Board of Examiners notes – Updates for 2018/19

Impact of Curriculum Review

Due to the introduction of new or revised curricula for 2019/20, particularly for programmes which have been through Curriculum Review, Boards of Examiners need to consider the wider implications of any decision to require a student to undertake a retake. Clear guidance will need to be provided to students who may need to transfer over to the new curricula either as a result of going straight to retake or due to being unsuccessful in a resit over the summer period.

Consideration of the implications should be considered prior to holding the final Exam Board meeting. Boards are encouraged to discuss the options open to them with the Quality team ahead of the Board meeting.

Mitigating Circumstances

This year sees the first time that Board of Examiners will need to consider students that may have been granted Mitigating Circumstances under the previous policy and/or under the updated procedure, which was introduced in October 2018. This guidance is provided to support members of Boards in their decision making process.

The first principle that must be applied when considering cases is that the College should adhere to any previous decisions. In real terms this means that where it has previously been agreed that a student had an approved mitigating circumstances claim in previous years and agreed that this would be taken into account at the point of transfer (if appropriate) or classification, careful records need to be maintained in order that this information is available at the relevant Board, even if regulations have changed in relation to this since that decision was originally made.

Under the new regulations, claims for mitigation should be used once and as such are considered ‘spent’ once a Board has put mitigation in place. It is expected that in nearly all cases that the Board will be able to provide a form of mitigation to the student at that time, and it would not continue to be considered. This is to prevent a student to be doubly awarded mitigation and given undue advantage over other students.

As stated in the guidance document for the updated regulations, there are some specific changes that the Board needs to be aware of.

- Mitigating Circumstances Boards (MCBs) will not be assigning a ‘severity’ rating to the circumstances. They will look at the assessment which has been claimed for and decide if evidence has been provided to support that the student has been unduly impacted by circumstances outside their control.
- The MCB may make a recommendation as to the possible actions of the Board. This is not binding on the Board because:
  - The MCB will not have the full profile of the student to consider and therefore are unable to consider the wider implications on other areas of the course such as:
    - Overall student performance
    - Programme regulations
    - Type of assessment to be retaken
    - Actual mark for the work
    - Changes to the programme that take effect from the following year(s) and how this might impact on a student’s ability to retake a particular module
This means that the Board need to consider in the light of all of the above, the most suitable avenue to be taken in each case.

- The options for the Board are as follows:
  - Defer (student has failed the submission for which a claim has been upheld (including failure to submit)) offering the student:
    - further opportunity to attempt the assessment(s) at the next available assessment point. If the claim relates to a first attempt at the assessment this will be for an uncapped mark.
    - to take an uncapped SQT(s) to retrieve outstanding modules
    - to be permitted to take an SQT(s) to enable progression
  - Defer (student has passed the submission/module for which a claim has been upheld)
    - extended consideration at the borderline for an uplift in classification in accordance with the regulations
    - consideration at the borderline where a qualifying mark is required for continued progression
    - consider a student under the Aegrotat provisions for award
  - Allow late
    - Uncap an assessment that has had a late submission penalty
    - Mark and uncap an assessment that was submitted late within 10 working days of the original submission date.

Note: College practise is that students will not be granted the opportunity to retake/resubmit they have passed. The Board should consider how to take action to provide mitigation in other ways. For example the assessment could be excluded from consideration at borderlines or from the calculation of the programme overall weighted average.

**What can’t a Board do?**

Boards may no longer increase the marks or overall weighted average of a student on the basis of successful mitigation. The transcript must show the marks and credits as actually achieved.

The only reason for increasing percentage marks would be that following the moderation of work upward scaling had been found to be necessary, or that part of an assessment had to be excluded and as such the percentage mark for the work increases.

**Consideration at Borderline**

The College regulations permit consideration of borderline candidates for an uplift in classification.

It is important to ensure that the official minutes of the Board of Examiners meeting details any discussions, particularly with regard to exceptional circumstances where decisions outside the ‘norms’ are made.

These notes are necessary to ensure:

- The College is able to review individual exceptional decisions to ensure that they are made in a clear and rationale way, with due consideration of all factors.

---

1 Where an SQT is offered for progression only, it must be clear to the student how this would impact on their potential future classification. Boards should consider this when making their decision as to the mitigation to be provided.
• An accurate record of the decision is available in the event of an appeal, complaint to the Office of the Independent Adjudicator for Higher Education or through civil action.
• Informed advice or guidance is available to students of the deliberation of the Board, if requested
• The College can identify trends and take action as needed.

The requirement to record the decisions does not necessarily mean that each decision will need significant detail. For example where there is a clear algorithm to consider students in the borderline zone for an uplift in classification (where there is no mitigation to consider) this can simply state that candidate X was considered in the classification borderline and the decision was to uplift/not uplift as the criteria was met/ not met due to.........

Where a student has an approved claim for mitigating circumstances, which have not been taken into consideration already such as with an uncapped resit, the Board may extend the normal borderline percentage in line with the College and any programme specific regulation. Care should be taken to ensure that the mitigation is taken into account fully, without double counting or providing an undue advantage to the student. When designing any form of algorithm for consideration at borderline, the Board should carefully consider how the design can or should be adapted in cases of approved mitigation, so as to avoid putting in place impossible requirements.

Boards are reminded that for the first time appeals made on the basis of mitigating circumstances will be dealt with as mitigating circumstances claims by Boards, rather than as appeals via Registry.

**Academic Misconduct**

The previous *Cheating Offences Policy* has been replaced with the *Academic Misconduct procedures* from September 2018. The changes to the updated procedures relates in the whole to the processing of allegations and the consideration of sanctions in relation to allegations of academic misconduct.

Main changes are to:
• Streamline procedures and remove duplicate steps
• Update the forms to reflect the changed policy
• Increase the range of potential sanctions
• Provide greater support and guidance for decision-makers with regards to severity and extent of offences, where proven

Minor, first time cases of plagiarism continue to be considered by the Chair of the Board, and must be reported to the Board of Examiners. All other cases will be managed by the Student Casework team in Registry. Where this relates to an examination offence that could be consider to be technical in nature, with the agreement of Chair of the Board, the case may be referred back to be considered in the “minor” process and reported to the Board. The outcomes of cases managed by the Student Casework team will be reported back to the Board and should be reported and formally recorded at the Board.

**Potential sanctions in the Academic misconduct process**

The potential sanctions are as follows. (N.B. all penalties from b-g include a formal reprimand):
• a) Informal reprimand but no further action is required
• b) Assessment is marked on its merits
• c) Assessment is awarded zero, with re-submission for an uncapped mark
d) Assessment is awarded zero, with re-submission capped at the pass mark.

e) Module is awarded zero, with the re-submission as required by the Board of Examiners, capped at the pass mark.

f) Module is awarded zero, with resubmission required. The mark for resubmission of the module will be zero, though credit will be awarded should it be of a pass standard.

g) Zero is recorded for the performance of the candidate in all assessments they sat in the academic year the offence occurred and where eligible, that the candidate not be permitted to retake all the assessments until the next academic year. The retake marks will be capped at the pass mark.

h) Zero is recorded for the module, no retake opportunities will be given and no award of the institution will be given (expulsion).

i) Zero is recorded for candidate in all assessments. No award will be given and no credits will be recorded for the student (expulsion).

Where an award has already been made:

j) Award zero for module/assessment undertaken (where appropriate withdraw credit), rescind the award of a degree/diploma/certificate of the College, but retain any other credits awarded (where appropriate).

k) Award zero for all assessment (and credit where appropriate) and rescind the award of a degree/diploma/certificate of the College.

When the panel considers a proven case of academic misconduct, they do not have the full details of the student’s programme of study, such as year marks, previous repeated assessment or programme specific regulations. Therefore there may be occasions in which the given penalty would have an undue impact on the student, such as preventing course completion where this was not intended. This is most likely with penalty ‘F’, if the remainder of the student’s profile means that they fail to achieve a minimum overall percentage mark for completion of the stage or final classification. The intention of the penalty is to reduce the final overall weighted average of the student, potentially lowering the classification. It is not intended to be a de facto expulsion. The Board should therefore take this into account and modify the penalty accordingly. Any modifications must be clearly identified, the reasoning and actions recording in the minutes of the Board of Examiners and provided to the Student Casework team for the official record of the offence.