

## DECISION 18 - 121

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of the Examination Appeals Board of Leiden University  
in the matter of  
the appeal by [name] from The Hague, appellant  
against  
[names], in their capacity as Examiners, respondents.

### 1. Origin and course of the proceedings

On 29 May 2018, the respondents established the grade of the master's thesis of the appellant in the context of the Master's Programme in Social and Organisational Psychology at 6.5 on a scale of 10.

[name] (hereinafter: "Thesis Examiner") sent an email message on 6 June 2018 to invite the appellant for a meeting to discuss a more detailed substantiation of the grade. The appellant turned down this invitation.

The appellant sent a letter on 17 June 2018, which was received by the Examination Appeals Board on 5 July 2018, to lodge an administrative appeal against this decision.

In short, the appellant argued that he does not agree with the assessment, since the substance of the assessment form does not take account of the quality of the thesis. Besides, he takes the position that he was - wrongly - not offered the opportunity to adapt his thesis, since the version he submitted has been assessed as the final version.

The respondents submitted a letter of defence on 8 August 2018.

The appeal was considered on 17 October 2018 during a public hearing of a chamber of the Examination Appeals Board. The appellant did not appear at the hearing, having given notice of absence. [names], Chair and Secretary respectively of the Board of Examiners, appeared on behalf of the respondent at the hearing. At the hearing, the Examination Appeals Board decided to postpone the case until 1 November 2018, so that the respondents could try (once again) to reach an

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amicable settlement with the appellant. This was confirmed to both parties in a letter on 18 October 2018.

On 31 October 2018, [name], member of the Board of Examiners of Psychology, consulted the appellant to investigate whether an amicable settlement could be reached.

On 1 November 2018, the respondents informed the Examination Appeals Board that no amicable settlement had been reached.

**2. Considerations with regard to admissibility**

The appellant lodged a timely appeal against the decision of 29 May 2018 by means of the letter that was received by the Examination Appeals Board on 5 July 2018. Furthermore, the letter of appeal also meets the requirements as stipulated in the General Administrative Law Act ("Awb", *Algemene wet bestuursrecht*) and the Higher Education and Academic Research Act ("WHW", *Wet op het hoger onderwijs en wetenschappelijk onderzoek*). Consequently, the administrative appeal is admissible.

**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.

First and foremost, the Examination Appeals Board considered that the respondents have been appointed by the Board of Examiners as Examiners. This leaves their expertise to assess the thesis in no doubt.

In his email message of 27 April 2018, the appellant reported matters including the following to his Thesis Examiner:

"To this email are attached 3 documents: Internship working plan, Internship Report, Master Thesis. I am very pleased with the final versions of each, Yet if you notice major changes needed to be done please notify me about these so that I can correct them. Can you tell me an estimate to what date can they all be graded?". The subject of the email message is: "Re: Finished written Thesis & Internship. For whom should I hand in?".

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In his email message of 14 May 2018, the Thesis Examiner responded with remarks including the following: “As I said on the phone, I expect to have graded them before the end of this month.”

In his email message of 15 May 2018, the appellant informed his Thesis Examiner that he had submitted a graduation request form to the Student Administration Department.

In his email message of 16 May 2018, the Thesis Examiner notified the appellant that the Second Examiner was evaluating the thesis at that time. He added to the message: “Before the second reader and I can grade your thesis, two things have to be done first:

- Could you state on the first page of your thesis that [name] was your Examiner, I am the first examiner, and [name] is the second examiner.
- Each thesis needs to be stored in the Leiden University Student Repository, and to do this, you need to sign a consent form (see attachment). Could you sign this form and email it to me as soon as possible?”

In his email message of 17 May 2018, the appellant informed his Thesis Examiner that he had complied with the above-mentioned request (“I add as attachment both my consent & Rewritten first Thesis page”).

The Examination Appeals Board holds that both the context of the email communication and the substance thereof demonstrates that the appellant intended to submit the final version of his thesis for assessment. He could also conclude from the request in the email of 16 May 2018 that his thesis would be assessed. If this was not the intention, it would have been up to the appellant to contact the Examiners in this respect. Since he did not sound the alarm, and complied with said request, the respondents graded the submitted version of the thesis with good reason. Consequently, there is no opportunity to adapt the thesis and to re-submit it.

The Examination Appeals Board established that the final version of the thesis was assessed by means of the *Assessment M-thesis* form. This form consists of various parts. Furthermore, all parts are subdivided in elements, that are awarded a grade in the categories: inadequate/weak/sufficient/good/excellent. The assessment form that was used to grade the appellant's thesis states what grade was awarded to each element by the respondents. In his email message of 29 May 2018, the Thesis Examiner clarified matters including the following: “In short, the content of the abstract, introduction, method, results, and discussion generally was satisfactory, but the quality of the scientific writing was rather unsatisfactory.”

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At the hearing, the respondents clarified that a member of the Board of Examiners of Psychology also evaluated the appellant's thesis, in accordance with the same assessment criteria that were used by the respondent, to verify whether his assessment would be in line with the assessment by the respondents. This appeared to be the case.

In view of the above, the Examination Appeals Board holds that the assessment was arrived at in a proper manner. The Examination Appeals Board has no reason to doubt the correctness of the assessment. Consequently, there are no grounds to quash the decision. The fact that the appellant has a different view of the quality of his thesis does not alter the above.

Since the Examination Appeals Board has not been informed of any other facts or circumstances that could warrant an alternative decision, the appeal must be held unfounded.

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**4. The decision**

The Examination Appeals Board of Leiden University,

holds the 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 K.H. Sanders, LL.M., (Chair), Dr A.M. Rademaker, Dr K. Beerden, M. Heezen, and L.N. Kluinhaar LL.B. (members), in the presence of the Secretary of the Examination Appeals Board, M.S.C.M. Stoop - van de Loo, LL.M.

K.H. Sanders, LL.M.,  
Chair

M.S.C.M. Stoop - van de Loo, LL.M.  
Secretary

Certified true copy,

Sent on: