

## **REGULATIONS GOVERNING FRAUD AND PLAGIARISM FOR UvA STUDENTS**

Adopted by the Executive Board in 2008, last amended in May 2010.

### 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.

2. Fraud is taken to include in any event:

- a. being in possession during an examination of any aids (pre-programmed calculator, mobile telephone, books, outlines, notes, etc.) the use of which 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;
- c. assuming the identity of another person during an examination;
- d. allowing someone else to assume one's identity during an examination;
- e. obtaining possession of the questions in the examination paper prior to the scheduled date or time of the examination concerned;
- f. fabricating and/or falsifying survey or interview answers or research data.

3. 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 acknowledgement of the sources;
- 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. reproducing another person's audio, visual or test materials, or software or program codes without reference to the sources, and in doing so passing these off as one's own work;
- f. 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;
- g. reproducing the work of fellow students and passing it off as one's own;
- h. submitting papers obtained from a commercial agency or written (whether or not for payment) by another person.

4. 'Examination Board' is taken to mean the Examination Board of the study programme responsible for the course concerned.

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

5. 'Examination' is taken to mean any examination per course component of the knowledge, insight and skills of the student, which results in an assessment.

#### Article 2 Complicity

1. Sanctions may be imposed on both the perpetrator and the co-perpetrator 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 paper 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 programs may be used to detect plagiarism in texts. In submitting a text, a student implicitly consents to the text being entered into the database of the detection program concerned.

#### Article 4 Procedure

1. If a case of fraud and/or plagiarism is detected, the examiner shall immediately inform the student and, at the same time, notify the Examination Board in writing, with submission of the texts and findings.
2. The Examination Board shall give the student the opportunity to be heard within a period of 2 weeks.
3. The Examination 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 4 in conjunction with Article 5, within a period of 4 weeks, stating the possibility of appeal with the Examinations Appeals Board.
4. If plagiarism is detected or suspected in a specific paper, the Examination Board may decide to investigate papers previously submitted by the same student(s) for plagiarism. The student is obliged to cooperate with any such investigation and may be required to provide digital versions of previous papers.
5. Sanctions imposed shall be recorded in the student's records.

#### Article 5 Sanctions in the event of fraud

Where fraud has been established, the Examination Board shall impose the following sanctions:

1. In the event of conduct as specified in Article 1, paragraph 2 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.

2. In the event of conduct as specified in Article 1, paragraph 2 under c to f, the work that has been produced with the aid of fraud 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. In the event of serious fraud, the Examination Board may advise the Executive Board to permanently terminate the enrolment of the student concerned.

3. In the event of conduct not covered by these Regulations and depending on the seriousness of the fraud, the Examination 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. In the event of serious fraud, the Examination Board may also advise the Executive Board to permanently terminate the enrolment of the student concerned.

4. If the student has already been penalised on a former occasion for fraud or plagiarism, he/she shall be 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, and shall be advised to leave the study programme. In the event of serious fraud and on the advice of the Examination Board, the Executive Board may also permanently terminate the enrolment of the student concerned.

5. The Examination 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.

6. If the student is enrolled for more than one study programme, the Examination Board shall consult with the Examination Board(s) of the relevant study programme(s) before imposing any sanction.

7. If the detected misconduct concerns a module of the Honours programme, the Examination Board may rule that further participation in the programme shall be denied.

#### Article 6 Sanctions in the event of plagiarism

The Examination Board shall impose the following sanctions in the event of plagiarism:

1. If the case involves conduct as specified in Article 1, paragraph 3, 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 this period.

2. In the event of conduct as specified in Article 1, paragraph 3, 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. In the event of serious fraud and on the advice of the Examination Board, the Executive Board may also permanently terminate the enrolment of the student concerned. 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 this period.

3. If, after the investigation conducted in accordance with Article 4, paragraph 4, it becomes apparent that plagiarism has been committed on a former occasion, the Examination Board may rule that the results obtained previously for course components that were achieved by means of plagiarism shall be declared invalid.

4. In the event of conduct not covered by these Regulations, and depending on the seriousness of the plagiarism, the Examination Board may impose the following sanction: the paper submitted may be declared invalid and the student 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. In the event of serious fraud and on the advice of the Examination Board, the Executive Board may permanently terminate the enrolment of the student involved. 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 this period.

5. If the student has already been penalised on a former occasion for fraud or plagiarism, he/she shall be 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, and shall be advised to leave the study programme. In the event of serious fraud and on the advice of the Examination Board, the Executive Board may permanently terminate the enrolment of the student involved.

6. The Examination 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.

7. If the student is enrolled for more than one study programme, the Examination Board shall consult with the Examination Board(s) of the relevant study programme(s) before imposing any sanction.

8. If the detected misconduct concerns a module of the Honours programme, the Examination Board may rule that further participation in the programme shall be denied.

Article 7 Effective date, official title

These Regulations enter into force as of 1 September 2010, upon the simultaneous revocation of the ‘Regulations Governing Fraud and Plagiarism for UvA Students 2007’, and may be cited as the ‘Regulations Governing Fraud and Plagiarism for UvA Students’ (*Regeling Fraude en Plagiat Studenten UvA*).

## EXPLANATORY NOTES TO THE 'REGULATIONS GOVERNING FRAUD AND PLAGIARISM FOR UvA STUDENTS'

These uniform Regulations have been drawn up on the advice of the Working Group for the prevention and combating of plagiarism and fraud by students, and in consultation with the Examination Boards. The Regulations are part of a broader fraud and plagiarism policy and above all provide clear definitions of fraud and plagiarism and guidelines concerning possible sanctions.

### *Definitions*

The Regulations apply to all students studying at the UvA, i.e. including exchange students, external students and contract students.

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

The definition in Article 1 is only applicable to interim and other examination situations. This means that the Regulations do not apply to plagiarism in draft chapters or other preparatory documents for a thesis or paper. If a lecturer or supervisor detects plagiarism in the preparatory phase, it stands to reason that he/she shall call the student to account and point out that if the draft text were to be submitted as the definitive text, this would lead to a problem.

It is important that there never be uncertainty as to which particular Examination Board is dealing with an issue. Problems can arise in this regard, especially where electives are concerned. The principle underlying the Regulations is that the Examination Board under which the course component in question falls, bears responsibility. If the student is enrolled for more than one study programme, the Examination Board must consult with the Examination Board(s) of the study programme(s) concerned before imposing any sanction.

Article 2 states that in addition to the perpetrator, the co-perpetrator or 'colluder' is also liable to sanctions. The 'perpetrator' takes the initiative to commit the act, whereas the 'co-perpetrator' actively participates in this. According to paragraphs 2 and 3, such collusion is punishable. A colluder 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 Examination Board. The Examination Board is responsible for the subsequent procedure. This provision ensures that no undesirable opportunity for negotiation arises between the examiner and the student. Moreover, the Examination Board is in a better position to ensure the exercise of due care in the procedure and to safeguard the student's legal interests. The sanctions imposed shall be recorded in the student's records. This refers to the file – whether in written or electronic form – kept by the student administration of each faculty.

### *Sanctions*

In accordance with the provisions of Article 7.12b, paragraph 2, of the Dutch Higher Education and Research Act (WHW), in the event of fraud and plagiarism the Examination Board is authorised to exclude the student from one or more interim or other examinations for the study programme as indicated by the Examination Board, for a maximum period of one year. A new provision in the WHW allows for the possibility that the Examination Board may advise the Executive Board to permanently terminate the enrolment of the student concerned. When a sanction is imposed, it must be clearly stated to which interim or other examinations in the study programme the exclusion applies.

In determining the sanctions policy of these Regulations, the aim has been to follow the legal precedents already established by Examination Boards and the Examinations Appeals Board. Whether serious fraud has been committed on the grounds of which the Executive Board may decide to permanently terminate the enrolment of the student at the institution, shall be investigated on an individual basis.

### *Implementation*

Under Article 9.5 of the WHW, the Executive Board may establish guidelines concerning the Dean's authority in accordance with Article 9.15, paragraph 1 of the WHW, to determine the Teaching and Examination Regulations. The Regulations Governing Fraud and Plagiarism include a guideline instructing the dean to incorporate the unabridged version of these Regulations in the Teaching and Examination Regulations no later than at the start of the academic year 2009-2010. Specific situations concerning study programmes may be included as supplementary regulations.