



A D V I C E

Case number: CBB-S/2022-018

Objector: [REDACTED]

Respondent: Executive Board

Contested decision: The decision of the respondent of 21 March 2022, in which the conditional admission of the objector to the Master's Programme in Crisis and Security Management (Governance of Crisis) was cancelled as of 1 February 2022

Hearing: 1 June 2022

The Chamber for Student Affairs of the Appeals and Objections Committee (hereinafter: the Committee) is charged with advising the Executive Board in respect of the present dispute pursuant to the provisions of Article 33 of the Administration and Management Regulations of Leiden University (*Bestuurs- en beheersreglement van de Universiteit Leiden*). This chamber comprises the following persons:

- [REDACTED] Chair
- [REDACTED],
- [REDACTED],
- [REDACTED],
- [REDACTED] BA,
- [REDACTED] (Secretary).



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1. Course of the proceedings

The objector enrolled in the Master's Programme in Crisis and Security Management (Governance of Crisis) as of 1 February 2022.

The respondent admitted the objector on 11 January 2022 to the Master's Programme, subject to the condition that she would submit to the Admissions Office before 1 February 2022 a copy of the Ptychion (4 years) in International Relations and Organisations and a transcript of the grades from the University of the Aegean, as well as an English language test IELTS academic, with a total score of 7.0 with at least a 7.0 for each of the four parts, or an equivalent (Toefl or Cambridge ESOL test).

On 18 March 2022, she filed a request to revoke the cancellation of the admission to the Programme.

In its decision of 21 March 2022, the respondent discontinued the objector's conditional enrolment.

On 20 April 2022, the objector submitted a letter of objection against this decision.

On 19 May 2022, the respondent filed a letter of defence.

The objection was considered on 1 June 2022 during a hearing of the Committee. The objector did not attend the hearing. [REDACTED] attended the hearing on behalf of the Student and Educational Affairs department.

2. Facts and circumstances

The objector was admitted conditionally to the Master's Programme in Crisis and Security Management (Governance of Crisis) as of 1 February 2022.

The condition set for admission was that the objector had to submit the required test results of an English language skills test before 1 February 2022.



3. The contested decision

In its decision of 21 March 2022, the respondent rejected the request of the objector to revoke the cancellation of her admission to the Master's Programme in Crisis and Security Management (Governance of Crisis) as of 1 February 2022. According to the respondent, the appellant cannot be admitted to the Master's Programme because she did not submit the required test results of an English language test before 24 February 2022. She did not object to the conditional admission. Upon enrolling, she submitted the test results of a language test below the required standard. The website of the Programme states that the language test is a condition for admission. On 5 February 2022, she stated that she sat a new language test on 29 January 2022. This is why she was allowed to submit the results of this language test before 24 February 2022. Up to now, the respondent has not yet received these results. The objector would sit another language test in the weekend of 14/15 May 2022. However, the respondent holds this to be too late to be admitted to the Master's Programme.

According to the respondent, it was communicated several times to the candidates, including the objector, via uSis that the language test is a condition for admission. As the objector was unable to provide a positive test result in time, the respondent holds that there are no grounds to reach a settlement and they have continued to communicate with the objector by email following the letter of objection. The test results are valid for two years, so the objector can enrol again for the programme that starts on 1 September 2022. The respondent must meet the admission requirement of three established language tests, since the requirements laid down in the Code of Conduct for International Students must be adhered to. This is why the alternative solution suggested by the objector (taking classes in the English language) does not qualify.

4. Grounds for the objection

The objector stated in her letter of objection that she has incurred costs for her education plan and accommodation in The Hague after she had been admitted to the Programme. Meanwhile, she participated in individual and group assignments and has bonded well with fellow students and lecturers.



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Unfortunately, she was graded a 6.5 for Writing in the IELTS language test. However, her total score was 7.5 and her grade for Reading and Listening was even 8.5. At the time, she did not object to the admission decision. She did, however, contact the Front Desk, the Admissions Office, and the Study Advisers several times. She indicated that she would like to sit a new examination or, alternatively, attend an additional course unit in English language. She was not informed that she should have appealed against the decision. She has already enrolled in a new IELTS language test for early May 2022. She would like the cancellation of her admission to be revoked, so she can continue her studies.

