



Handling disciplinary cases concerning students

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This is a translation of the Swedish version (Riktlinjer för hantering av disciplinära ärenden rörande studenter, registration number HS 2022/388). In the event of any discrepancy, the Swedish version of this document shall prevail.

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1 Introduction

To always safeguard the quality and credibility of the courses and study programmes is of great importance. It is therefore important that the University of Skövde (the University) prevents students from cheating, but also that the University takes disciplinary measures against those students, including doctoral students, who do cheat. The disciplinary measures that can be taken are set out in Chapter 10 of the Higher Education Ordinance (1993:100).

2 Prevention of cheating

To detect and report cheating is important, but equally important is the prevention of cheating. In this context, it is essential that students receive accurate and up-to-date information about what activities are permitted and what are not permitted. This information must be provided both orally and in writing. The written information must be made available on the University's web pages, for example, on the Student Portal and on the learning platform Canvas.

It is always the student's responsibility to study the information available on what is permitted during examinations. Since conditions and rules may vary between different courses, it is important that the teachers involved make sure that the students are informed about what applies to the examination in question. Clear information should be provided, such as about which aids are permitted and the ways in which the questions should be answered. It is also important to be clear about what degree of collaboration is permitted. If collaboration is not permitted, it should be made clear that any student engaged in unauthorised collaboration may be guilty of cheating.

2.1 Prevention of plagiarism

A common type of cheating is plagiarism, where, for example, students copy other people's texts without citing the source, or reproduce texts verbatim or almost verbatim without quoting or citing the reference. Every teacher who gives assignments, supervises degree projects and other examinations must remind students of the rules governing the re-use of information.

In the event that cheating is suspected, and the suspicion concerns an assignment where the course coordinator, supervisor or examiner has insight into the process, it is important to try to prevent the cheating. Teachers who suspect inaccuracies in the references of a work in progress should immediately contact the student for a discussion. This is in order to give the student the opportunity to comment on his/her behaviour as well as to inform him/her of the University's regulations on cheating. Plagiarism in a completed degree project or written assignment, which is considered by the teacher, examiner or

head of division, to be a deliberate attempt on the part of the student to make unauthorised use of information, must be reported to the Vice-Chancellor without delay.

The student is always solely responsible for the content of the assignment, even if the supervisor has a copy of the draft during the course of the process. Students writing degree projects in groups are considered jointly responsible for the work.

3 What constitutes a disciplinary case?

A well-founded suspicion of an offence in accordance with Chapter 10, Section 1 of the Higher Education Ordinance must be reported to the Vice-Chancellor without delay. The Higher Education Ordinance states that an offence includes more than just cheating. It could be disrupting teaching or other activities at the University, or harassment under the Discrimination Act. In the event of a well-founded suspicion of any such offence, it must be reported. Regardless of the nature of the offence, the cases are handled in a similar process.

Chapter 10, Section 1, of the Higher Education Ordinance states the following:

Disciplinary action may be taken against students who

1. use prohibited aids or other methods to attempt to deceive during examinations or other forms of assessment of study performance,
2. disrupt or obstruct teaching, tests or other activities within the framework of courses and study programmes at the higher education institution,
3. disrupt activities in the library of the higher education institution or other separate establishments at the institution, or
4. subject another student or member of the staff of the higher education institution to harassment or sexual harassment as of the kind laid down in Chapter 1, Section 4, of the Discrimination Act.

It is further stipulated that disciplinary measures may not be taken later than two years after the offence has taken place.

3.1 Deceiving is an act of cheating

The Higher Education Ordinance uses the term "deceiving" to describe a suspicious act. In addition, the Higher Education Ordinance uses the wording "attempt to deceive" to indicate that intent, i.e. a deliberate act on the part of the student, is required for

the act to be considered cheating. The student must therefore have made a deliberate attempt to cheat.

An attempt to deceive may be made in different situations, for example if a student:

- Uses unpermitted aids in the examination hall (books, notes, mobile phones, unapproved calculator, and similar).
- Collaborates with another student or person on individual tests, e.g. a take-home examination, even though collaboration is not permitted.
- Makes corrections or additions to a paper that has been assessed and returned, but claims that changes have not been made.
- Uses wording and material from different sources, e.g. the web, without citing the reference (plagiarism).

3.2 Interpretations of cheating

Specified below are several interpretations that are important when determining what constitutes cheating. The wording of the Higher Education Ordinance, "attempt to deceive", does not necessarily mean that the attempt has to succeed; it is sufficient that an attempt is made. On the other hand, it is not sufficient that only preparation to deceive has been made, such as one student agreeing with another student to collaborate in an unpermitted way, without acting on it. The act that led to cheating must be part of the examination, degree project or other assignment being examined, that is, within a context where the performance of a student is under assessment. This means that a manuscript, draft or similar text, among others, is not considered to be an examination or study exercise under assessment.

To be classified as cheating, an act does not need to have a positive impact on grading. Even an act with a negative impact on the student's grade can be classified as cheating, such as by using a cheat sheet with factual errors.

The outcome of the cheating need not necessarily be personal gain. When one student gives help to another student, or shows his/her solutions to another student, both the recipient and the provider of such help are guilty of deceiving.

If the student has not read the applicable rules, this is not considered to be a mitigating circumstance.

4 Handling a case of suspected cheating

Handling a case of suspected cheating is based on Chapter 10, Section 9, of the Higher Education Ordinance, which stipulates that: "A well-

founded suspicion of an offence, as referred to in Section 1, must be reported to the Vice-Chancellor without delay".

The word "must" implies that there is an obligation to report. Normally, the head of division reports the offence, or, in the case of written examinations, the head of examination administration at the University, but a report of suspected cheating can, in principle, be made to the Vice-Chancellor by anyone.

4.1 Suspicion of cheating in written examinations

Written examinations are subject to the document entitled "Procedural Rules for On-site Examinations". In the event of suspicion of cheating during an examination, the invigilator must report this to the examination administration at the University.

4.2 Suspicion of cheating in a written assignment or degree project

Individual teachers who suspect a deliberate attempt to deceive in a written assignment or similar form of examination must inform the examiner and head of division as soon as possible. The teacher, examiner and head of division decide together how to proceed in the case. This normally involves investigating whether the suspicion can be considered well-founded.

5 Investigation of suspected cheating

In order for the division (teacher, examiner, head of division) to assess whether there is a well-founded suspicion of cheating, it needs to investigate the suspicion in more detail, before taking the decision to report it. This investigation should include a conversation with the student. The starting point should not be to carry out an "interrogation", but the conversation should give the student the opportunity to explain the suspected offence.

If the conversation with the student, together with other investigative work in the case (documents, witness statements, etc.), leads to the suspicion being considered well-founded, a report must be submitted to the Vice-Chancellor without delay¹. It is not part of the investigator's role to determine the strength of the evidence or any possible mitigating circumstances.

It is important to bear in mind, among other things, the following:

- Each case must be dealt with promptly and properly.

¹ The report is made to the Vice-Chancellor, but is submitted to the Registry Officer, either by email, registrator@his.se, or as physical documents.

- Consideration must be given to the individual's legal rights and right to privacy. If several students are involved, it may be appropriate to hold individual conversations with each student.
- Do not divulge the student's identity among employees not directly involved in the case, unless there are specific reasons.
- Do not assume that cheating has taken place, but focus initially on the student's own explanations about what has happened.
- Every contact with the various parties involved in the case must be documented, as should any other relevant measures.
- Inform the student that well-founded suspicion of attempted cheating is being reported to the Vice-Chancellor.
- Inform the student that the case may lead to a warning or suspension and that the decision will be taken by the Vice-Chancellor or the Disciplinary Board.

5.1 Report to the Vice-Chancellor

A report of well-founded suspicion of cheating is made on the form "Report of a disciplinary case to the Vice-Chancellor". The report must contain a detailed description of the suspected offence, including what emerged from the conversation with the student, any witness statements, a copy of the examination, copied texts and other relevant documents in the case. The student is allowed access to the full report and is given the opportunity to comment.

5.2 The University's Disciplinary Board

In accordance with Chapter 10, Section 3, of the Higher Education Ordinance, there must be a disciplinary board at every higher education institution. The disciplinary board should consist of the Vice-Chancellor as chairperson, a member with legal training who shall be or have been a permanent judge, and a representative of the teachers at the university. The students are entitled to be represented by two members. Information on current members and contact details are available on the University's website (student portal and intranet).

6 Decision in a disciplinary case

A case of suspected cheating reported to the Vice-Chancellor may be decided by the Vice-Chancellor or referred to the Disciplinary Board for examination.

6.1 Decision by the Vice-Chancellor

Following consultation with the legally trained member where appropriate, the Vice-Chancellor shall decide whether the case shall

- be dismissed without further action,
- call for a warning from the Vice-Chancellor, or
- be referred to the Disciplinary Board for hearing.

A decision by the Vice-Chancellor to issue a warning cannot be appealed. However, the student may request that the decision of the Vice-Chancellor be reviewed by the Disciplinary Board.

6.2 Decision of the Disciplinary Board

At the meeting of the Disciplinary Board, the complainant and the student are each allowed the opportunity to present an oral account of the suspected offence and to also answer questions from the members of the Board. The student is entitled to be present when others speak before the Board, unless there are special reasons against this.

Among other things, the Disciplinary Board may decide on the disciplinary measures of warning or suspension (see below), or decide to dismiss the case without further action.

Once the minutes have been finalised, they are sent to the student, the complainant and the members of the Disciplinary Board. If the decision is to issue a warning or suspension, appeal instructions are attached.

6.3 Decision on warning or suspension

6.3.1 Warning

A decision to issue a warning is a disciplinary measure to show that the reported incident is a transgression of permissible limits. However, a warning does not impose any restriction on the student's ability to study at the University.

If the student is subsequently reported for cheating again or for some other disciplinary offence, the warning may be taken into account in the assessment.

6.3.2 Suspension

A decision of suspension means that the student is excluded from participation in teaching, examinations or other activities within the framework of courses and study programmes at the University. The student will also lose access to the University's premises, equipment and various systems. The Swedish Board of Student Finance (CSN)

and the relevant bodies within the University are always informed of a decision on suspension. Relevant bodies include the head of the division where the student is registered, the Office for Service, IT and Security, the Academic Affairs and Student Support Office, and the University's Ladok officer.

A suspension decision is effective immediately, unless otherwise stated in the decision. A period of suspension can be up to six months.

Normally, scheduled visits to the Student Union, Student Health Service or Study and Career Counsellor are permitted even during a suspension.

7 During an ongoing disciplinary case

The student may continue to participate in teaching, examinations or other educational activities until the disciplinary case has been settled.

With regard to the examination in question, the examiner should choose to defer the examination until an initial investigation has been completed. If the investigation clears the student of suspicion of cheating, the examination task will be assessed by the examiner according to the same assessment criteria as for other students who have completed the task. If a well-founded suspicion of cheating remains, the case will be reported to the Vice-Chancellor for further investigation and processing. The examination task will then not be assessed until the case has finally been settled.

The examiner will then assess the extent to which the decision of the Vice-Chancellor or the Disciplinary Board affects the examination. If the student has been found to have cheated, the examiner may choose to consider the examination invalid².

8 Appeal

The student can appeal against a decision by the Disciplinary Board on warning or suspension to the Administrative Court in Jönköping. The appeal must be made in writing and state the appealed decision, the change to the decision requested, and the reasons for the appeal. The appeal must be submitted to the University (Registry Officer) no later than three weeks after the date on which the student received notification of the decision.

Disciplinary Board decisions other than decisions on warning or suspension may not be appealed.

² See Jareborg, Nils, (2002), Disciplinary responsibility for students found cheating or disrupting. *Disciplinary rules – conference 16 October 2002*. Published by the Swedish National Agency for Higher Education, 2002. P. 11.

A decision by the Vice-Chancellor to issue a warning cannot be appealed. However, the student may request that the decision of the Vice-Chancellor be reviewed by the Disciplinary Board. The student shall be informed of this right.

9 This document is valid from

These guidelines were established 31 May 2022 and are valid from the same date. These guidelines replace the document "Guidelines for handling disciplinary cases concerning students" of 21 December 2021 (Reg. no. HS 2021/1120).