



CBE, PO box 80125, 3508 TC Utrecht

Examination Appeals Board

ex article 7.60 of the Higher Education Act

Visiting address

Heidelberglaan 8, Utrecht

DECISION

Our reference	CBE/K 16 07 023
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Website	www.uu.nl
Date	25 oktober 2016
subject	appeal [appellant]

The Examination Appeals Board at Utrecht University (hereinafter referred to as: the Board) has made the following decision on the appeal by:

[appellant], [place of residence], appellant,

versus

[Board of Examiners USE], defendant.

I. Origin and course of the proceedings

The appellant lodged an appeal on 20 July 2016 against the defendant's decision of 20 July 2016 not allowing her to take a third course in period 2 of the academic year 2016-2017. The appeal was handled at the public hearing of the Board on 20 October 2016. Appellant was not present (with notice); defendant was represented by [her secretary].

II. Grounds

Appellant stated that since she has enrolled into university according to the rules that a student can take three courses without any requirements there should not be any consideration of her taking the third course.

Furthermore she has showed the capabilities of taking three courses in period four of her second year of studies. She is retaking two courses in period one, so she has to take a third course in period 2 in order to graduate on time.

Moreover she is paying her tuition fee and expects to get the maximum value from her studies.



The defendant stated the following.

Since academic year 2016-2017 bachelor students are only allowed to enroll for a third course under specific circumstances. This change of the rules has been taken by the director of studies, who is authorized to do so. It has been published in May 2016 on the site of U.S.E. and appellant has received an e-mail on the 27th of May 2016, explaining the rules of enrollment in academic year 2016-2017.

Although she has done 3 courses in period 4 of her second year, she didn't succeed in earning 60 ECTS in that same year. She earned only 45 ECTS.

Avoiding study delay is not what was intended by "unforeseen circumstances" and there are no other circumstances mentioned by appellant that could be qualified as such. Therefore there is no reason to make an exception.

On the grounds of the documents submitted in these proceedings and that discussed at the hearing, the Board considers the following.

Article 4.3 of the Education and Examination Regulations (EER) of the 2016-2017 Economics and Business Economics Bachelor's Programme states the following:

"art. 4.3 – registration for courses

Participation in a course is possible only if a student has registered for it in good time through OSIRIS Student. See: <http://students.uu.nl/en/practical-information/enrolment/course-registration>."

The link shows the following:

"Permission is needed if you want to enroll for a third course during a period. Asking permission is only possible during the regular enrolment periods (not during the late enrolment dates). Permission to follow a third course (i.e. a total of 22.5 ects) will be given when you haven't incurred any study delay i.e. obtained 15 ects per period, or if the third course is a repeater course.

If you do not meet the criteria, unforeseen circumstances and motivation will be taken into consideration."

Defendant has acted accordingly the EER. The fact that this item of the EER has been recently added and by consequence is not the same EER as at the start of appellant's study does not make this item invalid, as it was added in the proper way by the authorized person and made known well in time (May 2016).

As appellant did not mention any unforeseen circumstances the Board sees no reason to reject defendant's decision.



The Board decides as follows.

III . Decision

The Board

- I. Finds the appellant's appeal unfounded;
- II. Requires that copies of this decision be sent to the parties, to the Board of Utrecht University, to the management of Faculty of Law, Economics and Governance and made available to interested parties.

Thus decided in Utrecht on 20 October 2016 by prof. dr. B. Hessel, chair, prof. dr. L.W. Jenneskens and F.E.J. de Jong, members, in presence of M.W. Batteljee LLB, and announced on 25 October 2016.

Was signed,

M.W. Batteljee LLB
Secretary

prof. dr. B. Hessel,
chair

Any party whose interests are directly affected by this decision may submit an appeal to the Appeals Tribunal for Higher Education, P.O. Box 16137, 2500 BC Den Haag (www.cbho.nl) for a period of six weeks after the day on which this decision was announced. The appeal should be written in Dutch, mentioning your address, telephone number and email address. There is a registry fee involved.