

Guide for Rules and Guidelines of the Examination Board

Faculty of Law, Vrije Universiteit Amsterdam

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1. Scope of application

Rules and Guidelines as stipulated in Article 7.12b, third paragraph, of the Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek, WHW*) are adopted by the Examination Board and further clarified as the Rules and Guidelines of the Examination Board. These Rules and Guidelines apply to the examinations and final assessments in the Faculty of Law's bachelor's and master's programmes.

These regulations apply to anyone following the degree programme in this academic year, irrespective of when he or she started the degree programme.

2. General

1. The terms used in the Teaching and Examination Regulation (TER) also apply to this regulation. All other terms are defined in accordance with legislation.
2. In the event that a provision in these regulations conflicts with a provision in the TER that applies to the relevant degree programme, the provision in the TER shall take precedence.

3. Composition of the Examination Board

1. The Faculty Regulations apply to the composition of the Examination Board. At least one member of the Examination Board works as a teacher within the programme or one of the programmes to which these Rules and Guidelines apply. At least one member of the Examination Board is not affiliated with the degree programme(s). Members of the Executive Board and persons otherwise bearing financial responsibility within the institution may not take a seat on the Examination Board.
2. Before a member is appointed, the Faculty Board (FB) will conduct a hearing with the Examination Board about the proposed appointment.
3. A member is appointed for a period of three years and may be reappointed.
4. The members of the Examination Board are appointed by the Faculty Board.
5. The Examination Board appoints one of its members to act as chair (external members are not eligible for this position). The chairperson is responsible for the day-to-day management of the Examination Board. If necessary, the chairperson will designate another member to deputize during absences.
6. The Faculty Board is responsible for guaranteeing that the Examination Board operates in an independent and expert manner.

4. Duties of the Examination Board

The duties of the Examination Board are regulated by law. These include in all events drawing up rules for the execution of duties and responsibilities and taking measures with regard to:

- a. determining in an objective and expert manner whether a student meets the conditions set in the Teaching and Examination Regulation relating to the knowledge, insight and skills necessary to be awarded a degree;
- b. maintaining and assuring the quality of all examinations and final degree assessments;
- c. determining guidelines and instructions to assess and determine the results of examinations and final degree assessments within the framework of the Teaching and Examination Regulations;
- d. granting exemptions for one or more examinations;
- e. extending the limited period of validity of an examination or exemption if a student submits a reasoned request to that effect. The Examination Board can decide to permit an extension of

validity only after the student making the request has successfully completed a supplementary examination on the relevant subject matter;

- f. ensuring that measures are taken in cases of academic misconduct;
- g. appointing examiners to conduct (interim) examinations and determine the results;
- h. granting a degree certificate, including a diploma supplement, as proof that the student has successfully completed the final degree assessment;
- i. granting permission to students to complete a free study programme with an examination that leads to the award of a degree;
- j. issuing a statement of results attained to persons who have successfully completed more than one examination but are not eligible for a degree certificate;
- k. preparing an annual report of its activities.

5. Working method of the Examination Board

1. The Examination Board meets when its chair deems necessary. The meetings are not held in public.
2. The Faculty Board can allocate an administrative secretariat to the Examination Board.
3. In the event of a request or complaint that involves a member of the Examination Board, this shall be dealt with in the absence of the member involved.
4. The request or complaint must always include a justification of the request or a description of the complaint.
5. The Examination Board will take a decision within thirty working days of receiving a request or complaint. The Examination Board may postpone this decision and inform the interested parties of this in writing.
6. The chairperson and the secretary execute the duties in mandate individually and are responsible for coordination of the execution.

6. Designation of examiners

1. The Examination Board designates examiners individually.
2. Examiners are not required to have tenure with the Vrije Universiteit Amsterdam.
3. Designations are made ex officio or per request.
4. Prerequisites pertain to the designation, as described in the appendix "Requirements examiner qualification" to these regulations.
5. In preparation of the designation or the extension thereof the Examination Board investigates the suitability of the candidate-examiner, when necessary by means of consultations with the candidate, the Head of department or the Programme director.
6. The designation of an external examiner occurs only after the candidate-examiner has declared he or she will conform to the faculty regulations and procedures regarding examinations and assessments, with the other prerequisites remaining in full force and effect.
7. The designations are recorded in a register.
8. The designation is temporary or indefinite.
9. The designation may apply to a specific part of the examination process: course coordination (A), supervisor and assessor of bachelor theses (B), supervisor and assessor of master theses (C).
10. When an examiner no longer meets the requirements or otherwise does not function in the appropriate manner, the designation can be revoked. Section 5 is applicable herein.

7. Registration for examinations

1. Students can only participate in examinations if they are registered using the registration module in VUnet and if they have met the entry requirements for the specific component in question, as defined in the Teaching and Examination Regulations.
2. The student portal opens for registration at least six weeks prior to the date of the examination. The system closes two weeks prior to the date of the examination in question.

8. Questions and assignments, subject matter and duration of examinations

1. None of the individual questions or assignments in the examination will relate to anything other than the previously announced examination material. The main points of this examination material will be announced prior to the start of the programme component that prepares students for the examination in question.
2. In the event of a resit in a subsequent academic year, the student will sit an examination based on the material set for that examination in the academic year in question, unless the Examination Board decides otherwise at the request from the examiner.

9. Completing examinations in other ways

1. At an examiner's request, the Examination Board may permit a different form of examination than that stipulated in the study guide.
2. The Examination Board may give a student the opportunity to take an exam outside the normal timetable if exceptional circumstances give it cause to do so.
3. In the case of examinations outside the normal timetable, the examiner determines the form in which the examination in question is to be taken.

10. Oral examinations

An oral examination will be taken in the presence of a second examiner.

11. Quality assurance

1. In order to ensure the quality of the examinations, the Examination Board applies the faculty assessment policy, as stipulated in the 'Facultaire Nota Toetsbeleid'.
2. The length of each examination is such that the student can reasonably be expected to answer the questions in the time given.

12. The maintenance of order during an examination

1. At every examination, the student is required to present a valid proof of registration and a valid document for identification with signature and photograph.
2. Students' work will not be assessed until it has been established that they were registered for the examination in question.
3. If a student is unable to present proof of identity, or if the invigilator has doubts regarding the student's identity, then the student must sign his or her work in the presence of the invigilator.
4. The student's work will be assessed if:
 - a. it bears the signature as referred to above, and
 - b. the student properly identifies himself or herself to the examiner within 14 days after sitting the examination, and signs his or her work with a second signature that is identical to the first and

- c. it has been established that the student was registered for the examination in question.
5. Invigilation is provided under the supervision of examiners.
6. The examiner ensures that a sufficient number of invigilators who monitor that the examination is conducted properly are appointed for the written examination.
7. Students are required to follow the instructions issued by the invigilators.
8. Students arriving after the examination has started will not be admitted, unless granted permission to do so by the examiner.
9. The examiner sees to it that all students sitting a given examination have the same period of time in which to complete the questions.

13 Mutatis mutandis provision for shared examination halls

1. Notwithstanding the provisions of Article 12 of these Examination Regulations and the Procedural regulations for examinations in the Dutch Law, Notarial Law, and Criminology programmes that derive from it, examinations held in examination halls where other faculties' examinations are being simultaneously held are subject to the Regulations for Shared Examination Rooms.¹
In the case of examinations held in shared examination rooms, at least one examiner must be present throughout the examination, on behalf of the department responsible for the examination in question.
2. The examiner can, when the exam takes place in a shared examination hall, transfer the responsibility for appointing invigilators to the designated central organization unit.

14. The assessment of examinations

1. The assessment of examinations takes place in accordance with the appendix to these regulations.
2. Students are considered to have passed an examination if they are awarded a grade of at least six for the component in question.
3. The assessment of examinations takes place in accordance with previously established standards that are as complete as possible and that, where appropriate, have been modified in accordance with the correction of the component.
4. Lecturers will only assess those theses whose topics they have approved in advance and where they have made arrangements for supervision with the student in question.
5. On the basis of the method of assessment, it should be possible for students to determine how their grade for the degree component was derived.
6. Students who participate in an examination, but who fail to submit any work for assessment will be awarded a grade of 1 for the component in question.

15. Graduation

1. The Examination Board determines the final degree assessment, when it has established that the student has completed all components of the degree successfully. The date of the degree will be the date on which the final examination was completed successfully.
2. A degree certificate can be issued only after the College Board has declared that the student has met all procedural requirements, including the payment of tuition.

¹ Ruling by the Executive Board of VU University Amsterdam, dated 5 September 2012.

16. Free curriculum

1. Subject to certain conditions, the student has the option of compiling a curriculum of the student's own choice which deviates from the curricula prescribed by the programme.
2. The composition of such a curriculum requires the prior approval of the Examinations Board.
3. The free curriculum is compiled by the student from educational units offered at Vrije Universiteit Amsterdam or another institution of higher education and must at least have the size and scope (breadth and depth) of a regular Bachelor's or Master's programme.
The student must ensure that the proposed Bachelor study programme will give access to at least one Master's programme. In doing so, the student is not obliged to take the relevant Master's programme.

17. Classifications

1. The Examination Board awards a classification of "cum laude" ("with merit") if the candidate:
 - has passed each degree component at the first attempt and
 - was awarded a grade of at least an 8 for their thesis, and
 - was awarded a grade of at least a 7 for the other degree components, and
 - was awarded an unweighted grade average of full 8 (i.e. prior to rounding) for all degree components.

The "cum laude" classification is recorded on the degree certificate.

Extra-curricular courses are not included in the calculation for "cum laude".²

2. The Examination Board awards a classification of "summa cum laude" ("with distinction") if the candidate:
 - has passed each degree component at the first attempt and
 - was awarded a grade of at least an 9 for their thesis, and
 - was awarded a grade of at least a 8 for the other degree components, and
 - was awarded an unweighted grade average of full 9 (i.e. prior to rounding) for all degree components.

The "summa cum laude" classification is recorded on the degree certificate.

Extra-curricular courses are not included in the calculation for "cum laude".³

3. When applying the criteria for the award of a degree classification, any exemptions granted and appraisals not expressed as a number (VLD = Pass) are disregarded, with the exception of exemptions related to a previously written thesis. Any such previous thesis must have been awarded a grade of at least 8.
4. When applying the criteria for the award of a degree classification, any result obtained after the first grade is disregarded.

18. Certificate and list of marks

1. The Examination Board grants a degree certificate as proof that the student has passed his/her final degree assessment. The Examination Board adds a diploma supplement to the degree

² This applies to all students who started the program after 1 September 2018 and for all students who graduate on or after 1 September 2019.

³ This applies to all students who started the program after 1 September 2018 and for all students who graduate on or after 1 September 2019.

certificate that provides information on the nature and content of the degree programme completed. The diploma supplement is drawn up in Dutch or English and complies with the European format.

2. Those who have passed more than one examination but who are not entitled to a degree certificate as referred to in paragraph 1 may, upon request, receive a statement issued by the relevant Examination Board which lists the examinations passed, specifying the educational units concerned, the number of credits thus obtained and when the examination results were achieved.

19. Exemption from an examination

1. A request for exemption from an examination must be submitted before the start of the relevant component to the Examination Board via the appropriate form on VU.net.
2. After consulting the relevant examiner, the Examination Board can grant exemption from an examination or practical based on the following:
3. a successfully completed course component of a university or higher professional education programme that is equivalent in both content, level and study load to the component for which the exemption is requested.
4. Students wishing to meet the requirements of certain exams by studying at another faculty or university, in the Netherlands or abroad, must request permission from the Examination Board beforehand.
5. For the Master's programmes a maximum of 12 EC of the curriculum can be accumulated through granted exemptions.
6. This exemption does not apply to the Bachelor's or Master's thesis.

20. Academic misconduct and plagiarism

1. Academic misconduct and plagiarism are defined as any act or omission by a student that partially or entirely precludes making an accurate assessment of their knowledge, understanding and skills, or those of another student.
2. At any event, the following will be considered to constitute academic misconduct:
 - a. being in possession of aids or resources (pre-programmed calculator, mobile phone, books, outlines, notes, etc.) which are not expressly permitted during the examination;
 - b. copying from others or exchanging information during the examination;
 - c. assuming someone else's identity during the examination;
 - d. allowing someone else to assume your identity during the examination;
 - e. obtaining details of examination questions before the date or time at which that examination is scheduled to take place;
 - f. modifying, extending or changing a degree component examination after it has been submitted for final assessment.
3. At any event, the following will be considered to constitute plagiarism:
 - a. using or copying another person's written work, data or ideas without a full and appropriate source references;
 - b. not clearly indicating in the text (by means of quotation marks or a particular layout, for example) that a passage of text is being cited directly from the work of another author, even where correct source references have been included;
 - c. paraphrasing the contents of other people's texts without appropriate source references;

- d. submitting [parts of] a previously submitted text, or a comparable text, for assignments from other degree components;
- e. copying work from other students and presenting this work as one's own;
- f. submitting assignments that have been obtained from a commercial agency or that have been written by someone else (whether or not in exchange for payment).

Electronic detection software programs may be used to detect plagiarism in texts. When submitting a text, the student implicitly consents to the text being entered into the database of the detection program concerned.

21 Procedure for breaches of the regulations

1. If the examiner ascertains, or has good reason to suppose, that academic misconduct has taken place, this must be reported to the Examination Board in writing immediately. The Examination Board will inform the student of this report in writing.
2. The invigilator or the examiner can request that the student hand over the incriminating material relating to the breach of regulations in question. Any refusal to do so will be recorded in the report referred to in paragraph 1.
3. If the breach of regulations is observed during an examination, the student is given the opportunity to complete the examination in the remaining time allotted.
4. The head of department, or a lecturer acting on the head's behalf, decides whether the Examination Board should be notified of this breach of regulations.
5. The case is placed before the Examination Board by submitting the report referred to in paragraph 1. This must take place within five working days after the breach of regulations was observed.
6. The Examination Board gives the student the opportunity to present a written comment on the report referred to in paragraph 1, within a reasonable period of time (to be determined by the Board).
7. After the period of time referred to in paragraph 6 has elapsed, the Examination Board gives the assessing lecturer (or the invigilator, as the case may be) and the student in question an opportunity to attend a meeting and verbally express their respective views, and to answer questions posed by the Board.
8. The Examination Board will make a decision concerning the penalty to be imposed as soon as possible. This must take place within six weeks of the date on which the period of time referred to in paragraph 6 elapses.

22. Penalties

1. If the Examination Board concludes that the student has cheated or committed plagiarism, then, depending on the nature and gravity of the breach of regulations involved, it can decide to award the student a grade of zero for the degree component in question. In addition, it can debar the student from all examinations for a period not exceeding one year following the date on which the breach of regulations was observed.
2. The Examination Board grants no exemption based on examinations which, during the period in which the student is debarred from sitting examinations, are held in another faculty.
3. Debarment by the Examination Board of another faculty also applies within the Faculty of Law of VU University Amsterdam, for the same period and for the same components.

23. Irregularities

If the Examination Board concludes that one or more degree component examinations, or an entire examination, were not completed in the prescribed manner or that an examination component or examination was not held in the proper manner, it can declare the examination, or the relevant part thereof, invalid.

24. Retention periods

Bachelor's theses and final assignments and Master's theses are retained for a period of at least seven years. Examination assignments are retained for at least seven years, with effect from the 1 January immediately after they were drawn up.

Written materials including essays and other assignments for which a (constituent) result was awarded as well as the results of examinations will be retained for a period of at least two years after the student's registration comes to an end.

For the purposes of programme re-accreditation, an arbitrary selection of work is retained for seven years. In relation to the remainder, the Examination Board follows the terms stipulated in the Vrije Universiteit Amsterdam's list of retention periods.

25. Annual Report

By 1 November, the Examination Board will compile a report on its activities during the previous academic year. The Examination Board will send the annual report to the Faculty Board. On request, the annual report or parts of it can be made available to interested parties.

26. Amendments to these Regulations and Guidelines

No amendments are made in relation to the current academic year, unless there is a reasonable expectation that this will not damage the interests of the students.

27. Unforeseen circumstances

In any circumstances not covered by these Rules and Guidelines, or in circumstances where the provisions in these regulations are unreasonable or unfair to the student, the decisions of the Examination Board will be final.

28. Entry into force

These Rules and Guidelines come into force on 1 September 2018

Adopted by the Examination Board on 1 May 2018.

Appendix to article 14, The assessment of examinations, paragraph 1

The following grades can be awarded for academic performances:

- whole numbers ranging from 1.0 to 10;
- the intermediate half numbers, such as 6.5, with the exception of 5.5

No grade of less than 1.0 is awarded.

In the table below, the columns are as follows:

1. Points: the total number of points that can be awarded for an examination (derived by totalling the points awarded for each question or assignment);

2. Grade: the figure derived from the number of points awarded, entered into the computer (in accordance with the way in which the computer has been programmed).

The table shown below is based on a scale with a 100-point maximum. By doubling the number of points, a scale with a 50-point maximum can be converted to a 100-point scale. By halving the number of points, a scale with a 200-point maximum can be converted to a 100-point scale. If the assessment involves a multiple choice examination, a correction for the probability of guessing the correct answer is applied before the table is used. As a starting point (which may be waived, provided that a justification is given), the following method is used for this purpose. First, the average probability of guessing the correct answer is determined on the basis of the number of possible answers, divided by the number of questions. For example: there are 40 questions and 150 possible answers. This means that there are an average of 3.9 possible answers per question. So, per question, the probability of guessing the correct answer is $1/3.9 = 26.66\%$. This probability of guessing the correct answer is then used to determine the number of correctly answered questions that do not count towards the final grade. In the example: $26.66 \times 0.4 = 10.66$. In accordance with the table, 55% of the remaining 29.34 questions (= 16.14) must be answered correctly to get a passing grade. In total, therefore, $10.66 + 16.14 = 26.8$ (rounded up to 27) questions must be answered correctly to get a passing grade. Another way of putting it is to say that the passing grade is 27 questions.

points	grade	points	grade	points	grade
40	4	50	5	60	6
40.5	4	50.5	5	60.5	6
41	4	51	5	61	6
41.5	4	51.5	5	61.5	6
42	4	52	5	62	6
42.5	4.5	52.5	5	62.5	6.5
43	4.5	53	5	63	6.5
43.5	4.5	53.5	5	63.5	6.5
44	4.5	54	5	64	6.5
44.5	4.5	54.5	5	64.5	6.5
45	4.5	55	6	65	6.5
45.5	4.5	55.5	6	65.5	6.5
46	4.5	56	6	66	6.5
46.5	4.5	56.5	6	66.5	6.5
47	4.5	57	6	67	6.5
47.5	5	57.5	6	67.5	7
48	5	58	6	68	7
48.5	5	58.5	6	68.5	7
49	5	59	6	69	7
49.5	5	59.5	6	69.5	7
50	5	60	6	70	7

Explanatory notes: The 40-50 and 60-70 series illustrate the normal system of grading and rounding off, which is also used above 70 and below 40. The 50-60 series is anomalous since, in accordance

with a decision by the Executive Board dd. 20 April 2000, grades between 5 and 6 cannot be awarded.

Words, rather than numbers, can also be used to grade components designated by the Examination Board. These are as follows: Exemption (VRS), Fail (OV), Pass (V) Good (G), Pass (VLD) or Fail (NVLD). The corresponding English terms are, respectively: Exemption, Fail, Pass and Good, Pass and Fail

Procedural regulations

The Examination Board has drawn up the following Procedural Regulations.

- In accordance with the Teaching and Examination Regulations (TER) of the programme in question, if candidates register for, and sit, examinations without having met the entry requirements, then their examination papers will not be graded.
- Students should be present well in advance.
- Students arriving after the examination has started will not be admitted, unless granted permission to do so by the examiner.
- All examination candidates must take their places in their allotted examination hall and must be in possession of a valid university registration card.
- This university registration card must be clearly visible on the desk, for monitoring purposes.
- Any books, notes, extracts etc. must be kept in a closed bag, unless their use is expressly authorized by the examiner or prescribed.
- Law-books may contain (self-made) tabs, if necessary with an article reference (juncto). It is not allowed to write anything in the law-books (no keywords, no article references, underscores and highlights are still allowed); checks will be made for compliance with these rules once the examination has started.
- No visits to the toilet are permitted, unless approved by the invigilator.
- No more than one individual may visit the toilet at the same time.
- Examination stationery and notepaper are provided. Students are not permitted to use their own jotting pads or writing paper.
- A ballpoint or fountain pen should be used during the examination. All answers must be in clearly legible handwriting.
- No talking is allowed once the first examination sheet has been distributed.
- No candidates may leave the examination hall during the final 20 minutes of the examination.
- At the end of the examination, both the examination stationery and all other pieces of paper provided (notepaper) must be handed in. Students who fail to submit any work for assessment will be awarded a grade of 1 (one).

Requirements examiner qualification

General

1. Comprehensive knowledge of faculty policy regarding examinations and assessments.
2. A good knowledge of the regulations and procedures for the preparation and conducting of examinations.
3. A good knowledge of the criteria which apply to the assessment of written papers.

Course coordinator (A)

1. Comprehensive and extensive knowledge of the study subject(s) to be examined.
2. Comprehensive knowledge of the curriculum and the learning objectives of the course which derive from the curriculum.
3. Experience in translating the course subject into written and oral examination questions on different levels: reproductive, insight, application, analysis, synthesis and evaluation, both with regard to open and closed questions.
4. Experience in developing examinations, such that the knowledge of the students is measured in a reliable and valid way.
5. Experience in assessing answers to examination questions.
6. Experience in translating the course subject into topics for written papers and in the assessment thereof.
7. Knowledge relating to quality analysis of examinations and the ability to perform this analysis or have it performed.

Supervising and assessing bachelor theses (B)

1. Knowledge of the theses topics which are suitable.
2. Some experience in conducting scientific research relevant to the discipline.
3. Experience with students guidance, focused on skills and knowledge development, during their process of writing written papers.
4. Experience with the assessment and grading of written papers

Supervising and assessing master theses (C)

1. Comprehensive knowledge of the theses topics which are suitable.
2. Extensive experience in conducting scientific research relevant to the discipline.
3. Extensive experience with students guidance, focused on skills and knowledge development, during their process of writing written papers.
4. Extensive experience with the assessment and grading of written papers.