BOARD OF EXAMINERS REGULATIONS BACHELOR as of 1 September 2019
Law Department, Utrecht University

For information on the interpretation and application of these Regulations, please contact the administrative secretary of the Board via e-mail: BoardofExaminers.Law@uu.nl

CONTENTS
Chapter 1 General provisions
Chapter 2 Tests, organisation of tests and proper procedure during tests
Chapter 3 The assessment of tests
Chapter 4 Safeguarding quality of examining
Chapter 7 Assessment course, examination
Chapter 8 Final and implementing provisions
Annex Rounding-off final grades
CHAPTER 1  GENERAL PROVISIONS

Article 1.1  Applicability of the Regulations

These Regulations shall apply to the tests and to the examination of the programmes of the bachelor's degree programme in law of the Department of Law of the Faculty of Law, Economics and Governance of Utrecht University.

Article 1.2  Definitions

In these Regulations the following terms shall mean:

a. Department: the Department of Law of the Faculty of Law, Economics and Governance of Utrecht University;

b. Education and Examination Regulations (EER): the Education and Examination Regulations of the bachelor's degree programme in law of the Department;

c. test: interim examination as referred to in Art. 7.10 of the Act; the investigation into the knowledge, the understanding and the skills of the examinee, as well as an assessment of the results thereof;

d. written work: all work such as papers, theses, research reports that as such fall under the concept of a (written) "test";

e. examiner: the person who holds interim examinations and determines the results thereof, as referred to in Art. 7.12c of the Act, and who was appointed in that position by the Board of Examiners in conformity with Art. 1.4.;

f. examinee: anyone who sits a test or an examination. The other terms have the meaning ascribed to them by the EER.

Article 1.3  Board of Examiners

2. The chair of the Board of Examiners is in charge of the day-to-day affairs of the Board of Examiners. He may select a temporary substitute from the members of the Board of Examiners.

3. The Board of Examiners votes by simple majority voting. In order to take a legally valid decision, at least three members must be present. If the votes are tied, the vote of the chair is decisive.

4. The chair and all internal members of the Board of Examiners have authority to sign.

5. The Board of Examiners is assisted with its activities by an administrative secretary. He/she is not a member of the Board of Examiners. The administrative secretary is in charge of:

- preparing, convening and taking minutes of the meetings;
- supervising the execution of decisions taken;
- communicating decisions to students and to other persons involved;
- drafting periodic reports;
- filing processed requests, complaints and decisions taken.
The chair of the Board of Examiners can authorize the administrative secretary to take and to communicate decisions of the Board of Examiners and to sign them on behalf of the Board of Examiners.

6. Notwithstanding the provisions of par. 1 and par. 2, the chair of the Board of Examiners may decide that decisions in cases that involve fraud and plagiarism are taken by two members of the Board of Examiners, in the presence of the administrative secretary. If the votes are tied, fraud/plagiarism will be deemed not proven.

7. Notwithstanding the provisions of par. 1 and par. 2, the chair of the Board of Examiners may decide that decisions on individual requests by students are taken by two members of the Board of Examiners, in the presence of the administrative secretary. If the votes are tied, the student's request will be deemed rejected.

8. The chair of the Board of Examiners authorizes the administrative secretary to check, on behalf of the Board of Examiners, whether all courses that are part of the examination programme of the degree programme were passed and the student therefore passed the examination.

**Article 1.4 Examiners**

1. Based on the "profile examiners", the Board of Examiners appoints lecturers as examiners for courses of a Section, within which a lecturer is employed or to which he/she is outsourced.

2. Based on the profile, all lecturers employed by the Department in the positions of a UD (Assistant Professor), a UHD (Associate Professor) or a hoogleraar (Professor), in charge of providing education in the Section in which they are employed or to which they are outsourced, are appointed as examiners.

3. The Board of Examiners may appoint other members of the academic staff and experts from outside the Department as examiners.

4. The Board of Examiners undertakes to be informed as to which persons are the examiners.

5. An examiner as referred to in Art. 1.4 par. 2 meets the examiners’ profile; he or she possesses both expertise on the subject and testing competence. An examiner as referred to in Art. 1.4 par. 3 participates in professionalization paths in education and testing, such as a BKO-track (Basic Teaching Qualification).

6. In the event that various examiners have been appointed within a course, the course coordinator shall be the person with ultimate responsibility for drafting and holding the tests, as well as for establishing the result.

7. The Board of Examiners may revoke an appointment as an examiner, if the examiner does not comply with legal rules or regulations or with guidelines and instructions of the Board of Examiners, or if the examiner's testing competence (the making, holding and assessment of tests) has repeatedly proven of insufficient quality.
Chapter 2  TESTS, ORGANISATION OF TESTS AND PROPER PROCEDURE DURING TESTS

Article 2.1  Content of the tests

1. Each test comprises an investigation into the knowledge, the understanding and/or the skills of the student, as well as an assessment of the results of that investigation.
2. For students it is clear in advance how and on the basis of which learning objectives they will be assessed.
3. The questions and assignments of a test are clear and unambiguous and contain sufficient indications for the necessary detail of the answers.
4. The questions and assignments of the test are representative and/or are spread over the test material as evenly as possible.
5. The questions and assignments of the test exclusively relate to the test material made known in advance.
6. The duration of the test is such, that students reasonably have sufficient time to answer the questions or to meet the assignments. Deadlines are communicated timely and clearly.
7. As regards nature and content, a second-chance test conforms with the test to be retaken.
8. The aim of an additional or a substitute test is to enable students to repair one or more learning objectives that were graded unsatisfactory so that these become satisfactory (6) and may thus deviate from the regular (final) test.
9. The weighing of module results to arrive at the final result is laid down in the University Course Catalogue.
10. At least two examiners are involved in designing and drafting tests. If only one examiner is in charge of a course, he/she ensures that a colleague-examiner is involved in drafting and assessing the test.

Article 2.2  Participation in tests

Participation in the tests of a course is only open to students who are registered for a given course and who are not excluded from participation by virtue of Art. 4.5 of the EER.

Article 2.3  Dates, times and places of tests

1. Centrally organised written tests are held on dates and times that were announced to the students via OSIRIS Student at the latest at the start of the teaching of the course involved.
2. The place of centrally organised written tests is communicated to the students as soon as possible after the announcement referred to in par. 1.
3. In planning the dates and times of centrally organised written tests the coinciding of tests is prevented, on the understanding that it is the student's own responsibility to enrol for courses on the basis of the prescribed time-slot model.

4. Fixed dates and times will only be altered in case of force majeure, and after the Board of Examiners / the Education Director has been informed of the force majeure.

5. Dates and times of centrally organised written catch-up and make-up tests are set and communicated at least two weeks in advance. The place of centrally organised written catch-up and make-up tests will be communicated to the students as soon as possible after this is known.

6. The aim is to have a period of at least five working days between the announcement of the result and the central written catch-up and make-up test.

7. Oral tests are held at a date, time and place to be determined by the examiner involved, if possible, after consultation of the student. An oral test is held by an examiner in the presence of a co-examiner.

Article 2.4 Procedure during tests

1. The responsibility for the proper course of events during tests lies with the examiner who is in charge of the testing of the course or, if there are more examiners, it lies with either the course coordinator or an examiner appointed by him/her (hereinafter referred to as: the examiner or coordinator in charge).

2. The examiner or coordinator in charge assumes responsibility for the appointment of sufficient invigilators for the central written examinations, who ensure the proper procedure of the test.

3. The student is obliged to provide identification at the request of or on behalf of the examiner in charge by means of a valid ID. The student who is not able to provide identification will be denied entry to the test.

4. The student is to follow the instructions of the examiner or course coordinator in charge, an examiner or the invigilator, given before, during and/or immediately after the end of the test.

5. Latecomers are admitted to a test no later than 30 minutes after the start of the test. In the event that a student cannot be present within this time limit due to force majeure, the examiner or coordinator in charge decides whether he will yet be admitted to the test.

6. Students are not allowed to leave the room in which the test is held within 30 minutes after the start of the test.

7. After participants have left the room, latecomers will not be admitted to the test anymore.

8. Communication devices, including mobile phones, smart watches and other telecommunication devices may not be used during the test without the permission of the examiner or coordinator in charge.
charge, and must be both switched off and outside the student's reach.

9. If the student does not follow the instructions of this article, he may be excluded from further participation in the test by the examiner or coordinator in charge.

10. The consequence of the exclusion will be that the test cannot be graded ('NP', Not Participated) also when, at a later time, possible fraud or plagiarism are not deemed proven.

**Article 2.5 Suspcion of fraud**

1. In case of a suspicion of fraud during the test, the examiner may immediately exclude a student from further participation in the test. The examiner or coordinator in charge follows the procedure as referred to in Art. 5.14 par. 2 of the EER. No result will be registered until the Board of Examiners has taken a decision.

2. The examiner or coordinator in charge may confiscate items and objects, which the examinee brought along, and which may be relevant in order to assess the suspicion of fraud. The student is obliged to hand over those items or objects at the request of the examiner or course coordinator in charge for the purpose of this assessment.

3. The items and objects will be handed over by the coordinator or examiner in charge as fast as possible to the Board of Examiners. The Board of Examiners returns these to the student immediately after its decision in the matter, or so much earlier as this is deemed possible.

**Article 2.6 Annotations in law collections and other texts**

Insofar as the use of law collections and/or case collections and/or other literature is permitted during a test, and insofar as the instruction sheet to the test does not indicate that more is permitted, it is only allowed to underline or highlight the aforementioned texts, or add legislation references or case law references to them for the purposes of the test.\(^1\) If a student does have unauthorised annotations, this gives rise to a suspicion of fraud.

**Article 2.7 Suspcion of plagiarism in written work**

1. In case plagiarism in written work is suspected, the examiner may during the test exclude a student provisionally from further participation in the test. The examiner or coordinator in charge follows the procedure as referred to in Art. 5.14 par. 2 of the

---

\(^1\) This means that only case names or section numbers of legal provisions may be entered. This also means that it is not allowed to enter either a subject/subjects or other text alongside cases or legal provisions. Case law lists are also not allowed.
EER. No result will be registered until the Board of Examiners has taken a decision.

2. The examiner or coordinator in charge may confiscate items and objects, which the student brought along, and which may be relevant in order to assess the suspicion of plagiarism. The student is obliged to hand over those items and objects at the request of the examiner or course coordinator in charge for the purpose of this assessment.

3. The items and objects will be handed over as fast as possible to the Board of Examiners by the coordinator or examiner in charge. The Board of Examiners returns these to the student immediately after its decision in the matter, or so much earlier as this is deemed possible.

Article 2.8 Opportunities for an individual test

1. In case of special circumstances of a temporary nature that do not fall under Art. 7.3 of the EER, as a result of which the student is not capable of participating in a test in an ordinary way, the Board of Examiners may grant the opportunity for an individual test.

2. A request for an individual test must be submitted in writing, well-founded and supported by evidence, at least four weeks before the start of the period for which the individual test is requested, unless the circumstances on which the request is based were not known before.

Chapter 3 THE ASSESSMENT OF TESTS

Article 3.1 Assessment of tests

1. The Board of Examiners sees to it, that tests are assessed in conformity with written standards laid down in advance, which may be modified as a result of a correction.

2. If a test is assessed by more than one examiner, the examiner or course coordinator in charge sees to it that all examiners apply the same standards as the basis of their assessment.

3. The way of assessing is such, that the student can ascertain how the result of his/her test came about.

4. The following rules apply where for a test several students contribute to one common project:
   a. the standards for an (individual and/or collective) assessment of group work is to be laid down in advance by the examiner or coordinator in charge and is to be communicated to the students;
   b. the supervising examiner regularly ascertains, whether all students have made a proportional contribution to the final product.

5. In assessing a multiple-choice test, both chance guessing and the weighing of the individual multiple choice questions is to be taken into account in determining the satisfactory/unsatisfactory
boundary. This means that a multiple-choice test must contain sufficient questions and alternatives, so as to reach a valid judgment.

6. In assessing the result of a test/course, the grade last awarded counts.

**Article 3.3 Inspection and subsequent discussion**

1. The examiner or coordinator in charge sees to the organisation of an inspection of a test in conformity with Art. 5.11 of the EER, as well as a possible subsequent discussion.
2. The inspection and possible subsequent discussion take place in a form and at a place and time to be determined by the examiner or the coordinator in charge, with the aim being to realise this no later than five days prior to a second-chance, an additional or a substitute test.

**Article 3.4 Registration final results**

The final results of a course are registered in the university study information system (Osiris), after the authorisation by the examiner or coordinator in charge. This authorisation comprises the signing (name and signature) of the results list, as included in Osiris.

**Article 3.5 Filing of tests**

Tests, including the original test, test matrix, assessment criteria and possibly the answers model are filed carefully in view of the retention period laid down in Art. 5.12 of the EER.

**Chapter 4 SAFEGUARDING QUALITY OF EXAMINING**

**Article 4.1 Safeguarding quality tests**

The Board of Examiners sees to it, that:

a. per degree programme or programme within a degree programme both a policy and a plan for testing exist, which are carried out.

b. tests are made based on the learning aims of the course and the exit qualifications of the degree programme.

c. uniform agreements exist on the drafting, administering and correcting of tests.

