

Summary

This report is the fourth edition of the report *Rättssäker examination [Fair examination]*. 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 in course syllabuses for examination that create the predictability which is fundamental for students' legal rights. In addition to the rules in the course syllabus, an examiner must be familiar with the rules primarily in the Higher Education Ordinance and the Administrative Procedure Act.

An examination in accordance with the stipulations of the Higher Education Ordinance means that an examiner must determine a grade based on the format or formats of assessment of student performance stated in the course syllabus. According to the regulations of the Administrative Procedure Act, a grading case 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 choose which formats of examination they use for their courses. But the course syllabus must state the formats of examination. If the HEI chooses to change the formats of examination in a course, it must decide whether transitional provisions in the syllabus are necessary and if so, how long the transition period will be.

The HEIs may have different grading systems for different courses. If the grading criteria are written for a course, the HEI must make it clear whether the examiner and the students are bound by the criteria.

The regulations of the Higher Education Ordinance do not indicate any general restrictions regarding the number of tests and placement occasions. The HEIs may decide restrictions in a course syllabus if an unlimited right would lead to unreasonable waste of resources. If restrictions are determined, then the least number of occasions stated in the Higher Education Ordinance must be observed. Any restrictions should be stated in the syllabuses for the relevant 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. 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 that assessment of written tests occur 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 at some point in the process.

Ordinarily, student should not be considered to require interpretation and translation when a course is given in Swedish. The grading decision and other decisions made by an HEI during a grading case always must be written in Swedish. Furthermore, a student must always be able to communicate with the HEI about the grading case 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 these 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.

Attendance requirements for a distance education should be specified in the course syllabus. It is also important that information to students about required attendance be clear.

An examiner determines the final grading decision but may also need to make other decisions when preparing the case. An examiner is responsible for behaving objectively and impartially when handling grading cases. 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 know if information has been added to the grading case. One example is written comments about the student provided to the course examiner by a supervisor at a placement.

The HEIs determine the design of the examination. Through clear syllabuses and grading criteria, the HEI can clarify what applies for 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.

Limits to the number of credits stated before an exam should be considered guidelines that should be followed as far as possible. Blank test responses should normally lead to a fail grade for the student. If the HEI would like to use a different routine for blank responses, the HEI should have support for this routine in its rules.

Well-founded suspicions of cheating should be reported to the vice-chancellor promptly. The examiner may not reconsider the vice-chancellor or disciplinary board's assessment 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 entail that students cannot be tested. In such cases, the HEI's rules should stipulate under what conditions students are entitled to a new testing occasion and within what timeframe 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 is noted by the department to have not completed a required component should ordinarily still be permitted to participate. For the HEI to make an exception from the instructions in the course syllabus regarding required components and provide an opportunity for replacement assignments, the relevant syllabus must provide support for these measures.

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

If the HEI judges that a grading decision will be substantially delayed, the HEI is to inform the student about the delay and explain why.

A grading decision is to be documented on paper or in an electronic document. If a grading case 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 grading case and their names also must be included in the grading decision. A grading decision can be given to the student in different ways, e.g. by email or other electronic format. 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 take place only after the student has been informed of the grading decision, it should take no more than one week to register the grade.

A grading decision may always be changed before the student has been informed of it. Thereafter, support is required from the Higher Education Ordinance, Administrative Procedure Act or praxis 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 error is obvious. Before such a correction is made, the student should normally be given the opportunity to comment.

The examiner is obligated to change an obviously incorrect grade if it can be done quickly, easily, and without lowering the grade. It is possible to change a grading decision when a student has cheated on a test. There is also some flexibility for changing a grade to the advantage of a student, i.e. by raising a grade. Extreme care should still be taken when changing grades. For the examination to be fair, it is crucial 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 time within which supplementary work should be completed and how supplementary work will be completed. 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 reason for not changing the examiner could be that there is no other suitable examiner.

A written examination can become a public document once it has been delivered to the students who took the exam. There is reason, however, to refer to the regulations of the Public Access to Information and Secrecy Act in support of declining to release the document to third parties before the test has been taken.

Grades should stand even if the student's admission decision is withdrawn.

Clearly expressed grading criteria are important for oral exams. The ability to reconsider the grading decision of an oral exam is facilitated if the HEI documents the oral exam.

It is important for HEIs to take a position on the formal role of the external supervisor in placements. For an examiner to be able to fail a student who has ended a practice placement early, the course syllabus must specify this may happen.

When setting a grade for a take-home examination, the examiner may consider whether the student has submitted the assignment within the given timeframe. The syllabus should, however, state what the consequences will be if a take-home exam is not submitted on time.

Group exams are an allowed examination format. However, it is important for students to be able to be individually assessed. There are different ways to ensure this is possible.

It is important that the supervisor's and examiner's view of what requirements apply to a degree project do not differ too much. Clear assessment criteria and a continuous dialogue between the supervisor and the examiner are examples of measures for preventing such a situation from occurring. However, an examiner is not obligated to give a passing grade only because the supervisor has given the green light for the degree project. It is also important that the different roles of the examiner and the supervisor are clarified for the students.

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

For what is known as continual examination throughout a course, it is necessary for the examination rules 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 make sure there is a basis for the examination.