

Guidance on the application of academic misconduct penalties

Schools and Departments are expected to investigate allegations of academic misconduct and take into account a range of considerations in determining a fair and reasonable penalty for cases in which academic misconduct has occurred. The following provides some guidance as to the considerations that should be taken into account as well as an indication as to the type of penalty that might be imposed. Cases are, however, assessed on an individual basis and the information provided below should not be considered to provide a definitive indication as to the penalty to be imposed.

Range of penalties

The [Academic Misconduct procedure](#) sets out the range of penalties available to;

1. Schools and Departments
2. Academic Misconduct Committees

Schools and Departments have restricted penalties available to them because it is expected that they will be addressing more minor or first instances of misconduct.

Academic Misconduct Committees have a greater range of penalties to consider as they are likely to be dealing with more serious or second instances of misconduct.

A School or Department may ask for an Academic Misconduct Committee to consider a case when it is believed that an appropriate penalty for the instance is not available to them under the Regulations.

Cases which will result in direct referral to Academic Misconduct Committee for consideration

As stated above, Academic Misconduct Committees have a greater range of penalties to consider as they are likely to be dealing with more serious or second instances of misconduct. Cases will be referred to Academic Misconduct Committee where the student:

- i) Is deemed to have submitted work that has been produced (in whole or in part) by another student or third party i.e. False Authorship.
- ii) Is deemed to have accessed course Moodle pages or relevant websites during an examination (where the use of such websites is unauthorised). The School or Department must be able to provide evidence to demonstrate that it was the student who accessed the pages.
- iii) Has a previous case of academic misconduct recorded against them where the first instance was not the result of Poor Academic Practice (and where the second/subsequent offence has occurred after the procedures for the first offence have been completed. If multiple instances are discovered and investigated at the same time or an instance occurs before the conclusion of the first academic misconduct meeting, this should be considered as one instance).
- iv) Where the Head of School believes an appropriate penalty for the instance is not available to them under these Regulations;
- v) Is a Postgraduate Research student (unless the misconduct has taken place in a first year, taught module).

Cases of 'proven intent' which are likely to result in the application of a mark of zero for the entire piece of coursework or assessment in which the academic misconduct has occurred considered by a School or Department

The University takes all academic misconduct seriously. It is not necessary to prove intention to commit academic misconduct in order to make a finding of academic misconduct. However, proven intent to commit academic misconduct may be considered an aggravating factor when determining a penalty. For this reason, the University would normally expect the following types of academic misconduct to result in a mark of zero for the entire piece of coursework or assessment in which the academic misconduct has occurred:

- Taking unauthorised, pre-prepared materials into an examination where the materials are potentially relevant to the examination.
- Submission of fabricated data.
- Submission of a false Extenuating Circumstances claim where the claim and/or evidence has been fabricated/falsified which has resulted in the student benefitting from an unpermitted academic advantage

Other types of misconduct could also result in the application of a mark of zero for the entire piece of coursework or assessment in which the academic misconduct has occurred, it is not limited to these examples of 'proven intent'.

Considerations

There are a number of factors which will influence the penalty applied by either an Academic Misconduct Committee or Schools and Departments, which may include:

- Whether the student has been provided with appropriate training and/or information and could reasonably have been expected to avoid the misconduct. Has the misconduct occurred in the first written assessment they have produced using the referencing guidelines? Were there formative submission opportunities prior to the summative assessment submission?
- Whether there is clear evidence that the student has been provided with further remedial training following a finding of poor academic practice.
- Whether the student has previous findings of poor academic practice or academic misconduct on their record.
- Whether the student admitted the misconduct at the first opportunity and has expressed remorse for their actions.
- Mitigating factors. It should be noted that misconduct may be found to have occurred in spite of mitigating factors. However, a lower penalty may be imposed, if for example, the student has compelling personal circumstances that may have affected their judgement.

Preparing for and taking assessments can be a demanding time both physically and psychologically and feeling 'below par' or experiencing the typical symptoms associated with assessments (e.g. anxiety, sleeping disturbances, feeling nauseous etc) are not considered to be mitigating factors.

- The relevance of unauthorised material. Where a student is found to have taken unauthorised materials or an electronic device into an exam, academic misconduct will be deemed to have occurred, irrespective of that student's intent or the nature of the materials. However, a lesser penalty may be appropriate if the student was in possession of unauthorised material in an exam, but the material was not relevant to, and could not have been relevant to, the exam.
- When there is proven intent to commit academic misconduct e.g. false authorship, accessing Moodle pages during a break in an examination.
- Ensuring a proportionate outcome for the nature and extent of the misconduct.

Examples

The following is intended to help staff and students understand when a School/Department-level penalty might be applied. Schools and Departments may seek advice from the Complaints and Conduct team on the appropriate application of penalties.

Decision makers should give reasons for the penalty selected. They should explain why any lesser penalty was not suitable. It is good practice for the decision maker to go through the range of lesser penalties available, consider each, and to record that they have done so. If the misconduct is so serious that the most severe penalty is the only option, then the decision maker should explain why that is.

As stated above, this is not prescriptive or exhaustive but will be dependent on individual circumstances. The term 'minor' is used here to describe misconduct which is such that the overall integrity of the piece is not compromised by it having occurred.

Penalty	Example
Poor academic practice	When academic misconduct has occurred, but the student had not been provided with sufficient training and/or information or opportunity to understand and apply conventions effectively. This may also be applicable if a student is expected to comply with numerous different local conventions and confusion has arisen. A penalty will not be imposed although the lower standard of the piece of work is likely to be reflected in the mark awarded. Schools and Departments are encouraged to reflect on the effectiveness of the training provided and/or the effectiveness of mechanisms designed to ensure that students engage with the training.
A written warning	When minor academic misconduct is deemed to have occurred but there is compelling mitigation and/or when the infringement is so minor that no substantial academic advantage has been gained.
A mark of zero for the specific material	When the academic misconduct is minor and limited to a specific section of the assignment/coursework which can be mapped to the marking criteria for the assignment or to a section of an exam e.g. a student accidentally takes a smart watch into an exam and declares it to an invigilator after 10 minutes, a mark of zero might be applied for questions answered before the watch was declared.
An overall percentage reduction	When the misconduct is not limited to one section of an assignment but is minor or where the misconduct is more substantial but there is compelling mitigation which means that a mark of zero for the entire piece would be unreasonable.
A mark of zero for the entire piece of coursework or assessment	When the misconduct is considerable and there is no compelling mitigation.
A mark of zero for the module with the requirement for the student to take a different module as a reassessment (where a reassessment opportunity is permitted)	To be applied in relation to 'failure to disclose previous experience or qualifications that are a bar to enrolment on a module' only.

Turnitin

A Turnitin % similarity may be a flag to a school or department to indicate concerns regarding potential academic misconduct, it is not a fool proof way of detecting plagiarism/collusion/false authorship. Turnitin may present a high similarity index when the student has referenced and cited the work correctly and therefore no academic misconduct has occurred. On the other hand, it could detect a low similarity to sources when the student has manipulated the original source content to try and avoid detection; this is considered to be academic misconduct. When using 'Match Overview' in Turnitin, similarities highlighted against other submissions from within the UoN are not necessarily an indication that a student has copied another student's work; two or more students may be using the same source. 'Match Breakdown' should be analysed to get a fuller understanding of the highlighted similarities. Additionally, it's important to understand that the Turnitin % similarity does not correlate directly to the penalty imposed. For example, a 50% similarity could result in a mark of 0 for the whole piece or it could result in a small percentage reduction penalty, depending on the content of the assignment. Copying directly from a source without any citation is likely to attract a higher penalty than, for example, failing to reference effectively.