



DECISION 21 - 089

Rapenburg 70
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of the Examination Appeals Board of Leiden University

in the matter of the appeal of

[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], for the specialisation in [X] and [X] (hereinafter to be referred to as “the programme”), with effect from 1 September 2021.

The respondent rejected the appellant's request in a decision on 2 March 2021.

The appellant sent a letter on 4 March 2021 to lodge an administrative appeal against this decision.

The respondent informed the Examination Appeals Board that it investigated whether an amicable settlement could be reached between the parties. No amicable settlement was reached.

The respondent submitted a letter of defence on 25 March 2021.

The appeal was considered on 14 April 2021 during an online hearing. The appellant attended the hearing. [name], Study Adviser/ Education Coordinator attended the hearing on behalf of the respondent.



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Considerations

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1 – Facts and circumstances

The appellant requested to be admitted to the Programme. He was awarded a Bachelor of [X] diploma in [X] (major), [X] and [X] at [X] College at the University of [X] in [X].

2 – The position of the respondent

According to the respondent, the prior education of the appellant does not meet the admission requirements in respect of content and level. Course units are lacking in the fields of [X], [X], and [X]. The Admissions Office of Leiden University assessed the bachelor's diploma, awarded at [X] University at the level of a Dutch diploma of higher professional education (HBO).

The Admissions Office assessed the appellant's bachelor's diploma and the course units he attended. It was established that at least 20 ECs are lacking in the fields of [X], [X], and [X]. The Board of Admissions also investigated the overview of attended course units submitted by the appellant and concluded that about one-third of the 4800 hours of classes pertained to the field of [X], [X], and [X]. The overview lists seven course units amounting to a total of 830 hours. The respondent considers this is insufficient for admission to the Programme.

The appellant's bachelor's diploma was assessed by the Admissions Office at the level of a Dutch diploma from a university of applied sciences (HBO) due to the traditional 3-fields programme. The comment was made that the fact that [X] University has A status does not imply that this also applies to [X] College. The [X] College was assessed by Admissions Office as a good college.

At the hearing, it was stated on behalf of the respondent that the appellant is highly motivated to attend the programme. In principle, the Board of Admissions acts on the advice of the Admissions Office. Admission to [X] College is possible with a diploma of five years senior general secondary education (Dutch Havo); the programme lasts three years and comprises three fields ([X], [X], and [X]). It is on this basis that the Admissions Office assessed the level of the programme as equivalent to a HBO bachelor's diploma. Conditional admission, as requested by the appellant, is not possible and would not be fair to other Dutch and international candidates who also do not meet the admission requirements, or do not meet them fully. If the appellant intends to remedy the lack of required prior knowledge by means of online course units, he is free to apply for admission to the programme again. At present, he lacks 60 ECs of the required 180 ECs.



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The Board of Admissions also assessed the seven course units he attended in the final year of the programme, but these did not include 20 ECs of [X]-related course units.

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3 – The grounds for the appeal

The appellant does not agree with the decision on the assessment of his bachelor's diploma. In total, he completed 120 credits (1 credit = 40 hourly classes), or 4800 hourly classes, at [X] University. This school has A status. Although the curriculum is not as comprehensive as the Dutch diploma (5000 hours of classes) he is sure that he can attend the master's programme successfully. The programme fits well into his desired career as a qualitative market researcher.

The appellant provided a summary of the course units he attended in his bachelors' programme. In addition, he has a year of work experience as an intern with a [X]. This is where he developed [X] skills, using [X] and [X]. At present, he is following an online programme at an institution in [X] to improve his understanding of [X] and [X].

Meanwhile, [X] University has admitted him to the masters' programme in [X] (research). This application had also been rejected at first based on assessment of his prior education, but he was nonetheless admitted after providing additional information.

At the hearing, the appellant stated that he would like to start the programme conditionally to remedy the lack of ECs in the next period by attending online course units. At [X] College it is not possible to complete over 120 ECs of course units (4800 hours of classes).

4 – Relevant legislation

In so far as relevant, the Course and Examination Regulations (*Onderwijs- en examenregeling*, OER) of the Master's Programme in [X] 2020-2021 stipulate:

Article 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-masters programme may be admitted to the programme and one of its specialisations:

a) a bachelor's degree from the BSc in [X] programme at Leiden University with the appropriate specialisation course for the chosen specialisation.



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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] and [X]
 - [X]
 - [X]
 - [X] and/or [X] and/or [X]
 - [X] and [X]
 - [X] and [X]
 - theory or training in [X], such as [X], [X], [X].
 - theory or training in [X]
 - advanced courses (at least 30 EC) at a third year bachelor level on topics pertaining to the preferred master specialisation within the MSc [X] • have sufficient knowledge of [X] and [X] (at least 20 EC): introductory and more advanced courses in [X] and [X] of [X] (including [X], [X]) and the use of [X].
- c) a prescribed pre-master's programme pursuant to article 5.4.1.

Article 5.2.2

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, the Examination Appeals Board must consider whether the contested decision contravenes the law.

The Examination Appeals Board considers that the contested decision stated two reasons why the appellant cannot be admitted to the Programme. On the one hand, the appellant's prior education lacks course units in the fields of [X], [X], and [X]. On the other hand, his prior education is not of a sufficiently high level, as it was assessed at the level of an HBO bachelor.

The respondent argued that the appellant has approximately 120 ECs (converted) of relevant course units, while 180 ECs are required, with at least 20 ECs of



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subjects in the field of [X], [X], and [X]. At the hearing, it was stated on behalf of the respondent that the information submitted by the appellant attached to the letter of appeal did not alter the decision of the Board of Admissions. As such, the Examination Appeals Board holds that the respondent did make it sufficiently clear why it reached the decision that the appellant does not meet the requirements for admission to the Programme in Article 5.2.1. of the OER. The Examination Appeals Board endorses the position of the respondent.

Furthermore, the respondent argued that the appellant's internship, and the experience he acquired during this internship, did not compensate for the lack of required ECs to be admitted to the Programme. Aside from the fact that the quality of [X] College, which was assessed by the Admissions Office at the level of an HBO bachelor's programme, the Examination Appeals Board considers it correct that the respondent holds that the documents submitted by the appellant do not demonstrate that he has the level of knowledge, insight, and skills that meet the criteria set in Article 5.2.1 under (a) and (b). The other arguments put forward by the appellant did not alter the decision of the Committee.



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The decision

The Examination Appeals Board of Leiden University,

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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:
H.J.G. Bruens (Chair), LL.M., Dr J. Nijland, Dr J.H.M. Huijts, M.C. Klink, BA,
LL.B., E.L. Mendez Correa, (members), in the presence of the Secretary of the
Examination Appeals Board, I.L. Schretlen, LL.M.

H.J.G. Bruens, LL.M.,
Chair

I.L. Schretlen, LL.M.
Secretary

Certified true copy,

Sent on: