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FROM	Rawinia Thompson, Academic Vice President, Victoria University of Wellington Students' Association
TO	Yvonne Oldfield, Student Interest and Disputes Resolution Advisor
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SUBJECT	Review of the Student Conduct Statute and associated procedures

Introduction

Victoria University of Wellington Students' Association (VUWSA) is pleased to have the opportunity to provide comment on the proposed changes the Student Conduct Statute and associated procedures. As the primary representative body of students at Victoria University, VUWSA has thought critically about how the proposed changes might affect students, and whether the proposed changes are fair and reasonable for students. VUWSA has sought out the perspective of students through survey and provides direct student input in this submission.

Executive Summary

VUWSA is pleased to support those changes which seek to clarify or streamline the current Statute or existing procedures. These include structural changes to the Statute and the introduction of separate procedures for general and academic misconduct; hall misconduct; academic misconduct procedures relating to thesis students; levels of response for academic misconduct; the establishment of a Disciplinary Committee to deal with serious cases on a University-wide basis. We welcome such changes as we believe students will benefit from these improvements.

However, VUWSA remains significantly concerned in certain areas. The following are areas on which we surveyed students and provide our own comment and recommendations:

- 1. Academic Misconduct: Education, Awareness, Process and Procedure**
- 2. General Misconduct: Social Media**
- 3. General Misconduct: Halls of Residence**

Other areas on which we wish to make comment:

- 4. General Misconduct: Exercise of Academic, Civil and Political Freedom**
- 5. Initiation of Investigation into Suspected Misconduct**

Survey Responses

Over the past month, VUWSA has been seeking student perspectives with respect to their views on plagiarism, social media, and disciplinary procedure in halls of residence. An online submission form was prepared and, subsequently, distributed to Class Representatives and general students. 114 student responses were received and are the basis for the following comments.

1. Academic Misconduct: Education and Awareness

Nearly three quarters of respondents stated that they were either confident or very confident as to what constitutes plagiarism in the University setting. That said, a considerable number of the 37 individual comments in this section expressed concerns over certain specific situations including, most notably, “self-plagiarism”, group work and the finer points around referencing.

Comments also emphasised the need for lecturers to spend time on “educating” against plagiarism using specific examples as appropriate to given academic fields:

Not enough framework around self-plagiarism and what constitutes fair reuse of your own work.

The concept of plagiarising quotes/parts of text from other works is clear to me, but plagiarism of ideas confuses me. Obviously specific theories are to be referenced, but most "ideas" used in my essays have surely been someone else's before?

Actually have lecturers give examples, not just say 'don't copy other people's stuff'. Most essays are just full of recycled ideas that have been paraphrased.

I wasn't aware you could plagiarise your own work until I was warned for it. I would consider plagiarism to be copying another person's work without citation. Although I am sometimes unsure as to the extent I should use citations in my own work I have usually clarified this with my tutor or lecturer.

Examples could be given to students in essay instructions on the different ways that plagiarism could occur (e.g.: taking the ideas from a person, using the phrasing of another, or even using particular words without defining them (e.g.: "thought police", citing George Orwell).

I think it would be useful for professors to outline what constitutes plagiarism in the first lecture of courses, or post on Blackboard clarifications on plagiarism regarding the use of quotations in essays.

Sometimes it is a little confusing in the area of referencing, what is regarded as plagiarism. I feel that there can be a fine line between what you feel are your own words and what is actually the words of others. I think this distinction can be difficult if you have un-knowingly quoted someone else whom you actually honestly did not look into or study but that your lecturer may have. Also it is possible to honestly miss referencing someone and I've always felt like I wasn't sure if I would get labeled as a plagiariser if this occurred?

With respect to the above concerns, the proposed draft documents should be commended for clarifying the University's responsibility to properly educate students on issues of academic integrity. As such, recommendations on "education" are probably best focussed elsewhere, such as the Programme Development Handbook currently in development. However, we feel that further clarity is needed.

Recent advocacy cases handled by VUWSA have also revealed inconsistencies in approach across the University towards the education of students regarding issues of academic integrity, especially regarding citation and referencing practices. We are also concerned about cases we are aware of, where students have been accused of

plagiarism when sitting open book examinations, without prior briefing on the source acknowledgement expectations required.

Recommended Change

4.1 (b) Before taking any steps to address the matter the course co-ordinator must be satisfied that the student concerned has received the course outline or appropriate handbook or *appropriate examination instructions* and had his or her attention directed specifically to the statement on academic integrity and plagiarism.

1.1 Academic Misconduct: Process and Procedure

Over two thirds of respondents stated that current University processes for handling plagiarism were either fair or very fair. However, inasmuch as many of the comments state unfamiliarity with current procedures, it is likely that a good many of this number have not been directly involved in processes involving academic integrity. Other comments also expressed a need for better information on the procedures themselves and appropriate remedial action, especially if an offence was committed inadvertently:

If a student has failed to properly reference one sentence or point in an essay, the marker should note this in their marking, but the student should not lose marks unless multiple occurrences of plagiarism are found (because it was likely an accident). If a marker finds that a student has committed several counts of plagiarism, students should be given the opportunity to rewrite their essay, albeit with a 25-50% grade penalty. I support the lowering of the standard for referencing and citation during examination situations, and think this should be extended to take-home exams.

I'm still unclear as to the punishments for plagiarism, these should be made clearer. I think a fairer way would be for all plagiarizers to be told they must rewrite their essay on a different topic and only if they plagiarize on the second chance take more severe measures.

Given the serious consequences following a second offence at the cautionary level, the importance of remedial action, where plagiarism coincides with learning issues, is especially apparent and needs to be further affirmed:

Recommended Change

4.3 (a) The cautionary procedure will be used where academic misconduct is suspected but where:

(i) The student has no prior record of misconduct, or it is established that through no fault of the student, an adequate plan was not put in place to address learning issues in earlier instances of misconduct, and

In terms of general process, it should be noted that the suspected misconduct sometimes comes to light during exam periods and a rigid application of the seven day period could unnecessarily impact a student's performance in exams or in preparing for other significant assessments. Provided decisions are taken with a focus on the students best interests, there should be some discretion regarding this timeframe. Some students will find even allegations of misconduct that are very minor, distressing.

Recommended Change

4.3(c) Where a course coordinator.....will arrange to meet the student. That meeting should occur within seven days of the suspected academic misconduct *unless it is deemed in the student's best interest to delay notification in order to minimise disruption to pending examinations, assessments or other important events.*

In the interests of fairness, given that even in minor cases a student's name is being entered in an Academic Misconduct Register, we believe that they be given an opportunity to seek independent advice:

Recommended Change

4.3(c) Replace (iii) with (iii) Advise the student that he or she has a right to consult the student advocacy service for independent advice.

Change (iii) to (iv) Ask the student whether he or she wishes to proceed with the meeting

We also believe, again in the interests of fairness, that students should know how long their name will be held in an Academic Misconduct Register. There should be a clear point that they know the incident is behind them. The timeframe might be controversial but we propose a period of three years for consideration.

2. General Misconduct: Social Media

When asked whether harassment by way of social media should provide grounds for general misconduct, respondents were of a mixed opinion. Although 61% answered in the affirmative, 19% disagreed with the 20% uncertain. Comments in this section tended to reflect this uncertainty in that where many agreed in principle to the University taking at least some responsibility in this area, there were also considerable reservations on the scope of this responsibility:

The university does have a limited scope on this matter, but only to a small degree. For the university to become involved, I believe, an important factor that must be ascertained before any university involvement, was by what internet service provider (ISP) the said inappropriate use of social media occurred. I believe the only legitimate grounds for the university to become involved would be if the individual who used the social media was using it via the Victoria ISP. If this is not the case, it is out of the scope of university to apply consequences to said individuals who used the social media inappropriately. This does not mean the university can't help advise students/staff of cyber-bullying or defamation; their role, however, to directly enforce consequences requires Victoria's ISP to have been used during the time of the said cyber-bullying.

There are many social networking aspects (e.g. Facebook pages) that are not endorsed by the University, but are nonetheless related in name, content or people who use them. The University needs to ensure that these are fairly and justly run, e.g. by getting into contact with the administrators of the informal pages, perhaps providing training in the fair use of social media? Also the University needs to have the power to discipline students who harass others. For example, the "Overheard/Overseen @Vic" pages, photos posted without the consent of the people in them - I don't come to University to have my face plastered all over the internet because some other student thought it would be funny to take a photo, I come to learn.

The University should only be concerned about inappropriate use of social media in instances where the University is directly involved, through its official pages or affiliates, and through official representatives of the University. Private concerns, e.g. where a person is harassing another person and both happen to be students of the University should not concern the University.

This is a really difficult issue! I think that the university should have greater responsibility, depending on how much the misconduct directly relates to the university and the severity of the misconduct.

The responsibility should be towards creating a safe environment where students and staff are not threatened, discriminated against or intimidated on any arbitrary basis. The scope should include all students and staff on any public communications that are reported, with special exception for private communications which directly harass someone or plan violence.

On the one hand it was generally accepted that the University was responsible for protected staff and students from the inappropriate use of social media. However, a complaint based system was favoured against one that involved any “monitoring” on the University’s part. On the other hand there are questions raised on exactly what areas of social media should be come under the University’s jurisdiction in this respect: should cases be restricted to those involving VUW hosted sites or should it extend to private sites that are affiliated with the VUW in some respect? For that matter should the University’s jurisdiction be limited solely to instances involving the VUW ISP?

Our recommendation in this area is a broad one: namely that where the Student Disciplinary Procedure for General for misconduct cites “threatening, or repeatedly or excessively insulting, any other person, directly or through the use of social media” that some sort qualification be made to social media, should it be included in this example.

3. General Misconduct: Halls of Residence

Respondents generally welcomed any move to incorporate Partner Halls under the broader VUW umbrella. This was especially the case among those respondents who had resided in partner halls, whose comments generally cited disciplinary processes as inconsistent and even arbitrary. To this extent changes made to Student Disciplinary Procedure for Misconduct should be commended, though we would recommend for any student facing a misconduct charge to be informed of their right to independent advice:

Recommended Change:

4.4.1(e) iii) Advise the student that he or she has a right to consult the student advocacy service for independent advice and provide its contact details.

4.4.2 iii) Advise the student that he or she has a right to consult the student advocacy service for independent advice and provide its contact details.

4. General Misconduct: Exercise of Academic, Civil and Political Freedom

VUWSA strongly urges that the ability of students to criticise the University or take critical action on wider issues, be preserved in the exercise of academic, civil or political freedom. This must be maintained even when the University perceives it may suffer reputational damage as a result. We are concerned that the proposed changes do not adequately provide for this.

Recommended Change

Appendix: Examples of General Misconduct: *Other*: Replace the last point with Behaving in any way, without reasonable cause or in the exercise of academic, civil or political freedom, which brings or is likely to bring the University into disrepute.

5. Initiation of Investigation into Suspected Misconduct

VUWSA believes that students who are victims of harassment or other action that might constitute misconduct will often not lodge a formal complaint. We welcome the change from the *complaint model* to a model that allows a staff member as a third party observer to initiate an investigation into suspected misconduct.

Summary of Recommendations

1. Academic Misconduct: Education, Awareness, Process and Procedure

4.1 (b) Before taking any steps to address the matter the course co-ordinator must be satisfied that the student concerned has received the course outline or appropriate handbook *or appropriate examination instructions* and had his or her attention directed specifically to the statement on academic integrity and plagiarism.

4.3 (a) The cautionary procedure will be used where academic misconduct is suspected but where:

(i) The student has no prior record of misconduct, or it is established that through no fault of the student, an adequate plan was not put in place to address learning issues in earlier instances of misconduct, and

4.3(c) Where a course coordinator.....will arrange to meet the student. That meeting should occur within seven days of the suspected academic misconduct *unless it is deemed in the student's best interest to delay notification in order to minimise disruption to pending examinations, assessments or other important events.*

4.3(c) Replace (iii) with(iii) Advise the student that he or she has a right to consult the student advocacy service for independent advice.

Change (iii) to (iv) Ask the student whether he or she wishes to proceed with the meeting

2. General Misconduct: Social Media

Clarification of social media and what would meet the threshold of harassment.

3. General Misconduct: Halls of Residence

4.4.1(e) iii) Advise the student that he or she has a right to consult the student advocacy service for independent advice and provide its contact details.

4.4.2 iii) Advise the student that he or she has a right to consult the student advocacy service for independent advice and provide its contact details.

4. General Misconduct: Exercise of Academic, Civil and Political Freedom

Appendix: Examples of General Misconduct: *Other*: Replace the last point with Behaving in any way, without reasonable cause or in the exercise of academic, civil or political freedom, which brings or is likely to bring the University into disrepute.

5. Initiation of Investigation into Suspected Misconduct

This is a welcome change.

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