to set foot on the moon, no source citation is required.

As with copyrights, trademarks, and patents, the originators of speeches, publications, and artistic creations must be credited. Writers must acknowledge the sources of any ideas or information, whether that work be paraphrased, summarized, or quoted directly from a source. By citing sources, people are credited for their ideas, and readers are permitted to consult those sources, should they so desire. Plagiarism encompasses many things, and is by far the most common manifestation of academic fraud. For example, copying a passage straight from a book into a paper without quoting and explicitly citing the source is plagiarism. Any and all uses of source materials must be cited. In addition, completely rewording someone else’s work or ideas and using it as one’s own is plagiarism. It is important that students properly acknowledge all ideas, work, and even distinctive wording that is not their own. Locating information, using quotations effectively and citing sources should be understood not so much as academic requirements (though they are) but as vital skills sets, particularly where the right data combined with effective communications skills represents a formulae for individual effectiveness in the Information Age.

To illustrate the point associated with the using of effective sources, there is a scene in the movie *Annie Hall* where two individuals engage in a spirited debate while standing in a theater line. Each represents himself as an authority on Marshall McLuhan's *The Medium is the Message*. Finally, exasperated by the intellectual pomposity and ignorance of the antagonist, Woody Allen steps out of line and behind a sandwich board only to re-emerge with Marshall McLuhan on his arm. McLuhan refutes the upstart and exits. Allen then addresses the camera and says, in effect, wouldn't it be great if we could do this in real life. Well, in a sense we can when sources and quotations are used judiciously. To the extent that the development of such a persuasive presentation of evidence is appealing, plagiarism is a shortcut that aside from being theft denies the development of information competency within an academic setting. Moreover, it denies the experience of creative inquiry, the gumshoe joy of conducting genuine, verifiable research that yields tangible results.

TECHNOLOGY. Plagiarism via the Internet is occurring with increasing frequency. And why not; it's so convenient. For just a relatively small loss of personal integrity (after all, it doesn't involve actual violence or physical thievery), one can draw on a number of electronic helpers: incredibly small digital cameras, micro systems that record and store information for playback, cell phones, email, Internet sites, and paper mills. One can cut and paste from dozens of sources creating a mosaic of captured wisdom that is plagiarism in the extreme. The iPod that someone is keeping rhythm to may in reality be a loop of test answers. The cell phone on the desk may have exam answers nested behind the screensaver pics of friends and family. As should be obvious, purchasing research papers on the Internet or behind the gym and then masquerading them as one's own work constitutes a gross example of plagiarism. Cutting and pasting from a website without putting the text being used in quotation marks and/or without properly citing the source also constitutes plagiarism.

Cell phones can be used to photograph exams, text messages can be received from within or outside of the classroom, and communication to other students in the same course can happen during and immediately following an exam or quiz. Other devices such as graphing calculators and other electronic devices can also give students an unfair edge during exams, quizzes or other assignments. The Internet is a wealth of information for students on every topic imaginable and cutting and pasting makes the creation of a term paper or essay relatively simple. Teachers have the right to limit all technologies in class or during exams, and these limitations are best communicated in writing by way of the syllabus. In mathematics and science departments, class sets of graphing calculators can be used on test day so that all students use calculators with clear memory functions.

Internet use—correctly and incorrectly—may even provide learning opportunities for faculty in such areas as enrollment management. At a college in southern California, a student placed an ad on *Craig's List*, a

“...plagiarism is a shortcut that aside from being theft denies the development of information competency within an academic setting.”

web based flea market, seeking someone to take his math class for him and included a hefty offering of compensation. When the ad was brought to the attention of the faculty within the department, the chair contacted *Craig's List*, and the ad was removed. Within days,

it reappeared. The faculty were alerted to the course identified by the student in the ad, and extra precautions were taken to match the enrolled students with bodies in the seats.

Technologically sophisticated efforts can alter an original document, including faculty marginalia, and result in a convincing challenge to an assigned grade. Faculty may wish to collect student work in an electronic file, when possible, respond via “track changes,” and save iterations of assignments for future references, particularly when they believe that a student’s work no longer appears to be written by the same person. Many faculty ask students to write in-class essays during the first class meeting in order to create a baseline from which to measure future student work. By keeping a copy of the original work along with marginalia that highlights error patterns and various rhetorical, stylistic, and grammatical characteristics, a faculty member should readily notice subsequent assignments that differ in significant ways.

Other processes to help assure academic integrity may include such software as “Turnitin.com” which provides a method for detecting plagiarism, as do such Internet search engines as Google. In terms of online systems for the detection of plagiarism, it has been suggested that a beneficial strategy is to have the students run their own papers through the software and to provide documentation of having done so. This not only promotes academic integrity, it takes the onus off of the faculty member to police students so closely. At the time of this paper, Turnitin.com offers technology that allows students to scan their own papers, to obtain peer reviews online, and that permits faculty to respond to and grade assignments electronically if they wish. The site may be contracted by individual students, faculty, and institutions.

CHEATING is the copying of any test, quiz question, problem, or work done in a class that is not the student’s own work. It also includes giving or receiving unauthorized assistance during an examination whether intentional or not. Obtaining or distributing unauthorized information about an exam before it is given is also cheating, as is using inappropriate or unallowable sources of information during an exam.

FALSE CITATION is falsely citing a source or attributing work to a source from which the referenced material was not obtained. A simple example of this would be footnoting a paragraph and citing a work that was never utilized.

FALSE DATA is the fabrication or alteration of data to deliberately mislead. For example, changing data to get better experiment results is academic fraud. Instructors and tutors in lab classes will often have strict guidelines for the completion of labs and assignments.

