

# Regulations on fraud during interim examinations en examinations

## **Paragraph 1 Introductory provisions**

### Article 1. Purpose of these regulations

1. To prevent fraud during interim examinations and examinations as referred to in article 7.12b WHW, the executive board of Radboud University (hereinafter: RI-J) adopts the following regulations.
2. For the harmonisation of the provisions in these regulations between faculties, these regulations have been laid down as 'comply-explain' regulations (pas-toe-leg-uit-regeling).

### Article 2. Scope of these regulations

1. Except for the provisions referred to in appendix I, these regulations apply both to the initial RU programmes and for the students who have registered for these programmes.
2. The executive board may decide, in a separate decision, to apply these regulations mutatis mutandis to the other programmes offered by RU.

### Article 3. 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: WHIP)) — have the same meaning that is given to these terms in the WHW.

## **Paragraph 2 Definition fraud, procedure and sanctions**

### Article 4. 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 taking written interim 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 interim examinations;
  - b) fraud when producing theses and other papers, including 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 another paper that was written by someone else.

- c) Other fraud in the context of interim examinations or examinations, including taking possession of assignments, answer keys and the like, prior to the time the interim examination or examination is to take place; ii. changing answers to assignments in an interim examination or 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 interim examination or an examination.
3. An attempt to commit fraud will also be seen as fraud for the purpose of these regulations.

#### Article 5. Procedure for suspicion of 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 interim examination or the examination is administered, the board of examiners or the examiner will allow the student to complete the interim examination or 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. The board of examiners or the examiner drafts a report of the suspicion of fraud. If the examiner drafts the report, he will send this report to the board of examiners without delay.
4. 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.

#### Article 6. Procedure for investigation and determination of fraud

1. The board of examiners makes the report referred to in article 5 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.
2. 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.
3. If fraud is established, the board of examiners declares the relevant interim examination or examination invalid.
4. If fraud is established, the board of examiners records both the fact that fraud was committed and the sanction imposed in the student's student file.

## Article 7. Sanctions

1. If the board of examiners has established fraud has been committed, the board of examiners may:
  - a) determine that the student may not sit one or more interim examinations or examinations during a period to be set by the board of examiners, which period will be 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 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 as 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

[no 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 have been adopted by the executive board in accordance with the 'comply-explain' principle.

2. In so far as the content of these regulations relates to the duties and powers of the faculty's dean or the duties and powers of the programme's board of examiners, the content must also be confirmed by that dean or that board of examiners. Without any comments by the dean or the board of examiners as referred to in the first paragraph of the present article, confirmation will take place five months after the regulations have been adopted.

#### Article 15. Effect

With due observance of the provisions in Article 9, these regulations take effect on 1 September 2018. These regulations will then replace any previous regulations.

#### Article 16. Publication

1. The executive board sees to the appropriate publication and possible amendments of these regulations.
2. For the purpose of appropriate and clear provision of information to students and prospect students, the dean and the board of examiners will include these regulations, every year, as an appendix to the Education and Examination Regulations (Onderwijs- en Examenreglement (OER) and as an appendix to the Rules and Guidelines (Regels en Richtlijnen (RR)) of the programme.