Moreover, she has passed the C2 Proficiency ECPE, which is valued throughout the world at C2 level (excellent command of the English language). She took English classes at the University of Applied Sciences in Athens and attended proficiency-level classes in academic English at the University of Rhodes in Greece during her bachelor's programme. She achieved excellent grades in these programmes. Her command of the English language and academic English is excellent. She quit her job in Athens to attend this Master's Programme and her parents invested a lot of money in housing and tuition fees. She will be able to submit the required IELTS score before the end of the semester.

5. Relevant legislation

In so far as relevant, the Regulations for student registration, tuition fees and examination fees 2021-2022 (*Regeling inschrijving, collegegeld en examengeld 2021-2022*, hereinafter: the Regulation) states:

Article 3.3 – Additional conditions for first enrolment in a master's programme

1. A first enrolment in a master's programme is possible provided the candidate in question has submitted a request for admission to the programme by the deadline of 15 June or 15 November respectively in Studielink.
2. Enrolment in the master's programme will only be effected once the conditions for admission have been met as stated in 7.30b of the Act and in the OER of the relevant master's programme.

Article 4.2 – Start date of enrolment in master's programme

4. The enrolment starts as of 1 February provided the request for admission has been submitted by means of Studielink before 1 February and the conditions



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as stated in Articles 3.1 and 3.3 have been met. The option for enrolment as per 1 September and per 1 February is laid down in the OER of the relevant master's programme.

Article 15 - Hardship Clause

If application of these rules leads to a substantial level of unfairness, the stakeholder or the student can request deviation from the stipulations of these rules due to exceptional personal circumstances or demonstrable educational force majeure.

As far as relevant, the Course and Examination Regulations of the Master's Programme in Crisis and Security Management 2021-2022 ("OER") stipulates:

Article 5.2.3 Dutch and English languages

5.2.3.1 As further clarification of Article 2.8 concerning command of the language of instruction, a student who wishes to be admitted to an English-taught master's programme must have one of the following diplomas or must meet the criteria of:

- An International Baccalaureate diploma (with English A);
- A diploma of secondary or higher education completed in Australia, Canada (with the exception of the French-language programmes in Canada), Ireland, Malta, New Zealand, Singapore, the United Kingdom, the United States or South Africa;
- A diploma from an English-taught university degree programme completed at a Dutch research university;
- A pre-university education (VWO) diploma.

5.2.3.2 If a student who wishes to be admitted does not meet the requirements in 5.2.3.1, at least one of the following language requirements can be set:

- IELTS 7.0 (A minimum score of IELTS 7.0 required for each of the four components);
- TOEFL (internet-based) 100. A minimum score of TOEFL 25 is required for each of the four components.
- CPE or CAE 185

6. Assessment of the dispute



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The dispute relates to whether the respondent justly cancelled the admission of the objector to the Master's Programme in Crisis and Security Management (Governance of Crisis) as of 1 February 2022.

The Committee remarks that it finds it hard to follow the position of the respondent, as argued at the hearing, that the respondent sees no reason to have a meeting to achieve an amicable settlement, as it holds the matter to be evident. An amicable meeting may also serve to inform the other party and to convince them of the opposite position or to clarify the respondent's position. Mere notice by email that the matter is clear as far as the respondent is concerned, does not suffice in the opinion of the Committee. It was argued at the hearing on behalf of the respondent that this will be dealt with in future in another manner as far as possible.

The Committee established that the objector failed to submit the results, or rather, positive results of an English language skills test in time (namely before 1 February 2022). As such, the appellant does not meet the admission requirements.

This means that the respondent discontinued the objector's conditional enrolment in the Master's Programme on proper grounds. The Committee sees no reason to hold that the respondent should have applied the hardship clause since it was not demonstrated that the objector contacted the respondent in any manner whatsoever about whether she would be able to meet the admission conditions in time.

Conclusion

Since the Committee has not been informed of any other facts or circumstances that could lead to an alternative decision, the Committee concludes that there are no grounds to repeal the contested decision. The objection does not constitute grounds for further investigation. As such, the objection is unfounded. This means that the contested decision is upheld.

7. The advice



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The Chamber for Student Affairs of the Appeals and Objections Committee advises the Executive Board to uphold the contested decision.

Leiden, 7 June 2022

On behalf of the Committee,

[REDACTED] .,
Chair

[REDACTED] ,
Secretary