

EDITORIAL

Open Access



Future-proofing integrity in the age of artificial intelligence and neurotechnology: prioritizing human rights, dignity, and equity

Sarah Elaine Eaton^{1*} 

*Correspondence:

Sarah Elaine Eaton
seaton@ucalgary.ca

¹University of Calgary, Calgary,
Canada

Abstract

This article I argue for the prioritisation of human rights when developing and implementing misconduct policies. Existing approaches may be perpetuate inequities, particularly for individuals from marginalised groups. A human-rights-by-design approach, which centres human rights in policy development, revision, and implementation, ensuring that every individual is treated with dignity and respect. Recommendations for implementing a human-rights approach to misconduct investigations and case management are offered, covering areas such as procedural fairness, privacy, equity, and the right to education. Additional topics covered are the need to limit surveillance technologies, and the need to recognize that not all use of artificial intelligence tools automatically constitutes misconduct. I disentangle the differences between equity and equality and explain how both are important when considering ethics and integrity. A central argument of this paper is that a human-rights-by-design approach to integrity does not diminish standards but rather strengthens educational systems by cultivating ethical awareness and respect for personhood. I conclude with a call to action with a seven-point plan for institutions to adopt a human-rights-based approach to ethics and integrity. In the age of artificial intelligence and neurotechnology, insisting on human rights and dignity when we investigate and address misconduct allegations is an ethical imperative that has never been more important.

Keywords Academic misconduct, Academic dishonesty, Plagiarism, Policy, Human rights, Restorative justice, Artificial intelligence, Neurotechnology, Higher education, Education

Imagine a scenario in which a person's entire academic future hangs in the balance, not because of their abilities or effort, but due to an opaque and inflexible system that fails to consider their individual circumstances or rights. That scenario is not hypothetical for some people accused of plagiarism, academic dishonesty, or other forms of misconduct, but rather, a reality that can have a devastating and long-lasting impact.

Now, envision another scenario where academic integrity, research integrity, codes of conduct, and human rights work in harmony, creating an educational environment that



© The Author(s) 2024. **Open Access** This article is licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License, which permits any non-commercial use, sharing, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons licence, and indicate if you modified the licensed material. You do not have permission under this licence to share adapted material derived from this article or parts of it. The images or other third party material in this article are included in the article's Creative Commons licence, unless indicated otherwise in a credit line to the material. If material is not included in the article's Creative Commons licence and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder. To view a copy of this licence, visit <http://creativecommons.org/licenses/by-nc-nd/4.0/>.

is both rigorously honest and respectful of human dignity. Which world would you want to learn in? Or teach in? Or set policy in? In this editorial, I connect the dots between misconduct (as a broad concept), human rights, and advanced technologies such as artificial intelligence (AI). I address both theoretical and practical topics and conclude with a call to action to future-proof integrity using human rights as a driver to do so.

A note about terminology

There are numerous terms used in educational and professional contexts to talk about misconduct. Terms such as ‘academic dishonesty,’ ‘plagiarism,’ ‘academic misconduct,’ and ‘cheating’ appear with greater frequency in the literature than the term ‘academic integrity’ (Lancaster 2021). In the United States, the ‘honor code’ or ‘honor system’ is deeply embedded into the system and culture of some higher education institutions, but these approaches are used less in other countries such as Canada (Eaton and Christensen Hughes 2022).

To complicate matters further, research misconduct and related behaviours, including breaches of publication ethics, data manipulation, falsification, or fabrication, are often viewed and discussed as being related to, but different than, student academic misconduct. Then there are the non-academic forms of misconduct, such as bullying, harassment, and professional incivility. In the introductory chapter for the *Second Handbook of Academic Integrity*, I synthesize all 112 chapters in the handbook, distilling them down into an updated comprehensive academic integrity framework that includes and extends beyond student conduct (Eaton 2024a). For the purposes of this article, I am simply going to refer to ‘misconduct’ as it applies to students, researchers, professors, and other staff. In doing so, it is not my intention to take a reductionist approach to any individual form of impropriety, disregard for the rules, or mistreatment of another, but rather to be inclusive and reflect some of the latest thinking in the field that the handbook chapter authors discuss in their individual chapters.

Why aren’t we talking about the connection between misconduct and human rights?

In educational and scientific contexts, we often discuss misconduct and human rights as being separate; or perhaps better said, we do *not* talk about how misconduct and human rights are connected. There is a notable absence of literature on the connections between misconduct investigation, case management, and human rights. When I went digging for literature on the topic in Google Scholar, the first paper that popped up was more than twenty years old (Bach 2003). (For what it is worth, Bach’s (2003) article is an excellent read and provides a solid foundation of some important points.)

I first began writing about the importance of respecting the dignity of individuals in my book, *Plagiarism in Higher Education: Tackling Tough Topics in Academic Integrity* (Eaton 2021). In that book, I refer to the Council of Europe’s (2008) *White paper on intercultural dialogue: Living together as equals in dignity*. That paper is now more than 15 years old, but it has stood the test of time, and I recommend it for anyone interested in equity, ethics, and integrity.

Since then, I have continued to think about the role that dignity plays in misconduct and appeals case management. It all came to a head for me when I wrote publicly about the case of former Harvard University president, Dr. Claudine Gay (see Eaton 2024b).

Dr. Gay's case quickly escalated into a public scandal (e.g., Basken 2024; Green 2024), but she is not alone. A similar thing happened with Dr. Francesca Gino, also of Harvard University, when questions arose about the possibility of research misconduct in her work (see Grove 2023; Miller 2024). Both cases have some similarities insofar as news about the individuals alleged to have engaged in misconduct made the news before a proper and thorough investigation had been completed. Fates were decided—or at least impacted—by the court of public opinion. These cases caught my attention because I could not help but wonder (and worry) about the extent to which human rights, and dignity in particular, as well as the right to non-discrimination, are sometimes disregarded in such cases. When high-profile individuals are accused of misconduct, they are sometimes publicly humiliated and deprived of dignity as their cases are debated in online spaces, resulting in public and peer pressure so great that decisions about their future are made before an investigation has been duly completed.

In this essay, I expand on the idea of upholding human rights as an integral part of integrity and ethics work. The importance of having human rights principles as a foundation for misconduct policies and procedures, fostering an educational and professional environment that is both ethically sound and respectful of individual dignity, cannot be understated. Understanding *why* it is important to connect human rights to misconduct case management is not merely an academic exercise—it is a pressing reality that affects millions of students and professionals worldwide. As we—as educators, administrators, policy makers, and well, as human beings—struggle to keep up with evolving advanced technologies, such as generative artificial intelligence (Gen AI), commercially available neurotechnology, as well as human factors such as diverse global student bodies, the ethical challenges become even more complex. The need for a human rights approach to academic integrity has never been more critical. By examining the intersection of human rights and misconduct, we can reshape our approach by creating policies and acculturating practices that not only maintain high ethical standards but also uphold the fundamental rights of every person.

Understanding human rights in the context of education

Human rights are universal, inalienable rights inherent to all human beings, regardless of race, gender, nationality, ethnicity, language, religion, or any other status. These rights are often legally guaranteed by laws, protected by international treaties, and enshrined in national constitutions. In the context of education, human rights encompass not only the right to education itself but also rights within the educational process. These include the right to dignity, fair treatment, privacy, freedom of expression, and non-discrimination, among others. For the purposes of this article, I focus on human rights as outlined by the United Nations.

The *Universal Declaration of Human Rights (UDHR)* (United Nations 2021) was adopted by the United Nations General Assembly in 1948, after World War II. The UDHR serves as a cornerstone document in defining human rights globally. Several of its articles have direct relevance to misconduct practices and policies. Below, I highlight some of them, offering commentary on each one through a misconduct lens, though there may be more, depending on the interpretation:

Article 1 “All human beings are born free and equal in dignity and rights” (United Nations 2021; n.p.).

This fundamental principle underscores the need for misconduct policies that respect the inherent dignity of all students. The word ‘*dignity*’ is mentioned no less than six times in the UNDR, but rarely, if ever, does dignity appear in policies related to academic integrity, research integrity, or student or professional conduct.

How often do those presiding over misconduct investigations or hearings prioritize upholding the dignity of the accused? All too often in misconduct investigations or proceedings, dignity is neglected in terms of the practical aspects of how an individual will be treated. (Hint: It is not enough to have a box of tissues on the table for a person who is in emotional distress during an investigative interview or a hearing.)

Article 5 “No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment” (United Nations 2021; n.p.).

Although torture may not apply to misconduct cases in schools or most workplaces, inhuman or degrading treatment or punishment may be more common than some would like to admit. Consider the case of a computer science professor in Canada, who in 2024 (yes, 2024) was criminally charged with, and later pled guilty to, assaulting students whom he believed had plagiarized (see Panwar 2024; Richardson 2024). According to news reports, the offences occurred between 2019 and December 2022. Instead of reporting the alleged misconduct to the school authorities, the accused professor instead offered ‘a different form of punishment’ according to the assistant Crown attorney in the case (see Richardson 2024). The alternative punishment included being forcefully kicked in the buttocks by the professor or being taken to the professor’s home and beaten with a stick in the basement (see Richardson 2024). According to news reports, the professor in question targeted international students from India. (As an aside, unlike the Gay or Gino examples, this case was reported in the news *after* the individual in question had been criminally charged.)

This is an extreme example of how one professor literally took matters into his own hands and not only violated students’ human rights but also engaged in criminal behaviour. If this is happening in Canada, it must also be happening elsewhere. Let me be clear: the consequences for misconduct should exist, but under no circumstances should they include inhumane or degrading punishments.

Article 7 “All are equal before the law and are entitled without any discrimination to equal protection of the law” (United Nations 2021; n.p.).

The principle of non-discrimination is essential in ensuring that academic integrity and other misconduct policies are applied fairly and consistently, but we know that over-representation of individuals from marginalized groups, and in particular, persons of colour, happens in misconduct reporting at both K-12 and higher education levels (Beasley 2016; Fabelo et al. 2011; Davis 2022a; Weasel Head 2024). It is worth asking: Who gets reported for misconduct and who gets a warning and is forgiven without ever being reported? If your institution is not tracking demographic data in misconduct reporting to monitor possible hyper surveillance and over representation of those from minoritized groups; and to ensure that certain individuals are not subjected to harsher

consequences as a result of intentional or unintentional discrimination, then there is room for improvement in how your institution monitors and tracks misconduct cases.

Article 10 “Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal...” (United Nations 2021; n.p.).

This right to due process is applicable to a variety of different types of misconduct proceedings. There is an additional point here about a public hearing that could be challenged in terms of student conduct and research misconduct investigations. Although student academic misconduct cases may sometimes be criminal in nature, most times, they are not. Institutions must adhere to local, territorial, or national privacy laws. This means that unless an academic misconduct case crosses a line and becomes a criminal matter that is to be decided in a public court, then the investigation and any associated meetings or hearings may be protected under privacy laws. A practice of public ‘naming and shaming’ is antithetical to educative approaches to integrity and does not uphold the principle of dignity. So, although individuals alleged to have engaged in misconduct should be entitled to a fair hearing, they should not be subjected to a public inquiry for their transgressions, assuming the matter remains outside of the realm of criminal behaviour.

Article 11 “Everyone charged with a penal offence has the right to be presumed innocent until proved guilty...” (United Nations 2021; n.p.).

This is a big one when it comes to misconduct, especially in the age of AI. How many times have we heard an educator say, “Well, I just know the student used ChatGPT! I mean, look... they’ve used the word ‘*delve*,’ and that’s a giveaway. I want this student punished *now!*” In the age of AI, particularly when it comes to academic or scientific misconduct, individuals are often deprived of their right to be presumed innocent until proven guilty.

If the UNHCR declared that innocence until proven guilty is a right for criminals charged with a penal offense, then why would we not extend the same right to students or employees? An allegation of misconduct warrants a full and fair investigation before a declaration of responsibility or guilt is rendered.

Article 12 “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation.”

This right to privacy is particularly relevant in the context of academic surveillance and data collection practices (see Parnter and Eaton 2021; Tindall & Curtis, 2021). Electronic proctoring services that purport to enhance integrity, may actually be interfering with an individual’s right to privacy in their own home. Insisting that students accept the use of electronic surveillance could put an institution at risk for a human rights violation complaint and as such, it is worthwhile for schools to carefully consider the risks when contemplating the use of surveillance technologies. Of course, assessment security remains a concern (e.g., see Dawson 2021) and finding solutions that attend to assessment security while simultaneously upholding human rights would be optimal.

Article 26 “Everyone has the right to education” (United Nations 2021; n.p.).

This article not only establishes education as a human right but also states that education shall be directed to the full development of the human personality and to the

strengthening of respect for human rights and fundamental freedoms. It could be argued that misconduct policies and procedures that rely on a model of progressive discipline (e.g., deMontigny 2022) could violate the right to an education. Here's why: a simplified overview of progressive discipline is that there is a minimal consequence for a first or minor offence, and the severity of the punishment increases with second or subsequent offences. For so-called 'repeat offenders,' the final sanction can be suspension or expulsion (also called 'exclusion' in some places).

A question worth asking is: if we expel students on the basis of misconduct, are we violating their right to education? Of course, this point could be debated at length. In cases where a student is suspended or expelled it could be because they have been given every opportunity to improve their behaviour and they have not done so, leaving expulsion as a 'last resort,' so to speak. The underlying question here is whether suspension or expulsion of students from school violates a person's human right to an education. The answer may differ depending on whether the education is compulsory (e.g., primary or secondary school) or voluntary (e.g., tertiary or further education). When a learning institution expels a student, are they communicating, 'You have a right to education, but just not at our school,' and thus trying to abdicate themselves of their responsibility to provide education to that individual? Of course, this is a complex and messy question, and there are many ways to access education, even for a person who is incarcerated.

That being said, there are broader questions to be asked about how to develop and update misconduct policies and procedures, such that the human right to education is prioritized. Although not suitable for all misconduct cases, restorative justice approaches for some misconduct may be more aligned with upholding dignity and human rights (see Moriarty and Wilson 2022; Murdoch and House 2024; Orr and Orr 2023; Sopcak and Hood 2022).

Perhaps better questions to ask are: How might educational institutions make every effort to uphold a person's human right to education? How can we challenge frameworks and models that rely solely on progressive discipline to make room for restorative and, in some cases, reconciliatory approaches that focus on the whole human being? (For more on reconciliatory approaches to education and academic integrity, I recommend Gladue and Poitras Pratt's (2024) work on the topic).

Human rights by design: a roadmap for integrity in the age of artificial intelligence

In the age of AI and direct-to-consumer neurotechnology, never have integrity and human rights been more important (Eaton 2023; UNESCO, 2023). Currently, the voices of corporations dominate public discourse with regard to advanced technologies (Council of Europe 2023). Advancements in AI are happening every month, and the rate of development of advanced technologies is outpacing what many educators and administrators can keep up with.

Calls for policies and guidance to ensure the ethical use of artificial intelligence have dominated education discourse since ChatGPT was released in November 2022. AI-enabled misconduct has dominated hallway conversations, and it seems that at least once a week, I receive an e-mail or a phone call from someone seeking guidance on how to handle a misconduct case they believe may be related to AI. In many of these instances, the individual asking for advice has already decided that the person has plagiarized or

engaged in some other form of misconduct, and they want advice on how to prove it. In these instances, I often start by pointing out that under the UNDHR (2021), an individual must be presumed innocent and has the right to a fair investigation. Then, I go on to explain that research has shown that detection tools for AI generated text are limited at best and should be avoided (for the evidence base for this, see Gegg-Harrison 2023; Roe and Perkins 2022; Weber-Wulff et al. 2023).

The Council of Europe (2023) has called for a *human-rights-by-design* approach to artificial intelligence, which focuses, in part, on understanding and mitigating the potential harms caused by AI, noting that machine learning technologies “further entrench and exacerbate

already-existing and systemic biases and prejudice, for instance against women, young people, persons with disabilities, or persons with a minority background” (p. 6). In a human-rights-by-design approach, human rights are not simply an afterthought, with policies, procedures, and actions being retrofitted to account for fundamentals, such as dignity and the right to a fair process; but instead, human rights are *centered and prioritized* as a foundation for policy, governance, and action.

There is much to be gained from a human-rights-by-design approach not only to the development of AI but also to the policies that govern it, including misconduct policies. We can start by assuming that not all use of AI apps automatically constitutes misconduct (i.e., uphold Article 11 of the UDHR, starting with a presumption of innocence until proven guilty). The European Network for Academic Integrity has some excellent recommendations on how to implement artificial intelligence in education in ethical ways (see Foltýnek et al. 2023). Although human rights were not a primary focus of their recommendations, the principles of fairness, justice, transparency, and dignity are woven into their guidelines. A human rights approach to misconduct recognizes that the individual(s) under investigation have inherent dignity and rights under the UDHR (United Nations 2021).

Here are some examples of how a human-rights-by-design approach can help us to develop, modernize, and misconduct policies and procedures:

1. Ensure due process and the right to be heard.
2. Prioritize the protection of privacy and personal data.
3. Insist on non-discrimination, equity, inclusion, and accessibility.
4. Respect cultural differences and diverse learning needs.
5. Uphold the presumption of innocence.

A human-rights-by-design approach to academic integrity, research integrity, and misconduct in general prioritizes *people over punishment; dignity over draconianism, and compassion over callousness*.

Procedural fairness

Procedural fairness is fundamental to both human rights and academic integrity. It ensures that students accused of academic misconduct are treated justly throughout the process. Practical applications include:

- Providing clear, accessible information about academic integrity policies and procedures.
- Ensuring students receive timely and detailed notice of any allegations against them.

- Allowing students to present their case and evidence before an impartial decision-maker.
- Offering the right to appeal decisions to a separate, unbiased body.
- Providing access to support or representation during the process.

For example, consider a university that implements a multi-stage review process for academic misconduct cases, including an initial investigation, a hearing where the student can present their case, and an appeals process overseen by a committee of faculty and student representatives. Although many institutions already embed procedural fairness into their processes, there are others that do not. Ensuring procedural fairness is fundamental to upholding human rights in investigation and case management.

Privacy and surveillance

As technology becomes more integrated into education, balancing expectations for integrity with students' right to privacy is more important now than ever before. Considerations include:

- Limiting data and information collection to what is necessary for a specific purpose.
- Ensuring transparency about what data are collected and how they are used.
- Providing students with control over their personal data.
- Using privacy-preserving technologies when possible.

For instance, instead of using invasive proctoring software that requires full room scans and constant monitoring, the learning institution delves deeper into understanding the nuances and complexities of assessment security (see Dawson 2021). A variety of methods to secure assessments can be considered, including a combination of randomized question banks and timed exams to maintain integrity in online assessments. Technologies that have an impact on student privacy should be used sparingly and only in the most necessary of circumstances.

Attentiveness to equity, diversity, inclusion, accessibility, decolonization, and culture

Misconduct policies must be flexible enough to accommodate diverse backgrounds while maintaining consistent standards. Approaches might include:

- Providing clear guidelines on citation practices that acknowledge different cultural approaches to knowledge sharing. For example, citing Indigenous elders and knowledge keepers who share their knowledge through oral story telling or ceremony may be better done through alternative methods of recognition that are more respectful of cultural norms (see MacLeod 2021).
- Offering targeted support for equity-deserving students to understand local academic norms at a particular institution (see Davis 2022b, 2023; McDermott 2024). Start with the assumption that students will benefit from having the details explained to them more than once and in more than one format.
- Ensuring that academic integrity panels or boards have diverse representation, including students.

For example, a school can have a comprehensive orientation program for students that explains local academic integrity expectations while acknowledging and respecting diverse cultural perspectives on knowledge and authorship. In this case, including

international students in the development and delivery of the orientation program would uphold the principle of ‘nothing about us without us.’ Providing additional educational supports after an initial training can help to scaffold learning. A ‘one and done’ approach to academic integrity education is ineffective (Miron et al. 2021).

Pedagogy over punishment

A human rights approach emphasizes education and support to prevent misconduct, rather than focusing solely on punitive measures. This can involve:

- Implementing mandatory academic integrity modules or workshops.
- Providing easily accessible resources on proper citation, research methods, and academic writing.
- Offering peer mentoring programs to support students in developing good academic practices.
- Ensuring that support services (e.g., counselling, academic skills centres) are readily available to students facing academic challenges.

As an example, a school can implement an education-first approach to misconduct grounded in human rights, in which individuals found responsible of misconduct are required to complete an educational program and work with a mentor, rather than facing immediate disciplinary action.

Equal and equitable treatment

Ensuring that academic integrity policies are applied consistently and without discrimination is crucial for upholding human rights principles. Strategies can include:

- Analysing academic misconduct case data to identify any patterns of bias or discrimination.
- Providing implicit bias and human rights training for faculty and staff involved in academic integrity processes.
- Ensuring that sanctions for similar misconduct behaviours are consistent across departments and student demographics.
- Adopting the ‘nothing about us without us’ principle of inclusion in policy development, review, and revision, as well as in misconduct hearings. This means including individuals from representative groups when decisions are made.

An example of this would be a university that conducts an annual audit of academic integrity cases, analyzing data to ensure that certain student groups are not disproportionately affected by academic integrity policies or enforcement. If findings show inconsistencies or insufficient information to draw conclusions, then an action plan can be put in place to collect more accurate data and monitor equity and diversity more closely. It should go without saying that representation matters and that individuals from the groups most represented in the misconduct reporting data (e.g., international students) ought to be consulted and have input at every stage of policy development, review, and revision.

Right to education

Institutions must also respect students' fundamental right to education. This balance can be achieved by:

- Ensuring that academic integrity sanctions are proportionate and do not unnecessarily impede a student's educational progress.
- Providing opportunities for students to learn from their mistakes and continue their education.
- Considering mitigating circumstances in misconduct cases.

As an example, a university implements restorative resolution approaches that allow individuals found responsible of misconduct an opportunity to reflect, learn, and take responsibility for their decisions and actions. For a real-world and practical example, see the Courageous Conversations model used by Murdoch and House (2024).

Equal treatment vs. equitable treatment: striking the right balance

When considering human rights in the context of misconduct, a crucial question arises: should we prioritize *equal* treatment or *equitable* treatment? This distinction is more than semantic; it strikes at the core of how we understand fairness and justice. Equal treatment means applying the same rules and processes to everyone, regardless of their individual circumstances. On the surface, this approach seems fair and aligns with the principle of non-discrimination enshrined in human rights declarations; however, when we consider equity, then the concept of fairness can evolve further. When we talk about equitable treatment, we recognize that treating everyone the same way is not always fair or just. An equitable approach acknowledges that each person is a unique individual. People come from diverse backgrounds with varying levels of ability, privilege, access to resources, and understanding of academic norms. What is appropriate or one person, may not be appropriate or fair for another. By using an equitable approach, we can level the playing field by providing additional support or considerations where needed (see Scarritt 2024).

In the context of misconduct and human rights, although *equal* treatment can provide baseline or a starting point, *equitable* treatment can extend and evolve our practices to prioritise human rights. Here are some relevant points to consider:

- **Addressing Systemic Inequalities:** When we focus on equitable treatment, we recognize and attempt to address systemic inequalities that may lead some individuals to be more vulnerable to misconduct violations. For instance, first-in-family (also known as first-generation) college students or international students might need additional support to fully understand and navigate academic integrity expectations (e.g., Bertram Gallant et al. 2015).
- **Respecting Individual Dignity:** By acknowledging individual circumstances, equitable treatment shows greater respect for dignity—a fundamental principle of human rights. As educators and administrators, it is incumbent upon us to recognize that each person's journey is unique and may require different types of support.
- **Promoting Substantive Equality:** Although equal treatment focuses on *formal equality* (treating everyone the same), equitable treatment aims for *substantive equality*—ensuring that everyone has a genuine opportunity to succeed.

- **Aligning with the Right to Education:** Equitable treatment better supports the human right to education by working to remove barriers that might prevent some students from fully participating in and benefiting from their education.

However, it is crucial to note that *pursuing equity does not mean abandoning equality*. The challenge lies in striking an appropriate balance. As I hinted to above, insisting on an equitable approach, is more sophisticated and more evolved than adhering only to an equality approach.

Consider these points about equality and equity:

- **Maintain Equal Baseline Standards (i.e., equality):** Core ethics and integrity standards and the fundamental process for handling violations can be applied consistently to all students. Defining what baseline standards mean within an institution is an important step in the process.
- **Provide Equitable Support:** Offer additional resources, education, and support to those who may need it due to their background, circumstances, or ability levels.
- **Consider Context in Decision-making:** When evaluating ethics and integrity violations, consider relevant contextual factors while still maintaining consistent standards.
- **Transparent Policies:** Ensure that any measures taken to promote equity are clearly explained and justified to maintain trust in the system's fairness.

By intentionally balancing equal and equitable treatment, organizations can create systems that are both fair and just, upholding human rights principles while acknowledging the diverse needs and circumstances of their student and employee populations.

Challenges, limitations, and opportunities

Implementing a human rights approach to misconduct is not without challenges. A human rights approach to ethics and integrity requires a delicate balance between maintaining organizational standards and respecting individual rights. There may be a significant cost to revamping and implementing policies that prioritize human rights, but in the end, this cost should be seen as *an investment in people more than a drain on limited resources*.

Conclusion and call to action

We, as human beings, have a responsibility not only to uphold academic and employment standards but also to respect and promote fundamental human rights. Integrating human rights principles into misconduct investigations and case management is both an ethical imperative and a pathway to creating more effective, just, and sustainable environments in which people learn, work, and live. By respecting the dignity and rights of persons while maintaining high academic standards, we can foster a culture of integrity that extends far beyond the classroom or the workplace.

Recommendations: a 7-point plan for future-proofing integrity

To move from theory to practice, I conclude with some concrete recommendations for institutions looking to adopt a more human-rights-by-design based approach to ethics and integrity. Below, I outline a seven-point plan for how to take a more equitable

approach to student (mis)conduct in general, as well as professorial and researcher (mis)conduct.

1. Use a human-rights-by-design approach to develop, revise, and implement policy

- Conduct a comprehensive review of existing academic integrity policies through a human rights-by-design lens. Use the UNDHR (2021) as a foundation for policy development, review, and revision.
- Update policies to explicitly incorporate human rights principles, ensuring they address fair process, privacy, equitable treatment, and respect for human dignity.
- Involve individuals from representative groups, including students, faculty, as well as human rights experts, in the policy revision process. Ensure equity, diversity, inclusion, accessibility, decolonization, and Indigenization are not only considered but are prioritized when it comes to who gets a seat at the table.

2. Provide ongoing training, education, and support

- Establish a dedicated and centralized office or team responsible for promoting integrity and ethics that serves all members of the organization, including students, professors, support staff, and so on. Ensure that a centralized office is funded through an operational budget, rather than 'soft' funding or project funds to ensure the long-term sustainability of the office.
- Develop mandatory training programs for faculty and staff on human rights principles in misconduct investigations.
- Create comprehensive orientation programs for students and staff that explain organizational expectations to act ethically while respecting diverse cultural perspectives. Ensure that information from these programs is available in a variety of formats (e.g., following universal design for learning (UDL) principles).
- Offer ongoing workshops and resources on integrity and ethics for students and staff.
- Provide regular training for those involved in misconduct case management and appeals. Do not assume that everyone whose portfolio includes investigation and case management knows how to fulfill their responsibilities with human rights in mind.
- Develop peer mentoring programs to support everyone in understanding and upholding ethical standards.
- Ensure easy access to resources such as writing centers, academic skills training, counseling or wellness services, and advisors to address root causes of misconduct.

3. Implement procedural improvements

- Establish clear, transparent procedures for handling violations that respect human rights.
- Implement a multi-stage review process for misconduct cases, including opportunities for student advocacy and appeals.
- Ensure representation on hearing or appeal panels that include those from representative populations (e.g., students, persons from the same cultural

background or gender as the individual under investigation) to ensure a range of perspectives in decision-making.

4. Ensure privacy

- Limit the use of surveillance technologies in online learning environments (e.g., online exam proctoring). Offer exam-takers, including both students, as well as professionals sitting required professional or licensure exams, alternate ways of taking examinations, such as attending in person at an authorized testing centre.
- Implement privacy-preserving technologies and practices across the organization that explicitly extend to misconduct and appeals investigations.
- Clearly and transparently communicate what data are collected and how data are used.

5. Build competence for equity, diversity, inclusion, accessibility, decolonization, and indigenization

- Require implicit bias and cultural competence training for staff involved in misconduct case management.
- Develop resources that explain integrity concepts in ways that are accessible to students from diverse backgrounds and ability levels. For example, use universal design for learning (UDL) principles when designing ethics training or academic integrity modules or materials.
- Regularly review misconduct case management processes and data to ensure equitable treatment across different student demographics, being sure to address overrepresentation, hyper surveillance of those from equity-deserving groups, and equitable outcomes in cases.

6. Focus on continuous improvement and quality assurance

- Establish a system for regular review and assessment of ethics and integrity practices, including gathering feedback from a variety of representatives, including students, faculty, staff, quality assurance bodies, and professional bodies who hire students after graduation.
- Conduct annual audits to ensure misconduct policies are being applied consistently and equitably.
- Stay informed about evolving human rights standards and best practices in academic integrity, and update policies accordingly.
- Work collaboratively with quality assurance bodies to ensure that ethics and integrity are embedded into program and curriculum design, as well as policy and procedures.

7. Commit to building an organizational culture of ethics and integrity

- Integrate discussions of integrity and ethics into curriculum across disciplines. Be explicit that having a statement in a course syllabus does not absolve an educator from talking with their students about their expectations for ethical conduct. Ensure

that organizational norms, and not idiosyncratic preferences – are the foundation for policies and procedures.

- Recognize and reward exemplary ethics and integrity practices among various groups. As an example, consider an annual recognition ceremony for students who volunteer their time to help their peers learn about academic integrity. For employees who sit on research ethics boards, provide an annual letter of appreciation to include in their annual performance review dossier. There are a variety of low-cost ways to recognize the contributions of people who invest effort and time to promote ethics and integrity, as well as those who contribute to misconduct and appeals processes.
- Foster open dialogue about academic integrity challenges and solutions within the institution.

By implementing these recommendations, organizations and those who work in them can take a more human rights-based approach to ethics and integrity. Focusing on human rights does not mean lowering our standards or being lenient on misconduct. Rather, it means designing systems that are fair, transparent, and respectful of human dignity. Among other things, a human-rights-by-design approach to integrity policy and practices means recognizing that our students are not only learners and staff are not just employees, but fundamentally, that students and staff are individuals with rights that must be protected and upheld.

As we move forward, I urge everyone who cares about ethics and integrity in education, science, and society, to commit to using human rights as foundation for policy, procedures, and practices. There is every indication that the rate of technological development will continue to outpace what many educators and policy-makers can keep up with. Dignity and human rights provide us with a path forward to ensure that humanity and personhood are prioritized in our policies, procedures, and pedagogy.

Acknowledgements

I am grateful to those who provided feedback on early drafts of this work: Beatriz Moya and Abigail Jones.

Author contributions

This is a sole-authored article. As such, I am 100% responsible for the content herein, including any errors or omissions.

Funding

Not applicable.

Data availability

All materials used in the preparation of this article are cited in the reference list.

Declarations

Competing interests

I have no financial competing interests. I am the Editor-in-Chief of the *International Journal for Educational Integrity*. The views expressed herein are my own and do not necessarily represent those of my employer or the publisher.

Published online: 12 November 2024

References

- Bach JJ (2003) Students have rights too: the drafting of student conduct codes. *BYU Educ Law J* 2003(1):1–36.
- Basken P (2024) January 8). US academics fear grim precedent set by Gay's Harvard exit. *Times Higher Education*. <https://www.timeshighereducation.com/news/us-academics-fear-grim-precedent-set-gays-harvard-exit>
- Beasley EM (2016) Comparing the demographics of students reported for academic dishonesty to those of the overall student population. *Ethics Behav* 26(1):45–62. <https://doi.org/10.1080/10508422.2014.978977>
- Bertram Gallant T, Binkin N, Donohue M (2015) Students at risk for being reported for cheating. *J Acad Ethics* 13(3):217–228. <https://doi.org/10.1007/s10805-015-9235-5>
- Council of Europe (2023) Human Rights by Design: Future-proofing Human Rights Protection in the era of AI. <https://rm.coe.int/follow-up-recommendation-on-the-2019-report-human-rights-by-design-fut/1680ab2279>

- Council of Europe (2008) White paper on Intercultural Dialogue: Living together as equals in dignity. https://www.coe.int/t/dg4/intercultural/source/white%20paper_final_revised_en.pdf
- Davis M (2022a) Examining and improving inclusive practice in institutional academic integrity policies, procedures, teaching and support. *Int J Educational Integr* 18(1):14. <https://doi.org/10.1007/s40979-022-00108-x>
- Davis M (2022b), March 9 Promoting inclusive practice in academic Integrity International Center for Academic Integrity (ICAI) annual conference [Online]. <https://youtu.be/FGbBMD5A5qM>
- Davis M (2023) Inclusion within a holistic approach to academic integrity: Improving policy, pedagogy, and wider practice for all students. In S. E. Eaton (Ed.), *Handbook of Academic Integrity* (2nd ed., pp. 1–19). Springer Nature Singapore. https://doi.org/10.1007/978-981-287-079-7_127-1
- Dawson P (2021) *Defending assessment security in a digital world: preventing e-cheating and supporting academic integrity in higher education*. Routledge
- deMontigny D (2022) Managing academic integrity in Canadian engineering schools. In S. E. Eaton & J. Christensen Hughes (Eds.), *Academic integrity in Canada: An enduring and essential challenge* (pp. 291–306). Springer. <https://doi.org/10.1007/978-3-030-83255-1>
- Eaton SE (2021) Plagiarism in higher education: tackling tough topics in academic integrity. *Libraries Unlimited*
- Eaton SE (2023) Postplagiarism: Transdisciplinary ethics and integrity in the age of artificial intelligence and neurotechnology. *Int J Educational Integr* 19(1):1–10. <https://doi.org/10.1007/s40979-023-00144-1>
- Eaton SE (2024a) *Comprehensive Academic Integrity (CAI): An ethical framework for educational contexts*. In S. E. Eaton (Ed.), *Second Handbook of Academic Integrity* (pp. 1–14). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-54144-5_194
- Eaton SE (2024b), January 7 Plagiarism witch hunts cause harm. *Learning, Teaching, and Leadership*. <https://drsaraheaton.wordpress.com/2024/01/07/plagiarism-witch-hunts-cause-harm/>
- Eaton SE, Christensen Hughes J (2022) Academic integrity in Canada: historical perspectives and current trends. In: Eaton SE, Christensen Hughes J (eds) *Academic integrity in Canada: an enduring and essential challenge*. Springer, pp 3–24
- Fabelo T, Thompson MD, Plotkin M, Carmichael D, Marchbanks III, M. P., Booth EA (2011) Breaking schools' rules: A statewide study of how school discipline relates to students' success and juvenile justice involvement. <https://edpolicy.stanford.edu/library/publications/425.html>
- Foltýnek T, Bjelobaba S, Glendinning I, Khan ZR, Santos R, Pavletic P, Kravjar J (2023) ENAI recommendations on the ethical use of Artificial Intelligence in Education. *Int J Educational Integr* 19(1):12. <https://doi.org/10.1007/s40979-023-00133-4>
- Gegg-Harrison W (2023), February 27 Against the use of GPTZero and other LLM-detection tools on student writing. *Medium*. <https://writerethink.medium.com/against-the-use-of-gptzero-and-other-llm-detection-tools-on-student-writing-b876b9d1b587>
- Gladue K, Poitras Pratt Y (2024) The integrity of good relations: Indigenous approaches to respect, relationality, and reciprocity in higher learning. In S. E. Eaton (Ed.), *Second Handbook of Academic Integrity* (pp. 1223–1244). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-54144-5_132
- Green E (2024), January 5 Why some academics are reluctant to call Claudine Gay a plagiarist. *New Yorker*. <https://www.newyorker.com/news/q-and-a/why-some-academics-are-reluctant-to-call-claudine-gay-a-plagiarist>
- Grove J (2023), August 3 Francesca Gino sues Harvard over 'fraud' probe. *Times Higher Education*. <https://www.timeshighereducation.com/news/harvard-researcher-accused-data-fraud-files-25-million-suit>
- Lancaster T (2021) Academic dishonesty or academic integrity? Using Natural Language Processing (NLP) techniques to investigate positive integrity in academic integrity research. *J Acad Ethics*. <https://doi.org/10.1007/s10805-021-09422-4>
- MacLeod L (2021) More than personal communication: templates for citing indigenous elders and knowledge keepers. *KULA* 5(1):1–5. <https://doi.org/10.18357/kula.135>
- McDermott B (2024) Enabling ableism: Using academic integrity arguments to create disability in testing environments. In S. E. Eaton (Ed.), *Second Handbook of Academic Integrity* (pp. 1169–1185). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-54144-5_129
- Miller CB (2024), April 16 Harvard honesty researcher accused of plagiarism. *Forbes*. <https://www.forbes.com/sites/christianmiller/2024/04/16/one-of-worlds-leading-honesty-researchers-accused-of-plagiarism/>
- Miron J, Eaton SE, McBreairey L, Baig H (2021) Academic integrity education across the Canadian higher education landscape. *Journal of Academic Ethics* 19(4):441–454. <https://doi.org/10.1007/s10805-021-09412-6>
- Moriarty C, Wilson B (2022) Justice and consistency in academic integrity: philosophical and practical considerations in policy making. *J Coll Character* 23(1):21–31. <https://doi.org/10.1080/2194587X.2021.2017971>
- Murdoch K, House D (2024) Courageous conversations: approaching amnesty through honesty as reparations to a learning community. In: Eaton SE (ed) *Second handbook of academic integrity*. Springer Nature Switzerland, pp 631–643. https://doi.org/10.1007/978-3-031-54144-5_181
- Orr JE, Orr K (2023) Restoring honor and integrity through integrating restorative practices in academic integrity with student leaders. *J Acad Ethics* 21:55–70. <https://doi.org/10.1007/s10805-021-09437-x>
- Panwar D (2024), May 1 Canada Calling: Former prof assaulted Indian students with 'forceful' kicks to the buttocks. *Indian Express*. <https://indianexpress.com/article/cities/chandigarh/canada-calling-former-prof-assault-indian-students-forceful-kicks-buttocks-9298591/>
- Parther C, Eaton SE (2021), June 23 Academic integrity and anti-Black aspects of educational surveillance and e-proctoring. *Teachers College Record*. <https://journals.sagepub.com/pb-assets/cmscontent/TCZ/Commentaries%20Collection/2021%20Commentaries/Academic%20Integrity%20and%20Anti-Black%20Aspects%20of%20Educational%20Surveillance%20and%20E-Proctoring-1650325575.pdf>
- Richardson L (2024), April 22 Former Algoma U prof pleads guilty to assaulting four international students. *SooToday*. <https://www.sootoday.com/city-police-beat/former-algoma-u-prof-pleads-guilty-to-assaulting-four-international-students-8637169>
- Roe J, Perkins M (2022) What are automated paraphrasing tools and how do we address them? A review of a growing threat to academic integrity. *Int J Educational Integr* 18(1):15. <https://doi.org/10.1007/s40979-022-00109-w>
- Scarritt A (2024) High Tuition, Low-Quality Education, and Racism: The Spiral Eroding Academic Integrity. In S. E. Eaton (Ed.), *Second Handbook of Academic Integrity* (pp. 1149–1168). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-54144-5_128

- Sopcak P, Hood K (2022) Building a culture of restorative practice and restorative responses to academic misconduct. In S. E. Eaton & J. Christensen Hughes (Eds.), *Academic integrity in Canada: An enduring and essential challenge* (pp. 573–571). https://doi.org/10.1007/978-3-030-83255-1_29
- Tindall IK, Curtis GJ, Locke V (2021) Can anxiety and race interact to influence face-recognition accuracy? A systematic literature review. *PLoS ONE* 16(8):e0254477. <https://doi.org/10.1371/journal.pone.0254477>
- United Nations (2021) Universal Declaration of Human Rights. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
- United Nations Educational Scientific and Cultural Organization (UNESCO) (2023) The risks and challenges of neurotechnologies for human rights. <https://unesdoc.unesco.org/ark:/48223/pf0000384185>
- Weasel Head G (2024) Toward Reflexive Practice: Deconstructing Academic Integrity, EDI, and Awareness Training from an Indigenous Perspective. In S. E. Eaton (Ed.), *Second Handbook of Academic Integrity* (pp. 1273–1286). Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-54144-5_136
- Weber-Wulff D, Anohina-Naumecca A, Bjelobaba S, Foltýnek T, Guerrero-Dib J, Popoola O, Šigut P, Waddington L (2023) Testing of detection tools for AI-generated text. *Int J Educational Integr* 19(1):26. <https://doi.org/10.1007/s40979-023-00146-z>

Publisher's note

Springer Nature remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.