

ACADEMIC REGULATIONS 7:

**Academic Misconduct
(Cheating in Assessment)
Research Degrees**

2011/12

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INTRODUCTION

- 1 The University expects students to be open and honest and, in return, it will endeavour to treat all students in a fair manner.
- 2 The academic misconduct procedure is an internal procedure designed to examine why a piece of assessment has been judged to be the result of academic misconduct and why the student believes that this is incorrect. It is not a legal process. Should a student wish to pursue a complaint through legal channels then this matter will be treated separately from the Academic Misconduct Procedures. Letters received from solicitors shall be treated as legal matters. In such cases, the matter will be referred to the University Secretary.
- 3 The procedures allow both parties to present their viewpoints. Students have the right to be accompanied by a friend, family member or KUSU staff member. The accompanying person can address the hearing, confer with the individual and ask but not answer questions on behalf of the individual unless agreed by the chair of the meeting.
- 4 The University views academic misconduct very seriously. The Academic Board has delegated to the University Research Degrees Committee (URDC) the authority to impose penalties for academic misconduct that may include the termination of a student's registration and expulsion from the University. The URDC delegates responsibility for progression until students have reached the examination stage to the Faculty Research Degrees Committees (FRDCs). The possible penalties are outlined in Annex 1.

Section 1

DEFINITION OF ACADEMIC MISCONDUCT (CHEATING)

- 5 The University defines academic misconduct (cheating) in assessment as any attempt by a student to gain an unfair advantage in assessments or to aid another to gain such an advantage. Examples of the types of academic misconduct covered by these Procedures are provided below, but this should not be regarded as a definitive list. The University reserves the right to include other types of academic misconduct under this Procedure.

Section 2

TYPES OF ACADEMIC MISCONDUCT

- 6 The University recognises the following types of academic misconduct:

- (a) **Plagiarism**

The University defines plagiarism as the act of presenting the work of another person (or people) as one's own without proper acknowledgement. Guidelines on plagiarism are available on Student Space:
<http://student.kingston.ac.uk/C6/Plagiarism/default.aspx>

The University will not accept a lack of understanding of the requirements for acknowledging the work of others as a legitimate defence for academic misconduct.

(b) **Self-Plagiarism**

The University defines self-plagiarism as the act of presenting part or all of a student's work that has been previously submitted to meet the requirements of a different assessment except where the nature of the assessment makes this permissible.

(c) **Collusion**

The University defines collusion as the act, by two or more students, of presenting a piece of work jointly without acknowledging the collaboration. This is the case even when those involved in the collusion are not aware that their work has been included.

The University also defines collusion as the act of one student presenting a piece of work as their own independent work when the work was undertaken by a group. With group work, where individual members submit parts of the total assignment, each member of a group must take responsibility for checking the legitimacy of the work submitted in her/his name. If even part of the work is found to contain academic misconduct, penalties will normally be imposed on all group members equally.

(d) **Copying**

The University defines copying as one student reproducing the work of another student or students.

The University expects students to take responsibility for the security of their work (i.e. with written work, to ensure that other students do not get access to electronic or hard copy of the work). Failure to keep work secure may result in the same penalty being imposed on all those involved, if the origin of the work is in doubt.

(e) **Cheating in examinations or tests**

The University defines cheating in examinations or tests as including:

- taking notes or any unauthorised materials into examinations (whether or not there is evidence that they were used). This includes having notes available in toilets or other areas that may be visited during the examination
- obtaining an advanced copy of a question paper
- unauthorised communication during an examination (including via telephone or other electronic media)
- removing an examination answer book from the examination room
- copying from another candidate
- allowing oneself to be impersonated
- impersonating another candidate.

(f) **Fabricating or falsifying data or using without permission another person's work**

The University defines the act of fabricating or falsifying data to include presenting work that has not taken place. This includes laboratory reports or projects based on experimental or field work. It may also include falsifying attendance sheets for placements where this is part of the assessment requirements.

(g) **Purchasing or commissioning**

The University defines the act of purchasing or commissioning as either purchasing work for an assessment including, for example off the internet, or commissioning someone else to complete an assessment.

- 7 Where students are judged to be aiding others outside the jurisdiction of the University or are acting as an agent for a third party, they will be dealt with under the general disciplinary processes which are available on Student Space:
http://www.kingston.ac.uk/aboutkingstonuniversity/howtheuniversityworks/policiesandregulations/documents/student_disciplinary_procedure.pdf
- 8 These examples of academic misconduct are not exhaustive and the University reserves the right to include other types of cheating under the terms of this procedure.
- 9 The University considers the use of proof reading services as a legitimate support to the student's own endeavours. Proof reading is defined as an editorial activity of correcting surface grammatical, spelling or punctuation mistakes without extensive re-writing or rewording of the student's original work. In this context, the University does not consider the use of proof reading services as academic misconduct.

Section 3

PROCEDURES FOR DEALING WITH ACADEMIC MISCONDUCT

- 10 The University recognises that students who are new to UK higher education may need some time to learn how to acknowledge sources properly. Therefore, the focus of the University's response to academic misconduct in the first piece of submitted work is to educate students in regard to appropriate academic practice rather than to penalise unacceptable academic practice.

Section 3a outlines the procedure to be followed for assessments before submission of the thesis or dissertation.

Section 3b outlines the procedure to be followed for assessments after submission of the thesis or dissertation.

Consistency of treatment

- 11 The University aims to treat its students consistently across all programmes, but it recognises that some courses lead to both a University qualification and a licence to practise e.g. nursing and teaching. These courses may have specific codes of conduct of professional behaviour which will be clearly communicated to students. Any record of academic misconduct may result in the termination of a student's registration on one of these courses as the University will be unable to confirm students' suitability to practise.

Section 3a

Allegations made *before* submission of the thesis for examination

Step 1 – actions by the Director of Studies where academic misconduct occurs for the first time

- 12 Where a Director of Studies or member of the supervisory team identifies potential academic misconduct by a research student, including material in draft work that seems to fall within the definition of *plagiarism* as given in section 2, the Director of Studies will discuss the matter with the student with a view to ascertaining whether academic misconduct has occurred. For cases of possible plagiarism s/he will ensure that the student has read the Plagiarism Guidelines and the Procedure for dealing with Academic Misconduct in Research Degrees and explain the potential penalties.

Step 2 – actions by the student

- 13 The student will be advised that her/his right to submit the thesis and be examined does not apply in cases where there is evidence of plagiarism or other academic misconduct and that her/his registration may be terminated as a result. The student may be given the opportunity to revise the work.

Step 3 – actions by the Director of Studies where academic misconduct occurs for the second time

- 14 Where a Director of Studies or member of the supervisory team discovers potential academic misconduct for a second time, the Director of Studies will advise the student that the evidence will be submitted to the Chair of the FRDC for the Academic Misconduct Procedures to be invoked. If the supervisory team includes the Chair of the FRDC an alternative committee member will be appointed, in consultation with the Head of School, to review the evidence.

Step 4 – actions by the FRDC

- 15 The Chair of FRDC will determine either:
- there is insufficient evidence to proceed, s/he will notify the student and the person making the allegation of the reasons for not holding a hearing. This may include advice to the student about how to avoid such allegations in future

or

 - there is sufficient evidence to proceed to a formal hearing.
- 16 If the Chair of the FRDC judges that a formal hearing is justified, the Faculty Research Administrator will provide the student with:
- a) a copy of these Procedures;
 - b) written details of the allegation. This should include specific reference to the nature of the suspected misconduct;
 - c) advice to contact the Kingston University Students' Union (KUSU) Student Support Centre. Although KUSU officers cannot act as advocates, they may be able to advise on the presentation of the case and may agree to act as an observer at the hearing;
 - d) the date, time and place of the hearing. The University will try to arrange the hearing at a time that is suitable for the student. Normally the hearing will take place within 6 weeks of the date that the student is formally notified in writing that an allegation has been made.
- 17 Where the evidence of misconduct relates to a group of students, the Chair of the FRDC will judge from the nature of the offence and the numbers involved, whether to hold individual hearings or to call the group together in a single hearing.

Step 5 – actions by the student

- 18 At this stage, the student may decide to admit that the allegation of academic misconduct is justified by providing a written statement. In this case no formal hearing will take place. The URDC will be informed of the academic misconduct and the student's admission when it considers the penalty to be imposed. A copy of the statement provided by the student will be kept on her/his file.

- 19 If the student wishes to proceed to a formal hearing, s/he will be asked to confirm attendance and inform the Faculty Research Administrator of the name of any person chosen to accompany the student.
- 20 If the student fails to attend the hearing without a reason that is deemed acceptable by the University, the hearing will proceed on the basis of the evidence available to the panel. This will include any written submission that the student may have made.

Step 6 – formal hearing - actions of the hearing panel

- 21 The panel established to consider the evidence will comprise a minimum of two members of academic staff. The Chair of the panel will be chosen from a group of staff designated for this purpose by the Faculty and will be independent, i.e. will not be directly associated with the student's learning and teaching. The panel should normally include at least one member with experience of academic misconduct hearings, and a subject specialist.
- 22 The panel will normally interview:
- the student, who may present documentation and/or supporting evidence. Students have the right to be accompanied by a friend, family member or KUSU staff member. The accompanying person can address the hearing, confer with the individual and ask but not answer questions on behalf of the individual unless agreed by the chair of the meeting.
 - any relevant members of staff (eg. Director of Studies who will present the evidence).
- 23 The panel will decide if:
- there is evidence of academic misconduct. A summary report will be presented to the FRDC, setting out the nature of the allegations and the recommendations of the panel concerning the level of penalty to be imposed (see Annex 1: Penalties for Academic Misconduct). The student(s) will be provided with a copy of this report and it will be placed on the student's file.
- or
- there is insufficient evidence of academic misconduct. The process will then be terminated. No report will be kept on the student's file.
- 24 If the panel is unable to reach a consensus view, it shall find in the student's favour and will give the student a statement to this effect.

Step 7 – actions by the FRDC

- 25 The report of the formal hearing will be considered by the FRDC. The Committee will be asked to ratify the recommendations of the formal hearing.
- 26 The outcome of a formal hearing will be reported to the URDC in its capacity as the Programme Assessment Board.

Section 3b

Allegations made *after* submission of the thesis for examination

Step 1 – actions by FRDC

- 27 Where an examiner reports evidence of potential academic misconduct, the evidence will be referred to the Chair of the FRDC for investigation and submission to the URDC in its capacity as the Programme Assessment Board.

Step 2 – actions by URDC

- 28 The URDC will determine either:
- there is insufficient evidence to proceed and will notify the student that an allegation has been made. The URDC will also notify both the student and the person making the allegation of the reasons for not holding a hearing. This may include advice to the student about how to avoid such allegations in the future.

or

 - there is sufficient evidence to proceed to a formal hearing
- 29 If the URDC judges that a formal hearing is justified, the Graduate Research School will provide the student(s) with:
- a) a copy of these Procedures;
 - b) written details of the allegation. This should include specific reference to the nature of the suspected misconduct.
 - c) advice to contact the Kingston University Students' Union (KUSU) Student Support Centre. Although KUSU officers cannot act as advocates, they may be able to advise on the presentation of the case and may agree to act as an observer at the hearing;
 - d) the date, time and place of the hearing. The University will try to arrange the hearing at a time that is suitable for the student. Normally the hearing will take place within 6 weeks of the date that the student is formally notified in writing that an allegation has been made.
- 30 Where the evidence of misconduct relates to a group of students, the Chair of the FRDC will judge from the nature of the offence and the numbers involved, whether to hold individual hearings or to call the group together in a single hearing.

Step 3 - actions by student

- 31 At this stage, the student may decide to admit that the allegation of academic misconduct is justified by providing a written statement. In this case no formal hearing will take place. The URDC will be informed of the academic misconduct and the student's admission when it considers the penalty to be imposed. A copy of the statement provided by the student will be kept on her/his file.

- 32 If the student wishes to proceed to a formal hearing, s/he will be asked to confirm attendance and inform the Graduate Research School of the name of any person chosen to accompany the student.
- 33 If the student fails to attend the hearing without a reason that is deemed acceptable by the University, the hearing will proceed on the basis of the evidence available to the panel. This will include any written submission that the student may have made.

Step 4 – formal hearing – actions of the hearing panel

- 34 The panel established to consider the evidence will comprise a minimum of two members of academic staff. The Chair of the panel should be chosen from a group of staff designated for this purpose by the URDC and will be independent, i.e. will not be directly associated with the student's learning and teaching. The panel should normally include at least one member with experience of academic misconduct hearings, and a subject specialist.
- 35 The panel shall normally interview:
- the student, who may present documentation and/or supporting evidence and may be accompanied by an observer
 - any relevant members of staff (eg. Internal examiner who will present the evidence).
- 36 The panel shall decide if:
- there is evidence of academic misconduct. A summary report will be presented to the URDC, setting out the nature of the allegations and the recommendations of the panel concerning the level of penalty to be imposed (see Annex 1: Penalties for Academic Misconduct). The student(s) will be provided with a copy of this report and it will be placed on the student's file.
- or
- there is insufficient evidence of academic misconduct. The process will then be terminated. No report will be kept on the student's file.
- 37 If the panel is unable to reach a consensus view, it shall find in the student's favour and will give the student a statement to this effect.

Step 5 – actions by URDC

- 38 The report of the formal hearing will be considered by the URDC in its capacity as the Programme Assessment Board. The URDC will be asked to ratify the recommendations of the formal hearing.

