

DECISION 20 - 078

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Of the Examination Appeals Board of Leiden University

in the matter of

the appeal of [name], appellant

against

[names], in their capacity as first and second supervisor of the master's thesis,
respondents

The course of the proceedings

On 28 February 2020, the appellant submitted his master's thesis for the [X], specialising in [X] (hereafter to be referred to as "the thesis").

On 1 April 2020, the grade 6.5 was announced in respect of the thesis.

On 8 April 2020, the appellant lodged an administrative appeal against this grade with a letter to the Examination Appeals Board.

The respondents invited the appellant on 24 April 2020 and on 1 May 2020 to try to reach an amicable settlement. The appellant did not respond to this invitation. Consequently, no amicable settlement was reached.

The respondents submitted a letter of defence on 12 May 2020.

On 19 and 20 May 2020, the appellant submitted additional documents.

The appeal was considered on 27 May 2020 during an online hearing of a chamber of the Examination Appeals Board. The appellant participated in the hearing. [name], first supervisor, and [name], member of the Board of Examiners of [X], participated on behalf of the respondents.

**Decision
20-078**

Page 2/7

Considerations

1 – Facts and circumstances

The thesis supervision of the appellant started on 26 September 2019.

The first meeting was held on 30 September 2019. This was a brainstorm session.

On 31 October 2019, the appellant emailed his first supervisor and apologised for not informing him of the progress of his thesis. He requested a meeting.

On 31 October 2019 the first supervisor proposed to meet on 4 November 2019. The appellant responded by proposing to meet after 10 November 2019, since he would return to the Hague by then.

On 5 November 2019, the appellant emailed a structure for his thesis. The first supervisor provided feedback on the same day.

On 11 November 2019, the first supervisor and the appellant discussed the structure of the thesis and they corresponded by email.

On 19 November 2019, the appellant emailed to his first supervisor that he had fallen ill so that he was unable to work on his thesis in the previous week.

On 26 November 2019, the appellant submitted an update of the thesis process to his first supervisor by email. The first supervisor responded to this.

On 4 December 2019, the appellant provided a further update of the thesis process to his first supervisor by email. The appellant did not submit a version of the thesis. The first supervisor responded to the update.

On 10 December 2019, the first supervisor received the first text of the thesis from the appellant that went beyond a structure for the thesis.

On 18 December 2019, a meeting was held between the first supervisor and the appellant. The first supervisor responded to questions from the appellant.

On 6 January 2020, the appellant submitted a version of his thesis to the first supervisor.

The appellant submitted his latest version of the thesis on 10 January 2020. This version was required to apply for an extension of the deadline.

Decision
20-078
Page 3/7

The first supervisor provided feedback by email on 13 January 2020.

On 28 February 2020, the respondent submitted his thesis for assessment.

On 1 April 2020, the respondents awarded the appellant's thesis a grade of 6.5.

2 – The position of the respondent

The first supervisor adopted the position that the appellant could have benefited much more from the supervision had he requested more feedback than he did. The ultimate version of the thesis of 28 February 2020 contained passages that the first supervisor had not seen before and, consequently, had not provided feedback on. The respondents adopted the position that the additional information provided in the letter of appeal and referrals to sources could not be considered in the assessment.

Some examples of the references stated in the letter of appeal by the appellant are given below: [X], 2000; [X] (2008); [X] (2004); [X] 2008; [X], 2019, p. 7; [X], 2004; [X], 1992; [X], 1972, p.70; [X] (1978). These references were not provided prior to the assessment of the thesis.

3 – The grounds for the appeal

The appellant argued that the assessment criteria were applied incorrectly and that the grade awarded is insufficiently substantiated. The criticism by the respondents about a lack of information with regard to data collection and data analysis is not tenable in his view. Unlike the respondents, he holds that he documented and clarified the research process sufficiently and that he used a validated procedure. Furthermore, the respondents should have awarded a higher grade in respect of the element 'independence'. The appellant requested that his thesis be assessed by a third supervisor.

4 – Relevant legislation

As far as relevant, the Course and Examination Regulations (*Onderwijs- en Examenregeling*, "OER") of the Master's Programme in [X] 2019-2020 state the following:

3.3.2 The e-Prospectus specifies the scope and study load of the thesis/final paper/final report, including the requirements that the final assignment/thesis/final report must meet.

Decision
20-078
Page 4/7

The Rules and Regulations of the Board of Examiners of the degree programme in [X] (BA) [X] (MA) state the following, in so far as relevant in this case:

Article 4.9 Assessment of final papers

4.9.1 The Board of Examiners establishes the criteria for the assessment of final papers, the procedure for appointing a first and second assessor, the assessment form and the division of responsibilities between the first and second assessor. The final paper will always be assessed by two examiners, and the final grade will be determined by agreement between them. If the first assessor and second assessor are unable to reach agreement, the Board of Examiners will appoint a third examiner: a third assessor. The third examiner then takes the final decision.

5 – Considerations with regard to the dispute

In accordance with article 7.61, paragraph two of the Higher Education and Academic Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*), the Examination Appeals Board must consider whether the contested decision contravenes the law.

The Examination Appeals Board holds that the assessment of the thesis is an exclusive competence of the examiner, in this case the thesis supervisor and the second supervisor.

It follows from the assessment forms that the assessment, carried out by a first and a second supervisor, focuses on the following aspects: introduction and research question, theory, research design and data collection, analysis, conclusion, and that the student has worked independently. In addition, the following aspects have been assessed: writing style and quality of argumentation and other form requirements: structure, citations, bibliography, and typography. Finally, both assessors provided substantiation for the grade by means of an explanation on the assessment form. The respondents have specified per element whether they held it to be insufficient, sufficient, satisfactory, good, or very good/excellent. In error, the first supervisor failed to specify this for the element research design and data collection. The respondents clarified in the letter of defence that the first supervisor had obviously assessed this element too, referring to his explanation on the assessment form. One of the matters explained by the first supervisor on the assessment form is that the method section and the empiric section do not provide full insight into the manner of data collection and analysis. One of the matters explained by the second supervisor on the assessment form is that the appellant has indeed described the choice of specific analytical modes of

Decision
20-078
Page 5/7

operation and the data analysis but has insufficiently demonstrated how he applied the key variables.

In view of the above, the Examination Appeals Board holds that the respondents assessed the thesis meticulously and provided proper substantiation. The Examination Appeals Board has no reason to doubt the correctness of the assessment. The arguments of the appellant in this respect do not alter the decision of the Committee.

At the hearing, the respondent sufficiently substantiated his position that the thesis provided insufficient insight into the process of data collection, data selection, and data analysis.

With regard to the assessment of the criteria ‘independence’, the respondent has sufficiently substantiated that this comprises more than independent drafting of the thesis by a student. The annex to the assessment forms demonstrates that the element of independence comprises: Student has shown that he/she can independently make decisions, and efficiently carry out feedback from the supervisor. The Examination Appeals Board concludes that providing an opportunity to receive feedback is also part of this criteria. The appellant was awarded the result ‘satisfactory’ for the ‘independence’ criteria. The Examination Appeals Board has no reason to doubt the correctness of this assessment. The Examination Appeals Board stresses that students themselves are responsible for their thesis. Consequently, they benefit from ensuring proper agreement of the thesis process with their first supervisor. In the submitted email that the appellant sent on 31 October 2019, the appellant apologized to the first supervisor for not informing him of the progress of his thesis and that this was due to the high number of course units and exams. The Examination Appeals Board derived from the submitted documents that the appellant informed his first supervisor several times about his thesis pace, but that the draft versions he submitted were insufficiently advanced for the first supervisor to provide feedback on all aspects that would be addressed in the assessment. At the hearing, the respondents explained the timeline along which theses are normally completed. The Examination Appeals Board concluded that the appellant did not adhere to this timeline due to circumstances that are his own responsibility. At the hearing, the appellant stated that he could only really start work on his thesis in November 2019 and that he did not have much time left after this to submit draft versions to his thesis supervisor. It would have been logical for him to discuss this with the thesis supervisor.

Decision

20-078

Page 6/7

Finally, the respondents clarified at the hearing that a third supervisor is only appointed if the grade of the first supervisor differs from that of the second supervisor by more than 1 point on a scale of 10. This does not apply in the present case as both supervisors awarded a grade of 6.5. Consequently, the Examination Appeals Board holds that there are no grounds to appoint a third supervisor.

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.

**Decision
20-078**

Page 7/7

The decision

The Examination Appeals Board of Leiden University,

holds the 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 K.H. Sanders, LL.M., MA (Chair), Dr A.M. Rademaker, Dr C.V. Weeda, J. Nijland, LL.M., and E.L. Mendez Correa BA (members), in the presence of the Secretary of the Examination Appeals Board, M.S.C.M. Stoop - van de Loo, LL.M.

K.H. Sanders, LL.M.,
Chair

M.S.C.M. Stoop - van de Loo, LL.M.,
Secretary

Certified true copy,

Sent on: