

#### **5.2.1.6 Breach of Examination and Assessment Regulations**

When completing assessments, learners are expected to demonstrate academic integrity. This means that learners should:

- Make themselves aware of how to avoid plagiarism (e.g. referring to plagiarism avoidance materials provided by ICD and attending citation, referencing, and plagiarism avoidance workshops provided by ICD) and demonstrate this awareness by shunning plagiarism in all its forms
- Independently make themselves aware of how to avoid plagiarism through referring to reputable sources on the subject
- Complete assignments themselves (e.g. not outsourcing the work to other students or other organisations, except in cases where there is an element of group-work)
- Complete exams within exam regulations (e.g. not bringing notes on paper or on devices or any other type of notes to be used when completing examinations (except when specifically instructed to do so))
- Complete assignments according to assignment guidelines provided by ICD and by ICD staff and lecturers

The college offers a specially-tailored academic induction which is aimed at explaining key academic regulations – such as those which relate to plagiarism and referencing – in a way which is accessible to learners from diverse nationalities. It is expected that all learners who are new to ICD should attend these induction sessions as a mandatory part of completing stage 1 of all programmes. Continuing learners are also invited to attend induction sessions or refresher sessions about plagiarism, citing, referencing, and academic integrity, which are held every year on various occasions.

#### **Breaching examination regulations (academic misconduct):**

During examinations, an invigilator or other member of ICD staff reserves the right to inspect the possessions of an exam candidate. If a student refuses to allow this without reasonable grounds they are in breach of examination regulations.

A learner should be deemed to have breached these regulations if they are found to have attempted to engage in any of the following during examinations:

- Students are not permitted to enter the examination venue after the examination has commenced
- Students are not permitted to leave the examinations hall during the first hour of the examination
- Students are not permitted to leave the examinations hall during the final thirty (30) minutes of the examination
- Cheating (e.g. bringing notes or other materials to an exam (in any form e.g. on a device or written on the learner's person or on paper), which are not permitted)
- Talking or otherwise attempting to communicate with anybody (e.g. other students) at an examination (except for examination invigilators, lecturers or other ICD staff in attendance at the examination)
- Learners cannot move any of the papers on their designated desk before an examination, or until advised to do so by the invigilator
- Learners cannot bring bags or large coats to examinations (a cloakroom is provided at ICD)
- Learners cannot have any computing equipment (e.g. a mobile phone, smartwatch, tablet computer, laptop computer, electronic organiser, recording device, radio or similar device) in their possession at their desk during an examination
- Learners cannot have any notes, books, reference material, or computing equipment (e.g. a mobile phone, smartwatch, tablet computer, laptop computer, electronic organiser, recording device, radio or similar device) in their possession during comfort breaks (e.g. visits to the bathroom) during an examination
- Learners must have their student ID card available for inspection before, during, and after all examinations
- Learners must read the instructions for every exam before they begin to complete the exam
- Learners must comply with ICD Examination Invigilator's and ICD Staff directions at all times
- Learners, during examinations, may not use dictionaries, reference documents, reference books, or mathematical tables unless expressly permitted for that specific examination
- Learners are not permitted to borrow or loan materials from other learners during examinations
- Learners are not permitted to leave the exam venue (room) unless they have received permission from an invigilator
- Bribery (of a member of staff)

- Impersonation (e.g. a student completes an assignment for another student or a student uses the work of somebody else in the completion of an assignment without specifically giving credit to that other party) (OR e.g. a student [person 1] knowingly allows another person [person 2] to complete their [person 1's] assignment or examination)
- Learners cannot remove answer books from the exam room

**Breaching assessment regulations (academic misconduct):**

A learner should be deemed to have breached these regulations if they are found to have attempted to engage in any of the following during assessments:

- Plagiarism (defined in section 5.2.1.6.1)
- Falsification (e.g. claiming to have collected primary data for an assignment, when the learner has not in-fact collected this primary data, or has not used the methods the learner claims to have used)
- Untrue/inaccurate claims to have carried out secondary research
- Misrepresentation (e.g. the learner provides something (e.g. a fact, theory, figure, statement, research finding, opinion) along with a citation or reference that is irrelevant to it [e.g. the assignment contains a sentence along with a citation to back up this sentence, but the cited source does not validate or back up this claim in any substantial way] [or citations are irrelevant to the passages they appear within or alongside])

5.2.1.6.1: Plagiarism

The purpose of ICD's Plagiarism Policy is to

1. **Prevent plagiarism:** this requires ICD staff to:
  - a. Actively build a culture that values and supports good academic conduct
  - b. Provide students with plagiarism training for students throughout academic years at all levels to inform students about academic integrity, academic misconduct, and plagiarism.

c. Ensure all students complete an induction module that covers plagiarism, academic misconduct, academic integrity and a variety of other important issues during stage 1 of all programmes. The aim of this endeavour is to help students to avoid plagiarism and to prepare students for third level education in general.

d. Ensure that lecturers regularly alert students to the importance of avoiding plagiarism and where appropriate to recommend that students use the Harvard Style of citation and referencing in order to credit all sources used in their assignments.

**1. Detect plagiarism:** This requires ensuring:

- a. Plagiarism detection software is used (e.g. through Moodle digital assignment submission systems) by lecturers (and students) to receive assignments
- b. Lecturers report any concerns they may have to colleagues and Programme Directors in order to deal with any issues that may arise.
- c. No assignment at ICD is knowingly graded by an examiner if it contains plagiarism.

**When can plagiarism arise?**

Plagiarism is not limited to text and can be found to arise in assessments of all types, which includes but is not limited to:

- Written final examinations
- In-class tests
- Assignments (also known as coursework or continuous assessment)
- Oral examinations (e.g. presentations or viva voce)
- Project work
- Essays
- Reflective diary assessments
- Primary and/or secondary research assignments
- Dissertations or theses
- Any other form of assessment used to assess a learner's achievement of module or programme learning outcomes

## What is plagiarism?

Plagiarism arises when a learner (in completing an assessment) displays any of the following (but is not restricted to these examples):

- **Poor scholarship (Lack of Citation/Referencing)**: A learner uses extracts from some other party's work (published or unpublished) without specific acknowledgement that the other party's work has been used (e.g. citation and referencing). This includes the paraphrasing of another work without adequate attribution (citation and referencing).
- **Unattributed quotations**: A learner quotes another party's work (published or unpublished) without specific acknowledgement that the other party's work has been used (e.g. citation and referencing)
- **Substantial similarity to another work (including paraphrasing without adequate referencing)**: A learner structures their assignment submission (or sections of it) in a substantially similar fashion to another party's work (published or unpublished) without specific acknowledgement that the other party's work has been used (e.g. citation and referencing). Sections of an assignment that contain high degrees of similarity to sections of another work (e.g. another assignment, a journal article, website, book, thesis or dissertation, YouTube video content, and more) are likely to be judged to contain plagiarism unless adequate credit is given through specific citation and referencing to the correct source(s) (even when paraphrasing is used [without adequate citation and referencing])
- **Presents the work of others as their own**: A learner presents the findings (secondary or primary research) or opinions of another party as their own without specific acknowledgement that the other party's work has been used (e.g. citation and referencing)
- **Self-plagiarism**: A learner submits the same or substantially similar work in multiple assignments (in multiple modules and/or within the same module). The previous/original assignment(s) may have been submitted at the current or a previous institution in a case of self-plagiarism.

