

Academic Misconduct Policy and Procedure

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23 Academic Misconduct Policy and Procedure

23.1 Academic Misconduct Policy

- 23.1.1 It is fundamental to Higher Education that the work submitted by a student for assessment must have been undertaken by the student and that it fully acknowledges the work and opinions of others. It is also incumbent upon students to ensure that they do not undertake any form of cheating or gain unfair advantage in any other way
- 23.1.2 Ballet West is committed to ensuring the integrity and academic rigour of its programmes for all students. Students who seek to gain unfair advantage in assessments will be dealt with severely and in accordance with the procedures detailed below.
- 23.1.3 Prevention of academic misconduct is a key feature of this policy. Students will be informed about correct academic procedures and what constitutes misconduct as part of their learning processes.
- 23.1.4 Staff play a crucial role in guiding students in correct academic practice through formative feedback and informal observation and discussion of practical work.
- 23.1.5 Allegations of academic misconduct do not constitute proof and the procedures which investigate and rule on allegations of academic misconduct will be carried out with due regard to the principles of equity and fairness

Definitions

- 23.1.6 It is recognised that there are two primary forms of academic misconduct that could affect the assessment of the programme -
- Plagiarism: representing another person's work or ideas as one's own. This includes -
 - failing to follow convention in acknowledging sources, use of quotation marks,
 - the unauthorised use of one student's work by another student
 - the submission of work previously submitted for another assignment (self-plagiarism)
 - the commissioning of work from another individual or organisation by a student, in part or whole, and submission of that piece of work as the student's own. This is known as Contract Cheating and encompasses the use of "essay mills" or essay writing services. It also includes the use of family members, friends or other students to write work which is passed off as the work of the student.

 - Collusion: cooperation in order to gain an unpermitted advantage. This may occur where students -
 - have consciously colluded on a piece of work, in part or whole, and passed it off as their own individual efforts

- where one student has authorised another to use their work, in part or whole, and to submit it as their own.

It is acceptable for students to ask others to proof read their work, however it should be noted that proofreading is limited to the identification of grammatical, spelling or punctuation mistakes in text. The use of a proof-reader may constitute academic misconduct if the reader includes any editorial activity which entails re-writing or re-wording the student's original work beyond this.

Academic Misconduct in Assessed Creative Activity

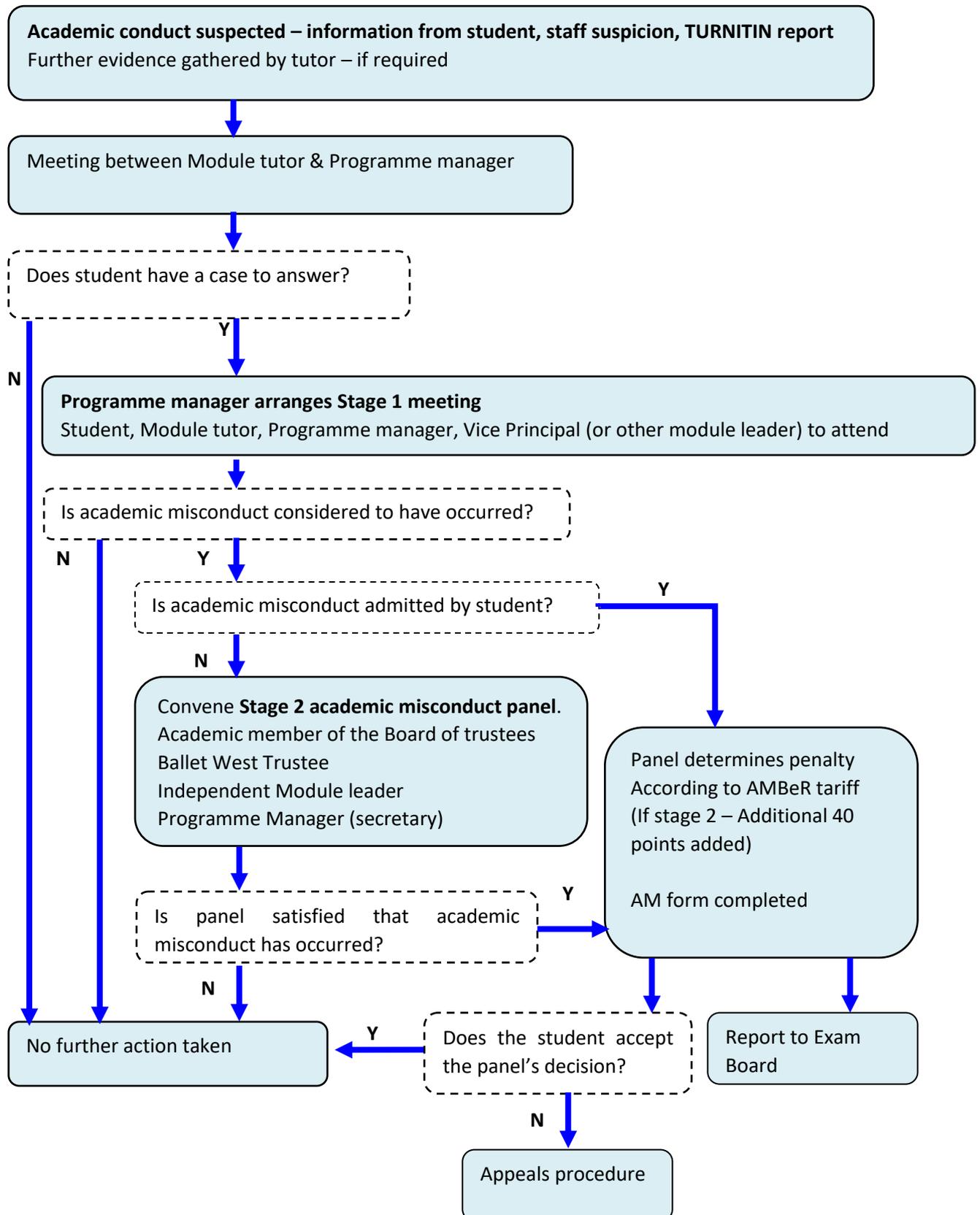
23.1.7 Although academic misconduct is primarily associated with written work, it should be noted that both forms of academic misconduct can be found in creative work such as choreography. Students can potentially plagiarise choreography by, for example copying internet sources such as YouTube, reproducing choreography they have been taught as dancers or self-plagiarising by submitting the same work for different assessments.

23.1.8 Collusion is also possible in choreography where students responsible for creating dance pieces rely too heavily on input from one or all of their dancers. While it is recognised that collaboration through improvisation by dancers is an established choreographic technique, students should be aware of when they are consciously or unconsciously completing work for another student. If a student feels that he or she is involved in a process where the assessed work being produced is not wholly that of the assessed student, they should discuss it with tutors at the earliest opportunity.

23.1.9 Staff should be vigilant to potential collusion and plagiarism in creative work and take time to informally view rehearsals and discuss projects with students. This allows staff the opportunity to give guidance and prevent potential misconduct from escalating to formal misconduct procedures.

23.2 Academic Misconduct Procedures

Flowchart (see text below for further details)



Evidence Gathering

23.2.1 Evidence for academic misconduct by a student can be collected in the following ways

- TURNITIN - All written student work will be checked by TURNITIN and the report produced used as evidence for the disciplinary process
- Student report - students may report cases of other students' academic misconduct to module tutors or to the programme manager. This is a useful first step, but clear evidence must be sought by tutors.
- Staff suspicion - Following a student report or if members of staff consider work to be uncharacteristic of a particular student, either in quality or style, and this is not noted as plagiarised by Turnitin, or is a choreographic piece of work, further investigation should be undertaken. This may take the form of a discussion with the student to establish a student's understanding of the work submitted. This discussion should be recorded on video where possible and presented as evidence at the stage 1 meeting if suspicions are confirmed.

23.2.2 When there is evidence of academic misconduct (Turnitin report, report or video of student discussion), the member/s of academic staff concerned should first discuss the matter in a meeting with the programme manager. At this meeting, it will be decided whether the student has a case to answer and the procedure should process to the formal Stage 1

23.2.3 The alleged academic misconduct will be measured against the AMBeR Plagiarism Reference tariff (See appendix 1). If the work

- Scores fewer than 280 points, either no further action will be taken or the student will be given an informal warning and further guidance on avoiding future plagiarism.
- Scores more than 280 points, the student will be interviewed at a formal stage 1 meeting to give the student/s the opportunity to present his or her case.

23.2.4 If it is decided that the student has a case to answer, a date and time and location will be set for the formal stage 1 meeting and the programme manager will write to the student using the template in appendix 2 and providing him/her with a copy of any evidence.

Academic Misconduct Panel stage 1 -

23.2.5 The student will be given written notification of the time and place of the meeting, provided with details of the alleged academic misconduct and informed that they may be accompanied by a friend¹ during the meeting. The meeting will

¹ A "friend" is a fellow student or member of staff. It does not include friends outwith the school, family members or legal representatives.

be chaired by the programme manager and the member of staff raising the allegation and the vice principal for learning and teaching will attend.

- 23.2.6 In the event of the vice principal for learning and teaching raising the concern, another module leader will be asked to attend.
- 23.2.7 The student will be presented with the evidence, details of the tariff score and possible penalties and asked to provide an explanation.
- 23.2.8 Following discussion, the tariff score may be revised and action taken accordingly. If the conclusion of the Stage 1 meeting is that academic misconduct has not occurred, an Academic Misconduct Report will be completed stating this and no further action will be taken. No report will be submitted to Exam Board.
- 23.2.9 If the student admits to the academic misconduct and agreed penalty, this should be indicated on the Academic Misconduct Report form and confirmed by the student's signature. Details of the alleged academic misconduct and penalty should be recorded on the form. The programme manager is responsible for ensuring that the matter is reported to the next scheduled meeting of the Exam board and that mark sheets clearly state that a grade was agreed following academic misconduct
- 23.2.10 The student should also be given the opportunity at the Stage 1 meeting to declare academic misconduct in other work that they have submitted. The report should contain detail of any other academic misconduct so declared and these will all be counted as first time occurrences according to the tariff. (If they are not declared and come to light later they would be counted as 2nd, 3rd etc occurrences).
- 23.2.11 The benefit to the student in admitting misconduct at this stage is that penalties such as resits can occur immediately without the need to wait for an stage 2 meeting and a further 40 points will be added to the AMBeR score because the student has acted to conceal academic misconduct..
- 23.2.12 In the exceptional circumstances where a student judges that there had been a procedural error in stages which resulted in them erroneously admitting to academic misconduct, they should immediately inform the Programme Manager that they now wish to withdraw their admission and contest the allegation of academic misconduct.
- 23.2.13 If this Stage 1 meeting does not resolve the matter, the report form will indicate this and the second stage of the process will commence.

Academic Misconduct Panel Stage 2 -

- 23.2.14 Where an allegation of an academic misconduct has been made and not admitted or resolved through the defined stage 1 process, the matter will be investigated by a stage 2 panel.
- 23.2.15 The panel will comprise -
- The academic member of the board of trustees, or other member of the board of

trustees (chair)

- A representative from the board of trustees
- A member of the academic staff who leads a module and is not directly involved in the disputed work
- The programme manager (secretary)

23.2.16 The programme manager will, within 5 days following the stage 1 meeting, notify the student/s concerned of the date, time and place of the meeting and full details of the alleged misconduct. The student will be informed of his/her right to appear before the panel, accompanied by a friend of his/her choice and instructed to submit a written statement concerning the alleged misconduct.

23.2.17 Failure by the student/s to appear before the Panel or to submit a statement will not prevent the investigation proceeding.

23.2.18 The panel may call witnesses, as appropriate, to substantiate the allegations, and will not unreasonably refuse permission for the staff or student/s concerned to call such witnesses as they deem appropriate.

23.2.19 The board will interview the student/s, staff, and witnesses as appropriate, consider the student's written statement, and come to a decision on the basis of the student/s statement and the supporting evidence. The student/s and friends will withdraw while the board deliberates.

23.2.20 The order of proceedings is as follows:

- statement of the case against the student/s, production of evidence in support of it and responses of those presenting that case to questions from the panel.
- statement of the case for the student/s, production of evidence in support of it and responses by the student/s to questions from the panel.
- reply to the case of the student/s.
- reply to the case against the student/s.

23.2.21 Evidence may be received by the panel by oral statement or, written and signed statement. The Chair of the panel shall decide, after taking account of the evidence assembled, whether the evidence from each party can be heard in the other's presence.

23.2.22 The decision of the panel and the penalty to be imposed, if any, will be guided by the plagiarism tariff as adapted for Ballet West (appendix 1) and will be made by a majority of panel members with each member of the panel having equal status.

23.2.23 If the conclusion of the panel is that academic misconduct has occurred and a penalty imposed, this will be recorded on the Academic Misconduct Report Form and this will be presented to the progression and awards meeting of the exam board.

23.2.24 If the conclusion of the board is that academic misconduct has not occurred, this will be recorded on the Academic Misconduct Report Form and no

further action will be taken.

23.2.25 If the student/s has attended, he/she will be informed of the board's decision at the conclusion of the meeting. The Secretary will report the outcome in writing to the student/s normally within five working days of the board's decision.

23.2.26 If the conclusion of the panel meeting is that academic misconduct has occurred, the student/s should also be given the opportunity to declare academic misconduct in other work that they have submitted. If further Academic Misconduct is reported, this will be counted as first instance misconduct and penalties imposed accordingly.

23.2.27 The student/s should be advised that they have the right to appeal against the finding of academic misconduct using the Ballet West appeals procedure within ten working days of receiving the decision of the panel.

Appendix 1: AMBeR Plagiarism Reference Tariff

This tariff is based on a national research consultation exercise conducted on behalf of plagiarismadvice.org by Peter Tennant and Gill Rowell.

Adapted for use at Ballet West to include collusion and with clarification of penalties

This procedure is to be used with written work and creative practical dance assessments.

STAGE 1 - Assign points based on the following criteria

History

1st Time	100 points
2nd Time	150 points
3rd/+ Time	200 points

Amount / Extent

Below 5% AND less than two sentences	80 points
As above but with critical aspects* plagiarised	105 points
Between 5% and 20% OR more than two sentences but not more than two paragraphs	105 points
As above but with critical aspects* plagiarised	130 points
Between 20% and 50% OR more than two paragraphs but not more than five paragraphs	130 points
As above but with critical aspects* plagiarised	160 points
Above 50% OR more than five paragraphs	160 points
Submission, in part or wholly, the work of another individual (contract cheating)	225 points

* Critical aspects are key ideas central to the assignment

Level / Stage

Level 1	70 points
Level 2	115 points
Level 3/Postgraduate	140 points

Value of Assignment

Standard weighting	30 points
Large project (e.g. final year dissertation)	60 points

Additional Characteristics

Evidence of deliberate attempt to disguise plagiarism by

- changing words, sentences or references to avoid detection
- failing to admit academic misconduct at stage 1- 40 points

STAGE 2 - Award penalties based on the points

Penalties (Summative Work)

In all cases a formal warning is given and a record made contributing to the student's previous history.

Available Penalties	
< 280	No action Informal warning and guidance given on avoiding academic misconduct. Mark reflects poor academic practice. Formal warning (counted as an incident of plagiarism) and guidance given on avoiding academic misconduct. Mark reflects poor academic practice.
280 - 379	Assignment awarded 0% - resubmission required but mark capped at pass mark
380 - 479	Assignment awarded 0% - resubmission required but mark capped at pass mark Assignment awarded 0% - no opportunity to resubmit
480 - 524	Assignment awarded 0% - no opportunity to resubmit Module awarded 0% - re-sit required, but mark capped at pass mark for module
525 – 559	Module awarded 0% - re-sit required, but mark capped at pass mark for module Module awarded 0% - no opportunity to re-sit, but credit still awarded
560+	Module awarded 0% - no opportunity to resit, and credit lost Award classification reduced Qualification reduced (e.g. Honours -> no Honours) Expelled from institution but credits retained Expelled from institution with credits withdrawn

Penalties (Formative Work)

280 - 379	Informal warning
380+	Formal warning, with record made contributing to the student's previous history

Appendix 2: Standard text advising student of Stage 1 meeting

Dear [*student name*]

I am writing to ask you to attend a meeting to consider alleged academic misconduct on [*module title/code*].

The allegation is that.....

This potentially constitutes academic misconduct under Section E of the OU regulations and the Academic Misconduct Policy and Procedures Document and as detailed in your student handbook, p XX.

The purpose of this stage 1 meeting is to discuss this allegation with you. The procedure is described in Academic Misconduct Policy and Procedures document. The meeting has been arranged for [*date/time/venue*] and will be attended by....

In the meeting, you will be shown sections of your submitted work which are of concern and you will be given an opportunity to respond to questions about the work and how you completed it. It would be helpful if you could bring to the meeting any related notes, earlier drafts or preliminary work. All of the evidence available will be taken into account to determine whether it is considered that academic misconduct has occurred.

If, after consideration of the evidence, it is decided that academic misconduct has not occurred then no further action will be taken.

If it is decided that academic misconduct has occurred and you admit to this, this will be reported to the Examination Board which will determine what action should be taken. You will also be given the opportunity to declare academic misconduct in any other work that you have submitted.

If the matter is not resolved at the meeting, a stage 2 investigation will be undertaken as described in Academic Misconduct Policy and Procedures document.

This is an important meeting as serious consequences may result if academic misconduct is deemed to have occurred. You should note the range of possible penalties in the Academic Misconduct Policy and Procedures Document. If you do not attend the meeting, without reasonable explanation, a decision will be made in your absence. You may bring a Friend to the meeting if you wish.

A copy of the evidence which has prompted concern is attached OR is available for viewing by contacting [*programme manager*]

If you have any queries relating to this procedure, please contact me [*tel/email*].

Could you please confirm you can attend the meeting by replying to this letter/email by

Yours sincerely

Appendix 3: Academic Misconduct Report Form

This form should be used to record an investigation of academic misconduct, as specified in the Ballet West Academic Misconduct Policies and Procedures.

Part A Details of alleged academic misconduct			
Student name		Student ID	
Academic year		Semester	
Programme title		Programme level	
Module title		Mod code & credit value	
Assessment component		Component weighting %	
Type of alleged academic misconduct			

Names/titles of staff involved in Stage 1 meeting			
Friend, if applicable		Date of meeting	

Details of alleged academic misconduct, with relevant evidence.		
	Plagiarism Tariff (see scale in Appendix 3 operations manual)	
	History	
	Amount	
	Level	
	Value	
	Additional characteristics	
TOTAL		
Details of any mitigating circumstances raised by student.		

Agreed Penalty

Part B Declaration of academic misconduct					
Statement of academic misconduct,					
I, the undersigned, admit to academic misconduct as described in Part A. This will be reported to the Examination Board.					
Student name (print)		Student signature		Date	

Part C Check list	Y	N
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Was the student given the opportunity to view the evidence prompting the investigation before the meeting?		
If so, did the student take this opportunity?		
Was purpose of Stage 1 meeting explained to the student?		
Was student made aware of academic misconduct regulations?		
Was allegation and evidence explained to the student in detail?		
Is student aware of type of AM under consideration?		
Has student been given the opportunity to explain/comment upon the case presented?		

Is the student clear about what happens next?		
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If allegation of academic misconduct admitted by student		
Has the declaration of admission (Part B) been signed by student?		
Has the student asked for other instances of AM to be taken into consideration (if so, detail below)?		

If allegation of academic misconduct not admitted by student		
Will a Stage 2 academic misconduct panel be convened?		
Is the conclusion that academic misconduct has not occurred?		

Part D Stage 2 Panel	
Date & Time	
Location	
Present	
Summary of discussion	
Panel Decision	
Did the student declare any further instances of Academic Misconduct Y/N ?	

If Yes, give details with further penalties	
Signature of Panel Chair	
Date	

Please attach any relevant documentation, e.g. evidence supporting the allegation/ summary report to student, and list below.

Appendix 4: Standard text advising student of Stage 2 panel

Dear [*student name*]

Investigation of Alleged Academic Misconduct

I am writing to ask you to attend an Academic Misconduct Panel to consider alleged academic misconduct on [*module title/code*].

The allegation is that

This potentially constitutes academic misconduct under the Open University Regulations for Validated Awards and the Ballet West Academic Misconduct Policies and Procedures.

You attended a meeting on [*date*] with [*list staff/roles*] to discuss this issue and denied committing academic misconduct. It has now been decided to convene an Academic Misconduct Panel to carry out a formal investigation of the allegation. [*If known*] Membership of the Panel will comprise [*list panel members/roles*]. The role of the Panel is to determine whether academic misconduct did occur.

Potential penalties for academic misconduct are indicated in Appendix 3 of the Ballet West Academic Misconduct Policies and Procedures.

The Panel meeting has been arranged for [*date/time/venue*]. You have the right to appear before the Panel, accompanied by a friend of your choice, and to submit a written statement concerning the alleged misconduct. If you do not attend the meeting, it will still go ahead in your absence.

If you attend the Panel meeting, you will be informed of the Panel's decision at the end of the meeting. You should receive written confirmation of the decision within 5 working days of the meeting. If the Panel finds that academic misconduct has taken place, you have the right to appeal within 10 working days of receiving the decision.

If the Panel finds that academic misconduct has taken place, you will be asked by the panel whether you wish to declare academic misconduct in any other work that you have submitted. You should be aware that, if other academic misconduct is admitted at this point, all instances will be treated as a 'single instance' of academic misconduct. This has implications for the penalties that the panel may impose. If further instances of academic misconduct are subsequently discovered they will be treated as 'subsequent instances' and will normally carry a more severe penalty.

Copies of the following are enclosed for your information. Please note that this documentation will also be made available to the Panel [*bullet point list, eg academic misconduct report form, report of informal meeting, assignment with alleged plagiarism highlighted, assignment feedback sheet Ballet West Academic Misconduct Policies and Procedures*].

Please complete and return the enclosed reply slip (by post or email) to confirm receipt of this letter and to indicate if you intend to:

- attend the Panel meeting
- submit a statement
- bring a Friend with you, and who this will be.

If you have any queries relating to this procedure, please contact me [*tel/email*].

Yours sincerely

Programme Manager

Ballet West			
Academic Misconduct Panel Meeting [<i>add date/time</i>]			
Student name	[<i>add student name</i>]	Student ID	[<i>add student ID</i>]
I confirm that I will / will not ¹ be attending the Panel meeting			
I confirm that I will / will not ¹ be submitting a statement for consideration by the Panel			
I confirm that I will / will not ¹ bring a Friend to the Panel meeting			
Name of Friend, if applicable			
Signature ²		Date	
¹ <i>delete as appropriate</i>			
² <i>type name if by email</i>			
Please return to: [<i>add name/address/email</i>]			

Appendix 5: Standard text advising student of outcome of Stage 2 panel if allegation substantiated

Dear [*student name*]

Decision of Academic Misconduct Panel

I am writing to confirm that the decision of the Academic Misconduct Panel, held on [*date*], is that academic misconduct has taken place on [*module title/code*].

[*Add explanatory details*].

In accordance with Ballet West Academic Misconduct Policies and Procedures, the following penalty has been imposed

[*Add explanatory details including dates of resubmission if relevant*].

This letter constitutes a written warning about your misconduct. Ballet West takes academic misconduct very seriously and I must advise you that any further instance of misconduct could result in you being asked to withdraw from the programme, or lead to a reduction in your award classification. If you have completed your study, please be aware that the record will be carried forward should you continue onto another programme.

If you are unsure about academic misconduct issues when completing future assessment work, please seek guidance and help from your tutors.

You have the right to appeal against the decision of the Panel within 10 working days of receiving this letter. Details of how to appeal are given in the Ballet West Appeals and complaints procedures

If you have any queries related to this procedure, please contact me [*tel/email*].

Yours sincerely

Appendix 6: Standard text advising student of outcome of Stage 2 panel if allegation NOT substantiated

Dear [*student name*]

Decision of Academic Misconduct Panel

I am writing to confirm that the decision of the Academic Misconduct Panel, held on [*date*], is that academic misconduct has not taken place on [*module title/code*].

[*Add explanatory details*].

No further action on this will be taken.

Yours sincerely