Section 4

PENALTIES

- 39 The penalties in Annex 1 have been determined on the basis of the following principles:

- no student should gain any advantage over another as a result of academic misconduct
 - for students found guilty of collusion, all students implicated in the case should normally receive the same penalty
 - for students found guilty of plagiarism or copying group work, all those involved will normally receive the same penalty
 - mitigating circumstances cannot excuse academic misconduct.
- 40 The URDC in its capacity as the Programme Assessment Board has authority delegated from the Academic Board to make a judgement on the penalty to be imposed and this judgement is final and not subject to appeal.
- 41 The academic misconduct penalties apply to a student's registration at the University, not to the award the student is registered for.

Concurrent offences

- 42 Concurrent offences of academic misconduct will be considered to be repeat offences. Penalties for second, repeat and concurrent offences arising before submission of the work for examination are set out in Annex 1.
- 43 Failure due to academic misconduct cannot be compensated.
- 44 In exceptional circumstances the Student Disciplinary Procedures will apply where academic misconduct has brought the good name of the University into disrepute or criminal proceedings are involved or where that misconduct constitutes any other breach of the University's Regulations.

APPEALS

- 45 A student can use the procedures set out in Academic Regulations 9: Academic Appeals (Research Degrees) to request a review of the decision of the URDC if there is evidence that the procedure was not followed.
- 46 A student cannot appeal against the penalty imposed by the URDC.

Annex 1: PENALTIES FOR ACADEMIC MISCONDUCT IN RESEARCH DEGREES

Note:

- The University reserves the right to terminate the registration of any student for academic misconduct.

PENALTIES applicable to all research programmes			
<u>ALLEGATION ARISING <i>BEFORE</i> SUBMISSION OF THE WORK FOR EXAMINATION</u>			
Module Level	Type of academic misconduct	1st offence:	2nd, repeat or concurrent offence:
7/8	Plagiarism or collusion	Opportunity to revise the work. Additional learning support will be provided. Progression delayed until improved work is developed and submitted.	Termination of registration
7/8	Other types of academic misconduct	Opportunity to revise the work. Additional learning support will be provided. Progression delayed until improved work is developed and submitted.	Termination of registration

<u>ALLEGATION ARISING <i>AFTER</i> SUBMISSION OF THE WORK FOR EXAMINATION</u>			
Module Level	Type of academic misconduct	Submitted thesis/dissertation	Re-submitted thesis/dissertation
7/8	Plagiarism or collusion	Termination of registration. In cases where the evidence of plagiarism is deemed to be minor, the student may be given the opportunity to resubmit a revised thesis or dissertation with an additional oral examination.	Termination of registration
7/8	Other types of academic misconduct	Termination of registration	Termination of registration

Sample Letter informing student of allegations

<Student's Contact Address>

<Date>

Kingston Student ID:

Route:

Level:

Dear <Name>

<Research Degree Title:>

It has been noted that you may have been guilty of academic misconduct as there appears to be evidence of < type of academic misconduct > in the < type of assessment > for the above module.

<details of the alleged offence, including:

- reference to annotated extracts of relevant coursework,
- indication of source material, or
- other details relevant to the nature of the assessment and allegation

In accordance with Academic Regulations 7: Academic Misconduct (Research Degrees), a copy of which is enclosed, you are required either to

- attend a formal hearing to discuss this matter, or
- acknowledge in writing that academic misconduct did take place.

If you choose the second option, then you will be excused attendance at the formal hearing and a penalty will be determined by the assessment board in line with the enclosed procedures. Please complete and return the form below to the Faculty Research Administrator (*if pre-submission of thesis*) or Graduate Research School (*if thesis is being examined*). **The form must be returned within one week of the date above.**

If you decide to attend the formal hearing, you will be contacted by us with a date and time. You should note that failure to attend the meeting without good reason will remove the right to a hearing and the matter will be referred to the Faculty Research Degrees Committee/University Research Degrees Committee for a decision on the penalty.

You should contact the Kingston University Students' Union (KUSU) Student Support Centre and you may bring a member of the Union or another person with you as an observer. You should give a copy of the enclosed Academic Misconduct Procedures to this person as guidance on their role.

Please note that neither mitigating circumstances nor lack of intent are acceptable defences against an allegation of academic misconduct and cannot be used to mitigate any penalties.

Yours sincerely

<Name of administrator>
<Role: e.g field administrator>

Enc:- Academic Regulations 7: Academic Misconduct (Research Degrees)
(Extracts of coursework or other evidence if appropriate)

Return portion to be completed by the student

Name _____
ID _____
Module _____
Assessment _____

I have read and understood the regulations. I do not wish to attend a formal hearing and accept that the academic misconduct took place. I understand that the assessment board will decide on the appropriate penalty.

Signed _____ Date _____