

Case * #5: Exam Protocol Violation

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Allegation: During a 1st year exam, a proctor noticed a student who was looking at another student's exam booklet and glancing down into his lap after looking around the room apparently checking to see where the proctors were located. The instructor and proctors believed that the student was cheating or attempting to cheat on the examination. According to section 5.15.1 of the university's Academic Calendar, this is defined as: "3. Cheating on examinations, assignments, reports, or other work used to evaluate student performance. Cheating includes, among other things, copying from another student's work or allowing one's own work to be copied, submitting another person's work as one's own, fabrication of data, consultation with an unauthorized person during an examination, use of unauthorized aids, or submitting work prepared in collaboration with other member(s) of a class, when collaborative work on a project has not been authorized by the instructor."

Background: In the Incident Report – Violation of Examination Protocol and the Report on Academic Misconduct, the proctor stated: "I noticed a student with wandering eyes, so I kept a look-out for him throughout the time. Every so often, I would catch him looking away from his neighbour's paper. I watched after that because he was exhibiting odd behaviour: he would look around for me and the other invigilator, then drop his hands to his lap and looked down. It had something in his lap. I walked over to him and he put something into his pocket. I said 'is that a cell phone I keep seeing in your lap?' He answered along the lines of 'yes, it keeps vibrating'. I told him to turn it off. I then went to find the professor to let him know what happened and see what I should do.'" The instructor then observed the student continuing to look at another student's exam even after being warned not to do so. The instructor told the student to hand in the exam directly to him and explained the reason for doing so. The student said the exam was completed and s/he was waiting for it to be collected. The instructor took the exam and explained that an incident report would be filed and that the student could expect to be contacted regarding it. The student complained loudly using inappropriate language and continued to do so in the hallway even after being request by an invigilator in another room to leave the area because others were still writing their exams.

Decision: The Academic Integrity Committee met with the student. The Committee determined that there was ample evidence that the student had violated the Examination Protocols and was cheating or attempting to cheat on the exam. Specifically, a cell phone remained turned on and close at hand during the exam and the student was gazing around the examination room during the exam. The Committee decided that a written reprimand (warning letter) should be placed in the student's file.

Rationale: While the evidence regarding the violation of exam protocols was clear, it was not certain whether or not the student was able to cheat on the exam. Such cases are difficult because they often come down to claims by the student that s/he was not looking at another student's work, but rather "just thinking".

Further comments: In examinations, it is important for proctors/invigilators and instructors to ensure that proper procedures are followed when a violation occurs. In this case, the cell phone could have

been confiscated for the remainder of the examination and the student could have been moved to a new seat in a location where it was easier for him/her to be observed. In addition, the instructor noted that the same student had acted similarly during the mid-term exam. The instructor could have required the student to sit in a more visible seat from the start of the exam.

The policy on Final Examinations (Academic Regulation 5.24, 2010) specifically states that the following actions can be taken in the event of a suspicion of misconduct or violation of examination protocols:

3.5 Violation of examination protocol

Where there are reasonable grounds to believe a violation of exam protocol has occurred, the course instructor or proctor has the authority to:

- Remove any materials or devices not authorized for use in the examination and keep such materials until the student has completed the examination;
- Search through personal belongings to remove evidence of the violation. This must be done in the presence of the student and another proctor;
- Ask the student to produce evidence of the violation where the course instructor or proctor believes that he/she has hidden it on his/her person – Under no circumstances should the alleged offender be touched;
- Ask the student to move to a seat that is more easily monitored; and
- Remove answer books and replace them with new ones.

In all cases, a student should be permitted to finish writing the examination. At the conclusion of the examination, the course instructor or proctor must make a note of the time and details of the alleged offence, including any refusal to cooperate. The course instructor or proctor should explain to the student that the status of his/her examination is in question and set it aside. All evidence should be gathered and turned over to the course instructor. The course instructor and/or proctor must file a complaint of academic dishonesty. (Academic Regulation 5.24, 2010)

* Case studies are based on examples of common problems with academic misconduct. All names and identifying information have been removed.