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EXAMINATION APPEALS BOARD

No. 2017/25/756

THE EXAMINATION APPEALS BOARD

Rendering a decision on the appeal by Ms [name], the Appellant, residing in Amsterdam, the Netherlands, directed against the decision by the Examination Board of VU Amsterdam's Amsterdam University College, the Respondent, to assess her graduation thesis with at most a 'C'.

I. Course of the proceedings

On 26 June 2017, the Appellant lodged an appeal against the Respondent's decision dated 8 June 2017. The notice of appeal was timely received. The other conditions have likewise been satisfied. The appeal is therefore allowable.

On 3 July 2017, the Respondent was notified on the Board's behalf that the required procedure mandated that the Respondent consult with the Appellant to see whether the dispute could be settled amicably. The Respondent timely invited the Appellant to consult with it. An amicable settlement was not reached, though.

The Respondent filed a written defence on 13 July 2017. The appeal was heard at the Board's session on 24 August 2017.

The Appellant did not appear. The Respondent was represented by Dr A. Brown and Dr M. Schut, members of the Examination Board. The Respondent explained its position orally.

II. Facts and dispute

Based on the documents and the hearing, the Board will assume the following facts.

The deadline for the Appellant to turn in her graduation thesis was 31 May 2017, 11.59 p.m. However, the Appellant's laptop was not working properly on the evening of 31 May at 11.50 p.m. Because the Appellant had to start the device again and had to download her thesis once more, she was unable to turn in her thesis before 12.00 a.m. (1 June). She did this as soon as possible after restarting the laptop. The next day, though, it was apparent that the thesis had not been sent. When the Appellant discovered this, she turned in her thesis through Blackboard in the late afternoon on 1 June. The Appellant then explained to the Respondent why she had submitted the thesis late.

The Respondent decided, however, to give the Appellant a two-week extension to submit the thesis. Such leniency came with a price: the Appellant's thesis could not receive a grade above a 'C'. The Appellant has appealed this decision. Her thesis was assessed with an 'A-'. This assessment is being denied her now. Specifically, she was faced with technical problems which were beyond her control. She is asking the Respondent to assess her thesis without setting a maximum grade beforehand.

The Respondent has indicated that the Appellant's thesis was received on 1 June at 5.30 p.m. That was long after the stated deadline. Blackboard did not report having any technical problems during the night of 31 May-1 June 2017. The Academic and Examination Regulations do not allow retroactive extensions of deadlines. The technical problems which the Appellant's laptop experienced did not permit her to turn in the thesis after the deadline.

III. The parties' positions

The Respondent has explained that the Appellant turned in her thesis well after the deadline. There was no evidence provided to show the technical problems which the Appellant claims she was faced with. Nor did Blackboard report any problems.

The procedure which is followed if a student exceeds a deadline is that the thesis will be assessed, but the assessment will be made subject to a maximum grade. First, there is a determination whether the quality of the thesis is sufficient and, if that is so, at most a 'C' will be given. This procedure is set forth in the Capstone Guidelines.

After the hearing, the Respondent, at the Examination Appeals Board's request, checked whether students receive confirmations if they have uploaded documents in Blackboard, which indeed turned out to be the case. Moreover, students can consult their own Review Submission History. Each time that a student uploads a document, this is recorded separately. In the Appellant's case, only one upload was found: on 1 June 2017 at 5.30 p.m.

Next, the Respondent was asked to see whether a document shows when the document was revised for the last time. This turned out to be impossible, since Blackboard records each upload as a new document.

IV. Findings by the Board

The Examination Appeals Board finds that it was not established that Blackboard had problems on 31 May and/or 1 June 2017. For theses submitted after the deadline (regardless of the reason), the procedure is followed which the Respondent has described in Chapter 5 of the Capstone Guidelines 2016-2017: The Respondent can allow the thesis to be submitted later. The assessment, though, cannot be higher than a 'C' then. The Respondent properly followed this procedure.

V. Decision

The Board hereby declares that the appeal is unfounded.

Thus rendered in Amsterdam on 11 September 2017 by Prof. F. J. van Ommeren (Chair) and J. R. Hulst, A. J. M. Ligtenberg, T. Mekking and I. Messoussi (Members), in the presence of J. G. Bekker (Secretary).

Prof. F. J. van Ommeren
Chair

J. G. Bekker
Secretary

An interested party may, providing a proper statement of reasons, lodge an appeal against a decision by the Examination Appeals Board with the Higher Education Appeals Board, P.O. Box 16137, 2500 BC The Hague, the Netherlands. The notice of appeal must be filed within six weeks. The filing fees are €46.