INTENTIONAL DECEPTION is the submission of false documentation (absence excuse, proof of attendance, volunteer hours, etc.) or falsifying any official college record. A student who misrepresents facts in order to obtain exemptions from course requirements has committed an act of intentional deception.

While these examples are far from exhaustive, they represent many of the issues addressed in discussions of behaviors that constitute academic dishonesty. Definitions, once agreed upon by faculty, students and administrators, constitute a foundation upon which the college may communicate to all parties what acts or behaviors constitute academic dishonesty. As previously stated, associated student organizations should take an active role in developing policies and spreading the word to students about definitions and consequences of academic dishonesty. Departments or disciplines may go beyond the college definitions and consequences

and define additional behaviors that violate policies of academic honesty, say in vocational programs, athletics, or performance based classes.

Where vocational programs are involved, academic dishonesty can mean more than a lapse of integrity; it can result in a diminished set of vocational/professional skills that place lives in jeopardy, and when detected will result in criminal prosecution. No one would want the mechanic who works on an airplane in which they travel to have engaged in academic dishonesty. Neither would one expect such behavior of a healthcare professional nor of anyone whose education and skills are closely aligned with the personal safety and security of others. Academic dishonesty in certain fields, if discovered and successfully prosecuted, can result in the revocation of certification and possible criminal and civil action. All members of the college community should be held to the same standard for academic honesty with appropriate due process within the institution, being mindful that some lapses of judgment can result in legal proceedings.

Academic honesty affects the viability of an institution, and every member has a role to fulfill in maintaining the integrity of the learning environment. Some colleges adopt codes which may go so far as to involve oaths, even on demand by student leaders or classroom faculty, and require that students be prepared to report allegations of wrong doing. One can only hope that colleges will practice an approach that balances compliance to codes with ongoing discussions. Consider the University of Georgia:

MEMBERS OF THE UNIVERSITY COMMUNITY. Any member of the University community who has personal knowledge of facts relating to an alleged violation of this policy has a responsibility to report that alleged violation to the Office of the Vice President for Instruction as provided in this policy. Required conduct includes, but is not limited to, participating in a discussion with the student believed to have violated the policy and truthfully answering questions and providing documentation of the matter to an Academic Honesty Panel

FACULTY. This policy provides the exclusive procedure for handling matters related to academic dishonesty at the University of Georgia. Faculty have a responsibility to report alleged violations to the Office of the Vice President for Instruction as provided in this policy. Faculty shall have the responsibility to take reasonable steps to inform students of the academic honesty rules that apply to particular academic work and the specific types of academic assistance that are permissible in connection with that academic work. Additionally, each faculty member shall take reasonable steps to foster a climate of academic honesty. The failure of a faculty member to meet these responsibilities shall not be a defense to an accusation of academic dishonesty against a student.

STUDENTS. The enrollment of a student at the University constitutes the student's agreement to be bound by this policy. Every student has an obligation to be informed concerning the terms of this policy. Lack of knowledge of the provisions of this policy is not an acceptable response to an accusation of violating this policy.

RELATED FACULTY AND STAFF CONDUCT POLICIES. Any discipline of a member of the University community, other than a student, for violation of this policy shall proceed under policies of the University applicable to faculty and staff conduct.

(University of Georgia, 2004, <http://www.uga.edu/~ovpi/honesty/ah.pdf>)

“...faculty, students and administrators agree that prevention of academic dishonesty is generally preferred to the confrontations and negative consequences associated with such situations.”

Of course, many colleges exhibit a lighter touch. Some colleges merely post their rules somewhere in the schedule of classes, others create thoughtfully rendered examples of everything that should be said on the subject and, along with the establishment of a council or panel comprised of

some combination of students, administrators and faculty who promise to fairly adjudicate accusations. Riverside City College includes its Academic Honesty Policy on course examination books (Appendix IV). Santa Monica Community College established its code of conduct after three years of ongoing campus-wide discussion among students and faculty. Notices were posted around campus, and the end result was a product arrived at by all parties (Appendix III). While there are many approaches to establishing a climate of academic integrity, the key action is to get started and to remember that where codes of conduct are coordinated with ongoing student and faculty training incidents of dishonesty are reduced.

As expected, faculty, students and administrators agree that prevention of academic dishonesty is generally preferred to the confrontations and negative consequences associated with such situations. While some colleges have adopted student honor codes, as mentioned above, this should only take place as a result of serious and open discussion among the students. In no instance should faculty or administrators attempt to coerce or persuade adoption of such a code in as much as such codes have a potential to transform an institution from a place where behavioral choices are a living embodiment of ongoing discussions to something more closely akin to a police state. Mindless adherence or compliance to authoritarian edicts, no matter how well intentioned, does not mesh well with the intellectual vitality expected in an institution of higher learning—though one must accept that within institutions, as with society, certain behaviors are expected and infractions are likely to incur consequences.

Indeed, McCabe and Trevino refer to the positive results that they found at colleges where peer pressure from student honor codes reduced the incidents of academic dishonesty (<http://muweb.millersville.edu/~jccomp/acadintegrity/jcheating.html>). Even in the cases where the honor codes placed only limited responsibility on students to report one another when possible incidents of academic dishonesty were observed, incidents decreased. Among the reasons given is that students become involved in creating an atmosphere of integrity and communication. A result of establishing an honor code for students is the ability of the college to enforce stricter consequences since each student in attendance has agreed to adhere to the college honor code by providing a wet ink or electronic signature to the document. Honor codes aside, the greatest influence on behalf of academic integrity lies with classroom teachers and the peer influence of other students.

“The function of education is to teach one to think intensively and to think critically. Intelligence plus character—that is the goal of true education.”

—Martin Luther King, Jr.

WHEN ACADEMIC DISHONESTY OCCURS

COLLEGES HAVE LONG ESTABLISHED CONSEQUENCES FOR violations of student codes of conduct, including academic dishonesty. Many colleges indicate that a student who has engaged in academic dishonesty on an assignment may receive an “F” for that assignment, be suspended for up to two days, or receive an “F” in the class. However, in a 1995 interpretation of Title 5 and the Education Code (appendix I), System Office attorney Ralph Black states, “. . . it is our view that an instructor cannot automatically give a student an “F” grade for the entire course where the student is only known to have engaged in academic dishonesty with respect to one of several assignments that count toward the final grade.” In effect, Black separates grading from disciplinary problems and goes on to say that, “[p]lagiarism and cheating are serious allegations and, especially where a student is to be penalized for such conduct, he or she is probably entitled to some level of due process.”

A result of the 1995 Black interpretation is Resolution 14.02, Fall 2005, referenced at the beginning of this paper, and its requirement that the Academic Senate provide clarification on the consequences to students suspected of academic dishonesty. Faculty agreed that awarding an “F” in the class may not be warranted in every case, but they have sought clarification on their individual rights to adjudicate issues related to academic dishonesty.

On January 19, 2007, the Academic Senate Education Policies Committee met with System Office attorney Ralph Black and raised questions regarding his 1995 legal opinion regarding the limits of faculty to fail a student for a single incident of academic dishonesty and what, if any, changes might be advisable for Title 5 on the subject.

During the conversation Black reiterated that a faculty member does not have the right to fail a student based on one incident of dishonesty and noted that he saw two primary issues with regards to student such incidents: 1) regulatory and 2) due process. He also noted the constitutional implications of due process, which fall under both state and federal laws. The courts have clearly ruled that students have rights to due process before discipline can be doled out. He noted that “the more that is at stake, the more rights a student has.” Black acknowledged that it may be necessary to establish Title 5 changes that set out definitions of due process and grading options that take into account the rights of the student and the faculty member.

Though Black’s opinion separates grading from disciplinary problems, another perspective allows that an incident of academic dishonesty is analogous to an incident of unacceptable behavior which may result not in a grade, but, rather, is viewed as an infraction which triggers various responses up to and including dismissal from a course. In other words, there may be different degrees of seriousness along a continuum. An example of such an approach is included below from the College of Charleston, Charleston, South Carolina wherein levels of infractions are aligned with penalties. Level one, for example, includes purchasing a research paper—a premeditated attempt at academic dishonesty. This perspective suggests that the weight of the assignment is a secondary issue to the weight of the infraction.

CLASS 1—act involves significant premeditation; conspiracy and/or intent to deceive, e.g., purchasing a research paper.

PENALTIES: [Identified grade on transcript] and either suspension or expulsion assigned if student found responsible by Honor Board.

CLASS 2—act involves deliberate failure to comply with assignment directions, some conspiracy and/or intent to deceive, e.g., use of the Internet when prohibited, some fabricated endnotes or data, copying several answers from another student’s test.

PENALTIES: [Identified grade on transcript] and other sanctions assigned if student found responsible by Honor Board.

CLASS 3—act mostly due to ignorance, confusion and/or poor communication between professor and class, e.g., unintentional violation of the class rules on collaboration.

PENALTIES: Student and instructor agree upon the response and forward agreement to Dean of Students. See “Class 3 Report and Resolution Form” on the Student Affairs, Honor System website.

OTHER PENALTIES for violations of the Honor Code range up to and include expulsion from the College. Other penalties may be combined with the [identified grade on transcript]. Attempted cheating, attempted stealing, and the knowing possession of stolen property shall be subject to the same punishment as the other offenses. Because the potential penalties for an Honor Code violation are extremely serious, all students should be thoroughly familiar with the above definitions and be guided by them. (2006-07 Student Handbook)

Whether or not it is decided that due process is triggered by a student in response to an accusation of academic dishonesty or as the result of a grade that alleges academic dishonesty, the exclusive right of the faculty to assign grades also remains inviolable—as does the right of an accused student to due process. As talks continue (even as this paper is being written) between representatives of the Academic Senate and the System Office, the suggestion is for local senates to continue monitoring Title 5 and the Academic Senate for updates. It should also be noted that impending changes to Title 5 and the present paper are but the first positive outcomes that have resulted directly from Academic Senate resolutions on this issue, and it is expected that more conversation between interested parties will yield greater clarity on some of these topics.

The assignment of grades to students is the purview of the teacher of the class, and under no circumstances should regulation changes diminish or eliminate faculty authority in this matter. For reference, the California Education Code §76224 (a), giving faculty the authority and responsibility to assign grades to students states:

When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the faculty member of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final.

Once the adjudication of an allegation of academic dishonesty is completed, faculty should not permit any council, committee, or administrator to determine a grade for a student. A preferred process is to allow the faculty member to assign the grade that best matches the student's performance, then allow the student the right to challenge the grade through due processes established at the local level. Councils or committees, however, are useful when making decisions about suspension or expulsion upon the recommendation of the assigned administrator or, for that matter, determining any level of consequence for an infraction.

No matter what practices and consequences have been defined by the faculty and administration and codified in college/district policies, students need to be informed regularly of the definitions and processes, including the process to contest a decision by a teacher or administrator. The process for a student to grieve or challenge a ruling should be posted on the college web page, printed in the college catalog, and including statements in course syllabi would be prudent. Moreover, all such processes should be matters of ongoing discussion among students and faculty. If the college has established its expectations for academic integrity through its policies and all constituent groups are agreed that certain behaviors constitute academic dishonesty, then in the event that a student is suspected of an infraction, the faculty member who is making the accusation should inform the student prior to the initiation of processes for documenting and recording the allegation.

“The assignment of grades to students is the purview of the teacher of the class, and under no circumstances should regulation changes diminish or eliminate faculty authority in this matter.”

Students may or may not concede that they have committed a violation; they may claim that they did not know an unacceptable behavior took place; or they may provide some other response. It is also valuable to consider meeting with students individually if

more than one student is involved in the incident. If an institution-wide dialogue on academic integrity is ongoing and specific with regards to what might constitute an infraction, then one may either suppose that a student should be aware if a behavior is acceptable or not; otherwise, the faculty member may want to work with the institution to ensure that policies are sufficiently well detailed and distributed throughout the college.

Documentation of the alleged incident is critical. Colleges should have processes in place to document cases of academic dishonesty including the name of the student, class, instructor, date, description of the incident, and consequences assigned by the faculty. The routing of such documentation varies from college to college with some colleges using the vice president of student services' office as the home for all reports about academic dishonesty, and other colleges using the vice president of instruction's office. Faculty should copy all correspondence about student academic dishonesty to their department chairs and/or deans. Some colleges provide forms to use for documentation, and other colleges insist on an email trail beginning with the instructor communicating to chairs, deans, and others. Good documentation assures the greatest level of administrative support for the faculty who report incidents of academic dishonesty and it also ensures the student's right to due process should a disagreement arise from any such incident.

Within the scope of sustaining a climate of academic integrity, due processes must allow students the right to defend themselves against accusations of academic dishonesty. According to the due process policy at Mt. San Jacinto Community College:

Students MUST be permitted to pursue their educational goals free of unfair or improper action by any member of the academic community. To that end, students who feel they have been the subject of unfair or improper action by a member of the academic community may pursue a resolution through the grievance process. (Appendix V)

Regarding issues of conclusive evidence, the above cited handbook from the College of Charleston, Charleston, South Carolina explains that:

The Honor System does NOT require proof "beyond a reasonable doubt." This system is based on a preponderance of evidence, that is, if the Board determines that the evidence against you shows that there is a "more likely than not" chance that you committed the offence, then you will be found in violation. In other words, if in the minds of the Board members hearing your case there is a greater than 51% chance that you did it, then you did it.

Honor codes and systems of due process vary among institutions, but where a suspected infraction is based on the word of a faculty member, that word is normally afforded significant authority and an understanding that rules of evidence demonstrate that the violation is likely to have occurred. Faculty represent a learned profession and particularly within an academic setting their word carries exceptional and appropriate weight.

After an appropriate local process of investigation and testimony has determined the validity of a student incident of dishonesty, tracking students who continually engage in acts of academic dishonesty by the

designated administrator is an important aspect of any policy on the subject. The availability of a database to record documented incidents will assist in making critical decisions about future access to the college and its programs by students involved in academic dishonesty. The information in the database will be useful for making final decisions about whether or not to suspend or expel a student based on a pattern of behavior. Colleges must give careful consideration to providing limited access to the database. Some faculty may want to know if a student who has engaged in academic dishonesty in one class or another or is enrolled in a specific class for the next term. While the desire to know makes sense on one level, on another level a problem arises as to how that knowledge may be used. Would the student be watched more closely? Would the student's work be held to a different standard? Would a situation emerge wherein a single episode involving a minor infraction has the effect of branding the student with a scarlet letter?

In order to protect students, it is recommended that the data be confidential and that the administrator responsible for the database use the information to recommend consequences for students on behalf of the college, such as a prolonged suspension or expulsion. If faculty have unhampered access to the database, students could rightly be concerned with potential profiling. Procedures should be reviewed and updated to determine that both faculty and students are protected with any mechanism used for tracking student behavior.

***“Human history becomes more and more a race
between education and catastrophe.”***

—H.G. Wells

CONCLUSION

IN THE PHRASE, “ACADEMIC INTEGRITY” THE word “integrity” is categorized by the word “academic,” not modified. Integrity is not situational and may not be modified, nor should an institution relate it only to student conduct. Within an academic setting, a “climate of integrity” invites a discussion on the part of the entire institution. A college is a place of learning, and everyone who works at a college is there to support student education. Because colleges are concerned about student conduct, it is reasonable that the entire college community lead by example in establishing a general climate of integrity.

To assist in this effort, local senates and student leaders should work together to keep the topic of academic integrity squarely at the center of the college’s radar. Because local senates have primacy with regards to academic and professional matters plus experience with the bureaucratic structures of their local colleges, they can be invaluable in helping students to realize their local authority and responsibilities under the Education Code and how they can apply such toward promoting a college-wide climate of academic integrity.

Local academic senates are obliged to ensure that their colleges have current and effective policies and procedures which outline strategies for the prevention of academic dishonesty and for educating students and faculty on the importance of a culture of academic integrity. A task group or senate sub-committee might be best to determine locally the most appropriate strategies for educating the college community. Efforts might include flex day sessions, department or division meetings, articles in college publications, periodic “all faculty” email information or flyers, or a campus integrity week as a kick-off to unveiling a new policy.

Faculty development sessions should suggest teaching strategies for faculty to educate all their students about rules and expectations concerning academic integrity. It is critical to include part-time faculty in the training activities as well as maintaining ongoing educational opportunities for new and continuing faculty. Of course, besides ongoing education for faculty, others in the campus community need continual opportunities to learn about the college's policies: new students, administrators, classified staff who work with students, and trustees also must be included in periodic training opportunities.

Throughout history, the monasteries that protected classical knowledge and the schools and universities that have continued the civilizing and practical work of formal education have often served as "islands of light" in a darkening world (*My Dinner with Andre*). When tyrants seize power, they come first for the educators. As a learned profession, teaching has always borne a significant obligation to help students understand that with knowledge comes responsibility. One such responsibility is academic integrity.

RECOMMENDATIONS

RECOMMENDATIONS TO LOCAL SENATES

- ▶ **Involve all constituent groups**, particularly student leaders, in developing and promoting policies and procedures (including due processes that are mindful of student rights) supportive of a climate of academic integrity.
- ▶ **Support local faculty rights** regarding Education Code §76224(a), which provides that faculty have the final authority on grade determination, in the absence of mistake, fraud, bad faith, or incompetency.
- ▶ **Support local student leaders** and their organizations on campus by raising awareness of student rights as described in Title 5 §51023.7.
- ▶ **Agree that a climate** of academic integrity must be treated as a renewable resource by having its tenets revisited by each successive generation of students.
- ▶ **Work to create a** college-wide environment where academic honesty is the standard by establishing expectations for all members of the academic community, especially by supporting those who report and uphold academic integrity.
- ▶ **Develop definitions of academic dishonesty** to help students understand which behaviors are unacceptable, and work with the student organizations to communicate to students about academic honesty.
- ▶ **Communicate to all faculty** members that the current opinion by System Office legal council is that there may be limitations for when they can fail a student in a course for an incident of dishonesty.
- ▶ **Discuss processes and procedures** for documenting academic dishonesty and tracking students who appear to demonstrate patterns of academic dishonesty.
- ▶ **Respect student confidentiality with** regards to any allegations or history of academic dishonesty.

- ▶ **Provide for regular or** ongoing professional development for all faculty on creating sound syllabi, recognizing academic dishonesty, maintaining faculty and student rights, and understanding the full range of allowable consequences and due process procedures associated with academic dishonesty.
- ▶ **Determine to ensure that** workshops and professional development activities include as many part-time faculty as possible.
- ▶ **Review board policies to** ensure that faculty are supported in their role to uphold academic integrity and create new policies where none may yet exist to specify the authority of the teacher in the classroom.
- ▶ **Advise faculty that Academic Senate/System Office** discussions on the topic of academic integrity and possible Title 5 changes are ongoing at the time of this paper and that the Academic Senate should be monitored for updates as they occur.

RECOMMENDATIONS TO FACULTY

- ▶ **Integrate discussions about ethics** and academic integrity within all courses.
- ▶ **Design assignments in such** a manner that potential problems with using and sourcing information occur with minor, minimum risk assignments.
- ▶ **Avoid giving the same** assignments and exams during successive terms.
- ▶ **Organize group work in** such a manner that individual expectations are clearly defined
- ▶ **Monitor students consistently during** exams, and when academic dishonesty appears to occur, be mindful that careful observations by a faculty member will be an important part of deliberations concerning an alleged infraction.
- ▶ **Establish grading criteria (including** rubrics, holistic assessments, and portfolios) that state clear expectations and thereby minimize opportunities for academic dishonesty.
- ▶ **Set a baseline of** student work for future comparisons by collecting samples early in the term.
- ▶ **Invite librarians, counselors, and** others as guest lecturers on subjects related to academic integrity.
- ▶ **Include in syllabi a** statement encouraging students to meet with you prior to dropping a course.
- ▶ **Include in syllabi a** statement concerning academic integrity, including definitions and examples of what constitutes academic dishonesty.
- ▶ **Require that students run** their papers through an online plagiarism site and provide documentation of having done so.

- ▶ **Schedule distance education students** to attend in-person meetings, to take proctored examinations, and engage in frequent professor/student contact by phone, email, and in person to help mediate against occurrences of academic dishonesty.

RECOMMENDATIONS TO THE ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES

- ▶ **Continue to review and** revise Title 5 where applicable to academic dishonesty.
- ▶ **Persist in providing best** practices and models of effective policies and procedures for both faculty and students.
- ▶ **Maintain efforts on behalf** of a Title 5 change that mandates system-wide support for information competency.

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APPENDICES

APPENDIX I: SYSTEM OFFICE LEGAL OPINION (BLACK 1995)

STATE OF CALIFORNIA

 CALIFORNIA COMMUNITY COLLEGES
 CHANCELLOR'S OFFICE

 1102 Q street
 Sacramento, CA 95814-6511
 (916) 445-8752
<http://www.cccco.edu>


November 16, 1995

 Lauraine Cook
 Assistant Chancellor, Educational Services
 Kern Community College District
 Office of Instructional Services
 2100 Chester Avenue
 Bakersfield, CA 93301-4099

Dear Ms. Cook:

I am writing in response to your letter of September 28, 1995, in which you requested our opinion as to whether an instructor may fail a student who is found guilty of plagiarism or cheating on one specific class assignment.

Normally, plagiarism or cheating would be considered a violation of the student code of conduct and would be handled through the procedures for student discipline. However, it also seems apparent that a student found guilty of plagiarism or cheating has not demonstrated possession of the knowledge or skills which completion of an assignment is expected to represent. Therefore, we begin from the premise that an instructor would be justified in giving a student a failing grade on a particular assignment or examination if the student were found to have plagiarized in preparing that assignment or cheated on the particular examination.

The question presented here is whether an instructor can go further and give a student an "F" grade for the entire course if the student plagiarized or cheated on one particular assignment or examination. Of course, if the course grade is based entirely on performance on one assignment or final examination, then a student who plagiarizes or cheats on that assignment or examination should be given an "F" on that assignment or examination and will consequently fail the course. However, it is our view that an instructor cannot automatically give a student an "F" grade for the entire course where the student is only known to have cheated or plagiarized with respect to one of several assignments that count toward the final grade. We reach this conclusion for two reasons.

First, Title 5, Section 55002(a)(2)(A), states that grading policies must provide for “measurement of student performance in terms of the stated course objectives” and that the grade in a course is to be “based on demonstrated proficiency in subject matter.” If a student legitimately gets “A’s on assignments which account for 90% of the grade in a course, then he or she has certainly demonstrated a high degree of proficiency in the subject matter even if plagiarism or cheating is discovered in connection with one assignment worth 10% of the grade.

Second, we believe plagiarism and cheating are best handled as disciplinary problems because of due process considerations. Plagiarism and cheating are serious allegations and, especially where a student is to be penalized for such conduct, he or she is probably entitled to some level of due process. At a minimum this should include the right to know the evidence on which the charges are based and the opportunity to present countervailing evidence or testimony. The student disciplinary process provides a mechanism for ensuring that these procedural requirements have been met. If faculty members were allowed to give a student a failing grade in a course for cheating or plagiarism on a particular assignment there would be considerable risk that these due process safeguards might not be uniformly provided.

I hope this information is helpful. If you have any questions you may call me at (916) 327-5692.

Sincerely,

Ralph Black
Assistant General Counsel

cc: Tom Nussbaum
L 95-31

APPENDIX II: STUDENT RIGHTS (TITLE 5 §51023.7)

California Education Code §76224(a) states:

When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the faculty member of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final.

Wherever appropriate, Title 5 language also requires colleges to ensure students have a participatory role in the development of policies on academic disciplinary policies, as demonstrated by the following language from Title 5 §51023.7. Key phrases are italicized for emphasis.

Governing board adopt policies and procedures that provide students opportunity to *participate effectively* in district and college governance.

- ▶ **formulation and development policies** and procedures and
- ▶ **processes for jointly developing** recommendations
- ▶ **that have or will have a significant effect on** students.

Board *shall not take action on* a matter having a significant effect on students until:

- ▶ **recommendations and positions** by students are given every reasonable consideration.

Polices and procedure that have a “significant effect on students” include:

- (1) grading polices;
 - (2) codes of student conduct;
 - (3) academic disciplinary policies;
 - (4) curriculum development
 - (5) courses or programs which should be initiated or discontinued;
 - (6) processes for institutional planning and budget development;
 - (7) standards and polices regarding student preparation and success;
 - (8) student services planning and development;
 - (9) student fees within the authority of the district to adopt;
 - (10) any other district and college policy, procedure or related matter that the district governing board determines will have a significant effect on students and
- (c) policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.

APPENDIX III: HONOR CODE/HONOR COUNCIL FROM SANTA MONICA COLLEGE

Santa Monica Community College District
Honor Code/Honor Council

1. MISSION STATEMENT

Santa Monica College is committed to the academic, social, and ethical development of our students. We strive to create a learning environment that is challenging and supportive of the community at-large. We are committed to upholding fundamental values of honesty, trust, fairness, respect, responsibility, civility, and community. In recognition of this effort we hereby establish this Honor Code and Honor Council.

2. PRINCIPLES

General principles guiding the Honor Code and Honor Council include the following:

- a. **Honesty:** means fairness and straightforwardness of conduct; implies a refusal to lie, steal, or deceive in any way.
- b. **Integrity:** implies that one is true to a trust; one adheres to a code of moral values.
- c. **Social Responsibility:** is demonstrated by adherence to policies of the institution, departments, labs, libraries and individual classes.
- d. **Respect and Civility:** implies that one will conduct oneself in a courteous and respectful manner in our communications and actions toward members of the campus community.

3. STUDENT HONOR STATEMENT

As testament to their commitment and readiness to join the Santa Monica College academic community, all students are expected to uphold the Honor Code. At the time of admission students will certify the following statement:

In the pursuit of the high ideals and rigorous standards of academic life, I commit myself to respect and uphold the Santa Monica College Honor Code, Code of Academic Conduct, and Student Conduct Code. I will conduct myself honorably as a responsible member of the SMC community in all endeavors I pursue.

At the direction of a faculty member or testing officer, students may be requested to affirm or re-affirm their commitment to the Honor Code as they participate in any given examination, paper submission, or any other academic exercise.

4. HONOR COUNCIL RESPONSIBILITIES AND MEMBERSHIP

a. Membership

- i. Honor Council membership is extended to up to 15 members of the college community who are committed to upholding the Mission and Principles of the Honor Code. The Honor Council Chair will be elected annually by a simple majority of the membership. The Chair will work closely with the Office of Student Judicial Affairs.

b. Responsibilities

The Honor Council has the following responsibilities and authority:

- i. To advise and confer with faculty members, administrators, staff, and students on matters pertaining to academic integrity;
- ii. To create and conduct educational programming designed to promote academic integrity;
- iii. To establish operational procedures in consultation with the Joint Academic Senate Student Affairs Committee and the supervising administrator;
- iv. To collect and disseminate statistics pertaining to Honor Code violations;
- v. To issue an annual report to the Joint Academic Senate Student Affairs Committee and campus community on academic integrity standards, policies, and procedures, including recommendations for appropriate changes.
- vi. Other responsibilities as agreed upon with the Joint Academic Senate Student Affairs Committee.
- vii. To uphold students accused of violating the Honor Code rights to due process via the implementation of an Honor Council Hearing Board.
 1. The Honor Code relies upon the definitions of academic dishonest behaviors stipulated in Administrative Regulation 4411—Code of Academic Conduct—Section 3.
- viii. To appoint from its members three faculty and three students to an Honor Council Hearing Board to adjudicate cases of alleged violations of the Honor Code. The Hearing Board will be chaired by an academic administrator appointed by the Superintendent/ President (or designee).

c. Honor Council Hearing Boards

- i. A quorum for a Hearing Board will be established by two faculty and two students. The Chair may vote in the case of a tie. Members appointed to a hearing panel must notify the Honor Council Chair of potential conflicts of interest and are strongly encouraged to remove themselves from any such proceedings and deliberations. The Honor Council may remove any member on grounds of malfeasance, misfeasance or nonfeasance by two-thirds vote of the membership appointed.
- ii. Given that this is an administrative, closed hearing and not open to the public, the student may bring legal counsel or other representatives, however, these individuals may not participate in the proceedings. Counsel participation will terminate the hearing. Students are required to notify the College of counsel/guest(s) presence to these proceedings within 48 hours of the scheduled hearing. Each party will have the right to present written statements, witnesses, if appropriate, and any other forms of evidence. Each party will have the right to question evidence and supportive documents.

- iii. Any materials related to the hearing, including electronic recordings of the proceedings, may not be released to the student requesting the appeal or to any other individual or group. In accordance with the Family Education Rights and Privacy Act (FERPA) the student may submit a written request to the Dean of Student Judicial Affairs or designee to inspect and review these materials. The request must be made no less than one week in advance.
- iv. The Hearing Board is empowered with the authority to:
 - 1. Affirm or deny the alleged violation.
 - 2. Where appropriate, educate the student and/or faculty on issues related to academic integrity. The Hearing Board may recommend sanctions commensurate with the violations, including, but not limited to: failure in assignment, test, course; reprimand, suspension, expulsion, and/or transcript notation denoting Honor Code violation. The Hearing Board may also reverse instructor-imposed sanctions in the absence of substantive evidence of alleged academic violation. Substantive evidence may include or consist of instructor's account of academic violation.
 - 3. Consider requests for the removal of transcript notations associated with Honor Code violations.

5. APPEAL OF HONOR COUNCIL HEARING BOARD RECOMMENDATION

- a. Within two (2) business days after receiving the written decision of the Honor Council Hearing Board, the student or faculty member may request a review of the decision to the Superintendent/President. A copy of said request shall be sent to the Honor Council Chair and the College Disciplinarian. The request will state in writing the grounds for review and will be based upon one or more of the following provisions:
 - i. The required procedures were not followed;
 - ii. There is insufficient evidence to support the Honor Council Hearing Board's decision;
 - iii. The penalty imposed is inappropriate.
- b. Superintendent/President Review
 - i. Within thirty (30) business days of receipt of the request for review, the Superintendent/President will: (1) review the decision of the Honor Council Hearing Board and the basis upon which it was made. The Superintendent/President has the sole authority to:
 - 1. Adopt the recommended disciplinary action;
 - 2. Modify or reduce the discipline recommended; or
 - 3. Reverse the discipline recommended.
 - ii. The decision of the Superintendent/President will be communicated to the student in writing, and a copy sent to the Honor Council Chair and College Disciplinarian. Said decision of the Superintendent/ President is final.

APPENDIX IV: ACADEMIC HONESTY POLICY FROM RIVERSIDE CITY COLLEGE

Riverside City College has placed its academic honesty policy on student examination books as follows:

ACADEMIC HONESTY POLICY

Academic honesty and integrity are core values of the Riverside Community College District. Students are expected to perform their own work (except when collaboration is expressly permitted by the course instructor). Believing in and maintaining a climate of honesty is integral to ensuring fair grading for all students. Acts of academic dishonesty entail plagiarizing—using another’s words, ideas, data, or product without appropriate acknowledgment—and cheating—the intentional use of or attempted use of unauthorized material, information, or study aids on any academic exercise. Students who violate the standards of student conduct will be subject to disciplinary action, which could result in suspension or expulsion from the college.

We all share the responsibility to maintain an environment, which practices academic integrity. Instructors are only interested in what you know. These values are fundamental to the academic process. Good luck in your educational endeavors.

Office of the Vice Chancellor, Student Services

Office of the Vice Chancellor, Academic Affairs

APPENDIX V: STUDENT DUE PROCESS (STUDENT GRIEVANCE), MT. SAN JACINTO COLLEGE

A. DEFINITIONS

Students **MUST** be permitted to pursue their educational goals free of unfair or improper action by any member of the academic community. To that end, students who feel they have been the subject of unfair or improper action by a member of the academic community may pursue a resolution through the grievance process.

1. Grievance—The formal process through which a student may seek resolution of an unfair or improper act.
2. Grievable act
 - a. An act upon a student which is unfair or improper or which is in violation of college rules and regulations.
 - b. An act which is a serious violation of a student's rights as specified in State or federal laws.
3. Remedy—The resolution requested by the student. The resolution **MUST** relate directly to the act being grieved.
4. Acts which may not be grieved:
 - a. Grades, except as out-lined in section 602.01.D of Board Policy.
 - b. Acts done by a student. Should a student feel that another student has violated college policy, State or federal law, the student may file a complaint under the Student Code of Conduct. Should a student feel her/his rights have been violated by another student, a grievance may be filed with the Associated Student Body Judicial Board.
 - c. Acts of discipline resulting from the Student Code of Conduct and Disciplinary Code. Appeals of discipline **MUST** be filed following the Student Disciplinary Code.

B. PROCESS

Prior to filing a grievance, the student shall first attempt to resolve the grievance by consultation with the faculty member, staff member or administrator directly concerned. If this informal approach is unsuccessful, the student may proceed to a Level I grievance.

Formal grievances are filed on forms specifically designed to guide the student through the process. These forms are available in the office of the Vice President of Student Services, and in the counseling office.

1. Level I
 - a. A Level I grievance **MUST** be initiated within ten (10) working days of the alleged grievable act.

- b. The grievance MUST include the name of the individual filing the grievance, the name of the individual who is to respond to the grievance, a statement giving a complete description of the alleged grievable act, the time and place of the event, and the remedy being requested.
- c. The individual against whom the grievance has been filed shall provide a response to the grievance within five (5) working days. The response shall at least include one of the following:
 - 1. agreement to provide the remedy requested;
 - 2. proposed alternate remedy;
 - 3. a statement which denies the remedy and which provides clear and complete reasons why the remedy is being denied. This may include an alternate version of the actions which lead to the grievance.

2. Level II

If the grievance is not resolved at Level I, the student may file a Level II grievance.

- a. The Level II grievance shall be filed in the office of the Vice President of Student Services within three (3) working days of receipt of the response to the Level I grievance, and shall be filed on the appropriate form.
- b. The Level II grievance MUST clearly state the reasons why the response to the Level I grievance is unacceptable to the student filing the grievance.
- c. Copies of all materials from the Level I grievance MUST be attached to the Level II grievance form.
- d. Because the Level II grievance is an appeal of the response to the Level I grievance, the Level II statement may not introduce new charges, but MUST deal only with the materials filed in Level I.
- e. The Vice President of Student Services will forward the Level II grievance to the appropriate Vice President, who will investigate the claims with staff involved and their supervisor(s).
- f. The appropriate Vice President will provide a written response within five (5) working days of the filing of the Level II grievance.
- g. If the grievance concerns a Vice President, the President of the college or her/his designee will consider the charge and provide the response within the allotted time frame.

3. Level III

If the grievance is not resolved at Level II, the student may submit a Level III grievance.

- a. The Level III grievance shall be filed in the office of the Vice President of Student Services no more than three (3) working days following the receipt of the response to the Level II grievance.

- b. The Vice President of Student Services will issue a notice of hearing within five (5) working days of receipt of the documents. The hearing will be held not less than ten (10) working days and not more than fifteen (15) working days following issuance of the hearing notice.
- c. If the grievance concerns the Vice President of Student Services, the President or a person appointed by the President will convene the hearing and perform the duties otherwise performed by the Vice President of Student Services.
- d. Formal Hearing Committee
 - 1. The Hearing Committee shall be composed of two (2) full-time students appointed by the Associated Student Body, two (2) contract faculty members appointed by the Academic Senate, and the Vice President of Student Services. To permit time for challenges, appointments should be made within three (3) working days of the request for appointment.
 - 2. Upon notification of the committee composition, each party will be allowed one preemptory challenge. The preemptory challenge MUST be submitted in writing within five (5) working days of the issuance of notice of hearing.
- e. Hearing Proceedings
 - 1. Immediately upon convening, the Hearing Committee shall address itself only to the specifics of the grievance and no other.
 - 2. The committee shall discuss the charge, hear the testimony, examine witnesses and receive relevant evidence pertinent to the grievance.
 - 3. The person filing the grievance shall assume the burden of proof.
 - 4. Each party shall have the right to present statements, testimony, evidence and witnesses. Each party shall have the right to equal time to question the witnesses and testimony of other parties.
 - 5. Attendance at the hearing shall be limited to members of the Hearing Committee, the student filing the grievance, the individual against whom the grievance has been filed, and witnesses. The grievant and the party against whom the grievance was filed may bring one advisor, who may provide advice to the grievant/respondent, but who may not address the committee or witnesses.
 - 6. A taped record of the entire hearing shall serve as the official record of the proceedings. This record and the handling of all physical evidence shall be the responsibility of the chairperson.
 - 7. Upon conclusion, all physical evidence and the recorded record shall be filed by the Vice President of Student Services.
- f. Decision

1. Within three (3) working days after completion of the hearing, findings of fact and a recommended course of action will be issued by the Hearing Committee. The recommended course of action MUST be accompanied by a statement of rationale for the decision, and shall bear the signature of all committee members. In the case of a split decision, a “minority report” may also be issued.
 2. Within two (2) working days after receipt of the decision, the Vice President of Student Services or person appointed by the President shall transmit the decision, by certified mail or in person, to the student who filed the grievance and the person against whom the grievance was filed, and shall submit a report to the President of the college.
- g. Appeal
1. If either party is dissatisfied with the decision, an appeal of the decision may be made to the President of the college within three (3) working days after receipt of the decision of the Hearing Committee.
 2. Within five (5) working days, the President of the college shall take one of the following actions:
 - a. accept the decision of the committee;
 - b. modify the decision of the committee;
 - c. veto the decision of the committee and render a different decision.
 3. The decision of the President shall be transmitted by certified mail or in person.
- h. Final Appeal
1. If either party is dissatisfied with the President’s decision, an appeal may be made to the Board of Trustees within three (3) working days after receipt of the President’s decision.
 2. The Board will review the record at its next regular public or closed meeting, and shall make a final determination of the matter.
 3. The Board’s decision is the final action that may be taken under due process, and shall be transmitted by certified mail or in person within five (5) working days of the decision.

