

Neither Abuse, Nor Neglect: A Duty-of-Care Perspective on Academic Integrity

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Abstract

Approaches and mindsets related to academic integrity are increasingly bifurcating into two polarized camps: one that is characterized by a law-and-order approach and one that prioritizes student experience. The first has been accused of being abusive or insensitive to the stress and anxiety that the approach may cause students, the latter of being neglectful of the need to maintain high standards of academic integrity. This polarization is unhelpful as it hinders thoughtful discussion as well as the formulation of balanced solutions that maintain high standards of academic integrity while also being sensitive to the psycho-emotional needs of students. To address these issues, we propose a duty-of-care perspective, which is based on the principle that as educators, we have a duty-of-care obligation to others and we must therefore act to address academic misconduct, but not without a consideration of the costs and burdens it places on others. Our duty-of-care perspective offers a framework that provides (1) a prosocial motivation and frame of reference for dealing with academic integrity, (2) a guide for developing and assessing alternative courses of action in a balanced and holistic way and, (3) a frame for messaging to stakeholders that we have a duty to act based upon care and shared responsibilities. If we are all in this together, rather than retreating into opposing camps, the duty-of-care perspective unites us around our shared responsibilities.

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Across university campuses, academic misconduct has been a long simmering problem for many years (Christensen-Hughes & McCabe, 2006; Gillis, 2015; Edwardson, 2020) and there is considerable evidence suggesting that cheating in college is both widespread and increasing in frequency. In terms of contract cheating alone, a systematic review spanning more than 40 years of research found that rates had increased from a historical average of 3.5% of students to 15.7% for the 2014-2018 period, representing up to 31 million students worldwide (Newton, 2018). In the Canadian context, Eaton (2018) estimates that approximately 71,000 Canadian post-

secondary students have engaged in such cheating behaviour. Despite these alarming figures and trends, Canadian colleges and universities have historically done very little to address the academic integrity problem prosaically described by McCabe, Butterfield, and Trevino's (2012) landmark work in "Cheating in college: Why students do it and what educators can do about it."

Then COVID-19 struck in March 2020, and the resulting move to remote education sent shockwaves across higher education. Among its effects was greater attention and concern raised about high levels of cheating among students (Newton, 2020). At the University of California at Berkeley, academic integrity allegations have risen four-fold during the Fall 2020 semester (Rosenborough, 2020). In Canada, a survey of 500 professors in Quebec this June revealed that 44% had detected cheating in their classes and an additional 32% strongly suspected cheating but believed they did not have sufficient evidence to prove it (Fortier, 2020).

Such reports have put a spotlight on academic misconduct and have compelled university and college teachers and administrators to act. To date, the response to the challenge has largely been ad hoc, fragmented, and uncoordinated across and within schools as individual educators have hastily crafted responses, generally without much institutional guidance and support. The result has been a haphazard hodgepodge of approaches and the measures used to manage and mitigate academic integrity have become a flashpoint for tensions and conflict between and among administrators, instructors and students.

Some instructors and administrators have adopted what we call a "law and order" approach designed to detect and punish cheaters. Some of these responses have been widely criticized as abusive and too heavy handed and insensitive to circumstances being faced by students. For example, at Wilfrid Laurier University students in a linear algebra course were provided with five pages of rules for taking an online midterm (Ghonaim, 2020). This followed a previous incident where some Laurier students were told to purchase an external webcam in a short time frame when many suppliers were out of stock (Hazlewood, 2020). Not surprisingly, this created a huge backlash amongst students and likeminded educators, staff, and administrators who were up in arms, considering these requirements "unreasonable" (para 1). Though we are fierce advocates for greater efforts at managing academic misconduct, we share some of these concerns and see the potential for harm in some law and order styled approaches to addressing the issue.

Others have criticized the response to the problem of academic misconduct at their institutions as inadequate and neglectful. These critics point to unchecked and under-reported incidents of widespread and systemic cheating. We are also sympathetic to this view and believe that many institutions have thus far neglected their responsibilities to various stakeholders by not doing enough to manage and mitigate cheating. As we have argued elsewhere, it is clear that only a tiny percent of cheating is acted upon despite us having the tools to detect it (Gedajlovic, Wielemaker, & McCullough, 2020). That many students continue to engage in flagrant and easily detectable cheating behaviour such as when 30-40 or more students in a single class download an exam

answer from a note sharing site (without any effort to edit or disguise it) suggests that neglect of the problem is still a very serious issue in some schools (Newton, 2020). Such neglect fails to uphold the value of student degrees and the maintenance of a meaningful learning environment among other deleterious effects on students, instructors, alumni, employers and our communities (Gedajlovic, Burke, & Flostrand, 2020).

There are a host of possible reasons for this neglect. Some instructors and administrators believe that they already have too much other work and other more pressing priorities. Some undoubtedly worry about the financial implications of clamping down on misconduct. Others complain about academic misconduct processes that are cumbersome, time consuming and largely ineffective. In many cases, instructors believe they are unsupported and that there are counter incentives for putting effort into ensuring academic integrity; it all seems to come at a cost to their other work and can negatively impact assessments of their performance or even threaten their employment status if it results in lower ratings on student satisfaction surveys, or less research output. Additionally, third parties, such as contract cheating companies and over-involved parents, interfere in the direct relationship with students and therefore also hinder addressing misconduct. And perhaps most importantly, the overprotection of students by some educators (*cf.* Lukianoff & Haidt, 2018) has resulted in some excusing, or even legitimizing, cases of academic misconduct.

In short, some university educators and administrators have been criticized for being too heavy handed and doing too much to curb academic misconduct, whereas others have been criticized for not rising to the challenge and neglecting the problem through inaction. In such an environment, individuals responsible for managing the academic integrity portfolio at our schools might conclude that they will be “damned if they do, and damned if they don’t.” A natural tendency when confronted with issues such as this is to approach them as a Goldilocks type problem and avoid solutions that are either “too hot” or “too cold.” We, however, caution against such an approach as it is likely to result in tepid solutions that are neither effective at curbing cheating nor sensitive to the needs of students and instructors.

So, what are concerned educators and administrators to do? We suggest another approach based upon a different lens or frame of reference that does not manifest itself in terms of abuse or neglect: a duty-of-care perspective. This perspective is based on the idea that as university administrators and instructors, we have a duty-of-care obligation to others and we must therefore act to address academic misconduct, but not without a consideration of the costs and burdens it places on others. Our duty-of-care approach begins with two sets of questions in deciding how and when to act:

1. *In order to mitigate the problem of neglect* - Are we doing what we should to protect our students, educators, schools, alumni, and communities from the very serious adverse effects of academic misconduct?

2. *In order to mitigate the problem of abuse* - Are there things we are doing that we should not? Are our policies and practices insensitive to the circumstances of some individuals and groups and do they place excessive and/or unnecessary burdens on them?

A duty-of-care perspective also helps lay the foundation for the nurturance of a normative environment where people recognize that academic misconduct is a collective problem and that stakeholders have responsibilities and a duty of care to each other. As educators, we have a duty of care towards (a) vulnerable students who might cheat as a result of bad choices and being preyed upon (Gedajlovic, 2020) or blackmailed (Sefcik & Veeran-Colton, 2020) by third parties that wish to profit from them, (b) hardworking students who may be disadvantaged by others cheating, (c) our schools' reputations that may be tarnished as a result of scandals, (d) our alumni who may see the value and legitimacy of their degrees diminished, (e) our communities who trust us to produce competent and ethical graduates, and (f) educators who can lose a sense of purpose if they come to believe that their institutions do not share their values regarding academic standards and integrity. Yet this duty of care simultaneously requires us to consider the circumstances of people and not unduly burden them.

Thus, a duty-of-care perspective requires a balanced approach and a consideration of not only the costs and benefits of alternative courses of action, but also the costs and burdens we place on others through inaction or other forms of neglect. To elaborate, a duty-of-care perspective provides:

- (1) A prosocial **M**otivation and frame of reference for dealing with academic misconduct,
- (2) A guide for developing and assessing alternative courses of **A**ction in a balanced and holistic way and,
- (3) A frame for **M**essaging to stakeholders that we have a duty to act based upon care and shared responsibilities.

Together, the duty-of-care M-A-M elements provide a framework for addressing academic integrity in such a way that avoids abuse and neglect.

While a law and order approach focuses on rules and offences, a duty-of-care perspective focuses on people and their needs. In doing so, it provides us with a strong prosocial motivation for tackling academic integrity. In other words, by adopting a duty-of-care perspective, we are recognizing our responsibility to protect various stakeholders for whom we are responsible from foreseeable harm (De Guttry & Capone, 2018). As the word care implies, we have a duty to do this in a way that is caring and considerate of others.

A duty-of-care perspective also provides direction and guidance on how we are to act. It requires that we consider and weigh alternative means of assessing students' knowledge and skill levels in a way that has rigour and integrity while also considers the need for people to feel respected and

be free of unnecessary stress. The latter requires that people we care for and whom the measures may affect are consulted and listened to. Because we have a duty of care to multiple stakeholders, this means we need to listen to and consider not only the voices of vocal groups and interested parties, but also to students who have different concerns as well as instructors, alumni and employers who are also impacted but whose needs and concerns can be often neglected.

And finally, a duty-of-care perspective also helps with messaging insofar as it allows us to frame academic integrity policies and enforcement as something we do FOR our students and not TO our students. We do it because we care about them, not because we see them as dishonest scofflaws. It is a message that we are in this together and we all have a duty of care to others. Administrators have responsibilities to educators and students. Educators have responsibilities to their schools, colleagues and students. And students have responsibilities as well, especially to their peers.

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