Solihull College & University Centre | Stratford-upon-Avon College

Title: Academic Misconduct Procedure – Higher Education

TYPE:	Procedure
PURPOSE:	To outline the College's procedures for dealing with suspected cases of academic misconduct by Higher Education students.
SCOPE:	All College staff and Higher Education Students
RESPONSIBILITY:	Head of HE and Research

This procedure should be read in conjunction with student disciplinary policies.

Introduction

1.1 The college has a duty to help students comprehend and appreciate the characteristics of good academic conduct and will provide advice and guidance throughout a programme of study. If students deviate from the expected standards of conduct, whether unintentional or deliberate, the College has a duty to protect the standards of its awards through this procedure.

1.2 Academic misconduct is defined as any action by a student which gives or has the potential to give an unfair advantage in an examination or assessment, or might assist someone else to gain an unfair advantage, or any activity likely to undermine the integrity essential to scholarship and research.

1.3 It is in the interest of students and College staff for the College to respond effectively and openly to all requests for an investigation into an incident or a suspected incident of academic misconduct. The Principal, or their nominees, are required to inform students and of their rights and responsibilities; and are expected to supervise investigations resulting from allegations of academic misconduct.

Categories of academic misconduct

2.1 Academic Negligence is defined as a limited breach of academic conduct policies, and where there were good reasons to believe it was due to ignorance or carelessness, rather than deliberate deception. This first criterion (limited breach) may be demonstrated by a small proportion of the work being poorly referenced, poorly paraphrased, plagiarised, copied, generated by artificial intelligence software without citation, or duplicated.

The second criterion (ignorance as opposed to deception) may be demonstrated by

a. it is early in the student's academic career; and/or
b. there being a well-founded reason to suppose the student did not understand the academic conventions.

2.2 **Academic Malpractice** is a more widespread breach; or the extent is that for academic negligence but it is not reasonable for the student to display such unawareness of academic conduct policy (e.g. a third year student, a student who has already committed academic negligence and received support and guidance to avoid plagiarism).

Academic malpractice may typically be demonstrated by a significant proportion of the work being poorly referenced, poorly paraphrased, plagiarised, copied, generated by artificial intelligence software without citation, or duplicated.

2.3 **Academic Misconduct** is demonstrated by deliberate and intended breach of regulations, with the intention to gain an unfair advantage. This may include deliberate actions such as cheating in an exam, copying from another candidate, submitting coursework where the majority is generated by artificial intelligence software, or widespread plagiarism with the intent to deceive.

2.4. The following are examples of potential actions by learners which are considered negligent, malpractice or as misconduct, depending on the severity and extent; this list is not exhaustive and other instances of malpractice may be considered by the College at its discretion:

- Plagiarism by copying and passing off, as the learner's own, the whole or part(s) of another person's work, including artwork, images, words, computer generated work, thoughts, inventions and/or discoveries whether published or not, with or without the originator's permission and without appropriately acknowledging the source.
- Custom writing services – the use of materials created by third parties and/or web sites and/or Artificial Intelligence (AI) software/paraphrasing/image tools, and passed off as one's own work. This includes all forms of contract cheating, such as the use of, running of, or participation in, auction sites and essay mills to attempt to buy or use assessments or answers to questions set. It is also an offence to provide one's own work to others with the intention of personal gain.
- Self-plagiarism – submitting the same work that the student has already submitted for another assessment, when this is not permitted.
- Collusion by working collaboratively with other learners to produce work that is submitted as individual learner work.
- Impersonation by pretending to be someone else in order to produce the work for another or arranging for another to take one's place in an assessment/examination/test rule, regulations and security
- Misuse of assessment/examination material
- Introduction and/or use of unauthorised material contra to the requirements of supervised assessment/examination/test conditions, for example: notes, study guides, personal organisers, calculators, dictionaries (when prohibited), personal stereos, mobile phones or similar electronic devices

- Obtaining, receiving, exchanging or passing on information which could be assessment/examination/test related (or the attempt to) by means of talking or written papers/notes during supervised assessment/examination/test conditions.
- Violation of the Computer Acceptable use Policy
- Behaving in such a way as to undermine the integrity of the assessment/examination/test.
- The alteration of any results document, including certificates
- Cheating to gain an unfair advantage.
- Disruptive behaviour in the examination room (including the use of offensive language)
- Failing to abide by the conditions of supervision designed to maintain the security of examinations.
- Failing to abide by the instructions or advice of an invigilator, supervisor, or the Awarding Body in relation to the examination rules and regulations.
- The inclusion of inappropriate, offensive or obscene material in scripts or coursework
- The deliberate destruction of another's work.

2.5 The College acknowledge the growing use of Artificial Intelligence (AI) technology in assessment. While AI technology can provide valuable insights and enhance the efficiency of grading, the College strictly prohibits the use of AI technology in a manner that promotes or facilitates plagiarism. Students must understand that submitting work that has been generated or edited by AI technology **without appropriate citation** constitutes plagiarism and will result in disciplinary action. Additionally, the use of AI technology to paraphrase or manipulate existing content to avoid plagiarism will also be considered academic misconduct. The College encourage students to use AI technology ethically and responsibly, and to seek guidance from their instructors or academic advisors if they have any questions or concerns.

2.6 Where a breach of the academic conduct policy is suspected, an investigation will be conducted by the Academic Misconduct Officer (AMO) and/or a member of the quality team. This procedure is laid out in **Annexe A**, and follows the principles of the OIA's Good Practice Framework.

3. Penalties

The penalties available to be imposed in the case of a breach of the academic conduct regulations are:

a) An absolute discharge. This means that the student technically breached the regulation, but no blame should be attached to them.
b) A formal warning advising the student about future behaviour.
c) A requirement to correct a piece of coursework by a prescribed return deadline for a reduced or capped mark. Failure to meet the prescribed return deadline will result in a mark of zero for the relevant module or coursework.
d) A reduction of marks for the assessment or module, according to the severity of the breach.
e) The award of no marks for the assessment or module and/or the removal of a resit opportunity, where appropriate.

f) In the event of a further breach of these procedures by the student, the previous recommendation and associated information may be taken into account when considering the penalty for the subsequent breach.

g) In the event of some exam-room misconduct, the student disciplinary procedures may be utilised.

4. Preventing learner malpractice/misconduct

Positive steps to prevent or reduce the occurrence of learner malpractice should be taken by programme areas. These steps include:

- Using the induction period and the student handbook to inform learners of the College's policy on malpractice/misconduct and the penalties for attempted and actual incidents.
- Showing learners the appropriate formats to record cited texts and other materials or information sources including websites. Learners should not be discouraged from conducting research; indeed, evidence of relevant research often contributes to the achievements of higher grades. However, the submitted work must show evidence that the learner has interpreted and synthesised appropriate information and has acknowledged any sources used.
- Providing guidance to learners on the ethical and appropriate use of generative artificial intelligence software, and what is not acceptable.
- Demonstrating approved College plagiarism software, ensuring that learners sign the Assignment Submission form to verify the submission is their own/original work.
- Introducing procedures for assessing work in a way that reduces or identifies malpractice, eg plagiarism, collusion, cheating, etc. These procedures may include:
    - Periods of supervised sessions during which evidence for assignments/tasks/coursework is produced by the learner.
    - Altering assessment assignments/tasks/tools on a regular basis
    - Assessing the work for a single assignment/task in a single session for the complete cohort of learners
    - Using oral questions with learners to ascertain their understanding of the concepts, application, etc within their work.
    - Becoming familiar with learners' styles and abilities, etc.
- Ensuring access controls are installed to prevent learners from accessing and using other people's work when using networked computers.

Annex A – Academic Misconduct Investigation Process

A1 Staff or students who become aware of a potential breach of the academic conduct regulations should report the matter to the Academic Misconduct Officer (Head of Higher Education and Research), providing the necessary information and supporting evidence.

A2 Referrals should be made in a timely manner, ideally within 10 working days of the discovery of the alleged breach.

A3 The Academic Misconduct Officer will investigate to establish if a breach has potentially occurred.

A4 At this stage, the investigation is considered as preliminary, and the student will be informed in writing at the beginning of the process which academic offence(s) they are suspected of committing and why. The student should also be provided with a copy of any evidence relating to the alleged breach.

A5 The student will be offered an initial opportunity to respond to the allegation made against them, and to establish whether academic misconduct has occurred or not, and if misconduct has arisen from inexperience or misunderstanding. This will usually be a meeting with the AMO/Head of HE and relevant member of staff, as well as administrative staff to take notes. The student has the right to be accompanied by a friend or other person who is not acting in a legal capacity and who is not involved in the case.

A6 The investigation may be concluded at this stage if the student admits to an offence; their admission will be taken into account when considering if, and what, penalty is applied, and also the stage of higher education the student is at (for example lesser penalties may be applied at Level 4 than at Level 6).

A7 The outcomes at this stage may be:

- The allegation is not proven, and no penalty is applied.
- In the case of a first breach which is likely to be a result of poor academic practice rather than a deliberate attempt to deceive, the AMO may decide a penalty is not appropriate, but that the student must undertake some guidance or activities towards developing academic integrity, and a note made on the student's file.
- A penalty as described in paragraph 3a) to 3g) may be imposed.

A8 Any penalties applied will be commensurate with the severity of the offence, and where the student is a member of a course validated by a partner university, will follow the guidelines provided by the university. For college-owned courses, the AMO will make an academic judgement as to whether the offence is down to academic negligence,

academic malpractice, or academic misconduct. These definitions and potential activities are laid out in paragraph 2 of the procedure; and penalties are listed in paragraph 3a) to 3g).

A9 The student will be provided with a written decision of the outcome of the preliminary investigation.

A10 The student will have to right to appeal the decision at this stage, at which point the procedure will move on to the formal stage.

A11 Should the investigation proceed to the formal stage, the investigation will be carried out by a member of staff with no previous involvement in the case or with the student.

A12 The student will be given the opportunity to meet with/respond to the case officer. Again, they have the right to be accompanied by a friend or other person who is not acting in a legal capacity and who is not involved in the case. This is an internal procedure and legal representation is not required.

A13 The case officer should produce a report based on their investigations which outlines the process followed, the information gathered and their conclusions. They may refer to a senior member of staff to confer the decision.

A14 The student should also be provided with a copy of the case officer's report and final decision.

A15 The student will be informed in writing of the decision (and reasons for); the penalty imposed; and their right to appeal against the decision, the penalty, or both, and the grounds on which they may appeal.

A16 The student has a right to appeal the decision of the formal investigation; this appeal must be made in writing to the Head of HE and Research. The grounds for appeal are as follows:

- The procedures set out in this policy were not followed properly.
- That the decision maker has reached an unreasonable decision/the penalty is disproportionate to the offence
- There has been bias (or reasonable perception of bias) during the procedure.

A17 If the appeal is not upheld or is not allowed to proceed under the grounds of appeal, a Completion of Procedures letter will be sent to the student within 28 days. This letter will outline to the student the reasons for the decision, and their right to submit a complaint to the OIA for review.

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