In cases where parts of an assignment are plagiarised, these parts may include:

- Text
- Graphics (e.g. figures, tables, charts)
- Photographs/images
- Videos
- Audio files
- PowerPoint or similar presentations
- Computer code
- Tables

**Policy on Intentional or Unintentional Plagiarism:**

It is important to note that, particularly in cases of plagiarism, if a student is found to breach regulations, their intention or lack of intention to cheat is not a centrally important matter. For example, if a learner submits an assignment that is found to be substantially similar to the work of another party, whether or not they intended this level of similarity (i.e. plagiarism) is not a centrally important matter. Deliberate intent to cheat or plagiarise is a breach of regulations. However, deliberate intent is not a requirement for a sanction to result. Accidental or unintentional plagiarism is still plagiarism nonetheless and appropriate sanctions will result.

**Policy on a Learner's Lack of Knowledge about Plagiarism:**

If plagiarism results from lack of learner knowledge regarding citation and referencing, then this is the learner's responsibility and sanctions may still result. ICD provides supports to students for them to familiarise themselves with how to avoid plagiarism. Equally, there are plenty of reputable sources available for students to consult in this regard. It is a student's responsibility to make themselves aware of how to avoid plagiarism. This includes seeking support and assistance from ICD staff. However, if a learner engages in plagiarism, knowingly or unknowingly, then sanctions may result. These sanctions may include the student needing to attend plagiarism awareness sessions and the completion of an assignment on how to avoid plagiarism, in order to ensure they improve their knowledge on how to avoid plagiarism.

### Major or Minor Plagiarism Decisions:

A finding of plagiarism being present in a learner's assessment includes:

- An entirely plagiarised assignment
- Parts of an assignment may be plagiarised, and other parts may be original
- In either of the above cases, plagiarism may be found, and sanctions may result

The distinction between minor plagiarism and major plagiarism depends on the specific assignment and the nature of plagiarism displayed. ICD entrusts the judgment to what constitutes minor and major plagiarism in specific cases to its academic staff. Decisions regarding major or minor plagiarism must involve careful consideration (by the decision-makers) regarding the following:

- **Are sections of the student's assessment submission plagiarised (yes or no)?** The qualitative nature of the plagiarism (e.g. is it poor scholarship, or any of the types of plagiarism outlined earlier in this document (above)). First and foremost, the judgment here is that plagiarism is plagiarism, where detected. Whether it is major or minor plagiarism depends **somewhat** (but not entirely [see below]) on the proportion of the assessment submission that is found to contain plagiarism (see the next question below)
- **What proportion of the document (assessment submission) is plagiarised?** The quantity of plagiarised sections within an assignment submission should be analysed. High percentage similarity between an assessment submission and another source does not automatically constitute plagiarism; where similarity is detected, similar sections must be analysed by the assessor to clarify whether plagiarism exists, then moving on to clarifying roughly what proportion of the document contains plagiarism. The assessor is **not** required nor expected to provide an exact percentage analysis of the amount of plagiarism present. This quantitative analysis can be carried out by a combination of plagiarism detection software and manual plagiarism checking (e.g. by an experienced staff member or lecturer). There is no definitive percentage of a submitted assignment that must be plagiarised to amount to 'major' or 'minor' plagiarism. However, if greater than 50% (approximately) of an assignment shows evidence of plagiarism, then it is likely that this submission can be decided to contain major plagiarism. However, such a decision must be based on qualitative analysis of the relevant sections found to be similar to other work, to be certain they contain plagiarism. Equally, it is possible for an assignment containing less than 50% similarity to be

judged to contain major plagiarism (e.g. if a research thesis containing 100 pages, contains a 10 page chapter that is predominantly plagiarised by being almost verbatim copied from another source – while this is only a 10% similarity, it is almost certainly major plagiarism to entirely reproduce a chapter from another source (or sources)). There is no definitive percentage for an assessment submission to be defined as major or minor plagiarism. Therefore, ICD trusts the professional judgements of assessors in this regard. The greater the proportion of an assessment submission that contains plagiarism, the greater the likelihood that it constitutes major plagiarism (provided the sections containing similarity are qualitatively analysed by the assessor / decision-maker to ensure they do constitute plagiarism). The lesser the proportion of an assessment submission that contains plagiarism, the greater the likelihood that it constitutes minor plagiarism (provided the sections containing similarity are qualitatively analysed by the assessor / decision-maker to ensure they do constitute plagiarism).

- **It is essential to note the following:** plagiarism software can provide percentage similarities. These similarity percentages are **not** definitive indicators that plagiarism is present. Similar sections **must** be qualitatively analysed by the lecturer/assessor to make a decision as to whether similarity is plagiarism or whether similarity is not plagiarism. For example, a short student assignment may contain various quotations that are correctly attributed (cited and referenced) to their sources. Urkund plagiarism detection software may therefore indicate that this assignment contains high similarity because it contains quotes. However, if these quotes are correctly attributed, it is highly unlikely that plagiarism is present. For any further advice regarding plagiarism avoidance, learners and lecturers are advised to contact the Head of Academic Development at ICD.

#### 5.2.1.6.2 Plagiarism Detection Handling Process

If a student or staff member wishes to find more information about plagiarism, they should refer to section 5.2.1.6.1 of the ICD QA policy. If a lecturer suspects that there may be a problem with a student's submission relating to plagiarism, they should follow this process. Before stage 1 the lecturer has the right to (but not the requirement to) communicate with the student about their concerns and to consult with colleagues. If the lecturer still has concerns, they should follow the process outlined below. Students have a right to representation (e.g. student rep) at stage 2 and stage 3 below:

**Stage 1: Contact Registrar:** The lecturer should contact the Registrar to discuss the issue. If as a result of this (and any related) discussion, plagiarism is still suspected, the staff member should proceed to stage 2 of this process. Another point of contact and consultation at this stage is the Head of Academic Development (but this is not a requirement). It is not a requirement to contact the student at this stage.

**Stage 2: Viva Voce Consultation Meeting regarding Plagiarism:** A viva voce may be called for any assessment submitted by any student in order to discuss the contents of the student's/students' submission for grading purposes and this may (but is not required to) include discussion about any plagiarism concerns that an examiner(s) may have.

- Plagiarism related viva voce: If an examiner(s) has concerns about plagiarism specifically and wishes to call a viva voce, then it is a requirement that a viva voce, at which plagiarism will be discussed, will be attended by at least two members of ICD staff (e.g. two lecturers (one of whom may be the examiner)). **The Registrar cannot attend this meeting.**
- Viva voce not related to plagiarism: If a viva voce is not called to discuss plagiarism, then only one staff member need attend (to meet with the student).

Before calling for a viva voce to discuss plagiarism, the staff member in question must complete the Academic Integrity Referral Form (see Appendix 5.2.1.6.2) and submit this form to the Registrar, who will organise a second member of staff to attend this plagiarism related viva voce, and will invite the student to attend. It is not a requirement that the student is informed of the purpose of the viva voce meeting because they will be informed at the viva voce meeting itself. However, it is a requirement that the Registrar informs the student that they have a right to request the presence of a student representative to attend any viva voce. The student(s) in question must be invited to any viva voce meeting. However, if they choose not to attend, a decision will be made in their absence, which will then be communicated to them by the Registrar. The aim of such a viva voce will be an evidence gathering meeting for the staff and will provide the learner with an opportunity to formally hear the concerns of two academics (one of whom may be the examiner of the specific assignment in question) and also provide the learner with an opportunity to explain/respond. The outcome of this plagiarism related viva voce meeting may be:

- **No plagiarism / inconclusive:** Plagiarism concerns are unfounded (or there is inadequate or inconclusive evidence) and the assignment should be graded as

normal. Staff will report the outcome of the meeting to the Registrar. The Registrar will inform the student of the outcome.

