

Responding to plagiarism: The need to engage with students' 'real lives'

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This paper uses hypothetical case studies to explore the idea that academic integrity policies and processes need to provide enough flexibility for investigating staff to take into account the real life circumstances of students, when determining outcomes for breaches of academic integrity. The paper argues that investigators of academic integrity breaches have a responsibility to demonstrate compassion, as well as consistency in determining outcomes, even in cases of deliberate, intentional plagiarism. Finally, the paper recommends that those in a position to determine penalties for such breaches need to be 'exemplars' and provide mentoring to others as part of a community of practice.

Keywords: academic integrity, plagiarism policy, compassion

Introduction

In the burgeoning literature on student plagiarism, it is widely acknowledged that: plagiarism is difficult to define (Harris 2004; Angelil-Carter 2000; Stearns 1999); preventing plagiarism requires a holistic approach entailing wide-ranging educative strategies (Carroll 2003; James, McInnes & Devlin 2002; Zobel & Hamilton 2002) and that deliberate cases of intentional plagiarism, such as buying papers from essay mills, should receive severe penalties to ensure the maintenance of academic standards (Lathrop & Foss 2000; White 1999). As an instructor, researcher and most recently an Academic Integrity Officer (AIO) in my own faculty, I have seen a massive shift in the last decade or so, from outrage and paranoia that the Internet has made it 'too easy' for students to plagiarise, to a much more nuanced approach which recognises the complexity of student plagiarism.

One writer whose work in composition studies allowed her to by-pass the hysteria about student plagiarism in the 1990s, is Rebecca Moore Howard. The following quotation from her book, *Standing in the shadow of giants: Plagiarists, authors and collaborators* (1999), provides the foundation for my argument that plagiarism policies need to take into account the lived experience of students:

In the matter of student plagiarism, it is real people who are at issue. These are not author-functions; these are human beings sitting in one's class, one's office. And it is not their texts that are punished, but their persons. Their persons, therefore, must be integral to the

definition of their plagiarism. For plagiarism, finally, is not a feature of a text. It is an action which involves both reader and writer. It *must* involve both reader and writer; and it must involve context, as well; for actions do not take place in some atemporal ether. (Howard 1999, p. 164, emphasis in the original).

Methodology

As I have indicated elsewhere (Bretag 2004), ‘teacher narrative’ is a useful approach for investigating and reporting ethically complex issues such as plagiarism. Concerns about confidentiality (of students, staff and even teaching materials) are paramount and it is almost impossible to write a traditional case study analysis without breaching confidentiality. The narrative approach frees the writer to explore the issue without identifying or incriminating stakeholders.

The following case studies are fictive composites drawn from a number of ‘real-life’ cases. In attempting to integrate my research on plagiarism with my daily practices as a lecturer and Academic Integrity Officer, I will follow Lyons’ and LaBoskey’s 2002 framework for narrative practices (2002, pp. 21-22). According to the authors, for narratives to be “exemplars of inquiry” they need to: be intentional reflective human actions, be socially and contextually situated, involve interrogating aspects of daily practice, affect the author’s ‘sense of self’ and involve the construction of meaning. Using this framework as a basis, the narrative approach in this paper combines a number of case studies involving students who have been accused of plagiarism and then put through a formal academic misconduct process.

Case study 1

Vivienne is a 20 year-old business student from Mainland China, in her final semester of study at an Australian university. Although in her third year, Vivienne completed the first two years of her degree at the University’s Beijing campus. Her spoken English is tentative and she has been struggling to pass her courses since arriving in Australia six months ago. She is currently taking an extra course concurrently with her already full program, because she failed a course last semester. The feedback on her assignments suggest that her tutors are being generous in awarding (bare) pass grades in recognition of the dramatic learning she is currently undergoing in terms of language and discipline knowledge. Her last assignment in ‘Organisational Behaviour’, worth 15% of the overall course grade, scored a grade of 45% (F) and her tutor gave Vivienne the opportunity to resubmit as she had clearly not understood the topic. The tutor spent considerable time explaining the concepts to Vivienne, plus gave an extra week to resubmit the assignment. The second submission was virtually copied word for word from an Internet source, without acknowledgement and the tutor passed the case on to the Academic Integrity Officer (AIO), as per University policy.

Having received a standard letter from the AIO asking Vivienne to explain the high text-match in her assignment, Vivienne has now gone back to the tutor and asked that the

original grade of 45% stand and that the resubmission be disregarded. The tutor explains that in addition to University policy, which states that in the case of resubmissions, the second mark stands regardless of whether it is higher or lower, the process is out of his hands. Vivienne reluctantly attends an initial meeting with the AIO. She arrives late, appears nervous and immediately repeats her request for the resubmission to be disregarded. The AIO has met with a number of students during the week and is inclined to take a firm line with this student. The usual type of penalty that would apply in this case would be a zero for the assignment, particularly given the extensive induction that all students receive in this particular program regarding academic integrity and academic conventions. The AIO discusses the various penalties with the student and explains the rationale for zero. The student is visibly upset and explains that with marks to date only averaging 50%; a zero for the assignment may in fact cause her to fail the whole course.

The AIO is in a quandary. Other students in the same course and in similar academic circumstances have received zero penalties for plagiarised assignments. But failing the whole course would be an unreasonable outcome for a student with no prior breaches of academic integrity. The AIO asks if there are any extenuating circumstances that might be taken into account. At this point, the student breaks down and details the months of anxiety she has endured since discovering that her widowed mother has been diagnosed with advanced breast cancer. Vivienne is an only child and feels an overwhelming responsibility to return to China to care for her mother. However, her mother has insisted that Vivienne stay in Australia and complete her studies. By now, Vivienne is heaving and crying and in terrible distress. This is no attempt to hoodwink the AIO, but a genuine outpouring of emotion. Vivienne is desperate to return to her home country, is finding it difficult to concentrate on anything other than her mother's illness and is struggling to manage an increasingly overloaded academic program, with arguably less than adequate English skills. After careful consideration of both the policy and previous academic integrity cases, the AIO determines that Vivienne should receive a zero penalty for the assignment.

Case Study 2

James is a 22 year-old Australian IT student in the third and final year of his program. He has achieved consistently excellent grades throughout his study and his passion is computer programming. Having worked for two years after high school and completed an internship as part of his program, James has already organised a full-time position with a large high-tech company, to start immediately upon graduation. The policy at James' university is that all students must undertake at least one 'broadening undergraduate elective', outside the student's disciplinary area. James has procrastinated about fulfilling this requirement, because he does not see the point of studying something not related to his field and also because he knows that most electives require written assignments. He has not undertaken any formal English studies since he finished high school over five years ago and barely scraped a pass, despite concerted effort on his part. He is worried that the elective will negatively impact on his GPA, but has no choice now but to take the elective and hope for the best.

James enrolls in the course ‘Digital Media Studies’, because he presumes there will be some links with his core program, but finds that most of the course is highly theoretical and requires large written assignments based on topics he can barely understand. He struggles through the first assignment and receives a grade of 40%. For the major 3,000 word assignment, “The impact of digital technologies on forms, genres, aesthetics and techniques”, James realises that he has no hope of passing. Without this elective he cannot graduate. Embarrassed to see his tutor or the university’s learning centre, James responds to a notice for ‘Editorial assistance’ on the students’ noticeboard, and finds that for just \$150 the ‘Editor’ will provide the whole assignment and guarantee a minimum of a Credit (65-74%) grade. This is not something that James has ever contemplated or had need of before, but with just a week until the due date, he is under mounting pressure.

He buys the assignment and within three weeks finds himself in the office of the Academic Integrity Officer, trying to explain the 100% text-match identified by the electronic plagiarism detection software used for all undergraduate submissions. In fact, as for all other assignments during his three years at the university, James had signed a cover sheet on the assignment stating “I declare the work in this assignment to be my own, except where acknowledgement of sources is made” and authorising the university to check the assignment for plagiarism using text-comparison software. During discussions with the AIO, James candidly admits that he paid for the assignment. Without emotion, he expresses remorse and explains his inability to understand the course content and his belief that he ‘had no choice’. The AIO finds this type of cheating repugnant and against all her personal and academic values. She finds it difficult to contain her own emotions as she listens to James list the reasons for his behaviour. She mentally catalogues all the possible penalties and decides that the only reasonable response will be a recommendation for James to be suspended from the university. This is the most severe penalty she has ever recommended, but she simply cannot tolerate such blatant disregard for academic integrity.

Taking context into account

These hypothetical case studies represent real people with real life challenges that all impact on their ability to act with integrity in relation to their academic work. As Rebecca Moore Howard reminds us, neither student’s breach of academic integrity occurred “in some atemporal ether” (1999, p. 164). As Howard also clearly states, plagiarism is action which involves both writer *and* reader (1999, p. 164). Those whose task it is to make judgement on potential breaches of academic integrity policies are themselves human beings, whose actions cannot be wholly constrained within an artificial framework. They bring their personalities, life experience, academic background and moral judgement to every case.

In these cases, the reader is the AIO, who is also compelled to act with integrity in determining an appropriate response to the plagiarism. The AIO is guided and arguably constrained, by institutional policy and procedures. In these cases, the university’s guidelines for determining an appropriate response to a confirmed case of plagiarism allow for consideration of a range of factors. The AIO takes into account the extent of

the plagiarism, the student's intention and/or motivation, the conventions of the discipline, the student's knowledge of academic conventions and the impact of the outcome on the student's progression. Other contextual factors such as the student's learning background, their level in the academic program and any other previous breaches, are also taken into account (see Appendix 1 for an example of one Australian university's Academic Integrity Policy).

However, there is nothing in the relevant policies which state that it is necessary or appropriate to consider the personal circumstances of the student. If the AIO considers Vivienne's mother's illness as a reasonable excuse for deliberately flouting academic integrity guidelines, there is concern that other students are being unfairly treated if their own personal circumstances are not similarly considered. For example, it is not uncommon for students to make the case that they cut and pasted their assignment from Internet sources, because they were under time pressures. These time pressures may have been a result of working long hours in a part-time job, participating in sports activities, travelling, attending a family wedding/funeral/party interstate, personal illness, family problems, relationship issues and so on. The list is virtually endless. Many students are under pressure to complete their degrees in the minimum time possible because of financial considerations. These students often overload their program, take the maximum number of summer and winter courses permitted and often end up in the AIO's office, because they cut and pasted from sources out of desperation to hand *anything* in by the due date. Other students tell of parental pressure to achieve a High Grade Point average (GPA), for all sorts of reasons, which then compels the student to buy an essay from a cheat site, rather than risk their own 'pass standard' work. As in James' case, internally motivated pressures, coupled with identity issues and discomfort with new disciplinary expectations, compelled him to act in a way that was clearly out of character. Students are human beings and human beings have complex lives, most of which cannot be covered by a standard policy, no matter how nuanced or well intended.

Many researchers have provided typologies of reasons to explain student plagiarism and invariably the list includes 'pressures' (see Devlin & Gray 2007; Bennett 2005; Bretag 2005; Park 2003; James, McInnes & Devlin 2002; Franklin-Stokes & Newstead 1995); these 'pressures' may relate to time, family, financial or broader social pressures. Some of these researchers also list 'extenuating circumstances' (Franklin-Stokes & Newstead 1995) or 'individual circumstances' (Bennett 2005), but neither category is elaborated upon to include issues such as the illness of a family member or an otherwise successful student's shock at finding themselves out of their intellectual depth.

A double standard?

Parameswaran (2007) asks "Are faculty who allow dishonesty morally responsible for their students' actions?" and draws parallels between academics who excuse their lack of follow-up of potential student dishonesty because of excessive workload and lack of institutional support or training, with students who make similar excuses for their own misconduct. Parameswaran argues as follows:

If social pressures justify allowing dishonesty, then similar social pressures must justify *doing* dishonesty...As apprentices, codes of conduct for students also cannot be more stringent than that of faculty, who are professionals. So, when similar social pressures, such as lack of time, heavy workloads, stress, parental pressure and peer pressure are cited as reasons for dishonesty, *faculty must be willing to accept that such actions may be unavoidable. In these cases, dishonest students should not be reprimanded or sanctioned for their actions.* Until such acceptance is forthcoming—and I have yet to hear a single faculty member argue that dishonest students can be blameless because their actions were unavoidable—unavoidable action is insufficient reason to negate the moral responsibility of faculty who allow dishonesty (2007, p. 267, emphasis added).

