

# General regulations: Diploma Programme

For students and their legal guardians





# I General

## Article 1: Scope

The International Baccalaureate Organization (hereinafter “the IB Organization”) is a foundation that has developed and offers three programmes of international education entitled the “Primary Years Programme” (PYP), the “Middle Years Programme” (MYP) and the “Diploma Programme”. It authorizes schools to offer one or more of these programmes to its students.

An IB World School® is a school that has been authorized by the IB Organization to offer one or more of its programmes.

This document describes the regulations that apply to those schools that have been authorized as IB World Schools to offer the Diploma Programme.

When used herein the term “legal guardians” encompasses parents and individuals with guardianship of any IB student enrolled in the Diploma Programme. If a student (hereinafter “candidate(s)”) is of legal age, the school’s duties towards legal guardians specified herein also apply towards the candidate.

## Article 2: Role and responsibilities of schools

- 2.1 The IB Organization has developed the Diploma Programme as a pre-college/university programme aimed at students in the 16–19 age group. The Diploma Programme is designed to lead to the International Baccalaureate diploma (hereinafter “IB diploma(s)”) or certificates (hereinafter “certificate(s)”) for subjects forming part of the Diploma Programme.
- 2.2 The IB Organization sets the curriculum and assessment requirements leading to the award of the IB diploma and certificates and is the sole organization entitled to award IB diplomas and certificates. The IB diploma or certificates are awarded to candidates who have satisfied the assessment requirements in accordance with these *General regulations: Diploma Programme* (hereinafter “general regulations”). Administrative details and procedures relating to these general regulations are contained in the current *Handbook of procedures for the Diploma Programme* (formerly the *Vade Mecum* and hereinafter “handbook”), which is the handbook for Diploma Programme coordinators and teachers and is supplied to schools by the IB Organization. Schools must comply with the details and procedures stated in the current handbook.
- 2.3 To qualify for the award of the IB diploma or a certificate in a subject (or subjects), a candidate must follow the Diploma Programme or the course of study and assessment for the subject(s) selected. The Diploma Programme includes both internal and external assessment. In addition to subject requirements, the IB diploma has the additional requirements of an extended essay and theory of knowledge, as well as extra-curricular activities known as creativity, action, service (hereinafter “CAS”) that are not assessed.
- 2.4 Because the IB Organization is not a teaching institution and does not provide teaching services to candidates, the Diploma Programme is implemented and taught by IB World Schools (hereinafter “school(s)”). The schools are private or state entities, all of which are entirely independent from the IB Organization and solely responsible for the implementation and quality of teaching of the Diploma Programme.
- 2.5 The schools are responsible for informing candidates and legal guardians regarding the general characteristics of the Diploma Programme and how the school implements it.
- 2.6 The IB Organization cannot guarantee that a school will remain capable and willing to implement the Diploma Programme. Consequently, the schools bear sole responsibility towards candidates and legal guardians if, for any reason, a school’s authorization to implement the Diploma Programme is withdrawn by the IB Organization or a school decides to terminate its authorization.

## Article 3: Equal opportunities statement in the IB diploma

It is the policy of the IB Organization to make its examinations available to all candidates from IB World Schools who have fulfilled the school’s academic requirements to register for IB examinations. No candidate will be excluded by the IB Organization on the grounds of nationality, ethnicity, culture, gender, sexual orientation, religious affiliation, disability or infirmity. The IB Organization will make all reasonable efforts to enable candidates to participate in its assessments. A number of special arrangements are outlined in the document *Candidates with special assessment needs* and in the handbook.

#### **Article 4: Recognition of the IB diploma**

The IB Organization actively promotes wide recognition and acceptance of the IB diploma as a basis for entry to courses at universities and other institutions of higher education, but the requirements of individual institutions and the relevant authorities of a country are subject to change beyond the IB Organization's control. The IB Organization, therefore, does not guarantee recognition of IB diplomas or certificates, and does not accept responsibility for the consequences of any change of practice by a university or other institution or relevant authorities in a country. Consequently, candidates and legal guardians bear the sole responsibility for verifying the entry requirements of the universities and other institutions of higher education to which they are interested in applying.

#### **Article 5: Property and copyright in examination materials produced by candidates**

- 5.1 Candidates produce materials in a variety of forms that are submitted to the IB Organization as part of the assessment requirements. These materials (hereinafter the "materials") include all forms of written work, audio and visual materials, computer programs and data and, in certain cases, may contain images of the candidates.
- 5.2 Candidates retain copyright in all materials submitted for assessment purposes, but by submitting those materials, and subject to article 5.4, candidates thereby grant the IB Organization a non-exclusive, charge-free, worldwide licence, for the duration of the statutory copyright protection, to reproduce submitted materials in any medium for assessment, educational, training and/or promotional purposes relating to the IB Organization's activities, or to those related activities of which it approves. Such licence shall become effective from 1 June following the May examinations and 1 December following the November examinations.
- 5.3 Where the IB Organization uses these materials for purposes other than assessment, it may modify, translate or otherwise change them to meet particular needs and, in order to protect the identity of the candidate and of the school, will anonymize them before publication in print or in electronic form.
- 5.4 Under exceptional circumstances, a candidate may withdraw this licence for a specific piece of work, as provided in article 5.2. In such case the IB Organization must be notified in accordance with the procedure described in the current handbook. The candidate must submit a written notification to the school's Diploma Programme coordinator who has the duty to inform the IB Organization by the due date. In these cases, the IB Organization will use the material only for assessment purposes.
- 5.5 For assessment purposes, the IB Organization may electronically scan or reproduce submitted materials in different media, such as photographing works of art. It may also copy materials in the same medium, such as printing or photocopying examination scripts and essays. These materials are either internally assessed by teachers in the schools whose marks are moderated, or externally assessed by IB examiners. Wherever the materials are held during their assessment, for example, by the school, by an IB examiner or at the International Baccalaureate Curriculum and Assessment Centre (hereinafter "IB Cardiff"), they are always held on behalf of the IB Organization.
- 5.6 All materials submitted to the IB Organization for assessment, whether in the hands of a school, an examiner or IB Cardiff, become the property of the IB Organization, which, once the assessment is complete, is entitled to retain the materials for record-keeping purposes or to destroy them according to its needs. Candidates are entitled to request the return of their externally assessed work, including a copy of their examination scripts, provided such application is made for a May examination session by 15 September in the same year and for a November examination session by 15 March of the following year. In all cases, to be valid, the application must be submitted to IB Cardiff by the school's Diploma Programme coordinator.

## **II The Diploma Programme**

#### **Article 6: Communication with the IB Organization**

Except where provided otherwise in these general regulations, candidates and their legal guardian(s) must use the school's Diploma Programme coordinator as the intermediary for any communication with the IB Organization.

#### **Article 7: Content of the programme**

- 7.1 Candidates for the IB diploma must satisfy assessment requirements in six subjects, each studied over a period of two years, except that not more than two standard level courses may be completed in the first year of the

programme. Languages *ab initio* and pilot subjects can never be completed in the first year of the programme. The six subjects must be selected from six groups as described in the current handbook for the appropriate examination session, at least three and not more than four subjects being offered at higher level and the others at standard level. Recommended teaching time is 240 hours to complete higher level courses and 150 hours to complete standard level courses.

- 7.2 In addition to the six subjects, candidates for the IB diploma must:
- a. take a course in, and complete the required assessment in, theory of knowledge, for which the IB Organization recommends at least 100 hours of teaching over the two-year period of the Diploma Programme
  - b. complete an approved programme of extra-curricular activities known as CAS
  - c. complete and submit for assessment an extended essay in a subject available for this purpose. Work on the essay, which is expected to occupy approximately 40 hours, must be done under the direct supervision of a teacher at the school who is familiar with the Diploma Programme.
- 7.3 If the special conditions of entry into an institution of higher education require an IB diploma candidate to offer a choice of subjects different from that specified in the current handbook, a candidate may be allowed to make a reasonable substitution on presentation of appropriate documentary evidence to the IB Organization. This is referred to as a “non-regular diploma” and must be authorized by the IB Organization.

