

**OFFICIAL REPORT 19 – 230**

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Verbal decision of 30 August 2019 of the Examination Appeals Board of Leiden University in the matter between:

[name], appellant,

and

the Board of the Faculty of Social and Behavioural Sciences, respondent.

**Present:**

O. van Loon, LL.M. (Chair)

Dr A.M. Rademaker

Dr J.J. Hylkema

M.C. Klink, LL.B.

Z.I. de Vos, LL.B. (Members)

I.L. Schretlen, LL.M. (Secretary,

[names] of the Board of Examiners.

The appellant did not appear at the hearing.

**The course of the proceedings**

The Board of Examiners issued a negative advice to the appellant in respect of the continuation of the Bachelor's Programme in [X], to which a rejection is attached pursuant to article 7.8b, paragraph three, of the Higher Education and Academic Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*, hereinafter "WHW").

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The appellant sent a letter to the Examination Appeals Board. on 19 August 2019, which was received on 20 August 2019, lodging an administrative appeal against this decision.

On 26 August 2019, the respondent submitted a letter of defence.

### **Considerations**

The appellant was awarded a total of 0 ECTS in the 2018-2019 academic year and, as such, she did not meet the BSA standard of 45 ECTS that applies at Leiden University (BSA - binding recommendation on the continuation of one's studies). The appellant does not have a statement of functional impairment with regard to any impediment to her study performance.

The respondent established that the appellant tried to de-register from the programme on 10 January 2019. This occurred before she had received notice from the respondent about the results she had achieved in the first semester. Apparently, something went amiss in the process of de-registration, so that SEA (Student and Education Affairs) only de-registered the appellant on 19 February 2019. The appellant registered once again on 28 April 2019. Since de-registration did not take place before 1 February 2019, the respondent is obliged to issue a binding recommendation on the continuation of the appellant's studies.

The respondent stated at the hearing that she was not aware of the appellant's personal circumstances, since they have not been in touch for six months. As a consequence, the respondent is unable to express a well-considered opinion about the appellant's suitability - or lack thereof - for this programme. Since the appellant's study results do not meet the requirements set by Leiden University and as the circumstances brought forward by the appellant do not cover her lack of study credits, the respondent has rightfully taken the position that she lacks confidence that the appellant will be able to complete the programme in [X] within a reasonable term. The Examination Appeals Board also takes into account that the respondent has not been in touch with the appellant for quite some time -

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although various attempts were made - and the fact that the appellant did not appear at the hearing.

The Examination Appeals Board has not been informed of any other facts or circumstances that could lead to an alternative decision. The appeal must therefore be held unfounded. This means that the contested decision is upheld and that the appellant cannot continue the programme in [X] at Leiden University.

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**Decision**

The Examination Appeals Board holds the appellant's appeal unfounded.

This official report of the proceedings has been drawn up and signed by the Chair and the Secretary.

O. van Loon, LL.M  
Chair

I.L. Schretlen, LL.M  
Secretary

Certified true copy,

Sent on: