

THE UNIVERSITY *of York*

# Academic Misconduct

Policies, Guidelines & Procedures  
for all programmes of study

Registry Services  
June 2011

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## Introduction

Academic integrity is fundamental to the reputation of individual scholars and to academic institutions. For this reason, the University of York is committed both to developing high standards of academic practice among its students and to safeguarding the standards of its academic awards by detecting and acting upon cases of academic misconduct. The policies and procedures described in this booklet are mainly concerned with the second of these aims, but they also lay down minimum standards for informing and educating students about good and bad academic practice.

These procedures are monitored and reviewed by the University's Standing Committee on Assessment on behalf of the University Teaching Committee and University Senate. They apply to all programmes leading to awards of the University and should be read in conjunction with the University Regulations. In cases which are not straightforwardly covered by these procedures, the Chair of the Standing Committee on Assessment, or his/her nominated representative, will decide on the appropriate course of action.

Separate procedures cover academic misconduct by academic staff (see [www.york.ac.uk/admin/hr/resources/policy/academic\\_misconduct.htm](http://www.york.ac.uk/admin/hr/resources/policy/academic_misconduct.htm)).

If academic misconduct is discovered after a qualification has been conferred, the procedure set out in Ordinance 7 ([www.york.ac.uk/admin/aso/ordreg/7.htm](http://www.york.ac.uk/admin/aso/ordreg/7.htm)) should be followed if the misconduct is sufficiently serious to indicate that the qualification should be revoked.

Statistical reports on cases are prepared annually for the Standing Committee on Assessment and may be considered by the Special Cases Committee and the University Teaching Committee.

The University's Pro-Vice-Chancellor for Teaching and Learning is formally responsible for ensuring that the institution is dealing effectively with student plagiarism and other academic misconduct issues.

Procedures are managed and records maintained by the Assistant Registrar: Student Progress in Registry Services, who may be contacted by e-mail to [sca@york.ac.uk](mailto:sca@york.ac.uk), or by telephone on internal extension 4040. In the absence of the Assistant Registrar academic misconduct issues may be handled by the Director of Registry Services (on [rosemary.royds@york.ac.uk](mailto:rosemary.royds@york.ac.uk) / ext 2149).

# Policy

## 1. Scope and definitions

### 1.1 Scope

These procedures apply to foundation degree, certificate, diploma, undergraduate, graduate, taught postgraduate and research programmes of study. They are mandatory for all assessed work, even if it does not contribute to the award of a degree, diploma or certificate, to module marks on academic transcripts, or to progression. However, in some cases, the full procedures need not be implemented [see section 4.1 (a) and 4.1 (b)].

### 1.2 The forms of academic misconduct

The University is committed to developing high standards of academic practice among its students and to safeguarding the standards of its academic awards. It regards any form of academic misconduct as an extremely serious matter [see Regulation 5.7].

Students must not, at any stage of their programme:

*cheat* i.e. fail to comply with the rules governing examinations e.g. by making arrangements to have unauthorised access to information;

*collude* i.e. assist another student to gain an advantage by unfair means, or receive such assistance;

*fabricate* i.e. mislead the examiners by presenting work for assessment in a way which intentionally or recklessly suggests that factual information has been collected which has not in fact been collected, or falsifies factual information;

*personate* i.e. act, appear, or produce work on behalf of another student in order to deceive the examiners, or solicit another individual to act, appear, or produce work on their own behalf;

*plagiarise* i.e. incorporate within their work without appropriate acknowledgment material derived from the work (published or unpublished) of another.

*deceive* i.e. intentionally or recklessly present fabricated or misleading information (e.g., relating to medical and compassionate circumstances) in order to gain advantage in regard to an assessment or progression or procedural requirements.

Where research is undertaken as part of a candidate's programme, whether this is a taught or research programme, the following are also regarded as forms of academic misconduct, in relation to assessed work and published material or material submitted for publication or to funding bodies:

*unethical behaviour in the conduct of research*, including failure to obtain appropriate permission to conduct research, unauthorised use of information which was acquired confidentially, or failure to acknowledge work conducted in collaboration;

*fabrication* (as defined above), falsification, distortion or corruption of research data or research outcomes;

*dishonest interpretation of results*, publication of data known or believed to be false or misleading, deliberate misquotation or misrepresentation of the work of others, inappropriate attribution of authorship or plagiarism (as defined above);

*deception in making research proposals*, fraud or misuse of research funds or equipment.

The following points should be noted with respect to plagiarism:

- Appropriate acknowledgment requires both that direct quotations are placed in quotation marks (or other convention, as defined in departmental regulations) and that sources are fully attributed.
- It is possible to *self-plagiarise* through the unacknowledged use of a student's own previously-submitted work or data in a 'new' piece of writing or other assessment without acknowledging that this material has appeared elsewhere. In general, instances of this possibility should be regarded as poor practice rather than as misconduct. Departments

should endeavour to design assessments that would not reward such practice.

In cases of suspected misconduct during a University-administered examination, reference should also be made to *Guidelines for Invigilators*, issued by the Examinations Office.

[www.york.ac.uk/about/departments/support-and-admin/registry-services/exams/invigilators](http://www.york.ac.uk/about/departments/support-and-admin/registry-services/exams/invigilators)

Misconduct in formal examinations is discussed further in section 7.7.4 of this booklet and *Guide to Assessment* section 5.10 'Behaviour in Examinations'.

### **1.3 Standard of proof**

It is sufficient to establish cases of academic misconduct on the balance of probabilities, rather than 'beyond all reasonable doubt'.

### **1.4 Plagiarism within and outside the public domain**

The procedures distinguish between plagiarism from a source within the public domain and plagiarism from other sources. The basis of this distinction lies in the ability of examiners to establish with certainty which document is the source and which the derivative version. Sources in the public domain include internet sources, published journals and books, teaching materials supplied as part of the module, or any other source which may be securely dated before the work of the student. A 'source outside the public domain' might be the work of a fellow student. If any reasonable doubt arises in any case as to whether a document was in the public domain throughout the time when the assessed work under consideration might properly have been produced, it shall be taken for the purposes of that case not to be in the public domain.

### **1.5 Absolute liability**

#### **1.5.1 Absolute liability with respect to open assessments**

Where unacknowledged material (as defined in section 1.2) from a source in the public domain is detected in a student's work, the principle of 'absolute liability' is to be applied: the student shall be considered liable for the use of plagiarised material whether or not he/she has behaved (or intended to behave) dishonestly or unethically. Where it is possible to

establish only on the balance of probabilities which of two (or possibly more) documents is the source (direct or indirect) of all or part of the other(s), it is not appropriate, or even feasible, to apply the principle of 'absolute liability' for plagiarism. A 'source outside the public domain' might be the work of a fellow student, innocent of involvement and unaware that his or her work has been plagiarised; applying the principle of absolute liability in such a case would involve attributing guilt to both students, which would not be just.

#### **1.5.2 Absolute liability with respect to closed assessments**

The principle of absolute liability also applies to any illicit material brought into closed examinations by students.

1.5.3 Where academic misconduct is alleged or suspected, a student may not use as a defence the failure of any member of academic staff to detect academic misconduct at an earlier stage.

### **1.6 Formal offences**

1.6.1 Certain minor cases of academic misconduct, depending on the nature of the offence and the previous conduct record of the student, are not regarded as constituting 'formal offences' (see section 4.1 (a) and (b)). A formal offence occurs when misconduct is established using the procedures of Sections 6, 7 & 8 below.

1.6.2 The normal penalty for a second formal offence of academic misconduct is that the student's enrolment with the University be terminated. For this reason it is important that departments give clear advice and support to students who have committed academic misconduct, no matter how minor. When recommending the penalty for a student found to have committed a second formal offence departments should, however, bear in mind the proportionality of this sanction to the nature and extent of the two cases involved, and any other warnings the student may have received in relation to academic misconduct.

## **2. Fitness to Practise and other disciplinary action**

### **2.1 Scope**

- 2.1.1 Where a misconduct case raises concerns about a student's fitness to practise, or if other disciplinary offences are related to the incident of misconduct, then the University's Fitness to Practise or Disciplinary procedures should also be consulted, and disciplinary procedures (see Regulation 7) should be followed once the Board of Studies/Graduate School Board investigation of the misconduct is complete.
- 2.1.2 For all academic misconduct cases that raise concerns about a student's fitness to practise, both the academic misconduct and fitness to practise issues will be considered at the one departmental hearing. At that hearing, a decision will first need to be taken about the issue of academic misconduct, since if academic misconduct is not established, there will be no fitness to practise issues to consider. If it is determined that academic misconduct has occurred, a decision will then need to be taken about the student's fitness to practise.
- 2.1.3 In cases where the result of the initial investigation of academic misconduct is (a) that no full investigation is required but (b) that a separate issue of fitness to practise is identified, this issue will then be referred directly to the Departmental Fitness to Practise Panel or the Head of Department as appropriate.

### **2.2 Full academic misconduct investigation**

- 2.2.1 The investigation will follow the process as laid down in the *Procedures for handling concerns relating to students' fitness to practise*, with the following additional requirement in respect of academic misconduct.
- 2.2.2 The investigating officer will report both to the Departmental Fitness to Practise Panel and to the Chair of the Board of Examiners. This investigating officer should not be a member of the Departmental Fitness to Practise Panel or the academic misconduct investigating sub-committee.

2.2.3 The investigating sub-committee will comprise the following:

- Chair of the Board of Examiners (Chair)
- Internal examiner directly involved
- Chair or Vice-Chair, Fitness to Practise Panel (whichever has not been involved in the decision to investigate the case, or, if both of these members have been involved, the Chair of the Board of Examiners should select an alternative member of the Fitness to Practise Panel)
- Internal examiner (who must also be a member of the FPP)
- External member (in the case of Health Sciences this should be from the same field of practise to comply with NMC guidelines)

2.2.4 If there are disability issues, a check needs to be made that a proportion of the panel has received disability equality training to comply with NMC guidelines.

2.2.5 The sub-committee must ensure that the student is informed at least 21 calendar days before an interview/hearing, and the student must be allowed the opportunity to present written evidence to the interview/hearing. This evidence must be submitted to the Panel no later than 5 working days before the interview/hearing date.

### **2.3 Decision**

2.3.1 The investigating sub-committee will record its decisions relating to academic misconduct and fitness to practise separately. In all cases, the issue of academic misconduct needs to be decided first. It is only after academic misconduct has been established that a fitness to practise issue relating to the academic misconduct will arise.

2.3.2 In considering the issue of academic misconduct the external member will not be involved in the decision. Once academic misconduct is established the Chair, FTP, the internal examiner (member of FTP) and the external member will then decide on the fitness to practise issue. The Chair of the Board of Examiners and internal examiner directly involved are excluded from the panel at this stage because of potential conflict of interest.

### **2.4 Formal warning procedure and fitness to practise issues**

Section 5 of the academic misconduct policy allows for a student to be issued with a formal warning if the student does not contest the evidence (and the other conditions in section 5 are satisfied). If the nature of the

academic misconduct gives rise to concern about fitness to practise, then a full investigation must be held in accordance with section 4.1.

### **3. The responsibilities of the department**

Departments are responsible for ensuring that all personnel involved in student assessment are aware of the University's policy on academic misconduct.

#### **3.1 Programme contacts**

Each Board of Studies/Graduate School Board should nominate a member of staff who will take the lead in implementing academic misconduct procedures in each programme for which the Board is responsible (see *Guide to Assessment* 4.8.2 f.). This member of staff will normally be the Chair of the appropriate Board of Examiners; for any programme in which this is not the case the Assistant Registrar: Student Progress should be informed. Combined Boards of Studies may decide to delegate responsibility for implementing academic misconduct procedures to the relevant single subject Boards of Studies.

#### **3.2 Detection**

It is important that markers are vigilant for academic misconduct in all forms of assessment. Markers are advised to carry out random checks on assessed work using internet search engines (such as Advanced Google Search or Google Books) or to employ plagiarism detection software such as SafeAssign (see guidance on Yorkshare for the appropriate use of SafeAssign). This advice applies equally to work that does not count towards the final award.

#### **3.3 General advice to students**

- 3.3.1 *Establishing understanding*: Departments are required to advise all new students of the various forms of academic misconduct and to warn them of the penalties. In particular, there should be an appropriate entry, written in clear and accessible language, in the departmental handbook. Departments must direct students' attention to this entry at an early stage in their programme of study, as well as at appropriate stages throughout the programme. Departments may require students to sign a statement confirming that they have read and understood this entry. Supervisors should check that their students are aware of the nature of academic

- misconduct and of the consequences of academic misconduct. Subsequently, students must be reminded of these matters when they are approaching examinations, and particularly when they are embarking on assessed work, so as to leave no room for doubt about their familiarity with the University's requirements.
- 3.3.2 With respect to plagiarism in particular, an online Academic Integrity tutorial is available on the Yorkshire VLE (virtual learning environment) at <http://vle.york.ac.uk>. It is compulsory for all new students to complete this tutorial in order to progress to the next stage of their programme or to receive their award, whichever occurs first. It is recommended that students are required to complete this tutorial successfully during the first term of their programme of study, particularly those on postgraduate programmes.
- 3.3.3 *Conventions of academic writing:* Departments must advise students of the rationale and procedures for the full and accurate acknowledgment of sources in their academic writing (essays, projects, etc.). In particular, departments must advise students on the correct method for citing sources from the Internet for the specific discipline (see, for example, the advice at <http://www.york.ac.uk/services/library/subjects/researchmethods.htm#cite> from the University Library). Students must be informed of the level of acknowledgment appropriate to particular forms of assessment and of the conventions of academic writing, for example, the appropriate use of quotation marks, footnotes and bibliographies, and the dangers of 'near-paraphrasing'.
- 3.3.4 As a preventative measure, students should also be informed of the ease with which plagiarism from Internet sources (and many books) can be detected and notified that random checks will be made on their assessed work.
- 3.3.5 Students should also be warned of the unacceptability of 'patchwriting' in academic assessment. Patchwriting is a style of writing, often employed because of a lack of understanding of the original concept or text, where words and phrases are extracted from the original work – or a variety of different pieces of work – and reordered into a new piece of text which is presented as the student's own.

### 3.4 Advice to specific groups of students

- 3.4.1 Departments should ensure that students *undertaking group work* receive clear guidance on the boundary between legitimate collaboration and misconduct involving collusion.
- 3.4.2 Particular care must be taken to ensure that students from *different cultures* are aware of the nature of academic misconduct in all its forms, particularly, plagiarism. Where relevant, students must be warned that some work-place practices (e.g. 'cutting and pasting' unacknowledged material into technical specifications or briefing documents) constitute plagiarism in the context of academic assessment.
- 3.4.3 *Taught postgraduate students* may undertake significant components of assessment relatively early in their programme. Programme organisers and supervisors must ensure that students are made aware of the nature of academic misconduct in all its forms prior to any assessment or preparation by the student of work for assessment. Programme organisers and supervisors should pay particular attention to the needs of international students (see section 3.4.2).
- 3.4.4 Departments offering *distance-learning programmes* should ensure that issues of academic misconduct are brought to the attention of students studying on these programmes at an early stage, with regular reminders provided over the course of the programme. It is recommended that the usual departmental procedures for delivering information about academic misconduct issues are reviewed regularly in the light of the particular features of this type of study.
- 3.4.5 *Students engaged in empirical research projects* should be required to maintain appropriate, verifiable records of progress (e.g. a bound lab book) which a party other than the student can verify. These records should be able to be made available at any point for verification. Departments are required to determine what constitutes verifiable, sustainable and authentic data in their particular discipline.

# The Academic Misconduct Procedures

These procedures should be followed for students on all programmes.<sup>1</sup> They are illustrated in a flow chart in Appendix I, and an explanation of procedural calculations is given in Appendix II.

## 4. Initiating the procedures

Where academic misconduct is suspected the examiner(s) concerned should bring the matter to the immediate attention of the relevant Chair of the Board of Examiners. The Chair, or their nominee, should determine whether there is a case of academic misconduct to be answered and the appropriate course of action, consulting, if necessary, with the Assistant Registrar for Student Progress (who may liaise with the SCA). The Chair of the Board of Examiners may conduct a preliminary investigation to determine the nature of the case at this stage, but they should not interview the student(s) concerned.

### 4.1 Methods

Depending on the nature of the work in which misconduct is suspected and the previous conduct of the student, the case should be handled according to one of the following methods:

- a) If the affected work *does not* count towards an award, a transcript mark, or a progression decision, the misconduct should be dealt with in a pedagogical way as described in Section 5. The SCA does not need to be informed of such incidents, and they do not count as 'formal offences'.
- b) If the affected work *does* count towards an award, a transcript mark, or a progression decision, but the proportional contribution of the affected work to the final award is less than 0.5%, the student may be issued with a formal, written warning by the Department, provided that they have not received a previous warning of this type. The procedure to be followed is described in Section 6. The SCA should be informed of such incidents, but they are not counted as 'formal offences'.

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<sup>1</sup> For the purposes of these procedures, students on graduate-level programmes should be treated as taught postgraduate students.

- c) In all other cases, the misconduct should be investigated according to the procedures set out in sections 7-9, unless the Chair of the Board of Examiners obtains consent from the SCA for alternative action. If the misconduct is established, the incident is counted as a 'formal offence'.

In relation to (a) and (b), it should be noted that misconduct involving wider issues of dishonesty (for example, forging documentation or implicating an innocent student) that creates a breach of faith with the University or that might compromise the student's fitness to practise should be investigated using the procedures of sections 7-9. If established, these cases of academic misconduct would count as formal offences.

Because a student's previous record is relevant to determining which of the above courses of action should be implemented, a case involving a number of students might result in formal offences for some students but only formal warnings for others, depending on their previous record.

## **4.2 Notification**

- 4.2.1 Where the Chair of the Board of Examiners determines that there is a case to be answered under either 4.1 (b) or (c), the SCA should be notified formally via the Assistant Registrar: Student Progress who will maintain records and assign an SCA Contact to advise the department. The Assistant Registrar may be contacted by e-mail to [sca@york.ac.uk](mailto:sca@york.ac.uk) or by telephone on extension 4040.
- 4.2.2 The information provided to the SCA must include the student's name, number, and programme of study, and the student's previous record in relation to academic misconduct, particularly whether the suspected academic misconduct would be a second formal offence if established.
- 4.2.3 A member of the SCA will be assigned as the SCA Contact for the case and may be consulted for advice on the procedures. The SCA Contact will also receive a draft version of the findings of the investigation, and they will provide advisory comments on the findings.
- 4.3 For combined programmes and elective modules (or other modules not taken in the 'home' department), the procedure is initiated by the Chair of the Board of Examiners in the department in which the academic misconduct is detected. If the student is on a combined degree programme, or if the academic misconduct is detected in an elective

module, the Chair of the Board of Examiners shall liaise as appropriate with the other department(s) concerned.

## Minor cases of academic misconduct

The following two sections describe the actions to be taken for cases of academic misconduct which may be treated in accord with sections 4.1 (a) and (b).

### 5. Misconduct in formative work

Formative assessment is primarily designed to give feedback on progress and inform development but does not contribute to a module mark. In this spirit, if the affected work *does not* count towards an award, a transcript mark, or a progression decision, the misconduct should normally be dealt with in a pedagogical way. This is not considered a formal offence.

5.1 Once the Chair of the Board of Examiners has determined that the misconduct falls under 4.1 (a) above, the student should be warned by the Department<sup>1</sup> of the unacceptable nature of academic misconduct and of the potentially serious consequences that would follow from misconduct if repeated. The department should also take the opportunity to educate the student regarding discipline-specific academic practice, using online plagiarism awareness materials, for example. The SCA does not need to be informed of such incidents, nor do they count as 'formal offences'. However, the Department should place a note on the student's file which can be considered in any subsequent case of misconduct.

5.2 If there is a second case of misconduct in formative work, it will fall under 4.1 (c). Consequently, a full investigation will be conducted and the SCA should be informed. If misconduct is established, the penalty will be a formal warning and the misconduct will be considered a formal offence.

The student should be:

- a) issued with a formal, written warning (section 6),

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<sup>1</sup> For students undertaking work outside their 'home' department, the warning should be administered by the department offering the module. This department is responsible for informing the home department to ensure a record is placed on the student's file.

- b) advised of training opportunities (e.g. in subject-specific academic referencing conventions) intended to give the student the necessary skills to avoid further misconduct,
- c) advised that a report of the meeting will be placed on their central file and in the department's files,
- d) advised that further incidences of misconduct will be subject to the full academic misconduct procedures, and
- e) advised that another formal offence may lead to the termination of their enrolment.

If there is a third case of misconduct in formative work it will be dealt with under section 7.

## **6. Formal warning procedure for taught programmes**

6.1 Once the Chair of the Board of Examiners has determined that the misconduct falls under 4.1 (b) above, the following process should be implemented. This applies to cases of plagiarism or collusion where the affected work counts towards an award, or a transcript mark, or a progression decision but its proportional contribution to the final award is less than 0.5% and the student has not received a previous warning of this type.<sup>1</sup>

- a) The Chair of the Board of Examiners (of the department owning the module) notifies the SCA via the Assistant Registrar: Student Progress, providing the student's name, number, programme of study, confirmation that the proportional contribution of the affected work to the entire award is less than 0.5% and that no formal warning has been issued before.
- b) The Chair of the Board of Examiners notifies the student(s) concerned in writing that academic misconduct is suspected, providing sample evidence and requesting a response from the student. The student(s) should also be advised of the possibility of seeking advice from supervisors, the Students' Union or Graduate Students' Association.

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<sup>1</sup> For these purposes, the proportional contribution is calculated using the same rules as the penalty points in section 7.4.1

- c) If the student contests the evidence, but the Chair of the Board of Examiners still believes that there is a case to answer, a full investigation process must follow as described in Sections 7-9. Even if established, however, this misconduct would not count as a formal offence.
- d) If the student does not contest the evidence, a meeting is arranged with the Chair of the Board of Examiners and one other person (who may be a departmental administrator) from the examining department. The meeting must be minuted. The student may be accompanied to the meeting by a registered student or employee of the University and/or either a Sabbatical Officer of the Students' Union or the SU Education and Welfare Support Co-ordinator or, for postgraduate students, an officer of the Graduate Students' Association.

At the meeting, the student is:

1. issued with a formal, written warning (section 11);
  2. advised of training opportunities (e.g. in subject-specific academic referencing conventions) intended to give the student the necessary skills to avoid further misconduct, and required to take or retake and pass the on-line Academic Integrity module;
  3. advised that a report of the meeting will be placed on their central file and in the department's files;
  4. advised that further incidences of misconduct will be subject to the full academic misconduct procedures, and
  5. advised that a second formal offence may lead to the termination of their enrolment.
- e) The mark for the assessment will be the academic mark determined according to section 7.7.
  - f) The only penalty for academic misconduct which can be dealt with according to this procedure is a formal written warning. In particular, penalty points (as defined in section 7.4) are not calculated and applied.

- g) If, at any stage, the extent of the misconduct is found to be more serious than initially thought, so that the proportional contribution of the affected work to the award exceeds 0.5%, or if the misconduct involves wider issues of dishonesty or unethical behaviour on the part of the student, the full investigation process of sections 7-9 should be implemented.
- h) A summary report of the meeting with copies of evidence, warnings issued and file notes, together with a copy of the Academic Misconduct Case Summary Form, is submitted to the SCA via the Assistant Registrar: Student Progress (see Section 4.2).

## Full misconduct investigations

### 7. Investigation

#### 7.1 The investigating sub-committee for taught programmes

If a full investigation is required, it shall be conducted by an investigating sub-committee on behalf of the Board of Examiners. The sub-committee will be chaired by the Chair of the Board of Examiners and should comprise the internal examiner(s) directly involved, and at least one other internal examiner chosen by the Chair. Chairing of the investigative sub-committee may be delegated to another internal examiner of appropriate standing if, for example, there is a potential conflict of interest.

##### 7.1.1 The maximum number of internal examiners in attendance at the investigating sub-committee

No more than three directly- involved internal examiners should attend the sub-committee investigating academic misconduct. Where the number of internal examiners directly involved exceeds three, those not attending the investigatory meeting should submit written evidence and be available to clarify any points if necessary.

##### 7.1.2 Combined programmes and elective modules (or other modules not taken in the 'home' department)

- a) In a case of academic misconduct involving a student on a *combined programme*, the department to which the work in question relates should be involved in determining an academic mark (see section 7.7) for the affected work. The investigating sub-committee should be composed of

members of both departments and chaired by the Chair of the Combined Subject Board of Examiners, unless responsibility has been devolved as described in section 3.1. This sub-committee will be responsible for determining an academic mark for the module(s) and the Penalty Points; and for recommending the Penalty Points, etc. (see section 7.4).

- b) In a case of academic misconduct involving a student taking an *elective module*, the department that offered the elective module should be involved in determining an academic mark (see section 7.6) for the work in question and in estimating the percentage of the work affected by academic misconduct. This information should then be communicated to an investigating sub-committee established by the student's 'home' Board of Examiners, who should conduct the investigation according to the usual procedures from that stage on (see section 4.3).

### **7.1.3 Involvement of external examiners**

If it was an external examiner who alerted the department to the possibility of misconduct, the examiner(s) concerned shall be invited to attend the meeting of the departmental investigating committee. In other circumstances, external examiners shall not be part of the investigating committee.

## **7.2 The investigating sub-committee for research degree programmes**

If a full investigation is required, it will be conducted by the Chair of Board of Examiners. The committee will be chaired by the Chair of the Board of Examiners and should comprise of the Chair of the Board of Studies, and the Chair of the Departmental Graduate School Board. Chairing or attendance at the investigative committee may be delegated to another departmental member of academic staff of appropriate standing if, for example, there is a potential conflict of interest. If it was an external examiner who alerted the department to the possibility of misconduct, the examiner(s) concerned shall be invited to attend or take part in the meeting. The student's supervisor may be required to give evidence to the sub-committee.

## **7.3 The role of the investigating sub-committee**

The sub-committee shall convene as quickly as possible (but see 7.3.1 below). Meetings of the sub-committee must be minuted. Investigating sub-committee hearings should be deferred or suspended if insufficient information is available to inform their decision.

### 7.3.1 **Informing the student**

The Chair should inform the student in writing:

- a) that academic misconduct is suspected, briefly summarising its nature as perceived by the sub-committee at that time;
- b) that a full investigation is taking place during which they will be invited to an interview;
- c) that they may be accompanied to the interview by up to a maximum of two of the following people: a registered student or employee of the University, a Sabbatical Officer of the Students' Union, the SU Education and Welfare Support Co-ordinator; for postgraduate students, a officer of the Graduate Students' Association, and
- d) that if they do not wish to attend the interview they may submit a written response to the allegation of academic misconduct.

When informing the student of suspected academic misconduct and where applicable, example evidence of the suspected misconduct should be provided to the student. In cases of suspected collusion or plagiarism of one student's work by another student, and where it is not clear in which order the misconduct may have occurred, advice should be taken from the SCA Contact about the amount of evidence to be released in advance.

Research students should also be told that they should cease any research activity which could be deemed relevant or related to the suspected academic misconduct.

The Chair must ensure that students are afforded sufficient time (normally at least one week) before the interview to seek advice or to arrange to be accompanied.

All reasonable means should be taken to inform the student, and the student should be asked to acknowledge receipt of this information prior to the date of the interview. If the student does not respond, however, the procedure should not be halted.

Should the Chair determine that circumstances prevent an investigating sub-committee from interviewing a student suspected of academic misconduct, the Chair of the SCA should be contacted to advise on the procedure to be followed. Normally, some means must be found of

communicating the substance of the enquiry's findings to the student and providing them with an opportunity to respond before the sub-committee makes its report.

In cases where a student is being investigated for committing academic misconduct on a distance education programme where it is not possible to arrange for the student to be accompanied in the distant location, the Chair of the investigating sub-committee should emphasise to the student the advantages of making contact with the Students' Union or the Graduate Students' Association to arrange for representation to be available in York during the interview.

### 7.3.2 **Prior to the interview**

Prior to the interview, the sub-committee should,

- a) decide whom it wishes to consult, interview or obtain information from to assist in its investigation;
- b) establish the nature and extent of suspected academic misconduct, with due regard to the significance of the affected material to the assessment as a whole;
- c) consider whether departmental guidance to students in relation to academic misconduct has met the requirements laid out in sections 3.3 and 3.4 (see also section 8.1).

The investigating sub-committee has the right to consider other work previously submitted by the student (e.g. by sampling) for evidence of academic misconduct but they are not obliged to do so. This sampling might include assessed work carried out in other departments. Note that the investigating sub-committee may be asked to explain their decision on this issue by the Special Cases Committee.

### 7.3.3 **At the interview**

The purpose of the interview is to establish the nature, extent of and reasons for the apparent misconduct.

The investigating sub-committee should follow the steps below, taking account of particular features of the nature of the misconduct (e.g. plagiarism from a source within the public domain):

- The Chair or another member of the sub-committee will present evidence of the suspected misconduct.
- The student or their representative will be allowed to respond to this evidence.
- The student will then be allowed to submit any mitigating circumstances. It should be noted, however, that the only mitigating circumstances relevant to academic misconduct are circumstances which remove the student's *mens rea*, i.e. their ability to differentiate between the morally right and morally wrong or their ability to do what is morally right (cf. The Mitigating Circumstances Policy and Procedure, Section 11).  
<http://www.york.ac.uk/students/support/academic>
- This concludes the interview and the student and their representative(s) are invited to leave prior to the sub-committee's deliberations.

If more than one student is implicated, they should be interviewed separately, and, if necessary, more than once in order to establish as fully as possible the circumstances and the involvement of each student.

#### 7.3.4 **Following the interview**

Following the interview, the sub-committee should determine, on the balance of probabilities, if academic misconduct has occurred. If they determine that, on the balance of probabilities, academic misconduct has not occurred this judgement should be reported to the SCA Contact at the earliest opportunity. If they determine that, on the balance of probabilities, academic misconduct has occurred they should determine the penalty to be applied in accordance with section 7.4/5, and, for taught programmes, the academic mark for the affected assessment (see section 7.7).

#### 7.4 **Penalties for taught programmes**

The penalty for academic misconduct for a module on a taught programme is termed 'the final penalty', which is in the form of points to be deducted from the student's final average mark on the University mark scale. Thus, at the end of a student's programme, all of the final penalties accruing from any formal offences of academic misconduct should be subtracted from their final average mark on the University scale before the degree award is considered, except where degree classification is not primarily based on the average mark. In these cases, the methods described in section 7.4.3 should be applied.

The final penalty is determined by (a) the proportional contribution of the misconduct to the entire award, reflected by the penalty points, (see section 7.4.1) and (b) the severity of the offence, reflected by the multiplier (see section 7.4.2), unless this result is less than 0.5, and in which case, the final penalty is 0.5. Thus, the minimum final penalty is 0.5 points to be deducted from the student's final average mark on the University mark scale.

#### 7.4.1 **Penalty points**

The penalty points depend on both;

- (a) the proportion of the entire module-assessment affected by misconduct. For example, if 10% of an essay is plagiarised then 10% of that module assessment is affected by misconduct. Note, however, that in cases of misconduct in formal examinations it is assumed that 100% of the examination script is affected by misconduct);
- (b) In calculating the proportion of the entire module assessment in (a), allowance should be made for any other unaffected components of assessment within the module. In assessments with marking schemes, the weightings attached to the different parts of the assessment would be taken into consideration, whereas for an essay the proportion might be based simply on the proportion of the text of the student's answer affected by the misconduct;
- (c) the weighted contribution of the module to the final mark of the award.

Note that cases are penalised according to the weighted contribution of the affected modules to the overall mark for the award finally achieved by the student. For example, a student enrolled on a Masters degree who ultimately achieves only the requirements for and is awarded a Postgraduate Diploma, should be penalised on the module weightings for the Diploma. Where different final awards are possible, the investigating sub-committee will need to determine a range of appropriate penalties that can be applied depending on the student's final achievement.

The penalty points may be conveniently calculated by expressing both (a) and (c) as percentages, multiplying them together, and dividing by 100. For example, if 50% of a module assessment is affected and that module's

weighted contribution to the award is 10%, the result would be 5 penalty points. The penalty points are then multiplied by the multiplier (see section 7.4.2 below) to give the final penalty.

#### 7.4.2 **Multipliers and factors to consider in determining penalties**

Having determined the penalty points, they are then multiplied by the multiplier which reflects the severity of the offence. The normal multiplier is 1.0, and it is expected that in most cases this will not be varied. A multiplier other than 1.0 can be used to decrease the Final Penalty (where justified by mitigating circumstances and subject to the minimum Final Penalty of 0.5) or to increase the Final Penalty if appropriate. Where more than one module is affected by misconduct, the Penalty Points for each module can be associated with different multipliers if circumstances vary.

Recommendations or decisions in respect of determining penalties will be based on the circumstances of each individual case, including any mitigating circumstances for which the student has provided evidence. Sub-committees or Boards shall take into consideration the following factors, where relevant, in respect of the student (and, where applicable, the collaborator):

- nature of intent (for instance, the multiplier might be increased where a student clearly intended to commit an offence, although absence of an intention to do so would not warrant any reduction);
- degree of pre-planning (see 'nature of intent')
- medical condition
- previous history or record
- other relevant factors

The fact that English is not a student's first language should not be used as a mitigating factor. Failure by academic staff to detect academic misconduct in earlier work is not a mitigating factor.

In plagiarism cases, sub-committees and Boards shall also take into consideration whether the student can demonstrate inappropriate note-taking practice or that material was unknowingly plagiarised, and whether there is evidence of plagiarism from multiple sources.

In severe cases of academic misconduct, the recommendation may be that the student's enrolment with the University be terminated. This may be the case, for example, where the student has implicated an innocent student or has otherwise behaved in a dishonest or unethical fashion to the extent that a breach of faith can be considered to have occurred.

#### 7.4.3 **Application of penalties in particular circumstances**

Where programmes are classified using the profile of marks as the primary indicator (rather than the mean) it is not appropriate to subtract the penalty arising from academic misconduct from the overall average before classification. Examples include median-based classification schemes, or models based on the number of module marks in a given classification band. In such programmes all module marks should be reduced by the final penalty for the purposes of classification only, and normal programme rules applied to the resulting profile of marks. Note that the module marks reduced by the penalty should be used for classification purposes only and should not be carried forward into the academic transcript.

7.4.4 Where programmes, such as the DipHE and Foundation degrees, are not classified beyond a pass/fail decision based on whether all relevant modules have been passed, it is not possible to subtract a penalty arising from academic misconduct from the overall average. In such programmes the pass/fail regulation should ensure that a student will pass if, and only if, all relevant modules (this may mean some or all of the modules undertaken) have been passed *and* the credit-weighted average of all module marks (including the academic mark for any modules affected by misconduct) minus the Final Penalty corresponds to a passing mark on the relevant University mark scale.

#### 7.4.5 **Modules marked on a pass/fail basis only**

Where a student has committed misconduct in a module which is marked on a pass/fail basis only, sub-committees should have the option of failure at their disposal, but they should also bear in mind the proportionality of the penalty to the offence. Penalty points should be assigned if the module counts to the final award and not simply progression. This distinction needs to be made clear in programme regulations. In this context, the weighted contribution of the pass/fail module to the award shall be deemed to be the proportion of the total credit counting to the award that it represents (as distinct from that counting only for

progression). The investigating sub-committee will need to determine whether it is reasonable to identify what proportion of the module was affected by misconduct. Where this cannot be done it shall be deemed that the entire module was affected by misconduct.

#### **7.4.6 Assessments using 'best of' rules**

Some module marks, progression and award decisions are determined using the best of a number of marks obtained on different assessments or modules. For example, (a proportion of) a module mark might be the average of the best three marks obtained on five pieces of work submitted.

Where a student is found to have committed academic misconduct on one or more assessments or modules which potentially contribute to a module mark, progression or award decision:

- a) academic marks (see section 7.7) arising from the affected elements should be given priority over those marks not affected by misconduct in computing the overall mark (see example 3 in Appendix II);
- b) the proportion of the module(s) affected by misconduct will be deemed to be the proportion in which marks affected by misconduct contribute to the module mark or progression or award decision.

#### **7.5 Penalties for research students**

For research students the following penalties apply:

- a) if the misconduct is considered minor, the student should be given a formal written warning and/or instructed in writing to make any revisions to written work or changes to research practice. Students should be advised that another formal offence may lead to the termination of their enrolment.
- b) if the misconduct is more serious, then a penalty should be recommended to the Special Cases Committee in accordance with Appendix III.

7.5.1 In respect of offences 7, 8,9,10 and 11 set out in Appendix III the procedure will not normally be invoked in the case of draft materials submitted to the supervisor for comment or advice.

## **7.6 Application of penalties**

Penalties for academic misconduct will remain attached to the programme of study in which the misconduct occurred and will not be transferred to any future unrelated programmes in which the student may enrol.

## **7.7 Academic marks for taught programmes**

The academic mark for a component of assessment affected by academic misconduct is the mark the work would have received if academic misconduct had not occurred. It is therefore not a penalty for academic misconduct. If the component of assessment affected by academic misconduct is the sole assessment for a module, the academic mark becomes that of the module. For modules that have more than one component of assessment, academic marks for each component affected by misconduct are combined with actual marks for other components not affected by misconduct, using the normal weighting attached to each component. This yields the academic mark for the module which is used on the academic transcript, progression considerations, and the final mark submitted to the Board of Examiners at the end of the programme of study. The penalty (see Section 8.4) comprises a reduction applied to that final mark by the Board of Examiners before the award is classified.

### **7.7.1 Academic mark for an assessment affected by plagiarism from the public domain**

In the case of plagiarism from the public domain, the work should be marked as if all plagiarised material had been properly acknowledged, i.e. direct quotations indicated and sources attributed. Thus, credit could be given for the appropriateness of the material, but the academic mark would also reflect the lack of originality shown by the student. The academic mark would also take account, where relevant, of any weighted marking scheme or the significance of different parts of the assessment, e.g. a key methodological aspect as distinct from one point in a wider discussion.

### **7.7.2 Academic mark for an assessment affected by plagiarism from another student or by fabrication**

In these cases, the component of assessment should be marked as though the affected material was excised from the work, but the principles relevant to plagiarism from the public domain otherwise apply. If one

student has plagiarised from another student, the academic mark applies only to the student who has plagiarised; the other student should receive the normal mark.

#### **7.7.3 Academic mark for an assessment affected by collusion**

Where material can be confidently attributed in cases of collusion, the material that the student had obtained from his/her colleague should be completely excised from the work, rather than be considered to have been 'correctly acknowledged'.

Where two or more students have indulged in inappropriate reciprocal assistance, the shared material should be excised from the work of all students involved when determining the academic mark.

#### **7.7.4 Academic mark for an assessment affected by cheating (including misconduct in a closed examination)**

The academic mark for an examination in which a student has committed academic misconduct should normally be zero because it is impossible to establish what parts if any are not affected by academic misconduct. Penalty points will then be calculated and applied.

#### **7.7.5 Academic mark for an assessment affected by personation**

The academic mark for a student who has solicited another individual to act, appear, or produce work on their own behalf should be zero for that component of assessment and penalty points applied. A member of the University, who acts, appears or produces work on behalf of another should be subject to disciplinary procedures (see University regulation 7). In some circumstances personation constitutes a criminal offence that the University may report to the police.

### **8. Steps following the conclusion of a sub-committee investigation**

#### **8.1 The report of the investigating sub-committee**

The sub-committee should compile a report of its findings. This should name the student(s) involved and give their University student number(s).

The report will:

- (a) state whether, on the balance of probabilities, academic misconduct has or has not been established;
- (b) give an assessment of the degree of misconduct if a case has been established. In a case of plagiarism, give an assessment of the degree of plagiarism detected (the proportion of work involved in academic misconduct should be expressed in terms of the percentage of the weighted contribution to the final award, as well as the credit rating). If there are different types of misconduct involved in the same module or piece of work (e.g. plagiarism and the fabrication of data) the two should be clearly and separately indicated and the BoS/GSB decisions about each recorded;
- (c) give an account of, and comment upon, the student's explanation of his/her conduct;
- (d) for second formal offences, include a copy of the report on the first offence and the evidence that the student was told in writing that a further offence would be likely to result in termination of enrolment, and
  - either* recommend that the student's enrolment be terminated
  - or* provide a reasoned case that this would be a disproportionate sanction in the circumstances;
- (e) contain the completed Summary Sheet of the case.

For students on taught programmes:

- (f) state the academic mark (or marks, if more than one piece of work is affected) awarded to the module(s) where appropriate (see section 7.7);
- (g) give the calculation of the Penalty Points for each affected module (see section 7.4);
- (h) recommend the multiplier(s) by which the Penalty Points should be adjusted to yield the Final Penalty, giving a rationale for these recommendations.

If the investigation has revealed shortcomings in departmental documentation and/or briefings relating to academic misconduct, these should be set out in the report. The Chair of the Board of Examiners should take forward any actions arising from the sub-committee's report.

## **8.2 Finalising the report**

The Chair of the investigating sub-committee should submit the draft report of the investigation and proposed academic marks and/or penalties in electronic form to the SCA Contact and the Assistant Registrar: Student Progress. The SCA Contact will comment on and may make recommendations for amending the draft, and may require further investigation on the part of the department.

Once the report has been agreed with the SCA Contact, it should be forwarded by the Chair of the investigating sub-committee to the Chair of the Board of Studies/Graduate School Board for the student's programme. The Chair may either approve the recommendations by Chair's action or put the report to the next meeting of the Board for further consideration and/or adjustment of the recommended multiplier. Confirmation of the Board's recommendation (either in the form of a Minute or note from the Chair) should be appended to the report.

Any changes made to the report or recommendations must be referred back to the SCA Contact for comment. In the event of disagreement, the SCA Contact may recommend that the case be heard by the Special Cases Committee.

## **8.3 Submission of the report**

The final report agreed by the Board of Studies or Graduate School Board should be submitted to the SCA via the Assistant Registrar: Student Progress who will ensure that an appropriate note is placed on the student's central file and report the outcome of the case to the next meeting of the SCA under Category II reserved business. The department should also place a copy of the report in the student's departmental file.

If the final penalty is greater than 5, **or** if the student has committed a previous formal offence of academic misconduct, **or** if the recommendation is for termination of enrolment **or** failure of the award without an opportunity for resit, the Assistant Registrar will forward the report to the Secretary of the Special Cases Committee, who may arrange

for a formal hearing. The SCA Contact may, exceptionally, request that a hearing should occur in other cases.

#### **8.4 Informing the student**

Once the report has been submitted to the SCA, the Chair of the Board of Studies/Graduate School Board should inform the student in writing of the outcome of the decisions and/or recommendations of the Boards concerned, and whether the case will be heard by the Special Cases Committee. When a student is informed of the outcome they must also be advised that they should contact the Secretary of the Special Cases Committee if they wish to submit grounds for appeal.

#### **8.5 Applying the penalty**

Penalties for academic misconduct will remain attached to the programme of study in which the misconduct occurred and will not normally be transferred to any future programmes in a different cycle for which the student may enrol. If any of the credits for the programme of study in which the misconduct occurred (whether or not those credits were attached to modules affected by the misconduct) count towards the credit total for any new programme, however, then the penalty points will be applied to the new programme.

The Board of Examiners is responsible for ensuring that all Final Penalties arising from academic misconduct are applied before making awards.

### **9. Appeals and Hearings**

**9.1** If the recommendation from the Board of Studies or Graduate School Board is any of the following:

- a) a Final Penalty greater than 5 for students on taught programmes of study;
- b) a penalty for a student on a wholly-research programme;
- c) termination of enrolment;
- d) failure of the award without an opportunity for resit; or
- e) where the student penalised has a previous record of academic misconduct;

the student will be offered the opportunity to appeal the decision under University regulations 2.8 or 6.7, as appropriate.

A hearing will always take place if recommended by the SCA Contact advising on an investigation. The SCA contact will not be a member of any Board of Studies, Graduate School Board or departmental investigating committee associated with the case.

9.2 When a student is informed of the outcome of a departmental investigation where the recommendation is one of those given in 9.1 above, they must be advised that they should apply using the forms and guidance at <http://www.york.ac.uk/about/departments/support-and-admin/registry-services/appeals/>.

9.2.1 The Secretary to the Special Cases Committee will arrange the hearing if necessary. The Special Cases Committee may decide to approve the recommended penalty, to set aside the recommended penalty, or to impose an alternative penalty. They may modify the multipliers proposed by the department or decide on another penalty from those available below:

- a) Suspension or exclusion from the University;
- b) A lowering of the class of degree to be awarded;
- c) Failure of the degree;
- d) In relation to c) above, withdrawal of any entitlement to redeem the failure.

9.2.2 A full hearing may be conducted by the Special Cases Committee, based on the report of the investigating sub-committee received from Registry Services. The Chair of the Board of Examiners (or another member of the department with direct involvement in the case) will present the department's case and the penalty recommended may be modified either up or down.

9.2.3 A student who is dissatisfied with the outcome of an appeal or hearing conducted by the Special Cases Committee may make a complaint to the Office of the Independent Adjudicator for Higher Education (see <http://www.oiahe.org.uk/>).

9.2.4 **For research students only:** If an investigation has been initiated by an internal examiner, an external examiner, or the supervisor, and the student is subsequently found not to have committed academic misconduct, the examiner or supervisor should, where practicable, be replaced, unless both the student and the examiner or supervisor agree

otherwise. This applies to the outcome of the meeting of the departmental investigating committee or of a hearing by the Special Cases Committee.

9.2.5 If academic misconduct is alleged or suspected after the examination has taken place, but before the degree has been awarded or conferred, the award or conferment process shall be suspended pending the outcome of an investigation conducted in accordance with section 4 above. If the departmental investigating committee decides that the academic misconduct is minor, it may decide that a re-examination of the student is necessary. A re-examination under these circumstances shall be subject to the approval of the Chair or Deputy Chair of the Special Cases Committee.

9.2.6 If academic misconduct is alleged or suspected after the degree has been conferred, the Senate shall determine the procedures to be followed.

## **10. Misconduct and reassessment**

### **10.1 Resitting following application of penalties**

Where a student commits academic misconduct and subsequently fails a progression hurdle, a resit opportunity for the module or modules affected by academic misconduct may be granted by the Board of Studies or Graduate School Board if the programme regulations would ordinarily provide a resit opportunity to a student who had obtained the same profile of marks without misconduct. The marks obtained at resit may be used to make a progression decision in the usual way; however, the mark attached to a component of assessment affected by academic misconduct, for the purpose of calculating the degree classification and producing the student's transcript should be the academic mark for the original attempt (see section 7.7 ), and not the resit mark. It is accepted that this may result in a student progressing with a failing average, which would be an appropriate element of the misconduct penalty.

### **10.2 Misconduct in reassessments (including closed resit examinations)**

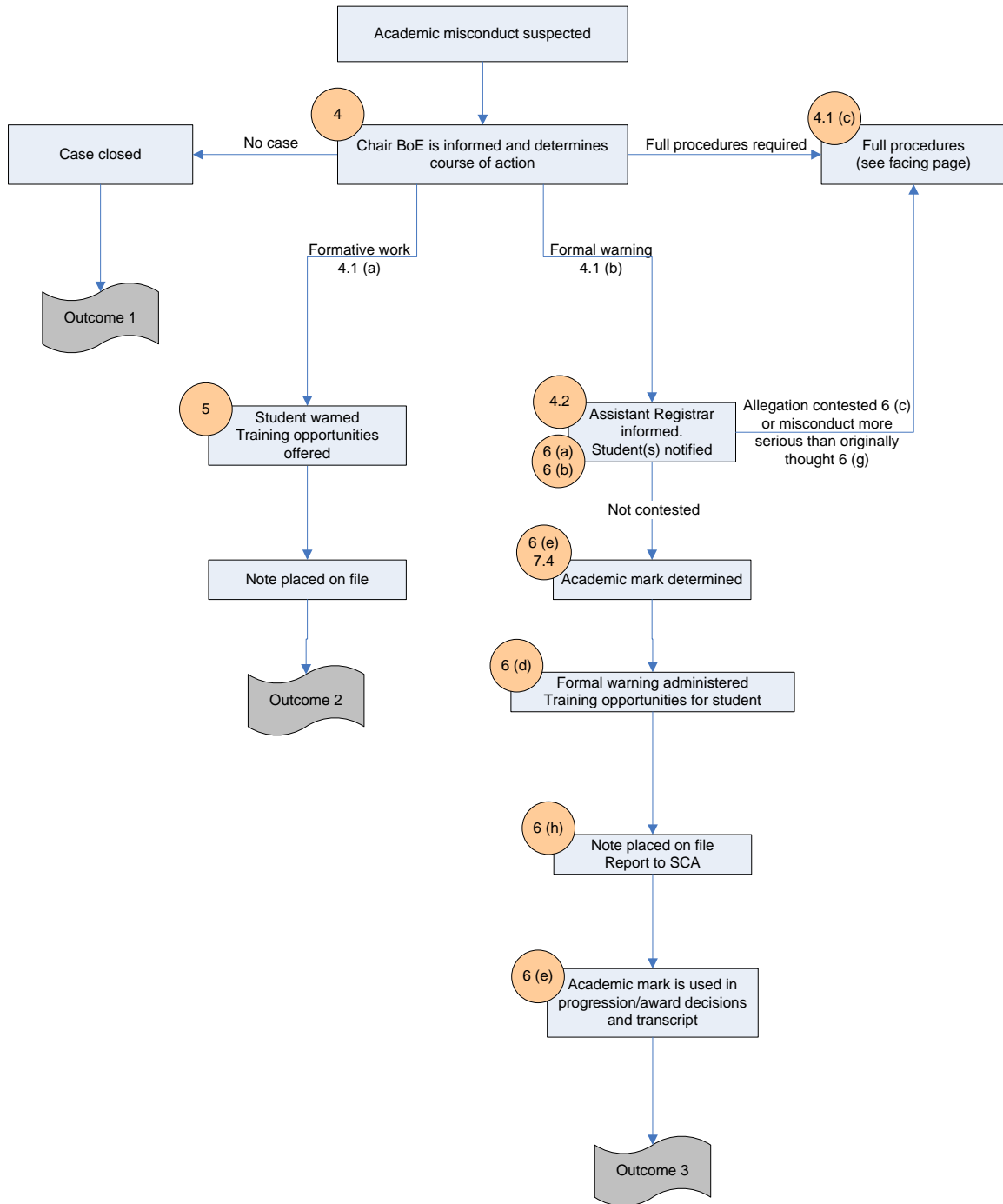
Misconduct detected in closed resit examinations should be dealt with according to the procedures in sections 4 to 8. If a student is found to have committed misconduct in a reassessment and thereby fails the progression hurdle then no further reassessment opportunity should be given, except in the event of exceptional medical or compassionate circumstances and with the explicit permission of the Special Cases Committee (see *Guide to Assessment* section 20.2.2 and 20.2.3).

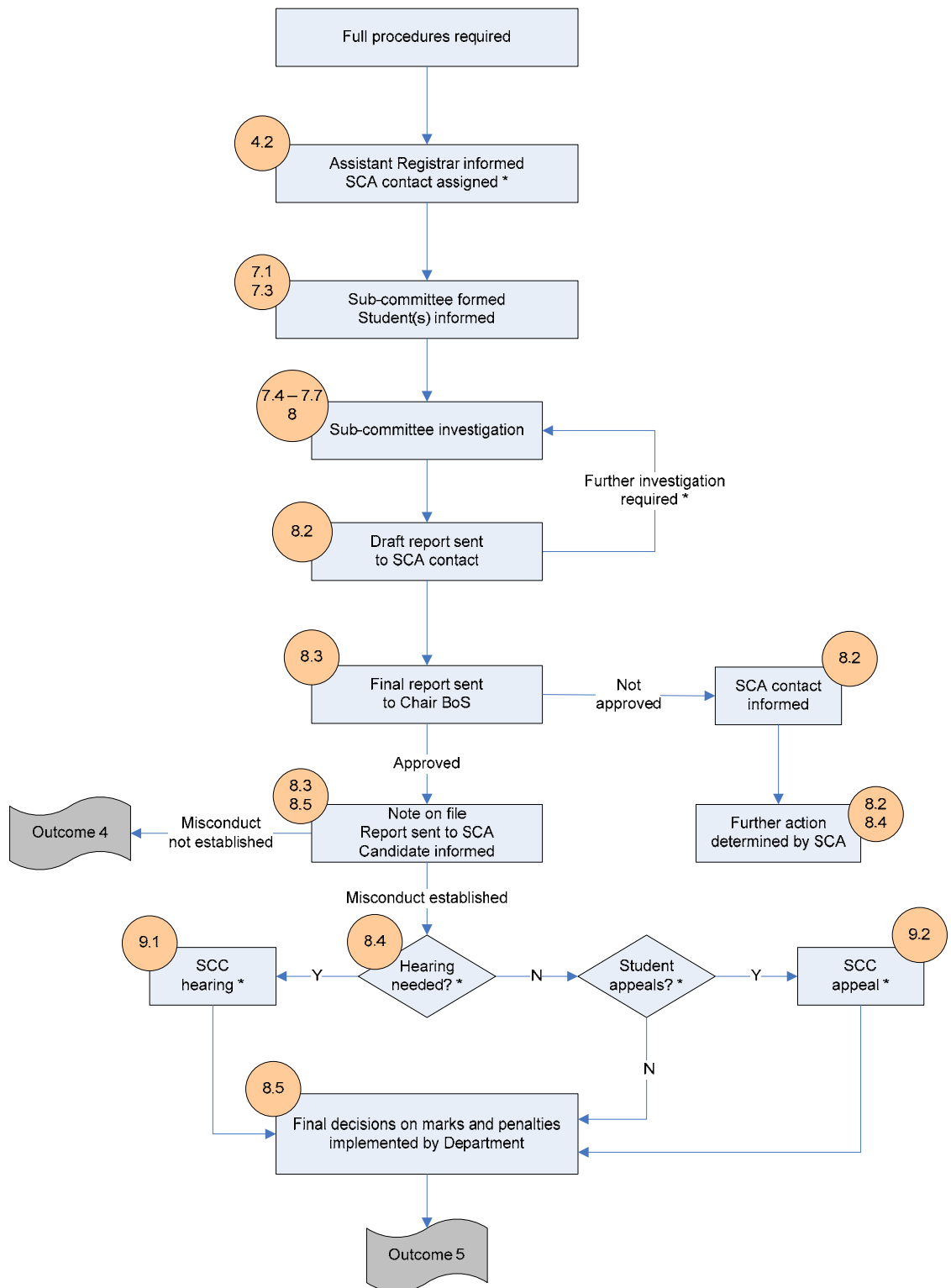
## 11. Sample documents

Examples of letters to students and a Report template have been developed to ensure that such letters cover all necessary points. Retention of such letters is particularly important if academic misconduct is found in pieces of work subsequently submitted by students. Please note that the letters are intended to be helpful to departments but their use is not compulsory. See [www.york.ac.uk/about/departments/support-and-admin/registry-services/academicmisconduct](http://www.york.ac.uk/about/departments/support-and-admin/registry-services/academicmisconduct) on the Examinations Office web pages.

## Flowchart of Academic Misconduct Procedures for taught programmes

(see main text for full detail)





\* Denotes an action or decision taken outside the Department

### **Outcome 1**

**Chair Board of Examiners determines that there is no case to answer**

- Case closed
- No reports or records kept

### **Outcome 2**

**Misconduct detected in formative work**

- Note held on student's file in department of the warning given to the student
- Not a formal offence of academic misconduct

### **Outcome 3**

**Misconduct in work weighted at less than 0.5% of award; allegation not contested**

- Formal warning issued
- Not a formal offence, but future misconduct (except in formative work) will be treated under full procedures
- Academic mark applied
- Note held on student's file in department of the warning given to the student
- Advice sent to Assistant Registrar: Student Progress for report to Standing Committee on Assessment

### **Outcome 4**

**Full investigation undertaken but misconduct not established**

- Case closed
- Report to confirm outcome of investigation sent to SCA, via Assistant Registrar: Student Progress, and held on student's file in department

### **Outcome 5**

**Full investigation undertaken; misconduct established**

- Report to confirm outcome of investigation sent to SCA, via the Assistant Registrar: Student Progress, and held on student's file in department
- Counts as a formal offence of academic misconduct (unless arising from a student contesting an allegation under the Formal Warning procedure)
- Academic mark and final penalty apply
- If a hearing is required or the student appeals, final decisions on the academic mark, penalties, and the record of a formal offence are made by Special Cases Committee

## Example calculations

### Example 1: Calculating the academic mark for the module

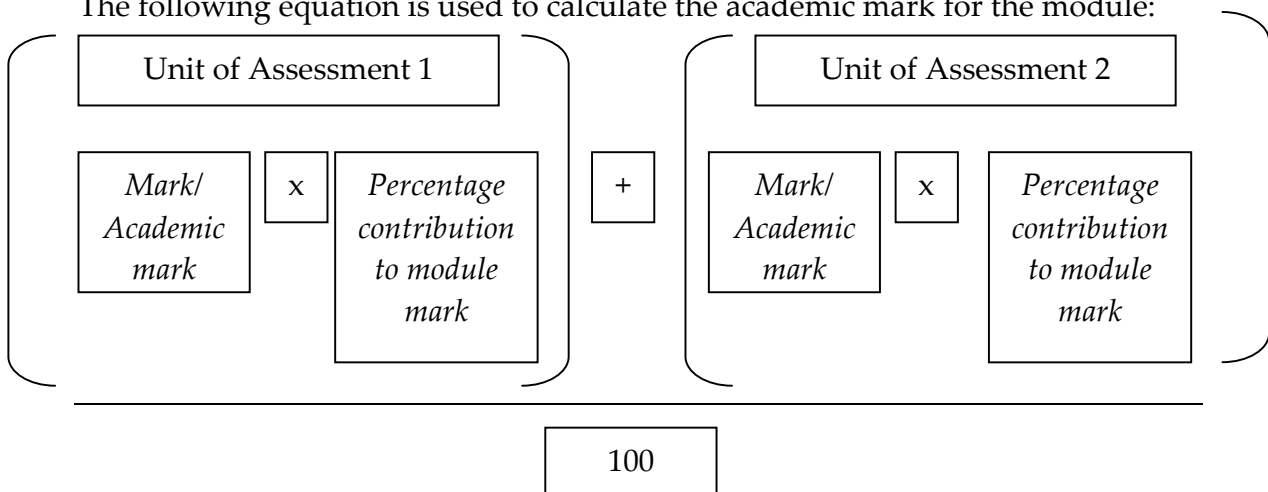
Example:

The assessment for a module comprises two essays. Essay 1 has a weighted contribution to the module mark of **25%**. Essay 2 contributes **75%** to the module mark.

The student receives a mark of **80** for Essay 1.

Plagiarism is found to have occurred within Essay 2. Essay 2 is remarked as if all plagiarised material had been correctly acknowledged and receives an *academic mark* of **10**.

The following equation is used to calculate the academic mark for the module:



In this example case:

$$[(80 \times 25) + (10 \times 75)] / 100 = 27.5$$

The academic mark for the module in this case is **27.5** (i.e. **28**).

Example:  $[(57 \times 50) + (23 \times 50)] / 100 =$  Academic mark for the module of **40**

Example:  $[(63 \times 45) + (5 \times 45) + (65 \times 10)] / 100 =$  Academic mark for the module of **37.15** (i.e. **37**).

**Example 2: Calculating the percentage of the module affected by academic misconduct**

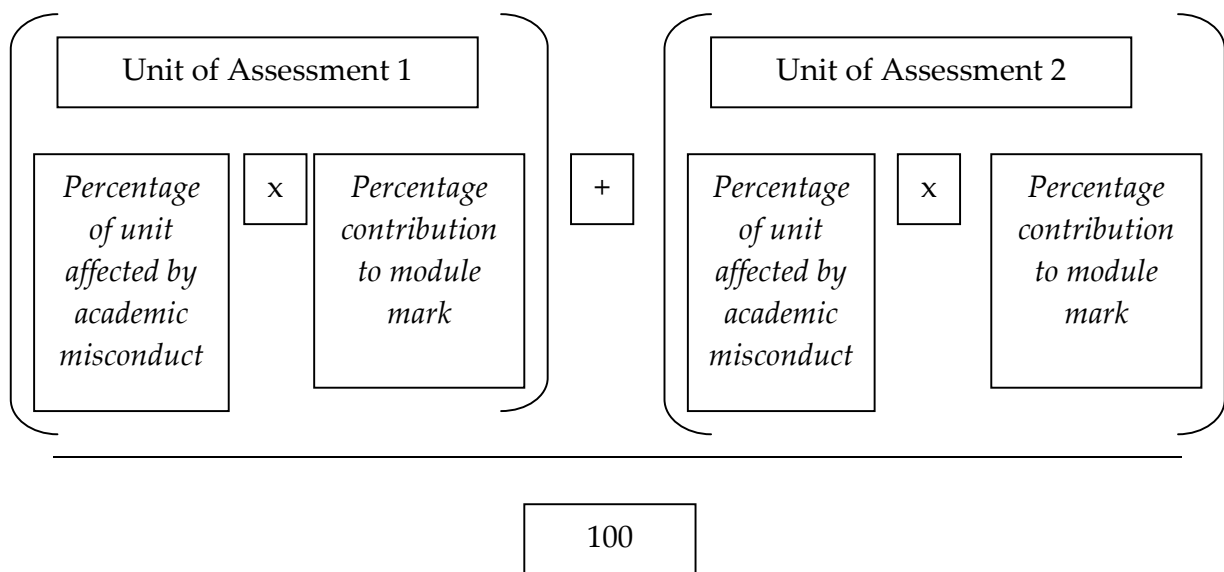
Example:

The assessment for a module comprises two essays.

Essay 1 = **25%** contribution to module mark

Essay 2 = **75%** contribution to module mark

Essay 1 is unaffected by academic misconduct. In Essay 2, academic misconduct has been committed in four whole pages out of 12, i.e. one third of the unit of assessment, or 33.3%. The formula for calculating the percentage of the module affected by plagiarism is as follows:



In this example case:

$$[(0 \times 25) + (33.3 \times 75)] / 100 = 25$$

The percentage of the module affected by plagiarism is **25%**

Example:  $[(25 \times 50) + (8 \times 50)] / 100 = 16.5\%$  of the module is affected by academic misconduct

Example:  $[(90 \times 10) + (22 \times 10) + (0 \times 80)] / 100 = 11.2\%$  of the module is affected by academic misconduct

**Note:**

If it is preferred to consider weighted contributions as proportions rather than percentages, then in all the above calculations the percentages (summing to 100) should be replaced by proportions (summing to 1.0). The last example above would become:

$$[(90 \times 0.1) + (22 \times 0.1) + (0 \times 0.8)] / 100 = 0.112, \text{ or, as a percentage, } 11.2\%$$

**Example 3: Calculating the overall module mark when academic misconduct has occurred in a proportion of coursework elements using a ‘best-of’ rule (see section 7.4.6)**

Where a student is found to have committed academic misconduct on one or more assessments which potentially contribute to a module mark:

- (i) academic marks arising from the affected elements should be given priority over those marks not affected by misconduct in computing the overall mark for this assessment;
- (ii) The proportion of the module affected by misconduct shall be deemed to be the proportion in which marks affected by misconduct contribute to the module mark.

As an example, suppose that 10% of a module mark is determined by the average of the best three out of five pieces of submitted coursework. If a student commits misconduct on  $m$  of these, then this component of the module mark will be determined as follows.

- If  $m \leq 3$  then the  $m$  academic marks from the affected pieces of work, and the best  $3 - m$  of the unaffected pieces, would be averaged to obtain the coursework mark. The proportion of the module affected by misconduct, for the purposes of the calculation of Penalty Points, would be
$$\frac{m}{3} \times 10\% .$$
- If  $m > 3$ , the best 3 academic marks from the affected pieces of work would be averaged to obtain the coursework mark. The proportion of the module affected would be 10%.

## Academic misconduct by research students: offences and penalties

<b>Offence</b>	<b>Penalty</b>
1. Failure to obtain appropriate permission to conduct research	Exclusion of affected work from consideration. Possibility of referral (for assessed work). Work to be redone properly (if unassessed work). In the case of very serious or repeated offences, termination of registration.
2. Deception in relation to research proposals	Ditto
3. Unethical behaviour in the conduct of research, e.g., in relation to research subjects, false claims of informed subject consent, breaches of Home Office rules	Ditto
4. Unauthorised use of information which was acquired confidentially	Ditto
5. Fabrication (as defined in Regulation 5.7(c)), falsification, distortion or corruption of research data or research outcomes	Normally termination of candidature. A lesser penalty, such as exclusion of affected work from consideration, may be appropriate where there are mitigating circumstances.
6. Publication of data known or believed to be false or misleading	Ditto
7. Dishonest interpretation of results	Ditto
8. Plagiarism (as defined in Regulation 5.7(c)), or dishonest use of unacknowledged sources	Ditto
9. Misquotation or misrepresentation of other authors	If accidental, a warning would be appropriate, and rectification of the error. If deliberate, a more severe penalty, including exclusion of affected work from consideration or termination of candidature may be appropriate.
10. Inappropriate attribution of authorship	Ditto

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|--|---|
| 11. Failure to acknowledge collaborative collection of data  | Ditto   |
| 12. Fraud or other misuse of research funds or equipment   | Normally termination of enrolment   |
| 13. Attempting, planning or conspiring to be involved in research misconduct   | Normally termination of enrolment   |
| 14. Inciting others to be involved in research misconduct  | Normally termination of enrolment   |
| 15. Personation (as defined in Regulation 5.7(c))  | Normally termination of enrolment   |
| 16. Active collusion in or active concealment of research misconduct by others   | Normally termination of enrolment   |
| 17. Deception with regard to the progression or procedural requirements of the degree programme concerned                              | Normally termination of enrolment   |
| 18. Deviation from good research practice, where this results in unreasonable risk of harm to humans, other animals or the environment | This should be regarded as a disciplinary matter to be dealt with under Regulation 7. |

## Glossary

### *Absolute liability*

The principle applied to plagiarism within the public domain, with the effect that the student is considered liable for the use of plagiarised material whether or not he/she has behaved (or intended to behave) dishonestly or unethically.

### *Academic mark for a piece of work*

The mark given to a piece of work assuming that all sources had been correctly acknowledged. The academic mark reflects the academic value of the student's work.

### *Academic mark for a module*

The overall mark for a module where academic marks for one or more components of assessment affected by academic misconduct have been combined (where appropriate) with components of that module not affected by academic misconduct.

### *Acknowledgment*

Appropriate acknowledgment requires *both* that direct quotations are placed in quotation marks (or other documented departmental convention) *and* that sources are fully attributed.

### *Final Mark*

The final degree mark is arrived at by the Board of Examiners at the end of a student's programme of study, by calculating the total weighted average of marks achieved on all elements of assessment which contribute to the final award in that programme.

### *Final Penalty*

The result of adjusting the Penalty Points by a multiplier. The Final Penalty is subtracted from the student's final degree mark.

### ***Penalty Points***

The Penalty Points for each module affected by academic misconduct are calculated by multiplying the percentage contribution to the final award of the module (e.g. 5%) by the percentage of the module that has been affected by academic misconduct (e.g. 20%), and then dividing by 100 (in this example there would be one Penalty Point).

### ***Plagiarism from outside the public domain***

This might, for example, involve a student in copying work from a fellow student, either with or without that student's knowledge.

### ***Plagiarism from within the public domain***

This usually involves students in copying material from published textbooks, articles or Internet sources, for example. The source is established and the principle of absolute liability applies.