



REGULATIONS GOVERNING FRAUD AND PLAGIARISM FOR UVA STUDENTS

Adopted by the Executive Board in decision no. 2019-084871 dated 9 July 2019.

Disclaimer: This translation is provided for information purposes only. In the event of a different interpretation, the original Dutch version of this document is binding.

Article 1 Definitions

1. Fraud and plagiarism are defined as any act or omission on the part of the student which makes an accurate assessment of his/her knowledge, insight and skills partially or wholly impossible. Plagiarism is a form of fraud.
2. Serious fraud, within the meaning of Section 7.12b, subsection 2 of the Dutch Higher Education and Research Act (WHW), shall, in any case, mean:
 - a. assuming the identity of another person during an examination;
 - b. allowing someone else to assume one's identity during an examination;
 - c. obtaining or being facilitated in obtaining the questions of the relevant examination before the time at which the examination is to take place;
 - d. fabricating and/or falsifying survey or interview responses or research data;
 - e. fraud during or outside of the inspection period for a paper/examination that has been assessed;
 - f. fraud relating to examination results;
 - g. engaging in other serious forms of plagiarism, as referred to in paragraph 4 of this Article.
3. Furthermore, 'fraud' is taken to include in any event:
 - a. being in possession during an examination of any aids of which the use is not expressly permitted;
 - b. attempting during an examination to read what another candidate is writing, or exchanging information inside or outside the examination room.
4. 'Serious forms of plagiarism' is taken to include in any event:
 - a. making use of or reproducing another person's texts, data or ideas to a significant degree without acknowledgement of sources;
 - b. presenting the structure or central body of ideas taken from third-party sources as one's own work or ideas;
 - c. reproducing the work of fellow students and passing it off as one's own;
 - d. reproducing another person's audio, visual or test materials, software or program codes without reference to the sources, and in doing so passing these off as one's own work;
 - e. submitting papers that have been written by someone else (whether or not in exchange for payment), including papers that were acquired from a commercial institution.
5. Furthermore, 'plagiarism' is taken to include in any event:
 - a. making use of or reproducing another person's texts, data or ideas without complete and correct source references;
 - b. presenting the structure or central body of ideas taken from third-party sources as one's own work or ideas, even if a reference to other authors is included;
 - c. failing to clearly indicate in the text – for instance by means of quotation marks or a particular layout – that literal or near-literal quotations have been included in the work, even if a correct reference to the sources has been included;



- d. paraphrasing the contents of another person's texts without sufficient reference to the sources;
 - e. submitting a text that has previously been submitted, or is similar to a text that has previously been submitted, in the context of assignments for other courses without correct acknowledgement of sources;
6. 'Examinations Board' is taken to mean the Examinations Board of the degree programme responsible for the course in relation to which fraudulent conduct has been detected.
 7. 'Examination' is taken to mean any examination per course component of the knowledge, insight and skills of the student, which results in an assessment. This shall include (final) papers.

Article 2 Complicity

1. A sanction may be imposed both on the perpetrator and any co-perpetrators of fraud and plagiarism.
2. If the work of a fellow student is reproduced with the consent and/or cooperation of the fellow student, the latter is a co-perpetrator of plagiarism.
3. If one of the authors of a joint essay commits plagiarism, the other authors are co-perpetrators of plagiarism if they could have known or should have known that the other author committed plagiarism.

Article 3 Detection of plagiarism

Electronic detection software may be used to detect plagiarism in texts. In submitting a text, a student implicitly consents to the text being entered in the database for the purpose of plagiarism detection.

Article 4 Procedure

1. If a case of fraud or plagiarism is detected, the examiner will immediately inform the student and, at the same time, notify the Examinations Board in writing, submitting the texts and findings.
2. The Examinations Board will give the student the opportunity to be heard within a period of two weeks.
3. The Examinations Board shall determine whether fraud or plagiarism has been committed and shall notify the student in writing of its decision and sanctions in accordance with Article 5 within a period of four weeks, stating the possibility of appeal with the Examinations Appeals Board.
4. If plagiarism is detected or suspected in a specific paper, the Examinations Board may decide to investigate papers previously submitted by the same student(s) for plagiarism. The student is

obliged to cooperate with this investigation and may be required to provide digital versions of previous papers.