- **Student agrees with staff that there is plagiarism present:** Plagiarism is agreed to be present between the student and the staff members present at the meeting. If this is the case the student may be offered the opportunity to resubmit the assignment (either in full or with parts altered to remove plagiarism concerns). Staff will report the outcome of the meeting to the Registrar. The Registrar will send the student a letter (or email) outlining the decision of the staff members present at the meeting. This letter will contain a possible sanction (see section 5.2.1.6.3 of the ICD QA Policy). The student will have one (1) week to respond whereby they either accept the outcome letter or they request a review (appeal) of the decision regarding plagiarism (see stage 3 of the present process). If the student does not respond within the required time-frame, the decision stands and the student cannot later appeal this decision.
- **Student disagrees with staff regarding presence of plagiarism:** In this case, staff conclude that plagiarism is present within a submission, but the student does not agree. The outcome in this scenario depends on the level of staff agreement as follows:
  - **Unanimous staff agreement:** If all staff present at the meeting are unanimously agreed regarding the level of plagiarism (i.e. that there is minor plagiarism; or that there is major plagiarism), they report this decision to the Registrar along with a recommended sanction (see section 5.2.1.6.3 of the ICD QA Policy). The Registrar will send the student a letter (or email) outlining the decision of the staff members present at the meeting. This letter will contain a possible sanction (see section 5.2.1.6.3 of the ICD QA Policy). The student will have one (1) week to respond whereby they either accept the outcome letter or they request a review (appeal) of the decision regarding plagiarism (see stage 3 of the present process). If the student does not respond within the required time-frame, the decision stands and the student cannot later appeal this decision.
  - **Staff not unanimous:** If staff are not unanimously agreed regarding the level of plagiarism or the sanction, then staff must recommend (to the Registrar) stage 3 of the present process. The Registrar will send the student a letter (or email) outlining the decision of the staff members present at the

meeting to refer the matter to a plagiarism review meeting (stage 3 of the present process).

**Stage 3: Plagiarism Review Meeting:** this is a possible outcome of stage 2, as outlined above. A plagiarism review meeting will consist of two members of academic staff (or more). **Staff members present at the meeting at stage 2 are not allowed to attend the meeting at stage 3. The Registrar cannot attend this meeting.** They may be consulted as part of the overall review evidence gathering process but are not given a vote in the decision-making process at stage 3. The student in question must be invited to this meeting and be informed that they can bring a student representative if they so choose. However, if the student chooses not to attend, a decision will be made in their absence, which will then be communicated to them by the Registrar. During this meeting, the student can hear the concerns of the staff and respond. As a result of the meeting, staff must come to a unanimous decision regarding:

- Whether or not plagiarism is present
- The level of plagiarism (major or minor) (if any)
- The sanction (if any)

a) **If staff are not unanimously agreed**, then the outcome is inconclusive and the student must receive their assignment grade without any sanction (excepting sanctions relating to possible lateness penalties, which are a separate matter). The staff present at stage 3 must inform the Registrar of the outcome/decision of the meeting. The Registrar will inform the student.

b) **If staff are unanimously agreed**, they communicate this to the Registrar and recommend a sanction where appropriate. The Registrar will send the student a letter (or email) outlining the decision of the staff members present at the meeting. This letter will contain a possible sanction (see section 5.2.1.6.3 of the present document). The outcome of stage 3 cannot be appealed by the student.

The outcome(s) of plagiarism meetings at stage 2 or stage 3 above will be communicated, by the Registrar, to the Academic Council and the Head of Academic Development, who are responsible for reviewing policy and procedures surrounding plagiarism prevention, detection, and sanctions.

### 5.2.1.6.3: Sanctions Due to Breach of Examination and Assessment Regulations

Sanctions will result from any learner breach of Examination and Assessment Regulations (including academic misconduct during examinations or assessments or plagiarism). Sanctions are decided upon on a case by case basis and include, but are not limited to, the following:

- Repeat of a specific assignment (or assignments) or assessment(s) or examination(s)
- Repeat of a module in full beginning at the next available opportunity (as indicated by ICD)
- Suspension of the student's studies at ICD for one semester or more
- Expulsion (removal of the student from the programme(s) and/or module(s) in question)
- Any requirements to repeat assessments or examinations or modules may carry fees
- In any of the above cases, the student's result may be listed as a fail for an assessment and/or module for the relevant attempt (depending on how severe the breach of regulations is)
- In minor cases, the sanction for a breach of regulations may be a penalty applied during the grading/marking process
- In the case of repeat assessments, a student will be required to pay a repeat fee of €150
- In cases where a student is found to have demonstrated plagiarism, the sanction (as well as any sanction above listed) may include an additional requirement that a student attend or reattend plagiarism prevention and academic integrity classes and may also include an additional requirement to complete a mandatory assignment regarding plagiarism to ensure they demonstrate their understanding of what plagiarism is, why to avoid it, and how to avoid it

If the sanction results from a plagiarism detection handling process (section 5.2.1.6.2 of the ICD QA Policy), then the decision of the staff to apply a sanction during that process will not require a disciplinary committee. If the sanction possibility results from academic misconduct other than plagiarism, then there must be a disciplinary committee formed to review the matter. **A disciplinary committee is formed as follows:**

**Please note: the disciplinary committee (stage 1 below) and the disciplinary review (stage 2 below) are not to be used in cases of plagiarism. In cases of plagiarism, please refer to the Plagiarism Detection Handling Process in section 5.2.1.6.2.**

- **Stage 1 – Disciplinary Committee:** Any staff member who suspects a student has engaged in academic misconduct (including breach of assessment and examination

regulations [other than plagiarism]) must contact the Registrar and submit the Academic Integrity Referral Form (see Appendix 5.2.1.6.2). The Registrar will invite two academic staff (or more) to meet to discuss a possible case of academic misconduct. The student will be invited to this meeting (and has the right to representation [e.g. a student rep]). If the student does not attend the meeting, then the matter will still be reviewed by the staff in the student's absence and a sanction may result. If the student does attend the meeting, they will hear the staff concerns regarding possible misconduct and can respond. Staff must unanimously agree an outcome. Otherwise, no sanction can result. The list of sanctions is outlined above. Staff will report the outcome of the meeting to the Registrar. The Registrar will send the student a letter (or email) outlining the decision of the staff members present at the meeting including a possible sanction. The student will have one (1) week to respond whereby they either accept the outcome letter or they request a review (appeal) of the decision/sanction (see stage 2 of the present process). If the student does not respond within the required time-frame, the decision stands and the student cannot later appeal (or seek review of) this decision.

- **Stage 2 – Disciplinary Review:** The Registrar will invite two academic staff (or more) (none of the staff members present during stage 1 can be present at this meeting) to meet to discuss a possible case of academic misconduct and to consider the outcome of stage 1, above. The student will be invited to this meeting (and has the right to representation [e.g. a student rep]). If the student does not attend the meeting, then the matter will still be reviewed by the staff in the student's absence and a sanction may result. If the student does attend the meeting, they will hear the staff concerns regarding possible misconduct and can respond. Staff must unanimously agree an outcome. Otherwise, no sanction can result. The list of sanctions is outlined above. Staff have the option to either:
  - Uphold the decision from stage 1
  - Or apply a different sanction from the sanctions list
  - Or to remove all sanctions

Staff will report the outcome of the meeting to the Registrar. The Registrar will send the student a letter (or email) outlining the decision of the staff members present at the meeting including a possible sanction. The student cannot appeal the decision of stage 2 (a disciplinary review).

If a student receives a sanction, they will receive a letter (or email) from the Registrar. The outcome(s) of disciplinary meetings at stage 1 or stage 2 above will be communicated to the Academic Council, who are responsible for reviewing policy and procedures surrounding examination and assessment regulations and sanctions for breaches of these regulations.

