![Council of University System Faculty logo]

Report by the
Council of University System Faculty (CUSF)
to the USM BOR Meeting at Coppin State University

Friday, December 15, 2017

The last report was submitted on October 8th for the meeting on October 20th at UMES. Since the last submission, CUSF has had two ExCom meetings and two Council meetings. One meeting met on October 16th at Frostburg, and the second meeting was a joint Council meeting on November 15th at UMCP. In addition, CUSF had its fall Senate Chairs meeting on October 31st. This report covers those meetings and any other significant activities of CUSF.

MEETINGS AND ACTIVITIES: The meetings and activities of CUSF since the last report are reported below.

- **ExCom Meeting** – ExCom met on October 9th after the Chancellor's Council at USM in Adelphi. The main purpose of the meeting was to prepare the agenda for the October 16th meeting of Council to be held at Frostburg State University.

- **Council Meeting at FSU** – The Council met at Frostburg State University (FSU) on October 16th. The Council would like to thank President Nowaczyk for his gracious hospitality. There were three significant topics that are expanded upon below as separate topics: FMLA and Parental Review Policies, Morale Survey, and approval of the Action Plan.

- **FMLA and Parental Review Policies** – The Council reviewed the proposed revisions to the FMLA and Parental Review policies. Three members from the Office of the Attorney General and Carolyn Skolnik from System led the discussion. It should be noted that three members of CUSF (see October 1710.2 Commentary) spent many tedious hours reviewing the document line by line. A motion was made to support the proposed revisions. It passed.

- **Morale Survey** – The Senate Chair gives the Council a report on the state of shared governance on campus. As part of this report, the Chair is asked if they are doing anything on campus that is innovative. Ben Norris, Senate Chair, indicated that they conducted a morale survey of faculty. A copy of the survey instrument was obtained and emailed to the other Senate Chairs.

- **Approval of the Action Plan** – With some minor revisions, the Action Plan for this academic year of 2017-18 was approved by the Council. A copy of it is on the CUSF website.

- **ExCom Meeting** – ExCom met on November 6th after the Chancellor's Council at USM in Adelphi. The main purpose of the meeting was to prepare the agenda for the November 15th meetings to be held at UMCP.

- **Joint Council Meeting at UMCP** – There was a joint Council meeting of the student, faculty, and staff Councils during the morning of November 15th at UMCP. Activities included an introduction by President Loh, a report to the three Councils on activities within the State and

System by Chancellor Caret, a report by Andy Clark on the upcoming legislative session, and an update on the joint ombudsperson resolution by Joann Boughman. All the interactive presentations were most informative.

- **<u>Breakout Council Meeting at UMCP</u>** – After lunch at the joint meeting at UMCP on November 15th, the individual Councils met. Daniel Falvey, Senate Chair at UMCP, provided a summary of the state of shared governance at UMCP. Topics discussed at the meeting included the academic misconduct and integrity issue, an update on validating the bylaws on the webpage, ombudsperson resolution, constitutional amendment and bylaw amendments.

- **<u>Senate Chairs Meeting</u>** – Vice Chair, Nagaraj Neerchal, chaired the meeting at Adelphi on October 21st. The group had a very good interactive discussion with Chancellor Caret. The Senate Chairs Survey of the State of Shared Governance was covered along with procedural updates to the survey. Also, there was an update on the workload report and the work of the workload workgroup.

COMMENTARIES: This month there are four commentaries. Three of them are on academic misconduct and one of them is on the ombudsperson resolution. The first is from the November Chair's Report titled: *A Potpourri on Academic Misconduct*. As the title suggests, it is a potpourri of topics. It helps to provide a good overview of the problem. From the December Chair's Report, there were two commentaries on academic misconduct. The second attached commentary is titled the *Academic Misconduct and the Silent Conspiracy*. Its message is two fold. There is a need for a culture change involving students, faculty and administration and the analytics used to measure the problem may understate the actual problem. The third commentary is a preliminary blueprint for an action plan. It focuses on solving the problem. It should be noted that it is a work in progress and subject to change. Along with the September commentary which the BOR received at their October meeting, these three commentaries help to set the stage for the December panel discussion with the BOR. The fourth commentary focuses on the implementation of the joint ombudsperson resolution on campuses.

Respectfully Submitted: December 4, 2017
Robert B. Kauffman, Ph.D.
Chair, Council of University System Faculty (CUSF)

Chair's Commentary 1711.1: A Potpourri on Academic Integrity

The following commentary is a potpourri on academic misconduct. The commentary last month helped to set the stage. It concluded that the issue of cheating is pervasive. The issue is still being debated whether academic misconduct is more prevalent in online or brick and mortar institutions. There are numerous studies available supporting either side. Perhaps this debate is really a red-herring. Academic misconduct is pervasive in both settings.

This commentary provides an overview on how people cheat, plagiarize and commit academic misconduct. Corporate America has entered the field of academic dishonesty. Paper mills are big business and not always ethical. Third is top ten list of plagiarism sources used by students. Number eight on the list, Med Library, is a little disconcerting. The fourth item addresses the changing norm where students may no longer view cheating as cheating. Fifth, the case of Wolfram/Alpha suggests how technology and the internet have changed the educational process and the definition of cheating. This is followed by how changes in the classroom can reduce cheating and plagiarism. The seventh item takes us into the world of a paper mill writer who surprisingly demonstrates some level of ethics regarding his topic selection. Although brief, the eighth item suggests that detection methods may be less than effective. Ninth, a very unsettling thought is that students can hire surrogate tutors to not only compete their courses but their entire course of study. Last, the potpourri tries to tie things together and provide some direction regarding solutions.

In addition, I would like to thank Elizabeth Brunn, Chair of the Education Policy Committee of CUSF and her committee for much of the background material presented in this commentary. They helped to make this commentary possible.

1) <u>**Traditional Methods of Cheating**</u> – If there is a **wikihow** on how to cheat, cheating is considered mainstream, commonplace, and at least tolerated. Wikihow is a step-by-step how-to-do-it website (*wikiHow*). It includes most of the traditional ways of cheating including some new techniques used in the digital age such as innovative ways to use a calculator. It is not until the third section titled a benign "**Avoiding Pitfalls**" that wikihow suggests that using these techniques may be inappropriate. One of the take-aways from reviewing this and similar sites goes to the changing culture where students no longer consider cheating as inappropriate behavior. This theme is picked up in Item #4 and elsewhere also. Two additional sites are provided below (*Edusson Writing Services, 2016 and Scott, 2012*). They delineate the traditional methods of cheating. Some of the typical methods include the cheat sheet, notes in the mechanical pen, temporary tattoo on the forearm, Google it in the bathroom, behind enemy lines, smart watch, the stretched rubber band, gum wrapper method, back of the necktie, fake calculator app, etc. Not much new here, but it is the starting point for the discussion.

Sources: wikiHow, How to Cheat Using a Cheat Sheet. https://www.wikihow.com/Cheat-Using-a-Cheat-Sheet
Edusson Writing Services, (2016). 49 Ways to Cheat on a College. August 17th.
https://edusson.com/blog/49-ways-to-cheat-on-college
Scott, D., (2012) 50 Ways Technology Can Help You Cheat in School. Complex. September 5th. http://www.complex.com/pop-culture/2012/09/50-ways-technology-can-help-you-cheat/the-paper-length-method

2) **Paper Mills Are Big Business** – What Rodney Dangerfield did as an individual in the 1986 movie *Back to School*, Corporate America is now doing as an industry. They write papers, take online classes, provide examination databases, and do homework assignments. They have names like Essays Free, Big Nerd, OP Papers, Paper Store, Paper Masters, and Academic Term Papers. Some of these sites are free. Other firms like Chegg, are big business and legal. They sell services from their paper mills and tutor services.

Operating out of Santa Clara, California, Chegg has an estimated $254 million dollars in revenues with 770 employees. It has stockholders. Chegg is an example of big business invested in higher education. Originally, Chegg lost money renting textbooks and then changed its business plan to include what they would term "*student study aids.*" Student study aids include tutors who write papers and learning platforms that contain everyone else's work (e.g. tests and papers). In their financial report, Chegg noted that "*With 30 million annual unique visitors according to comScore, we continue to be confident that this acquisition is an enormous opportunity for students, for Chegg, and for our shareholders. There have been over 1.5 billion citations created to date with more than 400 million new ones added in 2016 alone. Already we are exceeding the expectations we have for the business and it is quickly becoming a core part of the Chegg Services platform.*" They actively recruit students and for a fee around $90 per year they provide students access to all the resources in their repository.

Other firms providing similar services include *Course Hero*. Founded in 2006, it generates between $25 to $50 million dollars a year. Located in London, *Immerse Learning* has 90 employees and earns approximately $35 million dollars annually. Operating out of Coconut Grove Florida, *Open English* employs 900 employees with an estimated annual revenue of $75 million dollar. The services provided by these companies are not illegal. These businesses continue to provide papers, data sets of tests, and tutorial services that can be used to undermine the educational process.

Addendum: For those interested, a sampling of several sites which exemplify the points made above is provided below. Simply visiting their homepage reveals the slickness of the industry in servicing students needs. Also, it reinforces the normative change toward academic misconduct which has changed with the new millennials. Visiting these websites, one would never know that it was cheating (see Item #4: *Cheating May Not be Considered Cheating*). The following sites provide a good introduction to the services provided and of course, the problem facing faculty and administrators. The first is https://paymetodoyourhomework.com/ Note the testimonials and watch the YouTube video with the owner. It is very revealing. She notes that it is not illegal, but.... We could rest our case alone with this interview. Next, visit http://www.boostmygrade.com/ Scroll down a little and note the heading "*Take my online course for me.*" They are advertising academic dishonesty. For more depth, go to Item #9: "*Having a Tutor Complete Your Degree for You.*" Last, visit Nerdify, The Best Homework. Scroll down a little and review their services. It suggests that Rodney Dangerfield's 1986 movie *Back to School* was prophetic of the future corporate academic services.

Source:
http://investor.chegg.com/Press-Releases/press-release-details/2017/Chegg-Reports-Q4-and-Full-Year-2016-Financial-Results/default.aspx
https://gonerdify.com/lp3a?utm_source=ppc&utm_medium=adwords&utm_device=c&utm_term=do%20your%20homework&utm_mtype=p&utm_content=222092777198.ad-var2&utm_campaign=GoNerdify_Tutoring_Help_Middle_Web&utm_adgroup=hw-help_6367&gclid=EAIaIQobChMI4c75gbuZ1wIVm7jACh1

3) **Top 10 Sources of Plagiarism** – Turnitin, a popular anti-plagiarism software provider, conducted a study of 112 million content matches in 28 million student papers that were submitted to the company between June 2011 and July 2012. As a methodological note, their analysis does not include sources that

their program does not detect. Also, methodologically, the focus of their study is on writing plagiarism and it does not include tutoring or other non-writing services. Regardless, it provides a good overview.

A couple of quick comments. First, if additional depth is desired, go to the source article listed below for a summative description of each source. (*Warmoth, 2015*). Remember, these sources are from Turntin's perspective. Second, Wikipedia being number one is not unexpected. Third, at least six of these sources are paper mills or similar sites where materials can be downloaded for a price. Fourth, I find the use of Medlibrary.com a little disconcerting. Ranked 8th, it is a specialize market with fewer people accessing it and this alone can easily account for its lower ranking. Regardless, the take-away is that future doctors, surgeons, and medical personnel may be less knowledgeable than the patients think they are. This may be an unsettling thought. As a footnote, several parallel studies have been conducted. There may be a new item or two and the rankings may change somewhat, but the results are essentially similar.

1. Wikipedia   6. Answers.YAHOO.com

2. Oppapers.com   7. Answers.com

3. Slideshare.net   8. Medlibrary.org

4. Coursehero.com   9. Bignerds.com

5. Scribd.com   10. Papercamp.com

Source: Warmoth, B., (2015). Technologies that Will Change the World. *The Atlantic*. November 4th.
https://www.educationdive.com/news/the-top-10-internet-sources-college-students-use-for-writing-may-depress-yo/88176/

4) **Cheating May Not be Considered Cheating** – It may be a generational issue. It may be about changing the norm or attitude toward cheating. It may require redefining the norm. In a national survey by Rutgers' Management Education Center of 4,500 high school students, the study found that 75 percent of those surveyed engaged in serious cheating. Relevant to this discussion, the study found that "*Some 50 percent of those responding to the survey said they don't think copying questions and answers from a test is even cheating*." (Slobogin, 2002) Also, note that this was a survey of high school students and that several studies not referenced here found that the attitudes toward academic misconduct begins long before reaching college.

Typifying the changing attitude that cheating may not be cheating, one of the students surveyed noted that "*I actually think cheating is good. A person who has an entirely honest life can't succeed these days.*" (Slobogin, 2002) Another student noted that "*I believe cheating is not wrong. People expect us to attend 7 classes a day, keep a 4.0 GPA, not go crazy and turn in all of our work the next day. What are we supposed to do, fail?*" (Slobogin, 2002)

Donald McCabe, the Rutger professor who conducted this survey cited several reasons for this change in attitude. Some the reasons cited include it is easy for students to rationalize their behavior. They question why they should be held to a higher standard when adults aren't. And they noted the pressure to succeed as justification.

A study of 300 students by Kessler International reinforced the attitude toward student cheating found in previous study (Farkas, 2017). Relevant to this discussion, 54 percent indicated that cheating was OK. Other highlights of the study are listed below.

- 86 percent claimed they cheated in school.
- 54 percent indicated that cheating was OK. Some said it it is necessary to stay competitive.
- 97 percent of admitted cheaters say they have never been caught.
- 76 percent copied word for word someone else's assignments..
- 12 percent indicated they would never cheat because of ethics.
- 42 percent said they purchased custom term papers, essays and thesis online.
- 28 percent said they had a service take their online classes for them.
- 72 percent indicated that they had used their phone, tablet or computer to cheat in class.

For the new millennials, the internet provides unfettered access to information. It is viewed as **"common knowledge**" which is another way of saying that plagiarism isn't really plagiarism. It is attitudinal. The norm toward academic misconduct needs to change. Students view academic misconduct as acceptable behavior for surviving in a competitive world. When confronted with a purchased paper from an essay mill, one student replied *"I didn't cheat. I bought that paper and here is the receipt*." Need more be said?

Sources: Slobogin, K., (2002). Survey: Many students say cheating's OK.
http://edition.cnn.com/2002/fyi/teachers.ednews/04/05/highschool.cheating/

Farkas, K., (2017). 86 percent of college students say they've cheated. Its easier than ever with mobile devices.
http://www.cleveland.com/metro/index.ssf/2017/02/cheating_in_college_has_become.html

5) **The Case of Wolfram/Alpha** – In the potpourri on academic misconduct, just when one thinks they have their bearings on academic misconduct, there is the case of Wolfram/Alpha to confuse the issue of what is cheating. The following discussion is taken from an article by Biddle (2017) and it raises several questions including the changing role of education and what constitutes cheating.

Biddle (2017) notes that "*It [Wolfram/Alpha] works by breaking down the pieces of a question, whether a mathematical problem or something like "What is the center of the United States?", and then cross-referencing those pieces against an enormous library of datasets that is constantly being expanded.*" Unlike most of the search engines, it provides one answer rather than a list of possible answers.

For the STEM disciplines Wolfram/Alpha provides the equation, the answer, and a detailed step-by-step answer explaining how the answer was obtained. Normally, instructors use the step-by-step answer as a way to verify that the student understands the methodology of their work. A student submitting the results provided by Wolfram/Alpha is circumventing the process of having to figure out the homework assignment themselves. Is this cheating or simply using the technology that is available?

Wolfram/Alpha was designed as an instructional tool. It has replaced the slide rule and calculator. This is not a criticism of the tool. Rather it delineates its profound impact on the traditional educational process. In some circles, its use may be considered cheating since it is not the student's work being submitted. It is the program's. This is an age old problem. Conceptually, it is no different than learning the multiplication tables versus using a calculator. Also, it indicates the changing educational paradigm where students have unfettered access to information on the Internet and how these new tools are changing the learning process.

Source: Biddle, P., (2017). AI Is Making I Extremely Easy for Students to Cheat. *Backchannel*. July 5th.
https://www.wired.com/story/ai-is-making-it-extremely-easy-for-students-to-cheat/

6) **Curriculum Changes** – The role of the university is changing in the digital age. Traditionally, the university and its faculty are the purveyors of knowledge. Increasingly, the Internet is becoming the purveyor of knowledge. This means that there is a fundamental change in the role of the instructor in the educational process. Bishop and Cine (2017) note that the concepts of "cheating" and "intellectual property" are in flux regarding what is acceptable. They suggest that it is often an issue between those who view academic misconduct as an "ethical transgression" and those who structure the learning environment to be more engaging and to reduce cheating and plagiarism.

Bishop and Cine (2017) note that students are encouraged to collaborate with each other in group projects which often results in the submission of similar work by students. Also, they note that some research suggests that changing the curriculum can reduce cheating. Examples include having students submit drafts as they build their project toward its conclusion, using a series of quizzes rather than one or two big examinations, using an experiential learn model that immerses students into real project based situations, and having assignments where students relate the material to their lives. It is a curriculum strategy of creating smaller more personalized tasks and assignments that make it harder to cheat. These curriculum changes tend to be more engaging and reduce cheating. Making the curriculum more relevant is always a good instructional strategy. Regardless, changing the structure of the learning process doesn't address the fundamental ethical issues of cheating and plagiarism.

Sources: Bishop, MJ., and Cine, M., (2017). Academic Dishonesty and Online Education (Part 1): Understanding the Problem. *EvoLLLution*. September 28th.
https://evolllution.com/revenue-streams/distance_online_learning/academic-dishonesty-and-online-education-part-1-understanding-the-problem/
Bishop, MJ., and Cine, M., (2017). Academic Dishonesty and Online Education (Part 2): Strategies for Supporting Academic Dishonesty in the Digital Age. *EvoLLLution*. October 6th.
https://evolllution.com/revenue-streams/distance_online_learning/academic-dishonesty-and-online-education-part-2-strategies-for-supporting-academic-honesty-in-the-digital-age/
Bishop, MJ., and Cine, M., (2017). Academic Dishonesty and Online Education (Part 3): UMUC's Approach to Digital Academic Dishonesty. *EvoLLLution*. October 12th.
https://evolllution.com/revenue-streams/distance_online_learning/academic-dishonesty-and-online-education-part-3-umucs-approach-to-digital-academic-dishonesty/

7) **Inside a Paper Mill** – Paul Bateman is a ghost writer who writes for an essay mill. In his article in the *Times Higher Education,* he explains "*Why I write for an essay mill*." The following items are taken from his article (*Bateman, 2013*), and provides insight into the industry. For his services, he notes that he can earn up to £150 ($197) for a standard essay of 2,000-3,000 words which he notes is an evening's work. He indicates that longer essays can fetch up to £2,000 ($2,625).

When he writes an essay, he describes his job is one of personalizing the essay. He indicates that he knows all the tricks used by the software programs used to detect plagiarism. He writes at the level of the student. A third rate student who submits a first rate paper may draw suspicion. If a student seeks only to pass, he will misspell a word or two or write at a lower academic level. It is all about personalization of the essays that he writes.

The paper mill agencies are sophisticated and as the following passage suggests, they offer a wide range of services.

