



UC Leuven
Limburg

MOVING MINDS

Plagiarism in higher professional education in Flanders: a legal perspective

K. Weis – Plagiarism across Europe and Beyond 2015 – 11 June 2015



Higher education in Flanders

- Belgium: federal state
- Education = community competence

- 2014: Flemish Higher Education Code
- Every higher education institution (HEI) needs to adopt an “Education and Exam regulation”
 - how HEI deals with plagiarism (and other irregularities)?
is regulated in Exam regulation



Purpose of this research?

- Comparison Exam regulations ALL Flemish HEI's (universities & university colleges)
 - Definition of fraud/irregularity
 - Definition of plagiarism
 - Procedures to be followed when plagiarism was committed
 - Sanctions applied to students
- Case law Council for the settlement of disputes on study progress decisions on plagiarism

GOAL? Create an overview of how plagiarism is dealt with by the HEIs and how the Court assesses these ways of dealing with plagiarism



Fraud/Irregularity

	Irregularity	Fraud	Conduct which makes it impossible to make an accurate assessment	Own skills/knowledge/competences	Skills/knowledge/competences other students	Deceit/irregularities that influence results	Plagiarism = fraud/irregularity	Use of forbidden tools	Malicious intent is not necessary	Can be ascertained even after the exam
Leuven Association										
KULeuven		X	X	X	X		X			X
LUCA		X	X	X	X		X			X
Vives		X	X	X	X		X			
Thomas More		X	X	X	X		X			
Odisee		X	X	X	X		X			X
UCLL	X		X	X	X		X			
Ghent Association										
UGent		X					X			X
HoGent		X					X	X		
Artevelde	X		X	X			X			
HoWest		X					X	X		
Antwerp Association										
UAntwerpen		X				X	X	X	X	X
KdG	X		X	X	X		X	X		
Artesis Plantijn		X	X	X	X		X			
Zeevaartschool	X	X	X	X	X		X	X		X
Brussels Association										
VUB	X		X	X	X		X			
Erasmus	X									X
Hasselt Association										
UHasselt	X		X	X	X		X	X		X
PXL	X	X	X	X	X		X			X



Procedures

	Student can finish exam	Student can still take other exams	Investigation carried out by chairman exam commissions	Investigation carried out by ombudsperson	Investigation by the dean/director department	External expert in case of plagiarism	Student has a right to be heard	Student can use legal counsel	Student is assisted by ombudsperson during hearing
Leuven Association									
KULeuven	x	x	x			x	x		
LUCA	x	x	x			x	x		
Vives	x	x	x			x	x		
Thomas More	x	x	x			x	x		
Odisee	x	x	x			x	x		
UCLL	x	x		x		x	x		
Ghent Association									
UGent	(x)	x	x				x	x	
HoGent	(x)	x			x		x		
Artevelde	x	x	x				x		x
HoWest	x	x	x				x		x
Antwerp Association									
UAntwerpen	x	x	x				x	x	
KdG	x			x			x	x	
Artesis Plantijn	x		x				x		
Zeevaartschool		x	x				x		x
Brussels Association									
VUB		x			x		x	x	
Erasmus		x			x		x		
Hasselt Association									
UHasselt	x	x	x				x	x	
PXL	x	x	x				x		



Procedures

	Limited examination commission makes a proposal	Decision is taken by examination commission	Decision is taken by limited examination commission	Decision is taken by body specialized in fraud	Decision is taken by dean/director department	Decision is taken by the president of the examination commission	Electronic meeting of examination commission is possible
Leuven Association							
KULeuven	x	x					
LUCA	x	x					
Vives	x	x					
Thomas More	x	x					
Odisee	x	x					
UCLL	x	x					
Ghent Association							
UGent		x					
HoGent					x		
Artevelde		x					
HoWest						x	
Antwerp Association							
UAntwerpen				x			
KdG		x					x
Artesis Plantijn				x			
Zeevaartschool						x	
Brussels Association							
VUB					x		
Erasmus				x			
Hasselt Association							
UHasselt				x			
PXL			x				



Sanctions

	Retake the exam	Receive appropriate mark	o on the exam/part where an irregularity was committed	o for the course unit	o for all the exams of that exam period	Exclusion for the course unit for year	Exclusion from the whole study programme for year	Change of subject/promotor for thesis	Exclusion	Participate in module on plagiarism	Results & certificates already obtained declared null and void
Leuven Association											
KULeuven	x	x	x	x	x	x	x	x	x	x	x
LUCA	x	x	x	x	x	x	x	x	x	x	x
Vives	x	x	x	x	x		x	x		x	
Thomas More	x	x	x	x	x	x	x	x	x		
Odisee	x	x	x	x	x	x	x	x	x	x	x
UCLL			x	x	x	x					x
Ghent Association											
UGent		x	x	x					x		x
HoGent				x	x						
Artevelde					x				x		
HoWest			x	x	x						
Antwerp Association											
UAntwerpen			x	x	x	x	x				
KdG			x	x	x	x	x		x		
Artesis Plantijn			x	x	x	x					
Zeevaartschool					x				x		
Brussels Association											
VUB			x	x	x		x		x		
Erasmus				x	x	x	x				x
Hasselt Association											
UHasselt		x	x	x		x					x
PXL	x		x		x	x	x				x



- What is plagiarism?

Copying part of a text without mentioning the source, only mentioning the source in the bibliography, copying of a text including the footnotes

- Malicious intent?

Unless specifically mentioned in the Exam regulation: should be taken into account when assessing the case

- Reassessing a case (from plagiarism to fraud) is possible

For example: source is mentioned – but the part of the text that is copied is long & no interpretation carried out by the student

- Students copying from students?

Is not plagiarism according to most exam regulations → but can be assessed as fraud – unless it was not explicitly mentioned that each work should have been individual!

- Turn-it-in?

Can only be used as an indication of plagiarism → further proof is necessary



- Proportionality of the sanction

The following elements must be taken into account when deciding upon the sanction:

- extent & nature plagiarism
- malicious intent student
- foreknowledge student on plagiarism
- studyphase student
- recidivism



- Broad definition of “irregularity/fraud”
- More limited definition of plagiarism
- Explicitly mention in the Exam regulation that malicious intent student is not required to commit plagiarism
- When giving instructions to students: stress that each paper/project should be an individual result
- Procedure: decision is best taken by a group of persons (not one individual)
- Student must have the right be assisted by a legal representative
- Sanctions: a broad range of sanctions is needed, varying in severity
- Explicitly take into account different elements (motivation!)



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Contact details

Thank you for your attention!

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