

DECISION 24 – 089

Rapenburg 70
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of the Examination Appeals Board of Leiden University
in the matter of the administrative appeal of

██████████, appellant,

against

the Board of the Faculty of Mathematics and Natural Sciences, respondent.

The course of the proceedings

The Appellant requested to be admitted to the Master's Programme in Statistics and Data Science (hereafter: the Master's Programme).

The respondent rejected the appellant's request in its decision of 5 March 2024 (hereafter 'the contested decision').

The appellant sent a letter on 6 March 2024 by email to lodge an administrative appeal against this decision.

The respondent submitted a letter of defence on 15 April 2024.

The appeal was considered on 18 April 2024 during a public hearing of a chamber of the Examination Appeals Board. The appellant did not appear at the hearing, without giving notice. ██████████ of the Board of Admissions, appeared on behalf of the respondent.

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Considerations

In accordance with Article 7.61, paragraph two, of the Higher Education and Academic Research Act ('WHW', *Wet op het hoger onderwijs en wetenschappelijk onderzoek*), the Examination Appeals Board must consider whether the contested decision contravenes the law.

The appellant successfully completed his bachelor's programme in Applied Statistics at the North University of China.

The respondent did not admit the appellant to the Master's Programme because his average grade for the relevant course units he attended in China was too low. Pursuant to article 3.2.4 of Appendix 1 (MSc Statistics and Data Science) to the Course and Examination Regulations (*Onderwijs- en Examenregeling, OER*) 2023-2024 of the Master's programmes of the Faculty of Science, the admission requirement is an average grade of at least 7.5/10 (or a 'Grade Point Average' (GPA) ≥ 3.4) for the relevant mathematics and statistics course units. According to the respondent, the appellant achieved an average grade of 6.0/10 (or a GPA of 3.08).

The appellant does not dispute that his GPA across all subjects is a 3.08. According to him, however, the respondent should have made a further selection from the course units he attended. For the course units that are really directly relevant to the Master's Programme, he achieved a GPA of 3.44, according to the appellant.

As set out in the letter of defence and explained in more detail at the hearing, in admission cases, the respondent in principle adopts the advice of the Admissions Office. The guidance also issued in this case, which the respondent submitted with the letter of defence, explained that and how different Chinese institutions use various assessment systems and how these differ from the Dutch system. It also explained how results achieved from the relevant Chinese assessment system are converted to the Dutch system.

The appellant does not contest any of this. As stated, he only disagrees with the selection made by the respondent in line with the Admissions Office's choice of course units that count towards calculating his average grade.

In view of the appellant's appeal against the rejection decision on his application for admission to the Master's Programme, the respondent expressly considered the selection of course units proposed by the appellant. In the letter of defence, the respondent provided insight into the reappraisal by the members of the Board of Admissions on this point.

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In the opinion of the Board, the Respondent has rightly and with reference to the aforementioned reappraisal adequately justified its position that the selection advocated by the appellant was incomplete, because he wrongfully excluded relevant course units for which he had obtained low grades, or rather too low grades, from his own calculation of his average.

Furthermore, it was revealed at the hearing that some students are indeed admitted to the Master's Programme on the basis of previous programmes at Chinese institutions, and that, following the advice of the Admissions Office, the respondent has a good understanding of the level of these programmes and whether they make successful participation in the Master's Programme plausible.

The respondent decided justly not to admit the appellant to the Programme as he had not completed a substantial part of his first semester. The administrative appeal is unfounded.

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 F.M.J. den Houdijker, LL.M., (Chair), Dr J.J. Hylkema, Dr G.L. Dusseldorp, B.R.W. van Velthoven MA and P.C. Kemeling, LL.B. (members), in the presence of the Secretary of the Examination Appeals Board, R.R. van der Vegt, LL.M.

F.M.J. den Houdijker, LL.M.
Chair

R.R. van der Vegt, LL.M.
Secretary

Sent on:

Certified true copy,