

# HOW TO LODGE AN APPEAL

If you are a student and would like to lodge an appeal, there are several conditions you should be aware of. The purpose of this guideline is to help you gain an overview of what is needed to lodge an appeal, what time limits there are and where you can get help if required.

## 1. What you can and cannot lodge an appeal against

All appeals must be submitted via the appeal system at <https://www.easj.dk/exam-appeals/>. You can lodge an appeal against the following (cf. Examination Ministerial Order, Order No. 1500 of 2 December 2016, section 43 and section 52):

- The basis for examination (questions, assignments and similar, and their relation to the study programme's aims and requirements)
  - The examination process (the way the exam was carried out, interruptions, etc.)
  - The assessment (grade)
- or*
- Legal issues (in contravention of relevant legislation - see also section 3).

An appeal can cover several of the elements mentioned above, however, you should specify which points of appeal you are referring to when you lodge your appeal. Furthermore, you should be aware that an appeal must be submitted no later than **two weeks** after the assessment has been announced in the usual way.

### You cannot lodge an appeal against e.g.:

- Poor supervision. An assessment only covers the performance during the examination. Therefore, an appeal against poor or inadequate supervision should be submitted to the head of studies at your study programme.
- Other students achieving a better grade. Examination assessments are individual and are based on the criteria of the 7-point grading scale and the requirements stated in the study programme's curriculum. The performance level of other students is therefore irrelevant.

## 2. Appeals concerning grades, the examination process or the basis for examination

### Before you submit your appeal

Before you appeal an examination assessment, consider contacting your examiner and requesting an explanation for your assessment. Please be aware that you do not have a right to receive an explanation, neither before or after the appeal deadline.

### Note

- that the examiner is not required to provide you with an explanation,
- that contacting your examiner does not act as stay of proceedings with regard to the two-week deadline for submitting your appeal, and
- that the examiner cannot alter your assessment. It can only be altered through an appeals case.

You can also read about the appeal process in your study programme's curriculum.

**What is a substantiated appeal?**

If you choose to lodge an appeal, the appeal must be written and substantiated. An appeal must be submitted no later than two weeks after publication of the examination results.

**What constitutes a substantiated appeal?**

The appeal must cover the circumstances that have resulted in your appeal against the assessment. This means that you must describe in detail and in writing what your appeal is about and why you are appealing. It is important that you are meticulous with your reasoning. We recommend that you check the learning objectives of the curriculum and the assessment criteria for the examination, if available. It is advisable that you review the project's assessment guideline, if available, prior to lodging an appeal. This can help you substantiate your appeal.

It is your responsibility to justify your appeal in a manner that provides the appeal case officers with a good basis for making a decision. This means that the better you substantiate your appeal and the more precisely you describe your points of appeal, the better basis there is for processing your appeal.

If your appeal requires further information, you will not be asked for clarification. It is therefore important that you clearly describe the reasons for your complaint in the appeal you submit via our appeal system.

**Contacting student counselling**

It is a good idea to speak to a student counsellor before lodging your appeal. The student counsellor can guide you with regard to the appeal procedure but cannot determine whether you have reason to lodge an appeal.

**What happens once you have submitted an appeal and when will you receive a decision?**

The average time limits for an appeal process can be seen below. Exceptions can occur in connection with holidays, public holidays and religious holidays where response times may be longer.

1. You submit your appeal via the appeal system at easj.dk.
2. Once we have received your appeal, we will investigate whether your appeal has been submitted in time, i.e. no later than two weeks after the grade was made public, and information will be collected regarding the examiners. After this:
  - a) If the appeal was submitted in time, we will send confirmation on receipt of your appeal and we will begin processing your appeal.
  - b) As a rule, if your appeal has not been submitted within the time limit, it will be rejected. You will be notified if your appeal is rejected.
3. If your appeal is received before the deadline, we will send your appeal to the internal examiner(s) and the external examiner who participated at your examination. They usually have two weeks to submit their opinion.
4. Once we have received the opinions of the internal examiner(s) and the external examiner, we will send them to you. You then have one week to comment the opinions of the internal examiner(s) and the external examiner.
5. After the deadline for submitting your comments has passed, all documents regarding your appeal will be sent to the head of studies at your programme. The head of studies will make a decision based on the submitted documents, i.e. your appeal, the opinions of the internal and external examiner(s) and any potential comments by you.
6. The decision will then be sent to you.

This means that it will take about six weeks from you submit your appeal until a decision has been made on your case. The processing time will take longer in connection with holidays (particularly during the July) as well as public and religious holidays.

#### **What are the potential outcomes?**

The decision cannot change the grade you have received. Instead, the decision can (cf. Examination Ministerial Order) result in

- 1) an offer of a new assessment (re-assessment), however not in oral exams,
- 2) an offer of new examination (re-examination), or
- 3) the appeal not being judged in your favor.

Please note that a potential re-assessment or re-examination may result in a lower grade.

#### **Should you participate in a re-examination while your appeal is being processed?**

If you have failed the examination that you have lodged an appeal about, we recommend that you participate in a re-examination, even if it takes place before a decision has been made regarding your appeal case.

If a decision is made in your favour regarding the original assessment and you also achieve a better grade during the re-examination, you will keep the highest grade.

### **3. Appealing a legal issue**

Examples of legal issues are violations of written rules, including programme curriculums or failure to comply with unwritten principles of law on examinations, etc.

The assessment after re-assessment or re-examination and the decision by the board of appeals is final. This means that your appeal cannot be passed on in the system with regard to the academic issues contained in the appeal.

If you believe a legal error has been made regarding the decision made by the head of studies or the board of appeal, or regarding the assessment in connection with a re-assessment or re-examination, you may bring the legal issue(s) before the vice-chancellor. For example, you may believe that a legal error has been made in connection with the case processing.

#### **What to be aware of when lodging an appeal regarding a legal issue**

*Time limit:* Your appeal regarding a legal issue in connection with a decision must be submitted no later than two weeks after you have been notified of the decision regarding your appeal.

Two types:

- An appeal regarding legal issues in decisions made by the examiners (re-assessment) and by the board of appeals (appeal case) can be lodged with the academy of professional higher education. The institution will then make a decision.
- Appeals regarding legal issues in decisions made by the academy of professional higher education may be brought before the Danish Agency for Higher Education. The appeal is lodged with the academy. They will make a statement and you will be given one week to comment on the statement. Following this, the appeal, statements and potential comments will be sent to the Agency.

#### 4. Appeals

Appeals against a decision must be submitted to [klager@easj.dk](mailto:klager@easj.dk). When you receive the decision regarding your appeal, you will also be given guidelines to the appeals process.

#### 5. Further information

You can find more information about appealing examinations at:

- Ministerial Order No. 1500 of December 2016 at [www.retsinfo.dk](http://www.retsinfo.dk) (In Danish only).

You can also find more information on examinations and examination appeals in the study programme's curriculum.

#### **Advice**

1. Remember to sleep on it before you choose to lodge an appeal. The appeal must be substantiated and that takes time.
2. Remember that when you accept an offer of a re-assessment or re-examination, you may receive a lower grade - but only if you receive and accept an offer of re-examination or re-assessment.
3. Write and submit your appeal even if you are not able to speak with your examiner before the two-week deadline.
4. An appeal must be submitted no later than two weeks after publication of the grade. For oral exams, this is the date on which you take the exam, and for written exams, this is the date on which the grade is published on Fronter. In general, your appeal will be rejected if you do not meet the deadline. It is therefore important to be aware of all the time limits.
5. The appeal must be submitted electronically via the form available on the academy's website <https://www.easj.dk/exam-appeals/>