

This is a DeepL translation of the "Handreichung zur Einsichtnahme in Prüfungen und Prüfungsbewertungen -für Studierende -". Though DeepL is excellent at translating, there's no guarantee that it's actually 100% correct, especially in a legal sense.

Handout for Inspection of examinations and examination assessments -for students

What do you have to do if you want to see the evaluation of your performance after you have taken an exam and would like to inspect the exam documents for this purpose?

In the following, we would like to inform students about the right to inspection, the assertion of such a right, but also the associated obligations.

The following information applies accordingly to inspections in the context of a doctoral or habilitation procedure.

1. Goals of the inspection

The primary objective of the inspection of examinations is to provide students with information as to where

the gaps in knowledge and understanding and to make the assessment of the examination comprehensible.

comprehensible. A further aim of the inspection is the critical examination of the assessment, in order to be able to

to raise substantiated objections against the assessment in cases of doubt. Extensive discussions and explanations with the examiners about the evaluation are neither the aim nor the component of the inspection.

part of the inspection process. The inspection basically concerns all examination formats, whereby the inspection of the assessment of written examinations makes up the largest part of the inspection. the largest part.

2. Right of inspection

Every student has the right to inspect his/her own examinations and the corresponding evaluations.

In principle, the right to inspection exists for every independent part of an examination, in particular also if the examination is a prerequisite for subsequent modules or the grade is mentioned in certificates or overall grades are formed from it.

In principle, the inspection takes place only after the conclusion of the examination procedure, when the performance has been completely determined and announced. The inspection is to be guaranteed in time before a repeat examination.

In the case of an oral supplementary examination, the inspection shall be made possible in such a way that it takes place with sufficient advance notice before the oral supplementary examination.

The right to inspection exists only if the student has a legitimate interest in inspection.

Such an interest exists if the findings of an inspection can be used to claim a reconsideration of the examiner's evaluation.

Thus, due to the lack of a need for legal protection, there is no entitlement to inspection if the examination was graded 1.0.

3. What is covered by the right of inspection?

The right of inspection includes examiner's notes, provided that the examiners have referred to them in the vote, expert opinions, minutes of the evaluation, statements and possible counter-opinions. It does not include notes, sketches, recordings, solution notes and evaluation schemes prepared in advance by the examiner.

There is no right to inspect any sample solutions that may be available.

An exception to this exists if the examiner explicitly refers to any documents beforehand (e.g. in his notes).

It is not possible to inspect examination files of other examinees, for example for the purpose of referring to the evaluation.

4. organization of inspection

a) Request for inspection

It is recommended that students contact the respective examiner as soon as possible after learning of the examination result and informally request inspection.

Informal means that the request does not have to be in any particular form, but can be made by e-mail or telephone, for example.

In the case of inspection as part of a distance learning program, the request must be sent directly to the DISC.

As a general rule, inspection should be made possible promptly after the announcement of the evaluation.

Note for oral examinations:

In the case of oral examinations, it should be noted that in order to avoid legal disadvantages threatened by the loss of time and the diminishing memory of the examiners of the examination events, the candidates must make it clear within one week at the latest, that they feel they have been assessed unfairly, that they cannot understand the assessment or that they are considering raising objections to the assessment.

b) Organization

In principle, the inspection takes place on the premises of the TU Kaiserslautern during the usual office hours.

The scheduling of the inspection for written examinations should take place at the latest with the announcement of the results in a suitable form.

The departments are free to organize the inspection collectively as a group inspection.

The students have to inform themselves in time how the inspection is organized in their field of teaching.

The students must be given sufficient time for the inspection.

The duration of the inspection should depend on the scope of the examination, so that students can inform themselves sufficiently about the content of the examination evaluation under reasonable conditions.

Students who are unable to attend the regular appointments (e.g. stay abroad, verifiable illness) for justified and verifiable reasons must be offered an additional appointment upon informal request.

5. Copies, photocopies and electronic transmission

Students must be allowed to make copies and photocopies at their own expense.

In addition, students may make their own notes during the inspection.

Furthermore, it is to be permitted to make a photocopy in the form of photographs (e.g. by mobile

device).

It is up to the individual department to decide whether copies are to be sent by post.

There is no obligation to hand out a copy or photocopy during the inspection appointment.

However, students must have the opportunity to receive them promptly from the teaching area.

In principle, students have no right to electronic transmission of the copy and this is also at the discretion of the department.

If electronic transmission takes place, care must be taken that this is done in a secure way (e.g. signed and encrypted e-mail, download from an access-secured server).

For example, sending to the RHRK account is a secure way.

Students must bear the costs incurred by making the copies.

They will be charged on the basis of the TU's scale of charges and will be collected by a separate invoice.

6. prohibition of other use and distribution.

The photocopies made may only be used by the students to check the assessment. Examinations, reports, minutes, etc. and the questions and comments contained therein are regularly protected by copyright, so that dissemination, public reproduction (e.g. on the Internet or via messenger service) or other use and disclosure to third parties is not permitted.

Violations of this can have consequences under civil and criminal law, among other things.

7. Do the examiners have to be present during the inspection of written examinations?

The examiners do not have to supervise and accompany the inspection themselves.

They may appoint competent staff members for this purpose who can provide initial expert information.

8. Inspection by authorized representatives

In principle, it is possible to represent a student in this procedure (e.g. in case of hospitalization, stay abroad). The authorization includes the filing of the application or the receipt of a copy, but not the discussion of the examination in the course of the inspection, since it is a personal matter; this does not apply in the case of authorized attorneys.

The authorized representative must be able to identify him/herself at the appointment and present the power of attorney.

9. Can the grade be lowered?

As a matter of principle, the original grade should not be changed to the student's disadvantage during the review process.

10. how should complaints be made?

a) Reconsideration procedure with the department/examiner

After inspection, the student is free to approach the department/examiner or DISC with a reconsideration request.

For this purpose, the student must state his/her objections to the evaluation. It should be noted that objections can only be considered if the objections to the evaluation are substantiated. This means that the objections must be substantiated in a concrete and comprehensible manner and that it must be clear from this substantiation what the misjudgement of the examiner is supposed to be.

A general reference, for example to the evaluations of other students, is not sufficient.

Note: If students have been informed of the examination result in the form of a notice (usually the case with examinations in the last attempt, other written papers and oral examinations), it should be pointed out as a precaution that no extension of the time limit for appeal occurs by inspection and independent request for reconsideration at the department.

The time limit of one month from the date of notification stated in the instructions on appeal shall remain in effect.

If no timely statement regarding the reconsideration is made, an objection can be filed in parallel within the time limit and the reconsideration procedure can be continued within the time limit.

b) Objections in the reconsideration procedure

If, despite the objection and discussion with the examiner, students have justified doubts about the assessment, a further objection to the assessment can be made in the form of an appeal.

In this case, the evaluation is reviewed again via an internal administrative procedure.

If the examiner leaves it at the assessment and there are no procedural errors or assessment deficiencies, the objection is rejected.

After the conclusion of the appeal procedure, students have the right to take legal action before the administrative court. As a rule, appeal proceedings are subject to a fee, and the costs are based on the time and effort required to prepare and justify the notice of appeal.

11. Notes on digital inspection and digital examination formats

The above-mentioned rights of the students, in particular the right to comprehensive inspection and the possibility of copying for their own purposes, may not be restricted by the implementation of a digitally conducted examination or digital inspection.

Please refer to the respective teaching area for details.

12. contact point in case of problems

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