

# EXAMINATION REGULATIONS

## Faculty of Law VU University Amsterdam

In accordance with Article 2.24, paragraph 4 of the Statute, and with the Faculty's Academic and Examination Regulations (AER), the Examination Board has decided to draw up the following Examination Regulations.

### **I Working method of the Examination Board**

1. The Examination Board will select a chairperson from among its members and a secretary to be formally appointed by the Faculty Board. Possibly at the request of one or more members of the Faculty Board, the chairperson will convene a meeting of the Examination Board by circulating an agenda to its members.
2. The official secretariat is represented on behalf of the faculty's Director of Operations.
3. The Examination Board shall decide by simple majority.
4. The chairperson and the secretary each exercise the powers of the committee, by mandate, and ensure the uniform use of such powers.

### **II Registering for examinations**

1. Participation in written examinations is restricted to those who have registered via the VU University Amsterdam student portal and who have met the entry requirements for the specific component in question, as defined in the Academic and Examination Regulations.
2. The student portal opens for registration at least six weeks prior to the date of the examination. The system closes two days prior to the date of the examination in question.

### **III Procedure for conducting examinations**

Well before the date of the examination, the examiner provides all those studying the subject to be examined with details of how the examination will be conducted, and of the materials that they are permitted to bring into the examination.

### **IV Examinations held outside the normal timetable**

1. If, in order to graduate, a student needs to pass one more examination, and must re-register to sit that examination, the student will have the opportunity to take the examination in question at an earlier opportunity.
2. Without prejudice to the provisions of paragraph 1, the Examination Board may give a student the opportunity to take an exam outside the normal timetable if exceptional circumstances give it cause to do so.
3. In the case of examinations outside the timetable, the examiner determines the form to be taken by the examination in question.

### **V Mutatis mutandis provision for shared examination rooms**

Notwithstanding the provisions of Article VI of these Examination Regulations and the Procedural regulations for examinations in the Dutch Law, Notarial Law, and Criminology programmes that derive from it, examinations held in examination halls where other faculties' examinations are being simultaneously held are subject to the Regulations for Shared Examination Rooms.<sup>1</sup>

In the case of examinations held in shared examination rooms, at least one examiner must be present throughout the examination, on behalf of the department responsible for the examination in question.

## **VI The maintenance of order during an examination**

1. The Examination Board shall ensure that invigilators are appointed for the written examination and that these individuals will ensure that the examination is conducted properly.
2. Invigilation is provided under the supervision of examiners.
3. At the request of an invigilator, students are obliged to identify themselves by presenting a valid proof of registration bearing a photograph that is a good likeness of the individual in question.
4. If students are unable to present valid proof of registration then they must submit a valid driving licence, valid passport or other document that can be used to confirm their identity. Students' work will not be assessed until checks have established that they were registered for the examination in question.
5. If a student is unable to present proof of identity, or if the invigilator has doubts regarding the student's identity, then the student must sign his or her work in the presence of the invigilator.  
The student's work will be assessed if:
  - a. it bears the signature referred to in the previous sentence, and
  - b. the student properly identifies himself or herself to the examiner within 14 days after sitting the examination, and signs his or her work with a second signature that is identical to the first and
  - c. checks have established that the student was registered for the examination in question.
6. Students must follow any instructions issued by the Examination Board, the examiner or the invigilator.
7. Students arriving after the examination has started will not be admitted, unless granted permission to do so by the examiner.
8. The duration of an examination is such that students, by any reasonable standards, have sufficient time to complete the questions. The examiner sees to it that all students sitting a given examination have the same period of time in which to complete the questions. If exceptional circumstances make it necessary, however, the Examination Board is authorized to grant a student as much extra time as is reasonably necessary.

## **VII Cheating and plagiarism**

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<sup>1</sup> Ruling by the Executive Board of VU University Amsterdam, dated 5 September 2012.

1. Cheating and plagiarism are defined as any act or omission by a student that partially or entirely precludes making an accurate assessment of their knowledge, understanding and skills, or those of another student.
2. At any event, the following will be considered to constitute cheating:
  - a. being in possession of items (pre-programmed calculator, mobile phone, books, outlines, notes, etc.) whose use is not expressly permitted;
  - b. copying from others or exchanging information during the examination;
  - c. assuming someone else's identity during the examination;
  - d. allowing someone else to assume your identity during the examination;
  - e. obtaining details of examination questions before the date or time at which that examination is scheduled to take place;
  - f. modifying, extending or changing a degree component examination after it has been submitted for final assessment.
3. At any event, the following will be considered to constitute plagiarism:
  - a. using or acquiring someone else's texts, data or ideas without a full and correct acknowledgment;
  - b. not clearly indicating in the text (by means of quotation marks or a particular layout, for example) that a passage of text has been literally copied from the work of another author, even if a correct acknowledgment has been included;
  - c. paraphrasing the contents of other people's texts without an adequate acknowledgement;
  - d. submitting a previously submitted text, or a comparable text, for assignments from other degree components;
  - e. using the work of fellow students and passing this off as your own work;
  - f. submitting papers obtained from a commercial agency or having someone else write them (whether free of charge or otherwise).

## **VIII Procedure for breaches of the regulations**

1. If a student has cheated or committed plagiarism, the invigilator or the assessing lecturer will draw up a written report on the matter as soon as possible and submit it to the head of the relevant department or to a lecturer acting on their behalf.
2. The invigilator or the assessing lecturer can request that the student hand over the incriminating material relating to the breach of regulations in question. Any refusal to do so will be recorded in the report referred to in paragraph 1.
3. If the breach of regulations is observed during an examination, the student is given the opportunity to complete the examination in the remaining time allotted.
4. The head of department, or a lecturer acting on the latter's behalf, decides whether the Examination Board should be notified of this breach of regulations.
5. The case is placed before the Examination Board by submitting the report referred to in paragraph 1. This must take place within five working days after the breach of regulations was observed.
6. The Examination Board gives the student the opportunity to present written comments on the report referred to in paragraph 1, within a reasonable period of time (to be determined by the Board).
7. After the period of time referred to in paragraph 6 has elapsed, the Examination Board gives the assessing lecturer (or the invigilator, as the case may be) and the student in question an opportunity to attend a meeting and verbally express their respective views, and to answer questions posed by the Board.
8. The Examination Board will make a decision concerning the penalty to be imposed as soon as possible. This must take place within six weeks of the date on which the period of time referred to in paragraph 6 elapses.

## **IX Penalties**

1. If the Examination Board concludes that the student has cheated or committed plagiarism, then, depending on the nature and gravity of the breach of regulations involved, it can decide to award the student a grade of zero for the degree component in question. In addition, it can debar the student from all examinations for a period not exceeding one year following the date on which the breach of regulations was observed.
2. The Examination Board grants no exemption based on examinations which, during the period in which the student is debarred from sitting examinations, are held in another faculty.
3. Debarment by the Examination Board of another faculty also applies within the Faculty of Law of VU University Amsterdam, for the same period and for the same components.

### **IXa Irregularities**

If the Examination Board concludes that one or more degree component examinations, or an entire examination, were not completed in the prescribed manner or that an examination component or examination was not held in the proper manner, it can declare the examination, or the relevant part thereof, invalid.

## **X Assessment of degree components**

1. The assessment of degree components takes place in accordance with the appendix to these regulations.
2. Students are considered to have passed a degree component if they are awarded a grade of at least six for the component in question.
3. The assessment of degree components takes place in accordance with previously established standards that are as complete as possible and that, where appropriate, have been modified in accordance with the correction of the component.
4. Lecturers will only assess those theses whose topics they have approved in advance and where they have made arrangements for supervision with the student in question.
5. On the basis of the method of assessment, it should be possible for students to determine how their grade for the degree component was derived.
6. Students who have followed a degree component but who fail to submit any work for assessment will be awarded a grade of 1 for the component in question.

## **XI Retention periods**

1. Documents showing how the result for a given degree component was derived are retained by the examiner (or examiners) for a period of at least ten years.
2. Papers produced by the student in connection with the degree component in question are retained for a period of at least one year.
3. The thesis supervisor retains the thesis for a period of at least one year.

## **XII Classifications**

1. The Examination Board awards a classification of “cum laude” (“with distinction”) if the candidate:
  - a. has passed each degree component at the first attempt and
  - b. was awarded a grade of at least an 8 for their thesis, and
  - c. was awarded a grade of at least a full 7 (i.e. prior to rounding) for the other degree components, and
  - d. was awarded an unweighted grade average of 8 for all degree components.The “cum laude” classification is recorded on the degree certificate.
2. The Examination Board awards a classification of “summa cum laude” if the candidate:
  - a. has passed each degree component at the first attempt and
  - b. was awarded a grade of at least an 9 for their thesis, and
  - c. was awarded a grade of at least a full 8 (i.e. prior to rounding) for the other degree components, and
  - d. was awarded an unweighted grade average of 9 for all degree components.The “summa cum laude” classification is recorded on the degree certificate.
3. When applying the criteria for the award of a degree classification, any exemptions granted and appraisals not expressed as a number (VLD = Pass) are disregarded, with the exception of exemptions related to a previously written thesis. Any such previous thesis must have been awarded a grade of at least 8.
4. When applying the criteria for the award of a degree classification, any result obtained after the first grade is disregarded.

Drawn up by the Examination Board of the Faculty of Law of VU University Amsterdam on 15 April 1995. Subsequently amended on 16 June 1999 and again on 3 April 2000, 15 May 2002, 23 February 2004, 16 January 2006, 7 November 2008, 7 March 2011, 31 May 2011, 15 August 2011, 18 October 2012, 5 March 2014, 6 October 2014, 25 August 2015 and 12 Augustus 2016.

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## APPENDIX TO ARTICLE X, paragraph 1

The following grades can be awarded for academic performances:

- whole numbers ranging from 1.0 to 10;
- the intermediate half numbers, such as 6.5, with the exception of 5.5

No grade of less than 1.0 is awarded.

In the table below, the columns are as follows:

1. Points: the total number of points that can be awarded for an examination (derived by totalling the points awarded for each question or assignment);
2. Grade: the figure derived from the number of points awarded, entered into the computer (in accordance with the way in which the computer has been programmed).

The table shown below is based on a scale with a 100-point maximum. By doubling the number of points, a scale with a 50-point maximum can be converted to a 100-point scale. By halving the number of points, a scale with a 200-point maximum can be converted to a 100-point scale.

If the assessment involves a multiple choice examination, a correction for the probability of guessing the correct answer is applied before the table is used. As a starting point (which may be waived, provided that a justification is given), the following method is used for this purpose. First, the average probability of guessing the correct answer is determined on the basis of the number of possible answers, divided by the number of questions. For example: there are 40 questions and 150 possible answers. This means that there are an average of 3.9 possible answers per question. So, per question, the probability of guessing the correct answer is  $1/3.9 = 26.66\%$ . This probability of guessing the correct answer is then used to determine the number of correctly answered questions that do not count towards the final grade. In the example:  $26.66 \times 0.4 = 10.66$ . In accordance with the table, 55% of the remaining 29.34 questions (= 16.14) must be answered correctly to get a passing grade. In total, therefore,  $10.66 + 16.14 = 26.8$  (rounded up to 27) questions must be answered correctly to get a passing grade. Another way of putting it is to say that the passing grade is 27 questions.

points	grade	points	grade	points	grade
40	4	50	5	60	6
40.5	4	50.5	5	60.5	6
41	4	51	5	61	6
41.5	4	51.5	5	61.5	6
42	4	52	5	62	6
42.5	4.5	52.5	5	62.5	6.5
43	4.5	53	5	63	6.5
43.5	4.5	53.5	5	63.5	6.5
44	4.5	54	5	64	6.5
44.5	4.5	54.5	5	64.5	6.5
45	4.5	55	6	65	6.5
45.5	4.5	55.5	6	65.5	6.5
46	4.5	56	6	66	6.5
46.5	4.5	56.5	6	66.5	6.5
47	4.5	57	6	67	6.5
47.5	5	57.5	6	67.5	7
48	5	58	6	68	7
48.5	5	58.5	6	68.5	7
49	5	59	6	69	7
49.5	5	59.5	6	69.5	7
50	5	60	6	70	7

**Explanatory notes:** The 40-50 and 60-70 series illustrate the normal system of grading and rounding off, which is also used above 70 and below 40. The 50-60 series is anomalous since, in accordance with a decision by the Executive Board dd. 20 April 2000, grades between 5 and 6 cannot be awarded.

Words, rather than numbers, can also be used to grade components designated by the Examination Board. These are as follows: Exemption (VRS), Fail (OV), Pass (V) Good (G), Pass (VLD) or Fail (NVLD). The corresponding English terms are, respectively: Exemption, Fail, Pass and Good, Pass and Fail

## **Procedural regulations**

The Examination Board has drawn up the following Procedural Regulations.

- In accordance with (the Annex to) the Academic and Examination Regulations (AER) of the programme in question, if candidates register for, and sit, examinations without having met the entry requirements, then their examination papers will not be graded.
- Students should be present well in advance.
- Students arriving after the examination has started will not be admitted, unless granted permission to do so by the examiner.
- All examination candidates must take their places in their allotted examination hall and must be in possession of a valid university registration card.
- This university registration card must be clearly visible on the desk, for monitoring purposes.
- Any books, notes, extracts etc. must be kept in a closed bag, unless their use is expressly authorized by the examiner or prescribed.
- Law-books may contain (self-made) tabs, if necessary with an article reference (juncto). It is not allowed to write anything in the law-books (no keywords, no article references, underscores and highlights are still allowed); checks will be made for compliance with these rules once the examination has started.
- No visits to the toilet are permitted, unless approved by the invigilator.
- No more than one individual may visit the toilet at the same time.
- Examination stationery and notepaper are provided. Students are not permitted to use their own jotting pads or writing paper.
- A ballpoint or fountain pen should be used during the examination. All answers must be in clearly legible handwriting.
- No talking is allowed once the first examination sheet has been distributed.
- No candidates may leave the examination hall during the final 20 minutes of the examination.
- At the end of the examination, both the examination stationary and all other pieces of paper provided (notepaper) must be handed in. Students who fail to submit any work for assessment will be awarded a grade of 1 (one).