WIRTSCHAFTS UNIVERSITÄT WIEN VIENNA UNIVERSITY OF ECONOMICS AND BUSINESS

DIR Directive on the Conduct of In-Person Examinations and Dealing with Cheating and Fraud

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Please note: This translation is provided **for your information only**. In case of discrepancy, the German original shall prevail.

1. Purpose

This directive is intended to provide instructions for holding on-campus exams (in digital and analog formats) and for dealing with cheating in exams (course examinations [LVP], subject examinations [FP], and module examinations [MP]) and performance components required for courses (courses with continuous assessment of student performance [PI], lectures with interactive elements [VUE], research seminars [FS], and workshop-type courses [AG]).

2. Scope

This text is aimed at anyone tasked with supervising and grading exams and course performance components at WU Vienna University of Economics and Business. It regulates the organizational procedures during on-campus exams and the procedures to be followed when dealing with cases of cheating and fraud. The following regulations apply to exams (LVP, FP, and MP exams) and courses (PI, VUE, FS, and AG courses).

This directive does not apply to academic misconduct (plagiarism and academic fraud) *in academic theses*. These matters are covered by the Directive on Plagiarism. Written examinations held in a digital format as distance exams or remote online exams are governed by the Directive on Distance Learning and Distance Exams.

3. Regulations

3.1. Registration for and participation in examinations

Without exception, students must have a valid course and exam registration to participate in an examination.

Any exam taken by a student without a valid registration is considered to be registered for under false pretenses pursuant to § 73 (1) item 1 of the Universities Act. Any such cases are to be reported to studienrecht@wu.ac.at, and the representative for study regulations and academic legislation shall declare the exam void. In such cases, the student loses one exam attempt (§ 73 [2] of the Universities Act).

3.2. Assigning rooms and seats

Students are required to take exams in the room assigned to them. If in the course of identity checks (see subsection 4.4) a student is found to be in the wrong exam room, exam staff can refuse to allow the student to take the exam.

Exam staff are also entitled to assign seats to students for an exam. If a student refuses to comply with instructions given by exam staff, exam staff is entitled to expel the student from the exam.

3.3. Tardiness

Students who are late to an exam can be expelled from the exam by exam staff.

3.4. Identity verification

During the exam, exam staff shall confirm the identity of each student attending the exam.

Students must present their WU student ID card to prove their identity. An official photo ID is an acceptable alternative to a student ID card.

Students concurrently enrolled at different universities can present the student ID provided by their home university for identification when taking an exam at WU.

If a student refuses to present ID or if there is reasonable cause to doubt the student's identity, exam staff is entitled to expel the student from the exam room.

3.5. Maintaining order

Students who continue to create a disturbance after being reprimanded by exam staff can be expelled from the exam room to ensure that the examination can be conducted in an orderly manner.

In the event of serious disturbances of peace and order through inappropriate behavior, especially in the event of offensive or threatening behavior towards exam staff, the staff has the right to expel the student from the exam room immediately, if necessary with the assistance of campus security staff.

3.6. Use of aids, cell phones, and other communication devices

Course instructors shall precisely define the type of on-campus exam (e.g. oral, written, analog, bring-your-own-device exam) and specify which aids are permitted for use during an exam (e.g. general-purpose dictionaries, calculators without text saving function, certain software or AI-based applications). The type of the exam and the permitted exam aids must be specified in the corresponding course syllabus before the start of each semester (§ 10 [1] of the Examination Regulations). If an exam is to be held in the bring-your-own-device format, any suitable technical and organizational measures for ensuring that students work on the exam independently must also be specified in the syllabus (§ 5 [6] of the Examination Regulations of WU).

The following aids are NOT PERMITTED in **any exam**, unless the syllabus states otherwise:

- Electronic devices: particularly cell phones, cameras, computers, tablets, smartglasses, smartwatches

- Watches and clocks of any kind, including alarm clocks and stopwatches
- Hearing protection: particularly Ohropax®, ear plugs, earbuds and headphones
- Office supplies and utensils: particularly Tipp-Ex® correction fluid, erasers, highlighter pens, rulers
- Academic aids and study materials: particularly calculators with a text saving function or other special functionalities, annotated law codes, formula sheets, lecture notes, dictionaries, encyclopedias

Before the start of the exam, any unauthorized aids must be switched off (if possible) and stored in a bag. If this rule is violated and any unauthorized aids are found, the appropriate consequences for cheating and exam fraud apply (see below).

The examinees' ears must be visible during the exam. Exam supervision staff are entitled to demand that examinees uncover their ears if their ears are covered by hair or any items of clothing.

3.7. Leaving the exam room

As a rule, students are not permitted to interrupt the exam and leave the room during an examination.

Should a student nevertheless want to leave the room during an examination (even if it is only for a short time), the student's exam must be handed in before they leave the room. The student may not return and continue work on the exam after leaving the room.

In the event of exceptional circumstances (e.g. sudden illness), it is at the discretion of the proctor whether they allow a student to keep working on an exam after an interruption.

3.8. Premature termination and incapacitation

Once a student has accepted receipt of the examination questions, the exam counts as an attempt and shall be graded (§ 5 [2] of the Examination Regulations).

If a student terminates the exam prematurely without reasonable cause, exam staff shall determine the identity of the student and the student shall be required to hand in the exam papers or submit the exam electronically.

If a student does not hand in their exam, the exam is counted as a lost examination attempt. In such cases, the exam must not be graded and the incident must be reported to studienrecht@wu.ac.at. The exam shall be entered into the LPIS system as "NI" (§ 5 [5] of the Examination Regulations).

In the event of extenuating circumstances, it is at the discretion of the proctor or the examiner to decide whether or not the exam is to be graded and if it should count as an attempt. In the event of technical problems concerning the student's device during bring-your-own-device exams that are not the student's fault and make it impossible to continue the exam, the exam shall not count as a lost examination attempt (§ 76a item 3 of the Universities Act).

Students must not be graded in case of incapacitation. However, students are only deemed incapacitated if they are completely unable to participate in the conduct of the exam, actively or passively (complete loss of the ability to communicate, e.g. due to an anxiety attack). The incapacitation must become apparent during the exam in such a manner that it can be discerned objectively.

Any such cases have to be documented in as much detail as possible.

3.9. Cheating and fraud in examinations and courses

If students attempt to cheat or use fraudulent means in exams or other work, the work of all students involved shall not be graded. All students involved shall lose an examination attempt and shall be banned from taking and registering for the exam in question for a period of four months.

What is forbidden during exams?

- The use of unauthorized aids (e.g. crib sheet, cell phone, smartwatch, earphones, copying from another student, unauthorized use of AI, etc.)
- Pretending to be someone else
- The use of forged documents (e.g. student ID card); in such cases, the Rector's Council also reports the incident to the public prosecutor's office

Is only intentional cheating punishable?

- The detection of an unauthorized aid results in the consequences provided for cheating, regardless of whether the student intended to use it for cheating or not. For example, consequences will be taken if a type of calculator is found that is not authorized for the exam in question.
- Ignorance of the rules that apply is not an excuse that protects students against the consequences, nor is it necessary that students actually use the unauthorized aids they are found to carry.
- In cases where no unauthorized aids are involved, even attempts at cheating are punishable, but only if the student in question had the intention of cheating in the exam. If, for example, a student has other applications or browser tabs running during a bring-

your-own-device exam, they only face consequences if their intention to cheat for achieving a (better) grade is proven.

What are the consequences of cheating in the completion of a performance component?

All the work done as part of the course in question is declared null and void. In addition to the invalidation of the *entire* course, all students involved are banned from registering for or taking exams in the course in question or in parallel courses for a period of four months.

What is prohibited when completing course performance components?

- Copying from other students (e.g. in written homework)
- Failure to use correct citations in written performance components (plagiarism) The Directive on Plagiarism applies only in cases where academic misconduct is detected *in academic theses*
- Handing in the same written work in different courses without including a note in the paper indicating that it has been submitted more than once
- Unauthorized use and misuse of artificial intelligence
- Ghostwriting
- Falsifying or fabricating data or results

What do you have to do if you detect a case of cheating or fraud?

- Complete the appropriate form ("Protokoll zur Erschleichung einer Prüfungsleistung") and report the incident to studienrecht@wu.ac.at.
- In the form for reporting misconduct, please describe the observed instance of misconduct in a way that is transparent. If necessary, course instructors will be interviewed to determine the facts of the case in detail.
- After the Examinations Office has marked the examination as null and void ("NI") in the LPIS system and entered the four-month ban into LPIS, the instructors inform the concerned students. If requested by the students concerned, the instructors have to explain why an instance of fraud or cheating has been determined.

3.10. What do exam staff have to keep in mind during an exam?

Once their identity has been confirmed, students can hand in their exam at any time during the exam period. It is the students' responsibility to hand in their completed exams before the end of the exam period.

Students are required to leave the exam room immediately after handing in their work without disturbing other students still working on their exams. Exam staff have the right to prohibit students from leaving the exam room in the final 15 minutes before the end of the exam period. Exam staff also have the right to require students to remain seated until all exam papers have been collected.

3.11. What do you need to know about the grading period and students' right to view corrected exams?

Examinations have to be graded within four weeks of the exam date (§ 75 [4] of the Universities Act).

Students have the right to inspect their corrected exams for up to six months after announcement of the grade (§§ 79 [5] and 84 [2] of the Universities Act). This exam review is an opportunity for students to understand the reasons for the grade received. Students are entitled to make copies or take photographs of their examination reports and exam materials. Multiple choice questions and questions of structured oral exams and the corresponding answers are excluded from the right to make photographs and copies.

Examiners may schedule a group exam review. Students who are unable to attend a group exam review can appoint an authorized person to review the exam on their behalf. A written power of attorney is required in such cases. In justified cases, students may also review their exam outside of the group exam review time slot.

It is the examiners' responsibility to assign grades at their discretion. As a rule, students have no legal recourse against a grade. In the event of a failing grade, students have the right to be informed about the reasons for the grade upon request.

3.12. Under which circumstances can students appeal an exam?

Appeals are only possible if the appealing student failed the exam in question. Students may only appeal an exam if they can provide evidence showing that there was a major shortcoming or defect in the way the exam was held and that this defect likely had a significant impact on the exam result (§ 79 [1] of the Universities Act). Content-related questions are subject to the examiner's discretion and *cannot* be appealed.

Here are some examples of defects in the way the exam was held:

- Individual exam instead of an exam by a panel of examiners
- Questions that fall outside the agreed scope of the material to be studied
- Fire alarm during the exam

If students raise objections on the grounds of such major defects in the way an exam was conducted, please refer them to studienrecht@wu.ac.at.

4. Invalidation of previous regulations

This directive replaces the Directive on the Conduct of Examinations and Dealing with Cheating and Fraud, WU Bulletin issue 21, dated Februrary 2, 2026.

5. Legal basis

§ 5 of the Examination Regulations of WU:

(2) Once a student has accepted receipt of the examination questions, the examination shall count as an examination attempt.

[…]

(5) If a student leaves the examination room without consulting the examination staff or fails to hand in their examination papers, the examination shall not be graded and shall be marked as null and void. In this case, the examination shall count as an examination attempt. § 79 (1) of the Universities Act 2002 (*Universitätsgesetz*) applies analogously.

(6) The Vice-Rector for Academic Programs and Student Affairs shall be entitled to specify details regarding the administration of examinations in a directive.

[…]

(8) If a student is found with unauthorized aids in exams or when completing performance components of courses, or if a student attempts to cheat, the exam or the entire course shall not be graded, marked with an appropriate note, and be counted as a lost examination attempt. All participating students shall be excluded from re-registering for and attempting to take all exams and/or courses in the subject concerned for a period of four months.

(9) Within two weeks after issuance of the note voiding the exam or performance component, the student in question may file a request for an investigation to determine whether misconduct pursuant to item 8 has occurred.

(10) Examinations and performance components can be completed either in person on WU premises or remotely. Written in-person online exams held on WU premises can be completed using corporate-owned, business only (COBO) devices provided by WU or devices provided by the students themselves (bring your own device; BYOD). Written remote online exams that students complete on their own devices at a location of their choice are classified as remote-format exams.

§ 6 of the Examination Regulations of WU:

(1) In principle, it is not permitted to make visual, audio, and screen recordings of written online exams. In order to ensure that students complete their exams independently within the

meaning of § 76a (2) of the Universities Act 2002, and in addition to the other examination regulations that apply, the examiner may decide to use real-time electronic exam supervision for a course examination (LVP), subject examination (FP), module examination (MP), and for course performance components that are in themselves decisive for a passing grade, combined with

a) screen recordings of written in-person online exams (COBO, BYOD), or

b) video, audio, and screen recordings of written remote online exams.

(2) Automated analyses of these recordings are not permitted. Only the personnel entrusted with exam supervision and the support and system administration staff have access to the recordings. Any recordings must be deleted at the end of the statutory grading period.

(3) If the exam supervision staff suspects that there has been an instance of cheating, the staff of the office responsible for study regulations shall also be granted access to the exam recordings for the purpose of investigating the facts of the case. By derogation from item 2 above, in cases where students are suspected of cheating, the recordings shall only be deleted once the proceedings for investigating the suspected instance of cheating have been concluded.

(4) Upon request, the student shall be granted access to the exam recordings, provided that they have not yet been deleted pursuant to item 2 above.

(5) The Vice-Rector for Academic Programs and Student Affairs is entitled to issue a directive containing more detailed provisions on the conduct of written remote online examinations, in particular with regard to establishing the identity of the students, procedures for dealing with technical problems, and the rules regarding access to the exam recordings.

§ 10 of the Examination Regulations of WU:

(1) Before the start of each semester, course instructors shall indicate in the course syllabi the prerequisites for each course, the types of performance components required, and how these performance components are weighted in the calculation of the final grade (in percent), and the assessment criteria, including any authorized aids. […]

§ 2a of the Act on Quality Assurance in Higher Education (*Hochschul-Qualitätssicherungsgesetz*):

(3) In any case, the following shall be qualified as scientific or artistic misconduct:

1. Obstructing or sabotaging other people’s research or artistic activities

2. Using unauthorized aids, including the misuse of artificial intelligence applications

3. Making unauthorized use of another person's assistance in the preparation of a written paper, the completion of an exam, or the preparation of an artistic submission, or using work commissioned from a third party (ghostwriting)

4. Taking over texts, ideas, or artistic works in whole or in part and presenting them as one's own, in particular if someone uses parts of text, theories, hypotheses, findings, or data by copying them directly, paraphrasing them, or translating them without appropriately acknowledging and citing the source and the author (plagiarism) or

5. Fabricating or falsifying data or research results

(4) In their by-laws, educational institutions pursuant to § 1 (1) must include detailed regulations on integrity in academic and artistic studies, teaching, and research, on good academic or artistic practice, and on academic or artistic misconduct. In addition, the by-laws may also include provisions concerning the measures taken in cases of academic or artistic misconduct, especially in written seminar papers and exams, bachelor's theses, and academic theses and artistic submissions. The appropriate decision-making official of the educational institution pursuant to § 1 (1) may choose to suspend the student in question from their studies for up to two semesters in cases of severe and intentional scientific or artistic misconduct. Complaints against the official suspension notification may be filed with the Federal Administrative Court.

§ 34a of the By-Laws of WU Vienna University of Economics and Business:

[…]

(4) In the case of plagiarism and academic fraud in relation to written seminar papers and exams, the exams of all participating students are void, and the examination attempt counts toward the number of permitted attempts. All students involved shall be excluded from re-registering for and attempting to take any exams in the subject concerned for a period of four months.

§ 73 of the Universities Act 2002:

(1) The assessment shall be annulled by an official notification of the officer responsible for study matters if

1. in the case of an examination, the latter was registered for under false pretences;

2. in the case of an examination, academic thesis or artistic submission, the assessment was obtained by fraudulent means, in particular through major scientific or artistic misconduct within the meaning of § 2a (3) items 2 to 5 of the Act on Quality Assurance in Higher Education (HS-QSG).

(2) An examination, the result of which is annulled, shall count towards the number of repetitions.

(3) The results of examinations taken outside the registered continuation period for studies, and the assessments of academic theses and artistic submissions awarded outside the registered continuation period shall be null and void. Such results or assessments shall not count towards the number of repetitions.

§ 76 of the Universities Act 2002:

(2) In addition to the published index pursuant to para 1, the teachers of courses shall, at the start of each semester, inform students appropriately of the objectives, format, contents, dates and methods of their courses, and of the contents, format, methods, dates and assessment criteria and assessment principles of the exams.

§ 76a of the Universities Act 2002:

In the case of examinations held using electronic means of communication, the correct conduct of the examinations must be ensured. In addition to the general regulations for examinations, the following minimum requirements also apply in such cases:

1. The standards that the students' electronic devices must meet in order to participate in the examinations in question must be announced before the start of the semester.

2. Appropriate technical and organizational measures must be implemented for ensuring that the students work on the examination independently and without outside help.

3. In the event of technical problems that are not the student's fault, the examination must be aborted, and the examination attempt shall not be counted towards the permissible number of attempts.

§ 79 of the Universities Act 2002:

(1) Appeals against the academic judgment of examiners shall be impermissible. If the manner in which an examination resulting in a negative assessment is conducted exhibits severe defects, the officer responsible for study matters shall, by official notification, annul the examination on application of the student or a person whose admission has expired pursuant to § 68 para 1 subpara 3. The application shall be submitted within four weeks of announcement of the assessment and substantiate the alleged severe defect. Examinations which are annulled shall not be counted towards the permissible number of re-sits.

(2) Oral examinations shall be open to the public. If necessary, the examiners or the chairpersons of examination boards may limit admission to the number of persons that the premises can accommodate or, if the examination is held using electronic means of communication, they may limit access to the number of persons that the technical system used

can accommodate. In the case of oral examinations held before examination boards, all members of the board must be present physically or online throughout the examination. The result of an oral examination shall be made known to the student immediately after the examination. In the case of a negative assessment, the reasons shall be explained to the student.

(3) If the assessment documents (in particular, examiners' reports, and corrected written examinations and assessment papers) are not surrendered to the student, steps shall be taken to ensure that they are held in safekeeping for at least six months after announcement of the result.

(4) The examiners or the chairpersons of examination boards shall ensure that examinations are conducted in an orderly manner, and shall make records of examinations. Such records shall include the subject of the examination, the place or format and starting and ending times thereof, the name[s] of the examiner or examination board members, the name of the student, the questions asked, the assessment grades awarded, the reasons for a negative assessment and any unusual occurrences. The reasons for a negative assessment shall be communicated to the student in writing on application of the same. The examination record shall be held in safekeeping for at least one year.

(5) Students shall be permitted to have inspection of the assessment documents and the examination records, provided that they make such requests within six months of the announcement of examination results. The assessment documents shall also include the examination questions asked at the respective examination. Students shall be entitled to make photocopies of these documents. Multiple-choice questions and the questions forming part of structured oral exams including their answers shall be excluded from the right to make photocopies or to inspection using electronic communication tools.

§ 116a of the Universities Act:

(1) Any person who produces a work for another person or makes it available to another person, whether in return for recompense or free of charge, even though he or she knows or can assume from the circumstances that this work is subsequently intended to be used in part or in its entirety as a seminar paper, examination paper or thesis (bachelor's thesis, academic thesis or artistic submission) and submitted in the place of independent work that has not been performed shall be liable to a fine of up to 25,000 €.

(2) Assistance provided free of charge which does not impair the intellectual and academic independence of the designated author's seminar paper, examination paper or thesis (bachelor's thesis, academic thesis or artistic submission) shall not be penalized.

(3) Any person who, under the circumstances referred to in para 1, publicly offers to produce such a work for another person or to make it available to another person shall also be penalized.

(4) If the perpetrator acts with the intent of obtaining an ongoing income by repeatedly committing such acts, he or she shall be liable to a fine of up to 60,000 €. Repeat offenders may be sentenced to imprisonment for a term of up to four weeks.

(5) The recompense or other benefit received by the offender shall be declared forfeited (§ 17 of the Administrative Penal Act [*Verwaltungsstrafgesetz*, VStG]). If the recompense or benefit is not a material object or if the offender no longer possesses the recompense or benefit, he or she shall be liable to pay of a further sum of money equal to the value of the recompense or benefit (forfeiture penalty).

(6) Criminal liability shall expire by limitation. The statute of limitation shall be 30 years and shall commence at the time when the punishable act was completed or the punishable actions ceased. If the success resulting from the offense occurred later, the statute of limitation shall start to run at that time.

(7) Any person who carries out an action as defined in paras 1, 3 or 4 commits an administrative offence which shall be punished by the district administrative authority having local jurisdiction unless the act constitutes an offence falling within the jurisdiction of the courts or unless it is punishable by a more severe penalty under other administrative provisions.

6. Document details

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