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UNIVERSITÄT
BERN

Guidelines of the University Board of Directors concerning the procedure for dealing with plagiarism

The University Board of Directors,

on the basis of Article 39 paragraph 1 item k and 78a of the law of 5 September 1996 governing the University (University Law, UniG), together with Article 100s of the Decree of 27 May 1998 governing the University (University Decree, UniV),

resolves:

Truthfulness and integrity form the essential basis of scientific activity. That basis is undermined if, in the case of written works or any other form of presentation documents, works or parts of works that are protected by copyright law (in particular texts, tables and drawings) are borrowed without any indication of their source.

Cases of plagiarism compromise or damage the interests of universities (admission for graduation from university using inadmissible means; considerable additional expense for investigating the plagiarism) as well as public interests (plagiarism enables someone to acquire an academic title which ought not to have been obtained in this way). The interests of the author of the plagiarised text are therefore also affected.

For these reasons, the University of Bern does not tolerate any form of plagiarism. It is actively seeking to establish minimum procedural standards for dealing with cases of plagiarism in the University as consistently as possible. The Faculties are free to take additional measures in this regard¹.

Accordingly, the University Board of Directors issues the following guidelines for all Faculties, Institutes and other organisational units of the University of Bern:

¹ For example, an order that the completion of further written works on the same or a related subject and by the responsible lecturer will be precluded.

I. Scope of the Guidelines

Art. 1 These guidelines apply to all written works (in particular seminar papers, bachelor or masters dissertations and doctoral theses) and presentation documents by students of the University of Bern². The provisions of the regulations concerning scientific integrity of the University of Bern dated 27 March 2007 / 30 April 2007 must also be adhered to.

II. Definition of plagiarism

Art. 2¹ Plagiarism occurs when works or parts of works (especially texts, tables, drawings) which are protected by copyright laws are borrowed without any indication of their source.

² Borrowing can be an identical reproduction of passages of text and other details, such as tables and drawings, without any indication of their source.

³ Incomplete and erroneous information, and the paraphrasing³ of texts without any indication of their source, are likewise inadmissible.

⁴ The factsheet concerning plagiarism, which is included as an annex to these guidelines, contains more detailed information about basic rules which must be followed for writing scientific texts correctly.

III. Procedure in trivial cases

Art. 3 Extremely trivial cases (one or two forgotten footnotes; negligence, etc.) fall below the threshold of a reprimand and are settled informally within the Institutes.

IV. Procedure in minor cases

Art. 4¹ In cases where details are incomplete or erroneous, or texts are paraphrased without any indication of their source, marks will be deducted as appropriate when the work concerned is graded in accordance with the relevant study regulations.

² Where there is identical reproduction of texts and other details without any indication of their source the work concerned will be given the lowest mark in accordance with the relevant study regulations.

³ In a case of identical reproduction of texts and other details, a reprimand will also be issued by the Dean. These cases will be reported to the General Secretariat.

² Written work by researchers at the University of Bern are subject to the Regulations concerning scientific integrity of 27 March 2007 / 30 April 2007 of the University of Bern (cf. http://www.rechtsdienst.unibe.ch/content/rechtssammlung/weisun_gen_der_universitaetsleitung/index_ger.html under "research") and to the factsheet on plagiarism which is annexed to the regulations concerning scientific integrity and to the present guidelines.

³ Paraphrasing of texts occurs when – for the purpose of concealing and/or creating flowing cross-overs in the case of omissions – (minor) modifications or reworkings of sentences have been made (Gian Martin, Universitäres Disziplinarrecht – unter besonderer Berücksichtigung der Handhabung von Plagiaten, AJP 4/2007, p. 484).

V. Procedure in serious cases

Art. 5 ¹ A case is deemed to be serious if

- a* the plagiarism is relatively significant in terms of quantity or quality; or
- b* the plagiarist is in a higher semester or the work in question is a final paper, dissertation or postdoctoral thesis; or
- c* it is a case of repeated plagiarism.

² If there is any doubt as to whether the case in question is serious as defined by paragraph 1, further action will be clarified with the General Secretariat after the necessary investigations have been carried out.

Art. 6 ¹ The Faculty concerned will investigate the facts when a serious case occurs as defined by Art. 4 paragraph 1. It will send its findings with a proposal for sanction to the General Secretariat for the University Board of Directors.

² The following sanctions are available to the University Board of Directors:

- a* Exclusion of the plagiarist from particular courses or from using particular University facilities;
- b* time-limited or unlimited exclusion of the plagiarist from study.

³ In all other respects the right to take further legal measures and in particular to impose penal sanctions remains reserved.

VI. Effective date

Art. 7 These guidelines are effective as of 24 September 2007.

Bern, 28 August 2007 / 3 July 2012

On behalf of the
University Board of Directors
The Rector:

sig. Prof. Dr. Martin Täuber
Prof. Dr Martin Täuber

Annex:

Factsheet concerning plagiarism

Factsheet concerning plagiarism

Scope

The present factsheet applies to all written work by students and researchers of the University of Bern¹. Written work may include seminar papers, Bachelors or Masters dissertations or Doctoral theses, presentations, scientific publications or applications for research.

The factsheet also constitutes an annex to the University of Bern Regulations concerning scientific integrity of 27 March 2007 / 30 April 2007 and the Guidelines of the University Board of Directors regarding the procedure for dealing with plagiarism dated 28 August 2007².

About plagiarism

Plagiarism means using some or all of another author's work in one's own work without indicating the source or the name of the author³. Plagiarism constitutes an infringement of copyright law.

Shorter extracts from another author's work may be quoted, provided that the quotation is marked accordingly and the source indicated (Art. 25 para. 2 of the Swiss Copyright Law).

Possible forms of plagiarism are⁴:

- a) Submission of a work produced to order by another person under one's own name ("ghost writing").
- b) Submission of the work of another author under one's own name ("full plagiarism").
- c) Submission of the same work, or parts of it, for different examinations or seminars, or submitting of identical manuscripts, or parts thereof, for publication purposes to a number of editors without marking the passages concerned ("self-plagiarism").
- d) Translation of foreign language texts, or parts of foreign language texts and handouts and publishing these as one's own texts without indicating the source ("translation plagiarism").
- e) Borrowing of sections of texts from another author's work without using a citation to clarify the source; this also includes the use of sections of texts taken from the Internet without indicating the source ("copy & paste plagiarism").
- f) Borrowing of sections of texts from another author's work and slightly adapting or restructuring the text without marking the source with a citation ("paraphrasing").

¹ The factsheet is adapted from the "Information Sheet on the Treatment of Plagiarism" by the Teaching Committee of the University of Zurich of 30 April 2007 (cf. <http://www.lehre.uzh.ch/plagiate.html>) and the leaflet "Citation Etiquette" by the Swiss Federal Institute of Technology Zurich (see <http://www.ethz.ch/faculty/exams/plagiarism/>).

The following sources were also used: CHRISTIAN SCHWARZENEGGER/WOLFGANG WOHLERS, Plagiatsformen und disziplinarrechtliche Konsequenzen, unijournal (journal of the University of Zurich) 4/2006, p. 3, and GIAN MARTIN, Universitäres Disziplinarrecht – unter besonderer Berücksichtigung der Handhabung von Plagiaten, AJP 4/2007, p 473 ff., and especially p. 482 ff.

² Both documents may be found in the Legal Services legal collection under the headings "Study" and "Research": http://www.rechtsdienst.unibe.ch/content/rechtssammlung/weisungen_der_universitaetsleitung/index_ger.html

³ The source must also be indicated even if the author is unknown, as is the case, for example, with contributions to Wikipedia.

⁴ Cf. SCHWARZENEGGER/WOHLERS (FN 1), p. 3.

- g) Borrowing of sections of text from another author's work, possibly paraphrasing and citing the relevant source, but not in the context of the section or sections of text borrowed (e.g.: hiding the plagiarised source in a footnote at the end of the work).

The following basic rules must be observed:

Other people's intellectual creations, ideas and theories in the form of texts, tables, images, figures and drawings, etc. must be marked by means of a citation, even if there is no word-for-word borrowing but simply an analogous rendering of other people's ideas in one's own words. If ideas are borrowed word for word, the citation must also be placed within quotation marks. In particular specialist areas, special citation regulations must also be observed. These must be taken into account and complied with when writing scientific texts.

The following must be adhered to in particular⁵:

- 1) **Indication of source:** All sources used must be shown in full and transparently, so that an outside observer can verify them. The current scientific citation rules for the specialist area concerned must therefore be used, together with the special regulations for quoting from electronic sources.
- 2) **Personal contribution:** Clear distinction must be made between personal and external contributions. In the case of external contributions, the author and/or the source (e.g. Wikipedia) must be named. This applies equally to texts, computer codes, tables, diagrams and data, and also, of course, if these come from the Internet.
- 3) **Word-for-word quotations:** Text borrowed word for word (which also includes parts of sentences or expressions) must be placed within quotation marks, and the source must be indicated.
- 4) **Analogous quotations (paraphrase):** For literary references which are expressed in one's own words or repeated in summary, the source must be indicated (and – in brackets or as a footnote – directly with the text concerned).
- 5) **Secondary sources:** A quotation must be marked as a secondary source if this has been borrowed from another author without verifying the original source⁶.
- 6) **Bibliography:** At the end of the work all sources and "intellectual mentors" of the work used must be listed.
- 7) **Basic knowledge:** The source does not have to be indicated for anything that might be regarded as general knowledge (basic knowledge). However, if the basic knowledge is borrowed word for word from other authors (for instance, from a textbook), the source must be given.

UniBE, June 2012

⁵ Cf. "Citation Etiquette" by the Swiss Federal Institute of Technology Zurich (FN 1), section A.

⁶ Example: Müller, *Allgemeines Verwaltungsrecht*, p. 10, cited in: Meier, *Bundesstaatsrecht*, p. 71.