

DECISION 22 - 427

Rapenburg 70
Postbus 9500
2300 RA Leiden
T 071 527 81 18

of the Examination Appeals Board of Leiden University

in the matter of the appeal of

[name], appellant,

against

de Board of Examiners of the Faculty [X], respondent.

The course of the proceedings

On 13 July 2022, the appellant received the assessment of his master's thesis ("[X]") in the Master's Programme in [X] (hereinafter: the Programme).

The appellant's thesis was awarded a grade 7.5 on a scale of 10.

The appellant requested a re-assessment of the master's thesis from the respondent.

The respondent informed the appellant that they saw no reason to review the grade 7.5 of the master's thesis.

The appellant sent a letter on 15 September 2022 to lodge an administrative appeal against this decision.

The respondent informed the Examination Appeals Board that they investigated whether an amicable settlement could be reached between the parties. No amicable settlement was reached.

**Decision
22-427**

Blad 2/5

On 3 September 2022, the Examiner responded to the notice of appeal.

The administrative appeal was considered on 28 September 2022 during a public hearing of a chamber of the Examination Appeals Board. The appellant attended the hearing, together with [name]. Nobody attended the hearing on behalf of the respondent, due notice having been given.

The Examiner sent both assessment forms to the Examination Appeals Board after the hearing, on 7 October 2022. The appellant responded to these on 20 October 2022.

Considerations

1 – The position of the appellant

The appellant does not agree with the assessment of his thesis and wants a higher grade for his master's thesis. This will allow him to graduate *cum laude*. He disagrees with five parts of the assessment: clarity of the research question, structure of the thesis, quality of argumentation, language use, format, and self-insight.

The appellant feels he did not receive sufficient feedback. The final assessment is also incompatible with the fact that he was actually praised by the Supervisor when the thesis was still work in progress and hardly received any comments. Only a few incorrect footnotes or spelling errors were mentioned. He also believes that the Second Reviewer was influenced - negatively - by the Examiner/First Reviewer and that they had a discussion about the grade to be awarded. Based on the grading criteria, he should have been awarded a grade 8.

The appellant feels that his master's thesis should be awarded a grade 9 because of its original subject matter and the fact that the available information is hardly accessible. He would like to publish his thesis. There was little information available online and he had to question many people. He finds the Examiners' opinions subjective and inconsistent with the grading criteria. Though he does acknowledge that the thesis was not perfect, he feels that it certainly warrants at least a grade 8. A few language errors do not justify lowering the grade to a 7.

**Decision
22-427**

Blad 3/5

The appellant did not submit a second draft because there was a problem with his computer. Malware appeared and the file was encrypted so he could no longer open it.

The appellant would like to have a Third Reviewer appointed to give a binding opinion, but based this time on the grading criteria.

2 – The position of the respondent

The Examiner indicated that, although the thesis was awarded a 7.0 on most criteria, he rounded off the grade for the master's thesis to 7.5 in consultation with the Second Reviewer. There was no disagreement on the assessment between the Examiner and the Second Reviewer.

The feedback given on the thesis by the Examiner and the Second Reviewer showed that the research question was neither particularly well-articulated nor original. According to him, this justifies a grade 7. The structure is unpredictable and not clear on first reading. This ambiguity does not warrant a grade 8. The analysis could have been enriched with more application to current practice. This parameter also warrants the grade 7. Technical errors were made in source research and it lacks clarity, so the language skills justify a grade 7. As such, the Examiner feels that the thesis does not deserve a grade 8. No obscure or hard-to-access sources were used. Moreover, the appellant - despite being asked to do so - did not submit a legible copy of the second draft. The Examiner found the use of metaphors inappropriate as they were insufficiently explained by the appellant.

3 - Considerations with regard to the dispute

In accordance with article 7.61, paragraph two of the Higher Education and Academic Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*, hereinafter referred to as “WHW”), the Examination Appeals Board must consider whether the contested decision contravenes the law.

The Examination Appeals Board first remarks that it is regrettable that no one appeared on behalf of the respondent during the hearing and that the Examiner

**Decision
22-427**

Blad 4/5

was not present at the hearing either. This prevents the Examination Appeals Board from putting its questions to the respondent and prevents the parties from responding to each other's views. On request, the Examiner submitted the individual assessments of the First and Second Reviewers after the hearing. 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 to the relevant course unit. The Examiners maintain that this assessment was arrived at in a proper manner.

The Examination Appeals Board considers that the assessments sent do not show, as the appellant argues, that the First and Second Reviewer may have been in conflict over the assessment, or that the Second Reviewer did not form an opinion of his/her own accord. Although it is true that both awarded the same marks on the same criteria; nevertheless, the two opinions do appear to be markedly different from each other in their explanations.

In view of the documents, the Examination Appeals Board holds that the Examiners followed the prescribed procedure in a proper manner. There was no evidence that the Supervisor failed to provide feedback or was otherwise careless in providing guidance. From the documents, the Examination Appeals Board found that the Examiner and the Second Reviewer reached an opinion independently on the thesis and provided extensive feedback on the submitted version of the thesis. In the opinion of the Examination Appeals Board, the fact that the appellant did not submit a second draft of the thesis during the writing procedure should be at his own risk.

The contested decision is therefore upheld. The appellant's administrative appeal against the decision is unfounded. The arguments given by the appellant do not warrant an alternative decision by the Examination Appeals Board.

**Decision
22-427**

Blad 5/5

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.

Thus established by a board of the Examination Appeals Board, consisting of M.G.A. Berk (Chair), LL.M., MA, Dr A.M. Rademaker, Dr B. Siegerink, Z.I. de Vos LL.B., and J.J. Christiaans BA, assisted by I.L. Schretlen, LL.M (Secretary).

M.G.A. Berk, LL.M., MA
Chair

I.L. Schretlen, LL.M,
Secretary

Certified true copy,
Sent on: