

COURSE SYLLABUS

Module on Judicial review of assessment of students and examination litigation

<i>Authors:</i>	Writing handed over to Gracienne Lauwers Supported in the task completion by: Juliana Latifi, Nikoleta Mita , Kseanela Sotirofski Internal evaluation: Ielizavieta Kovalska
<i>ECTS:</i>	

<i>Module workload¹</i>		
■ Reading tasks		
Page² density <input checked="" type="checkbox"/> max 20 pages <input type="checkbox"/> 20–30 pages <input type="checkbox"/> 30-40 pages <input type="checkbox"/> 40-50 pages	Text Difficulty <input type="checkbox"/> No new concepts ³ <input type="checkbox"/> Some new concepts ⁴ <input checked="" type="checkbox"/> Many new concepts ⁵	Reading Purpose <input type="checkbox"/> Survey ⁶ <input type="checkbox"/> Understand ⁷ <input checked="" type="checkbox"/> Engage ⁸
Writing tasks		
<input type="checkbox"/> applicable for this course <input checked="" type="checkbox"/> not applicable for this course		
Page Density <input type="checkbox"/> less than 250 words <input type="checkbox"/> 250-500 words	Text Genre <input type="checkbox"/> Narrative ⁹ <input type="checkbox"/> Argument ¹⁰ <input type="checkbox"/> Research ¹¹	Drafting <input type="checkbox"/> Drafting only with no revision ¹² <input type="checkbox"/> Minimal drafting with at least one revision ¹³ <input type="checkbox"/> Extensive drafting with multiple revision ¹⁴

¹ Criteria used are those of the online Course Workload Estimator <http://cte.rice.edu/workload/> developed by RICE University CTE (Center for Teaching Excellence)

² Single-Spaced, Times New Roman, 11-Point Font

³ The students knows the meaning of each word and has enough background knowledge to immediately understand the ideas expressed

⁴ The student is unfamiliar with the meaning of some words and does not have enough background knowledge to immediately understand some of the ideas expressed

⁵ The student is unfamiliar with the meaning of many words and does not have enough background knowledge to immediately understand most of the ideas expressed

⁶ Reading to survey main ideas, student skips entire portions of text

⁷ Reading to understand the meaning of each sentence

⁸ Reading while also working problems, drawing inferences, questioning, and evaluating

⁹ Paper that requires very little planning or critical engagement with content

¹⁰ Paper that requires critical engagement with content and detailed planning, but no outside research

¹¹ Paper that requires detailed planning, outside research, and critical engagement

¹² The student submits an essay that was never revised

¹³ The student submits an essay that was revised at least once

¹⁴ The student submits an essay that was revised multiple times

DESCRIPTION OF THE CONTENT OF THE MODULE	
Nr.	Title and content
1	Part 1. General principles of administrative law as applied in examinations 1. To view the examination documents 2. To speak with the teacher 3. The internal appeal procedure and decision 4. The appeal before the administrative court
2	Part 2. Case study: examination disputes in educational institutions of the Flemish Community of Belgium 2.1. Basic education 2.1.1 The decision of the class council 2.1.2 Consultation 2.1.3 Organized Administrative Appeals and the Appeals Commission 2.2. Secondary education 2.2.1. Student evaluation and examination in secondary education 2.2.2. Principles on setting up the internal Appeals Commission 2.2.3. Litigation before the Council of State 2.3. Higher education and the special administrative court for decisions on study progress in higher education 2.3.1. Internal Appeals Commission 2.3.2. The Council for Disputes about Decisions on Study Progress 2.3.3. The Council of State
3	Part 3. Lithuania
4	Part 4. Poland
5.	Part 5 . The Russian Federation
6.	Part 6. Belarus
7.	Part 7. Albania
	Glossary of legal terms

EXPECTED LEARNING OUTCOMES OF THE MODULE	
Nr.	Students:
	<ul style="list-style-type: none"> - understand the theoretical concepts - understand the importance of procedures and procedural requirements applicable in examination complaints - understand the general principles of administrative law applicable in examination complaints - understands the difference between appealing a decision and annulment of a decision - can apply and explain the general principles of administrative law and procedural requirements applicable in examination complaints dealt with by the courts of his/her country

TEACHING METHODS	
Nr.	Web learning
	<p>The module is taught through web learning.</p> <p>The EduLaw website stores materials to support the teaching and learning activities for the students.</p> <p>Case law materials are regularly uploaded by the authors.</p> <p>Free access is secured any time of day.</p>

ASSESSMENT CRITERIA AND %		
1	Examined by written exam	80%
2	Students submit a case study report	20%

Grade	4	5	6	7	8	9	10
Points	00 to 40	41 to 50	51 to 60	61 to 70	71 to 80	81 to 90	91 to 100
	F	FX	E	D	C	B	A

REQUIRED READING:

online module syllabus

SUGGESTED READING AND RESOURCES

- Education and the Law: A Guide to Irish Law (Second Edition) 2nd Revised ed. Edition, 2012
- Tijdschrift voor Onderwijsrecht en Onderwijsbeleid (T.O.R.B.)
<https://www.jurisquare.be/nl/journal/torb/index.html>
- Yearbooks of the European Association for Education Law and Policy
(<http://www.ua.ac.be/main.aspx?c=.ELA&n=47178>)
- International Journal for Education Law and Policy (<http://www.ua.ac.be/main.aspx?c=.ELA&n=47177>)

CASE LAW – JUDGMENTS OF THE COURTS TO ILLUSTRATE THE COURSE

- FOR THE FLEMISH COMMUNITY OF BELGIUM

<http://www.raadvanstate.be/?lang=en&page=caselaw>

- Case law by the Council of State (Belgium) can be found at:
<http://www.raadvanstate.be/?lang=nl&page=caselaw>
(Basic education) Case of M. vs. City of Brussels, Case nr. 228566, 29 September 2014
- Secondary education
Council of State (R.v.St.) 9 November 2006, nr. 164.592
Council of State (R.v.St.) 28 December 1994, nr. 51.005
- Higher education
Council for Disputes about Decisions on Study Progress (in higher education - Raad Studievoortgangsbetwistingen)
Case A.P. v. vzw Sint-Gabriel College
<https://onderwijs.vlaanderen.be/nl/raad>

- LITHUANIA

- POLAND

- RUSSIAN FEDERATION

- BELARUS

- ALBANIA