

Memo academic misconduct policy FSS

Adopted by the Faculty of Social Sciences' Central Examination Board on 18 June 2024

Introduction

One of the tasks of the Examination Board is to handle cases of academic misconduct. More precisely, it investigates cases in which lecturers suspect students of engaging in academic misconduct.

The Examination Board's policy for handling such cases is informed in part by the Teaching and Examination Regulations (TER) and, most importantly, by the Rules & Guidelines for the Faculty of Social Sciences Examination Board (R&G). The main purpose of this memo is to establish guidelines for penalisation.

In principle, the memo concerns suspicions of fraud in summative examinations or constituent examinations, i.e. (sub)assignments/tests that are assessed with a mark, a pass or fail, or in some other way. The section entitled 'What to do in case of suspected fraud in a formative examination or constituent examination' explains how to deal with suspected fraud in formative (sub)examinations that are not subject to assessment.

What is academic misconduct?

The R&G define academic misconduct as follows:

"Any action or negligence by a student that makes it partially or entirely impossible to form an accurate assessment of this student's knowledge, understanding and skills, or that of other students."

In most cases, this will involve some form of exam fraud (copying answers from another student, use of external sources) or plagiarism. Submitting work generated by artificial intelligence (AI), where this is not permitted, as one's own work is also considered fraud, as it makes it difficult or impossible to accurately assess the student's knowledge, understanding and skills. To determine whether a student has committed fraud, the basic principle remains: if the student has submitted texts created by generative artificial intelligence (such as ChatGPT or another AI tool) as their own work, they have committed fraud. Also important in this context is whether and how the lecturer allows students to use AI tools (such as ChatGPT) as an aid.

Plagiarism is a common form of academic misconduct. Plagiarism includes quoting or translating a source without proper citation, as well as directly copying a line of reasoning (sentence by sentence). According to the R&G:

Plagiarism includes, but is not limited to, the following:

- a) drawing on or quoting from the texts, data or ideas of others without providing full and correct source citations;*
- b) omitting to indicate clearly, such as by quotation marks or formatting, when any section of text is derived from another author – even if the source citation is correct;*
- c) paraphrasing or translating the contents of texts by others without providing sufficient source accreditation;*

- d) *submitting texts written for – or similar to – assignments completed for other degree programme components, without making reference to this fact;*
- e) *using work done by fellow students and passing it off as one’s own;*
- f) *submitting work that was acquired from a commercial organization, or that was written by someone else (regardless of whether the writer was paid).*

An overview of the different forms of fraud (and their severity) can be found in the table below. This table shows that plagiarism is a sliding scale: stealing a paper is more serious than forgetting a citation. An act of plagiarism is classified as exam fraud if it prevents the examiner from accurately assessing the student’s work; in other words, if the student presents someone else’s texts or ideas as their own. Depending on the context, this could be the case for all forms of plagiarism listed in the table below. This means that, under certain circumstances, ‘inadequate citation’ can also be penalised. It is important to note that the Examination Board handles and assesses each case on an individual basis before ultimately reaching a decision.

Less serious		Mitigating circumstances: - penalties for first-year students may be less severe than for more advanced students				
		A	References at end of text, no citations	Has developed an idea that already existed and failed to reference it	Has not used proper citations	
		B	Inadequate paraphrasing/translation of content	Copying short sentences	Superficial changes to cited texts	
		C	Copying and pasting from various websites	Completely rephrasing ideas without citing the source		
		D	Copying and pasting from one website or programme	Copying the majority of a document	Submitting a previously submitted or similar (own) text for other degree components without referencing it	Making superficial changes to source, without references
		E	Stealing or buying papers, or copying the work of other students, and presenting it as one's own work	Exchanging papers through student associations, or submitting papers acquired from a commercial institution or written by someone else (whether or not for payment)	Excessive collaboration with fellow students and/or friends	
More serious		Aggravating circumstances - Deliberate deception - Recidivism				

Procedure

The procedure to follow in cases of fraud or suspicion of fraud is outlined in the R&G:

1. *If an examiner has proof of plagiarism or another form of academic misconduct, or reasonable grounds for suspicion, he/she will report this in writing to the Examination Board, providing documentary evidence if possible. The examiner will also notify the student in question. The Examination Board will then invite the student for an interview, providing where possible the written evidence that gave rise to the suspicion of academic misconduct. When there is a suspicion of illegitimate use of artificial intelligence, the lecturer may first initiate further investigation into the authenticity of the piece of work submitted before notifying the Examination Board of a suspicion of academic misconduct.*
2. *Within two weeks of the report, the Exam Board will invite the student to a hearing about the alleged plagiarism or other form of academic misconduct, and will make a decision based on the documentary evidence and, where possible, the information provided by the student during the hearing. The examiner can also be asked to provide further testimony.*
3. *If the Examination Board is convinced that plagiarism or another form of academic misconduct has in fact taken place, the student is penalized accordingly. Should the regular resit opportunity take place before the Examination Board has decided on the case, the student is permitted to participate in the resit at his or her own risk. The possibility remains that this resit will be declared invalid retroactively.*

Communication with lecturers and students regarding Examination Board decisions:

- If the student is found not guilty, the lecturer will be informed of this before the student. The lecturer will also receive an explanation of the decision. The student is then informed by email, and the lecturer is cc'd.
- If the student is found guilty, the verdict (including an explanation) will be emailed to the student, and the lecturer will be cc'd.

Penalization

As a basic principle, the penalty must be more severe than the consequences the student would have faced had they not handed in the paper or sat the examination or constituent examination. Possible penalties, in ascending order of severity (in accordance with the R&G), are:

- 1) The constituent examination is declared invalid, but the student is permitted to take a resit during the same academic year;
- 2) The examination/paper is declared invalid, but the student is permitted to take a resit during the same academic year;
- 3) The examination/paper is declared invalid, and the student is excluded from the first resit opportunity;
- 4) The examination/paper is declared invalid, and the student is excluded from some examinations for a maximum of one year.
- 5) The examination/paper is declared invalid, and the student is excluded from all examinations for a maximum of one year.
- 6) The Executive Board (CvB) is requested to permanently expel the student.

The overview of the different forms of fraud (and their severity) is complemented below by the corresponding penalties (far-right column). While the Examination Board uses this table in

determining appropriate penalties, it handles and assesses each case on an individual basis before ultimately reaching a decision (as mentioned above).

In essence, the appropriate severity of a penalty for plagiarism is determined by several factors: the percentage of plagiarism according to the anti-plagiarism software, the weighting of the plagiarised work in the final mark, and any mitigating or aggravating circumstances.

		Mitigating circumstances: - penalties for first-year students may be less severe than for more advanced students			fraud %	Appropriate penalty Numbers refer to the numbers in the far-right column	
↑ Less serious	A	References at end of text, no citations	Has developed an idea that already existed and failed to reference it	Has not used proper citations		- NG* - W* - 1 - 2	
	B	Inadequate paraphrasing/translation of content	Copying short sentences	Superficial changes to cited texts		- 2 - 2	
	C	Copying and pasting from various websites	Completely rephrasing ideas without citing the source			- 2 - 3 - 4	
	D	Copying and pasting from one website or programme (e.g. generative AI)	Copying the majority of a document	Submitting a previously submitted or similar (own) text for other degree components without referencing it	Making superficial changes to source, without references		- 3 - 4 - 5
	E	Stealing or buying papers, or copying the work of other students, and presenting it as one's own work	Exchanging papers through student associations, or submitting papers acquired from a commercial institution or written by someone else (whether or not for payment)	Excessive collaboration with fellow students and/or friends			- 5 6.
↓ More serious		Aggravating circumstances - Deliberate deception - Recidivism			fraud %	Appropriate penalty	

*NG: not guilty; W: warning.

The far-right column of the table lists numbers between 1 and 6. These numbers refer to the penalties set out above this table. One factor in determining the severity of a penalty may include the percentage of plagiarism according to the anti-plagiarism software. A plagiarism rate of more than **~50%** is considered more serious than a plagiarism rate of **~10%**. The weighting of the assignment in the final mark may also determine the severity of the penalty. If the assignment accounts for a substantial percentage (**~50-100%**) of the final mark, the fraud will be treated more seriously than for smaller assignments.

Students who cheat on a constituent examination that only makes up a small part of the overall assessment will, in principle, receive penalty 2. Students who cheat on an examination or constituent examination that makes up a considerable part of the overall assessment will, in principle, receive penalty 3.

Sometimes a lighter penalty can be imposed. This might be appropriate, for instance, for a first-year student who has committed a (very) minor offence writing their first paper. In cases of recidivism, severe misconduct or other aggravating circumstances (such as intentional deceit), more severe penalties will be imposed. The green letters and numbers refer to penalties for cases involving mitigating circumstances. The red numbers refer to penalties for cases involving aggravating circumstances. Severe misconduct may result in a severe penalty, even in cases involving first-time offenders (i.e. no recidivism). This might be appropriate, for instance, if a student has submitted a purchased paper.

Decisions and penalties are always rendered by all of the core members of the Examination Board, who are advised by the official secretary.

Appeals

“Students can appeal decisions by the Examination Board with the Examination Appeals Board, within six weeks after the decision is rendered.” (R&G FSS)

A student always has the right to appeal a decision by the Examination Board. Examiners, however, do not have this right, as the law does not provide it. The Examination Board, in its turn, cannot appeal decisions rendered by the Examination Appeals Board with the Administrative Law Division of the Council of State (AbRvS). This option, too, is only available to students.

What to do in case of suspected fraud in a formative examination or constituent examination

If a lecturer suspects fraud in a formative assessment (not linked to a summative assessment), they must first try to talk to the student in question.

- If the lecturer determines that the student has not committed fraud, no further action needs to be taken.
- If the lecturer determines that the student has committed fraud, the student must be given a warning.

When to report (suspected) fraud in a formative test to the Examination Board?

- If, after receiving a warning, a student is again suspected of committing fraud in a formative examination or constituent examination, an official report of suspected fraud will be submitted to the Examination Board, and the procedure for fraud in summative examinations or constituent examinations will be initiated.
- Suspected fraud in **draft versions of theses and/or papers that account for a large proportion of the final mark (~50% or more)** should always be reported to the Examination Board. In such cases, the same procedures apply as for suspicions of fraud in summative examinations or constituent examinations.