

Exam Fraud Regulations and Rules of Conduct Tests and Exams - HZ University of Applied Sciences (HZ)

Definitions

Exams: all the tests and exams belonging to a course or the first year of a course which lasts for more than one year, for which the examinee gets the corresponding credits, either by successfully passing exams or through compensation or exemption.

Exam Board: the group of people referred to in Article 7.12(2) of the Higher Education and Research Act, hereinafter WHW. *(The Exam Board is the body that determines in a fair and professional manner whether or not a student meets the conditions set by the Academic and Exam Regulations regarding knowledge, understanding and skills required for obtaining a degree).*

Examiner: the person referred to in Article 7.12(c)(1) of the WHW who carries out the exams and prepares the results.

Fraud: a planned action or lie by a student with the aim of making it entirely or partly impossible to form a correct assessment of his/her knowledge, understanding and skills.

Plagiarism: the copying of documents, thoughts, reasoning and arguments from other people and passing them off as own work.

Official report of exam session: Exam Supervisor's written statement regarding the observations and the facts of what happened during the exam session.

Student: a person registered as a student with The HZ as referred to in Title 3 of Chapter 7 of the WHW.

Supervisor: the person in charge and present during the exams.

Preliminary exam: an exam to assess the knowledge, understanding and skills of the examinee in the presence of a supervisor and the assessment of the results of that exam.

Test: an exam of the knowledge, understanding, skills and/or professional attitude of the student as well as the assessment of the exam results, represented by a number between 1-10 or 10-100. The test is part of the test matrix of a course included in the student's study plan.

Test protocol: the front page attached to the written test.

Paper/report/thesis: the examinee's written work used to assess his/her knowledge, understanding and skills as well as the assessment of the results of this work. This work is done privately and not in the presence of a supervisor.

WHW: the Higher Education and Research Act.

Article 1 – General

- 1.1 These regulations apply to everybody who studies at the HZ or takes exams and concerns students, exchange students, external students and contract students. All these categories will hereinafter be referred to as 'student'.
- 1.2 Even though these regulations have been written with written tests and papers in mind, the provisions of these regulations also apply - as far as relevant - to tests administered in another form (e.g. oral tests and presentations). An elaboration of some of the rules in these regulations can be found in the protocols relating to the taking of written knowledge tests, oral tests and tests in the form of a presentation.
- 1.3 If these regulations refer to the Exam Board, this can also mean another authorised departmental Exam Board instead of the (central) Exam Board.

- 1.4. The student taking part or wishing to take part in an exam is required to strictly observe all of the supervisor's instructions.



Article 2 – Start and finish of exams

- 2.1 To avoid any disturbances during the exam, students must arrive on time and are required to be present in the exam room no later than five minutes before the start of the exam.
- 2.2 All unauthorised aids such as books, notes, coats, bags, cases, sound recording equipment, mobile phones, smartphones, watches, smart watches, PDAs, translation computer and the like may not be taken into the area where the student is seated. These items must be deposited at the front of the exam room, preferably stored in the students' coats and bags. Equipment must be switched off. The supervisor is allowed to remove forbidden objects from the exam room.
- 2.3 The student takes the seat chosen by the supervisor. Both the student and supervisor must make sure that there is sufficient space between the students. The supervisor is authorised to move any student to another table or area during the exam. If a student thinks that their furniture is broken or other situations are found to be disturbing, the student cannot look for replacements or move without permission. The student must talk to the supervisor if this is the case.
- 2.4 Students who arrive late through no fault of their own will be allowed to enter the exam room up to thirty minutes after the start of the exam if it lasts 90, 120 or 180 minutes. This is partly the reason why students are not permitted to leave the exam room during the first thirty minutes. If an exam lasts 45 or 60 minutes, students who arrive late will be allowed to enter the exam room up to twenty minutes after the start of the exam. If this is the case, nobody can leave the exam room during the first twenty minutes.
- 2.5 The exam will end at the set time for a student who has arrived late. The time written on the exam paper or timetable is the time the exam will finish for all students.
- 2.6 The student who meets the conditions for registration for and participation in a test (see Art. 6.3 OER HZ), is entitled to take that test. In that case, the student's name and student number will be included on the attendance list for a written test. Only students who are on the attendance list have access to the test room. If the student is not on the attendance list but still believes that he or she is entitled to take the test, the student can immediately request the Domain Office to carry out a check on compliance with the conditions for registration for and participation in the test.
- 2.7 After the student has signed the attendance list, the student is deemed to have taken the test.

Article 3 – Identification

- 3.1 Students must be able to identify themselves with an original and valid legal identification document. This can be a valid passport, a valid Dutch ID card, a valid ID card of a EEA country, a Dutch driving license or a valid Dutch foreign national's document (for example a Residence document or a Foreign Nationals Identity Document). Identification with a copy or a photo of a identification document is not possible. The student clearly displays the legal identification document on his or her desk and leaves it there during the exam, to enable the supervisor to inspect the document.

- 3.2 A student with a need of support, who can claim facilities during tests on the basis of an education agreement, must also put his HZ amenity pass clearly visible on the table. Without this pass, the student does not have a right to access the facilities mentioned on the pass.
- 3.3 If a student is unable to provide proof of his or her identity in the manner prescribed in these regulations, the student will not be allowed to take the exam, unless the supervisor is able to establish the identity of the student in a manner other than described in article 3.1.
- 3.4 The supervisor will check the identification documents at the student's location in the exam room. After this verification, the student will sign the student list in the presence of the supervisor. The supervisor will check whether the student has written his/her name and student number on the completed exam papers (irrespective of the student's own responsibility to do this).

Article 4 – Conduct during exams

- 4.1 The students need to be silent at all times and take personal responsibility to ensure that no disturbance is caused to others and strictly observe all instructions of the supervisor.
- 4.2 The exam starts as soon as the first copy of the exam papers is distributed or, in case of a computer test, at the moment the first computer is booted. After the exam starts, the students are forbidden to speak or communicate with each other.
- 4.3 Unless permission is given by the supervisor, students will not exchange items during the exam.
- 4.4 Only the aids specified on the cover page of the exam paper are allowed.
- 4.5 Graphing calculators are only allowed if stated on the cover of the exam paper. Graphing calculators are forbidden if this is not the case.
- 4.6 The student will only be temporarily allowed to leave their seat and the exam room in very exceptional cases and with permission from the supervisor and only in the presence of an HZ employee or somebody appointed to go with them.
- 4.7 After the questions and assignments contained in the exam papers have been made known to the students in whatever form, no statements or information about the questions/assignments will be communicated to the students.
- 4.8 Only official exam and scrap paper supplied by the HZ is allowed. Any unused sheets must be returned after the exam. If the student already has HZ exam paper in his/her possession before the start of the exam, it will be checked and collected if necessary.
- 4.9 The student is not allowed to collect additional exam papers. These will be provided by the supervisor upon request – by a show of hands.
- 4.10 The written exams may only be completed with a pen unless the instructions state otherwise, or if the departmental Exam Board has given permission to conduct the exam in a different manner because of certain limitations.
- 4.11 The exam answers must be written in clear legible handwriting. The examiner has the right not to assess very poorly legible or illegible answers and not award any points for these.
- 4.12 All exam papers must include a legible name, student number, course/subject, class/group and date, including exams made on a laptop.

- 4.13 If a computer test is conducted, the computer may not be used for any other purpose than completing the exam unless otherwise specified in the exam questions/assignments.
- 4.14 The student must make sure that he/she has access to the HZ computer network to take the test.
- 4.15 If a student has been allowed to use a laptop with Kurzweil software, then (s)he must:
- fully understand the software program before using it during the exam;
 - arrive in the exam room 15 minutes before the start of the exam and report to the supervisor so the software can be installed on the system;
 - install the software on the laptop (s)he will use and check whether the log is activated and make sure the glossary and all other Internet functions are turned off;
 - save the completed parts of the exam twice – once on the laptop and once on a USB stick;
 - hand in the USB stick, laptop and headphones to the supervisor at the end of the exam.
- 4.16 The supervisor will timely announce exactly how much time there still is until the exam ends.
- 4.17 The student is fully responsible for making sure that the entire body of completed exams and all other relevant papers (including exam questions and scrap paper) are handed in.
- 4.18 If no completed exam questions/assignments are handed in, the student will be given a minimum mark of 1 (one).
- 4.19 The student will only be allowed to leave the exam room after the supervisor has collected all of the exam work.
- 4.20 Students who have completed their exams will be allowed to leave the exam room early. However if an exam lasts for 90 / 120 or 180 minutes, nobody can leave the exam room during the first 30 minutes. If an exam lasts for 45 of 60 minutes nobody can leave the exam room during the first 20 minutes. Students must hand in their completed exam papers to the supervisor as referred to in Article 4.17 and leave the room as quietly as possible.
- 4.21 The supervisor makes a note on the attendance list, recording that the completed work has been handed in.

Article 5 – Fraud

Fraud

- 5.1 Fraud is a planned action or lie by a student with the aim of making it entirely or partly impossible to form a correct assessment of his/her knowledge, understanding and skills.
- 5.2 The following behaviour will be considered fraud (this list is not exhaustive).
- failure to comply with the instructions of the supervisor;
 - acting in violation of the exam instructions or these regulations;

- c) being in the possession of aids not belonging to this exam, including books, syllabi, notes or other documents or things (such as electronic communications devices) during the exam;
- d) being in the possession of communications equipment during an exam, even if these objects are tucked away in the student's clothing. It does not matter whether the equipment is used. The fact that this equipment could be used forms sufficient grounds to prove fraud;
- e) copying work made by fellow students during an exam or exchanging information with them in any way whatsoever, either inside or outside the exam room;
- f) switching the exam papers, answer sheets and questions and assignments (answers or exchanging any of these with others;
- g) pretending to be someone else during an exam;
- h) allowing someone else to represent you at an exam;
- i) getting the questions or answers of the exam before the official date or time the exam is scheduled to start;
- j) assisting a fellow student, irrespective of whether or not this is done intentionally, to commit fraud;
- k) inventing or falsifying a survey of interview answers or other research information;
- l) fabricating or falsifying evidence;
- m) making recordings of an oral test;
- n) not handing in the assignment sheet at the end of a written test.

5.3 Fraud will also mean the submission of false documents for an application for admission to a course, a request for exemption for a course, a request to receive a reference or registration for an exam. If this happens, the Exam Board can decide to reject the request or the application. Such cases of fraud will always be communicated to the Management Board.

Plagiarism

- 5.4 Plagiarism is considered a particular type of fraud. Plagiarism is in any case:
- a) using, or copying own or someone else's texts, information or ideas without full and proper acknowledgement of the original author.
 - b) presenting the work/ideas or thoughts created by another person – even if a reference is made to other authors – as your own work or ideas;
 - c) failure to cite text clearly according to APA standards. This means the proper use of quotation marks or a particular design. If this happens, direct or almost direct quotations are copied and presented as own work. Any such act will constitute a violation even if a correct source reference is provided;
 - d) paraphrasing the contents of someone else's text without enough source references;

- e) copying an image, audio or test equipment, software and program codes produced by others without references, so that the work is presented as one's own;
- f) submitting a previously submitted text or similar text for assignments made for other courses;
- g) copying work from fellow students and presenting this as own work;
- h) submitting papers that were written by someone else (whether or not for a fee).

5.5 An electronic detection program is used to detect plagiarism in texts.

- a) All digital documents that are summatively assessed are submitted by the students in software that can automatically perform a plagiarism scan, such as HZ Learn and OnStage;
- b) This digital document is automatically checked for plagiarism by a plagiarism scanner;
- c) The outcome of the plagiarism scan is available to both the student and the teacher for whom the digital document is intended;
- d) This provides the student with proof that his digital document has been submitted as well as proof of the established plagiarism score;
- e) The software of the electronic detection program makes use of data on the Internet, but also of scanned digital documents from students.

5.6 If the student hands in a text, he or she consents to the inclusion of the text in the database of the detection program.

Procedure

5.7 If there is any proof of fraud or a serious suspicion of fraud during a written exam, the supervisor will draw up an official report. This official report will contain a description of what happened. Any possible evidence will be attached to the report. The student will be notified of the content of the official report.

5.8 If there is a suspicion of fraud, the participant of a written exam will be given the opportunity to finish the exam.

5.9 Any evidence will be collected by the supervisor and submitted to the exam coordinator with the report and the exam work. The coordinator will inform the departmental Exam Board and submit the report within five working days to the (secretary of the) Exam Board. Exceeding the term of five working days has no consequences for the further course of the procedure or the sanctions that can be imposed.

5.10 If fraud is found or suspected after a written exam has taken place, or as the case may be, if fraud or plagiarism is found or suspected in a paper (such as reports, theses, and the like), the examiner will report this to the Exam Board within five working days and provide documentary evidence. At the same time, the examiner will report this (suspected) fraud or plagiarism to the departmental Exam Board. Exceeding the term of five working days has no consequences for the further course of the procedure or the sanctions that can be imposed.

If plagiarism within the meaning of categories a to d from Article 5.4 is detected or suspected in a student's paper during the first six months after his start at the programme, the examiner **can** report this to the Examination Board. He can also choose not to report it, but to point out to the student he has not correctly applied the APA rules. In that case, the examiner assesses the paper and can take the incorrect application of the APA rules into account when determining the grade. An observation or suspicion of plagiarism within the meaning of categories e to h of Article 5.4 **must** always be reported to the Examination Board by the examiner.

- 5.11 The Exam Board will start an investigation into the alleged fraud, partly on the basis of the evidence submitted by the examiner.
- 5.12 The departmental Exam Board will make every effort to ensure that the student is informed of the notification in writing within five working days.
- 5.13 In the case of cheating or suspected cheating, the test or exam in question will not be marked until the Exam Board has commented on the incident or suspected incident.
- 5.14 The Exam Board will give the student concerned the opportunity to be heard by an appeal committee within two working weeks after the suspected fraud has been reported. The appeal committee will start an investigation which will be limited to and focussed on the facts of the matter.
- 5.15 The student has the right to take an advisor to the hearing.
- 5.16 The appeal committee listens to the parties concerned, draws up an official written report of its findings, and provides advice to the Exam Board.
- 5.17 The student will be given the opportunity to read the minutes taken at the appeal committee hearing and be allowed to submit his/her remarks about the minutes to the appeal committee within two working days.
- 5.18 A decision made by the Exam Board will partly be based on the previously mentioned advice.
- 5.19 A time limit will not invalidate the authority of the Exam Board.
- 5.20 The decision and the sanctions will be recorded in the student file.
- 5.21 The student – (stating the possibility of appeal to the Exam Appeals Board (CBE) – his/her student career counsellor, the departmental Exam Board, the lecturers involved, and the individual's degree programme committee will be notified of the decision in writing within fourteen working days.

Sanctions

- 5.22 The Exam Board can set a conditional punishment, which means that the punishment will not be put into action if the student complies with the condition(s) set.
- 5.23 The sanctions that the Exam Board can impose are as follows (see Article 7.12(b)(2) of the WHW):

1. Submitted tests and exams, assignment papers or other documents of a similar nature are declared invalid.
2. Making and submitting a substitute test or exam, replacement paper or another replacement document of a similar nature.
3. Exclusion from the next opportunity to take a preliminary test or exam.
4. Exclusion from one or more of the preliminary tests or exams specified by the Exam Board for a period decided by the Board but not exceeding one year
5. The conditional imposition of sanctions under points three and four.
6. The condition, as referred to in the preceding paragraph, may include the writing of an essay.
7. In the event of exclusion from taking a test, it may be decided that the student will not receive help from the course lecturer during this period.
8. A proposal to the Management Board to suspend the registration for a certain period of time due to serious fraud.
9. A proposal to the Management Board to suspend the registration for an indefinite period for this course due to serious fraud.
10. A proposal to the Management Board to fully and definitively suspend the student's registration due to serious fraud (WHW Article 7.12(b)(2)).

5.24 If plagiarism is detected or suspected in a specific paper, the Exam Board may decide to examine the possibility of plagiarism committed in papers previously submitted by the student (also in the context of group assignments). The student's cooperation with this research is obligated. He/she can be demanded to provide the hearing committee with digital versions of earlier assignments.

5.25 If there is evidence of previous plagiarism after an investigation is conducted (as referred to in the previous article), results previously obtained for course components may be declared invalid by the Exam Board as well as any related results.

5.26 If the Exam Board finds that there is no evidence of fraud or plagiarism, the examiner will determine the results of the test as soon as possible.

5.27 In principle, the method set out in the Appendix will be used by the Exam Board to determine the severity of the punishment (with the right to deviate from this is the circumstances require it).

5.28 If fraud is detected, the Exam Board will apply the following guidelines when determining the severity of the punishment.

	Fraud type	Levels of severity	Punishment guidelines (the number refers to Article 5.23)
5.28.1	Plagiarism	Low	1, 2, 3
		Average	1, 2, 3, 4, 5, 6
		High	1, 2, 3, 4, 7, 8, 9, 10
5.28.2	Handing in work written, whether or not for payment, by someone else	High	8, 9, 10

5.28.3	Handing in work completed in another course. Except for obtaining exemptions or free-format study courses.		1, 2
5.28.4	Using an incorrect source reference	Low	1, 2
		Average	1, 2, 3
		High	1, 2, 3, 4
5.28.5	Enable a person to commit fraud or as the case may be plagiarism		1, 2, 3, 4, 5, 6
5.28.6	In any way falsifying or creating bogus content / or information contained in the papers, survey or interview answers or similar documents	Low	1, 2
		Average	1, 2, 3, 4, 5, 6
		High	1, 2, 3, 4, 7
5.28.7	Handing in false documents when making an application for admission to a course, a request for exemption within a course, a request to receive a reference or registration for an exam	High	8, 9, 10
5.28.8	Using mobile phones, smartphones, smartwatches, PDAs and / or other equipment during an exam		1, 2, 3, 4, 5, 6
5.28.9	Presence of watches, mobile telephones, smartphones, smartwatches, PDAs and / or other (communication) equipment during an exam		1, 2, 3, 4
5.28.10	Presence of forbidden books and / or notes during an exam		1, 2, 3, 4
5.28.11	Writing in books and / or other works at open book exam		1, 2, 3, 4
5.28.12	Using unauthorised books and / or other works at an open book exam		1, 2, 3, 4
5.28.13	Copying during an exam		1, 2, 3, 4
5.28.14	Exchanging information and/or documents during an exam		1, 2, 3, 4
5.28.15	Allowing another person to sit for the exam	High	8, 9, 10
5.28.16	Pretending to be a different person during an exam	High	8, 9, 10
5.28.17	Using cheat sheets or documents/activities of a similar nature during an exam		1, 2, 3, 4
5.28.18	Falsifying the HZ-identity card	High	8, 9, 10
5.28.19	Stealing exam papers and / or the working out of these	High	8, 9, 10
5.28.20	Deliberately looking at the exam assignment(s) before the exam session starts		1, 2, 3, 4, 5, 6, 8

5.28.21	Changing of otherwise exchanging issued exam assignments, answer forms and/or the calculations/answers		1, 2, 3, 4
5.28.22	Taking the exam assignments out of the exam room, unless express permission has been granted to do so		1, 2, 3, 4
5.28.23	Removing non-submitted answer sheets (also if it concerns empty, unused sheets), unless express permission is granted for this		1, 2
5.28.24	Using a graphing calculator during an exam, unless this is expressly permitted		1, 2, 3, 4
5.28.25	The use of the computer for purposes other than completing the exam during a computer test, unless it is otherwise expressly provided for, and/or permission is granted for this		1, 2, 3, 4
5.28.26	Using other aids listed on the exam list unless express permission has been granted for this		1, 2, 3, 4
5.28.27	Student leaving his/her place and/or the exam room without permission from the supervisor		1, 2, 3
5.28.28	Possibly committing fraud by means of a visit to the bathroom		1, 2, 3
5.28.29	Failure to comply with instructions issued by the supervisor		1, 2, 3

5.29 If there are special circumstances, they may be a reason to move away from the guidelines defined in the above article.

Examples of aggravating circumstances:

1. A relapse in behaviour
2. Premeditation
3. Conspiracy;
4. Obstructing the investigation;
5. Plagiarism in (final) thesis Bachelor's or Master's Degree program.

Examples of mitigating circumstances:

1. showing remorse;
2. personal condition/situation;
3. unintentional fraud, but the fraud is attributable to the student;
4. attempt at fraud.

5.30 The Exam Board does not grant exemptions based on results achieved elsewhere, obtained during the period for which the student, under these regulations, was excluded from participating in preliminary exams in the course.

Article 6 Possibility of appeal

- 6.1 It is possible to appeal against a decision made by the Exam Board within six weeks after the decision; appeals should be submitted to the Exam Appeals Board (CBE) faciliteit@hz.nl

Article 7 – Complicity

- 7.1 Both the guilty person and any person(s) assisting the (attempted) fraud and plagiarism may be punished.
- 7.2 If the copying of fellow students' work is done with the approval or help of a fellow student, the latter will be an accessory to fraud, even if it was 'only passively' permitted.
- 7.3 When plagiarism is committed by one of the authors in a joint paper and it is evident that the persons should have known that the guilty author was committing plagiarism, the other authors will be considered accomplices.

Article 8 – Unforeseen cases

- 8.1 In cases where these regulations are inadequate, the Exam Board decides.

Article 9 – Effective dates

- 9.1 These regulations take effect on 1 September 2023 and are applicable until replaced by new regulations.
- 9.2 These regulations replace the version of the Exam Fraud Regulations and Rules of Conduct of The HZ University of Applied Sciences of 14 September 2022.

Vlissingen, September 13th, 2023

The HZ Examination Board
mr. drs. M.J.J. Janssens MAC,
chairman

Appendix: Roadmap

The above translates into the following step-by-step plan:

- a. Can you prove your suspicions?
 1. Yes? → go to the next step.
 2. No? → you cannot impose punishment.
- b. Are the proven facts a form of fraud; have the regulations been violated?
 1. Yes? → go to the next step.
 2. No? → you cannot impose punishment.
- c. Can you provide evidence which can be used to accuse the student suspected of committing fraud?
 1. Yes? → go to the next step.
 2. No? → you cannot impose punishment.
- d. What penalty should be imposed?
 1. What punishment is listed for the form of fraud detected?
 2. Are there any special circumstances to impose a heavier or lighter punishment?
- e. The Exam Board will decide on the type of punishment to impose.

WHW text Art 7.12(b)(2)

If a student or external student commits fraud, the Exam Board will be entitled to deny the individual concerned the right to take one or more of the preliminary exams. The exam(s) the student will be denied the right to take and the duration of this prohibition will be decided by the Exam Board but will not exceed a period of one year. In case of serious fraud, the University Board, acting based on a proposal by the Exam Board, will be authorised to terminate the course registration of the individual concerned.