

**DECISION 17 - 142**

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of the Examination Appeals Board of Leiden University

in the matter of

the appeal by [name], appellant

against

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

**1. Origin and course of the proceedings**

In a decision of 5 May 2017, the respondent rejected the application from the appellant to be admitted to the Master's Programme in Political Science, with specialising in International Politics ("Master's Programme").

The appellant sent a letter on 23 May 2017, which was received on 2 June 2017, to lodge an administrative appeal against this decision. In short, the appellant argued that his previous education is sufficiently in line with the master's programme. The appellant is highly motivated to take the master's programme.

The possibility of reaching an amicable settlement was investigated by the respondent. Unfortunately, this did not lead to a settlement.

The respondent submitted a letter of defence on 6 July 2017.

The appellant submitted a further document on 7 July 2017.

A letter with additional documents was sent by the appellant on 12 August 2017 and received on 28 August 2017.

The appeal was considered on 6 September 2017 during a public hearing of a chamber of the Examination Appeals Board. The appellant did not appear at the hearing, having given notice of absence. [name], appeared on behalf of the respondent.

On 8 September 2017, the respondent submitted a further document.

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The Examination Appeals Board allowed the appellant up to 18 September 2017 to respond to the additional document submitted by the respondent.

On 12 September 2017, the appellant applied to the Examination Appeals Board for a postponement up to 20 September 2017. The Examination Appeals Board granted this request.

On 14 September 2017, the appellant notified the Examination Appeals Board that the term granted was too limited. In response, the Examination Appeals Board allowed the appellant to file a response up to 28 September 2017.

The appellant submitted additional documents on 28 September 2017. The Examination Appeals Board sent these documents to the respondent and informed both parties that the investigation was closed and that it would proceed to draw up its decision.

## **2. Considerations with regard to admissibility**

The appellant lodged a timely appeal against the decision of 5 May 2017 by means of the letter that was received by the Examination Appeals Board on 2 June 2017. Furthermore, the letter of appeal also meets the requirements as stipulated in the General Administrative Law Act ("Awb", *Algemene wet bestuursrecht*) and the Higher Education and Academic Research Act ("WHW", *Wet op het hoger onderwijs en wetenschappelijk onderzoek*). Consequently, the administrative appeal is admissible.

## **3. Relevant legislation**

In so far as relevant, the Course and Examination Regulations of the Master's Programme in Political Science (*Onderwijs en examenregeling*, "OER") stipulate:

5.1.1 The Faculty Board confirms the student's admission if he or she meets the entry requirements specified in Articles 5.2 or 5.3, insofar as the maximum number of enrolled students as determined by the Executive Board for the programme is not exceeded.

5.1.2 Students must apply for confirmation of admission according to the rules specified in the Regulations for Admission to Master's Programmes.

Article 5.2 Admission to the programme

5.2.1 Pursuant to Article 7.30b, first paragraph, of the Act holders of one of the following degrees may be admitted to the programme and one of its specialisations:

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- a bachelor's degree (from a recognized university, as defined by the University) in Political Science or a bachelor's degree in a related discipline.

5.2.2 The Board of Admissions may, on request, grant admission to the programmes to persons who do not meet the requirements specified in 5.2.1 but who can demonstrate to the satisfaction of the Board of Admissions that they possess an equal level of knowledge, understanding and skills as the holders of a degree specified in 5.2.1, possibly under conditions to be further determined, without prejudice to the requirements in 5.2.4.

5.2.3 In further clarification of Article 2.9 pertaining to the command of the language of instruction and the language requirement for English-taught master's programmes: a TOEFL score of at least 600 (paper based)/ 250 (computer based)/ 100 (internet based) or an IELTS score of at least 7.0. The Board of Admissions may request that applicants demonstrate that they have attained this level.

5.2.4 Alongside the requirements specified in 5.2.1 and 5.2.2, the following qualitative admission requirements apply for the programme pursuant to Article 7.30b, second paragraph, of the Act:

- good academic record as evidenced by a grade point average of 7 or higher in the Dutch system (or equivalent) and/or other indicators (relevant extracurricular activities, honours programme, etc.);
- a letter of reference, curriculum vitae and a motivation letter;
- at least 80 EC in political science or political science relevant subjects;
- competency in Social Science Research Methodology, as evidenced in coursework and;
- sufficient proficiency in the English language, as evidenced by an appropriate test: a TOEFL score of at least 600 (paper based)/ 250 (computer based)/ 100 (internet based) or an IELTS score of at least 7.0.

Please note: If the applicant cannot demonstrate competency in Social Science Research Methodology, s/he will be required to take a course in Research Design and Measurement in the Social Sciences (5 EC).

5.2.5 If the Executive Board has determined a maximum capacity for the programme, the order of admission will be determined by the qualitative admission requirements as referred to in Article 5.2.4.

The Course and Examination Regulations of the Bachelor's Programme in Political Science (*Onderwijs en examenregeling*, "OER") stipulate:

Article 2.3 Learning outcomes

Graduates of the programme have achieved the following learning outcomes, ranked as far as possible according to the Dublin descriptors:

a. Knowledge and understanding.

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Students have demonstrable knowledge and understanding of Political Science as a discipline, at a level that continues from pre-university education, supported by advanced course books and introduction to original research and 'frontiers' of the discipline, in particular in respect of:

1. Key concepts and concept structures in the study of political phenomena and institutions, such as politics, states, political systems, democracy, power, impact, policy, political culture, political conduct, international regimes, international organisations, political conflicts and conflict management;
2. Theories, models and approaches in analysing political phenomena at national and international level;
3. Methods and practices of political science research, computer software for statistical analysis and ethical aspects of scientific practice;

The programme has the following scope with regard to the core object (material objectives):

- a. History of political philosophy;
- b. Institutions and operation of the Dutch political system;
- c. Institutions and operation of political systems in a comparative perspective;
- d. Political orientations and political conduct of elites and citizens;
- e. International relations and international organisations;
- f. European cooperation, integration and the European Union;
- g. Research methods;
- h. Basic knowledge of auxiliary sciences law, economics, and history.

b. Application of knowledge and understanding

Students are able to apply political science concepts and theories in research or in a literature study of a limited scope; design and perform research, or a simple study, on political phenomena, and apply an appropriate method. Students have an understanding of the relevance and application of political science theories and concepts in a societal context.

c. Opinion forming

Students are able to analyse political phenomena, and to assess and interpret these by collecting relevant data; in the process they can make ethical and normative aspects of political science research more explicit and are able to consider these. Students can assess political science literature and empiric research in an independent, critical, logical and well-founded manner.

d. Communication

Students are able to:

1. Report adequately in writing about research, including consistent application of an accepted method of source reference to a specialist and non-specialist audience;

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2. Orally report and present information, ideas and research clearly and in a well-structured manner to a specialist and non-specialist audience;

e. Learning skills

Students have the learning skills that are required for further studies at master's level, which demand a high degree of autonomy. In particular, students are able to analyse scientific papers, distinguishing between the main elements and details; they can identify key concepts, core arguments and potential bottlenecks. Students possess the skills to identify scientific and journalistic sources in a physical or electronic library.

#### **4. Considerations with regard to the dispute**

In accordance with article 7.61, paragraph two, of the WHW, the Examination Appeals Board must consider whether the contested decision contravenes the law.

It was established that the appellant was awarded a Master's degree in Scientific Socialism and International Communist Movement at China Foreign Affairs University. Furthermore, he completed a Bachelor's programme in English successfully at Shanghai Maritime University.

Article 5.2.1. of the OER states that automatic admission to this master's programme is only possible with a Bachelor's diploma in Political Science from Leiden University or a bachelor's diploma in a related discipline. Since the appellant does not have a diploma in Political Science and his previous education cannot be designated as a discipline related to Political Science, he does not qualify for automatic admission. The request to be admitted must therefore be assessed on the basis of the requirements stipulated by articles 5.2.2 and 5.2.4. of the OER.

Article 5.2.4 of the OER stipulates that those who wish to be admitted to the master's programme must have completed at least 80 ECTS in Political Science course units or course units related to Political Science. It has been established that the appellant's university does not apply an ECTS system. Consequently, the Board of Admissions made a calculation of the course units that were successfully completed by the appellant. The appellant argued that this minimum required number of 80 ECTS should be reduced since he was unable to devote as many ECTS in his Master's programme in Political Science course units as a person who had to complete 180 ECTS. The Examination Appeals Board understands that the appellant apparently believes that course units that only courses completed at master's level may be considered relevant for admission. However, this is not the case. The Board of Admissions assesses the extent to which the appellant's

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previous education matches the final objectives as stipulated in article 2.3 of the OER of the Bachelor's Programme in Political Science.

The respondent explained in the letter of defence and at the hearing that these diplomas do not meet the requirements set out in article 5.2.4. of the OER, and explained the reason for this. The Board of Admissions designated nine of the appellant's course units in the field of Political Science to be relevant for admission to the master's programme. These course units jointly represent 54 ECTS. As such, the appellant does not meet the minimum requirement stipulated in article 5.2.4 of the OER of 80 ECTS in Political Science course units or course units related to Political Science. The Examination Appeals Board deems that the appellant has not made it sufficiently plausible that he has - in addition - also completed at least 26 ECTS of course units in the field of Political Science. The appellant's application was rightfully rejected by the respondent based on this deficiency.

The contested decision stated that the appellant's application was rejected based on the master's diploma that he was awarded. The appellant took the position that his Bachelor's Diploma in English was incorrectly not considered. At the hearing, the respondent explained that the assessment in the first instance pertained to whether the bachelor's diploma in itself sufficiently matched the Master's Programme. Since this did not apply in the case of the appellant, the respondent included the appellant's master's programme when assessing the admission application.

The appellant argued in the letter of appeal that his work experience should also be considered when assessing his admission application. The respondent has not indicated that this was disregarded and the Examination Appeals Board has previously considered that aspects such as work experience and relevant - public - subsidiary activities should be considered. However, the assessment of this work experience did not lead to the result desired by the appellant.

On 5 July 2017, the appellant informed the respondent of the result of his IELTS test, which was a grade 6. It is not disputed that this result is below the required level of at least a grade 7. At the hearing, the respondent acknowledged that the appellant is still at liberty to submit a new, improved IELTS result prior to the start of the study year. However, meeting the IELTS requirement would not have remedied his other deficiencies.

In view of the above, the Examination Appeals Board holds that the respondent did not act in contravention of the law by rejecting the appellant's admission to

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the master's programme. Since the decision of the respondent does not qualify to be quashed on any other grounds, the appeal must be held unfounded.

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**5. The decision**

In view of article 7.61 of the Higher Education and Academic Research Act,  
the Examination Appeals Board of Leiden University  
holds the appeal **UNFOUNDED**.

Established by a chamber of the Examination Appeals Board, comprised of: O. van Loon, LLM, Chair, Dr J.J.G.B. de Frankrijker, Dr A.M. Rademaker, M. Heezen and G. Boogaard, LLM, (members), in the presence of the Secretary of the Examination Appeals Board, M.S.C.M. Stoop - van de Loo, LLM.

O. van Loon, LLM  
Chair

M.S.C.M. Stoop - van de Loo, LLM  
Secretary

Certified true copy,

Sent on: