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## **Plagiarism: Institutional policies and their implications for learning advisers**

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### **Abstract**

As tertiary institutions increase their awareness of issues surrounding plagiarism, it is becoming standard to have, or to be developing, a policy on plagiarism and/or dishonest practice. Policy should benefit university staff and assist students in avoiding difficult situations. However, the unclear boundaries of plagiarism comprise just one of the factors that render the problem of finding a comfortable compromise between the requirements of plagiarism policy and people even more difficult. This paper presents an investigation of national and international examples of plagiarism policies. It sets out to explore how policy on plagiarism at tertiary institutions, particularly universities, may impact on teaching support staff. The investigation of these policies indicates that learning support staff will best be able to deal effectively with the relevant issues if they are very familiar with the institution's policy and also reflects on the implications of that policy for student attitudes and subsequent actions.

### **Introduction**

Plagiarism is an increasingly popular topic for discussion. Higher Education literature pays particular attention to what the best type of institutional plagiarism policies and procedures are, including case studies and what to consider when instituting new policies (Carroll, 2002; Devlin, 2004, 2006; Park, 2004; Pickard, 2006). An important point is that students and/or staff can make or break these policies and, depending on whether a policy seems pointless or overly cumbersome, may not take its enforcement seriously (Carroll, 2002; Martin, 2004). Thus buy-in is a crucial consideration in making the policies work (Devlin, 2006; Larkham, n.d; McCabe, 2004; Zobel & Hamilton, 2002). A plagiarism policy that has required a good deal of time and financial resources put into setting it up could be ignored and evaded (Marsden, Carroll, & Neill, 2005). Correspondence or columns on incidences of plagiarism being ignored also appear frequently in the *Times Higher Education Supplement* (e.g., Baty, 2004a; Sharp, 2005). Depending on the institutional context, there will be varying implications for support staff if teaching staff and students do not acknowledge or fully 'buy in' to the policy.

Plagiarism policies, specifically at the university institutional level, can implicitly encourage or discourage certain attitudes and behaviours through the specific emphasis of each policy. This is particularly important for learning support staff as policy on plagiarism will produce drivers that affect their interactions with students. While most students are eager to follow the rules and will do their best to avoid plagiarising (Martin, 2004), there will be some students seeking to evade the rules by targeting weak areas within a policy, and many students to whom some weaknesses will simply become apparent under time pressure. However, not all weaknesses assist the student in receiving good grades. A balance of strengths and weaknesses will be inherent in whatever type of policy is chosen; each institution must decide what best suits its context. It is a matter for consideration that the

decisions an institution makes when constructing its plagiarism policy will affect the issues that learning support staff are likely to encounter. While institutions undoubtedly have the best intentions, any policy may have unintended consequences, especially for the less visible staff such as learning support staff and for the students who may not have been part of the consultation process.

Plagiarism is not a new area of consideration for learning support staff: many are already engaged and generate a large amount of useful resources (e.g., Fain & Bates, 1999; Valentine, 2005). However, plagiarism will become especially important for learning support staff as the demand from the wider institution, departments, teachers and students will come to bear on learning support. This paper will consider possible impacts of different types of plagiarism policies on students' behaviour and attitudes and the ramifications of these attitudes and behaviours for learning support staff. After briefly considering the situation of learning support staff, the paper will describe the methods of this small-scale study and discuss the results.

## **Focus**

The learning support role has its own particular qualities, particularly for support staff not attached to specific departments or schools. This paper focuses on issues relevant to those in centres intended to provide assistance with generic advice and skills. Learning support staff are particularly tied to requirements of institutional or government policy: as a centrally-funded unit, a library or learning support centre cannot afford to be seen to be working against institutional policy. Furthermore, in New Zealand, Government is taking increased interest in outputs from tertiary institutions, with particular attention being paid to matters such as retention rates (Ministry of Education, n.d.). Perhaps more importantly, support staff are in the business of providing accurate guidance and information: if they are not able to do so, staff may find the viability of their positions challenged. An additional issue is that learning support staff may often be on general rather than academic contracts, particularly when situated in libraries as librarians or information literacy officers. This employment situation means that learning support staff are in a more tenuous position in terms of authority than many discipline-based academic staff. Furthermore, the learning support staff focused on in this paper often deal with one student at a specific point in time in a specific situation, usually a particular issue within an assignment or other piece of assessment. This leads to a certain decontextualisation in comparison with the teachers embedded within a department and/or discipline.

## **Methods**

Material located on institutional web sites was analysed using a qualitative approach. Plagiarism policies and institutional documents were read initially from five North American, six Australian, three New Zealand and four UK universities to gain an impression of the approaches that the policies have, consistent with grounded theory as described by Patton (2002). This number was narrowed down to four Australian, two New Zealand and two UK universities for closer analysis. These institutions were selected purposefully (Patton, 2002) to represent the range of ways in which universities focus their plagiarism policies.

Publicly available material from institutional web sites was used to locate information on policies and procedures relating to plagiarism. Web-based material was used in preference to hard copy as web-based materials are a common conduit for institutional information for staff and students, and present a face for visitors or those wishing to find out about an institution. A site search was carried out for each institution on the term 'plagiarism' and the list of results printed out. The web site was then further probed for material in institutional policy lists, student association pages, professional development pages and student learning support pages. All relevant material was printed for closer reading and textual analysis.

Textual analysis was used to examine the material from each institution and identify common themes and issues. The emphasis of each institution's policy was ascertained by considering what factors

determined penalties for plagiarism, and what might be considered mitigating factors in both official policy and guidelines for academic staff teaching students or marking assessments. Another consideration was the institution's official definition of plagiarism. Carroll's (2004, pp. 17-18) criteria for flexible and fair penalties for plagiarism comprise: "extent"; "level"; "knowledge of (local) academic regulations, assumptions and rules"; and "rules of the discipline". The provision of this range afforded a basis for the concept that plagiarism policies may vary in emphasis. After determining the four bases, other literature on plagiarism was consulted to verify the relevance of the issues associated with them.

## Results and discussion

Different policies base the crucial cut-off between minor and serious offences in a particular area. The choice of area in which the cut-off point is to be made, and in which the policy is based, varies between institutions. The material examined revealed four such areas:

- Intention: intentional/unintentional;
- Frequency: first time/repeat occurrence;
- Amount: less than X%/more than X%;
- Type: referencing errors/anything more complex.

Each of the four areas will be outlined and discussed in this section in turn, considering issues for students, issues for learning support staff and weaknesses in policy. The level (minor/serious) at which any given incident of plagiarism is assessed may affect: punitive measures; who deals with the student under investigation; who deals with the actual investigation into an alleged case of plagiarism; whether an incident is in fact treated as plagiarism at all.

Each of these defining characteristics as previously decided by the policy-makers and portrayed by the policy provides a specific kind of driver to teachers, support staff, and students. Their interactions appear to be coloured by these drivers and possible punishments, rewards, and methods of evading the policy. Descriptions are supported by tables that indicate some possible outcomes of various bases in plagiarism policy for students, and therefore for learning support staff.

### Intention

#### *Issues for students:*

An *intention*-based policy leans towards a framing of plagiarism as a criminal activity: a student who has been found guilty must have plagiarised intentionally. Therefore, if students protest that they did not intend to plagiarise, they are likely to be judged personally dishonest as they do not admit to the transgression. This mirrors practice in the legal system in Australasia and the UK: law courts commonly view an early confession as a mitigating factor, but an unwillingness to plead guilty may bring a harsher sentence.

Plagiarism is often treated as a crime in the literature as well as being evident in the surveyed policies. Park (2003, pp. 471-3) provides examples of rhetoric used to describe plagiarism. Hauptmann (2002) furnishes an example of such rhetoric, referring to plagiarising students as "perpetrators" (¶ 8) and "dishonest" people who "steal" (¶ 9, ¶15) while Carroll (2002) quotes Mr. Justice Sedley describing an allegation of plagiarism as "the academic equivalent of a criminal charge" (p. 83).

A problematic aspect of *intention*-based policy is that students are likely to feel a lack of agency as the power differential between teaching staff and students is emphasised by a staff member being able to pass a judgment on his or her interpretation of an event, as opposed to measuring a tangible artifact, such as the amount of plagiarism in an assignment. The institution, as embodied by the teaching staff or administration (depending who enforces the case), is judge and jury. It is not the existence of

tangible evidence that matters as much as its interpretation. Therefore the student may feel there is little recourse from a guilty verdict as it is impossible to disprove the intention of a past action.

*Issues for learning support staff:*

Under *intention*-based policy, students are particularly likely to be anxious about accidentally plagiarising and not being believed. If students have no sense of power or control, one would expect them to exhibit behaviour characteristics such as clinginess, uncertainty and nervousness. For example, students may closely question learning support staff about the possible actions that may be considered plagiarism. As an alternative reaction students may challenge what is perceived as an unfair system. It may be possible to draw a parallel between students and academic staff: the latter are reported to not implement policies they see as unfair or particularly onerous (Barrett & Cox, 2005; Baty, 2004a, 2005). It can therefore be suggested that students, too, may simply choose to ignore what seems a policy judged on intangible means such as other people’s hunches or feelings.

*Weakness:*

The most obvious weakness in *intention*-based policy would be the particularly intangible nature of what is judged intentional, something that could be disputed by students. As it is hard to define plagiarism exactly, one avenue for students seeking to push the boundaries of regulations is to look for practices that could be explained as unintentional, which could result in a constant, low level of borderline plagiarism throughout the students’ work.

The main issues and inherent weaknesses of an *intention*-based policy are summarised in Table 1.

Table 1. *Issues and weaknesses of an intention-based policy*

Basis of policy	Student concerns	Ways students may target weaknesses	Issues for learning support staff
Intention (intentional/unintentional).  Message: “you’d better not have meant to do it”.	Plagiarising unintentionally but being thought to be deliberate and dishonest.  Not knowing all the actions that might make up plagiarism, especially what is likely to be interpreted as deliberate.	Will try to limit oneself to situations where it is feasible that plagiarism could be interpreted as unintentional.  Will try to pass blame to others (teachers, learning support staff) for misinforming or not informing about what counts as plagiarism.	Students anxious to avoid plagiarising.  Questions as to what indicates the boundary between intentional and unintentional plagiarism.  Challenges to how those responsible determine the difference: ‘It’s just their interpretation’.

**Frequency**

*Issues for students:*

A *frequency*-based policy implies that the student can only plagiarise once unintentionally: the interpretation of a second instance is that they are wilfully and knowingly breaking the rules. A *frequency*-based policy frames plagiarism as a skill that can be quickly and easily learnt: students are unlikely to perceive plagiarism as too complicated if the institution expects them to grasp the concept and practice with only one possible mistake. If students plagiarise more than once, they can perceive themselves in one of two ways: either they intended to plagiarise, or they are incompetent and unable to grasp what is implied to be a straightforward concept. This ‘Hobson’s choice’ of self-image may be mitigated by institutional backup to provide the student with sufficient iterations of what constitutes plagiarism in any given context. Walker (1998), for example, suggests the need for “an ongoing ethos

which makes use of systematic programmes to promote academic integrity” (p. 100). A recent Australian study, however, finds that “none of the three measures of dishonesty [cheating, plagiarism and falsification] were significantly related to a student having been informed about the rules and penalties for cheating or plagiarism” (Marsden et al., 2005, p. 9), a finding that raises questions for the rationale of a *frequency*-based approach.

Definitions of plagiarism often sound simple and seem simple to construct, but are fraught with unexpected layers when one must apply them (Carroll, 2002; Park, 2003; Park, 2004) and it is reasonable that this will hold true for students as well as teaching staff. Students may not capture all the possible nuances in the definitions and interpretations that often vary between courses quickly enough to avoid falling into the category of intentional or repeat offender.

*Issues for learning support staff:*

Under a *frequency*-based policy learning support staff are likely to encounter students who are particularly nervous about being detected plagiarising, especially if the student has already been detected plagiarising previously. Being detected, for example, for simple referencing errors is likely to focus the student on this area as a skill to be learnt, or may make the student anxious about all the possibilities for practices that may be plagiarism. Learning support staff could then expect students to quiz them about every aspect of an assignment to the extent of becoming paralysed by the number of details to perfect. Students are also likely to focus on the parameters of exact definitions and what practices would, or would not, fall under the institutional definition. This may make learning support staff vulnerable to accusations of inadequate information or misinformation if students perceived themselves to be in danger of severe punishment. The stakes may be very high, especially in a climate of increasing student fees. In New Zealand, fees have been increased between 3.5 and 10 % for 2006 (Dye, 2005). The literature supports the idea that this presents a danger: Carroll (2002), in the context of the UK, says that “the consequences of a charge of misconduct on a student’s professional status” in areas such as law, medical schools and nursing may have a “significant impact” (p. 75) while Larkham and Manns (2002, p. 341) state that “in courses which carry a professional accreditation, or which exist primarily to deliver a professional-level education, the relevant professional bodies should surely have some view on cheating and plagiarism where found proven by due disciplinary process”. For a *frequency*-based policy, students may react as indicated because if a first detected occurrence can be deemed to not count as plagiarism, they will not only maintain an unblemished record, but will keep the option of the less serious first occurrence; if they have already been detected plagiarising, they may avoid more serious punishment. If students perceive the message of a *frequency*-based policy as an exhortation not to be caught a second time, then that is what they will strive for.

*Weakness:*

Under a *frequency*-based policy students may try to maximise the benefit of the first, unpunished instance of plagiarism by deliberately using the first occurrence to plagiarise material to a great extent. On its own, a *frequency*-based policy manifests a system in which a student is given explicit permission to plagiarise once without penalty, but policies may combine a *frequency*-based policy with (for example) a *level*-based policy, which can mitigate this weakness. The main issues and inherent weaknesses of a *frequency*-based policy are summarised in Table 2.

Table 2. *Issues and weaknesses of a frequency-based policy*

Basis of policy	Student concerns	Ways students may target weaknesses	Issues for learning support staff
Frequency (first time/repeat occurrence).	Plagiarising unintentionally once at a very low level, and knowing they cannot afford to have it happen	Making the most of the ‘freebie’. Taking particular care to escape detection.	Students anxious to avoid plagiarising, especially if unintentional. Students wanting to know exactly counts as

not let me catch you again”.	again. Not knowing all the actions that might make up plagiarism.	Looking for loopholes in the institutional definition, or seeking out practices on the very edge of what counts as plagiarism.	plagiarism. Challenges to how those responsible determine whether a case is actually plagiarism: ‘This doesn’t count’.
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## Amount

### *Issues for students:*

An *amount*-based policy could have unusual consequences for learning support staff: if students perceive the plagiarism policy to be predominantly *amount*-based, even if other factors are taken into consideration, they may see little sense in the concept of academic integrity espoused as a solution to plagiarism by authors such as McCabe (1999, 2004) and McCabe and Pavela (2004). It is hard to convince someone that the act of plagiarism is unethical if the institutional policy allows up to a specified percentage of plagiarised material within an assignment. This displays a problematic interaction between institutional policy and commonly espoused academic values of ethical behaviour, even if the institution intends the policy to ease students into an academic environment. It will be difficult for students to not feel a disjunction between teachers’ and learning support staff’s words and the institution as embodied by the plagiarism policy. The main issues and inherent weaknesses of an *amount*-based policy are summarised in Table 3.

Table 3. *Issues and weaknesses of an amount-based policy*

Basis of policy	Student concerns	Ways students may target weaknesses	Issues for learning support staff
Amount (less than X%/ more than X%). Message: “the amount is more important than how often or your intention”.	Primary focus on staying within the specified amount of plagiarism permissible rather than avoiding plagiarism. Secondary interest in what constitutes plagiarism so that the allocated amount will not be exceeded.	Maximising the payoff for the type of plagiarism within the specified amount. Earmarking as much as possible of the specified amount for plagiarised material.	Students less interested in what constitutes plagiarism if it will fit in the quota.

## Type

There is a distinction to be made within the area of *type* between a policy in which referencing errors are not considered plagiarism (*type*-based policy (1)) and when referencing errors are counted as low-level plagiarism (*type*-based policy (2)).

### *Issues for students:*

A *type*-based policy (1) will probably allow students to feel quite relaxed, at least at the early stages of their academic study, as referencing errors are not categorised as plagiarism. However, there is a potential issue for those doing work that will be marked externally if there is not a phasing-out of this view of referencing errors over the course of study. The level at which this should happen may also be an issue for debate.

A *type*-based policy (2), on the other hand, is likely to lead to anxious students as its focus on referencing places students failing to reference correctly in the category of having committed a serious

offence, albeit at a low level; plagiarism policies are often located under the guidelines and procedures for academic misconduct, as also noted by Devlin (2006). This placement implies that those penalised under this policy have behaved unethically, and students may find it difficult and demoralising to see themselves as unethical because they have made simple referencing errors.

#### *Issues for learning support staff:*

If students do not see a purpose in learning referencing skills, they are unlikely to seek feedback, and may be hostile to unsought attention being paid to issues arising from referencing. When students reach postgraduate level, they may suddenly discover that they need to be able to reference, and learning support staff may find themselves in sudden demand for students needing to learn these skills very quickly and well enough to produce work acceptable to an external marker.

#### *Weakness:*

The primary weakness of a *type*-based policy (1) is that students may attempt to challenge whether certain practices fit under the institutional definition of plagiarism. However, the most serious weakness may be apparent at the level of postgraduate work and is not a consciously sought loophole. By postgraduate level, students should be able to reference accurately, but a *type*-based policy (1) provides little motivation for the student to develop these skills which are crucial to acceptable academic practice. An answer, which is possibly a best-case scenario, is that referencing should be taught as an academic skill without any stigma of remedial help being attached. However, for the students' best interests, the institution would have to ensure these other mechanisms are robust: if students are not motivated to hone referencing skills within the institution, external markers with a different understanding of plagiarism will interpret work as poor academic practice, or plagiarism. At thesis level an accusation of plagiarism has the power to be particularly damaging to students' careers, not to mention placing in jeopardy the personal and financial investment required for thesis work. A thesis that evinces poor academic practice has the potential to be nearly as detrimental.

Under a *type*-based policy (1) the responsibility for fostering referencing skills lies primarily within the department as students will have to depend on internal motivation to seek out assistance from places such as student learning centres. However, students may perceive a possible disjunction between official institutional policy and departmental practice when a department tries to instill a sense of academic community and desired practice within an institution that does not officially sanction what is usually seen by academics as undesirable behaviour. Students may not see why they should spend their time gaining and honing referencing skills.

If a student wishes to avoid being heavily penalised for intentionally plagiarising under a *type*-based policy (2), they may attempt to stay within the realms of what could be interpreted as 'low level' plagiarism, i.e., referencing errors. The other option for minimising punishment is to blame others for not providing adequate and/or accurate information, an area in which many learning support staff may be vulnerable particularly if they operate as a centralised service outside a specific academic department. Unfortunately this runs counter to the importance placed on "study skills advice" (Park, 2004, p. 299) and "advice and help on avoiding plagiarism" (Barrett & Cox, 2005, p. 109). Whereas a *type*-based policy (1) removes the weight due to referencing, a *type*-based policy (2) may encourage students to place undue attention on it as referencing is framed as the gatekeeper between not plagiarising and the possibility of serious plagiarising. As referencing gains an unduly high profile, students may seize upon the false impression that if one follows a referencing style correctly, there is no danger of plagiarising unintentionally.

The main issues and inherent weaknesses of a *type*-based policy are summarised in Tables 4 and 5.

Note that the categories can cross over: the policies surveyed are rarely as simplistic as to only include one category. For example, a policy that concentrates on the difference between intentional and unintentional plagiarism may see referencing errors as less likely to be intentional, or a predominantly *type*-based policy may well combine this with a secondary focus on repeat occurrences.

## Variations across a course of study

Students must pay particular attention to the varying interpretations across the different contexts (level of study, course, department, discipline) in which they study: under a *frequency*-based policy they will only receive one opportunity across the entire duration of their study before being penalised, while under an *intention*-based policy or a *type*-based policy (2), an occurrence of plagiarism will progress immediately to the official institutional disciplinary process. None of the policies investigated mention the issues inherent in moving across varying contexts, and therefore make no official allowance.

This is a particular issue for institutions that have a flexible degree structure that facilitates movement between departments, especially beyond first year level, as induction for study skills such as plagiarism may often not be repeated at these higher levels. The students moving from one discipline at third-year level to another may assume that they know all they need to about plagiarism: they may well know regulations well for their previous department or course, but not the new. Policies assume (reasonably for straight forward cases) that senior students will have had a chance to learn the rules, and therefore impose harsher penalties. However this may not be fair and equitable if a flexible course or degree structure has allowed a senior student to unwittingly bypass the inductions into acceptable academic practice.

## Conclusions

The lack of attention paid to learning support staff in the policies investigated in this study indicates that it is important for learning support staff to be as familiar as possible with the rules of their institution, not only to inform and assist students with their academic practice, but also to place themselves in a safe position. There are dangers inherent in not knowing the policy of one's institution (Carroll, 2002; Walker, 1998). Moreover, there is increasing evidence that the increasing move towards students seeing themselves as consumers entails being able "to register official complaints when dissatisfied with products and services associated with their tertiary experience" (Saltmarsh, 2004, p. 449). It is worth noting that current or recent university students are the high school students of 1999 when considering McCabe's 1999 study for which the results "suggest that, in regard to their cheating, [high



Table 4. *Issues and weaknesses of a type-based policy (1)*

Basis of policy	Student concerns	Ways students may target weaknesses	Issues for learning support staff
Type (1) (referencing errors/ anything more complex).	Students unconcerned about referencing practice.	Stretching how much can fit under the definition of ‘referencing errors’.	Disregard for the importance of referencing and its function in academic writing: ‘I won’t be penalised for doing it wrong, so why should I learn it?’
Message 1: “referencing errors don’t count as plagiarism” (there are institutional policies that reflect this message).	Students not feeling under much pressure to learn referencing practice.	Will attempt to pass blame to others (teachers, learning support staff) for misinforming or not informing about what counts as plagiarism, and at which level.	

Table 5. *Issues and weaknesses of a type-based policy (2)*

Basis of policy	Student concerns	Ways students may target weaknesses	Issues for learning support staff
Type (2) (referencing errors/ anything more complex).	Students more concerned about referencing practice, especially if the policy includes frequency as a criteria for determining penalties, especially first in family, mature and international students who may feel ‘out of the loop’ of acceptable practice.	Stretching how much can fit under the definition of ‘referencing errors’.	Very nervous students as referencing errors are treated as a serious offence, often under academic misconduct.
Message 2 (when referencing errors are counted as low-level plagiarism): “even though referencing errors are not as serious, you’d better not make any, or you’ll be on our radar as a potential serious plagiarist”.		Will try to pass blame to others (teachers, learning support staff) for misinforming or not informing about what counts as plagiarism, and at which level.	Students unsure what they should concentrate on when it comes to learning about different types of plagiarism.  Students who think that if they learn to reference correctly, they will be in no danger of plagiarising.

school] students generally place the blame on others” (p. 681). If it does not work to say that nobody had explained the rules, the predictable next step is to actively accuse others of providing misinformation. This tactic could cast sufficient doubt on whether the student could be held responsible for an occurrence of plagiarism under the parameters of the institutional policy. Larkham (n.d.) notes that “many HE students, when charged with plagiarism, will claim that they have always written their essays this way and can see nothing wrong with using the words of others” (p. 4), and Roig and Ballew (1994) report the results of a study by Haines et al. (1986) concluding that “students who cheat tend to ‘neutralize’ their behaviour. That is, the individual engages in a rationalization-like process” (p. 3).

These movements hold possible consequences for learning support staff. A contemporary litigious trend is reported in the UK (Baty, 2004b), and eight years have passed since Walker (1998, p. 99) warned that New Zealand students were “becom[ing] litigious” as they became “consumers” of education as a “product”. As none of the policies investigated specify the role and responsibilities of learning support staff in regards to plagiarism or accusations of misinformation, these staff members are left open to allegations that may damage their reputation and career, especially when institutions or authorities award compensation for breaches of process (Baty, 2004c). If learning support staff are to best assist in the “provision of appropriate and accessible study skills advice and assistance ... to inform students about best practice in note taking and writing assignments” (Park, 2003, p. 299), knowledge of institutional plagiarism policy and awareness of its possible consequences have a major role to play.

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