



ATENEUM DE MANILA UNIVERSITY

SCHOOL OF LAW

ATENEUM LAW SCHOOL POLICIES AND PROCEDURES ON ACADEMIC INTEGRITY AND PLAGIARISM

1. RATIONALE

- 1.1. The Mission of the Ateneo Law School (ALS) compels adherence to academic excellence and academic integrity as it forms men and women not only skilled in the science and art of the law, but also imbued with a burning passion for justice and the fervent desire to serve others. The Ateneo Law School insists on intellectual rigor in the tradition of Jesuit education. Intellectual rigor demands, inter alia, a thorough grasp of the nature and ends of the law, the ability to express legal conviction in forceful oral and written communication, and sensitivity to the role of law as an instrument of service towards individuals and of social engineering.
- 1.2. These policies and procedures on plagiarism and other forms of academic dishonesty concretely embody the values of academic excellence and integrity that our Mission enunciates.

2. STATEMENT OF POLICY

- 2.1. It is the policy of ALS to promote academic excellence and academic integrity in the exercise of its mission and vision as a school of law and to encourage its faculty and students to adhere to these standards in all their intellectual and research activities in pursuit of learning.
- 2.2. This policy covers student rights, duties and responsibilities, standards and practices, processes and procedures for governing the inquiry, evaluation, and disposition of academic dishonesty cases in the pursuit of academic truths.
- 2.3. In line with this policy, ALS hereby adopts and incorporates the Loyola School (LS) Code of Academic Integrity provisions from the Ateneo Graduate Student Handbook (2013). The provisions cover rules on Plagiarism and other acts of Academic Dishonesty and are reproduced below.
- 2.4. Violations of this policy are subject to penalties and sanctions as prescribed in the Student Handbook of the Ateneo de Manila University School of Law.

3. PLAGIARISM AND OTHER ACTS OF ACADEMIC DISHONESTY¹

3.1. Plagiarism

- 3.1.1. Plagiarism is an offense that generally strikes at two important educational values – the value of individual work and respect for others’ intellectual property. When a person fails to give credit to a source, thereby giving the impression that what is actually a borrowed idea or way of saying things is their own, they commit plagiarism. Specifically, it can take the following forms:
- a) Verbatim repetition of someone else’s words without acknowledgement;
 - b) Presentation of someone else’s ideas without acknowledgement;
 - c) Paraphrasing, translating, or summarizing someone else’s ideas without acknowledgement;
 - d) Improper acknowledgement of sources, as with incomplete/imprecise documentation;
 - e) Having one’s work done by someone else or having one’s work substantially revised by someone else.
- 3.1.2. It is important to remember that plagiarism is identified not through intent but through the act itself. The objective act of falsely attributing to one’s self what is not one’s work, whether intentional or out of neglect, is sufficient to conclude that plagiarism has occurred. Students who plead ignorance or appeal to lack of malice are not excused. The extent of the plagiarism, whether an entire paper, a single paragraph or a phrase, does not matter; nor does the occasion, whatever the academic requirement (research paper, tests, reports, oral presentation, power point slides, computer programs, illustrations, creative work, etc.). Plagiarism is not restricted to print sources.
- 3.1.3. Plagiarism, at its core, is an ethical question rather than a legal one. To claim that a work is in the public circulation (e.g. internet) or that permission to use the words or ideas has been granted does not erase the moral imperative that one acknowledge sources.

¹ Sec. 3 B, D & E of the LS Code of Academic Integrity (Student’s Guide), Ateneo Graduate School Handbook, pp. 64-67 (2013).

Sample Cases

Sample Case 1: Since a student had difficulty with expressing herself in the given (English) language, she decided to use the words in an online article as her own.

Note for students: Many students explain that they resort to plagiarism out of a lack of confidence in their own abilities to express themselves. They talk about the difficulties in meeting expectations, and the pressure to produce something excellent, often in comparison to others. And so they choose to parrot someone else's words instead of settle for their underdeveloped voice. What is often neglected, however, is the fact that the process of experiencing difficulty itself is educational. As such, stumbling upon one's own ideas and words should be embraced rather than opt for the easy short cut.

Sample Case 2: A teacher found that a student lifted one line of a five-page essay from a source without credit.

Note for students: Plagiarism is not dependent on the amount of material that is lifted without acknowledgement.

Sample Case 3: Assuming that he and his teacher understood each other, a student no longer cited the text he used during an open-notes exam.

Note for students: It does not matter whether the assignment is done in class, out of class, for a short period of time, or at length, with open notes or not. If an idea is not one's own, proper credit must be given to the source.

Sample Case 4: Prior to the defense of a student's research paper, when the reader examined the paper, he found that the footnoted sentences do not pertain to the sources cited.

Note for students: Rigor is part and parcel of academic integrity. Even without any intent to deceive, it is the student's responsibility not to be sloppy in his/her work.

Sample Case 5: When a student failed to attend the film-showing in class, she decided to just submit a paper based on online reviews she found about the topic.

Note for students: There can be no originality in one's work if one does not do the assignment in the first place. Even if one successfully restates the ideas in one's own words, or gives credit to the sources, it is deception to give the impression that the submission is based on the assigned work when it is not.

Sample Case 6: A student reasoned that she thought that a footnote at the last sentence of an entire paragraph based on someone else's idea was sufficient.

Note for students: A footnote or parenthetical reference only refers to the sentence it immediately precedes. It cannot refer to the entire paragraph unless one uses a block quote (with quotations marks at the start and end of the entire passage).

Sample Case 7: A student claimed that since he changed some of the original words of a text and the sentence construction, it was no longer necessary to credit the source.

Note for students: Changing some words or the subject-predicate order of the original does NOT make the resulting text one's own. Credit must still be given to the source.

Sample Case 8: In a reflection paper, a student decided to copy the line of argument of a source, although he changed the exact wording.

Note for students: Plagiarism is not limited to the parroting of words. It encompasses the totality of the author's intellectual work – including how he/she framed of the question, how he/she developed the thesis, as well as his/her style of writing. The bottom line is giving credit where credit is due.

Sample Case 9: For a computer programming assignment, a student copied an existing program on the internet and just changed the subject.

Note for students: Plagiarism is not confined to papers. In the sciences, for example, it often refers to the misappropriation of work processes or ideas. In the arts it can apply to falsely laying claim to creative work.

Sample Case 10: A student asked a friend who she knew to be a good writer to edit her reflection paper. When the revised paper was sent back to her, she was happy with the improvements and passed it as is, failing to realize that the paper contained the reflections of the editor.

Note for students: There is a difference between having someone check one's grammar and letting them affect the substance of one's paper. If it is necessary to ask for assistance, it remains the responsibility of the student to check that the identity of the work as a product of one's own learning is not compromised.

Sample Case 11: For group work, one member contributed plagiarized material when he was absent. During the compilation of the project, the others included it without being critical of the submission, failing to notice the unnatural length and the incompatibility of the writing style.

Note for students: Depending on whether the group members were aware of the plagiarized submission, or were in a position to know, persons other than the author of the plagiarized piece may be charged with the same offense. While there are degrees of culpability, it would be good to remember that it is a student's duty to be circumspect of everything that one puts his/her name on. Students should also remember that group work is not a simple patchwork of disparate parts.

3.2. Fabrication or the submission of falsified data, information, citation/s, source/s, or results in an academic exercise

While plagiarism refers to claiming another's ideas/words as one's own, fabrication refers to data which are altogether false or fictional.

Sample Cases

Sample Case 1: A student submitted a business plan where the survey results were falsified.

Sample Case 2: A reader suspected that the student may have fabricated footnotes to feign scholarship.

Sample Case 3: A student submitted document/report but changed material information such as dates when document/data were submitted. (ALS addition)

Note for students: Fabrication often involves avoiding what is perceived to be an unimportant detail in an assigned task. Rather than take the easy way out, students are encouraged to ask for assistance from the teacher, not just in terms of methodology, but as regards clarifying the importance of the seemingly tedious tasks in the fulfillment of learning objectives.

3.3. Deception or providing false information to the teacher regarding an academic activity or requirement, for example, providing false information for failure to meet a deadline, or falsely claiming to have submitted work.

Any form of concealment or misrepresentation done in the context of an academic exercise that does not fit the first three types falls under this. It involves any attempt to misconstrue the truth, whether by commission or omission.

Sample Cases

Sample Case 1: A student asked her classmate to sign her name for the out-of-class activity when she was absent.

Sample Case 2: A student claimed to have passed a quiz paper when, in fact, she arrived too late for the quiz.

Sample Case 3: A student submits the same work or a rehash or combination thereof for two (2) or more courses, unless the student obtains prior express permission from all faculty members concerned.

Note for students: Deceptive acts are frequently committed in relation to evading the perceived negative consequences of the truth. Part of the learning process, however, is learning from the consequences of our actions. It is far graver to resort to dishonesty to cover up the truth than it is to commit a mistake and admit one's accountability.

4. INVESTIGATION AND DISCIPLINARY PROCEDURES

- 4.1. The procedure in the conduct of disciplinary cases and imposition of sanctions, penalties, and other disqualifications in the *Ateneo Law School Disciplinary Regulations* implemented by the Office of the Associate Dean for Student Affairs shall apply to cases involving plagiarism and academic integrity. All records of the case will form part of the student file.
- 4.2. On the academic side, the member of the law faculty who is teaching the course where the student has allegedly committed an infraction may decide whether to give the student a failing mark in the paper requirement or in the course, subject to a final decision reached by the Dean.
- 4.3. In the course of the investigation and disciplinary proceedings, ALS shall be guided by the same principles laid down in the LS Code of Academic Integrity,² herein reproduced as follows (for the purposes of these Policies and Procedures, all references to LS in the quote shall pertain to ALS):

In general, cases of academic dishonesty involve two aspects which affect two parallel processes — the academic and the disciplinary. xxx Each track has its own nuances, but shares the same principles regarding (1) objectivity, (2) fairness, (3) the right to be informed, (4) the right to be heard, (5) and the formative nature of the process.

² Adapted from the LS Code of Academic Integrity (Student's Guide), Ateneo Graduate School Handbook, p. 67 (2013).

On the academic side, the teacher assesses the violation in relation to class guidelines and policies and ascertains what academic consequences are called for, given the particular requirement and the circumstances.

From the disciplinary point of view, while the objective proof of the offense is the crux of the matter for a charge against a student, the disciplinary process as a whole is not devoid of the context or circumstances surrounding an act. The accused is always given the chance to tell his/her story and present his/her side, writing and in person.
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The context surrounding a violation, however, does not typically make for exoneration or condemnation. Rather, it enables a more comprehensive understanding of the objective act. Rather than influencing guilt or innocence, context (knowledge, degree of participation, willfulness, etc.) often comes to play as the mitigating aggravating factors that are assessed in determining the appropriate sanction/s.

It is important to emphasize that the LS does not operate with a formula in determining the sanction for a particular offense. Each incident, violation and person's unique case is treated on a case-to-case basis. Precedents, however, are examined to address consistency and honor the historicity of discipline decisions.

As a student of the Loyola Schools, one shares in the communal responsibility for the preservation and defense of Academic Integrity. Should one be a witness to such dishonesty, students are expected to report it to teacher or the Office of the Associate Dean for Student Affairs xxx .

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