

REGULATIONS ON FRAUD



Paragraph 1 Introductory provisions

Article 1. Purpose and scope of these regulations

To prevent fraud during examinations and bachelor/master examinations, as referred to in article 7.12b *WHW*, relating to the education and examination in a PTRS programme of Radboud University (hereinafter: RU), the dean of the faculty of Philosophy, Theology and Religious Studies adopts the following regulations.

Article 2. Definitions

The terms that are used in these regulations – in so far as these terms are also used in the Higher Education and Research Act (*Wet op het Hoger onderwijs en Wetenschappelijk onderzoek* (hereinafter: the Act)) or the Education and Examination Regulations of the degree programme (hereinafter: the EER) – have the same meaning that is given to these terms in the Act and the EER.

Paragraph 2 Definition fraud, procedure and sanctions

Article 3. Definition of fraud

1. At RU, fraud is understood to mean any act or omission by a student which, in its nature, is intended to have as an effect that proper assessment of the knowledge, understanding and skills of that student, or another student, is made fully or partially impossible.
2. Fraud is in any case understood to mean:
 - a) fraud when sitting written examinations, including
 - i. having materials available which are not permitted under the House Rules Examinations Rooms RU Regulations (*Regeling Huisregels Tentamenruimten RU*);
 - ii. copying or exchanging information;
 - iii. passing oneself off as someone else, or being represented by someone else during examinations or bachelor/master examinations;
 - b) fraud when producing theses and other papers, including
 - i. plagiarism in the sense of using or copying someone else's texts, data or ideas without complete and correct source references, plagiarism in the sense of copying the work of another student and presenting this as one's own work and other specifically academic forms of plagiarism;
 - ii. fabricating (making up) and/or falsifying (distorting) research data;
 - iii. submitting a thesis or any other paper that was written by someone else.
 - c) other fraud in the context of examinations or bachelor/master examinations, including
 - i. taking possession of assignments, answer keys and the like, prior to the time the examination or bachelor/master examination is to take place;

- ii. changing answers to assignments in an examination or a bachelor/master examination after it has been handed in for assessment;
 - iii. providing incorrect information when applying for an exemption, extension of validity period, and the like, of an examination or a bachelor/master examination.
3. For the purpose of these regulations, an attempt to commit fraud will also be seen as fraud.

Article 4. Procedure establishing fraud

1. When fraud is suspected, the board of examiners or the examiner immediately informs the student of this suspicion. If the suspicion of fraud is established when the examination is administered, the board of examiners or the examiner will allow the student to complete the examination.
2. The board of examiners or the examiner may order the student to make any material related to the suspicion of fraud available to them.
3. For the purposes of the provisions in paragraphs 1 and 2 of the present article, examiner is also understood to mean the invigilator or any other RU member of staff.
4. The board of examiners or the examiner drafts a report of the suspicion of fraud. The report drafted by the examiner will be sent to the board of examiners without delay.
5. The board of examiners makes the report referred to in paragraph 4 available to the student without delay and then starts an investigation into the matter. The board of examiners provides the student with the opportunity to respond to the report in writing. The board of examiners hears both the examiner and the student.
6. Within four weeks following the date the report was made available to the student, the board of examiners decides whether fraud was actually committed. The board of examiners informs both the student and the examiner of their decision in writing. The four-week period may be extended by two weeks.

Article 5. Remedial action

If the board of examiners has established fraud:

- a) the board of examiners declares the relevant examination invalid, and
- b) the board of examiners includes a statement in the student's student file that it has established fraud and, if applicable, which sanctions have been imposed.

Article 6. Sanctions

1. If the board of examiners has established that fraud has been committed, the board of examiners may:
 - a) determine that the student may not sit one or more examinations during a period to be set by the board of examiners, which period amounts to a maximum of one year;
 - b) determine that no distinction will be awarded on the degree certificate;

- c) make a recommendation to the Dean of the Honours Academy that the student should not be admitted to the honours programme of the university or the faculty or recommend that the student's participation in the honours programme of the university or the faculty should be ended.

If the board of examiners has established that *serious* fraud has been committed, the board of examiners may also

- d) make a recommendation to the executive board that the student's registration for a degree programme should be terminated with definitive effect.
2. After the board of examiners has established that serious fraud has been committed, the executive board – upon the board of examiners' recommendation – may terminate the student's registration for a programme with definitive effect.
 3. The sanctions referred to in this article are imposed as from the day following the date the student is notified of the decision that sanctions are imposed.

Paragraph 3 Transitional provisions

[insert possible transitory regulations]

Paragraph 4 Final provisions

Article 8. Decisions and legal protection

1. Decisions pursuant to these regulations may be sent to the student digitally and/or by email.
2. The student can appeal against any decision made under these regulations, within six weeks following the date on the relevant decision, by lodging a notice of appeal at the Examinations Appeals Board (*College voor Beroep van de Examens (CBE)*).

Article 9. Adoption and amendment

1. These regulations are adopted by the dean.
2. In so far as the content of these regulations relates to the duties and powers of the degree programme's board of examiners, the content must also be confirmed by that board of examiners.

Article 9. Effect

These regulations take effect on 1-9-2019. These regulations will then replace any previous regulations.

Article 10. Publication

1. The dean ensures the appropriate publication and possible amendments of these regulations.

2. For the purpose of proper and clear provision of information to students and prospect students, the dean includes these regulations as an appendix to the Education and Examination Regulations (*Onderwijs- en Examenreglement (OER)*). Accordingly, the board of examiners includes these regulations accordingly as an appendix to the rules and guidelines of the degree programme to be laid down by that board.