

The Rector's decision on

HANDLING SUSPECTED VIOLATIONS OF RESPONSIBLE CONDUCT OF RESEARCH

Confirmed by the Rector on 12 June 2017

Contents

1	BACKGROUND OF THE REGULATIONS.....	3
2	STATUTES.....	3
3	DEFINITION OF VIOLATIONS.....	4
3.1	Research misconduct	4
3.1.1	Fabrication.....	5
3.1.2	Falsification.....	5
3.1.3	Misappropriation.....	5
3.1.4	Plagiarism	5
3.1.5	Examination cheating.....	5
3.2	Disregard for the responsible conduct of research.....	5
3.3	Other irresponsible practices	6
3.4	Incautious conduct	6
4	INVESTIGATION OF SUSPECTED VIOLATIONS.....	6
4.1	Investigation by the person in charge	6
4.1.1	Reporting suspected violations	6
4.1.2	Responsibilities of the person in charge	7
4.1.3	Decision of the person in charge.....	7
4.2	Inquiry by the responsible unit	8
4.2.1	Reporting suspected violations	8
4.2.2	Responsibilities of the unit concerned	9
4.2.3	Decision by the Dean/Director	11
4.2.4	The student's right to lodge an appeal.....	12
4.3	Consideration of appeals by the Åbo Akademi University Examination Board	12
5	DISCIPLINARY INVESTIGATION	13
5.1	Hearing of the party	13
5.2	A decision on a student matter	13
5.2.1	The Rector's decision.....	13
5.2.2	The Board's decision.....	14
5.2.3	Communication of disciplinary procedures.....	14

- 5.3 A decision on a staff matter 14
 - 5.3.1 The Rector’s decision..... 14
 - 5.3.2 Communication of disciplinary procedures..... 15
- 5.4 Registration of disciplinary procedures..... 15
- 5.5 The right to lodge an appeal against a disciplinary decision..... 15

1 BACKGROUND OF THE REGULATIONS

Åbo Akademi University is a knowledge-based organisation and part of the international scientific community. Its core activity is to produce knowledge through intellectual work by individuals or groups. Respecting the intellectual input of others is one of the most essential aspects of academic work.

The Finnish Advisory Board on Research Integrity has published guidelines on responsible conduct of research and on procedures of handling allegations of misconduct. Åbo Akademi University is committed to following these guidelines. In addition, the university has decided to follow applicable parts of the guidelines also pertaining to all of its other activities. This document stipulates the actions taken at Åbo Akademi when the university encounters suspected violations within activities not covered by the guidelines of the Advisory Board. In parallel with the university's internal process, other legal processes may commence or continue in the same matter.

Theses (doctoral, licentiate and in some cases master's) follow the handling process defined by the Advisory Board on Research Integrity. All other coursework performed at Åbo Akademi University follows these regulations, unless the teacher of the course has specifically given notice of an exception from them. Entrance examinations for the selection of students do not count as coursework at Åbo Akademi University, but an investigation of suspected violations in such an examination may follow applicable parts of these regulations. Responsible conduct of research should be followed within the university's administration; for instance, in the preparation of matters and the production of reports on investigations, follow-ups, and evaluations.

2 STATUTES

Åbo Akademi University primarily applies the following statutes and internal rules in the handling of suspected violations of responsible conduct of research.

Universities Act (558/2009)

The act specifies the general rules for handling disciplinary matters concerning students at the universities.

Employment Contracts Act (55/2001)

The act specifies the general rules for handling disciplinary matters concerning employees at the universities.

Act on the Protection of Privacy in Working Life (759/2004)

The act specifies the employer's rights to collect information on employees.

Åbo Akademi University Regulations on Internal Administration

The Regulations on Internal Administration define the University's governing bodies, such as the Board, Rector and Examination Board, and their responsibilities.

Degree Regulations for Åbo Akademi University

The Degree Regulations define coursework and the rules for planning and carrying out education.

Åbo Akademi University Instructions for Doctoral Studies

The Instructions supplement the Degree Regulations by defining the specific structures and conditions for post-graduate education.

Åbo Akademi University Examination and Assessment Instructions

The Instructions set the requirements for completing coursework and the processes for reassessment and lodging an appeal in various matters.

Guidelines for responsible conduct of research and for handling allegations of misconduct, created by the Finnish Advisory Board on Research Integrity

The guidelines define unethical and dishonest practices that damage research. In addition, a model is given for the investigation of suspected violations of responsible conduct of research. The process covers research activities, including licentiate and doctoral theses. Accepted master's theses are also investigated according to the guidelines. On the initiative of a student, a non-accepted master's thesis can also be investigated according to these guidelines.

National statutes are found in the database [FINLEX](#)¹ and internal regulations on the [Åbo Akademi website for statutes](#)². Unofficial English translations of the documents are available.

3 DEFINITION OF VIOLATIONS

The Advisory Board on Research Integrity has defined violations of responsible conduct of research as follows:

Violations of the responsible conduct of research refer to unethical and dishonest practices that damage research and in worst cases invalidate the research results. Violations of the responsible conduct of research consist of actions that may have been committed either intentionally or through negligence.

The Advisory Board on Research Integrity divides unethical and dishonest practices into three categories: *research misconduct*, *disregard for the responsible conduct of research* and *other irresponsible practices*. In addition, Åbo Akademi University has defined a fourth category of violation: *incautious conduct*.

3.1 Research misconduct

The Advisory Board on Research Integrity has defined four types of research misconduct: *fabrication*, *falsification*, *misappropriation*, and *plagiarism*. Åbo Akademi follows the Advisory Board's definition of these instances in research, and applicable parts of them within education, community cooperation and administration. Therefore Åbo Akademi has, to some extent, modified the Advisory Board's definitions and also defined an additional type of educational misconduct: *examination cheating*.

¹ <http://www.finlex.fi/en/>

² <http://www.abo.fi/personal/forfattningar>

3.1.1 Fabrication

Fabrication refers to reporting invented observations to the research community. In other words, the fabricated observations have not been made by using the methods as claimed in the research report. Fabrication also means presenting invented results in a research report.

3.1.2 Falsification

Falsification (misrepresentation) refers to deliberately modifying and presenting original observations so that the results based on those observations are distorted. The falsification of results refers to the unfounded modification or selection of research results. Falsification also refers to the omission of results or information that are essential for the conclusions.

3.1.3 Misappropriation

Misappropriation refers to the unlawful presentation of another person's results, idea, plan, observations, or data, as one's own research.

3.1.4 Plagiarism

Plagiarism, or unacknowledged borrowing, refers to representing another person's material as one's own without appropriate references. This includes research plans, manuscripts, articles, other texts or parts of them, visual materials, or translations. Plagiarism includes direct copying as well as adapted copying.

3.1.5 Examination cheating

Cheating in an examination refers to situations where a student uses unauthorised methods or material in order to pass an examination or other coursework. This includes:

- Taking unauthorised material into an exam (e.g. written or recorded key words); at electronic examinations with camera surveillance no material is allowed.
- Having unauthorised course literature or technical equipment (e.g. a mobile phone) directly available during the examination.
- Contact with external sources.
- All forms of undue communication between examinees or between an examinee and an external person (e.g. sending notes, undue hand signals, undue oral communication, be it one-sided or reciprocal).
- Reading the examination answers of other students.
- Writing an examination in somebody else's name.

3.2 Disregard for the responsible conduct of research

Disregard for the responsible conduct of research manifests itself as gross negligence and carelessness during the research, analysis or study process, in the form of

- denigrating the role of other researchers, employees or students;
- reporting results in a misleading manner;
- inadequate documentation and storage of results and data;
- publishing the same results multiple times ostensibly as new and novel results (redundant publication, also referred to as self-plagiarism);
- misleading the scientific community in other ways as to one's own research, analysis or studies.

3.3 Other irresponsible practices

Other irresponsible practices that may occur in the course of research, analyses or studies include

- manipulating authorship;
- exaggerating one's own scientific, scholarly or other achievements, or study results;
- artificially expanding the bibliography of a study;
- delaying the work of another researcher, employee or student.

3.4 Incautious conduct

Incautious conduct refers to a situation where a person unintentionally fulfils the criteria for violation of responsible conduct of research. The criteria for incautious conduct are met if

- the person has misunderstood the nature of the task;
- the incautious conduct is obviously due to unintentional negligence;
- the person is perceptibly unaware of the rules for responsible conduct of research.

Åbo Akademi University is responsible for ensuring that everybody who works or studies at the university is aware of the responsible conduct of research.

4 INVESTIGATION OF SUSPECTED VIOLATIONS

The investigation of a suspected case of violation within research follows the guidelines set by the Advisory Board on Research Integrity. The investigation process for violations within education, community cooperation and administration consists of three phases: an investigation by the person in charge, an inquiry by the unit concerned and, if needed, a disciplinary inquiry by Åbo Akademi University.

4.1 Investigation by the person in charge

For each reported case, an initial investigation is carried out. The purpose of this is to establish the level of seriousness of the suspected violations.

4.1.1 Reporting suspected violations

Usually suspected cases are reported orally, and often there is no actual report, for instance in cases where a teacher notices irregularities in submitted coursework and starts to investigate the matter. If another party, for example a student or an external third party, discovers or witnesses suspicious material or a suspicious situation, they should report the incident. In an educational context, the report is primarily given to the teacher of the course concerned, but all suspicious cases can be reported to any member of staff at Åbo Akademi University. Employees who receive a report are obliged to forward the matter so that the appropriate person in charge can start an investigation. The report is primarily addressed as follows:

- Research: Rector, the faculty's Dean or the Director for Research and Education Services.
- Education: the teacher of the course, the suspected person's supervisor, the Head of Subject or the Academic Affairs Coordinator.
- Administration and community collaboration: Head of the unit concerned, primarily the closest superior of the person suspected of violation.

All cases can be reported using a form found at www.abo.fi/personal/rattsskydd.

4.1.2 Responsibilities of the person in charge

In these instructions, *person in charge* is the term used for the person who carries out the initial investigation. The responsibility of the person in charge is to assess the matter on the basis of existing material and information. If necessary persons involved may be interviewed, but no written statements are to be required. The aim is to form a *quick assessment* of whether it is a case of

- an unfounded accusation;
- incautious conduct;
- a suspected violation of responsible conduct of research.

The decision is based on an overall assessment. If the matter concerns a student's submitted coursework, the person in charge should consider the student's level of development, experience in academic studies and previous coursework in his or her assessment. If an employee is suspected of violation, the person in charge should consider the corresponding aspects; the employee's tasks, degree of experience in his or her current position, work introduction, and educational level. Åbo Akademi takes these problems very seriously, and in cases that are not clear, the matter should be assessed as suspected misconduct, thus assuring a careful investigation at the unit concerned. If, for instance, it is unclear who the person in charge is, the case is always subject to further investigation by the concerned unit.

Example: In the preparation of a recruitment case, administrator X has not at all considered a category of information which is normally included in the process. As this is administrator X's first recruitment case and the person previously handling such preparations resigned before X's employment commenced, the person in charge of investigating the matter finds that X has not manipulated the recruitment case deliberately. Rather it is a question of inexperience and lack of initial training in the preparation of recruitment issues. The preparation of the case is updated in cooperation with administrator X's superior.

In cases of the work having been submitted by a group, the person in charge should establish whether the individual members of the group are responsible for separate sections of the work. If the responsibility for the section where the irregularity occurs cannot be clearly determined, the investigation procedure should apply to the entire group.

4.1.3 Decision of the person in charge

If the person in charge deems the case to be:

a) **An unfounded accusation.**

No further measures apart from information are taken.

b) **Incautious conduct.**

The person in charge ensures that the suspected person receives information on the violation, the problems associated with this kind of violation, how they are to be resolved, and where information on the applicable rules and practices can be found.

c) **A suspected violation of responsible conduct of research.**

The case is reported for further investigation by the faculty or other responsible unit (independent institution, university services). The report is always done in writing and preferably using the form *Request for inquiry by responsible unit*.

The decision of the person in charge is conveyed to the reporter of the case (if applicable) and to the person suspected of a violation, if he or she is aware that the case is being investigated. If a case that is deemed to be *an unfounded accusation* has attracted attention, information concerning the decision should be made public accordingly.

Example: Responsibilities of a teacher in the case of incautious conduct

If a teacher who is the person in charge of a case has established that the suspected student is guilty of incautious conduct, the process is the following:

- 1) *The teacher contacts the student(s) concerned. The teacher informs the student about the violation(s) that have been detected and the academic issues concerning this, referring the student to [Åbo Akademi's information on responsible conduct of research](#).³*
- 2) *The teacher asks the student to supplement or alter his or her coursework.*
- 3) *The student submits a new, corrected version of the work concerned.*
- 4) *If there is no longer any suspicion of incautious conduct, the teacher assesses the academic merits of the work.*

In addition to the person in charge, other parties can request that a case of suspected misconduct is investigated by the unit concerned. This especially applies to situations where the person in charge has chosen not to report the matter.

Example: A teacher remarks in front of several students, that the work of student X probably contains plagiarism, but that he or she is not going to take the matter further, as it is administratively complicated. Student X submits a request for an inquiry to the Dean in order to have the suspected plagiarism investigated.

4.2 Inquiry by the responsible unit

All matters reported to the unit must be subjected to an inquiry. An inquiry ends in a decision on the case.

4.2.1 Reporting suspected violations

The written report, including possible appendices, is sent to the **Dean** of the faculty, preferably using the form *Request for inquiry by responsible unit*. If the incident occurs at one of the independent institutions the case is reported to the **Director** of that institution. If the incident occurs within University Services the case is reported to the **Director** of the service area concerned. In unclear cases the report may be submitted to the Registrar of Åbo Akademi University. The Registrar forwards the report to the Dean or Director concerned. A submitted report always leads to an inquiry, unless the report obviously is unfounded. The Dean or Director also makes a *justified* decision in the case of unfounded reports as to why the case is not being investigated further.

The Åbo Akademi University Registrar: e-mail registrator@abo.fi

Postal address: *Åbo Akademi University Registrar, Domkyrkotorget 3, 20500 Åbo*

The **Dean/Director** is responsible for communicating

³ http://www.abo.fi/student/etik_plagiat

- to the reporting person that the report has been received (this is also a check that the report has actually been submitted by that person) and how the process will continue. If the reported allegation is established to be unfounded, that decision is sent to the reporting person;
- (if necessary) to the examiner that assessment of the coursework under investigation is to be discontinued;
- to the accused about the allegation and about the continuing process;
- in a student case, to the representative appointed by the Åbo Akademi University Student Union, as to who the accused student is and what the suspected violation is (if the student is not a member of the Student Union, another support person is offered);
- in an employee case, to the accused that he or she may be assisted by a trade union representative or another support person from Åbo Akademi University;
- in cases where a postgraduate student is neither an employee nor a member of the Student Union, that the accused may be assisted by a trade union representative or another support person from Åbo Akademi University.

A student under suspicion is allowed to continue his or her studies during the process. The student has, for example, the right to participate in a retake of the examination of the coursework under investigation. However, a degree thesis cannot be accepted if either the thesis itself or the maturity examination is subject to an investigation. In addition, the basic principle is that a student cannot graduate from Åbo Akademi University while the investigation is ongoing.

Åbo Akademi University decides on an employee's work responsibilities during an investigation process. The handling of an administrative matter can continue, if the suspected violation does not impact the outcome of the decision.

If a unit receives an anonymous report of violations, the Dean/Director decides how the matter is to be handled. The commencement of an investigation requires that such an allegation contains strong evidence of the suspected violation.

4.2.2 Responsibilities of the unit concerned

The unit starts its investigation by convening an inquiry meeting. In cases concerning education the department that administers the course concerned carries out the investigation. If the unit that should be responsible for the inquiry cannot be identified, the Rector decides how the inquiry is to be carried out. The Dean/Director acts as the investigator and appoints a secretary. The Dean/Director and the secretary must follow the rules for judicial disqualification. If the Dean/Director is disqualified, his or her deputy takes over the inquiry.

The aim of the inquiry is to

- investigate the incident;
- specify the suspected violation(s);
- invite the involved parties to present their views of the incident;
- investigate whether the criteria for violation of responsible conduct of research are fulfilled for any of the parties.

The parties invited to the unit's inquiry meeting are; the reporting person, the accused and in the case of a student matter, the appointed representative. If the accused is employed at the university (this includes any form of employment agreement; e.g. a researcher on a grant) he or she is entitled to be accompanied by a trade union representative or another support person from Åbo Akademi (e.g. the university's occupational safety delegate). If necessary, additional persons who might support the investigation may be invited to the meeting.

The meeting should be held at a time most suitable for all parties. Technical equipment can be used if somebody cannot physically attend the meeting. The invitation is preferably sent by e-mail to the parties' addresses at abo.fi, since the Åbo Akademi e-mail system fulfils the legal requirements concerning identification and data security. The invitation should include a description of the incident (and possible appendices) by the person making the allegation, as well as these regulations. The material is sent as an attachment to the e-mail message or a reference is given to the address where the material is available in electronic form. The invited persons are asked to confirm that they have received the e-mail message and are able to read the material. If an invited person does not answer, the secretary tries to reach the person by phone the day before the meeting at the latest. At the discretion of the Dean/Director, the meeting may be held even if an invited person does not attend.

In principle, the unit's inquiry meeting should take place at the **earliest seven days** after the invitation has been sent. This will allow the parties enough time to familiarise themselves with the matter. If, however, all parties agree, the inquiry meeting may be held earlier than this. The investigation is to be conducted **within 60 days** of the matter being reported to the unit.

The Dean/Director opens the inquiry by noting the persons present, checking their e-mail addresses or other possible contact information, explaining why the meeting is held and how it will proceed.

The reporting person describes the evidence that has brought about the allegation.

The accused is given the opportunity to respond to the allegation and also to describe circumstances that have resulted in the allegation. If several persons are involved, they are heard separately.

The representative and other persons invited are given the opportunity to give their comments.

At the end of the inquiry meeting the Dean/Director

- summarises the statements made by the parties;
- notes all material submitted during the meeting;
- explains how the matter will be described in an inquiry document;
- explains the parties' right to suggest amendments to the document;
- explains how a decision will be taken in the matter;
- explains how the accused may lodge an appeal in case he or she is dissatisfied with the decision.

At the meeting, the Dean/Director may give a preliminary statement on the matter. In addition, the Dean/Director should emphasise the importance of discretion when discussing with outsiders both the content of the meeting and the persons involved.

Documenting the matter and approving the inquiry document

The secretary summarises the statements made by the parties and enters this into the form *Unit's inquiry/Inquiry report*. The secretary sends the document to all parties by e-mail or, in case a party has

not provided an e-mail address, by letter. The parties are given the opportunity to suggest amendments and additions to text in writing **within seven days** of the inquiry document being distributed. The Dean/Director decides what suggested amendments and additions are to be made to the text. Substantial suggestions that have not been accepted are noted. A party who does not respond is regarded as having approved the inquiry.

4.2.3 Decision by the Dean/Director

The Dean/Director makes a decision on the matter based on a presentation **at the latest within 14 days** after the inquiry document has been distributed to the parties. The decision is communicated on the form *Unit's inquiry/Decision*.

Consequences in a case where the Dean/Director decides that

a) **the suspected violation of responsible conduct of research is unfounded:**

- If the coursework in an educational case has already been completed and submitted prior to the allegation, the examiner is to assess the student's coursework. If the allegation has led to a discontinuation of unfinished coursework, the student is to be given the opportunity to complete it without any delay. If an examination was discontinued, a further opportunity is to be arranged for the student to answer new questions of the same degree of difficulty. The aim is that the acquitted student should be able to continue his or her studies with the least possible inconvenience.

- In a case involving a member of staff, the discontinued handling of the matter concerned is continued.

If the case has attracted attention, information concerning the decision should be made public accordingly.

b) **the suspected violation of responsible conduct of research is a case of incautious conduct:**

The Dean/Director ensures that the accused receives information on the problems associated with this kind of violation, how they are to be resolved, and where information on the applicable rules and practices can be found.

c) **a violation of responsible conduct of research has taken place**

- In the case of an educational matter, the coursework is assessed as a fail. All coursework with the same course code submitted by that student will be assessed as a fail. The Dean/Director is responsible for the deregistration of any credits that have been entered into the study register. The deregistration is done only after the time limit for the process of appeal has passed, or alternatively after the continued process of appeal has been finished.
- In a staff matter, it is stated that the person has acted erroneously. Depending on the nature of the matter concerned, it is redone or substituted with corrected information. Another person can be appointed to be in charge of the preparation of the matter concerned.

Example: During a course, the teacher presented research results that did not meet the criteria for responsible conduct of research in order to support a politically motivated argument. After the completed inquiry process, the faculty sent a message to all course participants informing them of the error committed. The matter was passed on for a disciplinary inquiry.

The secretary sends the decision of the Dean/Director and the approved inquiry to all parties concerned by e-mail or by letter; to students at the home address they have given to the study register;

to Åbo Akademi staff by internal mail at their place of work, or at their home address. The date of distribution is noted.

If the Dean/Director decides that a violation has taken place, **the matter is always passed on to the Rector for a disciplinary investigation.** The matter is forwarded to the Rector by sending all case documents by e-mail to the address registrator@abo.fi.

The documents are filed according to the statutes in the Åbo Akademi University Archives Regulations. The material of an inquiry is public, unless it contains information that, according to law, is subject to secrecy (see e.g. Act on the Openness of Government Activities (621/1999) and Personal Data Act (523/1999)). The material should, in all situations, be handled with discretion; that is, the actual inquiry is discussed by decision-making or advisory bodies, or published or distributed only if there are weighty reasons to do so. Persons wishing to scrutinise the decision may read the documents in the archives.

4.2.4 The student's right to lodge an appeal

In an educational matter, the Universities Act grants the accused the opportunity to lodge an appeal with the Åbo Akademi University Examination Board against the decision made by the Dean/Director. The appeal should be made in writing, preferably using the form *Åbo Akademi University Examination Board/Appeal*. The appeal is sent to the e-mail address registrator@abo.fi or by mail to the Åbo Akademi University Registrar, Domkyrkotorget 3, 20500 Åbo.

The appeal should be lodged **within 14 days** of receiving the decision. A party is regarded as having received the decision three (3) days after an electronic message and seven (7) days after the letter containing the decision has been sent to the party. The time limit may be extended if a party is able to prove circumstances because of which he or she has been prevented from receiving the decision.

4.3 Consideration of appeals by the Åbo Akademi University Examination Board

The Examination Board should meet **within 30 days** of a matter being submitted to the Board. The time period is counted from the date when the matter was registered by the university's Registrar.

In the course of the Examination Board's investigation into the matter, the accused is offered the opportunity to express his or her differing views concerning the decision made by the Dean/Director, and to present new evidence. The Board may decide to hear a party in person, particularly if he or she has been unable to attend the unit's inquiry meeting. The Examination Board makes its decision based on a presentation.

Consequences if the Examination Board decides to

a) *confirm the decision made by the Dean/Director:*

The Examination Board does not change the decision, but may clarify and/or present further reasons for the decision.

b) *correct the decision made by the Dean/Director:*

The Examination Board corrects the decision made by the Dean/Director, if it finds the matter to be in favour of the accused.

The documents are filed according to the statutes in the Åbo Akademi University Archives Regulations. For publicity regulations, please see section 4.2.3 above.

The decision made by the Examination Board closes the investigation into the suspected violation of responsible conduct of research. Appeals against the rulings of the Examination Board cannot be lodged within Åbo Akademi University, or to an administrative court (Universities Act, section 84).

5 DISCIPLINARY INVESTIGATION

The inquiry conducted by the responsible unit determines whether an suspected violation has taken place or not. The disciplinary investigation determines whether a confirmed violation is to result in additional disciplinary procedures. The disciplinary investigation is commenced only after the first inquiry process is closed.

5.1 Hearing of the party

Section 45a of the Universities Acts and section 2 in chapter 9 of the Employment Contracts Act stipulate that the accused should be given an opportunity to be heard concerning the matter before disciplinary procedures are put in place. The inquiry conducted by the responsible unit forms the occasion when the accused is given the opportunity to be heard. The decision on possible disciplinary procedures is taken based on the inquiry meeting and the decision by the Dean/Director. The material from a consideration of a possible appeal by the Åbo Akademi University Examination Board is also taken into account when deciding on possible disciplinary procedures.

5.2 A decision on a student matter

The disciplinary process in a student matter includes an investigation by the Rector and possibly an investigation by the university's Board.

5.2.1 The Rector's decision

The Rector makes a decision on the matter based on a presentation prepared by an administrator whom the Rector has appointed to handle disciplinary decisions. The Rector makes a decision on the matter **within 30 days** of the matter having been reported to the Rector.

The Rector may decide to

a) *Take no disciplinary action.*

The Rector finds that failing the student's coursework is a sufficient punishment considering the nature and/or extent of the offence.

b) *Issue a written caution.*

The Rector finds this to be justified considering the nature and/or extent of the offence.

c) *Forward the matter to be considered by the Board.*

The Rector finds the matter to be of fundamental importance, or that the nature and/or extent of the offence might justify a withdrawal of the student's right to study at the University for a certain period of time.

5.2.2 The Board's decision

The Board makes a decision on the matter based on a presentation prepared by an administrator whom the Rector has appointed to handle disciplinary decisions. The Board is to handle the matter speedily. Minutes are taken of the Board's decision.

The Board may decide to

a) *Take no disciplinary action.*

The Board finds that failing the student's coursework is a sufficient punishment considering the nature and/or extent of the offence.

b) *Issue a written caution.*

The Board finds this to be justified considering the nature and/or extent of the offence.

c) *Exclude the student from the university for a certain period of time.*

The Board finds it justified, considering the nature and/or extent of the offence, to exclude the student from the university for a certain period of time, one year at the most. University Services removes the student from the study register (the studies are registered as being discontinued) for the period of time decided by the Board. The student does not have the right to complete any coursework at the university during the period of exclusion. The rights to use the university's IT resources and access to keys to the university's facilities are discontinued for the entire period of exclusion. Exclusion does not lead to an extension of study time.

5.2.3 Communication of disciplinary procedures

The administrator handling the matter sends the decision taken by the Rector or the Board to all parties involved in the matter by e-mail or by letter at the home address the student has given to the study register. The date of the communication is noted.

5.3 A decision on a staff matter

The disciplinary process in a staff matter includes an investigation by the Rector.

5.3.1 The Rector's decision

The Rector makes a decision on the matter based on a presentation prepared by an administrator whom the Rector has appointed to handle disciplinary decisions.

The Rector may decide to

a) *Take no disciplinary action.*

The Rector finds that the offence does not call for any disciplinary action.

b) *Issue a written caution.*

The Rector finds this to be justified considering the nature and/or extent of the offence.

c) *Terminate the employment contract.*

The Rector finds that the criteria for the termination of the employment contract, as stipulated in the Employment Contracts Act, are fulfilled.

d) *Cancel the employment contract.*

The Rector finds that the criteria for the cancellation of the employment contract, as stipulated in the Employment Contracts Act, are fulfilled.

5.3.2 Communication of disciplinary procedures

The Rector's decision is communicated in person to the accused by the HR Director or another employer representative, or by letter at the workplace, or home address of the accused. The date of the communication is noted.

5.4 Registration of disciplinary procedures

The documents are filed in the Åbo Akademi University archives and handled according to the statutes in the Åbo Akademi University Archives Regulations. For publicity regulations, please see section 4.2.3 above. The material should, in all situations, be handled with discretion; that is, the actual inquiry is discussed by decision-making or advisory bodies, or published or distributed only if there are weighty reasons to do so. Persons wishing to scrutinise the decision may read the documents in the archives.

5.5 The right to lodge an appeal against a disciplinary decision

The person subject to the disciplinary decision may lodge an appeal against the university's decision at the Åbo Administrative Court. Further information and instructions on the appeal process is included in the decision by the Rector or the Board. The appeal process is regulated in the Administrative Judicial Procedure Act. The general instructions on appeals at Åbo Akademi University are found on the website <http://www.abo.fi/personal/forfattningar>.