

Academic Integrity— Obligation of Engineering Faculty Who Becomes Aware of Cheating

Case No. 12-1

Facts:

Engineer A, a licensed professional engineer, is a full-time engineering faculty member at a large university. Engineer A is currently involved in a series of accreditation visits being conducted by an academic accreditation group and not readily available to students and faculty. However, following an accreditation meeting, Engineer A is told by one of Engineer A's students, Student X, that during a recent written engineering examination in a class taught by faculty member Engineer B, Student X observed Student Y using a phone to photograph a test question with the apparent purpose of sending the photograph to a second student—seeking the second student's assistance on the test question. Student X advised Engineer A that after she immediately reported the incident to Engineer B, Engineer B spoke to Student Y, but there did not appear to be any further consequences resulting from Student Y's actions.

Question:

What are Engineer A's ethical obligations under the circumstances?

References:

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| Section I.4. | - NSPE Code of Ethics: | <i>Engineers, in the fulfillment of their professional duties, shall act for each employer or client as faithful agents or trustees.</i> |
| Section I.5. | - NSPE Code of Ethics: | <i>Engineers, in the fulfillment of their professional duties, shall avoid deceptive acts.</i> |
| Section I.6. | - NSPE Code of Ethics: | <i>Engineers, in the fulfillment of their professional duties, shall conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.</i> |
| Section II.1.f. | - NSPE Code of Ethics: | <i>Engineers having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and, when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required.</i> |
| Section III.1. | - NSPE Code of Ethics: | <i>Engineers shall be guided in all their relations by the highest standards of honesty and integrity.</i> |
| Section III.7. | - NSPE Code of Ethics: | <i>Engineers shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other engineers. Engineers who believe others are guilty of unethical or illegal practice shall present such information to the proper authority for action.</i> |

Discussion:

Academic integrity is fundamental to the reputation of any educational institution. This principal applies to the behavior of students, faculty, administrators, and others associated with engineering programs and related institutional activities.

In recent years, much like in the business community, politics, and other fields, there have been a series of well-documented ethics scandals involving institutions of higher learning. Falsification of data, cheating on examinations, improperly claiming credit for research, failure to perform documented research, and other similar activities have greatly tarnished the image of many colleges, universities, faculty, administrators, students, and others. Any theoretical suggestion that academia is somehow above suspicion or beyond reproach has been laid to rest by real life events.

The NSPE Board of Ethical Review has addressed some of these issues in recent times. For example, in BER Case No. 91-5, Engineering Student A, a professional engineer on unpaid leave from employer of ZYX Consultants, was a post-graduate student at a small, private university and was enrolled in a research class for credit taught by Jones, a mechanical engineering professor at the university. Part of the research being performed by Engineering Student A involved the use of an innovative geothermal technology. The university was in the process of enlarging its facilities and Jones, a member of the university's building committee, was charged with responsibility for developing a Request for Proposal in order to solicit interested engineering firms. Jones planned to incorporate an application of the geothermal technology into the RFP. Jones approached Engineering Student A and asked if he would personally serve as a paid consultant to the university's building committee in developing the RFP, reviewing proposals, etc. ZYX Consultants would not be submitting a proposal and was not averse to having Engineering Student A submit a proposal. Engineering Student A agreed to serve as a paid consultant.

In deciding that it was ethical for Engineering Student A to be enrolled in a class for credit at the university and at the same time agree to serve as a consultant to the university, and ethical for Engineering Student A to participate in the preparation of the RFP, but unethical for Engineering Student A to review the proposal, the Board noted that the circumstances involved were of a nature that involved a conflict of interest in the review of innovative technologies of competing firms. The Board also added a word of clarification concerning Engineering Student A's treatment as a student in Case No. 91-5, recognizing the need for universities, their faculties, and students to develop new methods of addressing innovative technological questions, and infer an attitude of good faith on the part of all involved. Clearly, the Board recognized the unique set of circumstances that apply to students and their relationship to the university in the academic environment.

In BER Case No. 01-10, the Board considered a case involving Engineering Student A, a graduating senior with excellent credentials from State University. Engineering Student A had a series of job interviews with engineering companies from around the U.S. Following interviews with several industrial companies, Engineering Student A decided to accept an offer with ABC Incorporated, located in his hometown of Townville, and planned to notify ABC the following week. In the interim period, Engineering

Student A received a call from Engineer B, an executive with XYZ Incorporated, a potential employer with whom Engineering Student A had interviewed. On behalf of XYZ, Engineer B offered Engineering Student A a position with XYZ and invited Engineering Student A, at XYZ's expense, to visit XYZ's headquarters in Mountainville, a city located near a resort area, following Engineering Student A's graduation. Engineering Student A had earlier decided he would not accept a position with XYZ if offered a position by ABC because Engineering Student A wanted to be close to family and friends in Townville, and also because ABC provided better long-term professional opportunities. However, after receiving the call from XYZ, Engineering Student A decided to accept the invitation to visit XYZ's headquarters and combine the trip with a post-graduation vacation, believing that the visit to XYZ would broaden Engineering Student A's knowledge of the employment market, as well as future professional opportunities with XYZ. A week after the trip, Engineering Student A called ABC to inform the company that he would accept the position with ABC.

In deciding that it was not ethical for Engineering Student A to accept the invitation to visit XYZ headquarters without informing XYZ of his intent to accept ABC's offer, the Board noted that the case raised questions relating to employment offers and potentially misleading actions by engineers in connection with such offers. Here, Engineering Student A knowingly accepted an offer to visit a potential employer's headquarters with the full belief that he would not take a position with XYZ. Even if there was a possibility that Engineering Student A could be persuaded otherwise, at a minimum, Engineering Student A had an obligation to disclose to XYZ that he had already made a personal decision to accept the position with ABC. The Board noted that negotiation of an employment agreement was among the first of many professional challenges a young engineer faces, and wisdom says it is appropriate to seek the ethical highway as opposed to the back trails when starting off on a career. Such relationships must be built upon trust and the failure to establish these bonds can easily result in serious consequences for all concerned.

More recently, in BER Case No. 05-12, a case more pertinent to the one at hand, Engineering Student A at State University was enrolled in the engineering college. Toward the end of the semester, while studying in a university library, Engineering Student A discovered a folder on a table with the previous year's final examinations, some of which were in Engineering Student A's areas of study. Using the library copier, Engineering Student A made copies of the examinations and then brought the originals to the engineering college office, where he was complimented by the engineering dean for bringing the matter to his attention. Engineering Student A was not questioned any further. It turned out that an administrative staff person inadvertently left the examinations on the table while making copies for faculty. During the examination study period, Engineering Student A used the photocopies to study for the final examination in his areas of study. The engineering college did not generally distribute copies of prior year examinations and Engineering Student A was aware of this policy. Using the NSPE

Code of Ethics for Engineers as a guidance document for engineering students, the NSPE Board of Ethical Review determined that it was unethical for Engineering Student A to make copies of the examinations and to use those examinations to prepare for the final examination in his areas of study. Said the Board, “the use by Engineering Student A of the material in question as a study aid to provide an edge in preparing for engineering examinations was inconsistent with the notion of honesty and truthfulness and undermined the integrity of the academic institution. The appropriate action for Engineering Student A to take under the circumstances would have been to immediately return the material to the engineering office once Engineering Student A had determined the nature of the material.”

Turning to the facts in the present case, it is the Board’s view that the discussion in BER Case Nos. 91-5, 01-10, and 05-12 are germane to the issue of academic integrity and accountability. All three earlier cases involved situations where academic institutions, faculty, students, administrators, and others were confronted with important issues pertaining to the reputation and standing of the university. In such matters, the NSPE Board of Ethical Review can come down only one way—seek a path forward to protect and maintain the veracity and the reliability of the process. Whether it is a procurement, hiring, or examination process, professional engineers must not be accepting of actions or inactions that undermine confidence in the ability of engineers to perform their professional duties and obligations. This includes engineering students, engineering faculty, and others.

It is the Board of Ethical Review’s view that Engineer A must seek a full accounting of the circumstances of which Engineer A has been advised. Engineer A should first approach Engineer B to verify the allegations brought by Student X and whether appropriate actions were taken by Engineer B and, if no action was taken, follow the University’s due process regarding such matters. This could include advising the appropriate internal parties (e.g., department chairman, engineering dean) so that a formal investigation of the facts and circumstances surrounding the allegations may be undertaken. Obviously due process and all legal protections should and must operate in such an investigation, but the facts alleged cannot be ignored and must be officially examined and scrutinized to determine whether further actions may be warranted.

Conclusion:

Engineer A has an ethical obligation to approach Engineer B to verify the allegations brought by Student X and whether appropriate actions were taken by Engineer B and, if no action was taken, follow the University’s due process regarding such matters.

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