

VRIJE UNIVERSITEIT AMSTERDAM



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EXAMINATION APPEALS BOARD

No. 2019/69/913

EXAMINATION APPEALS BOARD

Pronouncing its ruling on the appeal of Mr [name], appellant, resident in [residence], against a negative assessment by Dr R.E. de Vries, examiner of the Faculty of Behavioural and Movement Sciences (Psychology) of the Vrije Universiteit, defendant.

I. Course of the proceedings

The appellant submitted an appeal by undated letter against the decision of the defendant, dated 15 July 2019 (Personality Theory and Assessment (PTA) examination). The notice of appeal was received on 26 July 2019, but did not fulfil the legal requirements. On 12 August 2019 the appellant was requested to supply the missing details before 24 August 2019. The appellant complied with this request on 22 August 2019. The other requirements were fulfilled.

On 26 August 2019 it was communicated on behalf of the Examinations Appeals Board to the Examination Board that the prescribed procedure requires that the Examination Board, in consultation with the appellant and the examiner, investigates whether an amicable resolution of the dispute in respect of PTA was possible. However, an amicable resolution did not come about.

On 14 October 2019 the Examination Board submitted a notice of appeal. The appeal was handled at a meeting of the Board on 21 November 2019.

The appellant did not appear. The Examination Board was represented by Dr M. Sijbrandij and Dr M. Milders, chairperson and vice-chairperson respectively of the Examination Board. The defendant made an oral presentation of his standpoint.

II. Facts and dispute

On the basis of the documents and the proceedings of the session, the Board has proceeded on the assumption of the following facts.

The appellant has been following the Psychology (English track) programme since September 2018. The subject PTA forms a part of the programme. The manner of assessment is stated in the study guide: 50% of the final mark is formed by a multiple choice examination and the other 50% by the final assignment.

Attendance at the work groups is also compulsory. The student must in any event attain a mark of 5.5 for both components. The appellant attained a mark of 4.75 for the final assignment.

The Examination Board let it be known that the examiner was requested to assess the appellant's final assignment again. The examiner asked another tutor for this than for the initial assessment. The result this time was a mark of 5.0. The Examination Board concludes – given the limited divergence with the initial

assessment – that the assessment had proceeded transparently and dependably. The original assessment can therefore stand.

III. Course of the hearing

The Examination Board explained that during the meeting to reach an amicable resolution the appellant provided insight into his mental health situation. The appellant's academic performance was possibly influenced by this. The appellant was advised by the Examination Board to contact the academic advisor to discuss his situation.

During this hearing the appellant did not substantiate why he disputes the awarded mark. The Examination Board nevertheless decided that a second assessor should reassess the final assignment. The result remained virtually the same.

IV. Considerations of the Board

The Board has taken cognizance of the appellant's notice of appeal. The appellant has no other reason for his appeal than his assertion that he was assessed in a different way to his fellow students. The appellant did not substantiate his assertion other than to complain that he was discriminated against. The Board determines that the manner in which the assessment came about was in accordance with the applicable procedure. The defendant voluntarily arranged for the assignment that the appellant had submitted to be assessed a second time in response to the appellant's complaint. The second assessment did not significantly diverge from the initial assessment. The Board is of the opinion that discrimination is not apparent from the supplied documents. All things considered, the defendant came to his decision in a reasonable manner.

V. Judgement

The Board declares the appeal unfounded.

Pronounced in Amsterdam, on 10 December 2019, by Dr N. Rozemond, chairperson, and Prof. M.W. Hofkes and Dr J.R. Hulst, members, in the presence of J.G. Bekker, secretary.

Dr N. Rozemond,
chairperson

J.G. Bekker
secretary

The person concerned can submit an appeal against a judgement of the Examination Appeals Board, stating a sound justification, to the Higher Education Appeals Tribunal, Postbus 16137, 2500 BC The Hague. The term for the submission of a notice of appeal is six weeks. The registry fee is €47.00.