

**DECISION 22 - 026**

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

of the Examination Appeals Board of Leiden University  
in the matter of  
the appeal by [name], appellant  
against  
the Board of the Faculty [X], respondent

**The course of the proceedings**

The appellant requested the respondent to be admitted to the Master's Programme in [X], with a specialisation in [X] (hereinafter: the master's programme) by 1 September 2022.

The respondent rejected the appellant's request in its decision of 13 January 2022.

The appellant sent a letter the Examination Appeals Board on 17 January 2022, to lodge an administrative appeal against this decision .

On 25 January 2022, the parties investigated whether an amicable settlement could be reached. No amicable settlement was reached.

On 7 February 2022, the respondent submitted a letter of defence.

The appeal was considered on 23 March 2022 during a public hearing of a chamber of the Examination Appeals Board. The appellant did not appear at the hearing. [names], both Admission Officers of the master's programme, and [name] Education Coordinator, attended the hearing on behalf of the respondent.

**Decision**  
**22-026**

Blad2/5

**Considerations**

1 – Facts and circumstances

The appellant has completed a bachelor's programme Bachelor of [X] – [X] with a minor in [X] and [X] at [X].

2 – The position of the respondent

The respondent adopted the view - in essence - that the request for admission was rejected since the appellant's previous education fails to meet the requirements of admission to the master's programme in terms of substance and level . More particularly, the appellant lacks a considerable number of course units in the field of [X]. The respondent requires candidates to have completed a similar bachelor's programme to the bachelor's programme in [X] at Leiden University. Besides, at least 80% of the curriculum must be related to course units in the field of [X]. This is not the case in the appellant's situation.

3 – The grounds for the appeal

The respondent adopted the view that she is qualified for the master's programme in view of her work experience. For she has cooperated with [name], one of [X] most renowned [X]. [name] supported her application for admission with a letter of recommendation. The appellant provides [X] to students with a wide range of [X], such as [X], [X], and [X] and consults with various [X], [X] and [X]. She also performs [X] on children and young adults in the field of [X]. She drafts a [X] and communicates with the persons involved. She has a "[X]" issued by [X]. She attended international conferences that were supported by such organisations as [X] and [X], namely in [X]. The appellant acknowledges that 80% of her curriculum does not pertain to [X] course units, but takes the position that the course units she did attend are related to [X]. She deems proper communication skills to be of the essence to be a good [X]. As such, her minor in [X] is very helpful. The appellant graduated cum laude. She is highly motivated to pursue this master's programme.

4 – Relevant legislation

As far as relevant, the Course and Examination Regulations (Onderwijs- en Examenregeling; OER) of the Master's Programme in [X] state the following:  
Article 5.2 Admission to the programme

5.2.1 Pursuant to Article 7.30b (1) of the Act, holders of one of the following degrees or persons who have successfully completed the following prescribed pre-master's programme may be admitted to the programme and one of its specialisations:

**Decision**  
**22-026**  
Blad3/5

- a. a Bachelor's degree from the programme BSc in [X] of Leiden University with the appropriate specialisation course for the chosen specialisation
- b. Persons with a bachelor's degree or an equivalent degree from a university who possess the skills, understanding and knowledge that are required for earning the bachelor's degree referred to in Article 5.2.1a. Alongside the requirements specified in 5.2.1a and 5.2.2, the following admission requirements apply for the programme pursuant to Article 7.30b (2) of the Act, more specifically the knowledge at university level of the following topics:
- introduction to [X]
  - [X]
  - [X]
  - [X]
  - [X] and/or p[X]and/or [X]
  - [X]
  - [X]
  - theory or training in [X], such as [X], [X], [X] techniques.
  - theory or training in [X]
  - advanced courses (at least 30 EC) at a third year bachelor's level on topics pertaining to the preferred master's specialisation within the MSc in [X].
  - have sufficient knowledge of [X] (at least 20 EC): introductory and more advanced courses in [X], [X] and the use of [X].
- c) a prescribed pre-master's programme pursuant to article 5.4.1.

5.5.2 The Board of Admissions may, on request, admit persons to the programme 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 the same level of knowledge, understanding and skills as holders of a degree specified 5.2.1, points a and b, possibly under further conditions, without prejudice to the requirements specified in 5.2.4.

#### 5 – Considerations with regard to the dispute

In accordance with article 7.61, paragraph two, of the Higher Education and Academic Research Act (*Wet op het Hoger Onderwijs en Wetenschappelijk Onderzoek*; WHW), the Examination Appeals Board must consider whether the contested decision contravenes the law.

Article 5.2.1., under a., of the OER states that direct admission to this master's programme is only possible with a Bachelor's Diploma in [X] from Leiden University. Since the appellant does not have this diploma, she does not qualify for direct admission. Therefore, the request to be admitted must be assessed on

**Decision**  
**22-026**  
Blad4/5

the basis of the requirements stipulated by article 5.2.1, under b, and article 5.2.2 of the OER.

The respondent explained in the letter of defence and at the hearing that and why the appellant does not meet the requirements set out in article 5.2.1, under b, and article 5.2.2 of the OER based on her prior education. In order to be admitted to the programme, the appellant must satisfy the final terms of the Bachelor's Programme in [X] provided at Leiden University. The respondent has assessed the appellant's prior education and found deficiencies, in particular in the field of [X]. Besides this, the Admission Office assessed her prior education and concluded that her prior education matches the level of a two-year programme at academic level. At the hearing, the respondent argued that the appellant is mainly deficient in the core course units of [X]. Furthermore, the respondent takes the position that the deficiencies cannot be compensated by the appellant by means of her work experience. The lack of [X]-related course units is such that it cannot be bridged by her work experience. The number of credits that she achieved in [X]-related course units is 54. The respondent used a minimum requirement of 150 ECTS in [X]-related course units, which is translated into 100 credits. At 54 credits, the appellant is well below that level. Moreover, the respondent reached the conclusion that her prior education only comprised 6 credits of course units in [X], when 20 ECTS (13 credits) are required. At 4 credits for the course unit [X], the appellant does not meet the minimal requirement of 30 ECTS (20 credits) of course units at an advanced level within the chosen master's specialisation.

The Examination Appeals Board endorses the position that the deficiencies cannot be compensated by the appellant by means of her work experience. The Examination Appeals Board holds the contested decision to be sufficiently substantiated by the additional explanation provided at the hearing. Considering this, the respondent has rightfully refused admission of the appellant to the master's programme commencing 1 September 2022. Since the Examination Appeals Board has not been informed of any other facts or circumstances that could lead to an alternative decision, the appeal must be held unfounded.

**Decision  
22-026**

Blad5/5

**The decision**

The Examination Appeals Board of Leiden University

holds the appeal unfounded

in view of article 7.61 of the Higher Education and Academic Research Act.

Established by a chamber of the Examination Appeals Board, comprised of M.G.A. Berk (Chair), LL.M., Dr A.M. Rademaker, J.H.M Huijts, LL.M., G.S. Cornielje and Dr A.M.C. van Dissel (members), in the presence of the Secretary of the Examination Appeals Board, M.S.C.M. Stoop - van de Loo, LL.M.

M.G.A. Berk, LL.M.  
Chair

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

Certified true copy,

Sent on: