



Text Research on Academic Misconduct of Colleges and Universities Students

CHEN Liang^[a]; CHEN Enlun^[b]*

^[a]Doctoral student of Faculty of Education, Southwest University, Chongqing, China.

^[b]Professor of Faculty of Education and PhD, Dean of Online and Continuing Education College, Southwest University, Chongqing, China.

*Corresponding author.

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Abstract

The text analysis of the punishment of 50 colleges and universities in finds that from Textual Perspectives by the punishment system dimensions, disciplinary proceedings of appearing on academic misconduct in the University student still have flaws, failed to achieve justice. Therefore, building a fair and equitable system of student academic misconduct penalties is of realistic meaning for the maintenance of academic moral relevance of the academic community.

Key words: Student academic misconduct; Penalties text; Basic theory

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INTRODUCTION

Academic freedom and academic foundation are the two orders of carrying out academic activities. They also constitute a contradictory unity of the academic elements. John Stuart once said, Exploring knowledge must be in a relatively free and undisturbed environment with force. If thought and expression are shackled, the height of the truth is hard to achieve the right height and is very difficult to create real academic thoughts. But academic freedom also needs proper regulation, it can correct

scholars' academic attitude. For University bred a lot of "plagiarism" event, from the perspective of external governance, academia has conducted an in-depth study on this issue. But University academic management system did not get attention. Whether these punishments follow the fundamental principles of the system and have protected students' legal rights in the procedure? Jurisprudence perspective, this paper will focus on the substance of Justice to examine the flawed college student academic misconduct penalties text.

1. TEXT REPRESENTATION OF STUDENTS' ACADEMIC MISCONDUCT PENALTIES REGIME

An institution or State-authorized compulsory only in line with the basic law has legal effect only in the proceedings. But from the current college student academic misconduct penalties, the existing legal procedure is not perfect. This paper Selected 50 colleges and universities in the system text as research object which do better in academic misconduct penalties regime. Among them, key colleges and universities accounted for 68.6%, Colleges 22.4% Higher Academies 9%. The paper below will argue and analyze from four aspects, the values, the basis making, text specifications and content integrity.

1.1 Uncertain Aims of Education

Punished by 50 universities in penalties text, we find that the aim to develop the system of these colleges and universities is divided into 6 categories. Among them, 32 colleges and universities are designed to carry out the Ministry of Education's academic misconduct notice; 16 colleges and universities in order to correct intellectual pursuits, and strive to build a first-class academic school; 22 colleges and universities in order to improve the quality of students' dissertations; 35

colleges and universities in order to cultivate all-round developed talents of socialism with academic morality; 23 colleges and universities in order to maintain the normal academic order; 17 universities in order to allow students to observe academic ethics and avoid disputes over education.

Perspective from the value of the method, order, freedom, equality, human rights, harmony and justice are the components of the socialist legal system. The purpose of punishment of academic misconduct of College students in China mainly focus on academic order maintenance, more reflect on a utilitarian tool regulation, weakening the enlightenment function of punishment. Any can be universally accepted principle of education principle and regulation of it must admit maintenance and development of people's life, improving people's autonomy. This is the two basic tasks which education must undertake and the foundation of the educational morality. To punish students' academic misconduct is not to let students to fear learning and writing, and maintain the school's academic reputation, but a more gentle way to educate students, give students more care and guidance, in the protection of students' low-alcohol rights to punish their academic misconduct. In fact, if you want to achieve the sound development of academic order, the key is to weigh the legal system of various factors, the relationship between the human rights, freedom, equality and harmony is a key element to reveal the law of value, let the students reflect academic dishonesty from the inner to the harm done by the academic community. Student to punish students for the purpose of academic misconduct should be more aspect to consider from the value of the students' own development, respect the interests of the academic community, and let the students of academic norm behavior consciously. If only care about the school's own interests, lack of inner cultivation of students, to develop such a punishment system and what's the point?

1.2 Weakness of the Item Specifications of Text Contents

Firstly, the university students' academic misconduct content that is confirmed is not identical, having different proportion, beneath impartiality. Universities have different confirmed contents of students' misconduct. In developing students academic ethics, 55% of colleges and universities regard "copy, plagiarism, devour others' academic achievements; tamper with the academic achievements of others; forge or tamper with the data and documents, false facts; fake comments; no participation in the creation, but signature on other's academic achievements; low level repeated in academic research; a draft cast more" as seven ACTS of academic misconduct. 67% of colleges and universities just regard students' thesis plagiarism, copying as academic misconduct. Some colleges and universities defined students' thesis writing

copy that is more than 30% as an academic misconduct; Some concluded that between 25%- 30%, some determined it no more than 10%. Why does it have so much differences? What is the basis? Treatment method of the dissertation fraud published by the ministry also didn't have related proportion.

Secondly, punishment scales of university students' academic misconduct chaos and disorder. Because the relevant legal documents guide the proportion of college student punishment of academic misconduct and the existing college punishment have different proportion, lack of standardization. Some punishment is too harsh, but some is lighter. This punishment procedures anomie will damage the students' right to education. Punishment principle and the proportion of the principle of rights protection are to protect the rights of the week's low principles. University students' academic misconduct punishment as a kind of internal administrative behavior of colleges and universities should be more manifest the human nature, following the basic principles of program. But in reality, each college's punishment procedure is not perfect. For example, universities' punishment is "dissertation writing copy ratio above 20%, 30% below". Some universities instruct students to make major changes; some universities requirement is students can not attend rejoin, given probation sanctions... In short, the proportion of college student punishment of academic misconduct is in disorder, lack of perfect punishment procedure.

1.3 Considering the Text Content Integrity

University students' academic misconduct punishment as a disciplinary action for students' academic discipline should pay attention to the integrity of the content. "Common colleges and universities student management stipulation" is explicitly stipulated that if student's is in violation of school discipline regulations, school must follow the procedure to make disciplinary action. But college students' punishment of academic misconduct is successively promulgated in 2009 and the whole content is lack of integrity, although the individual colleges and universities have relatively perfect punishment procedures, but more than 60% of the college punishment text is short of students' complaint part, nor shall previously notify students but a directed verdict. Some universities also do not have the perfect hearing procedure. Some colleges and universities just copy the guidance document of ministry of education, doesn't truly realize the essence of punishment. Some important rules of colleges and universities are under statement. Such as "the have objections to the student disciplinary action may be related departments to lodge a complaint", complaints to which relevant departments? What are the specific procedures? These are not that clear.

2. THE BASIC THEORY OF STUDENTS' PUNISHMENT OF ACADEMIC MISCONDUCT

The construction of university students' academic misconduct punishment system contains the essence of reasonable punishment theory. The theory connotation is extremely rich, including the education experts and relevant theory of sociologists and psychologists. Locke's thought about reasonable punishment had a profound impact on university students' academic misconduct punishment. Locke thinks freedom and license have no good for children. He stresses that it is very important to establish father's prestige. When children just know what is to obey and who I belong in childhood, father will Establish the authority of the father. Parental power is the main manifestation of its authority. This limit discipline of parents of children is reasonable. In the process children gradually grew up. Parents to the child's strict teaching should be extended appropriately. Their self-control abilities improve with ages. His view and the long-term dominated point which are American colleges and universities and students legal relationship "agent parents said" have a close effect. From the law of development of education, schools are in accordance with the rules to manage students. The students obey the rules of our school. Students are in Accordance with the school's academic management system to do research. It is positive to the development of the school. From the point of view of psychology, Behaviorism psychology thought that all of the behaviors of people are in the process of establishing conditioned reflex. To establish some kind of good behavior, eliminate bad behaviors, it is important to establish the corresponding reinforcement. The former needs positive reinforcement, the affirmation, praise and reward. The latter requires the negative reinforcement, namely the negation, criticism, punishment, etc. According to the theory of cognitive dissonance, education punishment should make students produce the sense of shame, to abandon unwanted behavior, arouse the required behavior which can eliminate unharmonious. From the point of view of ethics, People generally identify with what P.F.Bargen puts forward eight reasonable standards of the punishment. (a) The purpose of good faith. (b) The punishment for good reason. (c)The measures of punishment are not cruel and not excessive. Don't give students left a permanent mark on the body or body damage (d) The punishment is appropriate. (e) The strength of the punishment is right. (f) Punishment tools are suitable. (g) Punishment does not endanger the child's life, will not criticize the students' physical and mental health and will not damage the appearance image of the students (h) Punishment is just for part of the body of students. In the law, People think that punishment

power is a kind of public power. The exercise of it must also be limited to the due process of law.

In addition, A meaningful interpretation of reasonable punishment is retribution. Retribution theory points out that the reason for the existence of the punishment is not that punishment can bring results which are beneficial to the society, but in the prerequisite of as a punishment for the crime is a kind of moral or legal wrong behavior. And this kind of behavior must be under the corresponding punishment. So reasonable and proper punishment according to is to punish criminals itself as a wrongdoer. As to whether or not the punishment can bring good social effect, we don't consider it. This point of view for can provide my study certain reference significance.

In conclusion it can be seen, "It is unimaginable to suppose education without punishment." This view has been the general recognition of the society. But although punishment in school is indispensable, we can not say all punishment is reasonable. As people of awareness of democracy and legal system gradual strengthen and more and more people pay attention to the rationality of the punishment. Student academic misconduct punishment system in colleges and universities which is in order to achieve the goal of reasonable penalties introduced the principle of due process. We should adhere to the principle of combining punishment with education. Based on the reality, in line with the prevention to reduce disputes and promote harmony as the objective, we hope we can make a little contribution to regulate colleges and universities student academic misconduct.

3. THE UNIVERSITY STUDENTS' ACADEMIC MISCONDUCT PUNISHMENT SYSTEM BUILD PURPORT TO TEXT

3.1 Judging the Punishment of Value Orientation, to Pursuit the Perfect of Education

Ushinski, one of the greatest educators, had said, "The purpose of education is to enlighten the student to obtain happiness, so the punishment is not for the purpose of shaping homogeneous individuals, but to protect the rights of students' miniature free." While from the purpose of classification of items for the higher education system, we can see that the colleges and universities develop this system mainly intend to surveillance the students' academic dishonesty behavior, with the purpose of improving the quality of academic research, which notes the colleges and universities throw light upon utilitarian value orientation. However, the colleges and universities management should be reflected in the service of the student, considering student's body and mind development, not with the purpose of discipline, but in line with the way of enlightenment in ensuring the students fundamental rights as well as to maintain

the academic community of academic ethics, which is to ensure the work of academic order. The ultimate goal of university students' academic misconduct punishment is to realize the perfect development of education, make the discipline internalized as moral indoctrination, to realize the equality of human rights, freedom, and harmony.

3.2 Specification the Student Academic Misconduct Punishment Text, Highlight the Fairness and Justice

First of all, we should assert the content of university students' academic misconduct more perfect; make the proportion of unified cognizance and punishment standard more clearly. The proportion principle includes four elements, which conclude distribution, referees, reviews and competition. Among all of the elements, the distribution is referred to the fair share; the referee is referred to a fair trial in China, as is a fair allocation of punishment; Comment is referred to a fair assessment; Competition is referred to the fair competition.

The colleges and universities students' misconduct accuses should follow the legal basis, the science fair and the unified recognition ratio. Colleges and universities should follow the principle of proportion of the four core elements, on the basis of the country's "copyright law", "copyright law" and other host law, by the leading of the ministry of education issued administrative regulations for the instructional program, recognized students' academic misconduct scientifically, unified recognition ratio as well. We recommend that colleges and universities learn the standards of academic misconduct in Columbia University, which made the standards of academic misconduct divided into the general academic misconduct and serious academic misconduct, vary the daily homework and the academic works published from the dissertation, etc, we should classified it more refinement and recognized the standards more clearly.

Second, the standard of colleges and universities students' punishment of academic misconduct should take the regard of humanity, which punishes the students more reasonable. Milne, the human rights master had throw light upon the minimum moral standards that as a development of the academic community the colleges and universities sustained physical field orderly, which needs to have certain regulation and order. However, this kind of regulation and punishment should take consideration of the people's basic rights, such as on the basis of liberty and justice guarantee, the life right. We recommend that the colleges and universities should make the goals of punishment of academic misconduct more clearly to establish the punishment more reasonable so as to adopt a way to dispose of the other party infringes upon perfect manner. For the newer application, we should depend on the severity to take measures of a gentle way to convert, educate, and warn the academic dishonesty behavior. For those

of involved in the copy of the dissertation and other academic misconduct, colleges and universities should make a unified standard of punishment on the basis of respect for human nature as well as in accordance with the ministry of education issued the treatment method of the dissertation fraud spirit will.

3.3 Rectify the Whole Content of the Punishment System

Third, in China the academic misconduct punishment system related to the legal level of college students can be finding in the treatment method of the dissertation fraud. Fairness and the perfect program is the cornerstone of the protection of the rights, the realization of the rights can only through fair procedures as well. Due process is the core element of legal ideology of colleges and universities. Therefore, colleges and universities should perfect the system of students' academic misconduct punishment text, to form a complete system of punishment of legal norm, standard processes, to make introduction of avoidance and hearing procedure, to add supplementary relief and appeal procedures, to build system of punishment to lift and eliminate, take the participation of the students into the legal application so as to realize the multiplication of vulnerable groups to express the path of justice. Justice of the university students' academic misconduct punishment procedures should follow the country's macro guidance outline for the soul, aiming the development of education to the good, to form a dynamic text transparent punishment system consequently.

CONCLUSION

We should improve our college student's academic misconduct disciplinary system feasibility countermeasures. According to analyze of American college students academic misconduct punish parameters, the author put forward the basic ideas of the disciplinary system to improve China's college students academic misconduct and reconstructed in line with China's national conditions, justice and reasonable college students academic misconduct disciplinary system.

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