Guidelines on the office of ombudsman for grading issues

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Background

Assessment is an important part of the University’s activities and must be done correctly. Chapter 6, Section 18 of the Higher Education Ordinance (1993:100) states that grades in first-cycle higher education are to be determined by a teacher specifically nominated by the higher education institution (an examiner). Examiners take decisions on grades independently and are subject to professional liability. It follows from this that intentional or careless disregard for the rules and responsibilities that apply to such decisions may lead to criminal liability for misuse of office under Chapter 20, Section 1 of the Swedish Penal Code (1962:700). One example of such a case could be a person deciding on a grade despite being disqualified by a conflict of interest.

No appeal may be made against an examiner’s decision on a grade. However, under Chapter 6, Section 24 of the Higher Education Ordinance, higher education institutions are obliged to review obviously incorrect grades, if this can be done quickly and easily and without adversely affecting any individual party. A review means that a decision that has been taken is reconsidered. If it is then found to be incorrect, the decision must be changed or annulled. A review can be undertaken at the request of a person affected by a decision or without any such request if the institution itself notices the error. There is nothing to prevent repeated review of the same decision. Normally the examiner who took the original decision undertakes the review of the grading decision.

Grading is among the decisions of a public authority that do not require the decision-maker to explain the decision (Higher Education Ordinance, Chapter 1, Section 4a), but if no explanation has been given, the student should be informed of the reasons afterwards, upon request.

Any student affected who has serious complaints concerning the assessment procedure may have recourse to the ombudsman for grading issues, an office at the University established by decision of the Vice-Chancellor.

The ombudsmen for grading issues should be experienced teachers who can put the assessment in perspective and be a support to both teachers and students. The primary task of the ombudsman for grading issues is to help the student to ask the questions that may be needed to clarify the reasons for the grading decision and, if necessary, take a position on whether it would be appropriate to change the grade pursuant to Chapter 6, Section 24 of the Higher Education Ordinance.

Rules and regulations

1. The office of ombudsman for grading issues at Uppsala University consists of two individuals who are teachers from different areas of the University and have great experience of assessment. They are appointed by the Vice-Chancellor after consulting the students’ unions, for a period of two years, staggered by one year.

2. A student can bring a complaint concerning assessment procedures and grading in first-cycle and second-cycle education by notifying the ombudsman for grading issues. The notification should specify the reasons the complainant wishes to adduce. It should be addressed to the ombudsman for grading issues and sent to the registrar.

3. Since no one other than an examiner can change a grade, if the notification concerns the actual decision on the grade, the complainant should prior to this have requested the examiner to review the decision under Chapter 6, Section 24 of the Higher Education Ordinance, without the requested change having been made.
4. Unless it is manifestly unnecessary, the ombudsman for grading issues must investigate the matter, paying particular attention to the question of whether the assessment was conducted correctly and led to an acceptable result. After that, the ombudsman must make their opinion known in a statement addressed to the complainant and the examiner concerned. A copy must be sent to the Vice-Chancellor, the University Director, the dean of the faculty, the head of department, senior faculty administrator and chief legal officer, as well as the students’ union/education monitor and student ombudsman. If special reasons exist, the ombudsman may instead refer the matter to the responsible faculty board.

5. The ombudsmen act on their own or jointly. They should consult with one another on a continuous basis.