**Article 4.2 Invalidation of a test for all participants in case of quality defects**
1. If a test turns out to have such serious quality defects, or if it was held or assessed under such circumstances that it is impossible to determine whether the learning aims of the course have been achieved by the students, the Board of Examiners may decide promptly pursuant to Article 7.12b par. 1 under a of the Act that the test in question is invalid and that all participants are to take a substitute test in the short term.

2. In case of such an invalidation, the chair of the Board of Examiners sets the date at which the test is to be retaken. This date should be no later than three weeks after the determination of the quality defects.

3. The Board of Examiners is entitled to the invalidation of tests until six weeks after publication of the final test result.

Article 4.5 Investigation into the quality of tests / Committee on the Quality of Tests

1. A Committee on the Quality of Tests exists, which is instituted by the Boards of Examiners of the Department.

2. The Committee on the Quality of Tests is in charge of the analysis of and the advice on the quality of testing. On a random basis it investigates tests of the courses of the Department's degree programmes based on the provisions in force, especially the Guidelines on the Quality of Tests referred to in Art. 4.1 under c.

3. The Committee on the Quality of Tests comprises the chairs of the Boards of Examiners, a chairman and at least two other members. These other members are appointed for a one-year term by the chair of the Committee on the Quality of Tests, after consultation with the chairs of the Boards of Examiners.

4. The Committee on the Quality of Tests is assisted by an administrative secretary.

5. The Boards of Examiners can instruct the Committee on the Quality of Tests to provide information, to conduct an investigation and to make proposals with regard to the organisation of the tests.

6. The Committee on the Quality of Tests discusses its findings with regard to the testing of the relevant course with the course coordinator. It sends its reports to the programme director, as well as to the Education director of the Bachelor's programme and the Education director of the Master's programme of the Department.

7. The Committee on the Quality of Tests reports on its findings and activities to the Boards of Examiners and discusses these at least twice a year in plenary meetings.

8. The Boards of Examiners see to it, that the findings as referred to in paragraph 7 are discussed in the Department's annual quality cycle.
Chapter 7  ASSESSMENT COURSE, EXAMINATION

Article 7.1  Assessment of a course

1. The result of a course is determined by awarding a grade on a scale of 1 to 10, with 1 being the lowest score and 10 being the highest score. Above 6 half and whole scores may be awarded, under 6 only whole scores. For the rounding-off of the grades, see the annex.
   The course Bachelor’s traineeship is assessed with a ‘fail’ or a ‘pass’ instead of with a grade.

2. A course is completed successfully, if a grade above a 6 was awarded, or if it was graded with “satisfactory”.

3. The final grade for a course is determined using the weighted average of the results for the module tests (including assignments, presentations, etc.) as mentioned in the University Course Catalogue of Utrecht University and OSIRIS, that is, if according to the rules of the course a final grade can be awarded.
   If an examiner chooses to round off the result of a module test, he or she shall use (at most) one decimal place. The results of module tests may be rounded off to (at most) one decimal place.

4. When retaking a course, the latest result obtained shall be deemed the final result, even if this result is lower than an earlier result.

Chapter 8  FINAL AND IMPLEMENTING PROVISIONS

Article 8.1  Amendments

1. Amendments to these Regulations are laid down by the Board of Examiners in a separate resolution.

2. Amendments that apply to the current academic year are only made, on condition that the students' interests are not likely to be harmed thereby.

3. Furthermore, amendments cannot have an adverse effect on a student with regard to any decision, which was taken by or on behalf of the Board of Examiners upon an individual request.

Article 8.2  Publication

The Dean sees to the publication of these Regulations and of amendments thereof through the appropriate digital channels.

Article 8.3  Effective date

This version of the Regulations takes effect on 1 September 2019.
As approved by resolution of the Board of Examiners Bachelor’s Degree Programme of the Department of Law of Utrecht University.
Appendix

Rounding-off final grades

Rounding-off table final grades
From 5 to 5.5
Round off to 5
From 5.5 to 6.25
Round off to 6
From 6.25 to 6.75
Round off to 6.5
From 6.75 to 7.25
Round off to 7
From 7.25 to 7.75
Round off to 7.5
From 7.75 to 8.25
Round off to 8
From 8.25 to 8.75
Round off to 8.5
From 8.75 to 9.25
Round off to 9
From 9.25 to 9.75
Round off to 9.5
From 9.75 to 10
Round off to 10

EXPLANATION
Final assessments of courses are expressed in grades ranging from 1 up to and including 10. Grades below 5 are not rounded off, grades below 6 are rounded off to whole numbers, grades above 6 are rounded off to half numbers.

A score of 5 (or below) counts as a fail, a 6 (or above) counts as a pass.

This method of rounding off is applied both to the Department's courses and to courses outside the Department.