

# VRIJE UNIVERSITEIT AMSTERDAM



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## EXAMINATION APPEALS BOARD

No 2022/46/1081

### THE EXAMINATION APPEALS BOARD

Ruling on the appeal of [name], hereafter: appellant, student at the KIT Royal Tropical Institute, against the decision of the Examination Board of the KIT Royal Tropical Institute, hereafter: defendant, to deny the request of the appellant for an extension of the period of validity of the study results for the Core course modules.

#### **I. Course of the proceedings**

On 27 July 2022, the appellant lodged an appeal with the Examination Appeals Board, hereafter the Board, against the defendant's decision of 30 June 2022.

On 28 July 2022, the Board asked the defendant to consult with the appellant and see whether this dispute could be settled amicably. On 10 August 2022, talks were held via videoconferencing between the appellant and the defendant. No amicable settlement was reached. On 16 August 2022, the defendant submitted a written defence.

The appeal was heard at the Board's session on 27 September 2022. The appellant was present. B. Gerritsen (member) appeared on behalf of the defendant.

#### **II. The facts**

Based on the documents and the explanations presented at the hearing, the Board assumes the following facts.

The appellant was unable to successfully complete the Epistat 1 and Epistat 2 components of the Core course module with a pass mark within the 2021-2022 academic year, resulting in the submission of a request to extend the period of validity of the study results for the Core course modules. The defendant denied the request for an extension of the period of validity of the study results for the Core course module, because they only grant an extension of the study results if, based on the Teaching and Examination Regulations for the Master's programme in Public Health (TER MPH), outdated knowledge or skills have not been shown in the student's exam. The appellant will have to once again complete all components of the Core course module in order to continue with the advanced modules of the study programme.

#### **III. Positions taken by the parties**

The appellant does not agree with the defendant's decision. Not extending the period of validity of the study results places a disproportionately severe burden on the appellant. If the period of validity of the study results is not extended and she has to retake the Core course module, then she will have to pay longer for the Master's programme. The appellant does not have the financial means for this. In addition

to this, the appellant will have to spend time on the Core course module she had already completed with a pass mark, allowing her to pay less attention to the components that require improvement. The appellant received a pass mark for all the components of the Core course module, with the exception of the components Epistat 1 and Epistat 2. The course coordinator has provided an additional opportunity to resit one of the components of the Core course module. The appellant resat Epistat 2 for the second time, but did not obtain a pass mark. The appellant will not be able to continue the study programme without the Core course module and will not be able to take part in the advanced modules or the graduation project.

The appellant is from the economically disadvantaged country of Liberia. The culture and the educational system in the Netherlands are also very different compared to what she was used to in her home country. Liberia offers no safety net for students. The appellant has not come to the Netherlands to complain, but wishes to continue her studies.

The situation was very stressful for the appellant and has affected her mental health. The decision by the defendant not to extend the period of validity of the study results and to deny the appellant to continue the rest of the study programme, has been very demotivating to her. The appellant had to leave her home country. She wanted to take part in the study programme, together with her classmates and friends, if only to listen. The appellant is currently retaking the Epistat components. She is convinced that she will perform better in the modules this year.

Taking and completing a Master's programme at the KIT Royal Tropical Institute is very important to the appellant. The appellant wishes to emphasise that she does not wish to have a dispute with the defendant and that she has learned a lot during her study programme. The appellant has simply used her right to appeal the decision of the defendant.

The defendant stands by their decision to deny the appellant's request to extend the period of validity of the study results for the Core course modules. Article 8.2 of the Teaching and Examination Regulations MPH state the period of validity of the study results obtained. For constituent examinations and practical examinations, it has been determined that the study results are valid until the end of the academic year in which the grades were obtained. As a result, grades obtained for the Core course module components are valid until the end of the academic year. Based on Article 8.2 section 2 of the Teaching and Examination Regulations MPH, a student can request an extension of the period of validity of the study results. If the exam contains knowledge that is outdated, or if the student has shown to possess outdated knowledge or skills, the Examination Board can deny the request for an extension of the period of validity or decide to let the student sit an additional examination. In the case of the appellant, the defendant has judged that she failed to demonstrate sufficient knowledge to become eligible for an extension of the period of validity of the obtained study results. The defendant has made this decision based on the study results obtained by the appellant.

In reference to the statement of the appellant that she is unable to take part in the advanced modules of the study programme because she failed the Core course modules, the defendant explains that the Core course modules are vital to the ability to continue on in the study programme. In the Core course modules, students acquire the basic knowledge and skills necessary to continue on in the study programme. Experience has shown that students are incapable of completing the advanced modules within the study programme without the necessary basic knowledge and skills. As a result, at the recommendation of the defendant, the Core course modules are a mandatory part of the programme and have been set up as constituent examinations. The defendant explains that the appellant was able to take part in the first three advanced modules of the study programme but that she was unable to take part in the track-related modules or start on her graduation project.

Using Article 8.2 section 2 of the Teaching and Examination Regulations MPH, the defendant provided scope for exceptions in the event of exceptional circumstances. The defendant has carefully reviewed the situation of the appellant and the grounds she submitted in her request and her appeal. A previous request to be given another opportunity to complete the modules within the Core course module was granted on this basis. However, the defendant has yet to see reason to provide another opportunity for the modules based on the situation. In this context, the defendant points to the fact that the appellant's reasons, including the fact that she is from an economically disadvantaged country, are part of the reason that the KIT Royal Tropical Institute is so motivated to train students, but that this needs to take place

within the existing frameworks and by adhering to the applicable rules. The defendant needs to safeguard the quality of the assessment.

In assessing the appellant's request to be granted an extension for the period of validity of the study results for the Core course modules, the defendant has reviewed the study results obtained by the appellant among other things. The appellant failed to perform well in various components of the Core course module and showed limited improvement in the resit. In addition to this, plagiarism was also suspected in one of the components of the Core course modules, meaning the appellant did not pass this component until the resit. Based on this the defendant has decided that the appellant's knowledge and skills are insufficient to warrant an extension of the period of validity of the study results for the (partial) modules of the Core course module. The required knowledge and skills are insufficient, and, as a result, the appellant will be required to retake all Core course modules in order to continue on with the advanced modules of the study programme. In the assessment of a request for the extension of the period of validity of the study results, the defendant takes into account the design of the modules and whether or not the knowledge and skills are outdated.

#### **IV. Findings of the Board**

The appellant's appeal was lodged on time and also meets the requirements. The appeal is thus admissible.

Article 8.2 section 1 of the Teaching and Examination Regulations MPH states the period of validity of the study results obtained. For study results obtained in components of a module, the rule is that these are valid until the end of the academic year. Based on Article 8.2 section 2 of the Teaching and Examination Regulations MPH, a student can request an extension of the period of validity of the study results. The defendant has denied the appellant's request to extend the period of validity of the study results for the Core course modules, based on the knowledge and skills, and has estimated the level of the appellant, based on her study results obtained in the study programme. Based on this the defendant has decided that the appellant's knowledge and skills are insufficient to warrant an extension of the period of validity of the study results. The defendant has explained that they have reviewed the appellant's specific situation, but the decision does not adequately show if the defendant has taken into account the appellant's circumstances with regard to a knowledge gap, communication issues and adjustment issues with regard to the culture and the educational system in the Netherlands, or the appellant's personal circumstances, in their decision. It is the opinion of the Board that the defendant was wrong to base their decision solely on their own interpretation of the appellant's knowledge level, and that they were wrong to not take into account the circumstances put forward by the appellant. As a result, the decision of the defendant shows an inadequate statement of reasons and, as such, was not made with due care.

The above considerations lead to the following ruling.

#### **V. Ruling**

The Board:

- hereby declares that the appeal against the decision of 30 June 2022 to not grant an extension of the period of validity of the study results for the Core course modules is well-founded and hereby rejects the decision of 30 June 2022 in reference to this point;
- asks the defendant to review the appellant's request to extend the period of validity of the study results for the Core course modules, taking into account the Board's considerations.

Thus delivered in Amsterdam, on 21 November 2022 by Dr N. Rozemond, chairperson, Prof. J.J. Beishuizen and I. Atay, members, in the presence of S.A. Snoeren (secretary).

Dr. N. Rozemond,  
Chairperson

S.A. Snoeren  
Secretary