



Rules and regulations for examination complaints

Faculty Administration

February 2023

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1. Introduction

The rules and regulations for processing of examination complaints are laid down in Part 9, Sections 33-47, of the Danish Ministerial Order on University Examinations and Grading¹.

The most recent amendment to the Examination Order resulted in some changes to the rules and regulations governing examination complaints, and especially two of these changes should be noted when processing examination complaints:

- The rule that a complaint must state the reasons for the complaint has been repealed, and it is therefore no longer a requirement that a complaint must explain the reasons for the complaint.
- In connection with the reassessment of a written assignment, the new assessors are no longer to receive a copy of the case files. In future, they will reassess the assignment based solely on its contents and any assignment text.

Complaints can be submitted about legal and academic issues, including the examination process, in connection with an examination, part examination or final examination.

The decision-making authority lies with the University. In practice, this means that the Faculty of Social Sciences (Section for Programme Services) formally decides complaints.

The faculty may make a decision based on the complaint, the assessors' opinion and any comments made by the complainant. The University may decide:

1. to offer a new assessment of a written assignment (reassessment);
2. to offer a new examination or test (re-exam);
3. to offer a combination of 1, 2 and 4 if the examination or test comprises a written exam paper with an oral defence; or
4. not to find in favour of the complainant.

The deadline for complaints is two weeks from when the assessment has been announced.

The deadline for complaints is calculated at the earliest from the time fixed for the announcement of the assessment by the University.

The Faculty cannot decide to change a grade. The Faculty can only decide to dismiss the complaint, offer a reassessment or a re-exam or decide not to rule in favour of the complaint. New assessors will always be appointed in case of a reassessment or a re-exam. A reassessment or re-exam may result in a lower grade than the original grade.

¹ Ministerial Order no. 2271 of 1 December 2021 on University Examinations and Grading (the Examination Order)

2. Administrative procedure for complaints concerning academic issues

Complaints concerning academic issues are complaints against:

- the basis for the examination (questions, assignments etc.)
- the examination process
- the assessment

When processing complaints concerning the basis for the examination, the examination process, the assessment or other issues relating to the assessors, the Section for Programme Services initiates the administrative procedure by asking the assessor(s) to submit an opinion. The assessor(s) must prepare their opinion within a deadline of two weeks. The month of July is not included when calculating the two-week deadline. The opinion submitted by the assessor(s) must include a reasoned joint statement (from both assessors if there are two) as well as a recommendation as to whether they recommend that:

1. the Faculty offer a new assessment of a written assignment (reassessment);
2. the Faculty offer a new examination or test (re-exam);
3. the Faculty offer a combination of 1, 2 and 4 if the examination or test comprises a written exam paper with an oral defence; or
4. the Faculty make a decision to dismiss the appeal.

As mentioned above, the assessor(s) cannot decide to change a grade.

This consequently means that the assessors cannot change their mind. Once the assessors have made an assessment, it cannot be changed, except if an incorrect grade has been entered. In such case, the assessors must contact the Section for Programme Services about this.

The assessor(s) may write in their opinion that after having reviewed the exam paper and the student's complaint, the assessor(s) has/have changed their mind and now find(s) that the grade should have been different. But as the assessor(s) is/are unable to change the grade, and as the Faculty invites the student to comment on the opinion, it is very important that the comments are stated in the actual opinion, which must then be concluded with a section stating: "On this basis, it is recommended that the Faculty decide to grant a reassessment by new assessors."

This is important for several reasons. Firstly, it must be clear to the student that the opinion is not a decision, but solely a recommendation to the Faculty that the assignment be assessed by new assessors. Secondly, this is a way of informing the student that there is no guarantee that the new assessors will reach the same conclusion as the original assessor(s) has/have now reached.

The Section for Programme Services will send a copy of the opinion to the student. The student then has a week to submit any comments. If the Faculty does not hear from the student, a decision will be made on the basis of the information available.

If the student submits comments on the opinion, the Faculty will forward the comments to the assessor(s). This general rule may be derogated from if it is beyond any doubt that it is not relevant to conduct a new consultation. This may, for example, be the case if the student solely repeats matters raised in the original complaint. If the case is resubmitted to the assessor(s), but the complainant's statement does not give rise to further comments by the assessor(s), the Faculty will make a decision based on the information available. (Technically, this is ensured by stating in the letter to the assessors that if the Section for Programme Services does not hear from the assessor(s) within one week, this will be taken to mean that the student's comments have not given the assessors reason to change their opinion).

If the assessor(s) submit(s) a new opinion, the decision will be made on the overall basis.

If the student is offered a reassessment or a re-exam, the student must accept the offer within two weeks. Otherwise, the offer will be withdrawn.

In connection with a reassessment or a re-exam, a new assessor is appointed, and the chairperson of the external examiners will appoint a new external examiner.

In connection with a reassessment or a re-exam, the new assessors must state the reasons for their assessment in a written justification.

The new assessors' assessment may result in a lower grade. If the student accepts the offer of a reassessment or a re-exam, the student CANNOT submit a complaint concerning the new assessment. The student may, however, complaint about legal errors and irregularities concerning the new assessment. (See below regarding 'Complaints about legal errors and irregularities').

If a complaint is submitted about issues not relating to the assessor(s), for example about the PC equipment for a computer-assisted examination or about the invigilators, the Section for Programme Services will process the complaint without involving the assessors.

3. Administrative procedure for appeals to board of appeals

If the Section for Programme Services decides to dismiss a complaint about academic issues, the student may appeal the decision to the board of appeals. The appeal must be in writing and be submitted to the Faculty within two weeks of the student being notified of the University's decision.

Some degree programmes have a permanent board of appeals, whereas ad hoc boards of appeals are set up by other degree programmes. A board of appeals consists of four members: The chairperson of the external examiners appoints two external examiners, one of whom is appointed as chairperson, and the head of studies appoints a lecturer from the subject area and a student.

The board of appeals makes its decision based on the material on which the University's decision and the student's appeal were based. The board of appeals may decide:

1. to offer a new assessment of a written assignment (reassessment);
2. to offer a new examination or test (re-exam);
3. to offer a combination of 1, 2 and 4 if the examination comprises a written exam paper with an oral defence; or
4. not to find in favour of the complainant.

The Section for Programme Services will be notified of the board of appeals' decision as soon as possible and no later than two months after the appeal has been submitted. The month of July is not included when calculating the two-month deadline. The Section for Programme Services will then notify the complainant of the decision as soon as possible.

If the board of appeals is unable to meet the deadline, the board of appeals must notify the Section for Programme Services, which will then inform the complainant thereof as soon as possible, provide details on the reasons for this and information about when the processing of the appeal can be expected to be concluded.

If the board of appeals decides to offer a (re)assessment by new assessors or a new examination (re-exam) by new assessors, this must be presented as an offer to the student. If the student does not accept the offer, it will lapse, and the appealed grade will be the final grade.

The board of appeals' decision to dismiss the appeal or to offer a (re)assessment or a re-exam must be put in writing and reasoned. In connection with a reassessment or a re-exam, the new assessors must attach a written justification of their assessment.

The complainant must accept any offer of a reassessment or a re-exam within two weeks of having been notified of the decision.

The board of appeals' decision is final. This means that the student cannot appeal against the decision regarding academic issues. However, the student may submit an appeal to the Dean concerning legal issues in connection with the board of appeals' processing of the appeal.

If a student accepts an offer of a reassessment or a re-exam, the student CANNOT lodge a complaint against the new assessors' grading. However, the student still has access to lodge a complaint concerning legal errors and irregularities.

4. Complaints about legal errors and irregularities

Complaints about legal errors and irregularities are complaints that do not concern academic issues or assessments, i.e., complaints about whether the rules and regulations in force at any time have been complied with.

Legal errors and irregularities do not concern questions about the appropriateness of the decision, including the appropriateness of the discretion exercised in the case or any academic assessments.

A complaint about legal errors and irregularities may, for example, be a complaint that no description of objectives has been prepared for the subject area or if the faculty has failed to observe applicable regulations in the area regarding a decision. Such complaints can be lodged to the Danish Agency for Higher Education and Science. The faculty prepares a statement on the matter, and forwards your complaint, the statement, and relevant attachments to Education & Students, which is the department at the University of Copenhagen that carries out legality checks on behalf of the Rector. Education & Students then forwards the case to the Danish Agency for Higher Education and Science. Any complaints about legal errors and irregularities must be sent to the faculty by emailed to educationallaw@samf.ku.dk.

5. Complaints about teaching and supervision

Complaints about teaching and/or supervision are investigated by the head of studies and are decided by the department. The Faculty therefore passes on such complaints to the head of studies.