

DECISION 23 - 053

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 of

[X], appellant,

against

the Board of the Faculty of [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 [X] (hereafter “the Programme”).

The respondent rejected the appellant’s request in its decision of 1 February 2023.

The appellant sent a letter on 2 February 2023 to lodge an administrative appeal against this decision.

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

On 23 February 2023, the respondent submitted a letter of defence.

The appeal was considered on 22 March 2023 during a hearing of a chamber of the Examination Appeals Board. The appellant attended the hearing online. [X] attended the hearing on behalf of the respondent.

**Decision
23-053**

Page 2/4

Considerations

In accordance with article 7.61, paragraph two, of the Dutch 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.

The Examination Appeals Board took note of the parties' views, as reflected in the documents submitted.

For admission to the Programme, the defendant requires a bachelor's degree, which is equivalent to the bachelor's degree in [X] from Leiden University. This means:

- at least 80% of the curriculum (150 EC of 180 EC) in [X] course units,
- of which 20 EC [X] , and
- 30 EC requested in final-year bachelor's course units in the field of the chosen specialisation.

These requirements are listed in Article 5.2.1 of the Course and Examination Regulations of the Master's Programme in [X] (*Onderwijs- en Examenregeling van de masteropleiding [X]* , OER).

The respondent asked the Admissions Office to assess the appellant's [X] degree from Ted University in Turkey. According to the Admissions Office, the degree is comparable to two years of academic education. The respondent endorsed this position. Ted University is a private university and does not rank among the best universities in Turkey, at least currently, according to the ranking lists used. However, Ted University is an 'emerging university'. This means the level may be considered higher in the future.

The Examination Appeals Board endorses the conclusion of the Admissions Office and the respondent that the appellant's bachelor's programme is not at minimum comparable to a bachelor's programme of a Dutch university in terms of level.

Furthermore, the respondent also conducted an assessment separately, by means of the information and documents provided by the appellant, to determine whether the bachelor's degree met the requirements set out in the OER in terms of the content and level of the course units followed. This is not the case. As such,

**Decision
23-053**

Page 3/4

the appellant obtained 72 instead of 78 credits in general [X] -related subjects. Nor does the appellant meet the requirement of having completed at least 16 credits of advanced courses (level 400). Indeed, the documents show that only 6 of the credits were obtained in advanced courses.

Consequently, the respondent holds that the appellant lacks the required knowledge, insights, and skills to be admitted to the programme. The Examination Appeals Board endorses this and adopts this position. Moreover, the nature and extent of the deficiencies are such that there are no grounds for a pre-master's as referred to in Article 7.30e of the WHW.

This means that the respondent's decision not to admit the appellant to the Programme was taken justly and on proper grounds.

The Examination Appeals Board sees no reason to reimburse the registration fees. The appellant indicated that she would have preferred the respondent to provide clearer information beforehand, from which she could have inferred whether her bachelor's degree would qualify her for admission to the Programme.

The respondent argued at the hearing that it is not feasible to provide on the website an exhaustive list of programmes that do/do not give access to all master's programmes and/or specialisations within master's programmes at Leiden University. Both the Admissions Office and the Board of Admissions examine whether a candidate meets the admission requirements for each admission request. This assessment does not merely cover prior education but also whether the applicant has sufficient knowledge, understanding and skills to complete the course successfully within a reasonable time. The Examination Appeals Board holds that the respondent acted with due care in this matter.

Hence, the appeal is unfounded. This means that the contested decision is upheld.

**Decision
23-053**

Page 4/4

The decision

The Examination Appeals Board of Leiden University

holds the administrative 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: O. van Loon, LL.M, (Chair), Dr A.M. Rademaker, C. de Groot, LL.M., J.D. Kuster BSc. and T.A.V. Claessen, (members), assisted by I.L. Schretlen, LL.M., Secretary.

O. van Loon, LL.M.,
Chair

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

Sent on:

Certified true copy,