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2014-02-18 Log No. 2013/1411

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Routine for dealing with suspected deceptive conduct in examinations

It is a matter of quality and legal consistency for Uppsala University to have clear routines both to prevent cheating among students and to deal with cases of suspected cheating. This text describes Uppsala University's routine for dealing with matters described in Chapter 10 Section 1 Point 1 of the Higher Education Ordinance (for example, plagiarism, prohibited collaboration, use of prohibited aids, and altering a marked examination).

The rationale for establishing a common routine for the whole University is that all students, as far as possible, should have the same information about current regulations and be treated equally, regardless of their department or faculty.

Clear information is the foundation

The foundation for work to counteract cheating is for all students to be continuously provided with clear information, both oral and written, about relevant regulations throughout their period of studies. Regarding rules for collaborating (for example on assignments and take-home examinations) or what aids are permitted or prohibited for use at examinations, it is important that such information be provided both during the course and in direct connection with the examination. Regarding plagiarism relating to various types of written work, it is important that information be provided in all courses and study programmes concerning the correct use of quotations and references.¹

Measures for dealing with suspected cheating in an examination hall

An examination invigilator who suspects that someone is cheating must tell the student in question what is suspected as being improper conduct and inform her/him that it will be reported. Otherwise the student, if she/he so wishes, may complete the examination once the use of any prohibited aids

¹ See also Henriksson, Ann-Sofie (2008). *Att förebygga plagiat i studentarbeten: en pedagogisk utvecklingsmöjlighet* [Preventing Plagiarism in Student Work: An Opportunity for Educational Development (in Swedish)]. Uppsala: Uppsala University

has been documented. Thereafter the invigilator must promptly tell the teacher in charge and write a report of the event. The teacher must immediately discuss the matter with the examiner.

Measures for dealing with suspected plagiarism

It can be difficult to determine what constitutes plagiarism, even when suspicions have been aroused via a plagiarism detection system. There is a grey zone where it can be hard to differentiate between insufficient independence, carelessness or misunderstanding (an educational matter) and forbidden plagiarism (a legal matter).

Teachers who detect suspected plagiarism must, in consultation with the examiner, immediately determine if there has been an attempt to deceive the teacher or if it is simply a matter of the work not measuring up to the requirements in the course goals. In the latter case, the work is to be failed or, alternatively, the student may be given an opportunity to change/supplement the assignment. If suspicions of plagiarism persist, the procedure below must be initiated.

Measures for dealing with other types of suspected deceptive conduct in examinations

In the event of other types of suspected deceptive conduct in examinations, the following measures are to be taken.

Dealing with reported suspicion of cheating at the department

When suspected cheating has been reported, the examiner must immediately inform the head of department (or the director of studies, if this responsibility has been delegated). The examiner and head of department/director of studies are to decide jointly about the further treatment of the matter.

Every such matter must be dealt with in a timely manner and in observance of the rule of law. It is important to consider the right of the individual to preserve her/his integrity.

Normally the procedure starts with a conference with the student. In this conference, the student is to be informed of the suspicions and must be given an opportunity to present her/his view of the matter. Furthermore, the student is to be informed of what the continuing procedure entails. The first conference with the student is held for the purpose of hearing the student's own explanation of what happened.

All contact with the various parties to the matter should be recorded in the form of official memoranda. Communication

with the student must be impartial and matter of fact. Employees at the department should not discuss the matter with individuals outside the circle of those involved in handling and investigating the matter.

It may be necessary to supplement the conference with other investigations to determine whether there are grounds to suspect attempted deception. Only then is a decision to be made to report the matter further.

If the conduct cannot be regarded as the result of carelessness or lack of knowledge, a decision must be made to submit a formal report. This should preferably be done jointly by the examiner and the head of department/director of studies.

If necessary, the department may contact the Legal Affairs Division at the University Administration for further information about regulations and to discuss whether the suspicion can be regarded as well founded.

If the investigation results in dismissal of the matter, an official memorandum must be written regarding how the department dealt with the matter.

If the investigation leads to a decision to draw up a formal report, the following is to be done:

- A written report is to be addressed to the Vice-Chancellor and submitted to the Registrar at the University Administration. The report is to be signed by the head of department/director of studies.
- The department is responsible for informing the student about the formal report. This information must also be provided in writing, as it may be difficult for a student to comprehend all the information at a meeting where she/he is told about suspicions of cheating.
- The student must also be informed that she/he may be failed even if the matter does not advance to the disciplinary board or if the disciplinary board exonerates the student, if it has been established that the assignment/examination does not meet the requirements in the course goals.

Procedure for Vice-Chancellor and the Disciplinary Board

The Legal Affairs Division is to inform the student that a report has been submitted and provide the student with an opportunity to comment on the report in writing. In this connection the

student must be informed that support and advice are available from the relevant student union, which will also be sent a copy of the report.

The Disciplinary Board's assigned officer is to investigate the matter on behalf of the Vice-Chancellor.

On the basis of this investigation, the Vice-Chancellor may, as appropriate, and in consultation with the legally qualified member of the Disciplinary Board:

- decide to dismiss the matter without further action,
- issue a warning from the Vice-Chancellor to the student, or
- refer the matter to the Disciplinary Board.

If the Vice-Chancellor decides to refer the matter to the Disciplinary Board, a representative of the department, the student and any other individuals involved will be summoned by the Board to attend a hearing.

The Disciplinary Board consists of the Vice-Chancellor, a legally qualified member, a teacher representative and two representatives appointed by the student unions.

- At the hearing both the departmental representative and the student will be asked to present their view of the matter. Under the Higher Education Ordinance, the student has the right to be present when others address the Disciplinary Board, unless there are special grounds to the contrary.
- Once the parties have had an opportunity to state their case, they must leave the room. The Board will then make its decision.
- The student and departmental representative are to be informed of the decision directly thereafter. The decision may be:
 - to dismiss the matter without further action,
 - to issue a warning to the student, or
 - to suspend the student from studies for a certain period.
- A decision to suspend the student is to take effect immediately, unless otherwise stated in the decision. A suspended student is not permitted to participate in instruction, examinations or other activities within the educational framework of the University.

- A decision to suspend a student is to be registered in UPPDOK, and the relevant departments and the National Board of Student Aid are to be informed of the decision in writing. The department is responsible for informing the teacher(s) involved.
- The student has the right to appeal a decision to issue a warning or to suspend the student to the Administrative Court.
- The student is to be informed of the possibility of applying for a stay in anticipation of a decision from the Administrative Court.

Note that the department is not permitted to take any disciplinary measures of its own against the student under suspicion, neither while the matter is being investigated nor after the Disciplinary Board has made its decision.

What happens with the grade for the examination in question?

Well-founded suspicion of attempted deceptive conduct normally leads to deferment of any decision about examining the student's work until the disciplinary matter has been decided.

There is no automatic connection between the decision of the Disciplinary Board and passing/failing the examination in question. Even if the Disciplinary Board decides not to issue a sanction, the student may be failed if the examiner deems that the examination/assignment does not measure up to the course goals.