

**Decision
24-093**

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Considerations

1 – The position of the appellant

The appellant does not agree with the rejection. He argues that he found several incongruities in the assessment. His main objections are to the following elements. First, that the feedback indicated that the title of his *Final Report* does not comprise the proposed solution. He believes it does. Secondly, the appellant indicates that an error was mentioned in the assessment. Indeed, he did meet the requirement of covering at least 3 of the 4 disciplinary perspectives. Finally, he raised the fact that half a point was deducted from his rating due to errors in the bibliography and footnotes.

2 – The position of the respondent

The respondent argues that it acted in accordance with the applicable rules. The relevant Examiner determined the appellant's grade in accordance with the procedure. In the process, sufficient feedback was provided on the assessment.

The respondent acknowledges that an error was included in the assessment feedback. Indeed, the appellant did meet the requirement of covering at least 3 of the 4 disciplinary perspectives. However, this error stated by mistake did not affect the assessment. This follows from the fact that the appellant was awarded a grade of 6.5 for that aspect. Had he not fulfilled this requirement, he could not have been awarded a pass for it.

3 – Considerations with regard to the dispute

In accordance with article 7.61, paragraph two, of the WHW, the Examination Appeals Board must consider whether the contested decision contravenes the law.

The appellant disagrees with the awarded grade of 5.5 for the resit of his *Final Report* for the course unit *Introduction to International Studies*.

As the Examination Appeals Board has previously considered, it holds that the assessment of an examination, assignment or thesis is the exclusive competence of the Examiners appointed by the Board of Examiners for the relevant course unit (see CBE 23-007 among others).

The Examination Appeals Board considers that the documents and what was discussed at the hearing did not show that the respondent failed to use this power

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according to a proper and disclosed procedure. In this respect the following is relevant.

In its statement of defence, the respondent explained that the assignment was assessed using the criteria set out on the assessment form. The Examination Appeals Board did not establish that the procedure as used was incorrect nor that the points awarded for the different elements failed to justify the final grade awarded. The respondent was right to adopt the position that no bias on the part of the Examiner was apparent to the Examination Appeals Board.

The Examination Appeals Board seconds the respondent in stating that it is disorderly that the assessment stated that the appellant had not mentioned at least 3 of the 4 disciplinary perspectives, which he had. In view of the fact that the appellant received a pass grade for this section, it should have been clear to him that there was a discrepancy here. Therefore, this cannot lead to the contested decision being quashed.

Finally, the Examination Appeals Board was informed at the hearing that the appellant had the opportunity to contact the Examiner for additional information. The appellant failed to do this.

In view of the above, the Examination Appeals Boards holds that the respondent has not acted contrary to the law. Consequently, the appeal is unfounded and the contested decision is upheld.

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The decision

The Examination Appeals Board of Leiden University

holds the administrative appeal unfounded

in view of article 7.61 of the Higher Education and Academic Research Act.

Established by a chamber of the Examination Appeals Board, comprised of: O. van Loon, LL.M., (Chair), Dr B. Siegerink, Dr A.M.C. van Dissel, T.E.V. Claessen, and S.H Bartels BSc, LL.B. (members), in the presence of the Secretary of the Examination Appeals Board, R.R. van der Vegt, LL.M.

O. van Loon, LL.M.
Chair

R.R. van der Vegt, LL.M.
Secretary

Sent on:

Certified true copy,