

OFFICIAL REPORT 19 – 248

Rapenburg 70
Postbus 9500
2300 RA Leiden
T 071 527 81 18

Verbal decision of 27 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 J.J.G.B. de Frankrijker

Dr A.M. Rademaker

M.G.A. Berk MSc

R.A.W. van Pelt

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

appellant

[names], Board of Examiners

The course of the proceedings

In its decision of 13 August 2019, the [name] 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, third paragraph, 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 20 August 2019, which was received on 21 August 2019, lodging an administrative appeal against this decision.

On 19 August 2019, the respondent filed a letter of defence.

On 26 August 2019, the appellant filed an additional document.

Considerations

The appellant was awarded a total of 25 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 continuing one's studies).

The appellant has a statement of functional impairment which states that she was hampered in achieving study results during the entire study year due to personal circumstances (capacity limited by approximately 25%).

The respondent explained that the appellant did indeed demonstrate by means of the statement of functional impairment that personal circumstances had an impact, but that this statement cannot remedy the deficiency in study credits. Taking the statement of functional impairment into account, the appellant should have been able to achieve 33 ECTS in the 2018-2019 academic year. However, she failed to achieve this number of study credits.

The appellant stated that she will seek assistance in respect of her sleeping issues and fear of failure, and that she will attend exam training courses in order to remove her fear and self-doubt when she has to respond to multiple-choice questions. In view of the fact that the appellant did not pass any of the key topics in [X], and that, furthermore, she did not achieve high grades in her exams, the respondent has rightfully and on proper grounds taken the position that the Board of Examiners lacks confidence that the appellant will be able to complete the programme in [X] within a reasonable term.

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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 inadmissible. 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: