



Guidelines for teaching staff in dealing with plagiarism and attempts to cheat

As at July 2019

As a member of the teaching staff, sometimes you are confronted with a suspicion of plagiarism, a clear case of plagiarism or other types of attempts to cheat. The boundaries are not always clear, and each case must be assessed individually. These guidelines include relevant information for serious cases in particular: contact persons, tips for how to handle the situation, as well as legal and in-depth information.

As well as this information, here you can find a definition of plagiarism which has been discussed and decided upon by different departments and committees. This same definition is also provided in a special set of guidelines given to students and should also serve to prevent incidents of plagiarism. Furthermore, these guidelines contain suggestions for holding conversations which have proven to be useful in numerous cases of plagiarism which have been resolved.

These guidelines and the guidelines for students were produced by the "Preventing Plagiarism" working group at the University of Stuttgart. We hope that they can contribute towards making the procedure for dealing with plagiarism transparent and making it possible for cases of plagiarism to be handled in a way which is constructive for all concerned.

The guidelines for students are also available online: <https://www.student.uni-stuttgart.de/en/exams/>

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1. On the integrity of academic practice

The University of Stuttgart and its members aspire to the highest principles of science – to honesty and probity in research and teaching. These guidelines have been written down in the University of Stuttgart's "Satzung der Universität Stuttgart zur Sicherung der Integrität wissenschaftlicher Praxis und zum Umgang mit Fehlverhalten in der Wissenschaft" (Statute to Ensure the Integrity of Academic Practice and to Deal with Academic Misconduct) of July 31, 2013.

It is our aim to educate students, not just in terms of the subject matter but to teach them how to think and work as an academic so that they can apply these skills in practice. Those who carry out research are constantly communicating with other researchers. This is why clearly referring to theses and arguments and the communicative exchange about them – whether at meetings and in publications or in teaching and in student projects – is important for scientific progress.

Plagiarism, ghostwriting and other attempts to cheat have a negative effect on the trust that exists between teaching staff and students. Moreover, they are not in the interests of the students themselves, because they rob the students of the opportunity of developing their knowledge of the subject and developing as a person.

2. What is plagiarism?

Plagiarism is an attempt to cheat, in the sense of an author giving an impression of having completed a piece of work independently which is actually the work of somebody else.

Different rules relating to citations apply depending on the subject area, likewise the idea of what is considered as general knowledge within the subject and so does not need to be cited. An inquiry must be made to the relevant institute about the respective subject-specific regulations and minimum thresholds.

The most noticeable case of plagiarism is copying sections of text word for word without acknowledging the source, whether it is phrases, passages or complete texts. Not acknowledging means not making it clear in the piece of work that the section in question was written by somebody else. Acknowledgment is given by naming the author, work and year and place of publication.

It is not only considered as plagiarism when passages are copied word for word without acknowledging them as sources. Copying the thoughts and ideas of others without acknowledging them in a way which is not verbatim, i.e. summarizing without acknowledging (paraphrasing), also comes under the term "plagiarism", as well as copying e.g. arguments and argumentative structures ("structural plagiarism") without acknowledging them, like definitions, theses, theoretical considerations, conclusions,

experiments, empirical data, results and their interpretation, charts, tables and graphics.¹

If a piece of work or a part of a piece of work is translated from another language uncited and then submitted supposedly as one's own work, this must also be considered as plagiarism ("translation plagiarism").

Including extracts from one's own texts which have previously been published without reference to the source is referred to in some subject areas as "self-plagiarism". Strictly speaking this is not a case of plagiarism since no "third-party" intellectual property is affected, though possibly publishing rights must be taken into account. A lack of acknowledgment however makes theses more difficult to classify from a research-history perspective. Examination procedures must determine whether texts and dates which have been part of a previous examination may be reused in a new examination, in full or in part.

Furthermore, it is considered plagiarism when a written piece of work is submitted which has been written in full or in part by another author ("ghostwriting"). This does not need to be plagiarism in the strictest sense; the deception is in the authorship of the text.

If texts need to be edited, the editing must not impair the originality of the piece of work. For example, this would be the case if the piece of work is changed so significantly that the original content and the original academic standard of the work is no longer reproduced.

All of these points mentioned can be confirmed in a declaration of originality signed by the student. The declaration of originality is the written confirmation by the student that he/she has acknowledged all content and sources from third parties in his/her piece of academic work as such. The author confirms this by signing the declaration of originality, which clearly highlights the problems relating to plagiarism again.

A declaration of originality for example can be formulated as follows.

I hereby declare that I have written this term paper independently and only using the aids indicated. I have clearly identified as quotes all passages which I have copied verbatim or paraphrased from the literature or from other sources such as e.g. websites, and I have given the source.

(Signature)

¹ cf. such as Martin Brian (1984): Plagiarism and Responsibility. In: Journal of Tertiary Education Administration 6/2, p. 183–190, here p. 183ff.

3. Dealing with suspicions

If plagiarism has been detected, the examiners must decide how serious a case it is. Rules regarding citations or minimum thresholds cannot be recommended or set universally because of the differences between subject areas.

In cases which are unclear, serious or complex, having a conversation with the student may bring clarity and make it easier to reach a decision. There is no legal obligation to speak with the student before assessing a piece of work as “not passed” due to an attempt to cheat.

Guidelines for holding a conversation in the event of cheating

Preparing for the conversation

If there are suggestions of cheating, the examiner who has noticed the irregularities and can explain it in detail can use the review of the examination to hold a conversation with the student to explain the situation. Depending on the regulations of the institute, other examiners are invited to take part in the conversation (e.g. representatives from the Examination Board, the Program Manager, the Ombudsperson etc.). The presence of a third person has shown that this person can moderate the conversation, take minutes or function as a witness. The advantage of having a Program Manager present can e.g. be to inform students about preventative measures.

It is recommended to invite the student to a conversation, so that they can prepare for it in advance and bring along the relevant documents. This ensures that the conversation can be carried out transparently and effectively for all parties. It is pointed out that

- there are irregularities in the piece of work in question, which suggest that cheating has taken place,
- the student has the opportunity to clear their name as part of a conversation,
- a decision is made after the conversation about how things shall proceed further,
- who will take part in the conversation and in which function.

Holding the conversation

The examiner, the student and any other necessary persons will take part in the conversation. For the purposes of transparency and a sense of formality, the persons involved shall introduce themselves at the beginning of the conversation and explain their function. The conversation is confidential, but minutes should be taken. The examiner presents the facts of the case, meaning it is explained why the piece of work, or parts thereof, suggest that cheating has taken place. The student is given the chance to put across his or her side of the story, e.g. by saying specifically how the piece of work was produced.

The tone of the conversation should not become too emotional insofar as it is possible. An attempt to cheat is usually not directed personally against the teaching staff. On the

contrary, concentrating on explaining the facts of the case and the correct way of doing things as well as the possible penalties has proven to be an effective approach.

Based on the facts of the case and the statement made by the student, the examiner decides whether the suggestion of cheating is well-founded or not.

If the suggestion of cheating does not prove to be justified, i.e. the student can show why this suggestion came about but can also show that the piece of work was completed in an academically correct manner, the matter is considered as resolved.

If the piece of work is considered to have been an attempt to cheat, it is entered with a note saying "not passed" (cheating/Täuschung). If the suggestion of cheating is considered to be a lack of methodological skills and not a case of cheating, the piece of work may be assessed as "not passed" (without the note saying 'cheating'/Täuschung).

Also, the students should be shown ways to avoid getting in the same position again. Specific measures to prevent plagiarism can include e.g. referring to relevant courses offered by the writing workshop, to the institute's policies on academic work, or the advisory services provided by the institutes or faculties.

When this process has been completed, the student should be made to understand that any future attempts to cheat will be penalized more strictly, though otherwise there will be no further action beyond the penalty given.

Possible penalties in the event of plagiarism

I. Basic information

The individual exam regulations of the University of Stuttgart stipulate which penalties can be imposed if a student attempts to cheat.

The following regulation taken from the exam regulations for master's degree courses (Section 17 Para 4), for example, is found in all exam regulations of the bachelor's and master's degree courses at the University of Stuttgart:

"If a candidate tries to influence the result of their academic achievements or examination by cheating or by using inadmissible aids, the corresponding module or master's thesis is assessed as "insufficient".

[...] In serious cases, the Examination Board can exclude the candidate from completing further academic achievements or examinations."

The exam regulation stipulates two possible penalties which can be enforced if a student attempts to cheat:

1. A piece of work to be given a grade of 5.0 due to cheating.

2. Exclusion from completing further academic achievements in more serious cases.

II. Giving a piece of work a grade of 5.0 due to cheating

By committing plagiarism, the candidate deceives others about the originality of the work produced by them.

The question is often asked of how extensive a case of plagiarism in a piece of work has to be for it to be considered an attempt to cheat. It is always assumed that a candidate has attempted to cheat when a minimum threshold has been exceeded. When this is the case depends on the individual circumstances, the kind of errors found, and the specialist assessment from the examiner.

If the examiner can prove that the candidate has attempted to cheat, the piece of work must be given a grade of 5.0 due to cheating. This is not an assessment of the quality of the piece of work, but a penalty for attempting to cheat.

When entering the grade in C@MPUS, care must be taken that it is entered as "Täuschung" (cheating). This makes it clear from the transcript that the grade of 5.0 was awarded due to cheating.

If the piece of work to be awarded with a grade of 5.0 due to cheating is a bachelor's or master's thesis, a written note with information on the right to appeal must be sent to the student informing them of this, in addition to the entry made in C@MPUS. This requirement follows from Section 19 Para 4 of the examination regulations.

Excursion:

It is essential to consider that the burden of proof for cheating or the attempt to cheat lies with the university. Therefore, a piece of work should only be awarded a grade of 5.0 due to cheating when the student can actually be proven to have cheated.

This is not always easy in practice. Particularly in the case of academic ghostwriting, in which a third party is commissioned by the candidate to produce a piece of written work (either in part or in full), it is very difficult to prove that the work was written by a ghostwriter and not by the candidate.

The university sets a lower burden of proof in the case of an attempt to cheat in the form of so-called prima facie evidence. If the situation initially suggests that cheating has taken place based on general experience and a typical course of events, then the burden of proof is reversed. In this case, the university does not need to prove that a candidate has cheated, but the candidate must prove that he or she has not cheated despite general experience suggesting otherwise.

When, for example, a candidate includes passages of text from a third-party in their own master's thesis without appropriately identifying it as such, the first instinct suggests that the candidate is being deceitful about the true authorship and is attempting

to pass off this passage of text as his or her own intellectual property. General experience and a typical course of events suggests that the candidate has cheated. The candidate must refute this first suggestion with proof that an unusual typical course of events occurred.

Attempts to cheat can generally be proven using prima facie evidence, because in most cases the candidate will not manage to prove that a non-typical course of events happened.

III. Exclusion from completing further academic achievements

In serious cases, the Examination Board can decide to exclude the student from completing further academic achievements or examinations.

According to the regulation, this penalty is restricted to serious cases. Exclusion from completing further academic achievements leads to the student being unenrolled.

The measure generally used as the boundary between a “normal” attempt to cheat, which results in not passing the examination, from a serious case of cheating, which can also be punished by being excluded from completing further academic achievements, is the objective criterion of to what extent a candidate has violated the rules of fair competition and the equal opportunities of the other candidates who have behaved honestly.

Serious cases of cheating can include, for example (not an exhaustive list):

- Repeated cases of cheating
- Employing the services of a ghostwriter
- Collaboration between multiple candidates
- Using a plagiarized piece of work which has been bought
- Using technical aids for the purpose of cheating in serious cases

The Examination Board as a whole is responsible for deciding whether a case of cheating shall be considered as serious, not the Chairperson of the Examination Board.

The Examination Board must not only decide whether a case of cheating is serious or not, but also whether the student should be excluded from completing further academic achievements. The Examination Board must deal with the negative consequences of this decision and weigh up the interests of both sides.

Before the decision is made, the student should be given an opportunity to make a statement.

If a decision is made to exclude the student from completing further academic achievements, this must be communicated to the student in writing. This written note must include a justification of the decision, a balancing of interests, and information on the right to appeal. A template for this note can be requested from Division III, Student Affairs.

IV. Plagiarism discovered after a certificate has been awarded

In many cases, plagiarism is only discovered after a degree certificate has already been awarded.

The exam regulations state that in such a case, the grade of the academic achievement or examination in which the cheating took place can be changed. Where applicable, the module examination can be declared to be "insufficient" and the mid-degree exam or the bachelor's or master's examination to be "not passed" (see Section 32 Para 1 of the exam regulations).

If cheating is only discovered after the certificate has been issued, the respective grade can be adjusted accordingly up to five years from the date on which the certificate was issued.

4. Further information

- Support for meetings

Ombudsperson

<https://www.student.uni-stuttgart.de/en/counseling/ombudsperson/>

Study guides

<https://www.student.uni-stuttgart.de/en/counseling/study-guides/>

- Support in legal matters

Division III, Student Affairs

<https://www.uni-stuttgart.de/universitaet/organisation/verwaltung/dez3-allgstudienangelegenheiten/>

- Courses and events

Writing Center

<https://www.sz.uni-stuttgart.de/schreibwerkstatt/>

Key competencies (the latest offer in C@MPUS)

<https://campus.uni-stuttgart.de/cusonline/webnav.ini>

- Useful links

“Satzung der Universität Stuttgart zur Sicherung der Integrität wissenschaftlicher Praxis und zum Umgang mit Fehlverhalten in der Wissenschaft” (Statute of the University of Stuttgart to Ensure the Integrity of Academic Practice and to Deal with Academic Misconduct (2013, Official Announcement 62/2013): https://www.uni-stuttgart.de/universitaet/aktuelles/bekanntmachungen/dokumente/bekanntm_62_2013.pdf

Preventing Plagiarism project of the University of Constance

<https://www.plagiatspraevention.uni-konstanz.de/>

Here you can find publications and materials on the topic of plagiarism.

“Fremde Federn finden” (Taking credit for the work of others) learning unit – HTW Berlin:

http://plagiat.htw-berlin.de/ff/startseite/fremde_federn_finden

Citation Guide in German, English and French – TU Munich:

<https://mediatum.ub.tum.de/?id=1225458>

- Literature

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