

Guidelines on dealing with cheating or attempted cheating in examinations at the Norwegian University of Science and Technology (NTNU)

1. About the guidelines

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2. Introduction

The Norwegian University of Science and Technology (NTNU) takes a serious view of cheating. For the university, cheating is a serious breach of trust and reflects a lack of solidarity with fellow students. One result may be that the outside world gains an incorrect impression of the candidate's knowledge and competence. Cheating is a breach of academic integrity. A key aspect of academic integrity is distinguishing clearly between your own thoughts and reflections and those that are taken from other people's work, so that your work can be verified. In the interests of future employers, the university's reputation and fellow students, cheating must be met with clear reactions.

The Act relating to Universities and University Colleges¹ has provisions on cheating and attempted cheating.² Cheating and attempted cheating (both referred to as cheating in these guidelines) may result in annulment of examinations. They may also lead to exclusion of the student from the institution and loss of the right to take examinations at other institutions under the Universities and University Colleges Act for up to one year. Cheating can thus have serious consequences for the student.

The Universities and University Colleges Act uses the term "examination" in the provisions on cheating. "Examination/exam" is therefore also used as a term in these guidelines. The

¹ Act of 1 April 2005 No. 15

² Sections 4-7, 4-8 and 4-13

term includes all types of assessment. In addition, in this context the term refers to compulsory activities.

The Board of NTNU has delegated decisions on annulment and exclusion in cases concerning cheating to the Appeals Committee; see Section 6-1 (2) of the Academic Regulations for NTNU, adopted on 8 December 2015.

Cases of cheating must be treated as cases of suspected cheating until the Appeals Committee has made a decision, if applicable. This also applies if the student has admitted cheating.

The guidelines define cheating, with examples of cheating and the possible consequences. Section 5 describes the procedure for dealing with cases of cheating and the rights of the student if cheating is suspected. The guidelines apply to all students at NTNU, including external candidates. They also apply to examinations in the training component of doctoral education. The guidelines use the term “students” for all these groups.

3. The university’s duty to inform - the student’s duty to know

The university must strive to prevent cheating by promoting ethical awareness and attitudes among students. Information must be readily accessible, explaining what students need to do to avoid being suspected of cheating. Information about cheating must be available on NTNU’s website. The guidelines on cheating must also be available online.

Students must learn how to use sources and references. They must become familiar with the rules that apply to using sources in master’s theses, semester assignments, project assignments, take-home examinations, etc. Students can be informed about these rules in connection with distribution of assignments, approval of research questions, allocation of supervisors, etc. Students must also be informed that missing references to sources and/or failure to mark quoted material may lead to suspicion of cheating.

Higher education students have a duty to familiarize themselves with the rules that apply to the use of sources and citations. Not knowing the rules about cheating does not exempt students from responsibility.

4. What cheating is and the consequences it may have

a. Definition of cheating

The guidelines define cheating as behaviour in violation of NTNU's rules for examinations that could wrongfully lead to the candidate's results being assessed as better than would otherwise have been the case.

Section 4-7 (1) of the Universities and University Colleges Act states that:

1. The Board or the institution's appeals committee, see Section 5-1, may annul an examination or test or recognition of a course if the student

a) by using a false diploma or by other dishonest means, has gained an opportunity to take the examination or test in question, or to take the course in question, or

b) has attempted to cheat or wilfully or through gross negligence has cheated in the course of or prior to the final grading of the examination or test in question, or while taking the course in question.

Section 4-7 (1) a and b cover

- cheating in connection with registration for exams or admission to courses or training
- cheating in compulsory activities
- cheating in connection with or during exams
- cheating while taking the courses or training
- cheating that takes place before the final grading of an exam or test

When cheating is mentioned in the context of examinations, the guidelines define "examination" from and including compulsory activities required to obtain permission to take the examination up to and including completion of the examination itself. This also includes any time spent on checking exam support material or changing or attempting to change an answer paper after the exam, including reassessment of examination grades in connection with appeals.

b. Examples of possible cheating

The course description³ specifies the form of assessment for the individual examination. The guidelines also apply to various forms of assessment.

³ NTNU's Academic Regulations Section 4-2

Examples of possible cheating (the list is not exhaustive):

- Presenting someone else's work entirely or partially as the student's own, i.e. plagiarism, including lack of reference to sources and/or clear marking of quotations from sources on the web, other people's theses or assignments, textbooks, articles, etc.
- Taking an answer paper from the Internet, etc. and submitting all or part of it as one's own work
- Presenting one's own previous work without reference (self-plagiarism)
- Submitting work of a practical or artistic nature created by someone other than the student
- Unauthorized cooperation or communication between candidates or groups
- Changing an answer paper after submitting it
- Using or having access to illegal aids during the relevant examination, for example:
 - a calculator or PC with content/programmability beyond the limits of what is allowed
 - software installed in connection with an examination that makes it possible to access illegal exam support material
 - a mobile phone or other digital aid (this must be kept in the designated place during the exam)
 - loose sheets, notes, a memory stick with curriculum-relevant content
 - text relevant to the subject that is written or pasted into permitted exam support material such as dictionaries or collections of formulae
 - students' own sheets of rough paper with a "draft text" that has been written beforehand, textbooks from the curriculum or other relevant academic books
 - illegal exam support material available in areas outside the examination room, for example, in toilets
 - illegal exam support material discovered in checks before the exam
- Unauthorized use of permissible aids
- Improperly got access to the exam
- The student gets someone else to attend the exam in their place or gets another person to write their answer paper
- The student gets someone else to sign for them in connection with compulsory attendance
- Through dishonest behaviour before the examination, the student obtains access to the exam question paper
- The student aids or abets another student to cheat
- Otherwise acting in a way that could provide wrongful advantages in connection with assessment or compulsory activities

c. Plagiarism

NTNU has a system that enables documents and exams to be checked for plagiarism. Submitted answer papers can be run through this system for comparison with texts on the Internet and other assignments and theses that have been handed in at NTNU. The following may be signs of cheating/plagiarism:

- change in style/format, numbering out of sequence
- missing citations/references or use of different ways of citing
- great variation in the academic quality of the text

The following are key factors to consider in connection with suspected cheating in master's theses, semester papers, assignments to be done at home, etc.:

- what is the extent of textual similarity without reference to sources and/or inadequate marking of quotations?
- where in the answer paper is there similarity in the text (theory, analysis of data, discussion)?
- is the source slightly paraphrased without reference to the source?
- has an attempt been made to conceal possible cheating?

d. Requirements for finding guilt

For the Appeals Committee to decide on sanctions because of cheating, the student must have acted intentionally or with gross negligence. Intent exists if the incident of cheating was intentional or consciously carried out, i.e. the student was aware of what he or she was doing. It is not necessary for the student to have intended to cheat.

If it cannot be shown that the student probably acted intentionally, it must be considered whether the student has acted with gross negligence. Gross negligence implies that there must be a qualified censurable act that gives cause for strong reproach for lack of due care; see the preparatory documents for the Universities and University Colleges Act (Proposition to the Odelsting No. 40 (2001-2002), comments on what was then Section 54). This means that the exam may be annulled and the student excluded even if no evidence that the student has acted intentionally or intended to cheat has been presented.

e. Consequences according to the Universities and University Colleges Act

According to the Universities and University Colleges Act, a student who cheats may have the relevant examination annulled. If an exam is annulled, the student will not be admitted to a rescheduled exam. If the relevant exam is a component assessment, it is this component that will be annulled. Compulsory activities that have been approved will not be annulled even if the exam is annulled.

Cheating in compulsory activities, i.e. activities that must be approved as a condition for taking the exam, will result in the student losing the right to take the exam.

In addition to annulment of the exam, the student may be excluded from the institution and lose the right to take examinations at the other institutions under the Universities and University Colleges Act for up to one year.

Annulment under Section 4-7 (1) a and b of the Universities and University Colleges Act

The mildest form of reaction is annulment of the examination. The Appeals Committee makes the decision on annulment based on a simple majority of the votes cast. An exam that is annulled accounts as one attempt.

Exclusion under Section 4-8 (3) of the Universities and University Colleges Act

Under Section 4-8 (3) of the Universities and University Colleges Act, a student who has cheated may be excluded from the institution and lose the right to take examinations at other institutions under the Act for up to one year. Exclusion may also be a consequence if the cheating concerns a compulsory activity. A decision on exclusion is made by the Appeals Committee with a majority of at least two-thirds.⁴ The practice in the national “Felles klagenemnd for studentsaker” (Joint Appeals Committee) is exclusion for one semester if the student acted with gross negligence and two semesters if the action was intentional.

A decision on exclusion is normally implemented immediately and includes the rest of the semester, or, for exclusion lasting two semesters, the rest of the semester and all of the next semester. The decision can also be implemented from the following semester so that in reality it becomes one or two semesters respectively.

Exclusion for one or two semesters is intended to have the maximum real effect possible for one or two semesters respectively. In cases where the Appeals Committee considers exclusion for two semesters to be appropriate, but where this would lead to the actual loss of three semesters because of the study arrangements, exclusion for one semester should be considered instead.

A decision on exclusion means that the student cannot take the examination and cannot follow the teaching. The student’s user account and access card will be blocked.

⁴ Section 4-8 (4) of the Universities and University Colleges Act

If a suspicion of cheating arises in connection with exams during exchange visits, the rules at the institution concerned govern the consequences for the student.

f. Aiding and abetting cheating

Intentionally aiding and abetting cheating (helping someone to cheat) may lead to exclusion under Section 4-8 (3) of the Universities and University Colleges Act. The criterion for guilt is intent, which means that there are stricter requirements for the degree of guilt for a person who has helped someone else to cheat than for the person who has cheated directly. A student who takes an exam in the place of another student or writes an answer paper for another student is aiding and abetting cheating.

g. Possible completion of the exam when cheating is suspected

When a suspicion of cheating arises, before or during an exam, the student must be informed of this. The examination must continue as planned if the student so wishes, as any sanction cannot be implemented until the Appeals Committee has made a decision. This also applies if the examination in the course consists of several partial exams. Even if the student is suspected of having cheated in one of them, the others are carried out as usual if the student wants this. This may be prudent if it later turns out that no case of cheating is raised, or a proposal for annulment does not achieve a majority in the Appeals Committee.

The answer paper is assessed in the normal way. The same applies to suspected cheating in master's theses/graduate theses, semester assignments, project assignments, assignments to be done at home, etc. If cheating is suspected, the student will not be informed of the grade. The department is responsible for withholding the grade until the case has been decided. The person in charge of the case ensures that the department is informed if cheating is suspected during an invigilated exam. If the Appeals Committee approves sanctions, the assessment will be kept secret. If not, the student will be informed of their grade, which will be entered in the record in the normal way. If the case is submitted to the Appeals Committee, and the committee does not decide on annulment, the committee may decide that the student is to be offered a new exam. A condition for this is that the suspicion of cheating may have influenced the student's performance in the relevant examination and that it is reasonable for the student to be offered a new exam. The Faculty can make a similar decision if the case is not submitted to the Appeals Committee.

5. Administrative procedure (flowchart – see attachment at the end of the document)

Procedure in connection with suspected cheating:

- without invigilation: examiner/lecturer – department – case officer in the central academic division – Appeals Committee at NTNU
- with invigilation: examination registrar – chief invigilator – case officer in the central academic division – Appeals Committee at NTNU

a. Procedure at the institution

Teaching staff or examiners who suspect cheating report this to the department. The department submits the case to:

The Education Quality Division (cases on the Trondheim campus)

The Education Section Ålesund (cases on the Ålesund campus)

The Education Section in Gjøvik (cases on the Gjøvik campus), with a copy to the faculty. If the faculty establishes procedures for cases to go through the faculty, the department submits the case via the faculty.

The department informs the student that the grade will be withheld because irregularities have been found, which will be investigated more closely, and that the student will receive a letter about the matter with further information about the procedure as well as rights and the opportunity to make a statement. The central academic divisions provide advance notice in accordance with the Public Administration Act (forvaltningsloven).

If the incident takes place during an invigilated written exam, the chief invigilator reports to:

The Academic Administrative Division (cases on the Trondheim campus)

The Education Section Ålesund (cases on the Ålesund campus)

The Education Section in Gjøvik (cases on the Gjøvik campus)

The matter must be handled as a case of suspected cheating, not as a case of cheating. This also applies if the student has admitted cheating.

b. Documentation and evidence

When suspicion of cheating arises, it is important to immediately

- secure any evidence
- note important dates

Illegal exam support material must be confiscated in a way that avoids unnecessary disturbance.