While Parameswaran is *not* making the case that students' dishonest behaviour should go unchallenged, his argument does logically lead to an examination of academic misconduct investigation processes. As academics (and as people in everyday life) we constantly make excuses for our behaviour. Why then, are students' often valid excuses for behaving dishonestly, not taken into account in determining outcomes for academic misconduct? As Howard (1999) cogently asserts, students are not texts or author-functions, but human beings whose behaviour cannot always be regulated by policy.

However, Howard's own 'proposed policy on plagiarism' (1995) did not incorporate a consideration of students' lives. In her 1995 article, Howard made a clear distinction between three different forms of plagiarism – cheating, non-attribution of sources and patchwriting. In the proposed policy, cheating was defined as “borrowing, purchasing or otherwise obtaining work composed by someone else and submitting it under one's own name. The minimum penalty is an ‘F’ in the course; the maximum penalty, suspension from the university” (Howard 1995, p. 799). According to this definition and with no other advice in the proposed policy to take into account the students' individual circumstances and motivations, both students in the hypothetical cases discussed in this paper would have received, at the very minimum, Fail grades for their courses. However, given Howard's more recent writings, I can only assume that she would want to revise her proposed policy to allow for instructors or AIO equivalents to use some discretion in determining outcomes/penalties, even for intentional breaches of academic integrity.

A place for compassion?

In Howard's most recent work, an edited collection of essays entitled *Pluralising plagiarisms: Identities, contexts, pedagogies* (Howard & Robillard 2008), Kami Day takes up Howard's argument about the importance of engaging with students' real lives in discussions about plagiarism. Day (2008) makes the case that such awareness is particularly important for community colleges in the U.S. and I would argue for most universities in Australia, because of the diverse student population. Day suggests that, even in cases of outright fraud, contextual questions need to be asked, such as: “Did a

student download a paper from the Internet because her boss required her to close the store every night for a week?....Did a student who works full time and carries a full load of courses just take too much on?" These are the very sorts of questions which would have helped determine an appropriate penalty for both Vivienne and James, *in combination with* university policy.

How then, might students 'real lives' be incorporated into a framework for determining outcomes for academic misconduct? In asking this question, I am really asking, "Is there a place for compassion in dealing with breaches of academic integrity?" Compton-Sponville (2003) suggests that "compassion guides us far more dependably than any religious commandment or philosophical maxim" (p. 110), or I might argue, any academic integrity policy framework. While for some, 'compassion' suggests the slippery slope from the rational to the emotional, Compton-Sponville (2003) maintains that "compassion allows us to pass from...the emotional realm to the ethical realm, from what we feel to what we want, from what we are to what we must do" (p. 116). Far from undermining or sabotaging the academic integrity framework, being compassionate *enhances* the decision-making process. Blum (1987) concurs and states that "compassion, care, kindness, thoughtfulness, concern for others are all virtues and sentiments which have moral significance, just as do the qualities of justice, dutifulness, adherence to universal principle, and the like" (pp. 334-5). What we need in determining responses to breaches of academic integrity is both compassion *and* principled impartiality, recognising that both represent equal aspects of moral judgement.

A framework for consistency and compassion

If we agree that compassion does have a place in responding to breaches of academic integrity, the more difficult task is how to incorporate that compassion within a policy framework to ensure that some degree of consistency and fairness is maintained. Carroll and Appleton (2005), in their evaluation of the system of Academic Conduct Officers (ACOs) at Oxford Brookes University from 2001-2005, reported that "lenient treatment of misconduct [was]...noticeable" largely due to ACOs taking into account "extenuating circumstances". This was despite the fact that the Oxford Brookes guidelines made no allowance for extenuating or mitigating circumstances. Carroll and Appleton (2005) expressed concern that:

If too much regard is paid to extenuating circumstances and no criteria are agreed for factoring them into the tariff, then consistency is threatened. Alternatively, if no regard to extenuating circumstances is given, fairness becomes difficult or impossible. This issue warrants further attention.

However, in a later paper reporting on the Oxford Brookes ACO model, using both recorded data and findings from interviews with the ACOs themselves, Carroll and Seymour (2006) reported consistency in the application of penalties for academic misconduct, largely because ACOs *disregarded* mitigating circumstances:

Most cases involved judgements about mitigating circumstances to do with personal problems, financial difficulties, stress, etc. ACOs that were interviewed said they were not influenced by such matters and that these were not important in ascertaining evidence on intentionality or to the decision about the penalty. Although some respondents stressed the need for flexibility in imposing penalties, others were uncomfortably aware that flexibility could be construed as inconsistency, lack of transparency or unequal treatment and felt it should be resisted (Carroll & Seymour, 2006).

The Oxford Brookes ACO model is internationally regarded to be an example of best practice. But as both reports on the model demonstrate, consistency and compassion were not necessarily perceived to be compatible.

Importantly, both papers (Carroll & Seymour 2006; Carroll & Appleton 2005) situate the ACO model within a broader academic integrity framework, which includes a 'community of practice' of collegial academics who share information, advice and experience. Consistency is achieved through a rigorous process of induction, ongoing communication and regular face-to-face meetings which enable "tacit and implicit criteria [being] used to make decisions" (Carroll & Seymour 2006) to be discussed. Might this same community of practice, therefore, provide an avenue whereby compassionate responses to breaches of academic integrity could be explored? As Carroll and Seymour (2006) indicate, experienced ACOs have an integral role to play in inducting and mentoring inexperienced ACOs and if compassion was seen to underpin all decision-making, then there is no reason why consistency could not be achieved while still providing enough room for discretion to be used for extenuating circumstances.

The centrality of mentoring to achieve consistency in the ACO model (and its various adaptations in the U.K, Australia and elsewhere) alludes to the importance of the selection of Academic Conduct Officers themselves. ACOs need to be 'exemplars' in terms of their actions and responses to issues of academic integrity. Ideally an ACO would be someone who has not only had experience in dealing with breaches of academic integrity, but has a demonstrated commitment to the theory and evolving research in the area. An ACO should, in their own academic endeavours, provide a model of best practice. This notion of 'exemplars' within a community of practice is commensurate with virtue ethics and runs counter to a rules-based approach (arguably the method providing the foundation for most universities' plagiarism policies) in that judgements about ethical issues cannot be reduced to routine. Furthermore, a virtue ethics approach reinforces the importance of recognising patterns in situations and events, as well as looking to individuals whose lives or dispositions make them models for behaviour (see Oakley & Dean, 2001 for further explication about virtue ethics).

Conclusion

There can be little doubt that the Oxford Brookes model of Academic Conduct Officers has provided a way for universities to address student plagiarism with consistent processes, including penalties for clear and intentional academic integrity breaches. The

community of practice at the centre of the Oxford Brookes model provides another layer in the decision-making process, which may then be utilised to combine compassion with consistency. As universities and practitioners have become more attuned to the complexities of student plagiarism, the task now is to formulate policies which allow some space for the consideration of students' personal circumstances in determining responses to even the most blatant plagiarism. If these circumstances are considered within a supportive community of practice led by virtuous exemplars and underscored by a commitment to compassion, the outcomes for students like Vivienne and James may be quite different.

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Appendix 1: Example of an Academic Integrity policy

The University recognises that academic misconduct can occur through unfamiliarity with academic conventions and all issues of academic misconduct will be considered in light of:

- a) the extent of the misconduct
- b) the student's intention and/or motivation
- c) contextual factors such as:
 - i. stage/level of program
 - ii. number of previous offences
 - iii. student's learning background
- d) convention of discipline
- e) the impact of a particular outcome on a student's progression
- f) information provided to the student about academic integrity as part of their course
- g) where applicable, information about the student held on the academic misconduct database

(University of South Australia 2008, adapted from Academic Conduct Officer model, Oxford Brooks University, U.K.

<https://www.brookes.ac.uk/publications/beljlt/volume1issue2/perpsective/carroll.pdf>)