> "The agencies maintain sophisticated databases of available work, and there is often more demand than we can handle. If you perused their lists, you would be shocked. They feature everything form first-year undergraduate assignments on Dickens (so easy! Who would need to cheat? To PhD theses on molecular biology – not to mention the odd MBA on

business ethics."

Believe it or not, he has ethical standards. Also, he notes that he stays away from applied fields indicating that "*it is my only ethical standard as a ghostwriter. I will not help a nurse to qualify on false pretenses: who knows, it might be my parents who find themselves in their care.*" Yet, reading between the lines in his quote, he acknowledges that what he is doing is wrong. Therein lies the issue.

Source: Bateman, P., (2013). Why I write for an essay mill. How a 'freelance ghostwriter' haunts the sector. https://www.timeshighereducation.com/comment/opinion/why-i-write-for-an-essay-mill/2006074.article

8) **Detection Methods May Not Work** – The following study was conducted by three WCU professors as reported in Leef (2016) listed below. Their research project set up a fake Introduction to Psychology course with fifteen students. The project had the express intent of seeing if the instructors could detect the cheating and the companies used. A second objective was to determine if the evidence collected would be sufficient for a conviction in a disciplinary hearing. Unfortunately, their conclusion was that the instructors were not able to detect the cheating nor were they able to determine the company providing the materials.

There will always be cheating and academic misconduct. Relying on technology can help solve the problem, but it is not a panacea. There is an adage that the cheaters are one step ahead of those defending against it. The issue may be one of limiting cheating to within a tolerable or acceptable level.

Source: Malesky, A., Baley, J., and Crow, R., (2016) Academic Dishonesty: Assessing the Threat of Cheating Companies to Online Education. https://www.researchgate.net/publication/293014885_Academic_Dishonesty_Assessing_the_Threat_of_Cheating_Companies_to _Online_Education as reported in Leef, G., (2016). The New College Cheating; Why Not Buy Your Degree, https://www.jamesgmartin.center/2016/10/new-college-cheating-not-buy-degree/

9) **Have a Tutor Complete Your Degree for You** – Tutors provide a valuable service for students. But when do they cross the line and do the student's work that the student should be doing? Tutors can be hired to complete the course for you. Derek Newton (2015) documented his outreach to one of these companies which offered these services, **No Need to Study**. He asked if they could complete an online English course at Columbia University. Their customer service department responded and not only could they supply the tutor to complete the class for him, they could guarantee a grade of at least a "B" in the course. For the service, the fee was $1,225.15. In the article, he quipped that the extra 15 cents seemed to make if official. He earned or should I say his tutor earned an "A" for him in the course.

Later in the article, he equates the cost of completing an undergraduate course using tutors. He notes that if a person pays $1,000 for a three credit course, they may pay $40,000 for an entire bachelors degree. And, the student never has to attend class. They simply hire others to complete their degree. Given the cost of a typical undergraduate degree, he notes that an extra $40,000 is not an unreasonable expense for someone with moderate means. It is the modernized version of Rodney Dangerfield's movie *Back to School*.

The article was written from the perspective that online programs are prone to these abuses. However, brick and mortar institutions are not immune to these services either. Students in large lecture classes have had surrogates complete examinations for them. Also, brick and mortar institutions that provide a limited array of online courses are potentially susceptible to these services also. Often, general education courses

are vulnerable, whether offered during the semester or more frequently offered online during intersession when student are off-campus. In online courses, it may be easier to use tutors as student surrogates.

There are technological measures that institutions can utilize. For example, the IP address of the student's computer can be identified when they log onto university sites. An IP address from India might raise suspicion regarding who is really completing the course. These are technical issues and often, the online services are one step ahead of the institutions. Also, it should be noted that these services potentially constitute fraud and may be prosecuted as such. Students can and do have surrogates complete part of, or in-full their degree requirements. This is an issue of maintaining "academic integrity."

Source: Newton, D., (2015). Cheating in Online Classes Is Now Big Business: The growth in courses available on the web has led to a growth in paid services that will impersonate students and do their work for them. *The Atlantic*, November 5. https://www.theatlantic.com/education/archive/2015/11/cheating-through-online-courses/413770/

10) **Solutions and Suggestions** – The purpose of this and the previous commentary was to document the problem and to raise awareness to the issues associated with academic misconduct. This commentary focuses on how people cheat and plagiarize. The purpose of this item is to begin to identify the multi-faceted strands that can be used to address the problem.

First, the **norm** regarding plagiarism, cheating and academic misconduct needs to be clarified. It needs to be adjusted for new technologies. Students need to know that cheating and plagiarism are unacceptable and wrong. When 75 percent of the students admit to serious cheating and when 50 percent of the students believe cheating and plagiarism are acceptable behaviors, there is a normative problem with what constitutes academic misconduct. The norm needs to be changed. Students need to know what is unacceptable and faculty and administrators need to work together to create an academic environment that lets students know what is acceptable as well as unacceptable.

The role of **faculty** and **administrators** in facilitating the problem or in addressing solutions to the problem have not been addressed in these commentaries. Faculty and administrators are part of the problem. Also, they are part of the solution. Faculty and administrators need to work together to address the issue.

Next, the **System, State and Legislator** need to be involved. The use of tutors acting as surrogate students is fraudulent and laws may need to be strengthen in this area. The Office of the Attorney General (OAG) can be a key player be utilized in prosecuting fraud. In addition, there are other measures that the OAG can take.

Changing the curriculum to reduce cheating and plagiarism is always a good strategy. However, it sidesteps and doesn't address the ethical issues. Indicative of the changing curriculum and how people access information is that every reference in this commentary is from the internet.

Better use of **technology** can help. Turnitin, checking IP addresses, "web crawlers" and other sophisticated technologies are useful and can provide significant assistance. Web crawlers can be used to ferret out violators on the internet. Maryland is a leader in cyber-forensics and could apply this technology here. Regardless, better technology alone is not the answer.

Probably the most critical change to be made is to clarify what constitutes plagiarism, cheating and academic misconduct. It starts with students, but includes faculty, administrators and the public. It is about changing normative behavior. It is difficult to hold students accountable when they don't think

what they are doing is wrong and when everyone else has a similar view. With a normative change, all of the other approaches become workable.

Chair's Commentary 1712.1: Academic Integrity and the Silent Conspiracy

If no one reports the problem, can we conclude that there isn't a problem? If State troopers decide not to arrest speeders on the highway, can we conclude that fewer people are breaking the speed limit? If both faculty and administrators have incentives not to report plagiarism and cheating, can we conclude there is no problem here either? There may be a silent conspiracy between faculty and administrators to look the other way, to ignore the problem, and not to pursue plagiarism and cheating.

Let me start with a personal example that illustrates the silent conspiracy. It was a typical class with a typical multiple choice midterm. After the examination, I noted that a marginal student who was sitting in the next row slightly behind an "A" student had the same score on the examination. Both students scored an 88 or a B+. I inspected the two examinations further and both students had the same five incorrect answers. It was a prima facie case of cheating. Or in today's terminology, there was a "preponderance" of evidence suggesting cheating. I confronted the student. Of course, the student denied cheating.

I went to my department chair regarding the incident and what to do. I wanted to pursue the incident to its fullest including taking it to the judicial board. I believed the student should fail the course. He asked if I actually saw the student cheating. I replied that I didn't see his eyes focused on the other student's examination but that he was sitting in the ideal location to copy the answers. The implied message from the Chair was starting to become clear. It was to look the other way. It was to do nothing.

I went back and reexamined the two examinations. As indicated, both students had the same five incorrect answers. I did a further analysis. For the two students, two of the incorrect answers were changed answers. Both students erased the correct answer and changed it to the same incorrect answer. I did a further analysis where I performed a profile of all the students who had these two answers incorrect. Everyone else had different incorrect responses. The two students in question were the only students in the class who had the same incorrect answer for these questions. Both students had changed the correct answer to the incorrect answer. And no one else had changed the correct answer to an incorrect answer.

With this evidence in hand, the Chair made it clear to me that the incident was not worth pursuing through formal channels. There was more than a preponderance of evidence. After discussions with the student and Chair, it was decided that the student would retake the examination. There was no J-Board. Nor was there any further action. The student retook the exam.

For me, it was a lesson learned. Unfortunately, since then I have become a member of the silent conspiracy where the faculty and administrators have incentives not to pursue academic misconduct. There are numerous reasons cited in the literature why I am not alone. Some of these reasons include that it is not in the faculty's job description. Faculty are too busy with their normal duties to pursue cheating and plagiarism. The administrative structure makes it difficult to pursue. Faculty who report students will receive low student evaluations which can jeopardize their employment. Faculty want to focus their energies on the other students who don't cheat. Schneider (1999) notes that "*Preventing and punishing cheating languish at the bottom of most professors' 'do list'* – it they make the list at all."

Unfortunately, it is easier to look the other way or minimize the problem. My situation was like the State trooper who avoids giving speeding tickets and then the State concludes there isn't a speeding problem. What I learned from my incident is it is not unique in academia. It is played out numerous times in numerous settings. Collectively, our individual withdrawals from the problem understates the problem. The data is incorrect. We are like the State declaring that speeding on the highways is not a problem because the State troopers have decided not to pursue speeders and are not writing tickets. It is a silent conspiracy between faculty and administrators that understates the problem of academic misconduct.

My incident is echoed in the results of Kelly and Bonner (2005). They "*reported that instances of academic dishonesty rarely result in formal action against a student but instead are more often handled by the faculty member approaching the student involved on a one-on-one basis*." They note that their findings are consistent with other studies.

The following points are taken from Paul Trout's article *The Academic Creed in Theory and Practice*. His points suggest that my experience may not be isolated.

- "More and more professors regard cheating and plagiarism as trivial events not worth their valuable time to monitor or punish."

- 'To explain why they don't officially charge more students caught cheating, professors often cite the fact that administrators do not support them and often undercut their efforts: "Scholars claim they're getting shafted by the system. Guilty verdicts are overturned. Administrators, fearful of lawsuits or bad publicity, back down when challenged by litigious students. Professors who push to penalize cheaters somehow find themselves tied to the whipping post"' (Schneider "Why" A9).

- "A study carried out by June Tangney found that less then 50 percent of faculty suspecting fraud in research of their colleagues did anything to verify their suspicions, let alone file a formal complaint. (Lewis 133)"

- "Fear of retaliation for reporting suspected wrongdoing is a key problem in the way that ethical problems are dealt with in universities. More than half of our student respondents believe that they could not report possible misconduct by a faculty member without retaliation, and 29 percent also would expect sanctions for reporting another student. (Swazey, A25)"

- "Faculty members are also concerned about the consequences of whistle blowing: Only 60 percent believe that they could report a graduate student and 35 percent that they could report a colleague with impunity. In our interviews, some faculty members and students told us that when they did confront or report someone they believed was engaging in ethically wrong or dubious research practices, their concerns often were ignored, they were penalized for their actions, or the incident was covered up (Swazey, A25)"

The purpose of this commentary is to suggest that there are informal incentives for both faculty and administration to look the other way and ignore the problem. We should not be surprised if the analytics understate the problem. If State troopers are writing less speeding tickets, we shouldn't be surprised that the State concludes that speeding on the highway is not a pervasive problem? The problem will be understated. If the faculty and administrators are looking the other way, we should not be surprised that the problem is understated. Even when the problem is handled discretely by the faculty member as noted by Kelly and Bonner (2005), the metrics used to gauge academic dishonesty will tend to understate the problem. This is why it is important to change the culture toward cheating and plagiarism.

Returning to my incident where the student was caught copying the answers on an examination. He retook the examination. As the reader might have guessed, he was given the exact same examination on which he got a B+. Retaking the examination, he failed it. Need more be said? Also, it was a lesson learned for the instructor. It was easier to overlook cheating and plagiarism than it was to pursue it.

References:

Kelly, K., and Bonner, K., (2005). Digital Text, Distance Education and Academic Dishonesty: Faculty and Administrator Perceptions and Responses, *JALN*, Volume 9, Issue 1, March 2005.

Lewis, M., (1997). *Poisoning The Ivy: The Seven Deadly Sins and Other Vices of Higher Education in America*. Armonk, NY: M. E. Sharpe. quoted in Trout, P., (1999).

Schneider, A., (1999). The Academic Path to Parish Status. Chronicle of Higher Education, 2, July. A12. quoted in Trout, P., (1999).

Swazey, J., Louis, K., and Anderson, M., (1994). The Ethical Training of Graduate Students Requires Serious and Continuing Attention. *Chronicle of Higher Education*. 9, March: A24-25. quoted in Trout, P., (1999).

Trout, P., (1999). *The Academic Creed in Theory and Practice*. http://mtprof.msun.edu/Fall1999/creed.html

Chair's Commentary 1712.2: Academic Integrity – A Blueprint

The activities surrounding academic misconduct in the digital age has been moving very quickly. It began with a commentary submitted as part of my October Chair's Report. The commentary was based on the findings from the CUSF Education Policy Committee. In writing my reports to the Chancellor's Council and BOR, I normally submit the commentaries as part of my reports. For the most part, the reports are informational and rarely is there a question from the Board when I present my report at the meeting. The October commentary peaked the interest of the Board and not only were there questions, but there was discussion. Picking up on the CUSF initiative, the AAAC (Provosts) have discussed the topic twice at their meetings as has the Ed Policy Committee of the Board. It should be noted that the discussion at the Ed Policy Committee meeting was primarily in preparation for a panel discussion at the December meeting of the Board of Regents. In addition, CUSF is having a panel discussion on the topic at its December meeting on December 14th.

Again, the topic has been moving quickly. Since the October commentary, there have been two other commentaries along with this one. The November and December commentaries have not yet been reviewed by the Board. [**Note:** *The commentaries are written to the CUSF Council members as part of the Chair's Report and reflect this perspective*.] The November commentary was included in my Chancellor's Report and to quote one president, "*It was scary*."

I would like to commend the CUSF Ed Policy Committee for bringing forth this issue. Also, I would like to thank them for most of the information upon which the commentaries were based. It was invaluable. Also, I would like to thank them for helping us to position this issue as a general issue facing all institutions. As I have been reminded on more than one occasion, CUSF has been the driving force behind this issue and CUSF's Ed Policy Committee has been the driving force within CUSF.

Although one purpose of this commentary is to provide a status report, its primary purpose is to suggest a blueprint for going forward. The issue has been well documented. The BOR will want suggestions on solutions. However, first a disclaimer. Events have been moving so quickly, that any suggestions made are subject to change. Think of these points as evolving or as a starting point in the discussion. Also, remember that CUSF is having a panel discussion on December 14th, a day prior to the BOR meeting. The points may change based on the input from that meeting. Again, events are moving quickly.

Overall, two goals are envisioned. The first is to review and revise the BOR policy: III-1.00 – POLICY ON FACULTY, STUDENT, AND INSTITUTIONAL RIGHTS AND RESPONSIBILITIES FOR ACADEMIC INTEGRITY. The review would seek to provide a "unified" position regarding the policy and practices across the campuses reflecting changes in academic misconduct in the digital age. The second is to "change the culture" within System where its students, faculty, staff, and administration are supportive of the policies, practices and structures promulgated. This is reflected in the unified approach below and one underlying theme is to develop consistency across the campuses. It is both a top down and bottom up approach. Specific suggestions include:

- **Involvement of the OAG** – There are several initiatives that the Office of the Attorney General (OAG) can facilitate. First, tests and open resource materials can be copyrighted. Copyright infringement can be pursued against the large companies with their data banks of tests and materials. Next, the OAG can render a legal opinion on revoking Pell grants, scholarships, and other funding sources for students who hire tutors as surrogates to take classes or students buying papers from paper mills. It may constitute fraudulent use of these funds and breach of contract.

- **Cyber-forensics**: Technology can play a role in the mix. There are the traditional tools including plagiarism detection or misuse detection programs such as Turnitin. "Web crawlers" can be used to track down cheater sites. Cyber-forensics can be used to track IP addresses which can reduce the use of tutors taking courses. These and other techniques should be reviewed by the OAG.

- **Outreach to Secondary Education**: The research shows that cheating and plagiarism begins in high school and before. System can extend the conversation to include secondary education as an active player in solving this problem.

- **Symposium on Academic Integrity**: The culture toward cheating and plagiarism needs to change. Awareness needs to be increased. In addition, an important focus of the symposium is to frame the program in terms of the policy review and in terms of developing consistent policies and practices across campuses. The Kirwan Center for Academic Excellence could host a symposium on this issue. A leading authority on the topic, Donald McCabe out of Rutgers University can be invited as a principle speaker.[**Note:** *His study was quoted in Potpourri Commentary*. **Update:** *Dr McCabe passed away in September.*] A range of topics from the Potpourri Commentary can be used as the starting point for the agenda.

- **Breakout Session for the Presidents**: A major part of the implementation will occur on the campuses. The campuses are diverse with different needs and delivery systems. One alternative is to have a breakout session for the presidents at the Symposium followed up with discussions at the Presidents Council. The provosts may be included in the breakout session also. The purpose is several fold. First, the symposium seeks to infuse new techniques and solutions regarding academic misconduct. Next, it is important for the presidents and their campuses to have a level of consistency in their policies and practices. Communication among them is important. Again, this discussion needs to be framed in review of the BOR policy.

- **Initiate Discussions on Campuses**: There are initiatives which can best be done at the System or Board levels. However, most of the implementation will occur on the campuses. Working with their constituent groups including faculty, students and staff, the presidents and provosts will initiate the conversation on their campuses. The emphasis is on developing "buy-in" by the constituent groups, on changing the culture, and on the implementation of strategies. Implementation of strategies includes the integration of technological solutions and other macro level strategies (e.g. copyright infringement), as well as on campus internal reporting and adjudication structures.

Chair's Commentary 1712.3: Ombudsperson Resolution Update

Joann Boughman, Senior Vice Chancellor of Academic Affairs and Student Life, provided a good update on the status of the joint Ombudsperson Resolution at the joint Council meetings in November. She noted that the Presidents had an extensive discussion at the President's Council which occurs prior to the Chancellor's Council.

She noted that there were some issues that needed to be addressed. There may be some differences between the recommendations and practices of the International Ombudsman Association and those legally acceptable in this country. It should be noted that the resolution has considerable latitude. It notes that "the plan be consistent with the recommended policies and practices of the International Ombudsman Association or a similar association." Also, there were some HR questions regarding duty to report and this issue is being reviewed by the Office of the Attorney General.

The key point of Joann's comments was that the development of ombudsperson services are being incorporated within the fabric of the institutions. This is a good thing.

However, the primary focus of this commentary is to indicate what Council members and faculty can do to insure implementation of ombudsperson services on their campuses.

- The resolution requires the Presidents to work with their constituent groups, including shared governance, to develop a plan. It is incumbent on members to work with their Presidents to develop an implementation plan. Remember, several campuses already provide these services.

- An important role for faculty is in monitoring the implementation of the plan and the services. As a rule this is a campus function. However, there are two additional avenues of approach that can be used.

- The first approach is as follows. The Chancellor meets periodically with the Councils and Senate Chairs. An update on the progress is a legitimate topic for discussion.

- The second approach is as follows. In consultation with the faculty, the Senate Chair completes a survey on the state of shared governance on the individual campuses. A report on the progress of implementing the plan is a legitimate entry as part of the survey. From an administrative perspective, this is the appropriate process. As the direct supervisor of the presidents, the Chancellor will use this information as part of his yearly evaluation.