

Organisation of Examinations
Disciplinary Procedure

I) Organisation of examinations

A) Procedures for the assessment of knowledge

Articles L.613-1 and L.711-1 of the Education Code grant universities a pedagogical autonomy to decide on the procedures for the assessment of knowledge, in accordance with the regulations.

These procedures must be voted within one month from the start of the university year by the Board of Management and the Learning, Development and University Life Commission.

These procedures and the general regulations for examinations must be displayed on teaching premises. They must be brought to the attention of students by all means likely to ensure a wide diffusion (website for instance). The advertising must be adequate and actionable in case of litigation.

Procedures for the assessment of knowledge have to include the following:

- number of tests ;
- nature, duration and coefficients of tests;
- rules relating to compensation ;
- importance of the continuous assessment, of the final assessment ...

ex: Article 11 of the Order of 1st August 2011 relating to the Bachelor's degree : “[the] continuous and regular assessment is the subject of a priority application.”

Once voted, the general regulations for examinations and the procedures for the assessment of knowledge cannot be altered.

B) The principle of the double session

There is an interval of two months at least between the two sessions of examinations, unless special educational provisions have been voted by the Learning, Development and University Life Commission.

A support scheme must be proposed between those two sessions.

C) Prerequisites to sit an examination

Students in initial training, ongoing training and vocational training must be administratively and pedagogically registered.

Auditors cannot sit examinations.

Adjustments are allowed for employees, top athletes (status issued by the Ministry for Urban Affairs, Youths and Sports) and students with disabilities.

Reminder: Students with disabilities have to register with the Student Affairs Department of their school. To benefit from adjustments, they have to make an appointment with the University Department of Preventive Medicine and Health Promotion as soon as they are enrolled or two months

before the date of the first test at the latest. This department transfers the completed medical certificate for approval to the Dean or Head of the school of enrollment. The document is then sent to the Office for Students with Disabilities for final decision of the Vice-Chancellor of the University. The decision of the Vice-Chancellor is only valid for the current academic year. A notification is finally sent to the students by the Student Affairs Department of their school.

Article 7 of the internal regulations of the University of Limoges, voted by the Board of Directors of the 12th of February 2010, states that “[...] the University respects all religious beliefs. Proselytizing activities are forbidden within its premises. People are free to wear religious symbols, except public servants for whom it is strictly forbidden to do so. This right can be restricted depending on safety imperatives, especially during some activities.

The academic calendar is independent from any religious calendar [...]”

D) Dates of examination

The dates of examination are a measure of material organization of the procedures for the assessment of knowledge.

They can be modified by decision of the Board of Directors.

They must be displayed at least 15 days before the beginning of examinations and posted on the ENT and the schools’ websites. Warning: holidays are not taken into account in these periods.

The display of the examinations’ calendar must be permanent.

E) Examination Board/Jury

Only the Examination Board can deliberate.

The Board’s list of members must be displayed and published, and the chairman and vice-chairman have to be identified.

Marks become final only after deliberation by the Board. In case of material irregularity, the marks can only be altered by a new Board notification and a new Board deliberation.

The chairman ensures that the deliberations run smoothly and writes the reports.

The jury’s decisions are made collectively and are final. The evaluation concentrates on the value of the test taken by the students. Deliberations are not open. If a student is suspected of fraud, the Board must deliberate on the situation of this student in the same conditions as for the other students. The Board must deliberate as if there was no fraud. The fraud is declared and treated distinctly as part of a disciplinary procedure.

In case of disagreement within the Board, decisions are made by the majority of presents.

Only the Board can decide to give additional points.

The chairman cannot alter alone a decision made by the Board.

The Board cannot alter the regulations for studies and the procedures for the assessment of knowledge of the degree concerned.

The Board does not have to motivate its decision.

Each Board deliberation is recorded in a report.

The Board's decision generates rights for the students concerned. It can be challenged before the administrative judge for illegality only. There is a period for appeal of two months, starting at the publication of the results, provided that the remedies and periods for appeal have been mentioned. If they have not been mentioned, the periods for appeal are unenforceable.

An informal appeal can be made before the contentious appeal. The period for appeal is the same.

F) Material organization of tests

Special attention must be given to:

- the management and preparation of the examination rooms ;
- the anonymity of the assessment sheets ;
- the adequate quantity of rough paper. Different colors have to be used, whether in the same room or between tests. A copy of each kind of rough paper distributed has to be kept. Colors can be useful in disciplinary procedures related to fraud.
- the elaboration and observance of a seating plan. It has to be kept as well, since it can be very useful in disciplinary procedures.

Students must arrive before the beginning of the test, they must show their student card when called and sign when they hand back their assessment sheet.

Students must be on time and pay attention to when they are supposed to arrive. The teacher in charge of the test will decide whether or not a student arriving late can sit the test. This tolerance cannot exceed 20 minutes after the beginning of the test, and the student will not be given extra time. This potential tolerance cannot be applied for competitive examinations, where no student will be admitted after the opening of the envelopes containing the subjects.

Unless it is explicitly indicated, all documents and materials are forbidden. Students must leave their bags, satchels, mobile phones and other means of communication at the entrance of the examination room. Any student caught with a means of communication exposes himself/herself to a disciplinary procedure for fraud or attempted fraud.

Similarly, students wearing a headgear can be checked to ensure that they do not hide a means of remote transmission. These inspections can take place before and/or during the test at the request of an invigilator.

The test must be invigilated by two members of the University staff at least, one of them at least being a teacher from the pedagogical team organizing the test. The members of staff are summoned by the school concerned.

Invigilators check that students sit in their allocated place when necessary and ensure that the test runs smoothly. They must remind the students of the examination guidelines.

The teacher in charge of the test will write a record of the proceedings and have all the invigilators sign it. This document indicates the time of beginning and end of the test, the number of students summoned, the number of students effectively present and the number of assessment sheets handed back. It must also report any lateness of the candidates, any particular event and, if need be, any record of suspected fraud (see the Disciplinary Procedure section).

As part of distance education/learning, part of the assessment of knowledge will take the form of an on-site examination or synchronous distance examination (virtual classroom or any other tool

allowing a direct audio and video connection). This assessment will be determined in the procedures for the assessment of knowledge of the degree concerned. The identity of the students will be checked by means of their student card. This check procedure is also applied for compensatory sessions.

G) Rights and obligations of the students

The examination subject must deal with themes taught or studied during classes, projects, tutorials or as part of required readings. It can call in knowledge that has supposedly been acquired during the previous years of training.

It must obey the principle of neutrality of the civil service.

Students must have been informed of the procedures for the assessment of knowledge, of the regulations for studies and of the examination charter.

The assessment sheets must remain anonymous, without any sign identifying the students.

Students must arrive before the beginning of the test, they must show their student card when called and sign when they hand back their assessment sheet. This signature is an obligation.

Students must follow the seating plan.

Unless it is explicitly indicated, all documents and materials are forbidden. Students must leave their bags, satchels, mobile phones and other communication devices at the entrance of the examination room. Any student caught with a communication device exposes himself/herself to a disciplinary procedure for fraud or attempted fraud (reminder).

On principle, no student can be allowed to exit the examination room before the end of the first hour, unless there is an emergency.

If a student wishes to leave momentarily (toilets), the invigilators have to:

- write on the record the name of the student, the time of exit and return ;
- keep the assessment sheets and rough papers of the student during his/her absence ;
- prevent any communication with other people and access to documents ;
- grant these leaves individually and gradually.

A student who does not hand back his assessment sheet will be considered as a defaulter.

Assessment sheets must be corrected with respect to the principle of anonymity.

Assessment sheets are nominative and administrative documents. Students have the right to consult their assessment sheets, by specific request. This right should be granted within a one month period. Assessment sheets can only be consulted after the definitive results have been given by the Examination Board, and on site.

Students also have the right, if need be and within a sensible period, to ask for a private interview.

Assessment sheets must be kept for at least a year after the publication of the results.

II) Disciplinary Procedure

A) Principle

Every action or behaviour giving an unfair advantage to a student during a test is a fraud. The use of unauthorized documents, whichever the medium (mobile phones, tablets, etc.), and communicating with another person, whatever the means, fall within this category.

The disciplinary section also judges facts liable to disturb either the organization or the proper functioning of the school.

Only the disciplinary section of the university can punish frauds. The disciplinary procedure can lead to the cancellation of the test for the fraudster, the adjournment of the degree and the temporary or final ban on enrollment in higher education. The students answerable to the law and brought before the disciplinary section are entitled to the same rights as are usual for defence.

In some cases (such as forgery and the use of forged documents), a complaint can be filled in at the police station. As a consequence, the student might face both a disciplinary sanction and a penal sanction. These two sanctions are independent from each other.

The case file to seize the disciplinary section must be transmitted by the Head of the school to the Vice-Chancellor of the University as soon as possible. The Vice-Chancellor of the University considers whether or not prosecution is advisable and, accordingly, seizes in turn the president of the disciplinary section.

B) Plagiarism

The University of Limoges uses an anti-plagiarism software. A public charter describes the terms of use of this software.

Plagiarism is the theft of another's intellectual production. It is either done directly, by making an exact quotation without indicating the source, or indirectly, by claiming ownership of another's idea. Article L122-4 of the Intellectual Property Code defines plagiarism as "every complete or incomplete representation or reproduction made without the consent of the author, his beneficiaries or his successors". Plagiarism is illegal. "The same applies for the translation, the adaptation or the transformation, the arrangement or the reproduction through an art or any method." Perpetrators of plagiarism will be brought before the disciplinary section of the university. Victims of plagiarism can also bring on civil and penal proceedings against the perpetrators of this plagiarism. Article L335-2 of the Intellectual Property Code states that plagiarism is an offence punishable by three years of imprisonment and a 300 000 euros fine.

C) Frauds or disturbances in the proper functioning of the examination

In case of fraud or attempted fraud during an examination, the invigilator in charge of the examination room takes all necessary measures to stop/end the fraud or attempted fraud without interrupting the participation of the fraudster in the examination. He/she seizes the items or materials which will allow to establish the reality and materiality of the facts later.

In case of fraud or attempted fraud with a means of communication (mobile phone, laptop...), the invigilator can seize the device but read only what is displayed on the screen. Only a police officer can read the contents of e-mails or phone messages. It can thus be useful, in some cases, to bring the incriminated device to the police station.

The removal of a student is possible only in case of impersonation or disruption of the smooth functioning of the test.

D) Seizure of the disciplinary section and situation of the student

The invigilator in charge of the examination room writes a record and the other invigilators sign it. This record is shown to the perpetrator or perpetrators of the fraud who have to read it and sign it. Unless otherwise mentioned, this signature is proof that the perpetrator of the fraud has read the record. If he/she refuses to sign, it has to be indicated on the record.

The record of the fraud or attempted fraud is a key element of the procedure. It must be clear and explicit. The witnesses of the facts have to sign it. A copy of each kind of rough paper handed out as well as a seating plan will be appended to the record.

In case of a disciplinary procedure against a student, as long as the sentence has not been pronounced, the assessment sheets are corrected, whether litigious or not. The student sits his/her other tests, and the Examination Board deliberates as if there was no fraud. The Board cannot sanction the fraud through the marking. If the disciplinary section pronounces a sanction, the litigious test is automatically cancelled for the student.

When a student is faced with a disciplinary procedure, he/she cannot have access to his/her assessment sheets and marks.

In case of an ongoing disciplinary procedure against a student, the schools have to allow him/her to sit the tests of the later sessions on a precautionary basis, included the subjects that could be passed in case of discharge but might be cancelled in case of conviction. The results of these tests are taken into account or not depending on the final decision. The disciplinary section can cancel the litigious test, the subject, the teaching unit, the semester or the academic year.

E) The procedure before the disciplinary section

The procedure is not open to public.

The disciplinary jurisdiction competent with regard to users is composed of:

- two university professors ;
- two university lecturers ;
- two teachers belonging to another body of civil servants;
- six student representatives from the academic board (and six deputies)

As soon as a case is brought before the president of the disciplinary section, a commission of investigation is constituted and a reporter is appointed.

This commission of investigation is composed of a university professor, a university lecturer and a student.

The commission of investigation summons, as soon as possible, the student suspected of fraud or attempted fraud, the witnesses, the examiner or any person who might be useful to the investigation.

During all the proceeding, the student can be accompanied by the defender of his/her choice. All mail is sent to him/her by delivered post with proof of receipt.

The student has knowledge of the totality of the disciplinary file. He/she can also have a look at it at the Studies Division (88 rue du pont Saint-Martial in Limoges) during normal working hours.

The appointed reporter will write the report of investigation that will be sent to all parties involved.

The phase of judgement follows the phase of investigation. The formation of the Court is composed of the president of the committee of the Court, five teachers and six students.

The student, his/her potential defender and the witnesses are summoned before the formation of judgement. The investigation report is read. The student and his/her defender are the last to speak.

All decisions are made by the majority of presents by secret ballot.

The disciplinary sanctions are the following:

1. Warning
2. Official reprimand/warning
3. Expulsion from the school for a maximal duration of 5 years. The sentence can be suspended if the expulsion does not exceed 2 years.
4. Permanent expulsion from the school.
5. Expulsion from all higher education schools for a maximal duration of 5 years.
6. Permanent expulsion from all higher education schools.

Sanctions 3, 4, 5 and 6 mean that the student cannot enroll and sit examinations in the school(s) concerned as well as the cancellation of the tests during which the fraud or the attempted fraud took place.

The sanctions pronounced against the international students may result in the non-renewal of their residence permit.

The appeal of the decisions of the disciplinary section is possible within a period of two months starting at the notification of the sentence. This appeal is addressed to the president of the disciplinary section who relays it to the CNESER.

Official texts

Code of Education (article L. 613-1):

“The State has a monopoly on the collection of grades and academic titles.

The national diplomas delivered by the schools award one of the grades or academic titles listed in the order adopted on advice from the National Council for Higher Education and Research. Subject to the provisions of articles L. 613-3 et L. 613-4, they can only be delivered in the light of the results of the assessment of knowledge and abilities appreciated by the schools authorized by the minister for Higher Education after consultation of the National Council for Higher Education and Research. A national diploma gives the same rights to all its holders, whichever the school that delivered it.

The common rules for the pursuit of studies leading to national diplomas, the conditions for the acquisition of these titles and diplomas, the inspection of these conditions and the procedures for the protection of the titles they award, are defined by order from the minister for Higher Education after consultation of the National Council for Higher Education and Research.

Abilities and the acquisition of knowledge are assessed, either with a continuous and regular assessment, or with a final assessment, or with these two modes of assessment combined. The procedures for this assessment take into account the particular obligations of the students coming from ongoing training. They must be adopted in every school at the end of the first month of the academic year at the latest and they cannot be modified during the year.

Can only participate in juries and be present at deliberations: lecturers, teachers, researchers; or, under conditions and according to procedures established by regulation, qualified personalities who have contributed to teachings or been chosen, owing to their competences, on proposal from the teaching staff.”

Textes	Commentaires
Code de l'éducation	
Loi n°2005-102 du 11/02/05	Pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées
Décret n°2013-756 du 19 août 2013	Relatif aux dispositions réglementaires des livres VI et VII du code de l'éducation. Procédure disciplinaire dans les établissements d'enseignement supérieur

ANTI-PLAGIARISM CHARTER

Plagiarism is the theft of another's intellectual production. It is either done directly, by making an exact quotation without indicating the source, or indirectly, by claiming ownership of another's idea.

Thus defined, plagiarism seriously damages the scientific quality of academic productions and the credibility of diplomas. This is the reason why it is subject to penalties both in the eyes of the law – civil and penal sanctions – and in the eyes of ethics – disciplinary sanctions.

The development of digital tools and of the Internet has significantly increased the potential risk. To prevent this illegitimate practice from developing, the University of Limoges has set up a policy to fight plagiarism.

I.- Informing and warning

The development of the Internet facilitates the access to sources in digital form, which in turn makes easier the use of “copy/paste”. The limit between inspiration, imitation and plagiarism sometimes becomes difficult to set. Thus it seems necessary to define what is allowed and what constitutes a fraud.

Within the academic framework, every requested work must be original; it is a major condition of its quality. As a consequence, the following are forbidden:

- omitting to acknowledge your sources, be they from the Internet, from a paper document or from other sources,
- using, in whole or in part, a text written by another and passing it off as yours – even with the authorization of the author – by omitting to put the quotation between inverted commas or by not giving its references,
- presenting, for different assessments – except when expressly authorized – the same work, wholly or partly, in different classes.

It is not prohibited to take up the ideas of an author. It is the peculiarity of an academic work to use the works of different authors, to build on them and to discuss them. But it has to be done correctly, by indicating precisely your sources, so as to:

- allow the reader to make sure of the accuracy of the reported data or of the quoted text, or to see the quoted text in context,
- facilitate the finding of sources by the reader,
- show how your own work connects to the different sources and schools of thoughts.

To quote your sources, you may use quotation techniques which have to obey precise rules and can vary depending on the subjects. For example:

- The quotation must reproduce the text word for word, including punctuation, capital letters, mistakes, misprints and the format of text elements – bold, italics, underlined.

- The quotation is put between inverted commas “...” or indented when it is longer than three lines : every doubtful term – mistake, misprint, etc. – must be followed by the adverb sic between square brackets [sic].
- You can quote a passage in a foreign language if you know that the readers master the language of the extract. Otherwise :
 - You have to find an already published translation, and to indicate the name of the translator and the dates of publication and translation ;
 - If no translation has been published, you have to translate the extract yourself, put it between inverted commas “...” and insert between square brackets the mention [my translation]. Likewise, every alteration of a quotation has to be notified between square brackets [].
- When you want to quote a passage and you do not have access to the original source, you have to mention not only the source from which the quotation comes, but also the original source. Usually, mentions such as “quoted in” or “cited by” are used. Concerning charts and graphs, you will proceed in the same manner, using the mention “taken from”.
- The reference to an Internet website must include the address of the website followed, between square brackets, by the mention [visited on + date...].

Paraphrase is not recommended but it is not prohibited, provided that you make a reference to the document from which the inspiration comes. If you keep only a few passages from the author, even only a few words, you have to consider that it is a quotation and thus put it between inverted commas.

Besides, the student who uses the thought of an author to integrate it into his/her text cannot content himself/herself with replacing some terms by synonyms. He/she must really make a piece of work; otherwise, it is better to stick to a quotation.

In addition, you can find examples of plagiarism on the website of the libraries of the University of Quebec in Montreal: <http://www.bibliotheques.uqam.ca/plagiat>

II.- Monitoring and sanctions

To fight against plagiarism, the University of Limoges has a detection software at its disposal. All the teachers can use it to check that the works handed over by their students have not been plagiarized on the web. An anti-plagiarism engagement must be signed by students when they hand over certain kinds of works [thesis, dissertation, internship reports...].

Plagiarism is a serious fraud falling within the disciplinary section’s mandate; it can issue a penalty ranging from a warning to permanent exclusion from higher education.

The victim of plagiarism can go to court and, in exceptional cases, the University can also bring on legal proceedings.

NTB : this charter is inspired by documents made by the Institute of political studies of Bordeaux.