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Guideline on Irregularities

**HU University of Applied
Sciences Utrecht**

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Introduction

One of the duties of the examination board is to guarantee the quality of tests and examinations ('Wet op het Hoger Onderwijs en Wetenschappelijk Onderzoek', Higher Education Act, hereinafter 'WHW', 7.12(b), subsection 1(a)). In order to be able to perform this duty properly, it is necessary for the entire system of testing and examining to contain sufficient guarantees for the prevention and detection of irregularities and for the imposing of sanctions in respect of them (WHW 7.12(b), subsection 2).

The annual meta analyses of the annual reports of the examination boards of the HU University of Applied Sciences Utrecht records how the various examination boards deal with irregularities. As in previous years, the examination boards report few irregularities. They reported a detection rate of 1.8%¹ in 2022-2023 (the number of reports divided by the total number of students at the HU) regarding irregularities. Given this low percentage, the prevention and detection of irregularities require attention.

In order to arrive at an unambiguous policy on the prevention and detection of irregularities, and for the imposing of sanctions in respect of irregularities, the policies of the former faculties as available in the HU were reviewed and compared. The Guideline on Irregularities that emerged from that comparison has been evaluated and adjusted. This second version is in line with the [Reglement Toetsen](#) (Test Regulations) and the invigilator protocol.

This irregularity policy is structured similarly to the process we ideally encounter in practice. A number of concepts are clarified first, after which attention is paid to the prevention of irregularities. Chapter 3 provides guidance on the detection of irregularities, followed by guidelines on sanctions in Chapter 4.

The applications of Generative AI (GenAI) make detecting and proving unlawful use of GenAI important and at the same time more difficult for examination boards. The HU guidelines provide some guidance, but developments are moving quickly. While the best remedy is to adapt testing to GenAI use, this guideline attempts to provide some guidance for irregularities based on the use of GenAI.

¹ Quantitative and qualitative analysis of annual reports 2022-2023 HU Examination Boards

1. Concept clarification

AI: Artificial Intelligence. This also refers to generative AI, or AI, which can generate texts, images, sound fragments and video images (*Kennisnet*, 2024²) In this document we use the term GenAI (Generative AI).

Quoting: Copying another person's text verbatim, in whole or in part, without making any changes to the original text and with proper acknowledgement of the source (APA guidelines³, 2017).

Data fraud: There are two possible forms. The first form is to work with real data, but with selective and undisclosed omission of exceptional scores on variables or of exceptional research results, where 'exceptional' means that the information omitted does not correspond to what the researcher would like to see as the result.

The second form is the complete or partial fabrication of data (Levelt et al.⁴, 2012).

Irregularities: Any act or omission that is contrary to the rules, guidelines and instructions regarding the taking of interim examinations (in accordance with the OER HU 2024-2025).

Fraud: Committing an irregularity whereby the examiner is not able to form an opinion of the knowledge, insight and skills of a student or of one of the fellow students (in accordance with the OER HU 2024-2025).

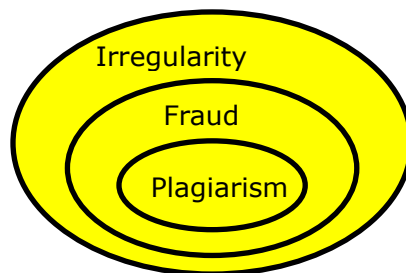


Figure 1: Plagiarism is a subset of fraud. Fraud is a subset of an irregularity. (Source: *Handreiking voor Examencommissies*).

² Kennisnet.nl - Generative AI.

³ The APA guidelines explained, 2017.

⁴ Falende wetenschap: De frauduleuze onderzoekspraktijken van sociaal-psycholoog Diederik Stapel, 2012.

Paraphrasing: The reproduction of a passage from someone else's work, in one's own words (APA guidelines, 2017).

Plagiarism: Taking over text, images or ideas from someone else's work or via GenAI, in whole or in part, without careful source reference (NAI⁵, 2024).

Sanctions ladder: An overview for the examination board of the sanctions to be imposed, depending on the type and severity of the irregularity.

Test: An investigation into the knowledge, insight and skills of the student, together with the assessment thereof. Every course is concluded with a test. There are different types of tests, such as a written test, digital test, assessment, oral test. The law also refers to '*tentamen*' (interim examination) (OER HU 2024-2025).

Self-plagiarism: The reuse of one's own work in new work, without properly referring to that previous work (APA guidelines, 2017).

2. Prevention

In order to prevent irregularities, the HU must inform the students in a timely and proper fashion about what irregularities are and how they can be prevented. This may include teaching the difference between quoting and paraphrasing, the correct use of APA guidelines, rules on collaboration, self-plagiarism, etc. In addition, irregularities can also be limited by taking measures in all aspects of the test chain.

These measures include:

- limited re-use of assignments and test questions; proper archiving in a safe place;
- not designing tests in (full) view of students at flexible workstations;
- proper supervision when students are given the opportunity to inspect their marked answer sheets or works;
- clear agreements on permitted aids and tools;
- clear rules for individual contribution to, and assessment of, group work;
- well-equipped rooms and adequate supervision for written tests;
- clear rules and guidelines for taking tests digitally (online);
- good verification of the marks obtained when applying for exemptions;

⁵ Plagiaat, Netwerk Auteursrechten Informatiepunt, 2024

- Clear guidelines for authorised and unauthorised use of GenAI in assignments. When GenAI is used with authorisation, it is important for a study programme or institute to formulate clear rules regarding the use of GenAI and the correct reference to it in assignments and tests. For example, this could involve referring to the prompts used or, for pieces of text generated by GenAI, referring to the software used.

There are many more measures that could be mentioned to prevent the conscious and unconscious committing of irregularities. Please refer inter alia to the [*Reglement Toetsen*](#) (Test Regulations).

3. Detection and reporting

Reporting suspected irregularities and fraud to the examination board is compulsory, as the examination board is in charge of assessing irregularities (Article 4.12 OER HU). Irregularities are mainly detected by examiners and invigilators, but (fellow) students can also report an irregularity. Possible means and ways of detection of irregularities include:

- the results of the plagiarism scanner;
- striking similarities in the answers given or work produced by different students;
- checking for the use of other people's work/plagiarism by verifying sources, e.g. the internet;
- inquiring about the correctness of e.g. advice given in the assessment of traineeships/practice-based learning (given by traineeship supervisors, practical trainers);
- striking use of language or break in style due to the use of GenAI for (part of) the text;
- unclear source references (e.g. without page numbers) may indicate sources fabricated by GenAI.

The HU uses a plagiarism scanner to detect plagiarism. This programme checks whether the documents submitted show any similarities with one or more sources in its own databases or on the internet. The programme certainly does not work flawlessly; for example, photo files are not scanned and not all university texts are included in its comparison. If the examiner suspects plagiarism or another irregularity, they will often have to look for evidence themselves.

Blocking software is used for online tests on the student's own laptop at the HU ([BYOD-toetsen](#) (BYOD testing)). This software ensures that a student can only access the test during the test and prevents access to internet browsers and other programmes. In an online proctored test outside the HU, software is used to monitor the student's actions during the test. Video and audio recordings of the student are made and reviewed afterwards. For more information, refer to [HU Wegwijs](#) (HU Information).

If an irregularity is suspected, the examiner, like the invigilator, has a duty to report. The report is examined by the examination board, after which a sanction may be imposed if the irregularity is found to be proven. The following chapter describes the procedure to be followed in such a case.

A manual on the use of the plagiarism scanner for lecturers can be found via [EenHU](#) (OneHU). A manual for reviewing online proctored tests and online tests on your own laptop at the HU can also be found via [EenHU](#) (OneHU).

3.1 Reporting a suspected irregularity

If an irregularity is suspected, the examiner proceeds as follows:

- The examiner reports suspected irregularities to the examination board via HUKAS and indicates the section of the test product where irregularities are suspected. The work is not (yet) assessed.
- If GenAI is suspected of being used, the lecturer can discuss this suspicion with the student to gain insight into how GenAI has been used (unauthorised or authorised). This is partly because it is very difficult to prove unauthorised use of GenAI.
- The examiner transfers, if applicable, the student's written work to the official secretary. If available, the examiner adds supporting evidence to the report.
- The examiner informs the student that the assessment has been postponed due to a suspected irregularity and that a report has been made to the examination board and that they will carry out further investigations.
- Once the examiner has reported the case of possible irregularity to the examination board, they may under no circumstances discuss the substance of the matter with the student, unless the examination board specifically requests this. The examiner refers the student to the examination board for further proceedings.

3.2 New interim examination administration

If there is any doubt as to the correctness of an interim examination result, the examination board may have a new interim examination administered on the components it has indicated and in the manner it has determined.

4. Procedures and sanctioning

Three categories of irregularities can be distinguished:

1. Irregularities in written or digital tests (physical or online).
2. Irregularities in written work/professional products.
3. Other irregularities.

The procedures followed by the invigilator/examiner/examination board for suspected irregularities in the first two categories, are described below.

4.1 Written tests

When administering (centrally organised) written tests at the HU, it is the task of the invigilator to ensure that no irregularities occur. If irregularities are suspected, the invigilator completes an irregularities report in accordance with the invigilator protocol. The report, the test made and any confiscated resources are handed in by the Test Centre to the examination board concerned immediately after the test. If this is not possible digitally via HUKAS (e.g. in the case of a hard copy test), the official secretariat will ensure receipt of the documents. The Test Centre reports to the examiner that an answer sheet or work has been withheld due to a suspected irregularity. The examiner then knows that the test in question cannot/may not be assessed for the time being.

If there is suspected irregularity during marking (e.g. a number of students give identical answers, or many students answered almost all the answers correctly), the lecturer will report this immediately to the examination board concerned. The examination board then decides whether further investigation is necessary. Refer to Article 4.5 for more information.

4.2 Digital tests

When conducting digital tests in Testvision on one's own laptop (BYOD) and on fixed PCs (desktop) of the HU, it is also the duty of the invigilator to ensure that no irregularities occur.

In an online proctored (home) test, software is used to monitor the student's actions during the test. During online proctored (home) tests, video and audio recordings are made of the student that must be reviewed by the examiner afterwards. With online tests taken on one's own laptop at the HU (BYOD), blocking software is used. This is software that ensures that a student can only access TestVision during the test. If a student tries to open something else on the laptop during the test, a coloured screen will appear that only the invigilator can unlock. Red screens (possible fraudulent conduct) are reported by the Test Centre in daily reports to the examination board. If an irregularity is suspected, the examiner (or invigilator) reports this to the examination board.

When assessing an irregularity, the examiner performs the following actions:

- checking the attendance list and the end time to ensure that a test is taken within the room reserved for the test (and not mistakenly outside the room in which the tests are conducted);
- use of someone else's identity (for example, someone else's ID card);
- (attempted) use of unauthorised sources and tools, such as consulting the internet (via telephone, smartwatch or other equipment), the use of generative AI, chatbots, books and receiving help by others in order to influence the test result;
- (attempted) use of unauthorised stored, projected, printed or handwritten texts, images or cheat sheets;
- students who, during the test, are no longer within view of the webcam and/or who have turned off their microphone, insofar as this happens outside of (any) authorised breaks;
- (any attempt to) make images or copies of the test or to steal paper and/or test information;
- (any attempt to) make technical adjustments that undermine the blocking software.

4.3 Written work/professional products

If an examiner suspects that an irregularity has occurred in written work or, for example, a professional product, the examiner reports this to the examination board. In principle, all written work is scanned for plagiarism.

In assessing a plagiarism report, the examiner takes into account, inter alia, the following:

- The limit values that the study programme may use for screening. It is impossible to specify generally applicable limit values for this, as this depends on the current test products. The examiner has a great deal of responsibility in this regard.
- Possible false positives, e.g. based on a high percentage of overlap in source citations, due to resits or due to the mandatory use of formats.

If an examiner suspects that a student has had (parts of) a text written by GenAI where this is expressly not permitted in a test, or if a student has used authorised GenAI but has not included a correct reference to GenAI in accordance with the rules of the study programme, the examiner will report this to the examination board. It is important that the examiner describes as specifically as possible what they base their suspicion on, because it is very difficult to prove that a student has used GenAI.

4.4 Other Irregularities

Some examples of irregularities other than those mentioned above include:

- Identity fraud (e.g. gaining access to the examination using someone else's ID).
- Irregularities during test inspection (e.g. changing the answers given or score, taking pictures, inspection without having taken the test).
- Irregularities during assessments and verbal tests.
- Unauthorised access to the test (e.g. using an expired ID card or someone else's login code).
- Forged or falsified diplomas, certificates, statements, signatures and/or lists of marks (e.g. to obtain exemption, or to receive an assessment of a fictitious work placement).
- More time used to complete the test.
- Not following the instructions of the invigilator.
- The submission of (parts of) papers written by someone else, whether or not for payment, or written by GenAI, including papers acquired from a commercial institute.

The above lists of examples are not exhaustive.

4.5 The irregularity handling procedure

When handling a suspected irregularity, the examination board proceeds as follows:

- On the basis of the report, the examination board will examine whether a continuation of the procedure is necessary.
- If the examination board finds no irregularity, it will inform the examiner that the test product can still be assessed.
- If the examination board finds sufficient reason to continue the procedure, the student will be invited for a hearing. Relevant documents should be forwarded to the student so that a student can prepare properly.
- If necessary, the examiner and/or the invigilator are asked to give an explanation.
- At least two members of the examination board will hear the student (Article 4.12.2 OER HU 2024-2025). The student is given the opportunity to respond and explain his/her version of events. The student is not obliged to do this and may exercise their right to remain silent [*zwijgrecht*] (in accordance with Section 5:10a of the Dutch General Administrative Law Act [*Algemene wet bestuursrecht*]). A report is drawn up of this hearing.
- If the examination board so desires, additional investigation may be carried out.
- After hearing the student, the examination board will deliberate in order to reach a final verdict and may impose a sanction. In doing so, it uses the HU sanctions ladder.
- If the examination board decides to declare the student's test invalid, it will enter the result 'not valid' (NG - 'niet geldig') in OSIRIS.
- If the examination board decides not to impose a sanction on the student, it will request the examiner to assess the test product and enter the mark in OSIRIS. If the entry deadline has expired, the examiner can request the examination board to provide for the entry of marks via HUKAS.
- The student will receive written notification of the examination board's verdict within a period of ten working days from the date of the hearing (Sect. 4.12.2 OER HU 2024-2025).
- If necessary, the examiner will be informed of the sanction. For example, whether a student has to revise an entire professional product or only a part of it. For reasons of privacy, the examiner is not informed by the examination board in all cases.
- The sanction imposed is, if relevant, also communicated to Study Progress (*Studievoortgang*). E.g. the entry of a 'not valid' result or the exclusion from taking tests for a longer period of time.

4.6 HU Students' Charter

It is possible that during its investigation into the irregularity the examination board concludes that the case in question is not a matter for the examination board because it does not concern testing.

In that case it is necessary that the institute director is informed. They can then take appropriate measures on the basis of the students' charter.

4.7 Sanctions ladders

In the following three paragraphs, the sanctions ladders for different tests are listed.

The sanctions ladder is a general guideline. The examination board may deviate from this, making use of sanctions lighter or heavier than prescribed, with proper substantiation. Every sanction will be communicated to the student, stating the reasons for the sanction.

If the sanction consists of exclusion from one or more tests, the examination board may decide to have the sanction take effect in a specific period; this does not have to immediately follow the period in which the irregularity was committed. This is to prevent a sanction from being disproportionately severe.

In the case of the re-use of one's own work (self-plagiarism), the sanctions ladder for reporting can be used. In doing so, the examination board can decide to impose a sanction lower on the ladder than the one indicated at that time in the sanctions ladder for reporting. An important matter to consider in this context is the extent to which the student wants to 'get free credits' using work that has already been submitted and marked.

If a sanctioned student is deregistered from the study programme at their request in the meantime, the (remainder of the) sanction will still be carried out in the case of any re-registration.

If there is any doubt as to the correctness of a test result, the examination board may refrain from awarding the (degree) certificate, statement or diploma. This can be done both in the case of an irregularity or an error made by the organisation.

If an irregularity is not discovered until after the (degree) certificate, statement or diploma has been awarded, the examination board may withdraw the (degree) certificate, statement or diploma.

Consultation with Corporate Control and the Legal Affairs Department is necessary in this respect. In view of the principle of trust, any withdrawal should be made as quickly as possible.

4.7.1 Sanctions ladder for irregularities in written and digital tests (physical and online)

Level	Action	Sanction in the first year of registration of the bachelor's degree or AD programme	Sanction in other years and in the master's degree programme
1	<p>After the test, making a (photo) copy of questions that have not been offered for distribution; During the test, being in the possession of aids or tools (e.g. (pre-programmed) calculators, books, syllabi, notes, mobile electronic communications equipment such as cell phones, etc.) of which use is expressly forbidden; or the unauthorised use of information sources to achieve a better result.</p> <p>Unlawful acquisition of (partial) knowledge by means of aids or tools such as notes, telephones, electronic devices or a handwritten material during the test, or by means of unlawful or different use of the permitted aids.</p> <p>Cheating (by way of peeking at other student's answer sheets or work) during the test or exchanging information inside or outside of the test room.</p> <p>Students who, while sitting the examination, are no longer within view of the webcam and/or who have turned off their microphone, insofar as this happens outside (any) authorised breaks⁶</p>	Invalidation of the test result ('NG' - 'niet geldig', not valid).	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from the next opportunity to take the test(s) related to the course⁷</p>

⁶ If intent cannot be proven, the examination board may decide to administer a new test. The test already taken may then be marked as 'not valid' due to the irregularity.

⁷ In the event of an irregularity, the examination board may deny the person concerned the right to sit one or more tests or examinations, to be determined by the examination board, for a period of no more than one year (Section 7.12(b), subsection 2 of the WHW). The sanctions listed in the tables should therefore be read as guideline.

Level	Action	Sanction in the first year of registration of the bachelor's degree or AD programme	Sanction in other years and in the master's degree programme
2	<p>Taking the test outside of the test room reserved for the relevant test which is a BYOD test.</p> <p>(Any attempt aimed at) making any unauthorised copies or photographs of the test.</p> <p>Consciously obtaining prior knowledge of the test.</p> <p>Deliberately organised unauthorised cooperation (e.g. information exchange via a WhatsApp group).</p> <p>Executing or assisting in the substitution of persons (use of another person's identity document).</p> <p>Changing the answers, made available during inspection, with the aim of influencing the mark.</p> <p>Repetition of level 1 or 2 or a combination of both.</p>	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from the next test opportunity to take the test(s) related to the course.</p>	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from participation in all tests for the next period.</p>

3	<p>(Any attempt to) make technical adjustments that undermine the proctoring or blocking system (in case of BYOD testing).</p> <p>First repetition of level 2 and/or 3.</p>	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from participation in all tests for the next period.</p>	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from participation in all tests for the next two periods.</p>
4	<p>Second repetition leading to a third sanction.</p> <p>Irregularities sufficiently serious in nature, that there are aggravating circumstances: threats/violence.</p> <p>Student has unauthorised access to an (interim) examination and/or answer sheets and markings.</p>	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from participation in all tests for 1 year.</p> <p>Advising the institute director to terminate the student's study programme.</p>	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from participation in all tests for 1 year.</p> <p>Advising the institute director to terminate the student's study programme and to prohibit re-registration with the same institute.</p>

4.7.2 Sanctions ladder irregularities reporting and reports

Level	Action	Sanction in the first year of registration of the bachelor's degree or AD programme	Sanction in other years and in the master's degree programme
1	<p>Failure to indicate clearly in the text, for example by means of inverted commas or a particular style of typography, that (near) verbatim quotations were used in the work, even if the source was correctly cited.</p> <p>Using GenAI* to create any part of the work when this is expressly prohibited, or without reference to a source.</p> <p>Visible cooperation with partner(s), while individual work is required.</p>	Invalidation of the test result ('NG' - 'niet geldig', not valid).	Invalidation of the test result ('NG' - 'niet geldig', not valid).
2	<p>Using or copying (other people's) texts, material, data or ideas without complete and correct acknowledgement of the source (whether or not detected via a plagiarism scanner).</p> <p>Using large sections of text (provided this is contrary to the assignment), with reference to a source.</p> <p>The use of GenAI to create a large part of the work, while this is expressly not allowed, or without reference to a source.</p>	Invalidation of the test result ('NG' - 'niet geldig', not valid) and possible exclusion from all tests for up to one year (depending on the severity of the irregularity)	Invalidation of the test result ('NG' - 'niet geldig', not valid) and possible exclusion from all tests for up to one year (depending on the severity of the irregularity)

<p>3</p>	<p>Repetition of level 2.</p> <p>Using or copying (other people's) texts, material, data or ideas without complete and correct acknowledgement of the source (whether or not detected via a plagiarism scanner) in a graduation project or traineeship.</p> <p>The use of GenAI for creating a large part of the graduation project or traineeship, while this is explicitly not allowed, or without reference to a source.</p> <p>Irregularities sufficiently serious in nature, where aggravating circumstances apply, causing this sanction to be deemed justified.</p>	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from participation in all tests for 1 year.</p> <p>Advising the institute director to terminate the student's study programme.</p>	<p>Invalidation of the test result ('NG' - 'niet geldig', not valid).</p> <p>Exclusion from participation in all tests for 1 year.</p> <p>Advising the institute director to terminate the student's study programme and to prohibit re-registration with the same institute.</p>
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*note: It is essential that the study programme provides clarity on what is and is not permitted. Refer to paragraph 4.3 and the HU's [Handreiking Generatieve AI](#) (Guidance on Generative AI).

4.7.3 Irregularities in formative data points

The examination board has no legal authority during formative moments⁸. However, if a data point is part of a summative or decision moment, the examination board does have authority.

If a student commits an irregularity at a formative data point, it is primarily the responsibility of the study programme to take action. The study programme can take measures here on the basis of the [*studentenstatuut*](#) (students' charter).

The lecturer can write down their suspicion in the feedback on the data point. This feedback is taken into account at the decision moment. The examiners report the suspicion to the examination board.

There may be a suspicion of an irregularity in one or more data points. In that case, it is recommended that the person providing feedback on the submitted product (data point) communicates their suspicion to the examiner before the decision moment takes place.

⁸ Examinations Appeals Board (CBE-)decision of 22 April 2024

4.7.4 Sanctions ladder other irregularities

Action	Sanction in the first year of registration of the bachelor's degree or AD programme	Sanction in other years and in the master's degree programme	Repetition
More interim examination time appropriated	Invalidation of the test result ('NG' - 'niet geldig', not valid).	Invalidation of the test result ('NG' - 'niet geldig', not valid). Exclusion from the next interim examination opportunity of the test(s) of the course.	Invalidation of the test result ('NG' - 'niet geldig', not valid). Exclusion from participation in all tests for the next two periods.
Access granted to the test. (E.g.: "I have permission from the examination board" or without valid ID. Or participate remotely online where this is not the intention.)	Invalidation of the test result ('NG' - 'niet geldig', not valid).	Invalidation of the test result ('NG' - 'niet geldig', not valid). Exclusion from the next interim examination opportunity of the test(s) of the course.	Invalidation of the test result ('NG' - 'niet geldig', not valid). Exclusion from participation in all tests for the next period.
Falsified or forged list of marks of an assessment/traineeship contract, proof of enrolment or other documents by which the student intends to obtain credits, an exemption or an assessment.	Invalidation of the test result ('NG' - 'niet geldig', not valid) Exclusion from participation in all tests for the next two periods	Invalidation of the test result ('NG' - 'niet geldig', not valid). Exclusion from participation in all tests for 1 year .	Advising the institute director to terminate the student's study programme and to prohibit re-registration with the same institute.
Inadmissible behaviour (violence or threats)	The institute director determines the sanction.		
A falsified or forged (degree) certificate or diploma (e.g. to obtain an exemption)	Always report to Corporate Registrar. If an irregularity is proven, a report will be filed with the police. The institute director determines the sanction.		

Level	Action	Action
0	Tests that can no longer be considered reliable due to an error by the organisation.	Invalidation of test result. No marking. Report to institute director and Corporate Registrar. Refer to the HU Contingency Plan.

For all other irregularities not included in this sanctions ladder, the examination board will impose an appropriate sanction depending on the severity of the irregularity.