Academic fraud: How to escape from vicious circle?
ACADEMIC FRAUD: HOW TO ESCAPE FROM VISCIOUS CIRCLE?

Publisher:
Integrity Association
Tel/fax: +382 20 655 366

Sponsor:
Open Society Institute – Open Society Foundation

Authors:
Integrity Association:
Ivana Bogojević, Ivana Došljak, Aldina Dešević, Đina Popović, Dubravka Popović,

DISCLAIMER:
This document has been produced with the financial assistance of the Open Society Institute – Open Society Foundation. The contents of the document are the sole responsibility of Integrity Association and can under no circumstances be regarded as reflecting the position of the Open Society Institute – Open Society Foundation.
ACADEMIC FRAUD: HOW TO ESCAPE FROM VISCIOUS CIRCLE?
CONTENTS

Introduction ...........................................................................................................................................................7

1. Academic fraud - problem description .............................................................................................................. 8

2. Presence of the academic fraud at the University of Montenegro .............................................................. 8
   2.1 Plagiarism.................................................................................................................................................. 8
   2.2 Copying.................................................................................................................................................... 10
   2.3 Switching of identity on exams ............................................................................................................ 10
   2.4 Use of technical devices.................................................................................................................... 11

3. Comparative practice of other universities.................................................................................................... 12
   3.1 Plagiarism................................................................................................................................................ 13
   3.2 Switching of identity on exams ............................................................................................................ 10
   3.3 Copying..................................................................................................................................................... 14
   3.4 Use of technical devices .................................................................................................................... 16

4. Proposal of the most suitable model for academic fraud regulation .............................................................. 18
   4.1 Plagiarism............................................................................................................................................... 18
   4.2 Switching of identity .......................................................................................................................... 18
   4.3 Use of technical devices.................................................................................................................... 19
   4.4 Copying.................................................................................................................................................... 19

5. Conclusions and recommendations ................................................................................................................ 19
   5.1 Plagiarism and gray market of academic papers ................................................................................. 20
   5.2 Switch of identity ................................................................................................................................ 21
   5.3 Use of technical devices .................................................................................................................... 21
   5.4 Copying.................................................................................................................................................... 21

LITERATURE:..................................................................................................................................................... 23

Primary sources:......................................................................................................................................... 23
Secondary sources:.................................................................................................................................... 23
About the project: ”Students’ Ethic Initiative” ............................................................................................ 25
About Integrity Association............................................................................................................................ 25
Introduction

Academic fraud, in the most general sense, represents any form of violation of the prescribed rules and procedures which are defining modalities of acquisition of academic titles. Although academic fraud, directly or indirectly, may involve academic staff, this term is usually linked with student cheating, i.e. students’ attempts to circumvent the prescribed rules and procedures in fulfilling their academic obligations. There are many forms of students’ cheating such as: copying and cheating on exams, plagiarism of essays and other papers, use of another people ideas without citing sources, forging professors’ signatures and documents, switching of identities on exams and so on.

Academic fraud is one of forms of the corrupted behavior. In fact, since corruption means any kind of abuse of public position for personal gain, by cheating students also abuse their position in order to avoid obligations – studying.

Academic fraud is a frequent form of corrupted behavior in high education, which can have multiple negative consequences. Students are using this type of dishonest tools can graduate with bad working habits, insufficient knowledge, followed by problematic principles of conduct and they could continue with such behavior in future professional life. These consequences have negative impact on a whole society and it is necessary to act on their suppression by changing the policy in the high education system. In this sense, the group of students has launched a project Student ethic initiative. Within this project problems related to academic fraud at University of Montenegro were identified and examined, in order to create recommendations on necessary changes in regulation and strategic policies of this area.

For the purposes of Student ethic initiative project, Integrity Association was founded as an informal group of students, who has planned and coordinated activities carried out under this project. In order to create this brief, members of Integrity Association have conducted a survey on a representative sample of 836 students and organized six focus groups (two in Podgorica, two in Nikšić, one in Kotor and one in Bijelo Polje), where causes and frequency of academic fraud at University of Montenegro were discussed. This research was methodologically limited by large difference between students perception about occurrence of cheating on faculties and their personal experience in performing academic fraud. However, this difference is expected because the assumption is that students will not admit that they acted contrary to their duties and rules, especially when it comes to more serious forms of fraud.

Except data obtained by these methods, brief also contains a comparative analysis of regulation of cheating at universities in the region and the world’s prestigious high education institutions.

The purpose of this brief is to concisely identify the problems that exist and arise in the fight against various forms of academic fraud at the University of Montenegro, and to define recommendations implementation of which would contribute to the improvement of policy in this area.
1. Academic fraud - problem description

Academic fraud includes various types of behavior that represent breach of duties and academic discipline by students. The most common of these forms are: plagiarism and gray market of essays, graduate, Master and PhD research papers; use of technical tools; cheating by writing on the bench; use of supportive papers during exam; passing exams instead of another person. Cause of resorting to various forms of academic fraud is, as mainly described by students in focus groups, an aspiration to easier fulfill student responsibilities and faster gain the diploma.

Some other factors might affect the motivation for cheating as well. Research on perception of the appearance of academic fraud, conducted on a representative sample of 836 students of the University of Montenegro in May this year, gave the following results regarding the factors that motivate students to cheat: the largest number of students (56.1%) recognized that situation when the deadlines for passing tests/exams are too close would affect their decision to resort to some form of cheating. Then 53.7% of students recognized that the short period of time to prepare the tests/exams have an impact on their decision to cheat. 51.2% of students considered that situation when material for studying is too difficult would influence their decision to cheat and 49.8% when the professor unfairly grades to students.

Consequences of the problem of academic fraud are diverse and vary depending of its type. Plagiarism and gray market of essays leads to a number of other problems such as: recycling of an old data, large number of same works, different evaluation of same work by different professors etc. Use of supportive papers and other tools, including above-mentioned technical means is a problem that occurs due to a weak control on exams; pressure that students are facing due to large quantity of educational material; as well as because of students’ wish to easily and quickly get a diploma. Caused by inefficient sanctions and lack of preventive measures, as well as to cheating tradition among Montenegrin students, academic fraud survives on the University of Montenegro and the quality of acquired knowledge decreases. Finally, passing exams instead of another person, i.e. switch of identities has identical consequences as previous activities.

2. Presence of the academic fraud at the University of Montenegro

2.1 Plagiarism

Plagiarism and gray market of essays, graduate, master and doctoral papers are highly present at faculties of University of Montenegro. The survey showed that only 27.9% of respondents think that plagiarism is not present at all. Plagiarism (lat. plagere=steal) stands for an act of appropriation or copying someone else written, artistic or other creative work

---

1 Transcript of focus group of students from Podgorica, held on 25th October 2012 at 12:00.
2 Research on perception and frequency of the academic fraud at the University of Montenegro, CeMI, May 2013
3 Transcript of focus group of students from Kotor.
4 12.6% of respondents think that happens often, 18.6% sometimes and 22.3% believe that plagiarism (copying of the entire work) is a rare appearance.
Academic fraud: How to escape from vicious circle?

in their own, either partially or entirely, without specifying original authorship. Plagiarism can be also defined as unlawful and unethical appropriation of someone’s work by another person, which is shown as its own. This problem is directly related to the protection of copyrights. In addition, this issue also concerns production, sale and buying of academic works, because these actions are forbidden and sanctioned by the law. From discussion with students in one of the focus groups that were held, it can be concluded that students know exact price list of works, ranging from three to five euros per side or thirty to forty euros per work. Essays can cost up to seventy euros, while the master thesis can be obtained at the price of five hundred to six hundred euros. Students refer to some web sites where drafted essays can be found, for example www.seminarski.com. Advertisements for making essays and other papers can be found in the copy shops, tender ads and on social networks, for example on Facebook. Based on data obtained from conducted research on academic fraud, even 20.5% or every fifth student considers that buying of academic works is frequent occurrence at the University of Montenegro, while 72.5% of students said that they never resorted to this kind of plagiarism of papers.

Article 3 of Rulebook of Disciplinary Procedure and Disciplinary Accountability of Montenegro University Students regulates violations of student duties, but it doesn’t mention issue of plagiarism. It is necessary to address this issue by the Rulebook and it is necessary to define appropriate sanctions. This problem has long history of existence at the University of Montenegro, so it remains unclear why this area is not regulated by the Rulebook that was adopted in 2008. Plagiarism of academic works has increased in recent years, especially due to the social networks (Facebook) where gray market for their production is often promoted. Therefore, it is clear that Rulebook should be amended in order to update existing list of forms of improper behavior and for each particular to prescribe a sanction. In January 2013, at the University an initiative for procurement of plagiarism detection software was launched. The program should explore the similarity of papers with other documents on the Internet. In order to efficiently use this mechanism, it is necessary to

5 Plagiarism can have many forms, such as:
- **Donated authorship** – refers to the cases where person is not the author of the text, but text is written by someone else in the name of that person. Especially serious violation of this type is buying of papers by students which are later presented as their own.
- **Complete plagiarism** – refers to the cases in which person signs entire someone else work with its own name. Particularly serious violation is copying written works of other students.
- **Autoplagiarism** – refers to the presentation of own work, previously submitted for another course or incurred for another purposes, as original.
- **Plagiarism by translation** – refers to the cases where a person publishes translation of text of another person without citing sources.
- **Plagiarism of parts of someone else work (copy & paste plagiarism)** – refers to the cases in which person takes parts of someone else work without citing the source (including the Internet). Especially serious violation is copying written works of other students.
- **Paraphrasing without references** – refers to taking overall meaning or particular ideas of someone else work without citing sources.
- **Citing out of context** – refers to the cases in which person rewrites or paraphrases text, but doesn’t cite precisely or doesn’t specify a precise and complete source.

6 Law on copyright and related rights, Official Gazette of Montenegro, br. 01-933/2
7 Research on perception and presence of the academic fraud at the University of Montenegro, CeMI, May 2013
8 Rulebook on Disciplinary Procedure and Disciplinary Accountability of Students, available at the following link: http://www.ucg.ac.me/bilteni/pravilnik/disciplinskom/postupku.pdf
introduce a rule that all papers must be published in electronic form in that database. According to data collected by Free Information Access Demands, at the Law Faculty one case of plagiarism is reported, but not processed.

2.2 Copying

Copying using writing on the bench, and supportive papers is one of the most common examples of academic fraud. According to the opinion of 32% of respondents, survey has shown that this type of academic fraud is frequent, while 30.2% of respondents said that it sometimes happens. More than a half of surveyed students admitted that they sometimes resorted to this type of cheating. Namely, the capacities of the faculties are insufficient for the large number of students who annually enroll faculties, and the possibilities of control in such conditions are very limited, so this type of academic fraud is very easy and attractive. Students are, due to large quantity of studying materials and desire to easily reach the goal (to pass exam, to get a diploma) willing to act in this manner, as we found out from conversation with one of the students from Kotor, from the Faculty of tourism and hotel management, who himself used this method. The Rulebook of Disciplinary Accountability, prescribes that this act can be sanctioned with suspension from the lectures for a period of six months. The data obtained from Free Access to the Information Demands have shown that only the Faculty of Applied Arts were processed few cases of using supportive papers and in those cases were imposed sanctions, in accordance with provisions of the Rulebook of Disciplinary Accountability.

2.3 Switching of identity on exams

Passing exams by switching of identity is another form of academic fraud registered at the University of Montenegro. This corruptive act usually occurs in those study groups where number of students is large, where control of index before passing tests or exams is not present or where roll-call of students doesn't exist. In one of the focus groups, students pointed out that there are cases where student attends lectures under the name of another, so his/her index on the exam is not controlled because professor knows him/her from lectures. This type of fraud is mainly "opportunity motivated" - students resort to such measures due to poor control and badly organized schedule of exams. This kind of behavior influences motivation of other students, as it was pointed out during conversations in focus groups. Students are losing motivation to study regularly, if they are getting worse grades than those who use some form of academic fraud, so they resort to an easier way of passing exam too.

The Rulebook of Disciplinary Procedure and Disciplinary Accountability of Montenegro University students, foresees just "disciplinary measures" for passing the exams for another person. However, it is not precisely defined which of disciplinary measures will be taken when it comes to sanctioning of this form of academic fraud. According to the Free Access to the Information Demands, so far four such cases were noted at the Faculty of Econom-
Academic fraud: How to escape from vicious circle?

ics and followed by exclusion of perpetrators from this faculty for a certain period. At the Faculty of Tourism and Hotel Management five such cases were noted and sanctioned by deprivation of right to pass certain exam for a period of two semesters. According to the Free Access to the Information Demands, the Law Faculty had no such cases, however, from conversation with students in one of held focus groups, we have found out that this is not so rare appearance at this faculty.13

2.4 Use of technical devices

Use of technical devices for cheating on exams is another form of academic fraud. Various technical devices are in use: earphones, telephones, special watches, special pens etc. and they are moving at price of 20-30 euros and can be ordered through ads, which can be found in copy shops, tender ads, social networks14. In the research, 60.8% of students said that they had never cheated using technical devices, while 7.9% of them declared to have always or often used technical devices on exam.

From conversation in focus groups we could conclude that students mainly resort to the use of these means due to the lack of control by academic staff. According to the Free Access to the Information Demands, eleven cases of using mobile phones during exam were noted at the Faculty of Economy and sanctioned by exclusion for a period of one or two semesters.

One of obstacles in combating against these forms of academic fraud is low awareness of students of existing sanctions and their implementation. The survey has shown that 50.4% of respondents didn’t know whether the Rulebook of Disciplinary Accountability is posted on the website of their faculties and 15.7% of them consider that it is not visible anywhere. Students are partially aware of existence of sanctions for cheating at the University, but very small number of respondents believe that sanctions are applied (for example, only 8.5% of respondents consider that sanction of exclusion of right to pass tests/exams is consistently applied, only 8.9% of respondents believe that sanction of decreasing of final grade is consistently applied etc.). Low awareness of students decreases effects of preventive measures, as they don’t see the implementation of sanctions as a sure consequence of their cheating.

Academic staff and administration of the University units lack concrete will to combat various forms of academic fraud, and in such manner they contribute to perception of students that they can “get away” with cheating. Below are graphically presented data about number of recorded forms of academic fraud on the University of Montenegro in the last four years, as well as data about number and type of sanctions applied in these cases. Data are obtained through responses to the Free Access to the Information Demands that were sent to all 25 university units.15 These data clearly show that in the specified time period was discovered a small number of academic fraud forms and that a small number was sanctioned.

13 Transcript of focus group of students from Podgorica, held on 25th October 2012 at 12:00.
14 Transcript of focus group of students from Podgorica, held on 25th October 2012 at 12:00.
15 Requests for access to information, sent to all faculties of the University of Montenegro, from 238/12 20.12.2012. to 14/13 to 15.01.2013.
3. Comparative practice of other universities

All forms of academic fraud are subject of the regulations of the Rulebook or Ethical codes that are adopted at universities around the world. Universities in the region have a practice in precise regulation of the issue of violations of academic discipline. Those universities may serve as example for the University of Montenegro, because those educational institutions are approximately at the same stage of development and may serve as a source of
Academic fraud: How to escape from vicious circle?

legal norms that have to be adopted in order to reduce the degree of presence of academic fraud. On the other hand, examples of prestigious universities in the world will also be presented, in order to show which are the most effective measures for fight against cheating at universities and building of students’ integrity as well as extremely small number of breaking the rules of students’ discipline.

3.1 Plagiarism

At the University Josip Juraj Strossmayer in Osijek, the issue of plagiarism of academic works is regulated by the Rulebook of Disciplinary Accountability of Students. This Rulebook prescribes complete procedure that is being conducted in case of violation of students’ responsibilities, as well as appropriate sanctions. Plagiarism of works is prohibited by this Rulebook and falls into the category of serious violations and failure to fulfill obligations. Article 7 states that the submission of essays, final or graduation papers whose content is an act of another student or a third person, copying of a large part or the whole paper, represents serious violation of student responsibilities. The prescribed sanctions include: the prohibition of passing exams to a maximum of six months, a temporary measure of exclusion - lasting up to two years and measure of permanent exclusion from studies. During the disciplinary procedure it is possible to impose provisional measures: ban on enrollment of repeating years of study, ban on enrollment on next academic year, ban on passing exams, and prohibition of attending lectures.

In Serbia, at the Faculty of Political Sciences in Belgrade, the Rulebook on Academic Integrity of Students stipulates plagiarism as a form of academic fraud16. This Rulebook offers definition of terms of plagiarism and auto plagiarism, determines procedures for submission of papers and procedures of verification of authenticity, as well as actions of professors and assistants when a plagiarism is discovered. These procedures are applied to all papers which are submitted. Academic integrity is based on the fact that student is in obligation to make his work by himself and any breach of this obligation leads to sanctions. Interesting fact is that plagiarism doesn’t fall under statute of limitations. The toughest sanction for plagiarism is proclamation of acquired diploma as null and void.

Examples of universities where academic fraud is the most successfully reduced are Oxford (UK), Cambridge (UK), Berkeley (USA). These faculties, as well as some other prominent universities in the world, have clearly defined rules and sanctions which are presented to, and promoted among students, professors and complete staff.

Statute of Oxford University contains vast spectrum of information on plagiarism17. Starting from the definition of the plagiarism, Statute and containing rulebooks encompass also necessity for its reduction, measures which should be undertaken in order to ensure authenticity of papers, procedures of verification of those papers etc. The rulebooks at the Oxford University regulate all types of papers, from essays, theses to the master and doctoral papers. If there is a reasonable doubt that a paper is plagiarized, by procedure,

16 Rulebook on academic integrity University of Belgrade Faculty of Political Science, available at: http://www.fpn.bg.ac.rs/o-fakultetu/pravni-akti/
17 Plagiarism: how to avoid it (for students), Oxford University, available at: http://courses.it.ox.ac.uk/detail/TTEQ
it is being sent to the thorough examination by the Commission, and if it is found that the paper is actually plagiarized, student will be referred to the further disciplinary procedure. Sanctions prescribed for this type of academic fraud are nullifying of diploma and expulsion from the University.

Behavior of students, their rights and obligations are regulated by numerous regulations at this University: University Statute, Rulebook of Disciplinary Procedure etc. Similar situation is on the other two mentioned faculties. University of California, Berkeley, has a long history of effective work organization at the university and professional activities of all its members. For all persons at the university – professors, students and other employees - procedures and appropriate protection and penalty clauses are specified. Rules, procedures and sanctions that penalize any misconduct are clearly defined.

At the end, the University of Cambridge prescribes two types of rules concerning plagiarism: those relating to students and those relating to professors and other staff. Long-standing practice of the University shows that cases of plagiarism are rare or non-existent, but - in order to prevent such fraud in the future – special software is installed that helps in verification the authenticity of papers. Software contains all published works so that it is possible to make cross-referencing through various universities which facilitates discovering of plagiarism. Once plagiarism is discovered, student is being referred to a disciplinary procedure. In the case of proved plagiarism, sanctions are applied - exclusion from the university or nullification of diploma. All rules, procedure and sanctions are prescribed by the Rulebook of Students Discipline at this university.

The practice of these universities shows that it is possible to suppress the problem of plagiarism at the university and it is a very good example of an existing practice.

3.2 Switching of identity on exams

According to Rulebook on disciplinary Accountability of students adopted on Belgrade University, (article 9.) switching of identity is considered to be a serious breach of rules. It can be sanctioned in any of the next three modes: public warning, temporary exclusion from the University or permanent exclusion from the University. Rulebook on Taking Exams, adopted by Faculty of Economy on Belgrade University, states that during the identification process, students ought to have both student’s ID and ID card. Albeit this rule, cases
**Academic fraud:**

How to escape from vicious circle?

of hiring „imposters“ for exam are not rare - and they include making false IDs. Forging documents is a very serious violation of law and people responsible for this and similar violations should be punished stricter\(^\text{24}\), says prof. dr Branislav Boričić. Faculty of Economy has also initiated a campaign against cheating during exams and it is called „Do not copy“. Posters placed all over the Faculty building promote fair ways of taking the exams, but also show the consequences happening in case of cheating\(^\text{25}\).

Croatian universities deal with switching of identity in a similar way. *Rulebook on students’ Disciplinary Accountability* adopted by Faculty of Philosophy in Split, states that plagiarism, showing false IDs and identity switch can be followed by one of next few measures: warning before expulsion or two-year long expulsion from studies\(^\text{26}\). During a conversation with a representative of second year’s Student Parliament of Faculty of Law in Osijek, we found out that none switch of identity case has so far been identified.

By becoming a student of universities such as Oxford, Stanford or Cambridge, students are obliged to obey rules, conditions and University’s policy.\(^\text{27}\) Harvard University students are given ID cards with their photos and they mustn’t allow usage of the cards by any other person except themselves. Each student takes responsibility for his/her ID and its abuse\(^\text{28}\). In case of disobeying University’s rules, following disciplinary measures are conducted: strong warning, requirement to withdraw for disciplinary reasons, dismissal and expulsion from the University as the most extreme disciplinary action proposed.\(^\text{29}\) Each one of mentioned universities makes lessons’ attendance obligatory, students must always have an ID document and each form of cheating is followed by a clearly defined sanction, which leaves no place for cheating during exams.

### 3.3 Copying

Josip Jurij Strossmayer University in Osijek, Croatia, regulates problem of copying on exams by the *Rulebook on Students’ Disciplinary Accountability*, Article 6, item 6. It is there said that giving or receiving help during the exams is not allowed, with this article applying also to the use of technical or any other means.\(^\text{30}\)

University of Zagreb regulates problem of copying by Article 15 of Code of Ethics. This article is consisted of definition of copying as forbidden form of giving and receiving help,

---


\(^\text{26}\) Rulebook on disciplinary Accountability of students, Faculty of Philosophy in Split, University of Split, available on: http://www.ffst.hr/tajnistvo/pravilnik_stegovna.pdf

\(^\text{27}\) Statute XI: University Discipline, Oxford University, available on: http://www.admin.ox.ac.uk/statutes/352-051.shtml

\(^\text{28}\) Harvard University identification card, Harvard school of public health, Harvard University, dostupno na: http://www.hsph.harvard.edu/student-handbook/academic-support/harvard-university-identification-card/

\(^\text{29}\) General Regulations, Harvard College Handbook for students, Harvard University, dostupno na: http://isites.harvard.edu/icb/icb.do?keyword=k69286&pageid=icb.page355883

\(^\text{30}\) Rulebook on disciplinary Accountability of students of Josip Jurij Strossmayer University in Osijek, Croatia, available on: http://www.efos.unios.hr/dokumenti/pravilnici/Pravilnik_o_stegov_odgov_studenata.pdf
that influences on process of knowledge evaluation, as well as on other forms of valorization of academic community work and results.\textsuperscript{31}

Faculty of Political science in Zagreb regulates this form of academic fraud by the Rulebook on Students’ Disciplinary Accountability, where copying is defined as an easier breach of duty, according to the article that finds both giving and receiving help not allowed. Sanction provided for this form of cheating is public warning from dean or another person in charge. If happening twice, copying becomes serious form of breach of duty.\textsuperscript{32}

University of Sarajevo regulates problem of copying by Code of Ethics, that obliges students to not copy during any form of students’ knowledge examination.\textsuperscript{33}

University of Belgrade puts cribbing in the category of serious breach of duties and regulates it by the Rulebook on students’ disciplinary Accountability of Belgrade University.\textsuperscript{34} Following disciplinary measures can be conducted in case of copying: warning, temporary or permanent expulsion from the University.

By the Memorandum of Procurators and Assessors, under the Examination section, at the Oxford University every form of cheating in exams is strictly forbidden. Disciplinary measures that can be conducted in case of cheating are: reduction of given subject mark, reduction of mark in one particular part of the given subject, re-taking the exam, non-passing mark or suggestion of student’s expulsion from the University.

In University of Montenegro, measures are similar to those of Belgrade University, with the exception of categorization of breaches of duty on serious and less serious (easier), that makes use of weakest measures possible and won’t provide reduction of copying cases.

### 3.4 Use of technical devices

Croatia deals with problem of use of technical devices on two levels: on the level of University and on the level of University units. University of Zagreb has adopted Code of Ethics that defines basic moral rules and duties that refer to students, professors and assistants. Use of technical devices is described as forging in the category of ethical rules for scientific and artistic work. Article 18, point 2 of Code of Ethics finds devices manipulation opposite of the principles of scientific honesty and says it will be treated as forgery.\textsuperscript{35} This, as well as other forms of breaches of duty, become subject to regulation of Council only if the problem is not resolvable on the level of University units. University units adopt Rulebook on Students’ Disciplinary Accountability, which individually deal with this issue.

Josip Jurij Strossmayer University in Osijek, Croatia, puts use of technical devices in the category of easier breaches of duty. Proportional sanction is written warning. If the use of technical means happens twice, it becomes serious breach of duty that is going to be

\textsuperscript{31} Code of Ethics, University of Zagreb, 2009, available on: http://www.unizg.hr/fileadmin/rektorat/dokumenti/izvjesca_uprave/Eticki_kodeks.pdf
\textsuperscript{32} Rulebook on disciplinary Accountability of students, Faculty of Political science, University of Zagreb, available on: http://www.fpzg.unizg.hr/docs/pravilnik_studenti.pdf
\textsuperscript{34} Rulebook on students’ disciplinary Accountability, University of Belgrade. available on: http://www.bg.ac.rs/files/sr/univerzitet/univ-propisi/PravilnikDisciplinskaOdgovornostStudenata.pdf
\textsuperscript{35} Code of Ethics, University of Zagreb, 2009, available on: http://www.unizg.hr/fileadmin/rektorat/dokumenti/izvjesca_uprave/Eticki_kodeks.pdf
sanctioned with prohibition of taking exams, temporary expulsion or permanent expulsion from the University.

Bosnia and Herzegovina follow the example of Croatia and regulate use of technical means equally on the level of Sarajevo University. A good example of dealing with this problem can be found on Faculty of Economy in Sarajevo. Its regulation is consisted of two documents: Faculty rules and Rulebook on Students’ Disciplinary and Material Accountability. According to article 90 of Faculty rules, use of technical means is defined as a serious breach of academic order and discipline, whereas sanction of three-year long expulsion from the University, can be found in Rulebook on students’ disciplinary and material Accountability. What makes this Rulebook specific is that student will be found responsible in case of performing, co-performing, helping, hiding or promoting using of technical devices for cheating on exams.36

In Serbia, Rulebook on Disciplinary Accountability of Students treats use of technical devices as a serious breach of academic order, and makes following sanctions possible to undertake: temporary expulsion from the University or permanent expulsion from the University of Belgrade.

Prestigious universities in the world forbid use of technical devices and provide large spectrum of disciplinary measures if this form of cheating happens. For example, Oxford University’s Memorandum of Procurators and Assessors regulates students’ conduct during examination, in Section 9, Article 6. Technical devices are there defined as inappropriate material, object or device, including mobile phone or any other device capable of giving or receiving information.37 Section 11 of previously mentioned Memorandum, authorizes the Disciplinary Panel to: reduce mark, not give mark, re-examine student in a way it finds most suitable or recommend University Council that student who cheated by using technical means should not be given an Oxford degree.

Similar to Oxford, Cambridge University has a disciplinary body that takes part in establishing facts about academic fraud existence and prescribing sanctions. That body is the University Court.

These universities have wide range of regulations and inside institutions dealing with questions of academic rules and that is how they provide an efficient sanctioning system, but also an efficient prevention of forbidden behavior. Countries surrounding Montenegro, on the other hand, are much closer to it because they are almost on the same level when it comes to forming these institutions, so their example would be the best to follow.

36 Rulebook on disciplinary and material Accountability of students on Faculty of Economy in Sarajevo, University of Sarajevo, available on: http://www.wefsa.unsa.ba/arkiva/site/pravilnici/disciplinska%20odgovornost%20studenata.pdf
37 Conduct in Examinations, Proctors’ and Assessor’s Memorandum, Oxford University, dostupno na: http://wwwadmin.ox.ac.uk/proctors/info/pam/section9/#d.en.40066
4. Proposal of the most suitable model for academic fraud regulation

Montenegro should change its regulation of academic fraud modeled on countries from the region – Croatia and Bosnia and Herzegovina. University should adopt a Code of Ethics that would be consisted of moral principles, acceptable and desirable behaviors, as well as unacceptable forms of behavior on all university units. This document should be concretized on the level of university units as a Rulebook on Disciplinary Accountability of students.

The model existing on University of Zagreb has organizational advantages:

1. Document adopted on the level of University is the foundation of all Rulebooks adopted on the level of university units;
2. The responsibility of University is reduced in sense of being transferred to university units that are obliged to take disciplinary actions in case of breach of academic order;
3. University deals only with problems irresolvable on the university units.

In Montenegro, this model should be added a supervisor that would have duty to control whether disciplinary commissions take proper care of order and discipline on faculties and if they sanction behavior that is contrary to academic rules.

Rulebook on disciplinary conduct and disciplinary Accountability of students has to be changed in a way that most of the regulations remain the same, with exception of Articles 3 and 10, where classification of breaches of duties on serious and less serious ones has to be done. Sanctions also have to be distinguished on the basis of proportion between breach of duty and its punishment. Problems identified through this policy brief have to be treated and classified in a next way:

4.1 Plagiarism

This form of academic fraud has to be included in the Rulebook as a serious breach of duty that will be sanctioned by declaring diploma null or by permanent expulsion from the University. At the same time, University should work on getting a software that detects plagiarism in every academic work or thesis, that is submitted to faculties in electronic form.

4.2 Switching of identity

Following the example of University of Belgrade and its Rulebook on Disciplinary Accountability of Students, switch of identity should be sanctioned with: warning, temporary expulsion from the University or permanent expulsion from the University. Together with these changes, it is necessary to adopt Rulebook on taking exams. Example can be found on Faculty of Economy in Belgrade, where Article 23 binds students to have ID cards during the pre-exam identification process.
4.3 Use of technical devices

This breach of duty should be classified as a serious form of academic fraud and prescribed following proportional sanctions: warning before expulsion from the subject during the semester that is consisted of that subject, expulsion from the subject during one semester or expulsion from the studies.

These measures should be followed by infrastructural changes, such as installation of cameras and electronic signal jammers on all university units.

4.4 Copying

This problem should be treated as an easier form of academic fraud, modeled on all universities mentioned in the Comparative Practice section. Sanctions used against this form of cheating should be: public warning, reprimand and expulsion from the exam.

5. Conclusions and recommendations

Legal regulation and implementation of Rulebook on Disciplinary Accountability of Students at the University of Montenegro has so far proved to be inefficient. Research on presence of academic fraud has showed that only few people are familiar with the Rulebook and sanctions conducted in cases of academic fraud. Also, monitoring of university units work shows that small number of sanctions are really implemented in practice. These are only some of crucial indicators of underdeveloped struggle against cheating on University of Montenegro. Based on information so far given, we will now try to list disadvantages of the complete system, regulations of certain problems throughout existing disciplinary measures and then give recommendations for better formulation and implementation of those measures, for it is out goal to raise quality and professionalization on University of Montenegro.

Disadvantages of existing system are:

- Rulebook on Disciplinary Accountability of Students does not define any of duty breaches as serious or less serious and therefore it is impossible to apply sanctions that are proportional to the violations of its provisions.

- Even though Article 11 of the Rulebook implies that seriousness of violation should be considered before choosing of the sanction, it leaves enough space for conducting different measures for same violations by stating that “earlier behavior of the student and other circumstances that can affect the choice of sanction” should also be considered. This formulation’s imprecision can be followed with abuse of sanctions, due to the fact that “relevant circumstances” can be manipulated.

- Finally, infrastructure needed for discovering and sanctioning academic fraud does
not exist on all university units, which makes efficient battle with problems of cheating impossible on institutional level.

To overcome these deficiencies, it is necessary to amend Rulebook on Disciplinary Accountability of students, to provide classification of violations according to their seriousness, and to prescribe penalties that are proportionate to the severity of violation and pre-determined for a particular violation of Rulebook. At the same time it is necessary to introduce software, cameras and electronic jammers in all academic units.

5.1 Plagiarism and gray market of academic papers

Deficiencies that are evident in the fight against plagiarism and gray market of academic papers, at the University of Montenegro are:

- Rulebook on Disciplinary Accountability of students of the University of Montenegro is adopted 2008 and does not recognize this form of academic fraud;
- There is a large number of paper works that are recycled by plagiarism from year to year;
- There is a large number of people who are engaged in producing and selling essays and papers, and a large number of students who are using the service.
- There is still no database which contains previously submitted papers at the University of Montenegro;
- Lack of cooperation and exchange of information between mentors and students in creating the papers and essays;
- Mentors are not carefully reviewing papers;

Recommendations for prevention of this type of academic fraud are:

- The Law on Copyright and Related Rights should be amended in order to include the problem of plagiarism of papers and to address existence of the gray market for selling of those papers;
- The Rulebook on Disciplinary Accountability of Students of University of Montenegro should be amended in order to address plagiarism of papers as a serious violation;
- Appropriate sanctions for these forms of academic fraud should be prescribed nullification of diplomas and expulsion from the University;
- Disciplinary proceedings in cases of plagiarism shouldn't fall under statute of limitations;
- Software for verification of authenticity of papers should be provided for each university unit and it should contain a database of all papers at the University of Montenegro in the last 10 years;
- Obligation of delivery of all paper works in electronic form and their registering in the database should be introduced;
- Periodic inspections of the gray market of papers should be conducted and perpetrators should be sanctioned;
- Rules addressing relation and cooperation between the mentor and the student should be included in the Rulebook.
5.2 Switch of identity

Current deficiencies in attempts to decrease existence of switched identities on exams are:
- Rulebook on Disciplinary Accountability does not specify sanctions for this kind of violation;
- Rulebook does not regulate the rules of examination in an appropriate manner;
- Students are taking exams without proper identity verification.

Recommendations for the prevention of this form of academic fraud are:
- Rulebook should address issue of taking an exam instead of the other student, i.e. switch of identities as a severe form of misconduct of students;
- Disciplinary sanction for the switching of identities should be expulsion from exam and ban on taking this exam for another year and temporary suspension from the University. Sanctions can also include possibility of expulsion from the University, depending on the relevant circumstances;
- Specify the circumstances which are determining the type of the sanction which will be applied;
- Preventive actions should be undertaken in order to verify identity of student in exams and other forms of knowledge assessment. Rules of each university unit should determine modes of identification of students on exams.

5.3 Use of technical devices

Shortcomings in the fight against the misuse of technical devices on exams are:
- Control cameras are not in place at all university units;
- A large number of schools have no electronic signal jammers, which allows use of mobile phones and “bugs”;
- People who conduct control are not sufficiently aware of the possibility of cheating by using technical devices, such as watches, pens, calculators created to enable cheating, and therefore a lot of cases are not noted or sanctioned.

Recommendations for prevention of this type of academic fraud are:
- Determine the use of technical devices on exams as a serious violation of rules;
- For such kind of violations following sanctions should be prescribed: expulsion from the exam and exclusion of possibility to retake the exam for one semester;
- Repeated violation of rules should be sanctioned with expulsion from the University;
- Preventive actions should be undertaken, such as introduction of cameras and electronic jamming signal at all organizational units of the University.

5.4 Copying

Deficiencies in the current system of suppression of copying are:
- Inadequate sanctions for the use of supporting papers, as well as cheating on exams;
• Lack of transparency and differentiation of the sanctions;
• Inefficient control of the teaching staff in exams, which gives students opportunity to cheat;
• Insufficient number of teachers who control the students in the halls during the exams;
• Lack of awareness of students on the harmful effects of copying, of real academic values and goals of education.

Recommendations for prevention of this type of academic fraud are:
• Differentiation of sanctions in regards to copying according to type of the exam, and frequency of use of this form of fraud (1st violation, repeated violation);
• Published names of sanctioned students and their names on websites and bulletin boards at the University units;
• Active control of students during examination;
• Increased number of teachers who control students during exams;
• Strengthening the integrity of the students through various forms of education of students, seminars, workshops and promotive materials.
LITERATURE:

Primary sources:

Transcripts of the focus groups held in October 2012 at the University of Montenegro in Podgorica, Nikšić, Kotor, Bijelo Polje

Field Survey of Perception and Frequency of Academic Fraud at the University of Montenegro, CEMI, 2013

Free Access to the Information Demands, sent to all units of University of Montenegro of the 238/12 sent on 20/12/2012 year to 14/13 sent on 15/01/2013

Secondary sources:

Law on Copyright and Related Rights, Official Gazette of Montenegro, no. 01-933/2

Regulation on Disciplinary Accountability of Students, available at the following link: http://www.ucg.ac.me/bilteni/pravilnik/disciplinskog/postupku.pdf


Regulation of Academic Integrity at the University of Belgrade, Faculty of Political Science, available at: http://www.fpn.bg.ac.rs/o-fakultetu/pravni-akti/

Plagiarism: how to avoid it (for students), Oxford University, available at: http://courses.it.ox.ac.uk/detail/TTEQ

Student conduct, Oxford University, available at: http://www.ox.ac.uk/students/academic/conduct/

Research of misconduct, Berkley Research, University of California, available at: http://vCREsearch.berkeley.edu/research-policies/research-compliance/research-misconduct

Good academic practice and plagiarism, Cambridge University, available at: http://www.admin.cam.ac.uk/univ/plagiarism/


Rulebook on Disciplinary Accountability of Students, University in Belgrade, available at: http://www.fon.bg.ac.rs/download/PravilnikODisciplinskojStudena.pdf

Rulebook Amending the Rules of the Examination at the undergraduate and graduate academic studies, Faculty of Economics, University of Belgrade, available at: http://www.ekof.bg.ac.rs/upload/3001Pravilnik%20o%20izmenama%20i%20dopunama%20pravilnika%20o%20polaganju%20ispita%20ona%20osnovnim%20i%20diplomskim%20akademskim%20studijama2.pdf


Rulebook on Disciplinary Accountability of Students, University of Split, University of Split, available at: http://www.ffst.hr/tajnistvo/pravilnik_stegovna.pdf

Statute XI: University Discipline, Oxford University, available at: http://www.admin.ox.ac.uk/statutes/352-051.shtml


Rulebook on the Disciplinary Accountability of Students at the University of Josip Juraj Strossmayer, available at: http://www.efos.unios.hr/dokumenti/pravilnici/Pravilnik_o_steg_odgov_studenata.pdf


Rulebook on Disciplinary Accountability of students, Faculty of Political Science, University of Zagreb, available at: http://www.fpzg.unizg.hr/docs/pravilnik_studenti.pdf


Rulebook on the Disciplinary and Material Accountability of Students at the Faculty of Economics in Sarajevo, University of Sarajevo, available at: http://wwwefsa.unsa.ba/arbiva/site/pravilnici/disciplinska%20odgovornost%20studenata.pdf

Conduct in Examinations, Proctors’ and Assessor’s Memorandum, Oxford University, available at: http://www.admin.ox.ac.uk/proctors/info/pam/section9/#d.en.40066
About the project: “Students’ Ethic Initiative“

The project „Students Ethic Initiative“ was implemented by group of students from the University of Montenegro. Project was financed by the Open Society Institute from Budapest.

Project aims to encourage and intensify fight against academic fraud and decrease frequency of its occurrence at the University of Montenegro, as well as to promote students’ integrity.

Within the project, a detailed survey of forms and frequency of different forms of academic fraud at the University of Montenegro was conducted, as well as the research of this issue through focus groups. Results of these researches were accompanied with desktop research of best practices and formulated into this policy brief. Along with the policy brief, Action Plan for Promoting Students’ Integrity was created, which contains concrete measures for combating academic fraud, deadlines for implementation and indicators of success of those measures.

About Integrity Association

Integrity Association is informal group consisted of eight students involved in the implementation project Student Ethic Initiative. The aim of the Association is to work for the successful implementation of the activities envisaged in the project and to promote integrity among Montenegro University students. Association of Integrity will continue to work after the project end, on development and implementation of similar projects.

Activities of the Integrity Association can be followed at: https://www.facebook.com/StudentskaEtickaInicijativa
Academic fraud: How to escape from vicious circle?

Integrity Association