

Egregious Cheating— If Not Now, When?

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**Resolution 13.05 (S13):
Revisit Failing Students for
Egregious Acts of Cheating**

Resolved, That the Academic Senate for California Community Colleges reinitiate its effort to review and, where appropriate, draft language to revise Title 5 regulations to allow for the failure of students for egregious acts of academic dishonesty while also protecting all students' rights to due process.

In Reference To...

- Chancellor's Office legal opinion L 95-31 "limit[ing] the ability of local faculty to fail a student for a single incident of academic dishonesty" issued by Ralph Black, then General Legal Counsel
- Confirmed in 2007 by Steve Bruckman, current General Legal Counsel for the Chancellor's Office.
- Resolution 14.01 (S08), which called for a group to revisit this decision, followed by a Rostrum article (Mark Wade Lieu, 2010) which argued that it was too soon to bring forward a challenge and that due process trumped the faculty's rights to grading

Why now?

If Spring 2008 was too soon, why are we revisiting the topic at this moment?

- Different chancellor
- Increase in online classes
- Increased scrutiny on veracity of student identities
- Increased interest in focus on integrity
- Increase in cheating incidents across higher education and in other fields
- More?

What Constitutes an Egregious Act of Cheating?



Where is the Problem?

- Students
 - Unclear expectations
 - Cultural differences
- Faculty
 - Easily copied exams/assignments
 - Lack of clear direction/expectations
- Administration
 - Fear of lawsuits
 - Lack of strong policies
 - Absence of enforcement

Possible Solutions

Administration:

- Strong Academic Integrity policies
- Enforcement of policies to limit cheating
- Clear procedures in place for documenting academic dishonesty
- Active college /discipline hearing board
- Professional development workshops on academic dishonesty, institutional policies, faculty and student rights
- Education of boards
- Keep dialogue about academic integrity alive on campus

Possible Solutions

Faculty:

- Avoid giving same assignments / exams
- Organize group work so individual expectations are defined
- Monitor students during exams actively
- Create assignments and tests in manner where sourcing information is less likely
- Establish clear grading criteria with clear expectations/rubrics to minimize dishonesty
- Include and discuss academic dishonesty standards and consequences in class
- Don't assume students know what plagiarism is
- Keep dialogue about academic integrity alive in classroom

Possible Solutions

Students

- Support local students as leaders on academic integrity by raising awareness of student rights as described by Title V section 51023.7(a)
- Include students in revisions of academic integrity policies and other documents relevant to the topic
- Keep dialogue about academic integrity alive among students and student groups

Revise Title 5 regulations?

Title V

Title V § 55002 (a)(2)(A)

Grading Policy. The course provides for measurement of student performance in terms of the stated course objectives and culminates in a formal, permanently recorded grade based upon uniform standards in accordance with section 55023. The grade is based on demonstrated proficiency in subject matter and the ability to demonstrate that proficiency, at least in part, by means of essays, or, in courses where the curriculum committee deems them to be appropriate, by problem solving exercises or skills demonstrations by students.

Title V § 51023.7 (a)

The governing board shall adopt policies procedures that provide students the opportunity to participate effectively in district and college governance

- Grading policies
- Codes of student conduct
- Academic disciplinary policies
- Curriculum development

Issues

- Maintaining the rights of the student to due process and maintaining the rights of the faculty member.
- Ed code vs interpretation of Title 5 by Black
- Ed Code vs 14th amendment
- Interpretation of what egregious is, if the legal ruling is changed

How?

- What are the biggest problems?
- How should we be tackling it?

Examples

- Foothill
- LAVC
- West Valley
- CTE Programs
- Others?