



UMEÅ UNIVERSITY

PROCEDURES – DISCIPLINARY CASES

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¹ This document has been translated from Swedish into English. If the English version differs from the original, the Swedish version takes precedence.



UMEÅ UNIVERSITY

Table of contents

1.	Description.....	1
2.	Background.....	1
3.	Rules	1
3.1	General information	1
3.2	Disciplinary measures	1
3.3	Complaint to the police	2
3.4	Defining students	2
3.5	Plagiarism and other offences	3
3.6	Other types of disciplinary cases	3
3.6.1	Other types of deception	3
3.6.2	Students that disrupt or obstructs teaching and other activities	3
3.6.3	Discrimination, harassment and abuse	4
4.	Administering disciplinary cases	4
4.1	Prior to submitting a complaint	4
4.1.1	Content of the complaint	5
4.2	After submitting the complaint	6
4.3	Members of the Disciplinary Board	6
5.	Disciplinary Board's decision	7
5.1	General information	7
5.2	Temporary suspension	7
5.2.1	Hatred, threats, violence and crises.....	7
6.	Appeals.....	7
7.	Correcting exams – examiner	8
8.	Consequences of suspension for the student.....	8
8.1	General information	8
8.2	Suspended students may not	9
8.3	During the suspension period, the student may	9
9.	Legislation.....	10
9.1.1	General provisions	10
9.1.2	Disciplinary measures.....	10
9.1.3	Disciplinary boards	10



UMEÅ UNIVERSITY

9.1.4 Rules of procedure	11
9.1.5 Other provisions	12
9.1.6 Temporary suspension.....	12



UMEÅ UNIVERSITY

1. Description

This procedure is intended to clarify the legal framework for and the administration of disciplinary cases at the University's undergraduate and Master's level (first- and second-cycle) education. This is to ensure fair and transparent processes in disciplinary cases and to support Umeå University staff in applying and administering the regulations related to disciplinary cases.

2. Background

Disciplinary measures may be taken against students who attempt to deceive in examinations, disrupt operations at the higher education institution or harass other students or employees at the University. Administering disciplinary cases is done in accordance with the Higher Education Ordinance (1993:100), the Administrative Procedure Act (2017:900) and rules approved by the Vice-Chancellor. Disciplinary cases are reported by the department to the Vice-Chancellor and are investigated by a legal officer. According to the Higher Education Ordinance, each higher education institution is to have a disciplinary board that administers cases with disciplinary measures. Only the Vice-Chancellor or the Disciplinary Board can decide to apply disciplinary measures against students. Disciplinary measures may not be taken by a department on its own initiative. The department is responsible for enforcing the Disciplinary Board's suspension decisions.

Note that the Exam Services (monitoring of written hall exams) is covered by the *Rules for written hall exams*. The Exam Services reports suspected deception directly to the Vice-Chancellor and informs the relevant department about the submitted report. As such, the present procedures only apply in part to the Exam Services.

3. Rules

3.1 General information

It is important that students are provided clear information on how summative assessments for courses are given and that students and staff know about the University's rules for designing course syllabi, education, summative assessments, written examinations, rules for disciplinary offences and measures defined in the Higher Education Ordinance. See *Rules for course syllabi and literature lists*, *Rules for grades and examination* and *Rules for written hall exams*. It is vital to provide clear and easily accessible information both to prevent misunderstandings and deception and, with suspected deception in connection with summative assessments, to be able to judge how well the student knew which rules applied for the assessment in question. All such information is to be made available in Swedish and, when needed, in English and be able to be described at, for example, a Disciplinary Board meeting.

3.2 Disciplinary measures

Disciplinary measures are regulated in Chapter 10 of the Higher Education Ordinance (1993:100) and may be invoked against students who:



UMEÅ UNIVERSITY

- use prohibited aids or in other way **attempt to deceive** during examinations or other forms of assessment of study performance;
- **disrupt or obstruct** teaching, tests or other activities within the framework of courses and study programmes at the higher education institution;
- **disrupt activities** in the library of the higher education institution or other separate establishments at the institution;
- **subject another student or member of staff** of the higher education institution to harassment or sexual harassment of the kind laid down in Chapter 1, Section 4 of the Discrimination Act (2008:567).

Disciplinary measures may not be invoked more than two years after the offence has been committed.

3.3 Complaint to the police

Some offences reported as disciplinary cases can fall under the Penal Code and this can lead to prosecution, such as disruptive behaviour (threats or violence), harassment (molestation, sexual molestation or hate crimes), document forgery or false certification. Decisions on whether to submit a complaint to the police, such as with document forgery or false certification, are made by the Vice-Chancellor, who can consult as needed with the legally qualified member of the Disciplinary Board. If the Vice-Chancellor decides to submit a complaint to the police, this results in the disciplinary case being shelved until there is a resolution of the police investigation. If the police case is terminated with no action taken, the Vice-Chancellor can decide to reinstate review of the reported behaviour by the Disciplinary Board. If the police case leads to charges or fines, the disciplinary case is dismissed.

In very special situations, severe offences can lead to the case being referred to the Higher Education Expulsion Board in accordance with Chapter 4, Section 6 of the Higher Education Act (1992:1434).

3.4 Defining students

Only individuals considered students as defined in the Higher Education Ordinance can be subjected to disciplinary measures. According to Chapter 1, Section 4 of the Higher Education Ordinance, students are individuals who have been admitted to and are attending higher education at Umeå University. In some cases, this can also apply to doctoral students. Participants on contract education are not considered students since they have not been admitted to higher education and, as such, are not covered by the rules on disciplinary measures in Chapter 10 of the Higher Education Ordinance. The same applies to students on foundation year programmes.

The Police Education Unit at Umeå University is not covered by these regulations since it is a contract education, see *Ordinance on training as a police officer (2014:1105)*. This ordinance has special provisions that regulate administration of disciplinary cases for students training to be police officers.

Doctoral students, who can be both students and employees, can be investigated in accordance with the rules on disciplinary cases in the same way that undergraduate and master's students, under the condition that the doctoral student is suspected of one of the listed offences in their role as a student. If uncertain, contact a legal officer.



UMEÅ UNIVERSITY

3.5 Plagiarism and other offences

It can be difficult to determine which form of plagiarism is considered deceptive, even if there is documentation from, e.g., *Ouriginal* (Umeå University's support system for plagiarism check – previously *Urkund*). There are grey areas where it can be difficult to draw lines between insufficient independence, carelessness or misunderstanding (an educational question) and attempts to deceive (a question for the Disciplinary Board). Teaching staff that discover suspected plagiarism are immediately to decide, in consultation with the examiner, whether it was an attempt to deceive or whether the work simply does not achieve the learning outcomes of the course. In the latter case, the work is graded as a fail or the student is given the opportunity to supplement the assignment. If, after consultation, deception is suspected, a process is begun with a report to the Vice-Chancellor about the suspicion of deception as described in Section 4 below.

The reuse of text that the student has previously written and that has been the subject of examination or publication is to be cited overtly, just as the use of another person's writing and material is to be cited. If a student has reused text written by the student themselves (sometimes called self-plagiarism), such as from a previously assessed essay, without citing the work, this can be considered an attempt to deceive.

The use of artificial intelligence or similar tools to write a text is an example of a tool that must be cited overtly. If, in connection with an examination, a student uses artificial intelligence or similar tools to write a text for submission and presents it as if the student is the author without overtly citing how the material was created, this can be considered an attempt to deceive.

It is the actual *attempt to deceive* that can lead to a complaint to the Disciplinary Board, regardless of the means of the student's attempt to deceive.

3.6 Other types of disciplinary cases

3.6.1 Other types of deception

Other types of deception can include unauthorised collaboration between students, use of prohibited aids and writing another student's name on an attendance list. For other types of suspected deception, the process begins with the report of suspicion in accordance with the description under Section 4 below.

3.6.2 Students that disrupt or obstructs teaching and other activities

If a student disrupts or obstructs teaching, tests or other activities within the framework of teaching at the higher education institution or at the University Library or other separate establishments at the University, there may be reason to report a disciplinary case to the Vice-Chancellor. If unsure whether reporting in such a case is relevant, contact a legal officer for advice.



UMEÅ UNIVERSITY

3.6.3 Discrimination, harassment and abuse

The Discrimination Act specifies that the University, when it becomes aware that a student considers themselves to have been subjected to harassment and/or sexual harassment, is to investigate the circumstances surrounding the claimed harassment, regardless of whether a complaint has been submitted. These cases are administered according to special provisions. In these cases, begin by reading the *Procedures to support managers when handling victimisation, harassment or sexual harassment*.

4. Administering disciplinary cases

4.1 Prior to submitting a complaint

All staff at Umeå University are required to report suspected cheating. Each department (or equivalent) should appoint an individual responsible for investigating suspected disciplinary offences. It can be appropriate for this person to be, for example, the head of department or director of studies. All suspicions of disciplinary offences are to be reported to the head of department or the person designated by the head of department. This is to be done by the person who discovered the suspected cheating. Then the department is to investigate the incident to determine if there is a basis for the suspicion of disciplinary offence.

The suspicion is to have an objective basis. A complaint can be submitted even if the facts around the suspicion are weak. If needed, contact a legal officer for support in making this assessment.

Deception in connection with submitting a draft or similar assignments as part of a larger assignment without direct examination is not considered deception at examination. The deception must be for something that can impact the assessment of study performance. This can also occur in connection with laboratory sessions and seminars, assuming these included summative assessments.

If the department finds there is a suspicion of disciplinary offence, the department is to contact the student and explain that this suspicion exists and, if possible, have a meeting with the student. A meeting offers the opportunity to clarify any misunderstanding that may have arisen about the examination and to inform the student if the complaint will be submitted and how it will be administered. The student is to be informed of the option of requesting support from Student Health Services. This meeting can also be very valuable for determining at an early stage whether there are other circumstances that need to be addressed, such as the student's health or the work environment. A meeting should therefore take place before the complaint is submitted to the Vice-Chancellor. When multiple students are involved, such as with unauthorised collaboration, or a student is suspected of plagiarising the work of a fellow student, the department is to meet with all involved students. In case of uncertainty or questions, the department is to contact a legal officer. All contacts with students are to be objective and documented in the form of official notes. If reasonable suspicion remains after these actions, a decision is taken to submit the complaint.

Normally, one complaint per student is submitted to the Vice-Chancellor even if multiple students are suspected of having deceived with the same type of offence at the same examination. A group complaint – with one form per reported student – is to be submitted if students have written a group work, such as with a group assignment, if plagiarism or



UMEÅ UNIVERSITY

unauthorised collaboration is suspected between the students or if a student is suspected of receiving unauthorised assistance from a classmate.

The student may continue participating in instruction, exams and other activities within the framework of the education until the case is resolved. No disciplinary measures may be taken at the department level. These decisions are always made by the Vice-Chancellor or the Disciplinary Board.

Disciplinary cases are to be given high priority. The complaint is to be addressed to the Vice-Chancellor but submitted digitally as a PDF to the registrar at the address **registrator@umu.se**. If the student does not know Swedish, the complaint is to be submitted in both Swedish and English.

4.1.1 Content of the complaint

The complaint to the Vice-Chancellor on suspicion of disciplinary offence is to be as complete as possible and contain supporting information in the following order:

- **Complaint form** from the head of department or other individual appointed by the department with the student's name, personal identity number, address in Sweden, phone number and email address and the suspected offence the complaint refers to (such as unauthorised collaboration). The form is to also include the name and extent of course or module and module where the suspected offence occurred, how many points the summative assessment is worth (if defined) and how far the student has progressed in the course or programme.
- A suspension decision may also limit access to certain premises. If this is needed, the department is to write this in the complaint.
- A **separate presentation** of the incident, as detailed as possible.
- **Documentation** from meetings or other contact the department has had with the student concerning the suspicion.
- In cases of suspected unauthorised notes, **copies** of these are to be included if available.
- **Reports** from text matching tools, such as *Ouriginal*, are to be included if possible.
- In suspected **plagiarism** cases, the submitted assignment and relevant extracts from the original source are to be included, with the plagiarised sections marked. These markings are to be in both the submitted assignment and the original source document.
- If the actual examination format is considered important for assessing whether deception has occurred, a clear **description** is to be provided on how the examination was conducted and its importance in the context.
- **Course syllabus**, course instructions and other information that the students have received about what is allowed and not allowed at the relevant examination.
- **Ladok report** for the student showing registrations and grades.



UMEÅ UNIVERSITY

- **Other information** that can be significant for the investigation.

4.2 After submitting the complaint

Once the Vice-Chancellor has received the department's complaint, a legal officer is assigned to prepare the case. If the legal officer determines that the case requires supplemental information, a request is sent to the department, which then responds with the additional information in a timely manner. The student is given the opportunity to comment on the complaint once it has been received and judged complete by the legal officer.

Disciplinary cases are to be investigated thoroughly. If needed, additional investigations can be conducted, such as by researching relevant facts of the case, functionality of technical equipment or digital aids or other aspects that can be of importance. The Vice-Chancellor then decides, when appropriate in consultation with the legally qualified member, whether the case is to be referred to the Disciplinary Board, if a warning is to be issued or if the case can be dismissed without further action. If the Vice-Chancellor decides to issue a warning, the student has the right to have the Disciplinary Board rule on the decision.

If, after the investigation, the case is referred to the Disciplinary Board, the student and reporting department are called to the Disciplinary Board's meeting. The reporting department is represented by a staff member from the department that held the examination, such as the examiner or director of studies. The department decides who is most appropriate to represent the department in the case at the meeting. If the complaint is from the Exam Services, for example in a complaint on prohibited aids during a written hall exam, the invigilator who reported the incident can participate to answer any questions from the Disciplinary Board about the incident. A representative for the student is expected to always participate in the meeting so that the Disciplinary Board can ensure the case has been thoroughly investigated.

Students have the right to attend the Disciplinary Board's meeting when their case is discussed and are given the opportunity to address the Board about the case and to be present when others address the Board, unless special reasons exist to not allow this. It is possible to attend online or in person. Students may request to bring another person as support to the meeting. If the reported student chooses to not attend the meeting, the case can still be decided.

The Disciplinary Board deliberates in private at the meeting to determine whether disciplinary measures are to be taken against the student, if a warning is to be issued or if no actions will be taken. The decision is made at the Board's meeting and, if present, the student is immediately informed of the decision. Even if present at the meeting, all students whose cases were examined at the meeting are informed in writing of the decision.

4.3 Members of the Disciplinary Board

Umeå University's Disciplinary Board consists of the Vice-Chancellor (chair), a legally qualified member, a teacher representative and two student representatives. The legally qualified member and teacher representative are appointed for three years. The student unions appoint the student representatives one year at a time. If the Vice-Chancellor cannot attend, the Pro-Vice-Chancellor assumes the role of the Vice-Chancellor on the Board. The other members also have deputy members. The Disciplinary Board is in quorum when at



UMEÅ UNIVERSITY

least three of its members are present, among them the chair and the legally qualified member. The legal officer who prepared the case reports to the meeting and is the secretary of the Disciplinary Board.

5. Disciplinary Board's decision

5.1 General information

The Disciplinary Board can decide either to dismiss the case without (disciplinary) action, to issue a warning or to suspend the student from studies. If the Disciplinary Board issues a suspension, it normally applies from the day after the decision is made and continues for at most six months. The decision is to be communicated to the relevant student, relevant department, the Student Services Office, the Registrar and the Swedish Board of Student Finance (CSN) without delay. The decision is also communicated to other departments where the student is registered.

A suspension decision means that the student is prohibited from participating in instruction, exams or other activities within the framework of any courses and programmes at Umeå University. This also applies to learning platforms (see a more detailed list below in Section 8). Students who have been suspended from the University risk having to repay their student grants and loans for the period of the suspension, since a suspension is considered a discontinuation of studies. CSN makes this decision. A suspension decision may also be limited to applying to specific premises at the University. A suspension decision applies to Umeå University.

5.2 Temporary suspension

Under exceptional circumstances, such as the risk of violence, the Vice-Chancellor may, after consultation with the Disciplinary Board's legally qualified member, temporarily suspend a student from the University's activities with immediate effect. A decision on temporary suspension applies until the Disciplinary Board has appraised the issue, but for no longer than one month.

5.2.1 Hatred, threats, violence and crises

See information on the University's staff website.

6. Appeals

The student can appeal a decision from the Disciplinary Board about a warning or suspension to the Administrative Court in Umeå. Decisions by the Vice-Chancellor or the Disciplinary Board to dismiss a case without action and decisions to refer a case to the Disciplinary Board cannot be appealed.

The appeal is to be in writing and include the registration number for the appealed decision, the change to the decision that is requested and the reasons for the appeal. The appeal is to have been received by Umeå University within three weeks from the day that the student was



UMEÅ UNIVERSITY

informed of the decision. When informing a student of an appealable decision, detailed instructions on how to appeal are always provided.

7. Correcting exams – examiner

Only examiners may decide whether an exam is not to be corrected. It is the examiner's responsibility to decide questions about exams and not the Disciplinary Board's, even if a complaint has been made to the Disciplinary Board and regardless of the outcome of the case. The following discussion is to provide guidance for examiners.

Examiners are *not required* to correct and grade an exam or assess a student who has been reported for suspected deception during an exam.

It is most common for suspicion of deception to arise in connection with taking an exam or when the exam is corrected. If the exam **has** been corrected and graded as a pass before suspicion of deception has been discovered, the examiner can revoke their decision if the Vice-Chancellor or the Disciplinary Board decide the student is guilty of deception. A so-called "favourable decision" can thus be changed if the decision was incorrect because of *deception* by the individual. The examiner can thus revoke an awarded grade, and the decision to revoke an awarded grade cannot be appealed in these cases. The student, however, should be given the opportunity to comment on the question before a grade is revoked. Always contact a legal officer before revoking a grade, first and foremost the officer who administered the disciplinary case in question.

If the exam **had not** been corrected when the suspicion of deception arises, it is recommended the correction be delayed until the case has been decided by the Vice-Chancellor or the Disciplinary Board. There are multiple reasons for this. The first is that the student has the opportunity to resit the exam while the case of suspected deception is being investigated, which can facilitate the student's continued studies significantly. The extra administrative work is also avoided if the correction is delayed until a decision is made by the Disciplinary Board, since the examiner does not need to revoke a decision on a grade if the student is found guilty of deception.

If the examiner chooses to delay the correction of the exam while the case is ongoing, the student can resit the exam during the investigation, assuming the other prerequisites for a resit are met. If the student is then cleared of the suspicion of deception by the Disciplinary Board, the examiner has two different exams from the student for the same course to correct. In that case, the student is to receive the higher of the two grades, if the results from the exams differ.

8. Consequences of suspension for the student

8.1 General information

As specified in Chapter 10, Section 2, paragraph 2 of the Higher Education Ordinance (1993:100), a suspension decision means that the student may not participate in instruction, tests or other activities within the framework of the programme at the higher education institution. A suspension decision applies to Umeå University and thereby at all of the University's departments and units. A student can be suspended for up to six months, and



UMEÅ UNIVERSITY

the suspension normally applies from the day after the Disciplinary Board's decision. To create a uniform application of the term "suspension" in Chapter 10, Section 2, paragraph 2 of the Higher Education Ordinance, Umeå University has issued the following general recommendations on the term's meaning.

8.2 Suspended students may not

- Participate in any form of instruction. Instruction can be lectures, seminars, laboratory exercises and supervision, but there can also be other forms of instruction. The forms of instruction used in a specific course are specified in the applicable course syllabus.
- Participate in clinical training, placement or equivalent.
- Have access to learning platforms, such as Canvas².
- Participate in or submit any type of exam assignment. The forms for assessing the student's achievement, i.e., exam assignments, are specified in the applicable course syllabus. The student may retake exams missed during the suspension period or, for other compulsory modules, when the module is offered again. If the rules in the course syllabus permit it, the examiner may offer an alternative replacement module for a compulsory module after the concluded suspension.
- Have access to premises that are not open to the public. This is controlled by the University's keycard system.

8.3 During the suspension period, the student may

- Conduct self-studies.
- Apply for summative assessments and courses that begin after the suspension period (if needed). The student may be assisted by administrative staff (e.g., study counsellors) for this.
- Contact study counsellors or equivalent for advice and support with continued studies after the suspension period.
- Have contact with the Student Health Service.
- Have exam assignments corrected if these were submitted before the suspension began.
- Have access to public spaces within Umeå University to which the public also has access.
- Attend seminars or similar that are open to the public and that are organised by Umeå University in the University's premises.

² See Procedure – Suspension from learning platforms as a result of a decision by the Disciplinary Board.



UMEÅ UNIVERSITY

9. Legislation

Higher Education Ordinance (1993:100), Chapter 10

9.1.1 General provisions

Chapter 10, Section 1

Disciplinary measures may be invoked 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 that are part of courses and study programmes at the higher education institution;
3. disrupt activities in the library of the higher education institution or other facilities at the institution; or
4. subject another student or employee of the higher education institution to harassment or sexual harassment of the kind stated in Chapter 1, Section 4 of the Discrimination Act (2008:567).

Disciplinary measures may not be taken more than two years after the offence has been committed.

9.1.2 Disciplinary measures

Chapter 10, Section 2

The disciplinary measures comprise warnings and suspension.

A suspension decision means that the student is prohibited from participating in instruction, tests or other activities that are part of the courses and study programmes at the higher education institution. The decision must be for one or more periods, but not exceed six months in total.

A suspension decision may also be limited to apply to access to certain premises at the higher education institution.

9.1.3 Disciplinary boards

Chapter 10, Section 3

Cases involving disciplinary measures must, unless otherwise stipulated in Section 9, be dealt with by a disciplinary board. Every higher education institution must have a board of this kind.

Chapter 10, Section 4

The disciplinary board must consist of the vice-chancellor as chair, a legally qualified member who must hold or have held tenure as a judge, and a representative of the teaching



UMEÅ UNIVERSITY

staff at the higher education institution. The students at the higher education institution are entitled to be represented on the board by two members.

Chapter 10, Section 5

The legally qualified member and the member representing the teaching staff must be appointed by the higher education institution for a period of three years.

Chapter 10, Section 6

The members of the board representing the students are appointed for a period of one year.

Chapter 10, Section 7

When the chair is unable to attend, the deputy vice-chancellor or another specially appointed deputy acts as chair of the disciplinary board.

There must be a deputy for each member of the board. The deputy for the legally qualified member must hold or have held tenure as a judge. The deputies must be appointed according to the same procedure and for the same period as the members of the board.

Chapter 10, Section 8

The disciplinary board is quorate when at least three of its members are present, among them the chair and the legally qualified member.

If there are differences of opinion when a case is to be settled, the provisions of Chapter 29 of the Code of Judicial Procedure relating to votes in courts of law consisting exclusively of legally qualified members must be applied.

9.1.4 Rules of procedure

Chapter 10, Section 9

The vice-chancellor must be promptly informed if there is well-founded suspicion that an offence of the kind stated in Section 1 has been committed.

The vice-chancellor must arrange for the matter to be investigated and provide the student with an opportunity to make representations concerning the complaint. The vice-chancellor must then, after consultation with the legally qualified member when appropriate, decide whether the circumstances are such that the matter will

1. be dismissed without further action;
2. lead for to a warning from the vice-chancellor; or
3. be referred for hearing by the disciplinary board.

Chapter 10, Section 10

A decision by the vice-chancellor to issue a warning may be submitted to the disciplinary board by the student for review. The student must be informed of this right.



UMEÅ UNIVERSITY

9.1.5 Other provisions

Chapter 10, Section 11

The disciplinary board must ensure that cases referred to it are investigated thoroughly. The board must give the student concerned in the case an opportunity to address the board on the issue. The student is also entitled to be present when others address the board, unless there are special grounds to the contrary.

Chapter 10, Section 12

A decision to suspend must take immediate effect, unless otherwise stated in the decision.

Chapter 10, Section 13

When a decision on suspension has been made, the Swedish Board of Student Finance and the relevant bodies at the higher education institution concerned must be informed without delay.

9.1.6 Temporary suspension

Chapter 10, Section 14

If a matter is referred to the disciplinary board, the vice-chancellor may after consultation with the legally qualified member order the immediate interim suspension of the student from activities at the higher education institution.

A decision on interim suspension must apply until the disciplinary committee has reviewed the case, but for no longer than one month.