

# FACULTY OF LAW EXAMINATIONS REGULATIONS (Faculty of Law Examinations Board Rules and Guidelines) 2015-2016

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## 1. General

### *Article 1.1 – Applicability of the Regulations*

These Regulations apply to all examinations as part of the Bachelor's and Master's programmes at the Faculty of Law at the University of Amsterdam (hereinafter: the programmes).

### *Article 1.2 – General*

The definitions of terms given in the Teaching and Examination Regulations (OER) for the relevant programme shall also apply to these Regulations. The other terms have the meanings ascribed to them by law.

## 2. The Examinations Board

### *Article 2.1 – Examinations Board Members*

The Examinations Board shall consist at least of a chairperson and two members. The chairperson shall be charged with running the day-to-day affairs of the Examinations Board.

### *Article 2.2 – Duties of the Examinations Board*

The duties of the Examinations Board are determined by law, and include:

- making objective and expert determinations of whether students have fulfilled the criteria laid down in the Teaching and Examination Regulations in respect of the knowledge, insight and skills needed to obtain a degree;
- safeguarding the quality of end-of-term and final exams, soliciting support to do so from the Assessment Committee;
- laying down guidelines and instructions for the assessment and marking of end-of-term and final exams in line with the Teaching and Examination Regulations (OER);
- granting exemptions from taking one or more examinations;
- implementing measures in the event of fraud;
- appointing examiners to administer end-of-term exams and to determine the results;

- issuing diplomas (together with the diploma supplement), as proof that students have successfully completed the final exam;
- granting students permission to follow a tailored curriculum with a final exam leading to the award of a degree;
- issuing statements listing all successfully completed end-of-term exams to students who have passed more than one end-of-term exam but do not qualify for a diploma; and
- drawing up an annual report of its activities.

*Article 2.3 – Examinations Board Procedures*

1. As a rule, the Examinations board shall meet at least four times per academic year, or whenever the chairperson deems it necessary. These meetings are closed to the public.
2. The dean may appoint an official secretary to the Examinations Board.
3. In the event of a request or complaint involving a member of the Examinations Board, the matter will be discussed in that member's absence.
4. The Examinations Board shall only handle requests or complaints that are submitted with a cover letter substantiating the request or describing the complaint.
5. The Examinations Board will issue a decision within eight weeks of having received the petition.

*Article 2.4 – Assessment Committee*

1. The Examinations Board has an Assessment Committee.
2. It is the task of the Assessment Committee to evaluate the assessments administered by the faculty. The coordinator of the module whose assessments are being evaluated must issue the Assessment Committee with the assessment file and all other information necessary for the evaluation. The evaluation will be discussed with the examiner prior to being officially adopted by the Assessment Committee.
3. The Assessment Committee reports to the Examinations Board, which shall evaluate the reports issued and notify the chairperson of the department that organises the module of the results, along with any improvement recommendations (as necessary).
4. The Assessment Committee shall consist of six members, including an assessment expert. The chairperson of the Assessment Committee shall be a member of the Examinations Board.

### **3. Examiners**

*Article 3.1 – Appointment of Examiners*

1. The Examinations Board appoints examiners to administer end-of-term exams and determine the results.
2. The Examinations Board may appoint experts external to the institution as examiners.
3. The Examinations Board may appoint an examiner from within or external to the faculty to replace an examiner already appointed, if:
  - a. the appointed examiner(s) is/are reluctant to act as such;
  - b. the relationship between the examiner(s) and the student has deteriorated to such an extent that the student can no longer reasonably be expected to complete the exam in the presence of the examiner(s);
  - c. other significant compelling circumstances dictate as such.
4. If the examiner refuses to carry out a decision by the Examination Appeals Board stipulating the review of an examination result, or if the examiner does not deem him/herself able to carry out the decision, the Examinations Board may decide to appoint another examiner (from within or outside the faculty) to carry out the decision.

### *Article 3.2 – Provision of Information*

Examiners shall provide the Examinations Board with information upon request.

## **4. Examinations**

### *Article 4.1 – Exam dates and times*

1. Written exams shall be administered on dates and at times set upon commencement of the relevant course of study, and announced via the UvA timetable website.
2. Oral or individual written end-of-term exams shall be administered at a time determined by the examiner(s), if possible in consultation with the student.
3. When setting examination dates and times, conflicts will be avoided among compulsory subjects for students with a normal study load.

### *Article 4.2 – Quality Assurance*

1. The Examinations Board monitors the quality of end-of-term and final examinations.
2. In its examination quality control activities, the Examinations Board shall keep to the 'Assessment Policy Framework' (*Kader Toetsbeleid*) as published on the UvA website.
3. Correct assessment (i.e. the accurate evaluation of a student's knowledge, understanding and skills) must be safeguarded by examiners at all times and under all circumstances.

### *Article 4.3 – Maintaining order during end-of-term exams*

1. Examiners are responsible for appointing invigilators for written end-of-term exams, who must ensure that the exam is administered according to the regulations established by the examiner.
2. Persons who are not examiners may be appointed as invigilators provided that at least one examiner is either present at the exam location or is contactable by telephone.
3. At the examiner's request, students are obliged to present valid proof of enrolment (student ID card) including a representative photograph **and** a valid driver's licence, passport or other document allowing verification of the student's identity.
4. If a student cannot produce valid proof of ID, or if the invigilator has doubts regarding the student's identity, the invigilator must witness the student signing beside his/her name on the list of examinees or other document designated for this purpose. As soon as possible after the examination, the student must present valid proof of ID to the examiner or to another person designated by him/her. The student's exam will not be assessed until his/her identity has been verified.
5. (no longer applicable)
6. Students may bring the following items with them: a blue or black pen, a pencil (HB), and an eraser.
7. When taking their seat in the examinations hall, all students must follow the instructions issued by the invigilator.
8. Students who fail to follow all instructions published by the Examinations Board and/or examiner or invigilator prior to commencement of the examination, as well as any instructions issued during or immediately following the relevant examination component, risk having their examination declared invalid.
9. Students must be present at the start of the examination. Examiners may decide to admit latecomers up to 30 minutes after the start of the exam.
10. Students may not leave the examination venue during the first 30 minutes of the exam.
11. Students who have registered for an exam and are present in the examination venue once the examination has commenced shall always be awarded a grade.

12. Once any examinee has left the room, no more latecomers will be admitted to the exam.
13. Students wishing to use the toilet must follow the invigilators' instructions.
14. While taking an exam, students are prohibited from having any materials with them that are not permitted by the examiner(s).
15. In legal texts, only the following are permitted:
  - References to sections of laws;
  - Markings and underlining; and
  - Tabs, either blank or stating the name of the law.
 These elements may be checked prior to or during the exam.
16. Students who have a mobile telephone or other electronic equipment with them during the exam are liable under the UvA Fraud and Plagiarism regulations, which can be found on the UvA website.
17. If any special circumstances arise prior to, during or after the examination, the invigilators shall draw up a report describing the circumstances.
18. Invigilators' conduct must not unduly disturb students during the examination.

#### *Article 4.4 – Oral examinations*

1. Oral exams will be conducted in the presence of a second lecturer, unless prescribed otherwise by the Examinations Board.
2. Oral examinations will only be administered to one student at a time, unless the examiner and the student agree otherwise.
3. Once the exam has commenced, the student must be awarded a grade.
4. A report of the examination will be drawn up.
5. Cancellation for an oral exam must be submitted to the examiner in writing or by e-mail at least two working days prior to the scheduled examination date, and a copy sent to the supporting secretarial service. If a student fails to cancel on time, he/she will be deemed to have taken part in the exam and will be awarded a grade of '1'.
6. Students who fail to attend an oral exam administered as an examination opportunity under the 'last-component' conditions in Article 3.3 of the programme OERs, and who fail to cancel on time, shall not be permitted to take the exams for that component again for a period of at least six months.

#### *Article 4.5 – Failure to attend oral skills assessments or practicals/practice courts*

1. Cancellation for an oral skills exam must be submitted to the examiner in writing or by e-mail at least two working days prior to the scheduled examination date, and a copy sent to the supporting secretarial service. If a student fails to cancel on time, he/she will be deemed to have taken part in the oral skills exam and will be awarded a grade of '1' or 'unsatisfactory' (NAV). Students will also be banned from retaking the oral skills exam at the next available opportunity to do so.
2. Cancellation for practicals and/or practice courts must be submitted to the examiner in writing or by e-mail at least two working days prior to the scheduled practical or court session date, and a copy sent to the supporting secretarial service. Students who fail to attend the practical or practice court session and who do not cancel on time will be excluded from taking further classes or examinations in the relevant module.
3. Students who fail to attend an exam or practical as described in paragraphs 1 and 2 above that are administered as an examination opportunity under the 'last-component' conditions in Article 3.3 of the Bachelor's and Master's OERs, and who fail to cancel on time, shall not be permitted to sit the exams or take part in the practical for that component again for a period of at least six months.

#### *Article 4.6 – Assessment*

1. 'Examination' is taken to mean any examination per programme course component of the knowledge, insight and skills of the student, which results in a satisfactory approval.
2. Written end-of-term exams are assessed on the basis of standards that are determined and recorded in advance, which may be adjusted pursuant to the correction if necessary.
3. In the event that more than one examiner is involved in the assessment of an end-of-term exam, the Examinations Board will ensure that all examiners use the same standards for the assessment, and will appoint an examiner with ultimate responsibility if necessary.
4. The assessment method must be such that students can understand how their end-of-term result was determined.
5. Marks above 6.0 may be issued in 0.5 increments. Marks shall be rounded as follows:
  1. No half-marks will be issued under 6.0:  
 n.00 up to n.49 = n.0  
 n.50 up to n.99 = n + 1.0
  2. Half-marks, 6 and up:  
 n.00 up to n.24 = n.0  
 n.25 up to n.74 = n.5  
 n.75 up to n.99 = n + 1.0
  3. Whole marks, 6 and up:  
 n.00 up to n.49 = n.0  
 n.50 up to n.99 = n + 1.0
6. For practical assignments involving contributions by multiple students, the Examinations Board will apply the following guidelines:
  - a. Agreements regarding the distribution of tasks to be performed by the students will be set out in writing by the examiner(s) prior to their commencement, such that the work of individual students can be identified; and
  - b. Students will be assessed individually based on their own work.
7. Assessment of bachelor's theses will take place in accordance with the provisions in the Bachelor's thesis handbook.
8. Assessment of Master's theses will take place in accordance with the provisions in the Master's thesis handbook.
9. Examinations may be retaken. The most recent result shall always apply.

## **5. *Cum laude* (distinction)**

### *Article A.5.1 – Cum Laude (Bachelor's)*

1. A Bachelor's exam will be awarded with a '*cum laude*' distinction if the weighted average of all marks is equal to 8.0 or higher, and no mark under 7.0 was issued for any component. This calculation will disregard the results of any components that are not expressed in figures.
2. Exemptions will not be considered when awarding the '*cum laude*' distinction, and the distinction will not be awarded if the student's study programme includes more than 42 ECTS' worth of exemptions.
3. Each examination component may only have been taken once.
4. Study duration may not be longer than 'nominal plus one'.
5. The Bachelor's thesis must have received a mark of 8.0 or more.
6. The calculation as described in paragraph 1 above shall only include the components of the examination programme.
7. These Regulations pertain to enrolments in new/existing programmes as of 1 September 2015. The 2014-2015 Examinations Regulations shall apply to enrolments prior to 1 September 2015.

#### *Article 5.1 – Cum Laude (Master's)*

1. A Master's exam will be awarded with a 'cum laude' distinction if the weighted average of all marks is equal to 8.0 or higher, and no mark for any component is less than 7.0. This calculation will disregard components whose results are not expressed in figures, on the understanding that the combined study load of the components included in the calculation must total 48 ECTS or more.
2. Exemptions will not be considered when awarding the 'cum laude' distinction, and the distinction will not be awarded if the student's study programme includes more than 12 ECTS' worth of exemptions.
3. Examinations may only have been taken once.
4. Study duration may not be longer than 'nominal plus one'.
5. The Master's thesis must have received a mark of 8.0 or more.
6. The calculation as described in paragraph 1 above shall only include the components of the examination programme.
7. These Regulations pertain to enrolments in new/existing programmes as of 1 September 2015. The 2014-2015 Examinations Regulations shall apply to enrolments prior to 1 September 2015.

## **6. Exemptions**

#### *Article 6 – Exemptions*

1. Requests to be exempt from taking exams must be submitted to the Examinations Board no later than 8 weeks prior to commencement of teaching in the relevant component, using the designated form on the faculty website.
2. Requests must be accompanied by certified proof that the component has been completed elsewhere, including a description thereof from the course guide from the year in which the component was completed. The Examinations Board may request additional information.

## **7. Retention periods**

#### *Article 7 – Retention Periods*

1. Exam questions and student answers, including essays and other written materials for which any mark (or partial mark) was awarded and the reports of completed oral exams, will be kept in storage for at least two years following finalisation of the exam results.
2. Bachelor's theses/final assignments and Master's theses will be stored for at least seven years.
3. Academic transcripts and diploma supplements bearing the signature of the chair of the Examinations Board will be stored indefinitely.

## **8. Annual report**

#### *Article 8 – Annual Report*

By 1 November each year, the Examinations Board shall draw up a report outlining its activities from the previous academic year, and submit the report to the dean. The annual report is a public document.

## **9. Hardship clause**

### *Article 9 – Hardship clause*

In cases where the provisions of these Regulations have an unreasonable and unfair effect on a student, the Examinations Board may make an exception thereto.

## **10. Appeals procedure**

### *Article 10 – Appeals Procedure*

If a student does not agree with a decision by an examiner or the Examinations Board, he/she has six weeks in which to submit an appeal against the decision to the Examination Appeals Board. The procedure for doing so can be found on the UvA website.

## **11. Amendments and effective date**

Any amendments to these Regulations during the current academic year may only be effected if the interests of students will not be unfairly compromised as a result.

These Regulations shall take effect on 1 September 2015.

Adopted by the Examinations Board for Bachelor's and Master's programmes at the Faculty of Law, University of Amsterdam on 31 August 2015.