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Decision in Dutch

EXAMINATION APPEALS  
BOARD

No. 2024/25/1167

THE EXAMINATION APPEALS BOARD

Ruling on the appeal by [appellant], [student number], against the decision of the Admissions Committee of the Master's programme in Business Analytics of VU University Amsterdam, respondent, not to admit the appellant to the Master's programme in Business Analytics.

**I. Course of the proceedings**

On 3 March 2024, the appellant lodged an appeal with the Examination Appeals Board against the respondent's decision of 1 March 2024 on the appellant's application for admission to the master's programme in Business Analytics with effect from 1 September 2024.

On 7 March 2024, the Board asked the respondent to explore, in consultation with the appellant, the possibility of an amicable settlement of the dispute. The respondent consulted with the appellant by e-mail. No settlement was reached. The defendant filed a statement of defence on 7 May 2024. The appeal was heard at the hearing of the Board on 10 June 2024. The appellant attended the hearing online. The respondent did not appear without notice.

**II. Facts**

Based on the documents and the proceedings at the hearing, the Board assumes the following facts. The appellant obtained a Bachelor of Science in Engineering and Management Sciences from Al Akhawayn University in Ifrane, Morocco, and on that basis applied for admission to the master's programme in Business Analytics, specializing in Financial Risk Management. The defendant rejected the appellant's application because the appellant did not meet the admission requirements. She did not obtain enough mathematics subjects, and her prior education is not at university level, according to the defendant.

**III. Views of the parties**

The appellant does not agree with the respondent's decision. The appellant argues that her previous education is at university level. She acknowledged that she did not meet the condition of having obtained 45 EC of mathematics courses but pointed out that she had obtained 30 EC of mathematics courses and 12 EC of statistics courses (together 42 EC). The latter subjects have considerable mathematical content, and, according to the appellant, fit well with the requirements for the master's programme in Business Analytics. Appellant is willing to further improve her knowledge of mathematics, for example by attending a summer course. Appellant is also willing to follow a premaster programme to meet the admission requirements. During the attempted amicable settlement, the question of whether the appellant could be admitted to a premaster programme was not raised.

The defendant maintains its position that the appellant is not admissible to the master's programme in Business Analytics because she does not meet the admission requirements.

The Teaching and Examination Regulations 2023-2024 (the OER) include the following about the admission requirements to the master's programme.

#### **Article 7.2 Admission requirements**

*Admission to the Master's programme is possible for an applicant who has obtained a Bachelor's degree obtained at an institution of academic higher education, which demonstrates the following knowledge, understanding and skills corresponding to the exit qualifications of the Bachelor's programme Business Analytics. This is demonstrated in the following prior education requirements.*

- a. *Registration for the Master's programme in Business Analytics is open to anyone who is in the possession of a Bachelor's degree in Business Analytics.*
- b. *An applicant with a university Bachelor's degree other than that specified in paragraph 1.a may be admitted to the programme by the Examination [Admission] Board if the following conditions have been met:*
  - *the applicant's prior education, including any additional coursework, includes at least 90 credits in mathematics, computer science and/or econometrics;*
  - *the applicant's prior education, including any additional coursework, includes at least 45 credits in mathematics, including at the very least Probability and Statistics;*
  - *the applicant's prior education, including any additional coursework, includes at least 6 credits of programming in Java, Python, C++, or another formal programming language that covers the OOP paradigm;*
  - *the applicant's prior education meets the qualifications of a university Bachelor's degree programme as defined in the Dublin descriptors.*

The respondent points out that the appellant did not meet the requirement of obtaining at least 45 EC of pure mathematics subjects. Judging from the course descriptions submitted by the appellant, the respondent notes too much overlap in the subjects Engineering Statistics and Probability and Statistics for Engineers. Moreover, the subject Engineering Statistics is of an applied nature and therefore does not count as a pure mathematics subject.

In addition, the appellant did not obtain a separate subject Probability of 6 EC.

Finally, the prior education followed by the appellant is not equivalent to a university education. The International Office qualifies the level of the prior education depending on the subjects taken between higher vocational education and university level. The subjects taken were mainly of an applied nature, which is why the prior education is not considered to be of university level.

#### **IV. Considerations of the Board**

The appellant's appeal was timely filed and also otherwise meets the legal requirements.

The case concerns an appellant's request for admission to the master's programme in Business Analytics. How to deal with such a request is regulated in article 7.2. of the Teaching and Examination Regulations 2023-2024 of the master programme (the TER). Article 7.2 of the OER lays down the admission criteria. It is not in dispute that the appellant does not meet the condition of having obtained 45 EC of mathematics subjects.

The Board finds that the respondent assessed the request for admission to the master's programme on the basis of the admission criteria listed in the OER. The defendant could reasonably come to the decision that the appellant did not meet the admission requirements because the appellant did not obtain 45 EC in mathematics subjects.

Article 7.4 of the OER states the following.

- 1. Applicants with a Bachelor's degree from a university of applied sciences (HBO) of a Bachelor's degree from a research university (WO) who wish to enter the programme but do not fulfill the admission requirements as stipulated in Article 7.2 can request admission to the pre-Master's programme.*

The Board considers that in her notice of appeal the appellant requested, if her application for admission was rejected, to be admitted to a pre-master's programme in order to meet the admission requirements by that route. The defendant did not take a decision on this request, and the appellant explained at the hearing that this request was not raised in the consultations between her and the defendant. The defendant did not address this request in its defence either. Failure to take a decision on the appellant's request for admission to a premaster programme was negligent.

The above considerations lead to the following ruling.

#### **V. Ruling**

The Board

- declares the appeal unfounded insofar as it concerns the decision not to admit the appellant to the master's programme in Business Analytics;
- declares the appeal well-founded in so far as it concerns the decision not to take a decision on the appellant's request for admission to a premaster's programme;
- orders the defendant to take a decision on the appellant's request for admission to a premaster programme within two weeks of publication of this decision.

Done in Amsterdam, on 17 June 2024, by Prof. Dr. P.J. Huisman, chairman, S.A. Bekkenutte and J.R. Hulst, in the presence of A.M. van Donk, secretary.

Prof. Dr. P.J. Huisman  
chairman

drs. A.M. van Donk,  
secretary

An appeal against a decision of the Examinations Appeals Board may be lodged by the person concerned with the Administrative Jurisdiction Division of the Council of State, PO Box 20019, 2500 EA The Hague, the Netherlands. The period for submitting a notice of appeal is six weeks. A Safe Mail web form can be used. A court fee is payable. See [www.raadvanstate.nl/studentzaken](http://www.raadvanstate.nl/studentzaken).