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# Academic Misconduct: The instructor's responsibility

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By Stefan Cosentino, James Drake and William Werner

## Introduction

Jake Clinch is a third year Ph.D. student pursuing a Doctorate in Hospitality Administration at a prominent hotel administration college in the United States. During his studies at the university, Jake has taught several undergraduate courses as a requirement for his graduate assistantship ("GA"). As a GA, Jake receives a small monthly stipend, subsidized tuition, and health benefits from the university in exchange for teaching courses and conducting research. In most semesters, he is assigned to teach one course per semester while taking a full load of courses himself.

The support Jake has received from the college faculty and administration has consisted mostly of shared course content, lesson plans, and teaching materials. Now in his third year, Jake has developed a teaching plan and style of his own, but his preparation has not adequately addressed academic misconduct, leaving him unsure how to react when it occurs in one of his classes.

Jake's doctoral program requires attendance in a weekly seminar each Fall semester that covers a wide array of topics relevant to graduate education, from the administrative aspects of the program such as dissertation procedures and academic conferences to the development of research topics and published scholarship. Faculty members routinely visit the seminar to discuss their own research, experiences, and careers. Some faculty members also discuss teaching practices, classroom management, dealing with unruly students, and integrating group exercises into classes. Over the past three semesters of the course, though, not one class has addressed student academic conduct or the college's expectations of graduate assistants teaching undergraduate courses to enforce the student conduct code.

One class has provided information to ensure compliance with the Family Educational Rights and Privacy Act (FERPA), consisting of an online training module which all graduate students were required to complete. Jake recalls from the FERPA compliance training that he should never disclose any student's grade or anything that has an impact on a student's grade to anyone without the student's permission. Although unconfirmed, Jake heard an adjunct faculty member was dismissed from the college recently for discussing a student's academic misconduct in front of an entire class.

Jake dealt with student academic misconduct in the first class he taught a few semesters ago, when a student copied and pasted content directly from a website into an online writing assignment. Jake discovered it easily, since the content copied did not answer the questions posed in the assignment and appeared to have been written for some other purpose. A simple internet search for a sentence in the student's assignment revealed the source of the content, but then Jake was unsure what to do about it.

Jake sought help from Sam Williams, the chair of the academic department responsible for the course. Sam was very familiar with the student academic misconduct policy and explained the process for handling such cases, which begins with a meeting of the student and the instructor, followed by completion of the appropriate forms to be sent to the university's Office of Student Conduct. Sam directed Jake to the university's academic misconduct code and a variety of information available from the Office of Student Conduct. Publications available to instructors included detailed definitions of misconduct, procedures for fair investigation and penalties in cases of misconduct, and best practices to prevent and detect cheating. He acknowledged that some instructors consciously choose to ignore cheating or are unwilling to invest the time and energy to preventing it, but believed that it is the responsibility of faculty to enforce the academic policy and correct unethical behavior.

To Jake's dismay, Sam shared the results of a study of cheating research (Whitley, 1998), which concluded that an average of 70.4% of college students cheat at least once in their college careers. While Sam did not feel that such a large percentage of students cheated at the hotel college, he did feel that consistent and vigilant faculty enforcement of the code is important to the success of everyone involved. A 2011 study (Burns, Graham, and Walker, 2011) found that faculty members who are familiar with the academic code and discuss it in their classes are more likely to report it and less likely to experience it. Similarly, instructors who understand their responsibility for academic misconduct and the resources available to them are more likely to demand integrity from their students and actively discourage cheating.

Sam acknowledged Jake's discretion as instructor in the matter, but encouraged him to take a hard line stance on academic dishonesty and report any violation. He explained that the college does not have a standard sanction recommended for academic misconduct

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violations. Professors, he said, have the discretion to recommend sanctions they feel are appropriate for the violation and rarely see their recommendations overridden, but in all cases regardless of outcome are expected to report the matter to the Office of Student Conduct.

Jake decided to confront the student, who immediately admitted to the plagiarism. Jake decided the student would receive a zero grade for that assignment and she did not challenge or oppose the sanction. With Sam's help, Jake completed the university's form for reporting academic misconduct. Jake did not feel he could impose any greater sanction in the case because the course syllabus and other content did not clearly establish the instructor's expectations of the students and the potential consequences of cheating.

Jake has since adapted academic code content from Sam's syllabus and defined a zero tolerance policy in all his syllabi. This policy clearly explains that it would be recommended to the Office of Student Conduct that students would receive an F in the course and several academic sanctions if academic misconduct was discovered. Sam encouraged Jake to list in his syllabi not only the standard information the college required every professor to include but also additional information related to the types of academic code infractions for which students have most commonly been cited. To reinforce the zero tolerance policy, Jake also planned to discuss the topic in a stern manner in the first class of each of the future courses he taught. One research study Jake read on his own found that syllabus statements on their own are not a deterrent to cheating (Staats and Hupp, 2012). Active discussion of the matter in class, however, is among the most effective methods of deterring misconduct (Nuss, 1984).

Advice and direction Jake has received from other faculty members has not been encouraging. In one class where Jake volunteered to serve as teaching assistant, he again discovered that a student cut and pasted substantial content directly from the internet into an assignment. When presented with the issue, the professor chose to give the student a zero for the assignment but otherwise handle it "in-house", meaning without completing the appropriate paperwork or reporting it to the college administration or Office of Student Conduct. When Jake asked another Ph.D. student if he had any issues with cheating in his classes or exams, he responded, "I keep my head down and hope for the best". These events reminded Jake of another article he read that noted that the effort and time in pursuing a misconduct issue may dissuade faculty from reporting a case (Kincaid and Zemke, 2006). Graduate students, in particular, are hesitant to initiate a confrontation or draw attention to a problem in his class.

## The Case

In Jake's final semester teaching, he is assigned two upper division strategic management classes. This is a new course that Jake has never taught before, assigned to him just a few weeks before the

semester started due to a staffing emergency. A professor who has taught the class before was kind enough to share her syllabus, course schedule, and related slideshows. The course is considered to be a capstone course, encapsulating and synthesizing content from other courses students have taken in previous semesters.

Consistent with Jake's developing approach, he has integrated into the syllabus a clearer summary of the student academic code and discussed at length in the first class his expectations of student conduct and their responsibility for their conduct and the consequences of it. He has led a class discussion of common violations and typical penalties for cheating, and has stressed the importance of academic integrity to the college and to the students themselves.

The semester had passed without incident until the final week. In his final exam review on the last day of classes, Jake reiterated the student academic code and his zero tolerance policy toward cheating. In the final exam guide he provided the students, Jake explained that the exam would be primarily multiple-choice and would include short answer questions, but he did not disclose the number of questions on the exam. The final exam accounts for one sixth of the students' grades. Because the content in the class is extensive, Jake allows students to bring the final exam study guide with whatever notes they care to add and use them during the exam, so long as they turn them in with their exam. The exam Jake has developed consists of thirty multiple choice questions, each with five alternative answers, and some calculations, short answers, and fill-in-the-blank questions. The multiple choice portion of the exam is the same for the two classes.

No issues arise during the first class's exam and Jake has no suspicion of anyone cheating. When the other class takes the exam the following day, Jake observes a student (called "Eric" herein but not his real name) looking at a small piece of paper under his desk while he is saying farewell to a student who has finished the exam. For a moment, Jake considers looking away as it is his last class to teach at the school and because he has plans for the evening right after the exam period is over. Then he remembers a line from one of the research articles he's read: "It is all too easy to turn ones back on academic dishonesty" (Levy and Rakovsky, 2006, p. 750), and the discussions he's had with Sam about promoting and protecting academic integrity in the college.

Jake chooses to approach Eric. When Eric sees Jake approaching him, he cups the note along with his exam paper in his left hand. Jake asks Eric how the exam is going and Eric nervously replies it is going well. Jake pauses for a moment standing next to him and then asks Eric to put the items in his hand on the desk. Eric places the exam on the desk and then quickly puts the note in his pocket. Jake quietly asks Eric several times to remove the item from the pocket and Eric responds, "It is nothing". He pleads with Jake to let him finish and graduate as it is his last semester. Eric places his hand in his pocket several times motioning that there is nothing in his pocket and then

that the note is nothing. Jake tells Eric if it is really nothing that he should have no problem showing it. At this point, Jake notices that the other students still taking the exam are watching what's going on.

After several more requests by Jake to see the note, Eric reveals the note in his pocket and claims it is his lucky numbers. This note is approximately 2" x 2" and had six lines of numbers each with 5 digits from 1 to 5. When Jake asks Eric to place the note on the desk, Eric refuses. Jake considers grabbing the note from Eric's hand but refrains as he does not want to physically touch the student, so he takes the exam and answer sheet from Eric's desk. Eric protests that he has yet to fill in his answer sheet. Jake returns the exam materials to Eric and allows him to complete the exam, keeping a close eye on him to ensure that he is not consulting the note.