



CBE, PO box 80125, 3508 TC Utrecht

Examination Appeals Board
ex article 7.60 of the Higher Education Act

DECISION

Visiting address
Heidelberglaan 8, Utrecht

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Date 26 October 2020
subject appeal [appellant]

The Examination Appeals Board at Utrecht University (hereinafter referred to as: the Board) has made the following decision on the appeal by:

[appellant], appellant,

versus

[defendants], thesis supervisors/examiners, defendants,

I. Origin and course of the proceedings

The appellant lodged an appeal on 22 July 2020 against the defendant's decision of 6 July 2020 to assess the Master's thesis submitted by the appellant with final grade 4,1. By virtue of the applicable stipulations of the Higher Education and Research Act and Art. 7 of the Rules of Procedure, the appeal was sent to the chair of the Examination Board on 28 July 2020. The Board received a statement of defence from the defendant, dated 18 August 2020.

On 22 September 2020 a hearing was held. Due to covid-19 measures, this hearing was held online via MS-Teams. [Appellant] attended. [Defendant] also attended.

II. Grounds

The appellant stated in his notice of appeal the following.

The evaluation was completely different from how his home university reviewed and evaluated his Bachelor's thesis. Furthermore, he was unfortunately obliged to write his thesis in three months of complete isolation as his flatmate and friend was forced to return to her home country once classes and physical meetings were interrupted as a result of the pandemic. The appellant believes that these conditions severely affected the progress of his thesis as he was forced to write it without regular feedback, not only from his colleagues, but more importantly



from his supervisor. The appellant maintains that the primary reason for his thesis being deficient was due to the lack of communication with his supervisor, who maintains that it is not his job to comment on each aspect of the thesis which may have been lacking in certain respects. The appellant understands that one's supervisor cannot scrutinize each and every fault in one's thesis. However, he is convinced that his thesis would have fared far better had he received more feedback. Certain comments related to core problems in his research, his supervisor did not raise beforehand. The appellant explained which comments he is referring to.

In the same way that the appellant worked hard to improve the literature and hypothesis sections, he would have worked hard to improve the discussion section and any other area in need of improvement, had it been brought to his attention.

The appellant put forward that he has performed well academically this year, therefore he believes that the scale of evaluation adopted for his thesis is disproportionate to that which was adopted for his other grades throughout the year. Apart from the frustration of having ruined his entire Master's experience, this result jeopardizes the agreement that he has with his future employer to begin working in October.

At the hearing the appellant stated that it never occurred to him that he would fail if the work would not improve substantially. He expected his supervisor to tell him this but he did not. The appellant was not worried about receiving a fail for the proposal. He knew that he had to improve things but he considered this to be a normal thing in the process of writing a thesis, making mistakes and improving parts.

The defendants stated the following:

The student was well informed during the period. The thesis shows insufficient quality on multiple elements. The research question is not sufficiently developed. Hypotheses are not clearly defined and not sufficiently motivated. Hypotheses are also not sufficiently specific to allow for proper statistical testing. As a consequence, the results cannot be connected to hypotheses and a definite conclusion concerning the research question cannot be drawn. As such, the core of what a thesis revolves around, is insufficient. This can all be seen in the evaluation forms. The correct procedure has been followed.

At the hearing the supervisor stated that he followed the same schedule for all students. There were 7 meetings throughout the process and he also sent the appellant emails. He provided him with a lot of feedback and told him he was in danger, that the quality of his work was not good enough. What he changed and what he added, showed that the appellant lacked the understanding. The defendant stated that he does not know what else he could have done and he feels that he went out of his way.

Considerations of the Board

On the grounds of the documents submitted in these proceedings, the Board considers the following.

Regulations

In the Education and Examination Regulations Masters' Degree Programmes in Economics 2019-2020 is stated the following:

"art. 5.3 – assessment: internship or research assignment and thesis

- 1. An internship or research assignment is assessed by the supervisor in question and one or more other internal and/or external experts.*
- 2. The Master's thesis will be assessed by two lecturers."*



It should be stated first and foremost that the duties and powers of the Board do not extend to assessing or reassessing any part of an examination. The Board assesses whether the examination assessment has been made with due care and has been sufficiently substantiated. Furthermore, the assessment of an examination or any part thereof is one of the discretionary powers of the individual examiners concerned. This means that, in addition to the assessment given above, it will only be possible to consider setting aside the assessment of an examination or any part of it if there has been a conflict with any rule of written or unwritten law.

On the grounds of the documents submitted in these proceedings, and on the grounds of the defendants' justification of the assessment, the Board takes the view, judging the matter within the limits set out above, that the assessment of the appellant's thesis can be upheld at law. What the appellant has put forward in his appeal has not been sufficient to persuade the Board to take a different view.

The defendants stated that the thesis shows insufficient quality on multiple elements and explained this further during the meeting to attempt an amicable settlement and in the statement of defence. The Board also noted that the appellant is informed about the grading in the Course manual Master Thesis 2019-2020 in which the criteria are explained. The Board therefore considers the assessment to be sufficiently substantiated and sees no reason to assume the assessment has not been made with due care.

Concerning the appellant's statement that he did not get enough feedback from his supervisor, the Board considers that the appellant confirmed that he had had 7 meetings with his supervisor and also got feedback in emails. The Board noted that the appellant received feedback concerning his proposal and the final draft. The appellant stated that he did not feel the need to ask for more feedback and admitted that he did not put a lot of effort in his proposal, because he was short on time. He thought that putting more effort in the last two months would be sufficient to get a passing grade. The Board is therefore of the opinion that the appellant chose to miss this important opportunity to receive the feedback needed to advance to a higher level, which is required for a Master's thesis. The consequences of this choice are at his own risk.

Concerning the statement of the appellant that the grading of his thesis is disproportionate, the Board considers that a Master's thesis is being evaluated on its own merits and getting good grades for courses does not automatically mean that the grading of this thesis is disproportionate. The Board takes into account that the thesis has been assessed by two supervisors who both think this grade is appropriate.

Furthermore, although the supervisor might have been more clear to the appellant that his work would lead to a failing grade, the Board is of the opinion that getting a 4,5 for a proposal and telling him that the quality of his work is not good enough, should be enough warning.



The Board decides as follows.

III . Decision

The Board

- I. Finds the appellant's appeal unfounded.
- II. Requires that copies of this decision be sent to the parties, to the Board of Utrecht University, to the Board of Examiners and the management of the faculty Law, Economics and Governance and made available to interested parties.

Thus decided by Prof A.M. Hol, chair, Dr. B.M. Verdel, Prof J.J.S. Dubas, Dr. C. Pafort-Overduin, P. Chaudhary, members, assisted by X.L. Westenburg LLB, secretary, and announced on 26 October 2020.

Signed,

X.L. Westenburg LLB,
secretary

Prof A.M. Hol,
chair

If you disagree with this decision you may submit an appeal to the College van Beroep voor het Hoger Onderwijs (CBHO), P.O. Box 16137, 2500 BC Den Haag, (www.cbho.nl) within six weeks of the date of its dispatch. The appeal should be written in Dutch. There is a registry fee involved.