



EXAMINATION APPEALS BOARD

No 2020/06/927

THE EXAMINATION APPEALS BOARD

Ruling on the appeal of Mr [NAME], the appellant, residing in [RESIDENCE], directed against the decision of the Computer Science Admissions Committee of the Faculty of Science at VU Amsterdam, defendant, not to admit the appellant to the Master's programme in Computer Science.

I. Course of the proceedings

On 21 November 2019, the appellant lodged an appeal against the defendant's decision of 20 November 2019. The notice of appeal was received on 25 November 2019, which was within the prescribed period. The other conditions governing the appeal were also met. The appeal is therefore admissible.

On 29 November 2019, the Appeals Board informed the defendant that the prescribed procedure dictates that the defendant, in consultation with the appellant, should determine whether this dispute could be settled amicably. The defendant invited the appellant to engage in this procedure within the prescribed period. However, an amicable settlement was not reached.

The defendant filed a defence on 13 January 2020. The appeal was heard in a session of the Appeals Board on 13 February 2020.

The appellant failed to appear at the session. The defendant was represented by Prof. H.J. Bos. The defendant gave an oral explanation of its position.

II. The facts and the dispute

On the basis of the documents and the matters presented at the hearing, the Appeals Board has taken the following facts into consideration.

In order to be admitted to the Master's programme in Computer Science, a candidate must hold a Bachelor's degree from a Dutch academic university or the equivalent thereof. In addition, the Admissions Committee verifies whether the candidate has the aptitude and motivation required for this Master's programme. Whether or not the candidate has mastered the correct methods and techniques is also assessed. Finally, a good command of English is also required.

The appellant has requested admission to the Master's programme in Computer Science (with a specialization in Computer Systems and Security), which is scheduled to begin in February 2020. He has not been admitted, as the defendant does not foresee the appellant being able to handle the academic level of the programme. The marks obtained by the appellant in his previous programme were not particularly high. The appellant's educational background is not adequately geared towards an academic Master's programme. The appellant's graduation thesis was not focused on computer systems. The appellant's experience with computer architecture, technology, operating systems and networks is

limited. The skills mentioned by the appellant in his application do not demonstrate an adequate focus on computer systems.

In the appellant's view, it would be his problem if he proved unable to handle the level of the programme. He expects to rapidly acquire the required knowledge. The appellant points out that students wishing to pursue the Master's programme in Computer Science may not yet have extensive experience in the field. They will acquire that experience over the course of their professional career.

III. Additional information provided by the defendant during the session

Due to circumstances, the third member of the Appeals Board was absent. In response to a question, the defendant said that it had no objections to the case being heard.

The defendant explained the procedure for the selection of candidates. The defendant determines who can be admitted to the programme on the basis of transcripts, theses and recommendations. The track has a high drop-out rate, due to candidates lacking sufficient understanding of what the programme entails. However, the website does clarify the level at which the track is taught. This does not always seem to be understood by the candidates.

The assessment criteria for admission to the Computer Systems and Security track are not firm. The defendant judges whether the candidate will be able to pursue the programme successfully on the basis of the documents submitted by the interested person. Those candidates holding a Bachelor's degree in Computer Science from a Dutch institution are in any event admitted.

The defendant asked the Netherlands Organization for International Cooperation in Higher Education (Nuffic) how the appellant's level should be assessed. In the Nuffic's estimation, the appellant has a level of education equivalent to the level attained upon completion of the first two years of an academic Bachelor's degree. In addition, the ranking of the university attended by the appellant in Pakistan was considered, and his thesis was evaluated. The level of the thesis was deemed inadequate.

When asked, the defendant admitted that if the appellant nonetheless commenced with the programme, it would not oppose this. However, past experience has shown that students with a background and level comparable to the appellant's tend to drop out quickly.

IV. Considerations of the Appeals Board

The Examination Appeals Board establishes that the admission requirements are only loosely defined in the 2019-2020 Teaching and Examination Regulations (OER) for the Computer Science programme.

Article 7.2 of the OER mentions the following admission requirements: an acceptance letter from the Faculty Board confirming that the candidate possesses an academic Bachelor's level of education. The OER further states that a motivation is required, in addition to a knowledge of methods and techniques, without further clarifying the content and required level of the latter. It does, however, specify that a student holding a Bachelor's degree in Computer Science from a Dutch university is directly admissible and therefore does not need to obtain an acceptance letter from the Faculty Board.

The Appeals Board finds additional information about admission on the programme's website. However, the website is not a formal document and its content differs from that of the OER. The website specifies the following further requirements: an academic Bachelor's degree in Computer Science or a comparable area of study and an academic writing level. In the Bachelor's programme, attention should ideally have been devoted to programming, algorithms, computer systems and networks, software engineering and logic. It is also recommended for the prospective student to have a knowledge of databases, automata, graph theory, compilers, machine learning or artificial intelligence and mathematics (linear algebra, discrete mathematics, statistics).

The further admission requirements, which are found only on the website, provide greater insight into the fields in which a candidate must have developed their skills/knowledge. However, the level, the content thereof, the breadth of the requirements and the difference between the apparently desired knowledge and the knowledge which would facilitate admission, are left unmentioned. Moreover, it is evident from the text on the VU Amsterdam website that the list of recommended subjects professed to support admission is incomplete. Indeed, even if a candidate has completed a recommended subject, this still does not provide the candidate any guarantee of being admitted.

The Appeals Board takes the view that it must be possible to assess the request for admission according to the requirements set out in the OER. Admission requirements stated elsewhere ought to correspond to the requirements specified in the OER. A judgement as to whether the candidate will be able to successfully complete the programme, is not one of the criteria on the basis of which a candidate may be assessed.

The Appeals Board determines that the admission requirements for the Computer Science programme and for the Computer Systems and Security track are not sufficiently knowable for the candidates. Only a limited portion of the requirements applied by the defendant are mentioned in the OER. The disputed decision has therefore been substantiated on the basis of circumstances which, to a large degree, do not derive directly from criteria contained in the OER. The substantiation of the disputed decision is therefore inadequate. Given these deficiencies, the Appeals Board will reverse the decision. The defendant will be ordered to review its decision, taking into account the instructions and considerations of the Appeals Board.

V. Ruling

The Appeals Board upholds the appeal and quashes the disputed decision. The Appeals Board orders the defendant to review its decision on the appellant's request for admission to the programme, within two weeks of the publication of this ruling and in accordance with the considerations of the Appeals Board. In reaching its decision, the defendant must be guided by the question of whether the appellant has completed an academic Bachelor's-level programme in Computer Science or a closely related programme.

Delivered in Amsterdam on 2 March 2020, by Dr. A.J.G.M. van Montfort (Chair), Dr. A.J.M. Ligtenberg, member, in the presence of J.G. Bekker, Secretary.

Dr. A.J.G.M. van Montfort,
Chair

J.G. Bekker,
Secretary

An appeal against a ruling by the Examination Appeals Board may, accompanied by the proper justification, be lodged by the relevant party with the Higher Education Appeals Tribunal, PO Box 16137, 2500 BC The Hague. The period for lodging a notice of appeal is six weeks. The filing fee is €47.