### **Article 8: Languages**

- 8.1 Candidates must write their examinations and other forms of assessment in subjects in groups 3, 4, 5 and 6 of the Diploma Programme in English, French or Spanish as the response language. Assessed work in theory of knowledge and the extended essay must also be presented in English, French or Spanish, except that an extended essay in a group 1 or group 2 subject must be written in the language of the subject chosen. However, an extended essay in Latin or Classical Greek (group 2) must be written in English, French or Spanish.
- 8.2 The same response language must be used for all components of a subject.
- 8.3 From time to time, candidates may be able to write their examinations and other forms of assessment in languages other than English, French and Spanish, in groups 3 and 4, theory of knowledge and extended essay, as part of special pilot courses introduced by the IB Organization.
- 8.4 A language A1 school-supported self-taught candidate at standard level is not permitted to offer an extended essay in his or her language A1.
- 8.5 Extended essays in group 2 are intended for foreign/second-language learners. Candidates are not permitted to submit a group 2 extended essay in a language A1 that is a subject for their IB diploma.

## III Examinations

### **Article 9: Registration process**

A candidate for the IB diploma or certificates must be registered by an IB World school for each intended examination session and must take the requisite courses and examinations at that school. The school must complete such registrations and pay the related fees by the relevant deadlines.

### **Article 10: Registration**

- 10.1 The following categories of registration are available.
- a. Anticipated: for candidates intending to complete the requirements for one or two standard level subjects (excluding languages *ab initio* and pilot subjects) at the end of their first year of the Diploma Programme. They must complete all remaining IB diploma requirements in the corresponding examination session (May or November) in the following year.
  - b. Diploma: for candidates intending to complete the requirements for the award of an IB diploma.

- c. Certificate: for candidates taking one or more subjects who are not seeking the award of the IB diploma.
  - d. Retake: for previous IB diploma candidates who are seeking to improve on their results. The highest grade obtained for a subject will contribute towards the IB diploma.
- 10.2 The subject grade awarded for a certificate cannot subsequently contribute to the award of an IB diploma. However, the moderated mark for the internal assessment component of a certificate can be carried forward and used to complete the assessment of the same subject as part of an IB diploma, provided the course content and assessment for the subject have not changed.
- 10.3 At the discretion of the school, a certificate candidate may pursue the course in theory of knowledge, undertake an extended essay and/or engage in CAS but the IB Organization will not accept the registration of certificate candidates for these IB diploma requirements.

### **Article 11: Notice of assessment requirements**

It is the responsibility of schools to ensure that candidates comply with all assessment requirements of the Diploma Programme and that they are properly registered. This includes ensuring each candidate is in good standing at the school at the time of the examinations. Non-compliance with these requirements can lead to the disqualification of candidates registered by the school.

## IV Responsibilities of candidates

### **Article 12: Responsible and ethical behaviour**

Candidates are required to act in a responsible and ethical manner throughout their participation in the Diploma Programme and examinations. The IB Organization is entitled to refuse to mark or moderate assessment material if a candidate has acted in an irresponsible or unethical manner in connection with that part of assessment for the Diploma Programme, for example, if a candidate includes offensive or obscene material that is unrelated to the content of the assessment. In such cases the final award committee is entitled to award a mark of zero for the component or part(s) of the component that are not assessed due to such irresponsible or unethical behaviour.

## V Conditions for the award of the IB diploma

### **Article 13: Assessment**

Examiners appointed by the IB Organization assess candidates' work in Diploma Programme examinations and other forms of external assessment using common markschemes/assessment criteria. This external assessment may be complemented by internal assessment by schools of other required work, which is moderated by IB Organization examiners.

### **Article 14: Grades**

Performance in each subject is graded on a scale of 1 point (minimum) to 7 points (maximum). For the IB diploma, a maximum of 3 points is awarded for combined performance in theory of knowledge and the extended essay. The maximum total Diploma Programme points score is 45.

### **Article 15: Award of the IB diploma**

- 15.1 All assessment components for each of the six subjects and the additional IB diploma requirements must be completed in order to qualify for the award of the IB diploma, except under the conditions stipulated in section VII "Special cases C: Incomplete assessment" of these general regulations.
- 15.2 The IB diploma will be awarded to a candidate whose total score is 24, 25, 26 or 27 points, provided all the following requirements have been met.
- a. Numeric grades have been awarded in all six subjects registered for the IB diploma.
  - b. All CAS requirements have been met.

- c. Grades A (highest) to E (lowest) have been awarded for both theory of knowledge and an extended essay, with a grade of at least D in one of them.
  - d. There is no grade 1 in any subject.
  - e. There is no grade 2 at higher level.
  - f. There is no more than one grade 2 at standard level.
  - g. Overall, there are no more than three grades 3 or below.
  - h. At least 12 points have been gained on higher level subjects (candidates who register for four higher level subjects must gain at least 16 points at higher level).
  - i. At least 9 points have been gained on standard level subjects (candidates who register for two standard level subjects must gain at least 6 points at standard level).
  - j. The final award committee has not judged the candidate to be guilty of malpractice.
- 15.3 The IB diploma will be awarded to a candidate whose total score is 28 points or above, provided all the following requirements have been met.
- a. Numeric grades have been awarded in all six subjects registered for the IB diploma.
  - b. All CAS requirements have been met.
  - c. Grades A (highest) to E (lowest) have been awarded for both theory of knowledge and an extended essay, with a grade of at least D in one of them.
  - d. There is no grade 1 in any subject.
  - e. There is no more than one grade 2 at higher level.
  - f. There are no more than two grades 2 at standard level.
  - g. Overall, there are no more than three grades 3 or below.
  - h. At least 11 points have been gained on higher level subjects (candidates who register for four higher level subjects must gain at least 14 points at higher level).
  - i. At least 8 points have been gained on standard level subjects (candidates who register for two standard level subjects must gain at least 5 points at standard level).
  - j. The final award committee has not judged the candidate to be guilty of malpractice.
- 15.4 A maximum of three examination sessions is allowed in which to satisfy the requirements for the award of the IB diploma.

### **Article 16: Form of the IB diploma document**

- 16.1 Successful IB diploma candidates will receive an IB diploma and a document listing the total IB diploma points score, the subject grades, the completion of all CAS requirements and any points awarded and individual grades for the combination of theory of knowledge and the extended essay.
- 16.2 A bilingual diploma will be awarded to a successful candidate who fulfils one of the following criteria:
- a. takes two languages A1
  - b. takes a language A1 and a language A2
  - c. takes examinations in at least one of the subjects from group 3 or group 4 in a language that is not the same language as his or her language A1 nominated for group 1
  - d. submits an extended essay in a group 3 or group 4 subject written in a language that is not the same language as his or her language A1 nominated for group 1.

### **Article 17: Award of the certificate**

Certificate candidates will receive a certificate indicating the results obtained in individual subjects. An IB diploma candidate who fails to satisfy the requirements for the award of an IB diploma will be awarded a certificate indicating the grades obtained in individual subjects, together with results in theory of knowledge and the extended essay and the completion of all CAS requirements, as appropriate.

## VI Assessment

### **Article 18: Determination of grades**

Chief examiners, examiners responsible and the chief assessor in theory of knowledge, or their nominees, are responsible for authorizing grade boundaries in their subjects.

### **Article 19: Enquiry upon results**

- 19.1 Candidates' examination results may be further checked and their externally assessed work may be re-marked if a school requests an enquiry upon results and pays the appropriate fees in accordance with the conditions defined in the handbook.
- 19.2 Re-marking a candidate's externally assessed material may lead to a higher grade for a subject, but not to a lower grade.
- 19.3 If a candidate believes the process leading to the grade upon re-marking did not respect the procedures defined in these general regulations and/or the handbook, the Diploma Programme coordinator may request on behalf of the candidate a review by the assessment director or his/her nominee of the assessment, for which a fee is payable to the IB Organization, by 31 December following a May session, and 30 June following a November session.
- 19.4 Beyond the re-marking and review processes defined in article 19, the candidate is not entitled to request a reconsideration of the assessment. However, the candidate is entitled to submit an appeal under the conditions defined in article 32.

### **Article 20: Final award committee**

- 20.1 The final award committee is the body that formally awards the IB diplomas and certificates on the basis of grades determined by grade award procedures.
- 20.2 The final award committee consists of representatives of the Council of Foundation, of the examining board and of IB Cardiff, and is chaired by the chair of the examining board.
- 20.3 The final award committee considers and makes the final decision in all special cases with respect to the award of IB diplomas and certificates.

## VII Special cases

### **A: Special needs**

#### **Article 21: Definition of special needs**

A special need is any permanent or temporary diagnosed need that could put a candidate at a disadvantage and prevent him or her from being able to demonstrate skills and knowledge adequately.

#### **Article 22: Applicable procedure**

- 22.1 Before candidates enroll in the Diploma Programme, the school is responsible for verifying whether the programme includes any requirements that are incompatible with any known diagnosed special needs.
- 22.2 Special needs must be reported by the candidate or his/her legal guardian to the school's Diploma Programme coordinator when the candidate enrolls in the programme, with appropriate professional documentation. Temporary special needs, resulting from illness or accidents, should be reported to the Diploma Programme coordinator as soon as possible after they arise, together with supporting professional documentation and other relevant information.
- 22.3 If a candidate with a special need requires special assessment arrangements, the Diploma Programme coordinator must request the arrangements according to procedures stated in the current handbook. Special assessment arrangements can only be authorized by the IB Organization.

## **B: Adverse circumstances**

### **Article 23: Definition of adverse circumstances**

Adverse circumstances are defined as those beyond the control of the candidate that might be detrimental to his or her performance, including severe stress, exceptionally difficult family circumstances, bereavement, disruption during examinations, or events that may threaten the health or safety of candidates. Adverse circumstances do not include shortcomings on the part of the school at which a candidate is registered.

### **Article 24: Applicable procedure**

24.1 Any application for special consideration in cases of adverse circumstances must be submitted to IB Cardiff by the school's Diploma Programme coordinator on behalf of the candidate(s). The application must be received within 10 days of the completion of the final assessment component of the subject concerned and must be supported by a statement written by the Diploma Programme coordinator as well as by appropriate evidence.

24.2 If a candidate's performance has been affected by adverse circumstances, the final award committee may give special consideration to the case, provided that this would not give an advantage in comparison with other candidates.

## **C: Incomplete assessment**

### **Article 25: Definition of incomplete assessment**

Incomplete assessment exists when a candidate has not submitted one or more components of the assessment requirements in the subject.

### **Article 26: Applicable procedure**

26.1 Any application for special consideration in cases of incomplete assessment must be submitted to IB Cardiff by the school's Diploma Programme coordinator on behalf of the candidate. The application must be received within 10 days of the completion of the final assessment component of the subject concerned and must be supported by a statement written by the Diploma Programme coordinator as well as by appropriate evidence.

26.2 In cases of incomplete assessment in a subject, the final award committee may, at its discretion, award a grade for the subject if both the following circumstances are established.

- a. An acceptable reason is provided by the school for the incomplete assessment being beyond the candidate's control, such as illness or injury, the death or funeral of a close relative, unavoidable attendance at a hospital or law court.
- b. The candidate has submitted sufficient work, leading to at least 50% of the total marks available in that subject and including an externally assessed component.

26.3 If the foregoing conditions are fulfilled, marks for missing component(s) will be calculated using a procedure based on the candidate's marks for completed components and on the distribution of marks of other candidates in the same subject.

## **D: Academic infringements**

### **Article 27: Definition of an academic infringement**

There can be instances where work submitted by a candidate for assessment contravenes the standard academic practice of clearly acknowledging all ideas and words of other persons without the candidate having made a deliberate attempt to gain an unfair advantage, for example, where a candidate has not used some means of indicating a quotation, but has cited the source of the text in the bibliography or in a footnote. The final award committee may designate a case of this type an academic infringement and not malpractice.

### **Article 28: Applicable procedure**

If the final award committee decides that an academic infringement has been established, no marks will be awarded for the component or part(s) of the component. The candidate will still be eligible for a grade in the subject or IB diploma requirement concerned. The head of school will be notified that this action has been taken. The case will not be recorded as malpractice.

## E: Malpractice

### Article 29: Definition of malpractice

The IB Organization defines malpractice as behaviour that results in, or may result in, the candidate or any other candidate gaining an unfair advantage in one or more assessment components. Malpractice includes the following.

- a. Plagiarism: this is defined as the representation of the ideas or work of another person as the candidate's own.
- b. Collusion: this is defined as supporting malpractice by another candidate, as in allowing one's work to be copied or submitted for assessment by another.
- c. Duplication of work: this is defined as the presentation of the same work for different assessment components and/or IB diploma requirements.
- d. Any other behaviour that gains an unfair advantage for a candidate or that affects the results of another candidate (for example, taking unauthorized material into an examination room, misconduct during an examination, falsifying a CAS record, disclosure of information to and receipt of information from candidates about the content of an examination paper within 24 hours after a written examination).

### Article 30: Applicable procedure

- 30.1 The school's Diploma Programme coordinator must inform the IB Organization if he or she identifies any malpractice (for example, plagiarism) in relation to a candidate's work after the candidate has signed the cover sheet to the effect that it is his or her own work and constitutes the final version of that work. In such cases, or when an examiner or the IB Organization suspects malpractice, the school will be required to conduct an investigation and provide the IB Organization with relevant documentation concerning the case. If questions arise about the authenticity of a candidate's work before the cover sheet has been signed, that is, before the work has reached its final stage, the situation must be resolved within the school.
- 30.2 Candidates suspected of malpractice will be invited, through the coordinator, to present a written explanation or defence.
- 30.3 Cases of suspected malpractice will be presented to the final award committee. After reviewing all evidence collected during the investigation, the committee will decide whether to dismiss the allegation, uphold it, or ask for further investigations to be made.
- 30.4 If the final award committee deems evidence of malpractice insufficient, the allegation will be dismissed and a grade will be awarded in the normal way.
- 30.5 If the final award committee decides that a case of malpractice has been established, no grade will be awarded in the subject(s) concerned. No IB diploma will be awarded to the candidate, but a certificate will be awarded for other subject(s) in which no malpractice has occurred. The candidate will be permitted to register for future examinations at least one year after the session in which malpractice was established.
- 30.6 If a case of malpractice is very serious, the final award committee is entitled to decide that the candidate will not be permitted to register for any future examination session.
- 30.7 If the candidate has already been found guilty of malpractice in a previous session this will normally lead to disqualification from participation in any future examination session.
- 30.8 An IB diploma, or a certificate, may be withdrawn from a candidate at any time if malpractice is subsequently established.

## VIII Decisions of the final award committee

### Article 31: Reconsideration

- 31.1 The reconsideration of final award committee decisions does not include the review of the assessment of candidates' work, such process being regulated by the enquiry upon results procedure defined in article 19.

- 31.2 Final award committee decisions are only open to reconsideration if the candidate establishes the existence of facts that were unknown to the final award committee when making its original decision. To be admissible the request for reconsideration must:
- a. be filed by the candidate or his/her representative via the school's Diploma Programme coordinator, who must inform the head of school
  - b. be received by IB Cardiff from the school within three months from the date of the original decision by the final award committee
  - c. contain a full description of the new facts invoked and of the reasons for which a reconsideration is being requested
  - d. contain the name and address of the candidate or his/her representative to whom IB Cardiff may send all communications and decisions concerning the request.
- 31.3 All requests for reconsideration will be examined and decided by a sub-committee of the final award committee. The sub-committee will be composed of at least the chair or vice-chair of the final award committee, a member of the examining board and the assessment director or academic director, all of whom must have served on the final award committee that made the original decision.
- 31.4 The sub-committee is entitled to refuse to reconsider the matter if it deems that the request is not based on new facts. If the sub-committee refuses to reconsider the matter it will inform the candidate or his/her representative at the address indicated in the request, with a copy to the Diploma Programme coordinator.
- 31.5 If the sub-committee accepts to reconsider the matter it may ask the candidate and/or the school for whatever additional explanations and evidence it deems useful but will not be obliged to accept further written submissions by the candidate and will not hear the candidate orally. The sub-committee will render its decision upon reconsideration, in principle within one month from the date IB Cardiff receives the request for reconsideration.
- 31.6 The sub-committee's decision upon reconsideration will contain summary reasons and be notified by IB Cardiff to the candidate or his/her representative at the address indicated in the request, with a copy to the Diploma Programme coordinator.

### **Article 32: Appeals**

- 32.1 In cases where a request for reconsideration is possible, as defined under article 31, the reconsideration must precede any appeal.
- 32.2 Subject to article 32.1, appeals are possible against any decision of the final award committee and against any decision of the assessment director upon review of the re-marking of a candidate's externally assessed material as defined under article 19.3, but only on the grounds that the procedures defined in these general regulations, and which led to the decision of the final award committee being appealed, were not respected.
- 32.3 The appeals panel is formed of three members: one member independent from the IB Organization, the chair or vice-chair of the IB examining board and a chief examiner who was not on the final award committee that made the decision being appealed. The head of examinations administration will act as the secretary of the appeals panel, without being involved in making any decision.
- 32.4 The independent member is appointed on an annual basis and will not have been a Diploma Programme teacher or examiner, or an employee of the IB Organization at any time during the past five years.
- 32.5 The panel makes its decisions based on the views of the majority of the three members. The independent member will act as chairperson of the panel and will make the decision alone if a majority decision cannot be reached.
- 32.6 The appeal must be lodged using a form of recorded delivery and be addressed to the head of examinations administration at IB Cardiff. It must be lodged within one month from the date the candidate received the decision being appealed.
- 32.7 The appeal must contain the following information in English:
- a. the name, postal address, telephone number, facsimile number and email address of the appellant
  - b. a statement of all the facts and the reasons for the appeal

- c. the appellant's request for relief
  - d. a copy of the decision being appealed
  - e. all written evidence on which the appellant intends to rely
  - f. any request for the holding of a hearing and for the examination of (a) witness(es).
- 32.8 Upon receiving the appeal the IB Organization will request a non-reimbursable handling fee that must be paid before the appeal procedure begins.
- 32.9 The appeals panel will begin by issuing directions regarding how the procedure will be run. Subject to the panel respecting due process and to it holding a hearing if so requested by the appellant, the panel will be free to determine how the procedure is to be run. The panel may ask both the appellant and the final award committee to submit clarifications and information. Any hearing that takes place is held in the premises of IB Cardiff on a date fixed by the panel after consultation with the appellant.
- 32.10 The procedure is in English. The appellant may, at his/her own expense, be represented by legal counsel.
- 32.11 In making its determinations on issues in dispute the appeals panel will base itself on what it deems most probable in light of the evidence (balance of probabilities) and it will make its decision on the basis of these general regulations and principles of fairness without applying any rules of law.
- 32.12 The panel will issue a written, dated and signed final decision with summary reasons, in principle within three months from the date IB Cardiff received the appeal. The IB Organization will notify the final decision to the appellant, with a copy to the head of school.

## IX Final provisions

### **Article 33: Governing law**

Swiss law governs these general regulations and all other procedures relating to the assessment requirements.

### **Article 34: Arbitration**

Any dispute arising from or in connection with these general regulations and/or the handbook that has not been finally resolved by means of the reconsideration or appeal procedures defined in articles 31 and 32 of these general regulations, or which is not subject to those procedures, shall be finally settled by one arbitrator in accordance with the Swiss Rules of International Arbitration of the Swiss Chambers of Commerce. The seat of the arbitration shall be Geneva, Switzerland. The proceedings shall be confidential and the language of the arbitration shall be English.

### **Article 35: Entry into force and transitory rules**

This version shall come into force on 1 September 2007 for May session schools, for all candidates enrolling in the programme from August/September 2007, or 1 January 2008 for November session schools, for all candidates enrolling in the programme from January/February 2008. The IB Organization may amend these general regulations from time to time. Each amended version applies to all candidates enrolling in the Diploma Programme after the date of entry into force of the amended version.

Geneva, 1 August 2007