LEIDEN UNIVERSITY REGULATIONS ON ACADEMIC INTEGRITY

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Preamble

Within Leiden University, all those involved in academic teaching and research are personally responsible for meeting generally accepted standards of academic practice when carrying out this research or teaching. The general principles of professional academic practice must be observed at all times. The Memorandum on Academic Integrity: Academic Research Standards and a National Academic Integrity Committee (‘Notitie Wetenschappelijke Integriteit, Over normen van wetenschappelijk onderzoek en een Landelijk Orgaan voor Wetenschappelijke Integriteit’) dating from November 2001 and produced by the Royal Netherlands Academy of Arts and Sciences (KNAW), the Netherlands Organisation for Scientific Research (NWO) and the Association of Dutch Universities (VSNU) indicates a number of generally applicable standards of academic practice together with ways in which these standards might be violated.

The Dutch Code of Conduct for Academic Practice: Principles of Good Academic Teaching and Research (‘Nederlandse Gedragscode Wetenschapsbeoefening, Principles van goed wetenschappelijk onderwijs en onderzoek’) was adopted by the VSNU on 25 October 2004. This sets out in detail the principles that apply to professional academic teaching and research. This code contains the principles and the ramifications of these principles to which those engaged in academic work at the University must adhere.
One instrument to test academic integrity is the right of complaint about suspected violations. The aforementioned memorandum of the KNAW, NWO and VSNU provides the impetus for adopting regulations for the investigation of suspected violations of academic integrity. In 2003 the KNAW, NWO and the VSNU set up the National Academic Integrity Committee (‘Landelijk Orgaan wetenschappelijke Integriteit’, LOWI). This committee advises the Executive Board on complaints of violations of academic integrity.

In order to implement the right of complaint at the University, the Executive Board has adopted the regulations set out below. These also include a regulation for investigating suspected violations of academic integrity at the request of the Executive Board. The regulations formalise academic freedom as referred to in Article 1.6 of the Higher Education and Academic Research Act.

General

Article 1: Definitions

1. In these regulations the following definitions will apply:
   a. University: Leiden University;
   b. Faculties: the Faculties of the University, referred to in Article 10.1 of the Management and Administration Regulations of the University;
   c. Complainant: the person as referred to in Article 6.1;
   d. Defendant: the person as referred to in Article 6.2;
   e. Academic Integrity Committee: the committee as referred to in Article 2;
   f. Employee: any individual employed by the University as referred to in the Collective Labour Agreement (CAO) of Dutch Universities;
   g. Code: the ‘Dutch Code of Conduct for Academic Practice: Principles of Good Academic Teaching and Research’, adopted by the VSNU on 25 October 2004. This code is enclosed as part of these regulations.
   h. LOWI: the National Academic Integrity Committee.

2. In these regulations a violation of academic integrity is understood to mean: academic practice in contravention of the principles and ramifications of these principles as formulated in the code and/or forms of violation of academic integrity as described by the LOWI in its recommendations.

Article 2: Academic Integrity Committee

An Academic Integrity Committee is in place. This committee is authorised to handle complaints about suspected violations of academic integrity. The complaints procedure is set out in Articles 3 to 16 of the present Regulations. Furthermore, the Academic Integrity Committee investigates suspected violations of Academic integrity if so requested by the Executive Board. This is governed by Articles 17 and 18 of the present Regulations.
Complaints procedure

Article 3: Composition of the Academic Integrity Committee

1. The Academic Integrity Committee consists of a chair-member and two other members.
2. The members are from the arts, natural sciences and social sciences.
3. Each member has a deputy. If a member is absent or is directly or indirectly involved in the complaint to be evaluated the deputy member will take his or her place.
4. The members and deputy members will be appointed by the Executive Board for a term of three years. Members may be reappointed for a successive term of three years.
5. The requirements for appointment are as follows:
   a. experience in academic research, preferably gained at one or more Dutch universities;
   b. familiarity with the University's governance structure;
   c. demonstrable academic merits, conscientiousness and discretion;
   d. ability to deal with disputes and conflicts.
6. Members of the Executive Board, members of the Supervisory Board, Deans of the Faculties and the Directors of the University's teaching and research institutes will not be eligible for appointment.
7. Dismissal before the end of the term is possible:
   a. at the member’s own request;
   b. for reasons of unsatisfactory performance as a member or deputy member of the Academic Integrity Committee.
8. The Academic Integrity Committee will be assisted by a secretary who is in possession of adequate legal knowledge.

Article 4: Task of the Academic Integrity Committee

1. The Academic Integrity Committee will take cognisance of complaints as referred to in Article 6.
2. The Academic Integrity Committee will make a recommendation to the Executive Board regarding the admissibility of complaints.
3. The Academic Integrity Committee will make a recommendation to the Executive Board about the validity of complaints that it has handled and about disciplinary measures that should be taken.
4. The Academic Integrity Committee will arrive at its verdict independently.
5. The Academic Integrity Committee will submit an annual report of its activities to the Executive Board.
6. The members and deputy members of the Academic Integrity Committee, the secretary and the Deans have a duty of confidentiality regarding matters has become known to them during the complaints procedure.

Article 5: Powers of the Academic Integrity Committee

1. The Academic Integrity Committee will be authorised to gather information from all University employees and bodies. It may request access to any documentation and correspondence that it considers relevant to evaluating the complaint.
2. The Academic Integrity Committee may consult experts who may or may not be employed by the University. A report will be drawn up of such consultation.
3. The Academic Integrity Committee will keep a file for each complaint it handles. No information in this file which was given in confidentiality will be disclosed without the consent of those involved.

Article 6: Right of complaint

1. Everyone has the right to lodge a complaint to the Academic Integrity Committee about a suspected violation of academic integrity.
2. The complaint, as referred to in Article 6.1, must relate to a suspected violation of academic integrity perpetrated by an employee, external PhD candidate or endowed professor of the University whilst conducting academic teaching or research at the University.

Article 7: Form and content of the complaint

1. The complaint must be lodged in writing and should contain at least:
   a. the name and address of the person lodging the complaint;
   b. the name and position of the person to whom the complaint relates;
   c. a clear description of the suspected violation of academic integrity;
   d. the date and signature.
2. If the notice of complaint is in a foreign language and a translation is necessary to ensure that the complaint is handled effectively, the person lodging the complaint must provide a translation.
3. If a complaint is submitted by an authorised representative, the complaint must be accompanied by written authorisation. If the complaint is submitted by a lawyer, written authorisation is not necessary.

Article 8: Handling the complaint

1. The Committee for Academic Integrity will confirm receipt of the complaint in writing and will notify the Executive Board, the defendant and the Dean of the Faculty where the defendant is employed that the complaint has been lodged.
2. If the complaint fails to meet one of the requirements referred to in Article 7, the complainant will be given the opportunity to rectify this omission within a given time limit.
3. Upon receiving the recommendation from the Academic Integrity Committee, the Executive Board may decide not to handle the complaint if:
   a. any omission as referred to in Article 8.2 is not rectified within the given time limit;
   b. it relates to an activity about which a complaint has previously been lodged that has already been dealt with by the Executive Board;
   c. it relates to an activity that took place more than five years before the complaint was lodged;
   d. the complaint does not relate to a violation of academic integrity as defined in Article 1.2;
   e. the suspected violation of academic integrity was not perpetrated by an employee, external PhD candidate or endowed professor of the University whilst conducting academic teaching or research at the University;
   f. the violation is manifestly not sufficiently grave.
4. The Academic Integrity Committee will inform the complainant as soon as possible, but at the very latest six weeks after receipt of the complaint or upon expiry of the time limit referred to in Article 8.2, whether the complaint will be handled. The defendant and the Dean of the Faculty where the defendant works will also be informed.
5. If the complaint is about a member of the Executive Board, the Supervisory Board will make the decision stipulated in Article 8.3 instead of the Executive Board.
6. If the Academic Integrity Committee decides to handle the complaint, a copy of the notice of complaint and of any accompanying documents will be sent to the defendant.
7. The handling of the complaint will be undertaken by members of the Academic Integrity Committee who have not been involved in any way in the activities to which the complaint relates.

Article 9: Amicable settlement

1. The Academic Integrity Committee may, upon consultation with those involved, investigate whether an amicable settlement of the complaint is possible.
2. If an amicable settlement is reached, the Academic Integrity Committee's handling of the complaint will cease immediately. The Committee will inform the complainant, the defendant, the Executive Board and the Dean of the Faculty where the defendant works of this in writing.

Article 10: Withdrawal of the complaint

1. The complaint may be withdrawn at any time.
2. If the complaint is withdrawn, the Academic Integrity Committee's handling of the complaint will cease immediately. The Committee will inform the defendant, the Executive Board and the Dean of the Faculty where the defendant works of this in writing.

Article 11: Resolution

Once the defendant has settled the complaint to the satisfaction of the complainant, the Academic Integrity Committee's handling of the complaint will cease immediately. The Committee will inform the complainant, the defendant, the Executive Board and the Dean of the Faculty where the defendant works of this in writing.

Article 12: Obligation to hear the parties

1. The Academic Integrity Committee will hear the parties involved in the complaint. The Academic Integrity Committee will in any event give the complainant and defendant an opportunity to be heard.
2. The parties need not be heard if the complaint is evidently unfounded or if the complainant has declared that he or she does not wish to make use of the right to be heard.
3. The parties will be heard separately and in person. In special cases, the Academic Integrity Committee may decide that the complainant and the defendant will be heard in each other's presence.
4. The hearing will not take in public.
5. A report will be made of the hearing.
Article 13: Report to the Executive Board

1. Within fourteen weeks of receiving the notice of complaint or after an omission has been rectified within the time limit set on the basis of Article 8.2, the Academic Integrity Committee will submit a report to the Executive Board of its considerations regarding a complaint it has accepted for handling.
2. In the report the Academic Integrity Committee will give its opinion on the validity of the complaint and will make recommendations about any disciplinary measures that should be taken.
3. The complainant, the defendant and the Dean of the Faculty where the defendant works will receive a copy of the Academic Integrity Committee's report.
4. The Executive Board will give the defendant the opportunity to respond within four weeks to the Academic Integrity Committee's report.
5. Having received the response of the defendant the Executive Board can decide to hear the persons involved.

Article 14: Decision of the Executive Board

1. Within six weeks of receiving the response from the defendant or after the time limit referred to in Article 13.4 of these regulations has expired without a response from the defendant, the Executive Board will deliver a ruling on the complaint and state what disciplinary measures are to be taken. It will inform the complainant, the defendant and the Dean of the Faculty where the defendant works of this in writing.
2. If the Executive Board's judgement differs from the Academic Integrity Committee's recommendation, the reason for this difference will be stated in the ruling.
3. If the complaint is about a member of the Executive Board, the Supervisory Board will make the decision provided for in Article 14.1 instead of the Executive Board.
4. Before reaching the ruling provided for in Article 12.1, the Executive Board may, within the time limit provided for in Article 12.1, ask the LOWI for a recommendation.
5. If a recommendation has been requested from the LOWI, the time limit provided for in Article 12.1 will be extended until six weeks after the LOWI's recommendation has been received.

Article 15: Request for the opinion of the LOWI

1. A complainant or defendant who does not agree with the Executive Board's ruling may request an opinion from the LOWI. The Regulations of the National Academic Integrity Committee will apply in this case.
2. The LOWI may not be asked to provide an opinion on the imposition or implementation of disciplinary measures.
3. The Executive Board will decide within six weeks of receipt of the LOWI's opinion whether to proceed to a new handling of the complaint or to issue its final ruling on the complaint and the consequent disciplinary measures to be imposed. The Committee will inform the complainant, the defendant and the Dean of the Faculty where the defendant works of this in writing.
Article 16: Faculty complaint regulations

Faculty complaint regulations regarding academic integrity do not apply.

Investigation at the request of the Executive Board.

Article 17

The Executive Board may ask the Academic Integrity Committee to carry out further investigation into a suspected violation of academic integrity.

Article 18

If the Academic Integrity Committee investigates a suspected violation of academic integrity at the request of the Executive Board, the following Articles of these Regulations will be of corresponding application:
1. Article 3;
2. Article 4.3 to 4.6;
3. Article 5;
4. Article 6.2;
5. Articles 8.6 and 8.7;
6. Article 12;
7. Article 13, and

Final Provisions

Article 19: Entry into force

These regulations enter into force on the day of their adoption by the Executive Board.
Explanation

General
Within Leiden University, all those involved in academic teaching and research are personally responsible for meeting generally accepted standards for academic practice when executing this research or teaching. The general principles of professional academic practice must be observed at all times.

The Memorandum on Academic Integrity: Academic Research Standards and a National Academic Integrity Committee (‘Notitie Wetenschappelijke Integriteit, Over normen van wetenschappelijk onderzoek en een Landelijk Orgaan voor Wetenschappelijke Integriteit’) dating from November 2001 and produced by the Royal Netherlands Academy of Arts and Sciences (KNAW), the Netherlands Organisation for Scientific Research (NWO) and the Association of Dutch Universities (VSNU) formulates a number of generally applicable standards of academic practice together with ways in which these standards might be violated. The Dutch Code of Conduct for Academic Practice: Principles of Good Academic Teaching and Research was adopted by the VSNU on 25 October 2004. This sets out in detail the principles that apply to professional academic teaching and research. This code contains principles and the ramifications of these principles to which those involved in academic work at the University are required to adhere.

One instrument to test academic integrity is the right of complaint about suspected violations. The aforementioned memorandum of the KNAW, NWO and VSNU provides the impetus for adopting regulations for the investigation of suspected violations of academic integrity. In 2003 the KNAW, NWO and the VSNU set up the National Academic Integrity Committee (‘Landelijk Orgaan wetenschappelijke Integriteit’, LOWI). This committee advises the Executive Board on complaints on violations of academic integrity.

In order to implement the right of complaint at the University, the Executive Board has adopted the regulations set out below. These also include a regulation for investigating suspected violations of academic integrity at the request of the Executive Board. The regulations formalise academic freedom as referred to in Article 1.6 of the Higher Education and Academic Research Act.

The Articles

Article 1.2
The memorandum and the code serve as a guideline for assessing whether there has been a violation of academic integrity. The memorandum provides universally applicable standards of academic practice and ways in which these standards might be violated. The code contains principles to which anyone involved in academic work at a university (lecturers and researchers) must adhere individually as well as towards others and society. The principles can be interpreted as universal opinions on good academic practice. Anyone engaging in academic work should be able to demonstrate how he or she applies these principles in practice. The principles are not intended as additional legal rules. Anyone engaged in academic work is bound to the framework set by Dutch and international legislation. The principles mentioned in the code have been further specified as guidelines. These guidelines form a set of rules governing the conduct of lecturers and researchers. They represent national and international best practices. A departure from these principles may be justified in specific circumstances.

Rulings delivered in specific cases will serve to deepen and strengthen these standards further. Alongside the memorandum and the code, the published advice of the LOWI about the different forms of violation of academic integrity will play an important part in this (see also the KNAW website). This will also mean that the latest understanding will serve as the basis for the
definition of the term of violation of academic integrity. The frame of reference is therefore the memorandum, the code and the LOWI's recommendations.

**Article 4.4**
The Executive Board may not give any instructions regarding the handling of a complaint.

**Article 4.5**
The report must contain the number and nature of complaints and the how they were handled. The report may also contain recommendations aimed at preventing violations of academic integrity. The annual report will be published in an anonymised form.

**Article 5.3**
The Academic Integrity Committee is authorised, regardless of whether or not this is at the request of the complainant, to remove sensitive privacy-related information, as long this does not violate the principle of defence. The anonymisation of a complaint is only permitted in so far as this does not violate the principle of defence.

The storage of data is subject to the conditions of the Dutch Data Protection Act.

**Article 1.1(f) and Article 6**
These regulations will be without prejudice to the right of the parties involved at any stage of the procedure to apply to the civil court.

A complaint may be submitted by any individual, but – in line with the code - a complaint can only be about an employee of the University, an external PhD candidate or an endowed professor. For the definition of the term employee, the stipulations relating to this from the Collective Labour Agreement for Dutch Universities are enclosed. External PhD candidates and endowed professors are not employees in the sense of the Collective Labour Agreement. These regulations apply to them because of their special legal relationship with the University. This comes about because external PhD candidates - just like PhD candidates whose appointment is under the Collective Labour Agreement - are receiving training leading to a legally recognised qualification. An endowed professor is affiliated with the University due to the permission granted by the Executive Board to establish an endowed chair and in consequence of the ensuing right to confer a PhD. Guest employees do not fall within the scope of the regulations.

**Articles 1.2, 6.2, 7, 8.2, 8.3, 12, 13.1 and 14.1**
If the notice of complaint does not state that a suspected violation of academic integrity has been perpetrated by an employee, external PhD candidate or endowed professor of the University in the pursuit of academic teaching or research at the University, the Executive Board will declare the complaint unfounded. This also applies if the requirements referred to in Article 7 have not been met and this omission has not been rectified within the time limit set for this; if the complaint is about an activity about which a complaint has previously been lodged and which has also been handled; if the complaint is about an activity that took place more than five years before the complaint was lodged; or if the violation is manifestly insufficiently grave.

The Academic Integrity Committee will only assess the substance of the complaint if it is admissible. It will assess whether there actually has been a violation of academic integrity. In order for the Committee to be able to verify this, there is, in principle, an obligation to hear all parties. If, however, it is already clear from the letter of complaint that the complaint of the complainant is unfounded and that there is no reasonable doubt about this conclusion, this obligation to hear all parties is not applicable. This is also the case if the complainant has indicated that he or she does not want to be heard. The Academic Integrity Committee will report to the Executive Board about the validity of the complaint and the disciplinary measures to be imposed. The Executive Board will then issue a ruling on the complaint.
Article 8.1
The Dean will be kept informed of all steps taken during the procedure of handling a complaint that has been lodged.

Article 8.3(b)
The complaint is not a repeat complaint if new facts and circumstances are introduced that shed new light on a previous complaint.

Article 8.6
In this respect see also the explanation of Article 5.3.

Articles 9, 10 and 11
At each stage of the complaints procedure the procedure can be halted if a solution is found that meets the satisfaction of the complainant. This makes it possible to resolve complaints in rapid and informal manner. The opinion of the complainant is decisive, but the initiative may rest with the Academic Integrity Committee or the Executive Board. The complainant can make it known informally that he or she is satisfied and is not bound to any formal requirements. If there is any doubt, it is advisable to ask the complainant for written confirmation that he or she is satisfied.

The LOWI cannot be asked to pass an opinion on a decision of the Committee for Academic Integrity to terminate the handling of a complaint.

If the complaint is withdrawn, the complaints procedure is terminated. However, this does not prevent the possibility of the Academic Integrity Committee continuing the investigation itself at the request of the Executive Board. In such a case, Articles 17 and 18 of this regulation are applicable and Articles 3 to 16 are no longer applicable.

Article 12.2
The complainant can let it be known in writing and/or verbally (also by telephone) that he or she relinquishes his or her right to be heard. If the complainant is otherwise satisfied, the procedure can be terminated with the application of Article 11. In the case of doubt about the complainant’s wishes, he or she must always be heard.

Article 12.5
There is no explicit duty to send the report to those involved. However, the parties involved can ask to inspect the report. In this respect, see also the explanation of Article 5.3. The report must contain an outline of what is discussed during the hearing.

Article 14.1
The Executive Board must indicate whether the complaint is founded or unfounded.

If the Board has determined that a violation of academic integrity has occurred, it can impose a range of disciplinary measures. The imposing of disciplinary measures is subject to the civil service and employment law applicable to the employer/employee relationship between the University on the one hand and its employees on the other. Measures to be imposed are therefore subject to this law.

Article 15.3
The LOWI assesses whether a complaint has been handled correctly. If it is of the opinion that the procedure followed does not pass this formal test, it will advise a renewed handling of the complaint.
If the LOWI is of the opinion that the case may have been dealt with correctly in a formal sense but that there are nevertheless material grounds for subjecting it to a new examination, it will set up an enquiry itself. In this case, the LOWI issues a recommendation giving reasons to the Executive Board. In both cases, once the Executive Board has issued a new ruling about the complaint, having taken into consideration the LOWI’s recommendation, no new opinion can be requested from the LOWI.

**Article 16**
Faculty complaints regulations regarding academic integrity are no longer applicable. This University regulation applies in their place.

**Article 17**
The Executive Board can exercise this power at any time. In order to enable the Executive Board to make use of this at the termination of the complaints procedure as provided for in Articles 9, 10 and 11, the Executive Board should be notified of this termination.

**Article 18**
If the Executive Board asks the Academic Integrity Committee to conduct an investigation into a suspected violation of academic integrity, the same general procedure will be followed as the complaints procedure. The committee has the same powers in this case, and there is also an obligation to hear all parties. In the articles that have been declared to be equally applicable in these instances, 'suspected violation of academic integrity' must be read instead of 'complaint' and for 'written complaint' 'request from the Executive Board'. The terms regarding the complainant are not applicable in this case. The Executive Board will not issue a ruling on whether the complaint is founded but will indicate whether there has been a violation of academic integrity. The Executive Board can also impose disciplinary measures in this case.