5. The written warning or sanction that has been imposed shall be recorded by the Examinations Board.
6. If an Examinations Board should impose a sanction on a student who is not enrolled in the programme, the relevant Examinations Board will inform the Examinations Board of the UvA degree programme in which the student is enrolled.

Article 5 Sanctions in the event of fraud and plagiarism

1. After fraud or plagiarism has been established, the Examinations Board shall at least issue a written warning.

Fraud

2. In the event of conduct as specified in Article 1, paragraph 3 under a and b, the examination submitted shall be declared invalid and the student shall be excluded from participation in the first subsequent examination or possibly the first two subsequent examinations for the course concerned.
3. In the event of conduct as specified in Article 1, paragraph 2 under a to g, the work that has been produced through fraudulent conduct shall be declared invalid and the student shall be totally excluded from participation in all interim or other examinations or any other forms of assessment in the study programme for a maximum period of 12 months. If the fraudulent conduct relates to a Bachelor's or Master's thesis or another final paper, the supervisory activities of the thesis supervisor(s) will be suspended for the duration of the sanction.

Plagiarism

4. In the event of conduct as specified in Article 1, paragraph 5, whereby certain sections of existing texts have been reproduced but the student has in fact conducted his/her own research, the paper submitted shall be declared invalid and the student shall be excluded from participation in the examination of the course concerned or totally excluded from participation in all interim or other examinations or any other forms of assessment for the study programme for a maximum period of 6 months. If the paper is related to a Bachelor's or Master's thesis, the supervisory activities of the thesis supervisor shall be suspended for the duration of the sanction.
5. In the event of conduct as specified in Article 1, paragraph 4, whereby the entire paper or considerable sections of it, including the research presented as being the student's own work, is derived from existing material and research or literature published elsewhere, the paper submitted shall be declared invalid and the student shall be excluded from participation in the examination of the course in question or totally excluded from participation in all interim or other examinations or any other forms of assessment for the study programme for a maximum period of 12 months. If the paper relates to a Bachelor's or Master's thesis, the supervisory activities of the thesis supervisor shall be suspended for the duration of this period.
6. If, following the investigation as referred to in Article 4, paragraph 4, it should appear that plagiarism has been committed previously, the Examinations Board may decide to invalidate any previously obtained results for course components where plagiarism was detected.



7. In cases of serious fraud, including serious forms of plagiarism, the Executive Board at the recommendation of the Examinations Board, may terminate the enrolment of the relevant party permanently, after the Examinations Board has imposed the maximum sanction.
8. In the event of conduct not covered by these Regulations and depending on the seriousness of the fraud, the Examinations Board may impose the following sanctions: the examination submitted may be declared invalid; the student may be excluded from participation in the examination concerned for a maximum period of 12 months; the student may be totally excluded from participation in all interim or other examinations or any other forms of assessment in the study programme for a maximum period of 12 months.
9. The Examinations Board shall not grant any exemptions based on results obtained elsewhere during the period of exclusion from examinations for the study programme that was imposed on the student in accordance with this Article.
10. If the student is enrolled in more than one study programme, the Examinations Board shall consult with the Examinations Board(s) of the other relevant study programme(s) before imposing any sanction.
11. If the conduct established should relate to an Honours Programme module, the Examinations Board may determine that further participation in the Honours Programme may be denied.

Article 6 Aggravating circumstances

If the student has been previously issued a written warning or has been sanctioned in relation to fraud or plagiarism that has been detected, this will result in complete exclusion from participation in all examinations, exams or other forms of assessment for the study programme for a period of up to 12 months.

Article 7 Urgent recommendation to terminate enrolment

In the event of recidivism or in the case of serious fraud / serious plagiarism, in addition to penalising the student, the Examinations Board may also issue an urgent recommendation for the student to terminate their enrolment in the programme.

Article 8 Effective date, official title

These Regulations shall enter into force on 1 September 2019, upon the simultaneous revocation of the 'Regulations governing Fraud and Plagiarism for UvA students 2008, last amended May 2010', and can be cited as the 'Regulations governing Fraud and Plagiarism for UvA students 2019' (*Fraude en Plagiaat Regeling Studenten UvA 2019*).



EXPLANATORY NOTES TO THE ‘REGULATIONS GOVERNING FRAUD AND PLAGIARISM FOR UvA STUDENTS’

Participation/effort requirement

The degree programme must ensure adequate information provision regarding the standards applicable to students in respect of fraud and plagiarism. For that reason, attention will need to be paid to this issue early on in the programme, with the emphasis being on the key principle that fraud has no place within any academic degree programme. Furthermore, there must be sufficient focus within the programme on correct citation and appropriate acknowledgement of sources. Students may also, for example, be asked to sign a declaration of originality.

Definitions

The regulations shall apply to all students studying at the UvA, which also extends to exchange students, external candidates, contract students and guest students.

Although plagiarism may be considered a form of fraud, the two concepts are referred to separately. This simplifies the task of providing definitions and specifying the various penalties.

Tools and devices that are prohibited, unless explicitly stated otherwise, include preset calculators, mobile phones, books, syllabuses, notes, etc.

Creating the opportunity for fraud to take place may also be penalised. This may, for example, include instances of leaving a digital assessment open on a computer screen when (temporarily) leaving the workplace.

The definition in Article 1 primarily refers to interim and other examination situations. This includes all forms of work done by students, such as theses, papers and essays. If the lecturer should detect instances of plagiarism in the preparatory phase of, for example, a thesis or paper, it would be reasonable for the lecturer to address the matter with the student and point the student to the fact that a problem would arise if the draft text should be submitted as the final text. Individual cases will depend on their specific circumstances. More stringent requirements may be imposed on third-year students, for example, than on first-year students in terms of proper citation. Under these regulations, a sanction may also be imposed for plagiarism in draft chapters and preparatory documents for a thesis or a paper.

It is important that there never be any uncertainty as to which particular Examinations Board is dealing with an issue. Problems may arise in this regard, especially where electives are concerned. The principle underlying the Regulations is that the Examinations Board under which the course component in question falls, bears responsibility. If the student is enrolled in multiple programmes at the UvA, then the Examinations Board must consult with the Examinations Board(s) of the other relevant degree programme(s) before imposing a sanction. If the Examinations Board of the relevant programme/course component determines that this is a serious case of plagiarism or fraud, this Examinations Board must consult with the Examinations Board of the programme at which the student is enrolled before imposing a sanction. For documentation purposes, it is crucial that the Examinations Board of the programme in which the student is enrolled is informed of the case of fraud.

Article 2 stipulates that the co-perpetrator may also be penalised in addition to the perpetrator. The ‘perpetrator’ is the party taking the initiative to commit fraud, whereas the ‘co-perpetrator’ will actively participate in the fraud. A co-perpetrator may be reproached for specific conduct or for refraining from specific conduct.

Procedure

In the event that fraud or plagiarism is suspected, the examiner shall immediately inform the Examinations Board. The Examinations Board is responsible for the subsequent procedure. This provision ensures that no undesirable opportunity for negotiation arises between the examiner and the student. In addition, the Examinations Board is better placed to ensure the necessary care in the procedure, procedural uniformity and the student’s legal certainty.

The warnings and/or sanctions imposed will be documented and managed by the relevant Examinations Board that has issued the warning or imposed the sanction.

Sanctions

In accordance with the provisions of Section 7.12b, subsection 2 of the Dutch Higher Education and Research Act (WHW), in the event of fraud and plagiarism the Examinations Board is authorised to exclude the student from one or more interim or other examinations for the study programme as indicated by the Examinations Board, for a maximum period of one year. In addition, in cases of serious fraud, the Executive Board may terminate the enrolment of the relevant student at the proposal of the Examinations Board. The sanction shall clearly indicate to which examinations and any exams of the programme the exclusion shall apply. The Examinations Board must first have imposed the maximum sanction before being able to submit a proposal to terminate enrolment to institutional management.

These regulations include the possibility for the sanction to be limited to a written warning in cases of mild fraud. This meets the explicit wishes of the Examinations Boards.

With regard to sanctioning policy, these regulations sought to align with the existing practices of the Examinations Board and the rulings of the Examination Appeals Board and those of the Higher Education Appeals Board. As a result of the rulings of the Higher Education Appeals Board, these regulations define cases of serious fraud or serious plagiarism.