The documentation must be as detailed and precise as possible and must include all documents relevant to the case. What is relevant will depend on the form of assessment and the type of cheating. Documentation may include:

- the set of examination question papers, answer papers, examiner's notes, etc.
- illegal slips of paper/loose sheets/notes/dictionaries
- reports/accounts from people relevant to the case, such as the examination registrar, IT staff, examiners and student(s). If it might be relevant for students other than the person suspected of cheating to make a statement, the names of these students must be noted. Students must not be asked to make a statement during the exam. It is voluntary for students to make a statement.
- memory stick
- documents that have been used in connection with the alleged cheating incident, the student's answer paper, relevant pages from the Internet, other students' answer papers, plagiarism report
- the subject lecturer must clearly mark what is suspected as plagiarism in the student's answer paper and which sources this is from

If a mobile phone is confiscated, the situation must be reported, but the phone can be returned to the student after he/she has submitted the answer paper. Other confiscated aids must accompany the case when it is reported.

The Rector submits cases of cheating to the Appeals Committee. The task is subdelegated to the head of the Education Quality Division and of the Academic Administrative Division (hereafter "the central academic divisions"). Cases related to suspected cheating on the Gjøvik and Ålesund campuses are dealt with and prepared at the Section for Educational Affairs in Gjøvik and the Section for Educational Affairs in Ålesund respectively. The memorandum, which is submitted to the Appeals Committee, must explain the background to the case, the facts, how the situation is considered, and proposals for reaction. The documents in the case are enclosed.

c. The student's rights during the procedure

During the procedure, the student is entitled:

- to be notified in writing and have an opportunity to comment as well as to be made aware of the right to use a lawyer
- to familiarize himself/herself with the documents in the case

- to request a meeting with the case officer and/or a meeting with the Appeals Committee and explain his or her view on the case

The central academic divisions send advance notice in accordance with Section 16 of the Public Administration Act. The student must be given a time limit of about three weeks to comment. The advance notice must state what the suspicion concerns, what the consequences may be, that it is the Appeals Committee at NTNU that can make a decision in the case, and when the student is entitled to reimbursement for lawyers' fees. Relevant documents that describe the basis for the suspicion must be enclosed.

The student is entitled to representation by a lawyer or other agent at all stages of the proceedings. The student is entitled to reimbursement of the costs for this from the university, from the date that the question of exclusion is raised.⁵ This means from the date that the case is sent to the Appeals Committee with a proposal for exclusion. The student should be notified that the case has been sent to the Appeals Committee and that the student is entitled to coverage of lawyers' fees if exclusion is proposed as a reaction. The costs of assistance from a lawyer are covered according to the State's fee scales. If more time than what is reasonable and necessary has been spent, the Appeals Committee at NTNU may reduce the fee. The lawyer is not permitted to claim the amount that is not covered by the university from the student.

d. Procedure in the Appeals Committee

NTNU's Appeals Committee can make a decision on annulment and possible exclusion. The Appeals Committee consists of a chair, who must be an external lawyer, two academic employees and two student representatives.

e. Follow-up of the Appeals Committee's decision

The case officer in the central academic divisions informs the student about the decision as well as relevant units at the university, depending on the decision. If the decision concerns exclusion, The Campus Services Division (access card) must be informed in addition to the faculty, department, the Academic Administrative Division, and the NTNU Office of International Relations if the case concerns an international student. The information to the student about the decision must specify that the exclusion period will be registered in RUST, which is a registry of excluded students, that the student has the right to appeal against the decision, the appeal deadline, the appeals body, where any appeal should be submitted and that under sections 18 and 19 of the Public Administration Act the student has the right of access to the documents.

⁵ Section 4-8 (5) of the Universities and Colleges Act

The Academic Administrative Division is to register the annulment of the examination in the Common Student System (Felles studentsystem - FS) and the decision on exclusion in RUST. In connection with a decision on exclusion, the faculty and Department must ensure that the student does not submit assignments, etc., during the period in which the student is excluded.

The decision is implemented immediately. The student may apply for deferred implementation of the decision until the time limit for appeals has expired or a final decision on the appeal has been made. If so, the student contacts the case officer. A request for deferred implementation must be decided as soon as possible. Deferred implementation is decided by the Appeals Committee or by the chair of the Appeals Committee if there is a long period before the next meeting of the Appeals Committee. Reasons must be given for the refusal of a request for deferred implementation, but the refusal may not be appealed.

After a decision on annulment is made, any diplomas or grade transcripts must be returned to the university. As soon as the decision of the Appeals Committee on annulment as final, it is enforceable.⁶

f. Appeal

The student can appeal the decision of the Appeals Committee to the national Joint Appeals Committee (Felles klagenemnd) established by the Ministry.⁷ The time limit for appeals is three weeks from the date on which notification of the decision has reached the student. The appeal must first be dealt with by NTNU's Appeals Committee. If the Appeals Committee upholds its decision, the case must be submitted to the national Joint Appeals Committee. The case officer ensures that it is submitted to the Joint Appeals Committee. If the Joint Appeals Committee upholds the decision, the student can have the decision reviewed by Sør-Trøndelag District Court.⁸ The proceedings must be instituted within three months of a final decision having been pronounced.

g. Duty of confidentiality and processing of personal data

The individual case officer has a duty of confidentiality.⁹ The same applies to examiners and invigilators. The members of the Appeals Committee also have a duty of confidentiality. A duty of confidentiality entails a duty to actively prevent others than those who are dealing

⁶ Section 4-7 (5) of the Universities and University Colleges Act

⁷ Regulations of 10 October 2005 No. 1192 on a Joint Appeals Committee for dealing with appeals under Section 4-7 to Section 4-10 of the Universities and University Colleges Act

⁸ Section 4-11 of the Universities and University Colleges Act

⁹ Section 13, 1st paragraph No. 1 of the Public Administration Act of 10.02.1967

with the case from gaining access to all knowledge of the information. Information that is subject to a duty of confidentiality is exempt from public disclosure.¹⁰

NTNU has authorization under Section 4-15 of the Act relating to Universities and University for processing personal data in connection with cases of cheating. The institution's system for administrative procedures and records management must be used in the processing of personal data. Information in cheating cases that might identify a student must not be sent by email.

h. Statutory limitation

Annulment of examinations has no period of limitation.¹¹ Cases of cheating can therefore be addressed and prepared with a view to annulment, even if the situation that has been discovered took place in the past and the student has left the university. If the incident took place a long time ago, one must consider whether it is reasonable to open the case.

i. Reporting of criminal offences

If criminal offences are discovered in connection with a case of cheating, the Rector has authority to report this on behalf of the institution.

j. Notification from a third party of suspected cheating

If anyone at the university is contacted by a third party (an external party who does not ordinarily report cheating) who believes that cheating may have taken place, this must be reported to the Rector. The Rector must confirm to the notifier that the enquiry has been received and must investigate the case. Unless the notifier's own work has been exploited, he/she is not given rights as a party to the case and must not be given information about the case or the right to inspect the case documents. The same applies if the Appeals Committee makes a decision in the case and the committee's decision is appealed to the Joint Appeals Committee.

The guidelines replace the guidelines adopted on 12 October 2006.

¹⁰ Section 13 of the Freedom of Information Act of 19.06.2006

¹¹ Section 4-7 (4) of the Universities and University Colleges Act

Attachments

Schematic overview of procedures in connection with suspected cheating, where the incident is discovered by teaching staff/examiners or invigilators

1.

Teaching staff/examiner → department management →

Case officer: (with a copy to the faculty)

Campus Trondheim, Education Quality Division (Utdanningskvalitet, abbreviated to UK)

Campus Gjøvik, Education Section in Gjøvik (SA-Gjøvik)

Campus Ålesund, Education Section Ålesund (SA-Alesund)

1.

Invigilator → chief invigilator → local examinations office →

Case officer:

Campus Trondheim, Education Quality Division (Utdanningskvalitet, abbreviated to UK)

Campus Gjøvik, Education Section in Gjøvik (SA-Gjøvik)

Campus Ålesund, Education Section Ålesund (SA-Alesund)

2.

Case officer → Advance notice to student → Case officer → Appeals Committee at NTNU, decision on cheating → Case Officer → Information to student (or the student's lawyer, if applicable) with a copy to:

-the faculty

-the department

-The Academic Administrative Division – registers annulment, registers exclusion in RUST

-Security and service – blocks the access card

If, after advance notice and a statement from the student, there are no longer grounds for suspicion, the case is closed, that is, it is not submitted to the Appeals Committee. The student, department and faculty are informed.

3.

The student appeals the decision in the Appeals Committee → Case Officer → Appeals Committee at NTNU

Alternative 1: Not upheld → Joint National Appeals Committee, with a copy to the student

Alternative 2: Upheld → Case officer → Information to student with a copy to units as in section 2