



Theological University Kampen

REFORMED CHURCHES

Regulation on Fraud and Plagiarism

The legal framework for this regulation is to be found in the Higher Education and Scientific Research Act (WHW), Article 7.12b: *[Translated:]* 'In the case of fraud committed by a student or external student, the Examination Review Committee (ERC) can deny the student concerned the right to take part in one or more of the exams, specified by the ERC, during a time period to be determined by the ERC but with a maximum of one year. In the case of serious fraud, the ERC may propose to the Board of Directors that the enrolment of the student be terminated.'

1. At least three points come to attention in this legal framework. A) The Examination Review Committee (ERC) is actor. The ERC is competent to draw up a fraud regulation where necessary. B) The ERC is competent to act in the case of fraud. Plagiarism is to be defined as fraud. C) The ERC may propose to the Board of Directors the termination of the enrolment of any student committing serious fraud.
2. Point of attention: while the Appeals Tribunal for Higher Education (the CBHO in The Hague) does not consider self-plagiarism to be fraud, it does see it as an action that may influence the appraisal of the student.

Fraud

3. Fraud is considered to be the act or omission of a student as a result of which an accurate assessment of his/her knowledge, insight and skills is made partially or wholly impossible.
4. Fraud is understood to include the following. This expressly does not exclude other behaviours that may be considered fraud. It concerns:
 - a. Not following the instructions of the examiner or appointed invigilator;
 - b. Operating in violation of the instructions of the examination or of this regulation;
 - c. Being in possession during an examination of books, syllabi, notes or other documents or matters such as electronic communication equipment, of which the consultation or use has not been expressly permitted;
 - d. Carrying communication equipment on your person in whatever manner (Note: Being able to make use of this equipment is sufficient for determining fraud);
 - e. Attempting during an examination to read what another student has written, or exchanging information inside or outside the examination room;
 - f. Assuming the identity of another person during an examination or allowing someone else to assume one's identity and take the examination;
 - g. Swapping or exchanging with others the distributed exam question papers and/or response forms;
 - h. Obtaining possession of the examination questions or assignments prior to the scheduled date and time of the examination concerned;
 - i. Making changes to the response paper of the exam after the time has expired and/or the papers have been handed in;
 - j. Manipulation or misrepresentation of the research results when conducting a (graduation) research, with the intention of misleading, for example by i) distorting, inventing or irresponsibly selecting the data for the research; ii) consciously misrepresenting points of view, interpretations and conclusions of others;
 - k. Creating opportunity for, or inciting, students to commit fraud;

- I. Enrolling for, or participating in, an examination for which the ERC has excluded you in connection with fraud;
5. It is also considered fraud when the applicant submits false documents when applying for exemption within an education programme, a request for receiving a degree certificate or the registration for an exam.

Plagiarism

6. Plagiarism is a specific form of fraud.
7. Plagiarism is considered to be, in any event, the following. This expressly does not exclude other facts or actions that constitute plagiarism. It concerns:
 - a. making use of, or copying, someone else's texts, data or ideas without complete and correct acknowledgement of the sources;
 - b. Failing to clearly indicate in the text, for example by means of quotations marks or a specific layout, that a text has been borrowed from the work of another author, even if a correct reference to the sources has been included;
 - c. Paraphrasing someone else's texts without sufficient reference to the sources;
 - d. Copying the work of fellow students and passing this off as one's own;
 - e. Submitting papers that have been obtained from a commercial institution or written by someone else (whether or not for payment);
8. Electronic detection software programs may be used to detect plagiarism.
9. By submitting the text, student consents to the text being entered into the database of the detection program concerned.

Procedure

10. The following applies to all forms of assessment, also if the rules have initially been attributed to a certain form of assessment.
11. If the examiner or the appointed invigilator detects, or has a strong suspicion of, fraud, he/she will submit a written account of the events to the ERC. This will be accompanied by any available evidence.
12. The ERC will inform the student in writing of the report to the ERC and the accompanying account of events.
13. In the case of the detection or serious suspicion mentioned above, the participant will be allowed to finish the examination. The student may not however take part in the resit for the same exam as long as the ERC has not given a ruling on the suspected fraud.
14. The student will be given the opportunity to be heard by the ERC, or a delegation of at least two members of the ERC, regarding the suspected fraud, within two weeks after the fraud report has been received.
15. The ERC will determine within a period of four weeks, on the basis of the documents and the information provided by the student at the hearing, whether fraud has been committed or not.
16. The aforementioned period may be extended by two weeks at the most. If the ERC wishes to do so, it must notify the student concerned in writing.
17. If the ERC has reached the conviction that a case of fraud can be established, one or more sanctions are imposed.
18. Repetition of the offence justifies a more far-reaching form of sanction than would otherwise be imposed.
19. The ERC can decide to give the student a serious warning.
20. The ERC can sanction the established fraud by declaring the examination or assignment concerned invalid.

21. In addition, the ERC can exclude the student from participation in one or more subsequent examinations for a maximum period of one year.
22. The ERC will not grant any exemptions based on examinations taken at another university during the period of exclusion from participation in a similar exam at the own institution.
23. The ERC establishes, by means of the nature and the gravity of the fraudulent actions, whether it is a case of serious fraud.
24. In the event of serious fraud, the ERC may advise the Board of Directors to permanently terminate the enrolment of the student concerned.
25. The ERC will notify the student in writing of its decision within a period of two weeks.
26. The student may object to the ERC's decision by following the external appeal procedure of the Appeals Tribunal for Higher Education (CBHO).
27. In exceptional cases, not covered by the fraud regulations, the ERC will decide in compliance with the principles of proper procedure.

Determined for the Examination Review Committee on 28-04-2016

[This translation is provided for information purposes only. The original Dutch version of this document is binding.]