



DECISION 20 - 494

Rapenburg 70
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of the Examination Appeals Board of Leiden University

in the matter of the appeal of

[name] in [place], 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 to be referred to as "the Programme") with effect from 1 February 2021.

The respondent rejected the appellant's request in its decision of 12 November 2020.

The appellant sent a letter on 26 November 2020 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 19 December 2020.

The appeal was considered on 20 January 2021 during an online hearing of a chamber of the Examination Appeals Board. The appellant attended the hearing. [names], Chair and Secretary of the Board of Admissions respectively, attended on behalf of the respondent.



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Considerations

1 – The position of the respondent

The respondent takes the position that the appellant's [X] experience in this specific [X] field does not meet the requirements that apply for admission to the Programme.

The Board of Admissions holds that the information submitted by the appellant on 29 October 2020 demonstrates that the level of the [X] performed by the appellant does not meet the criteria set for practical [X] experience. It must qualify as a 16-ECTS, level-400, final [X] programme, in which all aspects of the [X] cycle are addressed [X], [X], and [X]).

The [X] that the appellant performed after his studies at the [X] in [X] does not meet the admission criteria, since the [X] training only lasted for five days. Nor is his work experience as a [X] in the field of [X]. On 2 December 2020, the Board of Admissions requested further clarification from him, but he failed to respond.

Bachelor's students write various papers during their bachelor's programme and complete their programmes with a [X] project of 16 ECTS at one of the departments of the [X] ([X]). The [X] experience can only be obtained by completing the Bachelor's Programme in [X]. There is no bridging programme or pre-master's to compensate for the shortcomings in the appellant's prior education.

2 – The grounds for the appeal

The appellant indicated that it was impossible for him to obtain the required [X] experience during his studies in [X]. Universities in [X] lack the relevant budget. The only option that was open to him was the [X] assignment at the [X] in [X]. Unfortunately, this was only for a few days. The [X] was limited to [X] and [X].

After his studies, he started a job as an [X]. He worked in [X]. If he cannot be admitted, he would like to attend a pre-master's to qualify for admission by September 2021.

3 - 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*



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

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At the hearing, the respondent explained that the Board of Admissions considered whether the prior appellant's education in [X], section [X], at [X] of [X], would suffice to be admitted to the Programme. The Examination Appeals Board seconds the position of the respondent no evidence was forthcoming that the appellant has sufficient [X] experience in the relevant field, as required in Article 2.2.1, preamble and under (b), of the Course and Examination Regulations (*Onderwijs- en Examenregeling*) Master's Programmes of the Faculty [X]. This shortcoming cannot be compensated either by other [X] experience or work experience acquired after completing his studies. The appellant acknowledges this.

The Examination Appeals Board remarks that the Board of Admissions has based its decision on the experience that students with insufficient [X] experience in their prior education do not succeed in completing the Programme, in general. This is why the bachelor's programme pays a lot of attention to developing [X] skills.

The Examination Appeals Board therefore concludes that the appellant was not admitted to the Programme on just and proper grounds. Consequently, the appeal is unfounded and the contested decision is upheld.



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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: O. van Loon, LL.M., (Chair), M. Heezen LL.M., Y.D.R. Mandel LL.B., Dr W.M. Lijfering, and Dr C.V. Weeda (members), in the presence of the Secretary of the Examination Appeals Board, I.L. Schretlen, LL.M.

O. van Loon, LL.M.
Chair

I.L. Schretlen, LL.M.
Secretary

Certified true copy,

Sent on: