



Academic Misconduct Policy and Procedures 2022/23

AM Academic Misconduct Policy and Procedures

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Introduction

Academic integrity is fundamental to the reputation of individual scholars and to academic institutions. As a signatory of the [QAA's Academic Integrity Charter](#), the University of York is committed both to developing high standards of academic practice among its students and to safeguarding the standards of its academic awards by detecting and acting upon cases of academic misconduct. The policies and procedures described in this booklet are mainly concerned with the second of these aims, but they also suggest guidelines for informing and educating students about good and bad academic practice.

The Academic Misconduct policy, guidelines and procedures apply to all programmes leading to awards of the University and should be read in conjunction with the University Regulations. In exceptional cases where suspected academic misconduct cannot be straightforwardly covered by these procedures, the Chair of the Standing Committee on Assessment, or their nominated representative, will decide on the appropriate course of action.

The University's Pro-Vice-Chancellor for Teaching, Learning and Students is formally responsible for ensuring that the institution is dealing effectively with student plagiarism and other academic misconduct issues.

The policy and procedures for academic misconduct are monitored and reviewed by the University's Standing Committee on Assessment on behalf of the University Teaching Committee and University Senate. Management of the procedures and records connected to academic misconduct is the responsibility of the Exams and Graduation Team in [Student Administration and Academic Affairs](#), who may be contacted by email on academic-misconduct@york.ac.uk.

AM1. Scope and definitions

AM1.1 Scope

These procedures apply to supplementary, foundation certificate¹, foundation degree, certificate, diploma, undergraduate, graduate, pre-Masters¹, taught postgraduate programmes and the taught components of research degrees. They apply to all assessed work, even if that work does not contribute to an award, to module marks or to progression. Academic misconduct procedures may apply to the assessments of students who are also staff members.

AM1.2 The forms of academic misconduct

The University is committed to developing high standards of academic practice among its staff and students, and to safeguarding the standards of its academic awards to individuals. The University regards any form of academic misconduct as an extremely serious matter [\[see Regulation 5.7\]](#).

Academic misconduct offences are divided into two categories: assessment and disciplinary. Assessment offences are committed by a student(s) in work submitted for assessment for their own programme of study and for which the penalty or judgement can be applied to the assessed piece of work. Disciplinary offences are offences committed by students, or staff, that are intended to gain an advantage in assessment (for themselves or for others) where the penalty cannot normally be attached to a specific piece of their own academic work.

In order to be confident about the standards of academic awards it is essential that work submitted for assessment is a fair reflection of the abilities of the student having used *legitimate* resources and forms of support in the production of their academic work. The definitions listed below seek to make clear the boundaries between authorised and unauthorised support. For example, the offence of commission and incorporation states clearly that it is an offence for students to use commercial assignment writing services, or to seek the help of friends and family in improving their work. Similarly, the definition of the offence of personation specifically covers students providing material to commercial assignment writing services, as a sign of the University's commitment to academic integrity across the higher education sector.

AM1.2.1 Assessment Offences

- 1) **Plagiarism** – the presentation of ideas, material, or scholarship sourced from the work of another individual, group or entity without sufficient acknowledgement.
- 2) **Collusion between students taking the same assessment** – is the process whereby two or more students work together – without official approval – and share ideas, solutions or material in work submitted for assessment.
- 3) **(a)Breach and/or (b)Cheating** – failure to comply with the rules of an assessment e.g. unauthorised access to materials in a closed assessment/ use of software in open assessment which has been specifically prohibited in the assessment specifications/ breaches of ethical rules relating to an assessment/ misrepresentation of word counts. (For guidance go to section 1.3.17 and 2.1.2).²

¹ See AM1.3.13 Probationary modules.

² For guidance on prohibited software contact SCA@york.ac.uk

- 4) **Commission and incorporation** – to seek to gain advantage by incorporating material in work submitted for assessment that has been improved by, or commissioned, purchased or obtained from, a third party e.g. family members, friends, essay mills or other students not taking the same assessment.
- 5) **Fabrication** – to seek to gain advantage by incorporating falsified or fabricated material or data in work submitted for assessment or publication.

AM1.2.2 Disciplinary Offences

- 6) **Personation** – one, or both of, a) to produce work for another student with the reasonable expectation that the incorporation of that work is intended to deceive an examiner, such as students providing material to commercial assignment writing services, b) to appear as another student in an assessment(s).
- 7) **Deception** – presenting fabricated or misleading evidence to gain advantage in assessment arrangements (e.g. exceptional circumstances affecting assessment), in making research proposals or providing false evidence of qualifications.
- 8) **Unethical research behaviour** – unethical behaviour in the undertaking of research or in seeking funding e.g. including failure to obtain appropriate permission to conduct research, unauthorised use of information which was acquired confidentially, failure to acknowledge work conducted in collaboration, fraud or misuse of research funds or equipment.

AM1.2.3 Differential procedures for assessment and disciplinary offences of academic misconduct

Offences 1-5 (assessment offences) are dealt with within schools, departments and faculties through Standing Academic Misconduct Investigatory Panels.

Offences 6-8 (disciplinary offences) are dealt with by University Regulation 7 Disciplinary Procedures or other existing mechanisms. [\[AM5\]](#)

AM1.2.4 Academic misconduct alleged subsequent to the conferment of an award

Any offence, as defined above, alleged or discovered after the award of a degree from the University of York may be considered under [Ordinance 7: Deprivation or Revocation of Academic Qualifications](#).

AM1.3 General principles

AM1.3.1 Burden and standard of proof

It is sufficient to establish cases of academic misconduct ‘on the balance of probabilities’, rather than ‘beyond all reasonable doubt’. This means that the Standing Academic Misconduct Investigatory Panel needs only believe that it is likely that misconduct occurred, rather than the process requiring that the evidence be indisputable that misconduct has occurred. Decisions must be supported by a rationale and, importantly, evidence which are both clearly explained to the student. The burden lies on the university to show, on the balance of probabilities, that the acts constituting the alleged academic misconduct occurred. In the case of special mitigation of penalties ([3.8](#)) the burden of

proof will be on students to prove their judgement was affected if they wish this to be taken into account in consideration of the appropriate penalty.

AM1.3.2 Academic Judgement

Academic judgement is "a judgement that is made about a matter where the opinion of an academic expert is essential"³. It is therefore not open to appeal ([Reg 6.7.1.d](#)). In considering academic misconduct cases, the StAMP Investigatory Panel members are chosen so that there is academic expertise to make decisions that may involve academic judgement.

1. **Decisions that involve academic judgement.** When the an academic staff member scrutinises assessed work as part of an academic misconduct investigation, they will seek to evaluate the evidence for misconduct in that piece of work and determine, on the balance of probabilities, whether an offence has been committed and the nature of that offence. They will also determine the extent of the academic misconduct - i.e. the extent to which the student misrepresented the work as their own. These decisions involve the exercise of academic judgement.
2. **Decisions that do not normally require academic judgement:** Once the nature and extent of the academic misconduct has been determined under step 1, the corresponding penalty set out on the penalty table in Part 3 of the policy should be applied, as modified where necessary for any mitigating factors as set out in [3.7](#). Once the level of misconduct has been established, the corresponding penalty that should be applied and any mitigation to be considered, would not normally involve academic judgement. Establishing matters of fact, based on evidence, (e.g. establishing whether or there has been a breach of assessment rules) do not normally involve academic judgement.

AM1.3.3 Responsibility of the student

The student shall be considered responsible for the academic integrity of all work they submit for assessment, including group assessments. If insufficiently acknowledged material is discovered in open assessments by examiners, the question of whether the student has behaved (or intended to behave) dishonestly or unethically must not be a factor in the decision to report the case to the relevant assessment officer. The pedagogic aim of the academic misconduct policy and its use of marks caps is to reflect the academic merit of any work produced by such misconduct. Therefore, expressions of guilt, remorse or lack of intent are neither to be accepted as justifications for any alleged misconduct or in determining how a student should be dealt with where such misconduct is established. The principle that the student is responsible for their actions also applies to the reporting of any illicit material brought into closed examinations by students.

AM1.3.4 Sufficient acknowledgement of sources

The aim in **all** assessed work should be for the student to make a clear distinction between their own ideas and those drawn from other sources. The University expects all scholars to be able to paraphrase source material with appropriate citations, include page references in the citations appropriately where material is quoted directly, present secondary citations in a way that makes

³ Office for the Independent Adjudicator (OIA) glossary, 2019. <https://www.oiahe.org.uk/information/glossary/>.

clear the extent of their own scholarship, present data accurately, produce an accurate reference list and consistently follow the referencing system mandated by their school/department(s), or editors of journals and/or commissioners of other academic outputs.

The extent to which students deviate from this expectation should be reflected in the marks given to the work and the extent to which a student should be adjudged to be deliberately misleading the examiner(s) in the presentation of the work.

Sufficient acknowledgement of sources is also expected of students in closed examinations, although the form which that acknowledgement takes may be less stringent than in open assessments.

AM1.3.5 Improving of assessed work by third parties prior to submission

The aim of assessment is to establish the level of understanding, skills and performance of the individual student enrolled on the programme rather than measuring the extent of the student's social and/or familial networks' level of understanding, skills and performance. Proofreading should only be done in accordance with the [University Guidance on Proofreading, which can be found here:](#)

- Students are responsible for making the guidelines on proofreading, and the rules against commissioning, clear to any third party they ask to check their work for English language usage and presentation.
- Support given in acknowledgement of a specific disability, and agreed by the relevant Board of Studies, are not considered to be inappropriate support.

AM1.3.6 Penalising assessment offences of academic misconduct

Wherever possible it is the module to which the assessment is connected that contains the penalty for academic misconduct. If a student is found to have committed academic misconduct on a submitted assessment the penalty must be applied to the mark of the submitted piece of work. This will ensure the effect of any mark reduction is proportionate to the stage of the degree. The mark awarded to a piece of work affected by academic misconduct should, as a matter of principle, be treated the same as any other mark awarded as a part of the award (e.g. a module failed as a result of academic misconduct will be treated in the same way as a module failed for inadequate scholarship or incorrect work.)

The process for applying a marks cap is as follows:

1. StAMP agrees marks cap
2. Work is returned to marker
3. Marker completes the marking of the work as normal (mark may be higher or lower than the cap)
4. Late penalties and overlength penalties applied to the uncapped mark
5. The AM cap is then applied to the mark

Please note, the marks cap is not the final mark for the assessment but the maximum mark achievable for the piece of work. After conclusion of the academic misconduct case, the work must be marked as normal, and feedback provided within normal timescales, and the final mark may be lower than the applied marks cap.

AM1.3.7 Exceptional Circumstances as a defence for academic misconduct

Where academic misconduct is alleged or suspected, a student may not use exceptional circumstances – as defined by the University’s Exceptional Circumstances affecting Assessment Policy - as a defence for the offence. The only exceptions are cases where, in the professional opinion of appropriate professionals, the student’s condition at the time of the offence was such that they were unable to differentiate between right and wrong in relation to their actions. Where the condition is longstanding, it can only be used as a defence where adjustments have not been made, and the lack of adjustments is not the fault of the student. The Investigatory Panel should not infer the inability to differentiate between right and wrong from a more general diagnosis of mental health issues; the professional evidence presented to the panel must specifically address this question in relation to the student’s psychological state at the time of the alleged offence.

In the event that exceptional circumstances are claimed and upheld against the same assessment for which a suspicion of misconduct is upheld, any marks caps applied to the original assessment will also apply to any ‘sit as if for the first time’ allowed to compensate for the exceptional circumstances. The student should be informed of this, but may benefit from the ‘sit as if for the first time’ if their original mark was not as high as the cap set by the StAMP.

Examiners should not, if a claim of exceptional circumstances has been made, use the existence of those circumstances as a factor in the decision to report the case to the module co-ordinator, departmental StAMP representative or SCA regardless of whether the claim has been accepted by the ECA Committee.

For consideration of personal circumstances as a mitigation for the applied penalty, see section [3.7](#).

AM1.3.8 Failure to detect academic misconduct in the past

Where academic misconduct is alleged or suspected, a student may not use as a defence the failure of any member of academic staff to detect academic misconduct at an earlier point in time in their studies.

When a suspicion is raised about a given piece of work, departments may not return to any work which has been returned to the student with marks and feedback to refer it to an Investigatory Panel or apply penalties. Schools and departments may, however, review previous work outside of the Academic Misconduct procedures to determine if any pedagogic or formative feedback can be given to the student and considered by the school/ department based on patterns of behaviour across multiple pieces of work.

AM1.3.9 Misconduct in formative work

Formative assessment is primarily designed to give feedback on progress and inform development but does not contribute to a module mark. In this spirit, if the affected work does not count towards an award, a transcript mark, or a progression decision, the misconduct should normally be addressed by specific and extensive feedback on the issue that has raised concern.

AM1.3.10 Misconduct in re-assessment tasks

Where a student commits academic misconduct and subsequently fails a progression hurdle, a resit opportunity for the module or modules affected by academic misconduct may be granted if the

programme regulations would ordinarily provide a resit opportunity to a student who had obtained the same profile of marks without misconduct. The marks obtained at resit will be used to make a progression decision in the usual way.

If a student is found to have committed misconduct in a reassessment and thereby fails the progression hurdle, no further reassessment opportunity should be given.

AM1.3.11 Misconduct by students repeating a year of study

Repeating students are welcome to use their previously submitted work for their own learning and reference, in the same way they would use third-party information, but they should not re-submit work for assessment and would be considered as self-plagiarism.

AM1.3.12 Standing Academic Misconduct Panels (StAMPs) & Investigatory Panels

One of the overarching aims of the Academic Misconduct Policy is to ensure consistency of decision-making and judgements across academic departments and units in relation to the handling of academic misconduct cases. The Standing Academic Misconduct Panel (StAMP) is the mechanism by which the University ensures Academic Misconduct procedures reflect the assessment principles of consistency, clarity, transparency and equity.

The Standing Committee on Assessment, acting on behalf of the University, will constitute a Standing Academic Misconduct Panel (StAMP) for each of the three faculties. The StAMP is comprised of nominated academic members of schools, departments or centres within the faculty. Schools/ departments will normally provide at least three academic members of staff to their faculty StAMP, but will be asked to identify substitute members to cover in the event of extended period of absences of their StAMP representatives.

When a case of academic misconduct requires investigation by a StAMP, the investigating panel will be formed and will be chaired by a member of the department from which the affected module originates and two other members from the faculty of which their department is a member. This is to foster a consistent approach to academic misconduct cases whilst also sharing caseloads between members of staff.

AM1.3.13 Probationary modules

Some modules will be deemed to be 'probationary'. Suspected incidents of *plagiarism and collusion* that take place in probationary modules can be dealt with outside of the normal procedures, and exclusively within the department. The emphasis in terms of response should be on the student correcting their errors and understanding of academic integrity, although a marks reduction will normally still be appropriate. Modules in Stage 0 (Foundation) and 1 of all undergraduate programmes are deemed to be probationary unless otherwise approved (see below), as are all modules offered by the International Pathway College at both Foundation Certificate and Pre-Masters level.

Probationary modules in other stages of an undergraduate programme or anywhere on a Taught Postgraduate programme and non-probationary modules in Stage 0 or 1 of an undergraduate programme need the specific approval of the Standing Committee on Assessment. In order to be approved as probationary the learning outcomes of the modules and assessments must include *the*

development of writing and academic integrity skills. Boards of Examiners should keep a record of any modules exceptionally included or excluded as probationary.

Offences other than plagiarism and collusion should be dealt with through a normal StAMP, even in modules which are otherwise probationary.

AM1.3.14 Second offences

A second offence means an offence discovered after procedures for the first offence have been completed. Two offences of the same type penalised with an outright fail need to be committed under the policy for the penalties for second offences to apply [see penalty table [3.5](#) and Academic Misconduct penalties for disciplinary procedures to [see AM5](#)].

AM1.3.15 Self-plagiarism and re-use of previously assessed work

Self-plagiarism is not deemed to be an academic offence under this policy due to different disciplines' approach to the reuse of assessed material within a degree. Departments should set assessment tasks that encourage and require new material. Students, however, should be advised that the re-use of academic work is poor practice and that if they re-use work, it should be acknowledged. If departments wish to penalise students for the re-use of work (e.g. markers ignore extensively re-used material), they should make this clear in their departmental handbook and include student guidance on referencing their own work.

AM1.3.16 Academic Misconduct in Low-credit assessments

Minor academic misconduct in low-stakes (i.e. low credit equivalent) assessments can, in limited circumstances, be handled by individual departments without referral to a full StAMP process.

Low-Credit assessments, for this purpose, are defined as a distinct assessment that is worth the equivalent of ≤ 2 credits (e.g. 10% of a 20 credit module). Minor academic misconduct in low-credit assessments may be dealt with by the department, the procedure for doing so is set-out in [Appendix 4](#). A departmental record of the decision must be kept and students must be informed of their right to the case being considered by an academic misconduct panel in accordance with the full policy and procedure.

AM1.3.17 Ethical breaches:

Two types of ethical issue may occur in taught programmes:

1. Breaching the rules of an assessment, where that rule relates to ethical requirements (*Assessment Offence: Cheating/Breach*).

Consideration: If a student breaches ethical guidelines in a specific assessment, for example does not gain ethical approval for research, or has ethical approval rejected but carries out the research regardless, then this is considered a breach of assessment rules and the corresponding penalty tables may therefore be used. The warning is issued in the case where the breach has happened but where there is no obvious advantage to the student. Usually there would be an advantage gained if a student did not adhere to ethical rules.

2. Breaching ethical expectations in undertaking research, but not specifically relating to a particular submitted piece of assessment (*Disciplinary Offence: Unethical Research Behaviour*).

Consideration: This may be unethical behaviour in the undertaking of research or in seeking funding e.g. including failure to obtain appropriate permission to conduct research, unauthorised use of information which was acquired confidentially, failure to acknowledge work conducted in collaboration, fraud or misuse of research funds or equipment. Where unethical research behaviour is reported to the Academic Misconduct Administrator or is identified by the StAMP the Chair should refer the process to the Academic Misconduct Disciplinary Procedure under Regulation 7.

AM2. The Academic Misconduct procedures

These procedures should be followed for students on all programmes. They are illustrated in Appendices 1 and 2.

AM2.1 Initiating procedures

AM2.1.1 Initiating the procedures in respect of plagiarism

Where the examiner(s) believe that the assessed work contains evidence of plagiarism (i.e. the insufficient acknowledgement of sources) the examiner(s) must come to a decision about the extent of the misconduct:

- a) Where there is the occasional referencing error (i.e. where the same minor error is not frequently repeated or a pattern of mistakes cannot be seen), the marker notes this in the feedback and is specific about the error and can reduce the mark or not using academic judgement or departmental policy/grade descriptors. Work matching this description need not be referred to the Standing Academic Misconduct Panel.
- b) Where there is evidence of more widespread or systematic misunderstanding, or of badly executed paraphrasing or acknowledgement of sources, or of another misconduct offence then the examiner(s) should bring this to the attention of the module co-ordinator together with evidence of the errors/ misrepresentation that is causing concern. The module co-ordinator will then send details of the case(s) to academic-misconduct@york.ac.uk.
- c) The information provided must include the student's name, number, and programme of study, and the student's previous record in relation to academic misconduct.
- d) The examiner must provide a statement indicating the reasons for their suspicion, and evidence of the suspicious nature of the assessment (potentially including a Turnitin report, or annotated copy of the script). This statement should indicate specific pages, paragraphs or phrases which are raising concern, rather than simply being an indication of duplicated text, and should include enough detail to allow the panel to investigate without subject specific knowledge.

- e) A member of the exams team, acting on behalf of the Standing Committee on Assessment, will nominate a StAMP member from the reporting department/ unit to act as Chair on the case and provide the names of two other StAMP members who will be assigned to the case(s), together with an SCA contact. The StAMP Investigatory Panel will normally be assigned within 5 working days of the initial report.
- f) In cases of suspected commissioning, the StAMP Investigatory Panel should consider the evidence provided in the *statement of suspicion of commissioning* and the previous assignments submitted by the student for a comparison. The panel has further powers to request a compulsory interview with the student and to receive preparatory documents for the paper – for example, notes and drafts of the assignments where available. Lack of preparatory work may be considered evidence of commissioning.

AM2.1.2 Initiating the procedures in respect of breach/cheating in closed exams

Where the invigilator(s) of a closed examination have reported a suspected case of cheating any unauthorised material must be removed, a full report made using the 'Unauthorised Material Form' and the Exams and Graduation Office informed immediately following the exam.

- i. **Breach: First offence**
In cases of cheating where a breach of assessment regulations has taken place but where no advantage is apparent: the report from the Senior Invigilator, the evidence and the details of the student will be checked by the Exams and Graduation Office. A formal warning letter will be issued by the Exams and Graduation Office to the student and a record kept.
- ii. **Second Breach**
In cases of cheating where a breach of assessment regulations has taken place but where no advantage is apparent but students have already received a formal warning: the report from the Senior Invigilator, the evidence and the details of the student will be checked by the Exams and Graduation Office. The information will then be forwarded to a nominated departmental representative(s) of the relevant Standing Academic Misconduct Panel to initiate a StAMP investigation. The Exams Office will highlight that this is a second offence to the StAMP Investigatory Panel and SCA member and recommend that the mark should be in the 0-59 range rather than convening a full investigation. The student should be informed of this decision ([see 2.2.2](#)).
- iii. **Serious Breach/Cheating**
The report from the Senior Invigilator, the evidence and the details of the student will be sent by the Exams Office to a nominated departmental representative(s) of the relevant Standing Academic Misconduct Panel to initiate a StAMP investigation. The Exams Office will also nominate an SCA member to assist the StAMP Investigatory Panel. A full investigation of the case will follow and the panel may choose from the penalty table in section [3.3](#)
- iv. **Unauthorised Calculators**
In cases where a student has brought an unauthorised calculator into a formal examination where no special arrangement has been made by their department, the StAMP Investigatory Panel should judge that they have an unfair advantage, whether intended or not and their mark therefore be capped at a compensatable fail. If pre-programmed information potentially relevant to the exam has been found on the confiscated calculator, then a mark of zero should be applied.

v. **Second Offences in cases of breach/cheating**

In terms of second offences, breach and serious breach/cheating are considered different offences. Therefore a student may have an ongoing cheating case but still may receive a formal warning or penalty for breach of assessment rules. Subsequent breaches of assessment rules will be treated as a repeated breach and will therefore be capped at a compensatable fail.

AM2.1.3 Initiating the procedure in respect of commissioning

Where the examiner(s) believes that the assessed work contains evidence of commissioning and incorporation (i.e. that a third party has either written or significantly contributed to a student's assignment) the examiner(s) must provide a statement of suspicion of commissioning ([see appendix 3](#)) including references to specific pages, paragraphs or phrases which are raising concern and should include enough detail to allow the panel to investigate without subject specific knowledge. It should also include the student's anonymous examination number (e.g. Y00000001). The marker should send the statement to the module co-ordinator who will then send details of the case(s) to: academic-misconduct@york.ac.uk (this procedure is detailed in [appendix 3](#)).

In cases of suspected commissioning, the StAMP should consider the evidence provided in the statement of suspicion of commissioning and the previous assignments submitted by the student for a comparison. The panel has further powers to request a compulsory interview with the student and to receive preparatory documents for the assignment – for example, notes and drafts where available. Lack of preparatory work may be considered evidence of commissioning.

AM2.1.4 Initiating the procedures for disciplinary offences

If a Disciplinary Offence is reported to the Academic Misconduct Administrator or identified by the StAMP investigatory panel, this should be reported to the Secretary to SCA who will begin the Disciplinary Procedure. The process in respect of the defined disciplinary offences is different as they fall under the remit of University Regulation 7 which deals with matters of student discipline. (See [AM5](#)).

AM2.1.5 Deciding what StAMP is appropriate for the specific case

In the case of combined degrees the case should be sent to the faculty StAMP relevant to the module the assessment is attached to. Cases from supplementary programmes e.g. Languages for All, Academic Practice and the Centre for Lifelong Learning should be directed towards the most appropriate faculty based on departmental affiliation or discipline of the module in question. The Secretary of SCA will make the decision if there is uncertainty.

AM2.1.6 Specialist knowledge required for judging cases

In certain cases, StAMPs may consult university colleagues with specialist knowledge to help advise on the case. This may be in relation to computer coding, assessment in a non-native language and disabilities (in relation to affected judgement).

AM2.1.7 Reporting of Academic Misconduct by third parties (students or external to the university)

Suspected incidents of academic misconduct reported by a third party will only be considered if the person reporting the incident is identifiable and contactable and if sufficient and credible evidence is

presented which points to academic misconduct. Only in these circumstances will the incident be investigated by the University. Details of the case will not be shared with the reporting external third party due General Data Protection Regulations (GDPR). The University has a responsibility to protect students from malicious acts and considers that making inaccurate or misleading accusations of misconduct constitutes a serious breach of the University's disciplinary procedures ([REG 7](#)).

Anonymous reporting of academic misconduct will not normally be considered as this could impede investigation and prevent a fair and equitable resolution. Exceptionally such a report of academic misconduct may be considered if the University accepts there is a compelling reason, supported by sufficient and credible evidence, for it to be brought anonymously. This would be considered and approved by the Chair of SCA.

Where either a University of York student, or external third party, has reason to suspect a University of York student of academic misconduct, and the conditions outlined above are met, then this may be reported to academic.misconduct@york.ac.uk.

AM2.2 The initial stage of consideration by the StAMP Investigatory Panel

AM2.2.1 Initial consideration of case to answer.

The first stage of consideration is whether there is a case to answer. This decision should initially be made by the StAMP representative from the School/Department. If there is a case to answer, the StAMP investigatory panel is convened. If there is no case to answer, the work should be returned to the marker and the case closed. If the StAMP member is unsure, they should refer the case to the StAMP investigatory panel.

AM2.2.2 Referring cases to StAMP Investigatory Panel for consideration of the case(s)

It is the responsibility of the StAMP representative from the department that reports case(s) of academic misconduct to contact the other nominated members of the StAMP Investigatory Panel as it has been decided there is a case to answer.

A StAMP Investigatory Panel may meet virtually if they prefer and should consider the case in question against their experience of other judgements made in the past by the StAMP in order to ensure consistency and to try and eliminate risk of bias. The StAMP Investigatory Panel has a designated member of SCA to advise them on the process. The SCA contact must be copied into all relevant electronic correspondence between members of the Investigatory Panel and provided with minutes of all meetings.

The StAMP Investigatory Panel should be convened as quickly as possible so as not to delay unnecessarily the marking and feedback schedule of the reporting department. In the event that one of the members of the StAMP becomes unavailable to consider a case, the chair of the panel should inform academic-misconduct@york.ac.uk as soon as practicable to allow an alternate to be assigned.

AM2.2.3 Possible actions as the result of the StAMP Investigatory Panel's initial stage consideration of the case(s)

The StAMP Investigatory Panel reviews the initial judgement as to whether the evidence presented suggests that a full investigation would be appropriate.

- a) The panel may determine that the evidence does not warrant further investigation. Nonetheless, if the work suffers from poor practice in attribution or involves a breach of assessment regulations, and the offence is one where a marks penalty can be applied, the work is returned to the marker to assign a mark, they may advise the marker that it is poor practice and should be taken into account in the marking criteria. Cases where a full investigation is not held will not count as formal cases of academic misconduct against the student's record. These decisions can be considered by future Investigatory StAMPs if future offences occur, but subsequent penalties in future cases should reflect first offences and not second.
- b) If it is believed that the case warrants a full investigation (see 3.2 for what would be considered serious in relation to plagiarism), then the StAMP Investigatory Panel Chair (with support, where appropriate, from their departmental administration team) informs the student that academic misconduct is suspected, provides the full details of the process followed, the full evidence that will be considered by the panel and the offence which is suspected. The student can then respond to the panel within 7 days. The panel will not use any material to make its judgement unless the student has had sight of it in advance and the opportunity to respond. The student should be provided with any new evidence which the panel considers. The student(s) should also be encouraged to seek advice from supervisors, the Students' Union or Graduate Students' Association. The student can, in response, submit a written statement or request an interview with the relevant StAMP Investigatory Panel (students should be made aware that there is no inherent benefit to an interview). The panel will not reach its decision based upon any evidence to which the student has not had opportunity to respond.
- c) In cases involving more than one student the StAMP Investigatory Panel may interview the students at this point in proceedings to establish whether it is likely to be a case of collusion or, for example, plagiarism of the work of one by the other.
- d) In the event that the student elects to attend an interview, or that the panel determines that an interview is the most appropriate way to determine the nature of the offence, the Chair of the StAMP Investigatory Panel must ensure that students are afforded sufficient time (at least 7 days) before the interview to seek advice or to arrange to be accompanied. Students have the same right to be accompanied at a StAMP panel interview as they do for an academic appeal hearing: see the [Academic Appeals procedure](#) for details. A student may be accompanied by any member of the university and exceptions may be made for non-university accompaniment at the discretion of the Chair of the StAMP. The student must notify the Chair in advance if they intend to bring a representative from outside the university. It is recommended that students contact YUSU or GSA advice and support who may accompany them to the hearing. Any interview must include at least two members of the StAMP Investigatory Panel, including the Chair, and the third member should be consulted before any decision is made.
- e) Where it is the panel, rather than the student, who determines that an interview is required, all reasonable means should be taken to inform the student, and the student should be asked to acknowledge receipt of this information prior to the date of the interview. A panel

may make this determination even after a written submission by a student. The procedures should continue regardless of whether a student responds.

AM2.2.4 Possible action following the submission of a student statement to, or interview with, the StAMP Investigatory Panel

- a) If, on the balance of probabilities, misconduct is established, the StAMP Investigatory Panel determines the penalty to be applied in accordance with Section 3 of this document, and sends the report and decision to the student, and to the SCA (via academic-misconduct@york.ac.uk) for reporting purposes. The letter informing the student of a decision to apply a penalty should state the appeal procedures and be sent to the student within 7 days of a StAMP Investigatory Panel decision having been made.
- b) The StAMP Investigatory Panel can request further information from the student and/or the department.
- c) The StAMP Investigatory Panel can decide that on the balance of probabilities misconduct has not occurred, in which case the work is returned to the marker to assign a mark, with or without a recommendation that the mark should be restricted to the 0 to 59 marks range as appropriate for the standard of scholarship.
- d) Wherever possible, cases should be resolved prior to the departmental Board of Examiners meeting to ratify marks. It is accepted that the need to allow students to appropriately respond, and to allow the panel to reach a just decision may make this impossible. Where this is the case, the student's marks should be considered by a special ratification panel as soon as possible after the conclusion of the investigation.

AM3. Academic Misconduct penalties

If a student is found to have committed academic misconduct on a submitted assessment the penalty must be applied to the mark of the submitted piece of work in accordance with the following penalty tables.

AM3.1 Misconduct that occurs in a probationary module

	Plagiarism
Penalty menu	<p>Choice of any/all of the following:</p> <ul style="list-style-type: none"> ● Marks cap ● Thorough feedback if there is opportunity to submit further work on the module ● Academic integrity tutorial to be completed ‘as if for first time’ ● Undertake Turnitin training and use as condition of submission in future ● Consult referencing guidance at this webpage and Skills Guides ● Correct work (de-anonymised) and show it to module markers for checking of referencing as condition of progression
	Collusion
	<ul style="list-style-type: none"> ● Marks cap ● Academic integrity tutorial to be completed ‘as if for first time’ ● Independent work on a new attempt at the same assessment (de-anonymised), with module markers checking that it is the student’s own work, as condition of progression
Second Offence	<p>Plagiarism or Collusion: Formal Warning</p> <p>Commissioning and incorporation: Dealt with under Academic Misconduct Disciplinary Procedures (AM5).</p>
Subsequent Offences of Plagiarism or Collusion	Treated as a first offence in line with modules which are not probationary, and so will be referred to an Investigatory Panel with the normal range of penalties available.
Cheating, Commissioning, Fabrication	These offences are not treated any differently in a probationary module than in a non-probationary module. These offences should be referred to the StAMP process.

AM3.2 Plagiarism or collusion that occurs in a module which is not probationary

	Plagiarism	Collusion	UG	PG
Misconduct	A submitted assessment completely or near completely copied, which displays little or no independent academic value.	A submitted assessment so completely or near completely based on collusion that it displays little or no independent academic value.	0	0
	A submitted assessment that suggests that the inclusion of unattributed material is characteristic of the general approach, where the work as a whole is predominantly based on unattributed material and/or where key ideas central to the work are unattributed.	A submitted assessment that suggests the inclusion of a significant proportion of the work or key ideas central to the work have resulted from collusion.	Marks cap at 29	Marks cap at 39
	A submitted assessment that includes a significant proportion of unattributed material but where the panel judges there has been a genuine but flawed attempt to acknowledge source(s) and attribute appropriately should be capped at a compensatable fail.	A submitted assessment that includes a proportion of material resulting from collusion but where the panel judges this was due to a genuine confusion by students over the distinction between working together and collusion, resulting in a breach of the rules against collusion.	Marks cap at 39	Marks cap at 49
Poor Practice	A submitted assessment where there is any one or a combination of: <ul style="list-style-type: none"> ● repeated minor errors or inconsistencies in referencing or bibliographic accuracy, ● inaccurate quotation, ● a number of and/ or lengthy incidences of paraphrasing or synthesis of material that is inappropriately close to the wording of the original source, 	N/A	Marks cap at 59	Marks cap at 59

	as these suggest a lack of understanding of requirements rather than careless error.			
Presentational Errors	A submitted assessment that features isolated minor referencing/ bibliographic errors or one or two occasions that are suggestive of careless error, and/or where short sections constitute paraphrasing or synthesis of material that is inappropriately close to the wording of the original source, should receive a small identified reduction in marks by the marker but should not be treated as academic misconduct.	N/A	Written feedback ⁴	Written feedback ⁴

AM3.3 Cheating/Breach that occurs in a module which is not probationary⁵

Serious Cheating	Dishonest breach of assessment regulations where there is sufficient evidence reasonably to infer an intention to gain unfair or inappropriate advantage thereby. (e.g notes found with the student or on the student's body).	0	0
Cheating/ Serious Breach/ Repeated Breach	The panel may decide, in their academic judgement, to place the work in the compensatable fail range if there is a breach of assessment regulations where an unfair or inappropriate advantage (unintentional or otherwise) could be had or where other students have been disadvantaged by the breach (e.g. mobile phone ringing during the exam, bringing in one's own	Upper ceiling of mark set at 39	Upper ceiling of mark set at 49

⁴ Written feedback should refer to a marks reduction having been given, but the student feedback must also guide the student as to the exact error made and the correct format not just say 'referencing needs attention' or similar.

⁵ This penalty table applies to plagiarism and collusion which occurs within in an Online Examination.

	calculator or other data-storage devices, writing on the exam paper before the exam begins).		
Breach (Second offence)	As below but where a student has already received a formal warning.	Upper ceiling of mark set at 59	Upper ceiling of mark set at 59
Breach (First offence)	Breach of assessment regulations where no advantage is apparent. (e.g unauthorized materials with no perceivable advantage in a pocket or under table, such as keys or a credit card).	Formal warning	Formal Warning

AM3.4 Commissioning and fabrication

	Commissioning	Fabrication	UG	PG
Misconduct	A submitted assessment so completely or near completely based on commissioned work that it displays little or no independent academic value.	A submitted assessment has little or no academic value independently of the fabricated elements.	0	0
	A number of elements of the assessment are the result of commissioned work or the submitted item consists mostly but not necessarily substantially of elements of commissioned work.	A number of elements of the submitted assessment are demonstrated to be based on fabrication or the work is based on a proportion of fabricated outcomes or experiences.	Marks cap at 29	Marks cap at 39
	The submitted assessment mostly reflects the student's own work but the panel conclude that what has been submitted includes elements produced by a person other than the student and not identified as such. Alternatively, the work in question has been substantially edited or improved by a person other than the student in breach of the University's proofreading policy.	The submitted assessment produced mostly reflects the student's actual experiences but the panel conclude that elements of the submitted assessment are not entirely genuine accounts of the experiences or activities presented by the student rather than based on genuine experiences.	Marks cap at 39	Marks cap at 49

Poor Practice	N/A	N/A	N/A	N/A
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AM3.5 Penalties for second offences of any type.

	Misconduct	Breach of assessment rules	Poor practice in attribution	Presentational errors
Second Offence	Where both first and second offence marks are outright fails because of content affected by misconduct – recommendation to the Academic Misconduct Disciplinary Procedure under Regulation 7. (See AM5)	Subsequent breaches of assessment rules will be treated as a repeated breach and will therefore be capped at a compensatable fail.	Formal Warning of expulsion if further offences. Penalties from the ‘first offence’ menu may be applied if offence appear to represent ‘poor practice’.	Feedback warning with or without a marks deduction.

AM3.6 Disciplinary offences

Disciplinary offences	As disciplinary offences do not relate to an assessment mark of the student, no marks cap may be applied. Where a panel finds that a student has committed a disciplinary offence, the panel refers to Regulation 7 Disciplinary Procedure detailed in AM5 .
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AM3.7 Corrective pedagogic requirements

The following measures can be taken regardless of the level of culpability, as corrective pedagogic requirements. Their completion can be set as a requirement for progression to the next stage of study or for completion of the award:

- Required to retake academic integrity tutorial
- Required to undertake Turnitin training
- Required to consult referencing guidance at york.ac.uk/integrity
- Required to resubmit corrected work to module leader
- Required to resubmit corrected work to StAMP Chair
- Required to meet with Learning Enhancement Team to discuss the work

AM3.8 Mitigation of penalties in light of compelling personal circumstances

Once the StAMP Investigatory Panel has decided that, on the balance of probabilities, academic misconduct has occurred, the StAMP Investigatory Panel will agree a penalty in accordance with the tables in Section 3 of the Academic Misconduct Policy. In deciding on a penalty, the StAMP Investigatory Panel may take into consideration other factors which, whilst not providing a defence for the academic misconduct offence, might provide mitigation when considering the penalty. If the StAMP Investigatory Panel agrees that there are mitigating circumstances that might be relevant to an academic misconduct offence, then they can consider, if appropriate, the award of a **lesser** penalty than the one indicated by the tables in Section 3.

*NB. whilst the StAMP Investigatory Panel will take such factors into consideration, the existence of mitigating circumstances will not necessarily yield a lesser penalty. In coming to their decision, the StAMP Investigatory Panel will consider **all** the circumstances, including the seriousness of the offence.*

AM3.8.1 Circumstances that may be considered

Exceptional circumstances, as defined by the Exceptional Circumstances affecting Assessment Policy, are not normally relevant to consideration of whether or not an offence has been committed. However, there are some **limited** circumstances in which they may be taken into account as a mitigation when considering the penalty. These are:

- i. The personal circumstances were of such severity that their impact on the student's judgement at the time that the academic misconduct offence occurred makes it appropriate, in the opinion of the Panel, to impose a less serious penalty by reason of those circumstances.
- ii. A specific disability, or other chronic condition, which clearly impacted the student's judgement, or their capacity to comply with academic standards. This may be taken into account where, through no fault of the student, such a disability has not been accounted for through a reasonable adjustment or where that adjustment was not made in time for the assessment. If the specific disability, or its impact, has not been declared to the University, and hence is not addressed in a university Student Support Plan (SSP), a compelling, and evidenced, explanation for this will need to be provided.

In i. and ii. above, **compelling** evidence will need to be provided. That evidence must show that the student's circumstances were sufficiently significant that it would be, in the opinion of the panel, inappropriate to impose the penalty which would otherwise be indicated by the tables in Section 3.

The student will be encouraged to disclose any such mitigating circumstances, and their impact, as part of their statement in response to the StAMP Investigatory Panel Chair, at the point at which the StAMP Investigatory Panel has decided that there is a case to answer.

AM3.8.2 Consideration of mitigation of penalties in light of compelling personal circumstances

In order to consider special mitigation in cases of academic misconduct, a Penalty Mitigation Panel (PMP) will be convened (via email) to consider any changes to the penalty in such circumstances. This group is composed of the Investigatory Panel chair for the case, the Chair of the SCA (or delegate) and a nominated member of the Special Cases Committee. This brings together the required expertise from SCA and Special Cases Committee as well as specific knowledge of the case from the Investigatory Panel chair. The Deputy Director of Student Services and the Secretary of the SCA will be in attendance. The process will be:

- a. Investigatory Panel makes a decision as normal on the penalty without consideration of any mitigating circumstances.
- b. If the Investigatory Panel believes there are mitigating circumstances that they believe might be sufficiently serious to pass the threshold, the academic misconduct administrator will pass the material on to the Penalty Mitigation Panel (PMP).
- c. The PMP will consider whether or not the penalty should be adjusted.
- d. The PMP chair will inform the Investigatory Panel and the student of the outcome.

AM3.9 Guidance on the extent of misconduct for StAMP Investigatory Panel decision making

AM3.9.1 What is meant by the 'general approach' to the assessment task?

Problems with the general approach to the assessment task may be indicated by numerous sentences of unattributed source material being found throughout the assignment. Work falling into the serious category *may*, in the view of the StAMP Investigatory Panel, follow a pattern that suggests an intention to deceive as opposed to errors in referencing or presentation that could reasonably be attributed to misunderstanding. Seriousness and intention is a matter of judgement for the StAMP Investigatory Panel and it is not the purpose of the policy and procedures to set rigid benchmarks indicating X paragraphs/ X percent of the overall assignment has to be copied for it to count as serious academic misconduct, nor to suggest that a StAMP Investigatory Panel has to believe the plagiarism is deliberate in order to reach a judgement that the plagiarism is serious. The StAMP Investigatory Panel is required to act consistently as far as it can in comparing cases across the cluster in order to establish credibility and ensure equity in student cases.

A finding of a serious offence of **collusion** would be justified by a high level of duplication in work, particularly as regards key concepts, arguments or data in the submitted work. As with plagiarism, the determination of seriousness should not be made based on the total number of duplicate (or colluded) words, but rather the relative value of the colluded material to the submission relative to the work of independent academic value.

It is unlikely that any work containing fabricated or commissioned work, or exams affected by cheating where an unfair advantage or intention to gain an unfair advantage can be inferred from the circumstances, could justify a mark above the pass mark. Where students are found to have committed fabrication or commissioning, the penalty would normally be a zero in the affected assessment. For cheating cases StAMPs should refer to the Penalty tables for cheating in [section 3.3](#).

AM3.9.2 What warrants a StAMP Investigatory Panel recommendation for a mark in the Compensatable Fail (CF) range?

The award of a mark in the compensatable fail range for serious plagiarism requires the student – as an absolute minimum – to have included a bibliographic entry allowing the marker to identify each source used, even if the internal citation is not entirely transparent, is absent or the specified referencing style has not been followed. Where there is no attempt to acknowledge the source or the referencing is so unsystematic to be ambiguous, then an outright fail mark should be given.

For a Compensatable Fail mark to be justified in the case of collusion there would need at least to be reason for the student to believe that they were entitled to use the material they presented in the way they did. This might include unacknowledged interpolation or extrapolation in a case of fabrication, or work produced as the result of authorized collaboration used in an inappropriate manner.

Work produced as the result of commission, fabrication or cheating will rarely, if ever, warrant a mark in the compensatable fail range.

AM3.9.3 What warrants a StAMP Investigatory Panel recommendation for a mark in the pass to 59 range?

The phrase ‘repeated minor errors or inconsistencies in referencing or bibliographic accuracy’ refers to assessed work where the student consistently fails to include page references for direct quotations (where house style would suggest that these should be included), has included the secondary references from primary sources in such a way as to make the extent of their own scholarship unclear, has cited a source within the text that does not appear in the reference list, or does not follow the specified referencing system. The extent to which this is a feature of the assessment and should affect the mark is a matter of academic judgement. However, the principle is that students should not be permitted to score above 59 if ‘sloppy referencing’ is a feature of their work.

The phrase ‘inaccurate quotation’ refers to the apparent use of direct quotation, but where quotation marks may be missing, the text of the quotation is incorrectly copied, page references in citations are missing or the quotation has been misattributed.

Marks caps of 59 will rarely be appropriate in cases of collusion, fabrication, commission or cheating.

AM3.9.4 When is detailed and specific feedback warranted rather than initiating the StAMP procedures?

The phrase ‘isolated minor referencing/ bibliographic errors’ refers to errors that appear to be the result of oversight e.g. inaccurate or missing dates, the failure to include a page reference in a citation or footnote in a work otherwise correctly referenced or a small error in the reference list. These errors should be taken into account when marking and be mentioned in written feedback. A marks reduction is not mandatory but where it is appropriate to reduce marks for errors then this should be a specific feature of the feedback.

AM3.10 Academic misconduct alleged after the examination has taken place

If academic misconduct is alleged or suspected after the examination has taken place, but before the qualification has been awarded or conferred, the award or conferment process shall be suspended pending the outcome of an investigation conducted in accordance with this policy. If the StAMP investigatory panel decides that the academic misconduct warrants it, it may decide that a re-examination of the student is necessary. A re-examination under these circumstances shall be subject to the approval of Special Cases Committee.

If academic misconduct is alleged or suspected after the degree has been conferred, the Senate shall determine the procedures to be followed.

AM4. Composition, responsibilities and procedures relating to StAMP Investigatory Panels⁶

AM4.1 Roles and responsibilities

AM4.1.1 Reporting marker

The reporting marker plays an important role in initiating the investigation and must provide the module coordinator/StAMP Investigatory Panel with a clear rationale and evidence for their suspicions that an offence has been committed. The marker should fill out the *Report of Suspected Academic Misconduct* template and submit it to the module co-ordinator. The marker may informally consult with the module co-ordinator to discuss a suspected case of academic misconduct prior to submitting their formal suspicions to the Academic Misconduct Administrator.

AM4.1.2 Module co-ordinator

The module co-ordinator may carry out an informal consideration of a marker's suspicion of academic misconduct. Once grounds for case have been confirmed, the module co-ordinator should receive a *Report of Suspected Academic Misconduct* template from the marker and pass this on to the departmental administrator who will subsequently de-anonymise the work, check and complete *Report of Suspected Academic Misconduct* template and inform academic-misconduct@york.ac.uk.

AM4.1.3 StAMP Investigatory Panel member

Each department will have nominated StAMP members whose responsibility it is to represent the department on each case. These StAMP members are responsible for providing their academic judgement on the case and contributing to the decision of the offence and penalty in line with the policy in a timely manner.

⁶ These are the recommended procedures however it should be noted that departmental practices may differ for reporting practices

AM4.1.4 StAMP Investigatory Panel Chair & Chairing department

Each panel will be chaired by a StAMP member from the reporting department, they act as the point of contact for students. The StAMP Investigatory Panel Chair is responsible for moving the case forward and communicating with the student, department and academic-misconduct@york.ac.uk. The Chair is responsible to ensure the proper procedures are followed and the policy is applied appropriately. They may consult with the SCA member when necessary to clarify points of policy and also may consult with specialist staff where necessary (see [2.1.6](#))

The Chairing department is required to supply administrative support for any meetings that are called to consider cases that are judged, after the initial consideration, to be serious. Meetings must be minuted and these minutes must be circulated amongst the investigating panel, including the SCA contact. The department that chairs the StAMP Investigatory Panel is responsible for sending out letters/emails to students and for concluding the procedures, using standard template letters and forms. Departmental administrative resources are also expected to be used for this work.

AM4.1.5 SCA member

The SCA member provides oversight over the process to ensure that the proper procedures are followed and the policy is applied appropriately. In order to do this, the SCA member must monitor discussions in the case and review the penalty. The SCA member does not play a role in the decision, as long as it is in line with policy. The SCA member is not required to attend hearings. SCA members are involved in the consideration of policy changes and the review of academic misconduct processes, procedures and data, and thus may support StAMP training.

AM4.1.6 SCA secretary

As the Academic Misconduct Policy is the responsibility of SCA, the SCA secretary may be called upon by the SCA member for assistance with interpretation of the policy. The Secretary is also responsible for the organisation of StAMP training, consultation and policy updates. The SCA secretary will also organise the annual case review of academic misconduct cases and assist in producing the annual report of academic misconduct data to SCA and key findings to departments.

AM4.1.7 Academic Misconduct Administrator (AMA)

The Academic Misconduct Administrator (AMA) acts as the central point of contact at the University for setting up StAMP Investigatory Panels and tracking the progress of each case. It is the AMA's role to maintain records, provide and update templates for cases, and check that the relevant documents have been provided to everyone who needs them. They may also alert the SCA member or a StAMP Investigatory Panel Chair if a case has not progressed.

AM4.2 School/Departmental and unit responsibilities to provide staff to a StAMP

Each school/department (and centre/unit wherever possible), should nominate at least three members of academic staff to act as their representatives on the StAMP relevant to their programmes of study. Supplementary programmes will normally be members of the StAMP appropriate to the department to which they are affiliated or to the most relevant discipline to the award in question.

AM4.3 Minimum numbers needed for a StAMP Investigatory Panel to be quorate

A StAMP Investigatory Panel is quorate with 3 members for decision-making, including the Chair, who is drawn from the department or unit reporting the academic misconduct. If a member of the StAMP panel has not responded within a reasonable time to communications from the Chair, and the Chair agrees a majority decision with one member of the investigatory panel, the Chair is permitted to make a majority decision to expedite the case. A departmental representative should not serve on the StAMP Investigatory Panel if the case of a personal supervisee is being considered or there is an obvious conflict of interest. At least two members of the StAMP Investigatory Panel, including the chair, are to be present if a student is interviewed.

AM4.4 How a StAMP Investigatory Panel considers cases

The Chair circulates material relevant to the case(s) to the other members of the StAMP Investigatory Panel for their initial decisions. This is usually done electronically at the discretion of the StAMP Investigatory Panel members. Where there is electronic sharing of documentation and email discussion the SCA contact must be included.

AM4.5 Concluding the procedures

All decisions made by the Investigatory Panels of each StAMP, must be recorded by the Chair of the relevant case(s) in the form designed for this purpose. The SCA representative on each case must be informed of the decision and agree that they are fair. Minutes of meetings of the Investigatory Panels should be forwarded to academic-misconduct@york.ac.uk for retention against the student record. Investigatory Panels can ask to see minutes of previous meetings as an aid to their decision-making and to support consistency in their judgements.

Where the Investigatory Panel makes a decision regarding academic misconduct, a copy of the decision is also forwarded to the Chair of Board of Examiners in the reporting department/centre, and to the module co-ordinator and the departmental administrator in the student's department. Where the Investigatory Panel makes a decision regarding a disciplinary offence a copy of the decision is also forwarded to the student's Head of Department or Centre or Chair of Board of Examiners.

AM4.6 Sample documents

Examples of letters to students and a report template have been developed to ensure that such letters cover all necessary points. Retention of such letters is particularly important if academic misconduct is found in pieces of work subsequently submitted by students. These letters can be accessed through the StAMP folder in the Google drive to which all StAMP members have access.

AM5 Academic Misconduct Disciplinary Procedure

AM5.1 Disciplinary Action for Repeat, Serious and Disciplinary Offences

Academic Misconduct is identified as an *Act of Misconduct* in 7.2.1(j) in Regulation 7. Disciplinary offences and second offences of a serious nature (capped at a non-compensatable fail) are therefore dealt with under the scope and principles established in [Regulation 7](#) following an appropriate investigation as detailed in this section ([AM5](#)). These offences can be punished by a fine, or a temporary or permanent exclusion. Among the actions that could be pursued under the disciplinary procedure is the offence of fraud, deception or dishonesty towards the University, its members or visitors. Disciplinary offences 6, 7 and 8 would constitute such behaviour. In the event that misconduct is discovered or suspected subsequent to the award of a degree, or other award, [Ordinance 7](#) applies.

AM5.2 Procedure for considering Academic Misconduct under Regulation 7.

All disciplinary offences and assessment offences are first considered by the StAMP investigatory panel in line with [AM2. The Academic Misconduct procedures](#). If a second assessment offence of the same type is capped at a non-compensatable mark (UG29/PGT39), this is referred to the procedures in AM5.2.1c.i.. If the StAMP investigatory panel agrees there is a case to answer that the student has committed a disciplinary offence on the balance of probabilities - this goes straight to the procedure in AM5.2.1.II.c. ii.. The Academic Misconduct Administrator is responsible for referring the cases to Regulation 7 Disciplinary Procedure at Level 2 (Reg 7.2.5).

AM5.2.1 Procedure, Outcomes and Sanctions

- I. Academic Misconduct Administrator informs Secretary of SCA of the commencement of the disciplinary procedures.
- II. Senior member of SAAA or SLAW is assigned as the Disciplinary Manager for the case, they will:
 - a. work with the investigating officer who is the SCA Secretary or delegate thereof (investigating officer will assist in collating documents for consideration of the panel);
 - b. decide whether or not there is case to answer, which triggers a Level 2 disciplinary panel;
 - c. form a disciplinary panel with 3 senior members of the university. This should include:
 - i. the Head of Department of the student under investigation - or delegate thereof,
 - ii. a suitable Academic staff member (e.g. SCA, Special Cases or Ethics Committee members but not involved in the StAMP cases considered for the offence) and
 - iii. a member of Student and Academic Services.

In the event any of these are unavailable a suitable delegate may be approved by the Disciplinary Manager.

- d. invite the student to make a written submission and present any evidence and invite them to the hearing
 - e. explain to the student what other evidence the panel will be considering (the evidence from StAMP panel) in line with the Principles of Regulation 7.3.
 - f. ensure the panel meets to discuss and reaches a decision within the parameters of Regulation 7.
- III. **Outcome of the panel and sanctions:** As Academic Misconduct is considered a Level 2 offence under Regulation 7 - the panel may consider all the sanctions under 7.4.2 up to and including suspension or expulsion.

AM5.4 Fitness to Practice

Where an academic misconduct offence has been established and this raises concerns about a student's fitness to practise, or if other disciplinary offences are related to the incident of misconduct, then the University's Fitness to Practise or Disciplinary procedures should also be consulted and invoked where necessary.

AM6. Appeals

AM6.1 Grounds for appeal

When a student is informed of the outcome of the StAMP Investigatory Panel consideration of their case they must be advised that they have a right to appeal using the forms and guidance at [on this webpage](#).

Students may **only** appeal against decisions of a Standing Committee on Academic Misconduct Investigatory Panel on the grounds that:

- i. The Academic Misconduct procedures were not followed properly;
- ii. The StAMP Investigatory Panel reached a decision that was not reasonable in all the circumstances;
- iii. New evidence is available which could not reasonably have been brought to the attention of the StAMP Investigatory Panel at the time of its investigation;
- iv. There was bias or reasonable perception of bias during the academic misconduct process;
- v. The penalty imposed by the StAMP Investigatory Panel was disproportionate or not permitted under the Academic Misconduct procedures.

Students may not appeal against matters of academic judgement in relation to academic misconduct - see section [AM1.3.2](#) for further information.

AM6.2 The right for the SCA contact to instigate a Special Cases Committee process

A hearing will always take place if recommended by the SCA contact advising the StAMP investigatory panel on an investigation. The SCA contact will not normally be a member of any Board of Studies, Graduate School Board or department represented on the StAMP investigatory panel.

AM6.3 The Appeal Process

Any student who decides to appeal the outcome of the StAMP investigation will be required to follow the University's Student Academic Appeals Procedure and, if they are dissatisfied at the end of that process, they may make a complaint to the [Office for the Independent Adjudicator for Higher Education](#).

AM Guidance

AM7. General advice and training for students

AM7.1 Establishing understanding

AM7.1.1 Induction, compulsory Academic Integrity Tutorial and handbook entries

It is compulsory for all students to complete the Academic Integrity Tutorial on the Yorkshire VLE (virtual learning environment) in order to progress to the next stage of their programme or to receive their award, whichever occurs first. It is recommended that students are required to complete this tutorial successfully during the first term of their programme of study, particularly those on postgraduate programmes. Students must complete the Academic Integrity Tutorial for each programme of study they undertake.

The Academic Integrity Tutorial advises all new students of the various forms of academic misconduct and warns them of the consequences of committing an offence. It is written in clear and accessible language and cross references to the University [Referencing Style Guides](#) with examples of appropriate referencing and this requirement should be clearly noted in the students handbook in addition to any department specific guidance if distinct from the information contained in the Academic Integrity Tutorial.

It is good practice to remind students of the expectations regarding academic integrity, and any specific instructions e.g. in relation to group-work, help from family members or what materials can be taken into a closed examination, when they are approaching assessments, so as to leave no room for doubt about their familiarity with the University's requirements.

AM7.1.2 Induction of postgraduate taught students

Taught postgraduate students may undertake significant components of assessment relatively early in their programme. Programme organisers and supervisors must ensure that students are made

aware of the nature of academic misconduct in all its forms prior to any assessment or preparation by the student of work for assessment. Programme organisers and supervisors should pay particular attention to the needs of students who may be studying in the UK for the first time.

AM7.1.3 Conventions of academic writing

Departments must advise students of the rationale and procedures for the full and accurate acknowledgment of sources in their academic writing (essays, projects, etc.). In particular, departments must advise students on the correct method for citing sources from the Internet for the specific discipline, [advice at the website](#).

Students must be informed of the level of acknowledgment appropriate to particular forms of assessment and of the conventions of academic writing, for example, the appropriate use of quotation marks, footnotes and bibliographies, and the dangers of 'near-paraphrasing'.

AM7.1.4 Specific guidance to students by discipline

Programme and module organisers should ensure that students receive subject, or discipline, specific advice that may not be covered in generic academic integrity guides published by the University e.g. copying code, equations, stylistic aspects of performance.

Where relevant, students must be warned that some common workplace practices (e.g. 'cutting and pasting' unacknowledged material into technical specifications or briefing documents) constitute plagiarism in the context of academic assessment. Similarly, students should be made aware that sharing conventions on social media are different to those in academic work.

AM7.2 Specific instructions to students in relation to working in groups

Departments should ensure that students undertaking group work receive clear guidance on the boundary between legitimate collaboration and misconduct involving collusion. Where academic staff use module specific forms of collaboration and group working in support of the learning outcomes of their module it is their responsibility to clearly define what legitimate collaborative learning is in the context of the module or assessment. This should be reinforced regularly throughout the module.

AM7.3 Distance learning programmes

Departments offering distance-learning programmes should ensure that issues of academic misconduct are brought to the attention of students studying on these programmes at an early stage, with regular reminders provided over the course of the programme. It is recommended that the usual departmental procedures for delivering information about academic misconduct issues are reviewed regularly in the light of the particular features of this type of study.

AM7.4 Practical and research projects

Students engaged in practical, laboratory work and/or empirical research projects should be required to maintain appropriate, verifiable records of progress (e.g. a bound lab book), which a party other than the student can verify. These records should be able to be made available at any point for verification.

Departments are required to determine what constitutes verifiable, sustainable and authentic data in their particular discipline.

AM7.5 Use of unauthorised third-party support, particularly custom assignment writing services

Students should be aware of the seriousness with which the University views the use of unauthorised third-party support with their assignments. It should be highlighted that from a learning perspective, unauthorised support may hinder students' learning progress and that they might become increasingly dependent on help. Using unauthorised support is taken extremely seriously by the University and could result in expulsion. In particular it should be stressed that the use of *custom assignment writing services* is especially hazardous as they prey on vulnerable students to make poor ethical choices and the guarantees of the sites cannot be trusted.

AM8. General advice to departments and examiners

AM8.1 Establishing understanding

AM8.1.1 Induction

Departments and units are required to advise all academic and Graduate Teaching Assistant (GTA) appointments about the various forms of academic misconduct that are offences under the University of York policy, procedures and guidelines. Responsibilities of module tutors and assessment designers and examiners must be made clear.

There should be clear advice on the forms of academic misconduct, written in clear and accessible language and with examples appropriate to the department, available to all staff.

AM8.1.2 Conventions of academic writing and marking

Departments and units are required to advise, guide and support all academic and GTA staff involved in teaching and assessment in the conventions of academic writing in operation in the department. This should cover the rationale and format of the full and accurate acknowledgment of sources in their academic writing (essays, projects, etc.). Programme organisers should not assume that incoming staff and GTAs are aware of the academic writing and referencing conventions in use, or their responsibilities as module tutors in respect to the handling of academic misconduct.

AM8.2 Probationary modules

Full details of the support and development of students who are found to have plagiarised and/or colluded in probationary modules should be supplied to academic-misconduct@york.ac.uk.

AM8.3 Grade descriptors

It is good practice to ensure that grade descriptors contain clear statements regarding academic integrity measures, especially in relation to referencing of sources. Departments can, if they prefer, add a general statement appended to their grade descriptors that indicates to students that

notwithstanding the general qualities of the work, a mark may be awarded outside of the grade band for poor or insufficient acknowledgement of sources. A statement to this effect is also included in the University's Guide to Assessment.

AM8.4 Detection

It is important that markers are vigilant for academic misconduct in all forms of assessment. Markers are encouraged to carry out random checks on assessed work using internet search engines (such as Advanced Google Search or Google Books) or to employ text matching software such as SafeAssign or Turnitin (see guidance on Yorkshire for the appropriate use of SafeAssign and Turnitin). This advice applies equally to formative and summative work.

AM8.5 Appropriate support for students in open assessments

Departments should discuss and agree conventions for the type and extent of formative comments made on students' work, especially where that same piece of work will subsequently be submitted for summative assessment. Staff should be aware that where they have made extensive improving comments and/or amendments directly to the text of formative work this can represent an unfair advantage to students in directly improving their submission. These agreed conventions should be regularly revisited and staff reminded of the departmental conventions re formative feedback and the boundary between feedback and direct improvements that can be incorporated by students in summative work, as opposed to developmental comments on the work.

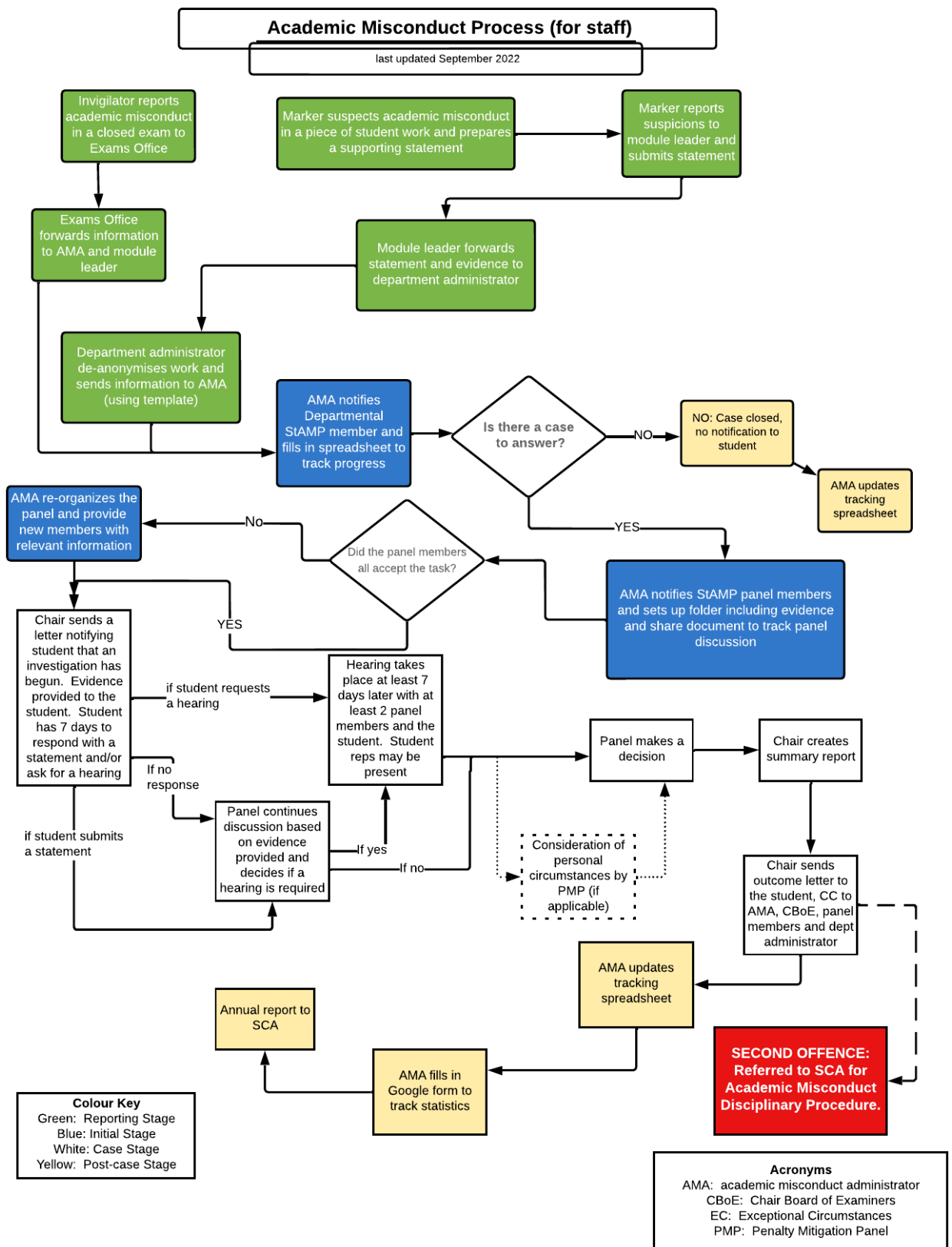
AM8.6 Feedback from StAMP members to their departments

The intention of the StAMP system is to encourage intra- and inter-departmental sharing of good practice, expertise and pedagogical approaches to the development of high standards of academic integrity. StAMP representatives are encouraged to report back on at least an annual basis to their Board of Studies comparing the types of cases their own department refers to Investigatory Panels to other departments in their cluster i.e. not revealing the names of individual students but noting if there are discernible patterns emerging, and recommending changes in practice that would help avoid the common errors and reportable offences.

AM8.7 Assessment Design to mitigate risks of misconduct

Departments can mitigate the risks of misconduct through measures to; use a variety of assessment types; regularly revise assignment questions; and identify students in need or support. An overall effort to improve assessment design can help to not only improve the integrity of the assessment process but also improve student engagement and attainment. If departments wish to discuss assessment design, they can contact the Learning Enhancement Team (cecilia.lowe@york.ac.uk).

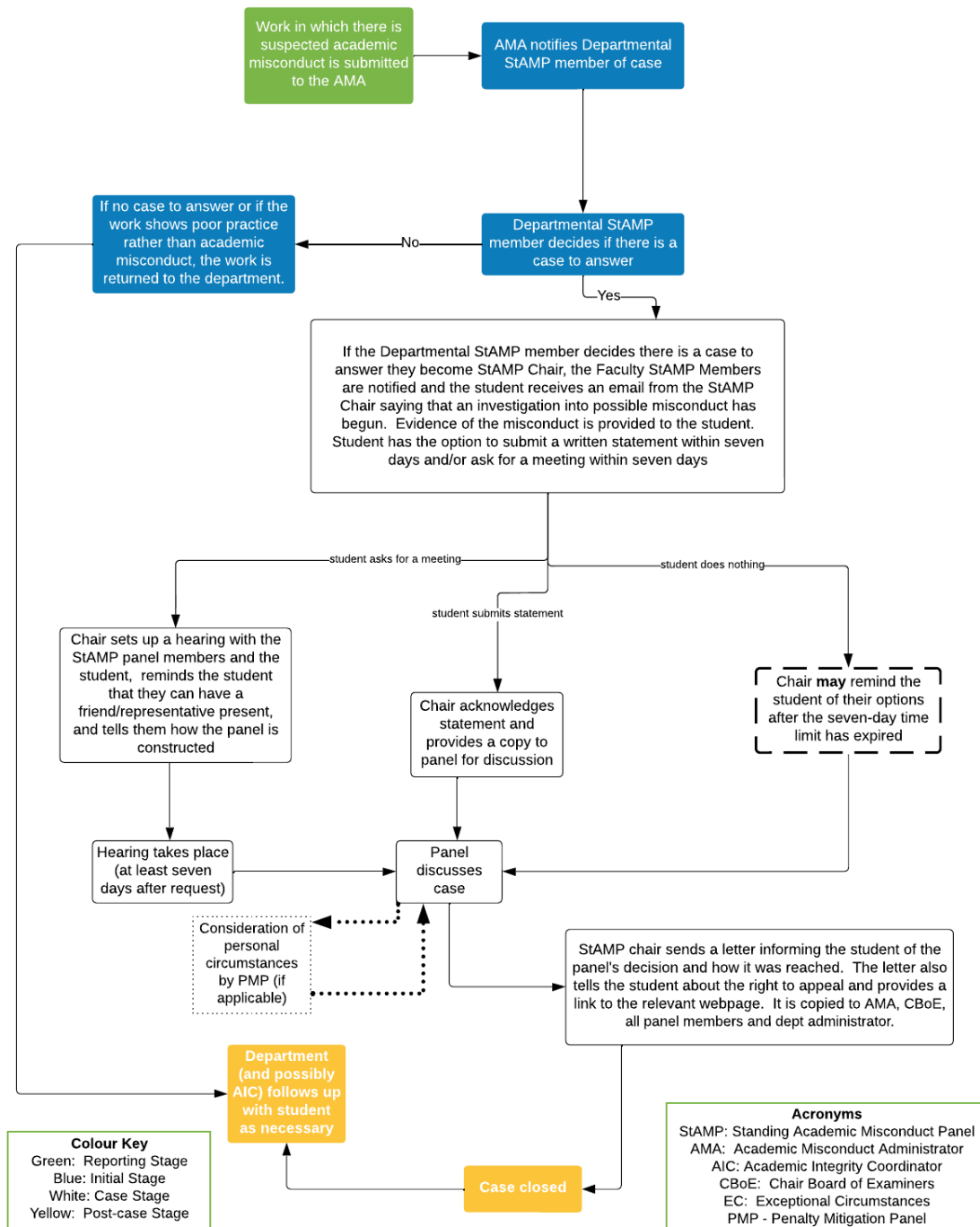
AM Appendix 1: Flowchart of procedure academic misconduct cases - staff [E-accessible Text Version](#)



AM Appendix 2: Flowchart of procedure academic misconduct cases - student E-accessible Text Version

Academic Misconduct Process (for students)

last updated September 2022



AM Appendix 3: Documenting and considering evidence of commissioning

As with plagiarism, the identification of commissioning starts with an academic judgement. One of the difficulties of identifying this offence is that it will require solid evidence that an act of commission and incorporation has taken place. While at first the suspicion may appear as a gut feeling, the marker must provide specific evidence of their suspicion of commissioning, this may include a combination of the following features:

- **Identifiable markers:** In certain cases the student may not remove features which identify another author in the assignment, such as the name of a company.
- **Document properties:** Check properties of the document/file for any unusual names, dates, editing times.
- **Level of assignment:** A suspiciously good assignment which stands out from the cohort or from previous work submitted by the student (harder to tell with anonymous assignments).
- **Language level:** High level of language usage in writing which stands out in a cohort/level of study.
- **Unusual/inappropriate references:** Reference to texts/resources which have not been covered in the course, or are unrelated/inappropriate for the assignment.
- **Omission of core texts or methods:** The omission of core texts from the reference list or methods used which were not taught on the module.
- **Off topic:** An intelligent attempt at the assignment but off topic and with references to a wide range of unrelated work or methods which are tenuously linked to the assignment.
- **Unusual referencing style or formatting:** Use of the wrong referencing style or unusual formatting of the assignment.
- **Turnitin:** Turnitin does not help in identifying commissioned assignments as the companies have access to various software packages and often use these to guarantee a 'plagiarism free' assignment.

AM Appendix 4: Procedure for Academic Misconduct in Low-credit assessment

1. **Stage 0 and 1 modules, and probationary modules:** Any minor academic misconduct on these modules is considered probationary and therefore should be dealt with by the department and treated as a learning opportunity for the students (unless the department has opted out of the module being considered probationary). Academic misconduct can result from misunderstanding the requirements of academic integrity with respect to assessed work, and should be addressed by in-depth feedback on the precise aspects that were found to be problematic – although a mark penalty may also be appropriate, depending on the severity of the offence.
2. **Stage 2 and above:** Minor academic misconduct in low-credit assessments may be dealt with by the department. A departmental record of the decision must be kept and students must be informed of their right to the case being considered by StAMP Investigatory Panel in accordance with the full procedure.
3. **Considering academic misconduct in Low Credit assessments:** Departments must follow the following procedure for considering academic misconduct of low-credit assessment:
 - a. Marker informally raises the offence with the module leader or suitable alternative (such as practical course organiser).
 - b. Module leader (or alternative) and marker agree on whether academic misconduct has been committed and of what level (see AM3.3. and AM3.5.1 for guidance);
 - c. **No misconduct:** Marker provides appropriate feedback about the aspects of the work that were viewed as problematic, with the aim of helping the student to better understand the requirements of academic integrity and good academic practice.
 - d. **Second offence check:** If academic misconduct is confirmed, the module leader checks departmental record to see whether this is a second offence - if so, the case must be dealt with by a full StAMP process. Second and subsequent offences will have great consequences and this should be highlighted to students.
 - e. **Minor Misconduct Offences:** If it is the student's first offence, the marker and module leader agree an appropriate penalty with advice from StAMP member. This must be consistent with those listed in the penalty tables in the Academic Misconduct Policy (Section 3).
 - f. **Serious Misconduct Offences:** Any cases in which there is an allegation of a significant level of cheating, fabrication or commissioning should be dealt with by a full StAMP process.
 - g. Departmental StAMP member informed of the decision, offers further advice if necessary.
 - h. Administrator records outcome of cases under student's examination number in confidential folder.
 - i. The departmental record is reviewed annually in coordination with SCA to ensure equity of approach in minor cases.

Informing the student: The student can be notified informally by the marker in the course of discussion. In all cases, however, a formal email to the student and administrator must follow

that includes information about:

- **Right to full StAMP consideration of case:** If low-credit assessments are dealt with by the department, students retain the right to have the case reconsidered by means of a full StAMP procedure. It is important students are clearly informed of this. Any subsequent appeal of the StAMP's determination will be dealt with via the regular appeals process.
- **Right to advice and support:** Students must be as informed of their right to advice and support (e.g. from their supervisor, YUSU/GSA or other welfare support services) in the same way as students who experience the full StAMP process.