

DECISION 21 - 598

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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 Examiners [X], respondent.

The course of the proceedings

On 30 November 2021, the appellant requested the respondent to register the following course units in a full [X] minor:

- [X],
- [X],
- [X],
- [X],
- [X].

The respondent rejected the appellant's request in its decision of 23 December 2021.

The appellant sent an email to the Examination Appeals Board on 28 December 2021, to lodge an administrative appeal against this decision.

On 20 January 2022, the parties investigated whether an amicable settlement could be reached. No amicable settlement was reached.

The respondent submitted a letter of defence on 27 January 2022.

The appeal was considered on 23 March 2022 during a public hearing of a chamber of the Examination Appeals Board. The appellant participated in the hearing online, at her request. [names], Chair and Secretary, respectively of [X] Board of Examiners participated on behalf of the respondent.

Decision
21-598

Blad 2/6

Considerations

1 – Facts and circumstances

The appellant registered 30 ECTS in her electives minor.

2 – The position of the respondent

The respondent has adopted the view - in essence - that the request was rejected since the course unit [X] which the appellant has completed cannot replace the course units in [X] and [X] that are part of the [X] minor. The latter two course units are course units in the field of [X], whereas [X] does not qualify as such.

3 – The grounds for the appeal

The appellant takes the position that her request for alteration is justified as she has sufficient ECTS in [X] course units to meet the 30 ECTS requirement of the minor. The appellant completed 25 ECTS of [X] course units within [X] successfully. She achieved 5 ECTS at the Faculty [X] in the course unit [X]. The fact that her request has been rejected, makes the appellant feel disadvantaged, as she cannot state she has completed a [X] minor when she applies for jobs. The appellant made an effort to complete the course units in the field of [X] and wishes to obtain official recognition for that by having it registered as a [X] minor.

4 – Relevant legislation

The Course and Examination Regulations (*Onderwijs en Examenregeling*) of the Bachelor's Programme in [X]: [X] 2021-2022 (OER) states the following, in as far as relevant:

Article 1.2 Definitions

In these regulations the following definitions apply:

aa. Minor: a coherent 30 ECTS package of courses, including 10 credits at 300 level (see Article 2.7);

Article 2.7 Minors and [X] education

2.7.1 The College offers the following minors, which are the responsibility of the Board of Examiners and all of which consist of a coherent 30 ECTS credits package of courses, including 10 credits from 300-level courses:

- [X] Minors. The College offers six pre-structured Minors: [X]; [X]; [X]; [X]; [X]; [X] (no longer offered for students starting in 2020-2021 and onwards).
- [X] Minor in a Major. Students select a combination of 30 ECTS credits (at least 10 credits at 300 level) within one of the College's six Majors.

Other options for completing a Minor (from the official list of Leiden University Minors or from another university) are listed in Articles 3.2.2 and 3.2.3.

Decision
21-598
Blad 3/6

2.7.2 The description of the components belonging to a particular minor can be found in the Prospectus. The Prospectus also specifies which Board of Examiners is authorised to examine the minor.

3.2.2 Students are obliged to register for the minor of their choice according to the Guidelines on Registration for Minors, which can be found on the Leiden University website.

3.2.3 The Board of Examiners must approve the student's selection of components. The Board of Examiners bases its evaluation of the student's selection solely on the coherence and level of the components selected.

The study guide qualifies the following course units within the elective package of [X] ([X]):

Introduction to [X]

[X]

[X]

[X]

[X]

[X]

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.

The internet page of Leiden University

<https://www.universiteitleiden.nl/onderwijs/overig-onderwijs/minoren> states the following about the minor:

“A minor is a related, logical package of subjects. The minor element in your programme has to be logical in terms of structure and cohesion, with introductory subjects, followed by a summary of the main themes in the field, so that students who are less familiar with the field are able to follow the courses.”

The documents submitted demonstrate that the respondent made an effort to assess or have the appellant's request assessed carefully. The respondent contacted the coordinator of the [X] minor at [X]. At the request of the respondent he assessed the course units attended by the appellant to verify whether these can be registered as a [X] minor at [X]. He contacted the course unit coordinators in order to investigate whether the [X] course unit which the appellant has completed can

**Decision
21-598**

Blad 4/6

replace the [X] and [X] course units that are part of the [X] minor. Replacement is only possible when the objective of the minor is still achieved, namely that a representative and coherent aggregate of the field of [X] has been covered by the minor. The assessment demonstrates that [X] and [X] are topics within [X], whereas [X] is a general, in effect non-[X], subject of [X]. The appellant does not contest the above.

The appellant states that she was not aware that a balance of [X] and non-[X] course units was required in order to register course units in the [X] minor at [X] when she started her studies. However, Article 2.7.1 of the OER states that the [X] minor is a “pre-structured” minor. Article 2.7.2 of the OER refers to the study guide of the relevant course units that qualify for the minor. The course units are stated on the website of the prospectus: [X].

And the OER that applied when the appellant started her studies, in the 2017-2018 academic year, also states in Article 2.7.1 that there are “pre-structured” minors. It would have been up to the appellant to inform herself properly whether the course units she chose did qualify as relevant course units for the “pre-structured” [X] minor at [X]. The circumstance that the appellant, as she stated at the hearing, did not know what field she wanted to choose within her elective course units does not alter this. At the hearing, the appellant indicated that she cannot extend her studies for financial reasons, in order to still attend the relevant [X] course units. However, this fact does not lead the Examination Appeals Board to reach an alternative decision. With regard to the fact that the appellant feels disadvantaged in job application procedures since her request has been rejected, the Examination Appeals Board seconds the position of the respondent that the appellant can demonstrate her knowledge and skills in [X] with the elective course units she has completed. The appeal is therefore dismissed.

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
21-598**

Blad 5/6

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: