

Policy and practice in two academic settings: How the administrative structures of Australian and Swedish universities serve a culture of honesty

Keywords policy, disciplinary procedures, plagiarism, pedagogy

Introduction

Responsibility for the creation of an academic culture of honesty rests in part with a university's central regulatory framework, which sets common objectives and policies, and in part with the teaching staff without whose concrete efforts university-wide pedagogical efforts cannot be realised. In the early years of the twenty-first century, many universities in countries such as Australia, the UK and USA reviewed, revised and republished their policies and procedures for managing student plagiarism. Policy revision was seen as a one measure to improve quality assurance as there was increasing global concern, supported by research, that plagiarism cases were being ignored and/or managed inconsistently (Howard, 2008; O'Connor, 2002; Sutherland-Smith, 2008). Policy review bodies revisited issues such as low levels of detection (McCabe, 2003; O'Connor, 2002) and inconsistent treatment of plagiarism cases (Yeo & Chien, 2007; Carroll and Seymour, 2006, Pecorari & Shaw, in preparation; Sutherland-Smith, 2005, 2008). Research findings indicated there were a number of areas that could lead to problematic decisions, such as: inconsistent or informal means of record keeping, absence of monitoring how penalties were applied and lack of transparency in decision-making. As a result, many universities adopted criteria-based, centrally managed systems that focused on ensuring authenticity and validity in universities' assessment practices.

Policies also endeavoured to demonstrate strong institutional action to protect university reputations. However, with the rise of detection and punishment mechanisms, pedagogical approaches to plagiarism management became

increasingly marginalised or were absent from policies and procedures completely (Howard, 2008; Pecorari, 2008; Sutherland-Smith, 2008). Researchers argue that where pedagogy is taken as the central aim of policy, and procedures echo that ideal, then enhanced learning opportunities exist (Howard, 2008; Robillard, 2008; Sutherland-Smith, 2008; Pecorari, 2008). For example, where plagiarism policies are constructed around legal notions of theft and cheating and all cases of plagiarism, no matter what the circumstances, are held to be misconduct, often punishment occurs through sanctions such as suspension or exclusion from study. However, in some situations, plagiarism can be constructed as part of student learning to enable a student to enter a new discourse community. Often students adopt 'patchwriting' techniques in order to manage the sometimes unfathomable conventions about textual attribution (a phenomenon which can be especially visible in the work of second-language writers (Howard, 1999, 2007; Pecorari, 2008).

When these 'apprentice' writers are punished for plagiarism there is little opportunity for them to engage in enhanced learning. In these cases, some academics may choose to adapt, ignore, subvert or partially implement policy because the policy or process is at odds with individual academic ideologies and belief systems about learning and teaching relationships or the historical and known procedural means of addressing matters (Simon, Carr, McCullough, Morgan, Oleson & Ressel, 2004; Saltmarsh, 2004; Sutherland-Smith, 2005, 2008). Where students are unaware of standard attribution conventions or, even if aware, they are inexperienced academic writers, much can be done to enhance their learning. This cannot occur when they are excluded from the broader learning community and their specific disciplines, either by regulations or overly stringent plagiarism management strategies.

Researchers and practitioners in the field of plagiarism management, including the authors, have joined other scholars (Ashworth, Bannister & Thorne, 1997, Carroll, 2002; Clegg, 2007; Howard, 1999; 2007, Macdonald & Carroll, 2006; Martin, 2004; Pecorari, 2003, 2008; Sutherland-Smith, 2008; Thompson & Pennycook, 2008) in advocating a focus on pedagogy in managing plagiarism

issues. The result is a dynamic and changing context as institutions respond to internal and external forces through continued revamping of plagiarism management policies and procedures. There is evidence that, in some cases, such shifts in policy retain pedagogy as the focus of change (Ashworth, Bannister & Thorne, 1997; Carroll & Duggan, 2005, Macdonald & Carroll, 2006; Nilsson, 2008; Peacock, Sharp, & Anderson, 2006; Sutherland-Smith, 2008; Yeo & Chien, 2007). However, this is not universally true, nor is it uncontested, as the external environment contains forces that continually deflect and challenge quality enhancement and risk management processes (Nilsson, 2008). This paper probes the interface between these two elements, policy and teaching practice, and examines how they contribute to efforts to develop a culture of academic honesty in two settings.

Methods

The findings reported here are discourse analytical in nature, and are based on two sorts of data: the existing framework of regulations and policies, and teachers' discussions of their work with plagiarism and related issues in the classroom. The method adopted was to identify relevant themes in both of these sources of data, and map them onto each other, to reveal areas in which policy and practice converge and diverge.

The two settings for this research were Australia and Sweden. In the latter case, the most significant administrative directives are national, and so it is these that are analysed, while the informants come from two universities. In the Australian setting policies are shaped locally to a greater extent, and the analysis reported here is based on the policy work of the Group of Eight universities and teacher interview data from one site within the Group of Eight. The Group of Eight are recognised as the eight leading research and teaching universities in the nation. However, despite the fact that the issues can vary to some extent among the universities in these two settings, we argue that the areas that emerge from this study are relevant across large parts of the two countries involved, and not purely local.

Findings

In this section we present the results of our study in two parts, dealing first with the Australian context and then with the situation in Sweden. In the final section we bring these two case studies together and examine the ways in which they inform each other.

Australia: The law of unintended consequences

In Australia, although many institutions had well developed plagiarism policies in the nineties, one force compelling review of plagiarism management in the early twenty-first century was a reaction by universities to media pressure. Several widely-publicised tertiary plagiarism cases featured in the Australian media; however, the most significant was the University of Newcastle incident in 2003, which was referred to the Independent Commission Against Corruption (ICAC) for action. The Commission found that two senior university personnel were 'engaged in corrupt conduct' (ICAC, 2005, p.6). Consequently, a flurry of policy redesign ensued, and plagiarism was on the reform agendas of tertiary providers as a quality and risk management issue.

Plagiarism policies across Australian universities within the Group of Eight formed the basis for policy data. A common theme running through the plagiarism policies of these institutions is that the discourse of criminal law is used to describe the act of plagiarism, its implications and the outcomes. Words such as: misdemeanour, theft, intellectual dishonesty, misconduct, cheating and stealing are used to describe or define plagiarism. In addition, often the student is referred to as an 'offender' and a range of 'penalties' are applied where the language again reflects criminal law discourse of detection and punishment. Clearly, institutions must indicate that acts of intellectual dishonesty will not be tolerated. By locating plagiarism in the 'academic misdemeanour' range of policies, institutions can visibly demonstrate that they are taking the issue of plagiarism seriously. The approach taken by universities, therefore, seems to be to outline what constitutes a culture of *dishonesty*, in the hope of engendering ethical practices in their students and staff.

Plagiarism management processes differ across institutions but all share a common outcome that penalties are applied, ranging from warnings to exclusion from the university. Typically, across the participant institutions, the penalty is decided at a formal hearing, which the student may address in person or in some cases, through written submission. The committee or decision-maker then weighs the 'evidence' from staff and the student before an outcome is determined. Some institutions require plagiarism cases be handled centrally through one body or specific individual, either located within each faculty or within the university as a whole. Other mechanisms include various hierarchical stages through which a student must pass before an outcome is reached. Not only can this process be time-consuming for students (as well as staff involved in providing the 'evidence') but some staff reported students often experienced considerable anxiety which did not enhance their ongoing studies during the 'hearing' process – which may span several months.

A reliance on legal discourse positions university plagiarism mechanisms within legal rather than pedagogic frameworks. Additionally, some academics are concerned that certain teaching approaches may be encouraging students to reproduce and copy work as a learning approach. This, from their viewpoint, is a sure road to plagiarism. Whilst some of the 48 teachers interviewed prefer to see the tendency to reproduce or copy work as a particular cultural or discipline norm, others see it as inherently poor practice. Interviewees reported that students who do not intend to deceive the university and face plagiarism allegations can be 'naïve', 'poorly schooled', 'unfamiliar' or 'desperate' in their academic writing choices. One interviewee, Anna, said 'naïve students don't know what they're doing and some who are so desperate they do whatever they can to try and survive'. Seventeen of the 48 interviews interviewed consider that students find academic writing for specific disciplines 'challenging' and are unaware that conventions are ingrained in academic writing traditions or that they change between disciplines. Kate¹ said that some students 'simply had no idea that acknowledgement was not only necessary but essential. They seemed to think citation was a novel idea and certainly an optional one'. Therefore students are

unaware that ignoring such conventions can initiate misconduct proceedings. Other staff, such as Heshu, are critical of the 'slap dash' way in which students appear to put their research together – 'they meld unattributed quotes with their own perspectives and interpretation of sources' which he regards as 'sloppy academic work'. Yet even in these cases, many teachers perceive this is 'poor writing technique' (Jesse), heavy reliance on 'imitation' of sources (Laini) and 'lack of understanding about textual attribution' (Jon), rather than any urge to gain unfair marks or advantage through deception. These views resound with research that states these students practice 'less an intentional violation of a cultural code, than a survival measure in the face of perceived difficulties or deficiencies' (Hafernik, Messerschmitt, & Vandrick, 2003, p.45).

Whilst all 48 teachers interviewed overwhelmingly support university initiatives to decrease the instances of plagiarism, many are unconvinced that implementing plagiarism policies at the 'chalk-face' alone will achieve this end. Teachers such as Naomi consider that the detection ambit of policy comes with 'unintended and unwarranted consequences' for students and that 'poor writers' are often caught in the plagiarism web. As a result, these students are punished for transgressing academic integrity aims, but pedagogical responses have been ignored at the policy level.

The Swedish Context: No hindrance, no help

With a few exceptions, Swedish universities are public bodies and are governed by a national regulatory framework, the University Regulations, which has the force of law. These national regulations may be further specified, but not contradicted by, local rules established by individual universities. Policies about plagiarism appear to be rare at Swedish universities; policies, where they exist, may expand on or clarify regulations, but not override them. The University Regulations do not mention plagiarism specifically; it is subsumed under the heading of cheating:

Disciplinary actions may be taken against students who

1. with non-allowed aids or in some other way attempt to mislead during an examination or when study-based performance shall be assessed in some other way.
(HSF 1993:100 10 kap 1 §).

The same regulations specify the course of action to be taken if such cheating is suspected: In Swedish, 'grundad' – a 'well founded suspicion' of such offences shall be reported expeditiously to the Vice Chancellor' (HSF 1993:100 10 kap 9 §). The Vice Chancellor is required to investigate the reported offence, and can then decide to let the matter drop, to issue a warning, or to pass the matter on the disciplinary board (HSF 1993:100 10 kap 9 §). The disciplinary board decides whether the student is innocent or guilty of the offence and, in the latter case, can choose to issue a warning or to suspend the student. The obligation to report suspicions of an attempt to cheat is placed in principle upon anyone who has such suspicions; in practical terms, it is primarily employees of the university upon whom this obligation can be enforced. This regulatory arrangement has several implications. One of the most important of these is the question of intention. The first- and second-language composition literature has established that some instances of what has been termed 'textual plagiarism' (Pecorari, 2008) can be explained not as attempt to deceive, but as the result a number of process and learning factors (e.g Crocker & Shaw, 2002; Howard, 1995; 1999; Pecorari, 2003; Petrić, 2004). Since the University Regulations specify that a well founded suspicion of an attempt to cheat is a necessary ingredient in a disciplinary offence, instances of plagiarism which are due to other factors automatically excluded.

A second implication is that the teacher assumes a great deal of responsibility for determining whether a disciplinary offence has occurred. In principle, of course, the ultimate responsibility lies with the disciplinary board, which operates in a quasi-judicial manner, holding hearings in which evidence is presented and weighed up, and then ultimately decided about the student's guilt or innocence. However, the disciplinary board only has an opportunity to consider a case if a report has been made. Thus, in practical terms, the teacher, who must decide whether she has well founded suspicions that the plagiarism was intended to mislead her, is a key gatekeeper in the process. A final consideration is the

extent to which these regulations eliminate flexibility. University teachers (with the exception of those employed by a small number of private universities) are civil servants, and have very great security of tenure. One of the few grounds on which such a secure job can be lost is non-performance of duty, and a failure to report a disciplinary offence would be an instance of non-performance. Thus while the teacher has not only the right but the obligation to determine whether she has well founded suspicions that a student has tried to mislead her, if she comes to the conclusion that the student has, she has no flexibility at all in responding to the matter. How do these rules match teachers' perceptions and needs?

It should first be noted the teachers who were interviewed said, when asked, that they knew very little about the applicable rules and procedures. They did, however, express confidence that if they encountered a case which they felt they ought to report, they would be able to obtain the information they needed from their university web site, from colleagues who have had similar experiences, or from their supervisors. At one of the informants' universities it was possible to verify that the university site offered accurate and detailed information both about the rules in force and about how to proceed with a disciplinary case. Given that there is a single set of nationally applicable regulations, and that all universities have a legal officer who is charged with (among other things) ensuring that disciplinary procedures are carried out in accordance with the rules, it seems very likely that the informants' beliefs that good information is easily available holds true for university teachers in Sweden generally. It is, however, worth noting that these teachers would only set out in search of this information if they needed it, i.e., if they had a case of plagiarism they thought they needed to report, but an important point in the regulations is what needs to be reported.

On the question of what needs to be reported, the teachers revealed both an information gap and a certain degree of discomfort. One teacher developed a strategy of speaking to students, when she encountered plagiarism, to determine whether there was an explanation, for example whether they had not understood what they were meant to do. She then added, 'That's how I've worked. [It may be] right or wrong, but that's what I've done'. Another teacher explained that she took a

similar approach (talking to the students, rather than automatically reporting plagiarism) and then made a joke about the police coming for her. As it happens, the practice adopted by these teachers is very much in line with the regulations, inasmuch as their discussions with students who have plagiarised are an attempt to establish whether there are grounds for believing that the students intended to mislead their teachers when their work was assessed. It is, however, a potential problem that they were unaware of the rules, and an actual problem that they experience some degree of concern or worry about whether their practices are within the rules.

As the comments from these two teachers suggest, though, the legalities and practicalities of reporting suspected plagiarism emerged from the interviews as a low priority. None of the informants had reported a case of plagiarism to the disciplinary board. However, all felt that they had discovered something which could be called plagiarism, and that such writing was systematic; that is, they all spoke of some sort of writing which could be described as plagiarism as a persistent feature of student writing. Perhaps precisely because they viewed this sort of writing as widespread, they also tended to believe there could be non-deceptive explanations for it, and to believe that those non-deceptive explanations related to various gaps in the students' knowledge and abilities. They felt, therefore, that responding to student plagiarism successfully involved working with students' writing. One respondent, Gregorija, put a great deal of weight on the writing process. She expects that some students will use sources inappropriately, and tries very hard to catch those problems in a first draft, while there is still room to work with them. Another, Karin, believed that the expectations for the high-stakes genre of the degree project should be lower. If it were acceptable for the writing in the end product to be less polished, teachers would be able to shift some of their attention from the product to guiding the students through the writing process. In other words, the teachers felt that an important element in their response to plagiarism was investing time in teaching good writing practices. It is at this point that regulation and practice become less well matched.

Nothing in the regulations guides teachers as to how they should instruct students in source use. It is common for universities to encourage staff to make students aware of the disciplinary rules, since that makes subsequent disciplinary cases easier to bring. However, the central regulatory framework, as described above, does not speak at all to how plagiarism can be prevented. Any directives or support for university teachers that exist are provided, therefore, at a less central level, and therefore will reach teachers less evenly, with less consistent information. Such support and information appears in any case to be rare. (An exception is a newly established university teaching methods course at the second author's institution called 'Developing students' management of sources and avoiding plagiarism'. This effort is believed so far to be unique in Sweden.)

Beyond that, the possible pedagogical interventions require time and resources, which are not only *unspecified* in the rules, they are in scarce supply. One teacher, Gregorija, reported that the majority of an entire course had produced writing which she could not pass because of its dependence on sources. She decided to offer the same course to those students the following term, an unexpected, and in all likelihood uncompensated, increase in her teaching load. This is an extreme case, but to the extent that the teachers felt that good feedback across the writing process would lead to appropriate source use, time is an important ingredient.

Karin identified other sorts of institutional constraints on working with student source use. Her comments were primarily related to the end-of-course project that traditionally is the last component in a Swedish university degree. One constraint had been imposed by the students themselves. They had been so uncomfortable with writing an extended work that the academic writing component of their project had been minimised and the practical component expanded. Karin also felt that more time to supervise students would be useful. However, a constraint which loomed even larger for her was an emphasis on a polished finished product (as noted above). This was at odds with Karin's pedagogical belief that her role as a teacher is to meet students where they are, and help them advance as far as possible. The end-point should be defined by the student's own

potential. Karin saw that an insistence on a polished product meant that end-point became not the student's own potential best performance, but some other point defined externally, and without respect to the student's abilities. She believed that this was an objective which many students could not reach without significant help from their teachers, and the teachers' contributions meant that, while the final product was of high standard, the process by which it was reached did not maximise students' learning. There were two factors, Karin believed, which created the emphasis on a polished final product. One was a reluctance among her colleagues to show each other what sort of work their students could do, unaided. Another was the ever-present concern about regular reviews conducted by the national higher educational authority, since student degree projects are one component assessed in these reviews. Both these factors lead to an emphasis on summative assessment which means that she and her colleagues must forego formative possibilities.

In summary, then, the Swedish context is characterised by a central regulatory structure which grants teachers the ability (which they believe to be important) to distinguish between plagiarism which constitutes cheating and plagiarism which is the product of the learning process. Teachers are thus free, when they discover plagiarism, to conclude that it should *not* be reported, but should be responded to pedagogically. However, they are very much left to their own devices in developing pedagogical responses.

Conclusion

The situation in Australia and Sweden is quite different at the most general level, in two respects: first, because individual universities in Sweden have very little discretion and flexibility which is not the case in Australia, and secondly and perhaps most importantly because Swedish universities are only interested in regulating plagiarism where it is a form of cheating, and by very direct implication therefore admit that some plagiarism is not cheating. This is also different from the Australian context. When regulations are put into practice, though, the similarities between the two countries are more evident. Rules are associated with penalties

when they are broken, and with procedures to test whether they have been broken, and perhaps inevitably these procedures take on a quasi-judicial air. When plagiarism is suspected, the teacher's options, as provided for in policy and regulation, are to report or not report. If the decision is made to report a suspected offence, the next steps are to weigh up evidence, determine guilt or innocence and determine a punishment. It is when these administrative provisions are considered in the light of teachers' analysis of plagiarism that the Australian and Swedish settings are most similar: teachers report that these options are a poor fit for a great number of cases of plagiarism they see. They want to deal with textual plagiarism in a more constructive way, and the policies are generally mute when it comes to non-punitive approaches to plagiarism management.

Specifically, teachers are very strongly oriented toward approaching much textual plagiarism as a learning issue, and ideally would like to identify the problem causing source use issues, and teach to avoid it. At the administrative end, though, the question is approached like a photographic negative: by defining and prohibiting acts that are dishonest, there appears to be an assumption that the result will create a culture of honesty. This approach is problematic, though, in two ways. The existing literature on the topic (Howard, 2002, 2004; Hunt, 2004; Macdonald & Carroll, 2006; Sutherland-Smith, 2005; 2008) provides little reason to think that telling students what *not* to do enables them to *do* other things. Secondly, as this study has shown, there is a disconnection between what teachers believe students need and what policy and regulations supply.

This, we would argue, is a problem in the real-world contexts in which our study was situated. If student plagiarism were sporadic and due primarily to an intention to cheat and thereby gain unearned benefits in the form of university credit and high grades, then the reactive and punitive measures supplied by the administrative documents and practices examined here would be sufficient. However, the teachers who were our informants confirm what many scholars of writing have long asserted – that textual plagiarism is a very common issue, but that it is not ordinarily an attempt to cheat. This creates two practical problems. At one level, a cumbersome regulatory framework exists to serve a minority of cases,

and leaves the biggest issue unaddressed, which is unhelpful at best. A more serious problem, though, is the tendency to conflate the two acts which go under the heading of plagiarism. As long as university policies do not distinguish between prototypical and textual plagiarism, the very real risk exists that some students will wind up in the disciplinary mechanism in error. Such instances undermine visions of creating cultures of honesty in the tertiary sector.

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ⁱ All names are pseudonyms.