

ACADEMIC REGULATIONS 6:

Academic Misconduct (Cheating in Assessment) Taught Courses

2011-2012

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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 by the Field Leader (or Course Leader) 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 Kingston University Students' Union (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 its Programme Assessment Boards the authority to impose penalties for academic misconduct that may include the termination of students' registration and expulsion from the University. 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 presented.

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 his/her 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.

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 Student Disciplinary Procedures which are available on [StudentSpace](#).

- 7 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.

Section 3

PROCEDURES FOR DEALING WITH ACADEMIC MISCONDUCT

Academic Induction Period

- 8 The University recognises that students who are new to UK higher education may need some time to learn how to acknowledge sources properly. Therefore, it operates an 'academic induction period' during which the focus of the University's response to academic misconduct is to educate students in regard to appropriate academic practice rather than to penalise unacceptable academic practice. This applies to plagiarism and collusion. ***It does not apply to other forms of academic misconduct where penalties will immediately apply.***
- 9 The Academic Induction Period applies to all full-time and part-time students and is defined as:
- the first semester of a student's registration with the University, in the case of students whose programmes are organised around the University's semester structure
- or
- the first three months of a student's registration with the University, in the case of students whose programmes are organised around the University's term structure.

Step 1 – actions by the Module Leader

Actions in regard to academic misconduct during the academic induction period

- 10 If work that is completed within the academic induction period evidences possible plagiarism and collusion, it may be returned to the student(s) without penalty with feedback provided on the unacceptable material for correction and resubmission. A student's failure to correct the work properly will lead to the procedures set out in paragraphs 14 to 23 being invoked.

Actions in regard to academic misconduct after the academic induction period

- 11 If the Module Leader considers that academic misconduct may have occurred after the academic induction period s/he will make a written report and submit the relevant evidence to the Field Leader (or Course Leader). When the Module Leader is the

Field Leader (or Course Leader) the relevant evidence will be submitted to a more senior member of the academic staff.

- 12 When the allegation arises from an incident in an examination room, the evidence will include the script, any materials collected in the room and the Chief Invigilator's report.

Step 2 – actions by the Field Leader (or Course Leader)

- 13 The Field Leader (or Course Leader) will determine either:
- (a) there is insufficient evidence to proceed. S/he will notify the student that an allegation has been made and 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 future;
 - (b) there is sufficient evidence to proceed to a formal hearing.
- 14 If the Field Leader (or Course Leader) judges that a formal hearing is justified, the student will be provided with:
- (a) a copy of these procedures;
 - (b) written details of the allegation. This will include specific reference to the assessment in question and the nature of the suspected misconduct;
 - (c) advice to contact Kingston University Students' Union (KUSU) Student Support Centre. Although KUSU officers cannot act as advocates, they may be able to advise on 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.
- 15 Where the evidence of misconduct relates to a group of students, the Field Leader (or Course Leader) 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 the student

- 16 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 assessment board 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.
- 17 If the student wishes to proceed to a formal hearing, s/he will be asked to confirm attendance to either the Field Leader (or Course Leader) or the relevant administrator and to provide the name of any person chosen to accompany the student.
- 18 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

- 19 The panel established to consider the evidence will comprise a minimum of two members of academic staff. One of these will be designated as Chair of the panel. 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.
- 20 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 Kingston University Students' Union (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 (*e.g* module leader, or Field Leader (or Course Leader) who will present the evidence).
- 21 The panel will decide if:
- a) there is evidence of academic misconduct. A summary report will be presented to the Programme Assessment Board, 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
- b) there is insufficient evidence of academic misconduct. The process will then be terminated. No report will be kept on the student's file.
- 22 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 the Programme Assessment Board

- 23 The student's results together with the report of the formal hearing will be considered by the Programme Assessment Board. The Board will be asked to ratify the recommendations of the formal hearing.

Consistency of treatment

- 24 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 4

PENALTIES

- 25 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.
- 26 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.
- 27 Where the regulations of accrediting Professional, Statutory & Regulatory Bodies (PSRB) require, the Programme Assessment Board will terminate a student's registration for any occurrence of academic misconduct.
- 28 Students will not be permitted further reassessment where an offence of academic misconduct is committed at the final assessment opportunity allowed under the Undergraduate Modular Scheme (UMS) or Postgraduate Credit Framework (PCF) regulations.
- 29 Registration may be terminated where other penalties in Annex 1 are not possible (for example, where modules cannot be repeated and where an award cannot be reduced).
- 30 The academic misconduct penalties apply to a student's registration at the University, not to the award the student is registered for.

Concurrent offences

Within the Academic Induction Period

- 31 Concurrent offences of academic misconduct will not be considered to be repeat offences.

After the Academic Induction Period

- 32 Concurrent offences of academic misconduct will be considered to be repeat offences. Penalties for second, repeat, and concurrent offences are set out in Annex 1.
- 33 Failure due to academic misconduct cannot be compensated.
- 34 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.

Academic Appeals

- 35 A student can use the procedures set out in Academic Regulations 8: Academic Appeals (Taught Courses) to request a review of the decision of the Programme Assessment Board if there is evidence that the procedure was not followed.
- 36 A student cannot appeal against the penalty imposed by the Programme Assessment Board.

PENALTIES FOR ACADEMIC MISCONDUCT

Note:

- The University reserves the right to terminate the registration of any student for academic misconduct.
- The academic misconduct penalties apply to a student's registration at the University, not to the award the student is registered for.
- Where the regulations of accrediting Professional, Statutory & Regulatory Bodies (PSRB) require, the Programme Assessment Board will terminate a student's registration for any occurrence of academic misconduct.
- Students will not be permitted further reassessment where an offence of academic misconduct is committed at the final assessment opportunity allowed under the Undergraduate Modular Scheme (UMS) or Postgraduate Credit Framework (PCF) regulations.

TABLE OF PENALTIES applicable to all taught programmes			
Module Level	Type of academic misconduct	1st offence:	2nd, repeat or concurrent offence:
3	Plagiarism or collusion	Element of assessment awarded a mark of zero. Additional learning support will be provided. (a)	Module awarded a mark of zero. (c) An opportunity to repeat the module will be offered. Reassessment by retake will not be permitted.
3	Other type of academic misconduct	Module awarded a mark of zero. Additional learning support will be provided. (b)	Module awarded a mark of zero. (e) A PAB will terminate the registration. The PAB will reduce the award by one level or equivalent for each offence (eg Ordinary to DipHE, Ordinary to CertHE, etc; PgDip to PgCert).
4	Plagiarism or collusion	Element of assessment awarded a mark of zero. (a) Additional learning support will be provided.	Module awarded a mark of zero. (c) An opportunity to repeat the module will be offered. Reassessment by retake will not be permitted.
4	Other type of academic misconduct	Module awarded a mark of zero. (b) Additional learning support will be provided.	Module awarded a mark of zero. (e) A PAB will terminate the registration. The PAB will reduce the award by one level or equivalent for each offence (eg Ordinary to DipHE, Ordinary to CertHE, etc; PgDip to PgCert).

TABLE OF PENALTIES applicable to all taught programmes			
Module Level	Type of academic misconduct	1st offence:	2nd, repeat or concurrent offence:
5	Plagiarism or collusion	Module awarded a mark of zero. (b) Additional learning support will be provided	Module awarded a mark of zero (FZ). (d) No further reassessment will be offered.
5	Other type of academic misconduct	Module awarded a mark of zero. (c) An opportunity to repeat the module will be offered. Reassessment by retake will not be permitted.	Module awarded a mark of zero. (e) A PAB will terminate the registration. The PAB will reduce the award by one level or equivalent for each offence (eg Ordinary to DipHE, Ordinary to CertHE, etc; PgDip to PgCert).
6	Plagiarism or collusion	Module awarded a mark of zero. (c) An opportunity to repeat the module will be offered. Reassessment by retake will not be permitted.	Module awarded a mark of zero. (e) A PAB will terminate the registration. The PAB will reduce the award by one level or equivalent for each offence (eg Ordinary to DipHE, Ordinary to CertHE, etc; PgDip to PgCert).
6	Other type of academic misconduct	Module awarded a mark of zero. (e) A PAB will terminate the registration. The PAB will reduce the award by one level or equivalent for each offence (eg Ordinary to DipHE, Ordinary to CertHE, etc; PgDip to PgCert).	N/A A PAB will terminate the registration at the first offence.
7	Plagiarism or collusion	Module awarded a mark of zero. (c) An opportunity to repeat the module will be offered. Reassessment by retake will not be permitted.	Module awarded a mark of zero. (e) A PAB will terminate the registration. The PAB will reduce the award by one level or equivalent for each offence (eg Ordinary to DipHE, Ordinary to CertHE, etc; PgDip to PgCert).
7	Other type of academic misconduct	Module awarded a mark of zero. (e) A PAB will terminate the registration. The PAB will reduce the award by one level or equivalent for each offence (eg Ordinary to DipHE, Ordinary to CertHE, etc; PgDip to PgCert).	N/A A PAB will terminate the registration at the first offence.

Summary of penalties applicable for Academic Misconduct

Element of assessment awarded a mark of zero. (penalty a)
Additional learning support will be provided.

Module awarded a mark of zero. (penalty b)
Additional learning support will be provided

Module awarded a mark of zero. (penalty c)
An opportunity to repeat the module will be offered.
Reassessment by retake will not be permitted.

Module awarded a mark of zero. (penalty d)
No further reassessment will be offered.

Module awarded a mark of zero. (penalty e)
A PAB will terminate the registration.
The PAB will reduce the award by one level or equivalent for each offence (eg
Ordinary to DipHE, Ordinary to CertHE, etc; PgDip to PgCert).

Sample Letter informing student of allegations

<Student's Contact Address>

<Date>

Kingston Student ID:

Route:

Level:

Dear <Name>

<Module Code and 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

The form must be returned to the student office within one week of the date above.

In accordance with Academic Regulations 6: Academic Misconduct, 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 your Course Administrator. **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 assessment board 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 Regulations 6: Academic Misconduct 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 Misconduct Procedures
(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 _____