Consider cross-cultural perspectives on academic integrity

ST. PETERSBURG BEACH, Fla. — Students around the globe often view academic integrity through a different lens. Just try telling some international students that sharing work or lifting material from scholarly resources deserves a sanction, and you’ll usually elicit a different response than from U.S.-educated students.

“It’s an extremely unacceptable behavior here. But they tell me, ‘I don’t understand; I can do that in my country.’ And I don’t know if that’s true — I’ve never been to Syria or Belize,” said Amanda Hambleton, assistant director, student conduct and conflict resolution at the University of Florida.

Hambleton and Claire Pepper recently spoke at the annual conference for the Association for Student Conduct Administration. Pepper is a graduate assistant in UF’s Dean of Students Office.

A UF online survey of international students and foreign-trained faculty at the university revealed a disproportionate number of international graduate students had honor code violations. Many of the international students hailed from China and India.

International students caught cheating often suffer consequences that reach beyond their campus. For example, when U.S. institutions suspend international students for cheating, they’re often not welcomed back to their countries or their families. Also, choosing to attend grad school here usually means they had to forfeit the option of attending school in their home country, Hambleton said. It’s not unusual for international students dismissed on the basis of plagiarism to sue the college or university in an effort to clear their names. (See summaries of lawsuits on p. 5.)

Paying for papers or other work ranks as a common violation among international students. That’s usually because international students and their families often place more value on maintaining high grades and class ranks and earning a degree than knowledge attainment.

Foreign schools often emphasize shared and collective work and expect students to help their classmates. And many times international students don’t realize this isn’t expected nor accepted in U.S. colleges unless a professor specifically calls for it in an assignment. And many international students don’t understand why copying scholarly material is considered plagiarism. In their home countries, they’re often expected to state their professor’s words and work verbatim, out of respect, Hambleton said.

Even students and faculty members educated in countries that recognize the concept of intellectual property say it’s not enforced, valued or clear, Hambleton said. “These students are coming in really confused,” she said.

And they’re staying that way. Many aren’t exposed to academic integrity policies or concepts — or even required to write papers — until pursuing their terminal degrees. In fact, some U.S. faculty members don’t even mention the academic integrity standard until a student violates it.

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Address academic misconduct among international students

International students often have very different ideas about academic integrity. You can set the record straight and help them avoid cheating violations and sanctions through education and communication.

Amanda Hambleton, assistant director, student conduct and conflict resolution; and Claire Pepper, a graduate assistant in the Dean of Students Office, both at the University of Florida, suggested the following:

➢ **Require academic integrity education.** Develop a one-credit course or an orientation presentation for incoming students. Address different citations for various disciplines. Some cultures don’t permit questions, so encourage them. Videotape for distance and nontraditional students.

➢ **Collaborate.** Ask to speak at orientations hosted by your institution’s international students office and graduate school. Library staff can also help.

➢ **Ask international students what they do and don’t know.** Don’t assume or rely on what foreign-born faculty members remember from when they were in their home countries decades ago.

➢ **Dig for reasons behind violations.** Ask where students are from and why they did what they did. Try to determine if their actions were due to lacking skills, knowledge or experience, or simply poor ethics. Then explain, “I can see how you did this because of what you’re used to in your country, but it’s different here.”

➢ **Consider rewording policies.** Choose “academic misconduct/negligence” over dishonesty. Otherwise, you’ll wind up debating the meaning of “dishonesty,” especially because international students might insist they’re just helping each other.

➢ **Give educational sanctions.** Sometimes faculty will give a grade penalty but avoid discussion or education, leading to repeat violations due to ignorance. Try sanctions involving workshops on academic integrity, plagiarism and ethical decision-making, followed by reflection papers and the opportunity to redo assignments.
Review 2 cases where international students challenged academic dismissal

The following illustrates the type of lawsuits you might face from international students who believe they were wrongly dismissed for academic misconduct. Are you sure that your campus officials are thoroughly explaining the U.S. interpretation of plagiarism and cheating to international students?

Comply with student handbook

In *Lit v. The University of Tulsa*, et al., No. 12-CV-641-TCK-FHM (N.D. Okla. 01/29/13), Ye Li—a Chinese student enrolled at the University of Tulsa—was dismissed based on three incidents of academic misconduct.

The first instance was in a computer programming class where the student and another Chinese student allegedly submitted work containing similar codes, comments and indentations. The professor believed the students had cheated, gave them a failing grade, and reported their conduct to the dean.

After a meeting with Li and the professor, the dean decided the student committed academic misconduct. He upheld the failing grade and admonished her.

In September 2012, another professor accused Li of cheating on an exam.

At a meeting, Li denied some of the accusations and admitted to others. Once again, the dean found academic misconduct and admonished her. He warned Li that another instance would result in dismissal.

In October, yet another professor accused Li of cheating.

After another meeting, the dean concluded Li had committed a third instance of academic misconduct and notified her that she would be dismissed on Oct. 10.

Li’s appeals within the university were unsuccessful, and she was dismissed. She then filed a lawsuit, asserting she was not adequately advised of the charges before the meetings and never received the five-day notice required by the student handbook. She claimed the dismissal was arbitrary and capricious and filed a motion for a temporary injunction.

District Judge Terence Kern first addressed the due process claim. He found the student handbook contained disclaimers stating it did not constitute a contract and its notice provisions specifically did not apply to accusations of academic misconduct.

Judge Kern found that—at all three meetings—Li had been informed of the charges at the beginning and given an opportunity to confront her accuser and to respond. He did not believe she was ambushed or that the dean had made up his mind beforehand.

Li had argued the dismissal was arbitrary because the university did not have a written policy specifying that a third instance of academic misconduct would result in dismissal. The judge said a university had the right to flexibility in sanctions. He also found no procedural infirmity, because the dean had warned Li that one more violation would result in her dismissal.

Predicting her lawsuit would be unsuccessful, the judge denied Li’s motion for a temporary injunction.

Don’t apply different standards

In *Park v. The Trustees of Purdue University*, et al., No. 4:09-CV-87 (N.D. Ind. 04/11/11), Junhyuk Park was a doctoral student at Purdue University when he submitted a final paper for review. One of the reviewing professors used an Internet plagiarism detection service and found instances of plagiarism.

In response, Park provided evidence that the professor applied a more stringent standard of review to him than to similarly situated non-Korean, non-Asian or female students in the doctoral program. The university rejected Park’s arguments and dismissed him.

Park sued the university and its officials in their individual capacities, alleging violations of his 14th Amendment equal protection and substantive and procedural due process rights, among other claims. The university moved to dismiss the claims, asserting 11th Amendment immunity and qualified immunity for the officials. The 11th Amendment provides immunity to states from suits for damages by private citizens in federal court. On the other hand, qualified immunity protects public officials from suits for damages unless they violated “clearly established” law a reasonable official in the same position would have known.

The university argued that sovereign immunity applied not only to the institution but also to its officials in their individual capacities. It asked the court to look beyond the “individual capacity” label to the allegations against the officials.

The court ruled that because Park sought to hold officials liable for their individual, intentional acts of discrimination, they were not protected by sovereign immunity.

It also held that the defendants were not protected by qualified immunity because they should have known that they would be violating Park’s rights by treating him unfairly because of his membership in a protected class (national origin). However, the judge dismissed Park’s due process claim, holding there was no constitutional right to a graduate education.

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