

Summary

This report is an updated and expanded version of the Swedish National Agency for Higher Education's report *Rättssäker examination [Fair examination]*, published in 2008. The Swedish Higher Education Authority hopes that higher education institutions (HEIs) will be able to use this report in their efforts to ensure the fairness of student examinations.

The Swedish Higher Education Authority wishes to emphasise the need for HEIs to formulate clear rules for examinations in course syllabi to create the predictability which is fundamental for students' legal rights. In addition to the rules of the course syllabus, an examiner must be familiar with the rules primarily in the Higher Education Ordinance and the Administrative Procedure Act.

The HEIs may choose the forms of examination for their courses themselves. But the course syllabus must state the forms of examination. If the HEI chooses to change the forms of examination in a course, it must specify whether interim regulations in the syllabus are necessary and, if so, how long the interim period will be.

When conducting an examination according to the stipulations of the Higher Education Ordinance, an examiner determines a grade based on the form or forms of assessment of student performance stated in the course syllabus. According to the regulations of the Administrative Procedure Act, grading should be considered to begin with the registration of the student in the course and may include more factors to take into consideration than what follows from the regulations of the Higher Education Ordinance.

The HEIs may have different grading systems for different courses. If the grading criteria are written for a course, the HEI must make clear whether or not the criteria are binding for the examiner and the students.

The regulations of the Higher Education Ordinance do not indicate any general restrictions regarding the number of tests and placement occasions. The HEIs may determine restrictions in a course syllabus if an unlimited right would lead to unreasonable use of resources. If restrictions are determined, then the minimum number of occasions stated in the Higher Education Ordinance must be observed. Any restrictions should be stated in the syllabi for the affected courses.

The vice-chancellor of the HEI has the authority to appoint examiners. The vice-chancellor may delegate this authority. The decision to appoint an examiner must be documented. The examiner is to be a teacher. An individual who is employed as a teacher at one Swedish HEI may be appointed as an examiner at another Swedish HEI, but must have a position at that other HEI. For others to be able to serve as examiners at an HEI, they must be employed as teachers at that HEI. There are no formal obstacles against multiple examiners grading different students on one test occasion, but similar cases should be treated identically. The regulations of the Higher Education Ordinance do not permit a grading decision to be made by several examiners together.

It may be of value for both students and teachers for teachers to assess written tests without knowledge of the test-taker's identity. For written examinations, an HEI should try to arrange anonymous tests. However, the HEI must determine

whether anonymous tests in a course are possible and suitable. Due to regulations regarding conflict of interest, examiners must know the names of test-takers in the final stage of the proceedings.

Ordinarily, a student should not require interpretation when a course is given in Swedish. The grading decision and other decisions made by an HEI regarding a student's grade must always be written in Swedish. Furthermore, a student is to always have the option of communicating with the HEI about the grade in Swedish. With regard to the examination language, the primary rule is that students should be able to use Swedish. However, students must submit responses in a language other than Swedish if the course objectives require it, and otherwise risk failing the test.

Students who speak any of the other Nordic languages do not have the right to use these languages on examinations. But students who speak Danish or Norwegian should, to the extent possible, be allowed to use the languages on examinations held in Swedish. There are, however, situations in which responses need to be given in Swedish.

The HEI determines the exam day. It is permitted to hold the exam on Saturdays or Sundays, for example, but consideration should be given to students for whom it is not possible to participate in the exams for religious reasons on certain religious holidays. It is also important to inform students of the test dates well in advance. HEIs are ordinarily not required to give students the opportunity to take a test at a location other than the HEI, but based on the rule of service obligation in the Administrative Procedure Act, there may be reasons to provide such an opportunity.

An examiner not only makes the final grading decision, but also other decisions during preparations. An examiner is responsible for behaving objectively and impartially when grading. If there is some special circumstance that may diminish trust in the examiner's impartiality in the case, he or she is disqualified and may not handle the case.

A student is entitled to be informed of what has contributed to the grading decision. One example is written comments about the student provided to a course examiner by an instructor at a placement.

The HEIs determine the design of the examination. Through clear course syllabi and grading criteria, the HEI can clarify the terms and conditions that apply to the examination. An examiner should have the opportunity to decide on modified or alternative examinations for students with disabilities. The course syllabus should make this clear.

Grading scales stated before an exam should be considered as guidelines that should be followed whenever possible.

Well-founded suspicions of cheating should be reported to the vice-chancellor promptly. The examiner may not reconsider the vice-chancellor's or the disciplinary board's determination of the matter if cheating on an exam has occurred.

Lost tests and incorrect information about the day or time of the test are examples of mistakes from the HEI's side which may result in students not being able to be tested. In such cases, the HEI's rules should stipulate under what conditions students are entitled to a new testing occasion and the period in which such a test will be held. The examiner may not pass a student solely on the grounds of the student's test being lost. Nor may an examiner, due to lack of time for example, pass students who never completed the examination.

Required components are to be stated in the course syllabus. To avoid instances in which a student is erroneously prevented from taking an exam or another test, a student who has not completed a required component according to the department's requirements should ordinarily still be permitted to participate. For the HEI to be able to make an exception from the instructions in the course syllabus regarding required components and provide an opportunity for alternate assignments, this must be specified in the relevant syllabus.

A student does not have the right to withdraw his or her submitted exam and thus avoid being graded.

A grading decision is to be recorded in a printed or electronic document. If the basis of a grade is presented to the examiner, the name of the presenter is to be stated in the grading decision. If other teachers help with the assessment of a test, then they have participated in the final processing of the grade and their names must also be included in the grading decision. Students may be informed of a grading decision in various ways, for example via email or on bulletin boards on the premises of the HEI. If an exam review is held, more than two weeks should pass before the retake. If registration of a grade in the Ladok student registry will occur only after the student has been informed of the grading decision, it should take one week at most to register the grade.

A grading decision may always be changed before the student has been informed of it. Thereafter, support from the Higher Education Ordinance, Administrative Procedure Act, praxis or legal literature is required to change the decision. If a grading decision contains an obvious inaccuracy due to a written error, calculation error or similar oversight, the decision may be corrected by the examiner, whether to the advantage or disadvantage of the student. Corrections to the disadvantage of a student must be made with extreme caution and only when the case in question is clear. Before such a correction is made, the student should normally be given the opportunity to provide a statement.

Moreover, the examiner is obligated to change an obviously incorrect grade if it can be done quickly, easily, and without lowering the grade. It is also possible, with support from praxis, to change a grading decision when a student has cheated on a test. There is also some space for changing a grade to the advantage of a student, i.e. by raising a grade. Extreme caution should still be taken when changing grades. For the examination to be able to be considered fair, it is of crucial importance that the examiners assess similar cases identically.

A grade of pass may not be changed to a grade of fail by request of the student.

There should be no rules or praxis which entail that a student who has picked up his or her test automatically loses his or her right to request a review. Nor is it permitted to set time limitations for when students must request a review at the latest.

The examiner may decide that a student who has not passed a course may complete supplementary assignments if there is support for doing so in the HEI's regulations. Such regulations should clarify the period within which supplementary work should be completed and how supplementary work may be done.

HEIs are permitted to allow students who have passed a course to retake an exam for a higher grade.

A student is entitled to have another examiner appointed after two failed tests if there are no special reasons for not doing so. A special reason for not changing the examiner could be that there is no other suitable examiner.

A written examination should be a public document once it has been delivered to the students who participated in its writing. There are, however, reasons for citing the regulations of the Public Access to Information and Secrecy Act to decline to release the document to other people before the test has been taken.

Grades should stand if the admission decision is withdrawn.

Clearly expressed grading criteria are especially important for oral exams. Opportunities for reconsidering the grading decision are facilitated if the HEI documents the oral exam.

It is important for HEIs to take a position on the formal role of the supervisor in placements. Grades should not be given for students who cancel their placement in advance. Only in exceptional cases may a course syllabus stipulate that a student can fail before he or she has completed the entire course.

The course syllabus should state what the consequences will be if home exams are not submitted on time.

Group exams may be considered a permitted form of examination. However, it is important that the HEI is able to make individual assessments of the students. There are different ways to ensure this is possible.

When a supervisor has approved a paper (degree project), the examiner should not require extensive changes for the paper to receive a passing grade. Clear assessment criteria and a continuous dialogue between the supervisor and the examiner are ways of preventing such situations. However, an examiner is not obligated to give a passing grade only because the supervisor has approved the paper.

It may be considered common practice for a student who has not completed the paper (degree project) during the period of the course to receive, within reason, supervision until the paper is completed. If a department wants to deviate from this practice, it should clarify this by stipulating it in the course syllabus.

For continual examination, the examination rules need to clarify what will be assessed by the examiner and how the examiner will make a decision based on student performance. It is the examiner's task to ensure there is documentation for the examination.