

**DECISION 23 – 656**

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of the Examination Appeals Board of Leiden University  
in the matter of the administrative appeal of

██████████, appellant

against

the Board of Examiners of Astronomy, respondent.

**The course of the proceedings**

On 25 September 2023, the appellant's *First Astronomy Research Project* (hereafter: 'the project') was graded 6.5.

The appellant disagreed with that assessment and requested the respondent to reassess the project.

The respondent rejected this request.

In a letter dated 11 November 2023, the appellant lodged an administrative appeal against this decision.

The respondent investigated whether an amicable settlement could be reached. No amicable settlement was reached.

The respondent submitted a letter of defence on 20 December 2023.

The appeal was considered on 17 January 2024 during a public hearing of a chamber of the Examination Appeals Board. The appellant attended the hearing, together with ██████████, ██████████, ██████████ of the Board of Examiners, attended on behalf of the respondent.

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## **Considerations**

### *Admissibility*

The appellant filed her administrative appeal with the Examination Appeals Board five days after the deadline expired. The appellant indicated that personal circumstances were the reason for exceeding the deadline; in the last week before the deadline, the appellant's [REDACTED]. In view of these circumstances and the Conclusion by Advocate-General Widdershoven of 7 September 2023 (ECLI:NL:CBB:2023:476), the Examination Appeals Board holds that exceeding the term is excusable. Consequently, the Examination Appeals Board will consider the administrative appeal of the appellant on substance.

In accordance with Article 7.61, paragraph two, of the Higher Education and Academic Research Act (*Wet op het Hoger onderwijs en Wetenschappelijk onderzoek*, “WHW”), the Examination Appeals Board must consider whether the contested decision contravenes the law.

### *Considerations with regard to the dispute*

The appellant disagrees with the assessment of her project. She believes she was inadequately supervised during the project, which resulted in a lower grade (6.5) than she hoped for. That inadequate supervision was said to be due to poor communication by her main Supervisor with her, and between the main and daily Supervisor. In addition, the appellant indicated that she received too little feedback from the main Supervisor and that fewer than the prescribed number of feedback sessions took place. The same applies to the major interim review (*midterm*). As a result, according to the appellant, problems were not identified until it was too late.

The respondent argued that the assessment and grading of the project were executed in a proper manner. It is acknowledged that there may have been some confusion about the phrasing used by the daily and the main Supervisor relative to each other in their assessments, but the assessments are correct and do correlate with one another. The respondent stressed that both Supervisors are skilled in supervising such projects and have the necessary experience.

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As for the periodic review, also called the *midterm*, the respondent expressed regret that this did not take place. However, it is not an obligation for the main Supervisor to perform such an interim evaluation. In doing so, the respondent stressed that there are no rules either on how often or when feedback should be given. In that respect, this part of the supervision was also executed correctly.

The Examination Appeals Board agrees with both the respondent and the appellant that the supervision of the project was not completely flawless. For instance, it is unfortunate that the phrasing in the assessment may cause confusion and that the periodic review did not take place. However, the Examination Appeals Board holds that the respondent has sufficiently substantiated that the appellant's supervision was adequate during her project. The fact that communication with the supervisors did not always run smoothly does not detract from this. The same applies to the omission of the periodic review, as it was put forward at the hearing without contradiction that such a review is not a set obligation. Consequently, the appellant's argument that this led to a lower grade does not hold.

The appellant's claim that she received too little feedback during the process also does not apply. This is because the respondent has adequately substantiated that there are no rules or guidelines prescribing how much feedback students should receive and how often, and because the appellant did receive solid and comprehensive feedback during the process. The Examination Appeals Board therefore endorses the view that the supervision provided to the appellant was executed correctly.

Since the Examination Appeals Board has not been informed of any other facts or circumstances that could lead to an alternative decision, the appeal must be held unfounded. This means that 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 M.G.A. Berk (Chair), LL.M., Dr A.M. Rademaker; Dr G.L. Dusseldorp, T.E.V. Claessen and D.P. Hooimeijer (members), in the presence of the Secretary of the Examination Appeals Board, E.M.A. van der Linden, LL.M.

.....,  
Chair

.....,  
Secretary

Sent on:

Certified true copy,