

Guidelines For Selecting Honor Code Sanctions

When an instructor and a student are considering an appropriate punishment to be reported on an Honor Code Violation Report, or when an Honesty Committee is deciding on a sanction for a student found to have violated the Code of Honor, they are to be guided by the criteria stated in Section VII.D (“Assignment of Penalties”) of the **Academic Code of Honor Handbook** and repeated on pp. 12-13 of the **Faculty Guide to the Academic Code of Honor**. These documents are available from the Office of the Provost or can be downloaded from <http://www.nd.edu/~hnr/code>. The following guidelines are offered by the University Code of Honor Committee to assist instructors and committees in their endeavor to apply these criteria in a fair and appropriate manner.

1 *Sanctions should include academic consequences that flow logically from the dishonest behavior.*

Sanctions usually take the form of a reduction in the credit given for the work in question or a reduction in the grade for the course. Assigning a sanction, e.g., community service, that is not connected with the course in which the student engaged in dishonest behavior or does not require the student to reflect on the consequences of his or her actions is less likely to enhance a student’s commitment to academic integrity.

In the case of two students in the same course, one of whom assisted the other in an Honor Code infraction, equitable sanctions should be applied to the two students. If the collaborator who supplied the “infraction assistance” is not enrolled in the same course as the person who committed the infraction, it is recommended that you seek out the advice of your Departmental Honesty Committee Chair and/or a University Code of Honor Committee member before proceeding.

2 *Sanctions should have the effect of genuinely penalizing the student for choosing dishonesty over honesty. Penalties that leave students in the same position they would have been in had they not cheated are punishments only in name, and offer scant disincentive to a student tempted to cheat.*

Students should not be given punishments lax enough to create the impression that they have nothing to lose (even if they're caught) by cheating.

Example: *An instructor gives her students a midterm exam consisting of 20 short-answer questions. The exam is to count for 20% of a student's semester grade. It is discovered that Student A has copied verbatim one of the answers written by Student B. Student A later explains, "I knew nothing about that topic. I had no choice but to copy or to leave it blank, so I chose to copy."*

Consider the implications of two possible sanctions:

Sanction (a): Student A receives zero credit for the one question on which he cheated.

The penalty here amounts to only 1% of the student's semester grade. Note that this is identical to the penalty an honest student who didn't answer the question but who refused to cheat would have received. Sanctions of this sort do not deter dishonesty, since students perceive that they risk next to nothing by cheating.

Sanction (b): Student A receives zero credit for the entire exam.

Here the student's act of dishonesty costs him 20% of the semester grade, far more than acting honestly would have cost him. Indeed, some might feel that such a penalty is too harsh for this violation. Though the *Handbook* states clearly that zero credit for the work should be the normal penalty for minor offenses, committees or instructors have it within their discretion to propose a milder sanction.

The point of Guideline 2 is simply that under no circumstances should the sanction be so mild as to impose no real penalty for cheating.

3 *Honesty and contrition on the part of a student who confesses to having violated the Honor Code can justify reducing a student's punishment, provided that the reduction does not violate Guideline 2.*

Example: Student A (from the case described in Guideline 2) is forthright in admitting to having cheated, and seems sincerely sorry for having done so.

A modification to Sanction (b) from the example in Guideline 2 might then be in order. For example, the instructor might calculate what grade student A would have received on the exam had he not cheated, then reduce the exam grade by two full letters – e.g., from an 'A-' to a 'C-'. There are obviously many possibilities here, and instructors and Honesty Committees will have to use their best judgment in deciding how to proceed.

Confession is not to be confused with contrition. When caught, students often confess, but justify their actions with excuses rather than exhibit true remorse or repentance. Moreover, nothing in the Honor Code requires that students who appear forthright and contrite be given reduced punishments. It does seem clear, though, that students who do *not* exhibit these virtues when confronted with clear evidence of their having violated the Honor Code should not be considered candidates for such leniency. The main point to keep in mind is that, given our overall educational objectives, any punishment should be fashioned so as to discourage cheating and promote genuine honesty and contrition.

4 *Sanctions that have been assessed for similar offenses in the relevant department or college should be taken into account when assigning a penalty.*

Precedent should play a role in determining sanctions for academic dishonesty, and those instructors who have no idea regarding typical punishments for offenses are encouraged to consult with the chair of their department's Honesty Committee, their Faculty Representative on the University Code of Honor Committee, or the Faculty Honor Code Officer.

Honesty Committees and instructors should recognize, though, that they are not obliged to follow the precedents set by previous Committees. The fundamental obligation of instructors and Committees is to enact penalties that are in consonance with the criteria stated in the *Handbook* and repeated in the *Faculty Guide*.

5

No Honesty Committee should assign a penalty to a student that would involve significant additional work on the part of the faculty member.

Example: A student submits a paper in which portions of the text were copied from a journal article without any citation.

It might be tempting to have the student fail the assignment and require him to write a new essay. The effect, however, would be to impose a burden on the instructor who must read and evaluate the paper. If a committee feels, nonetheless, that an additional writing assignment is the appropriate avenue, then the paper should be submitted to the committee rather than to the instructor. Failure to submit the paper would subject the student to further sanctions.

The Academic Code of Honor differentiates a major from a minor offense according to whether it demonstrates some of the following characteristics:

- i. The dishonesty involves a substantial portion of the work submitted.**
- ii. It would considerably increase the student's grade in the course.**
- iii. There is evidence of fairly extensive premeditation and planning prior to the act.**

Committees and instructors need to consider the extent to which an act of dishonesty exhibits these characteristics as they determine the appropriate punishment. The following three guidelines elucidate each of these characteristics.

6 *In considering whether a dishonest action involves “a substantial” portion of the work submitted, instructors and Honesty Committees should focus on the specific work in which dishonesty was manifested, not on the totality of work submitted during the semester.*

Example: *A student submits a paper that is taken word-for-word from an uncited Internet source.*

Even if the paper counts for only 2% of the student’s semester grade, the violation would meet one of the characteristics indicative of a major offense – the “substantial portion” criteria – because of the extent to which the paper was plagiarized.

7 *In considering whether a dishonest action would have “considerably increased the student’s grade in the course,” instructors and Honesty Committees should use their best judgment in interpreting “considerably”, but should attempt to apply their standards consistently.*

Clearly, the term “considerably” offers instructors and committees broad latitude. Still, there are sensible limits here. It isn’t reasonable to judge that copying one out of five hundred homework problems would considerably increase a student’s semester grade. On the other hand, one might reasonably conclude that a student who plagiarized crucial sections of a major paper did stand a chance to considerably increase his semester grade.

8 *In considering whether a dishonest action exhibits “extensive premeditation and planning prior to the act,” instructors and Honesty Committees should consider the entire process of cheating, from conception to execution.*

It is important to discriminate between genuinely “spur of the moment” decisions (e.g., to copy a single answer on an exam as the class period is ending) and those where the dishonest activity exhibits more deliberate thought and spans a longer period of time. A relevant factor here is whether or not the student had the opportunity to reconsider an impulsive decision to cheat.

Example: *A student, feeling fatigued at 3:00 a.m., decides to cut-and-paste paragraphs from a website into an essay due later that day.*

The student may have acted impulsively at 3:00 in the morning, but if the paper is not due until 1:00 in the afternoon, the student clearly had ample time and opportunity to recognize the seriousness of submitting a plagiarized paper. Doing so, then, should not be seen as an action lacking significant premeditation and planning.