

## **The General UM Regulation for Fraud and Irregularities**

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In this Regulation, the chairpersons of the Boards of Examiners of the UM further detail what is understood as fraud and what measures can be imposed by the Board of Examiners. Furthermore, it is explained what is meant by irregularities and what measure the Board of Examiners can impose. This regulation about fraud, including plagiarism, applies for the academic year 2021-2022 and the following academic years.

This regulation has been approved of by the chairpersons of the Boards of Examiners on 20 September 2021.

### **Article 1: Fraud including plagiarism and fabricating and/or falsifying research data**

In this article - which is related to the article on Fraud in the EER - it is, in accordance with Article 7.12b(3) of the Act, explained how the Board of Examiners acts under Article 7.12b(2) of the Dutch Higher Education and Research Act [Wet op het hoger onderwijs en wetenschappelijk onderzoek].

1. The Board of Examiners may impose one of the disciplinary measures set down in paragraph 7 of this article if it establishes that a student, in any exam or exam component has committed fraud, including (among others):
  - a) has had any aids/devices, resources, text or notes at his or her disposal, or has used aids and/or (communication) devices that were not explicitly allowed, or that were explicitly forbidden in the exam instructions and/or Rules of Procedures for Exams;
  - b) has communicated or attempted to communicate with another student without permission from an invigilator, examiner, or Board of Examiners member;
  - c) has copied or attempted to copy from another student, or has provided the opportunity to copy;
  - d) has collaborated on a graded assignment, paper or practical, whereas this was not explicitly allowed;
  - e) has posed as someone else or let someone else pose as him/her;
  - f) has misled, or at least attempted to mislead or provided the opportunity to mislead an invigilator, an examiner, a corrector or the Board of Examiners with respect to the exam;
  - g) has used an obfuscation method in submitted work that is likely to have the effect that plagiarism checking tools do not work optimally;
  - h) has disregarded the instructions of the invigilator or the instructions for the exam (component) such that an unfair advantage might have been obtained;
  - i) has performed actions or omissions which make it impossible in whole or in part to properly evaluate his/her knowledge, understanding and/or skills.
2. The Board of Examiners may impose one of the disciplinary measures set down in paragraph 7 of this article if it establishes that a student has committed fraud, including (among others):
  - a) has falsified the information on mandatory attendance, participation or effort obligation; or had someone else falsify that information; or has signed off on attendance, participation or effort obligation when it was not (fully) met;
  - b) has falsified exam results;
  - c) has falsely obtained, or attempted to, access to an exam;
  - d) has misled an examiner relating to exam (components), registration, or grading;
  - e) has facilitated other students to engage in fraud;
  - f) has fabricated and/or falsified survey or interview answers or research data;

3. The Board of Examiners may impose one of the disciplinary measures set down in paragraph 7 of this article if it establishes that a student has committed plagiarism in any exam, part or component, including (among others):
  - a) using or copying his/her personal or other people's texts (including code), data, ideas, other materials or thoughts without adequate reference to the source;
  - b) presenting the structure or central body of thought from others without adequate reference to the source and thus passing it off as his/her own;
  - c) not clearly indicating in the text (including code), for example via quotation marks or a certain layout, that verbatim or nearly verbatim quotes have been used;
  - d) paraphrasing the content of his/her own or other people's texts without adequate reference to the source;
  - e) copying video, audio or test material, software and program codes from others without adequate reference to the source and thus passing them off as his/her own;
  - f) copying work from other students and thus passing it off as his/her own;
  - g) submitting a text that has been previously been submitted for an different component/module, or is similar to a text that has been previously been submitted by oneself or by others, unless explicitly allowed;
  - h) submitting work or assignments acquired from or written by a third party (whether or not for payment) and thus passing them off as his/her own.
4. During the exam inspection students are not allowed to have communication devices and/or other electronic devices at their disposal, neither to take the exam and answer key outside the room where the inspection takes place nor to copy these documents in any form. Also, students are not allowed to make any modifications to the exam. When the exam inspection is virtually it is not allowed to make screenshots or record the inspection. The Board of Examiners may impose one of the disciplinary measures set down in paragraph 7 of this article if it establishes that a student did not adhere to these rules.
5. In case of fraud / plagiarism in group assignments, all students in the group are in principle responsible for fraud / plagiarism unless it is clear that specific students have committed fraud. In that case, only the students in question will be penalized.
6. In the event that the Board of Examiners suspects that a student has committed fraud in any way, the Board of Examiners shall be entitled to start the following procedure: the (acting) chair of the Board of Examiners opens an inquiry into the established facts, and may call in an expert to do so. After this inquiry has been closed, but within 15 working days after fraud has been reported to the Board of Examiners by the examiner(s), the chair will inform the members of the Board of Examiners and invite the student and the examiner(s) the opportunity to each state their case. The student may have an adviser accompany him/her. If the Board of Examiners establishes that a student has committed fraud, the Board will declare the relevant exams/assessment and/or attendance registration null and void (label NG) and can impose a measure as set down in paragraph 7. The Board of Examiners will inform the student involved, the examiner and education office regarding this measure and the reason on which this measure is based. This procedure shall take place in accordance with Article 7.12b of the Act.
7. In the cases referred to in paragraphs 1 to 6 the Board of Examiners can declare the results of the relevant exam or part in question and/or the attendance registration invalid, as well as impose the following disciplinary measures:
  - a) a reprimand;
  - b) exclusion from participation or further participation in one or more exams in the programme for a period of at most one year;
  - c) in serious cases of fraud, the Board of Examiners can propose to the UM's Executive Board that the student(s) concerned be permanently deregistered from the programme.

8. Repeat offenses of fraud are considered an aggravating circumstance and may result in more severe sanctions. This also includes fraud in components/modules that were taken at other faculties or institutions of higher education. For this reason, UM Boards of Examiners can inform each other if fraud and/or plagiarism has been established in an exam (component) at another faculty.
9. Before the Board of Examiners imposes an appropriate disciplinary measure, or makes a proposal to the Executive Board, the student in question is given the opportunity to be heard.
10. If fraud is established, this is included in the student's dossier and, if applicable for the programme in question, a notice of unprofessional behaviour will be drawn up.
11. If, after investigation, it is ultimately determined that the student concerned did not commit fraud, the names will be removed from the correspondence about the alleged fraud and the correspondence will not be included in the student's dossier.
12. The Board of Examiners does not grant exemptions on the grounds of study results obtained elsewhere while the student was excluded from participating in the programme's exams because fraud was committed.
13. In cases where a student's exam is declared invalid, or the student is excluded from participation in examinations for a period of time as a consequence of fraudulent behavior, there is no possibility to appeal to an exceptional circumstance clause that would involve the creation of an additional opportunity to make the exam in question.

#### Article 2: Irregularity

If, according to the Board of Examiners, one or more exam components or an entire exam have not been taken in the prescribed manner or if an exam component has not been conducted properly, the Board of Examiners can declare the exam or the relevant component(s) invalid, even in cases when the student is not accountable, in order to secure its legal duty as stated in Article 7.12b (1)(a) of the Act.