



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

<b>Our reference</b>	CBE/K20 04 011
<b>Telephone</b>	030 253 30 75
<b>Fax</b>	030 253 77 70
<b>E-mail</b>	cbe.jz@uu.nl
<b>Website</b>	www.uu.nl
<b>Date</b>	20 July 2020
<b>subject</b>	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], of [...], appellant,

versus

[Admissions Committee] of the Graduate School of Humanities, defendant.

### I. Origin and course of the proceedings

The appellant lodged an appeal on 30 May 2020 against the defendant's decision of 3 March 2020 not to admit the appellant to the Master's programme Gender Studies. The appeal was sent to the defendant. On 23 April 2020 the Board received a statement of defence from the defendant. On 7 May 2020 the Board asked for more information about the ranking procedure. On 14 May and on 26 May 2020 the defendant provided more information. The appellant has responded on 16 and 27 May 2020.

Due to Corona a public hearing was not held. The appellant was given three options and she choose to be heard by video calling. The Chair and Secretary held a Skype hearing on 11 June 2020 with the appellant. After the hearing the report of the hearing was sent to the defendant. The defendant responded on 16 June 2020.

### II. Grounds

The Admission Committee stated in her decision that the appellant was not admitted to the Master's programme Gender Studies because the number of applications exceeded the number of available places and other candidates were better suited for admission to the programme.



The positions of both parties

The appellant stated the following in her appeal and her responses during the appeal procedure.

She stated that she has sufficient intelligence and a bright mind to pursue further in humanity fields as long as she makes an effort. Being surrounded by most promising people she will be stimulated and perform as well as she could. She would value the opportunity because she is still suffering from domestic violence. The Master's programme Gender studies gives her hope because it encourages people to accept and respect each other.

The appellant is of the opinion that the Admissions Committee has assessed her information without sufficient consideration of her experience other than her educational background.

She has explained that in China it is difficult for woman to work because no one cares about their needs, pain and difficulties.

The appellant stated that she is aware of the lack in courses related to gender studies but the ones she took were the best courses possible for her and she did make progress.

Although her GPA may not reach the ideal line, her grade does not represent what she is capable of. She had to adjust into the American academic environment, regretful choices of a few classes such as neuroscience, the stubbornness of completing a French degree in my foreign language and the survival of all possible difficulties an international citizen could possibly meet. She is proud of what she has accomplished. She graduated in 2018 and has been working for a year and a half. These working experiences differentiate her from students who only do well at school but never walk into society. She emphasises her potentials and determination. She also mentioned her recent work as a commentator on an article about gender discrimination.

The appellant feels that the emphasis on the credits in gender studies courses, and the high number of EC, is not fair to applicants who are unprepared given the fact that most universities do not offer gender studies classes.

She does not understand why candidates with other Humanity background are mentioned when only candidates with this background of 30 EC in gender are accepted. It was not clear to her in advance. The appellant also stated that it was not clear to her that having relevant experience could compensate the lack of EC in gender courses. If she would have known in advance, she would have done more things to have more experience.

The defendant stated the following.

The selection process of this programme is described in the Education and Examination Regulations. Each student is assessed on the following criteria: at least 30 EC in gender studies courses, extracurricular activities related to gender studies, disciplinary background and motivation. That gives a final ranking of all candidates. This means that a candidate can have a high score in one category and a lower in another, there's not just one reason why a student is or is not accepted. The final ranking compares all candidates with each other. And since the programme has 40 available places each year, only the highest scoring candidates are accepted. The appellant did not score high enough to be offered a place. Her disciplinary background fits and her motivation was also quite strong, however she didn't have enough credits in gender studies courses, especially compared to others. This is the most important criterion. There are many ways in which this previous knowledge can be obtained, also for students from a language studies background. Moreover, there weren't many extracurricular activities that could compensate for this. The defendant explained the procedure and how two programme coordinators of Gender Studies assessed all applications and the application dossier of the appellant.

On the website a CV format can be found in which it is asked to include information in the CV, such as relevant work experience. It can therefore be understood that relevant experience outside the study programme is something that the defendant takes into consideration when assessing applications.



Based on the documents submitted in these proceedings and what was said during the hearing, the Board considers the following.

The programme specific part of the Education and Examination Regulations (EER) 2019-2020 MA Arts and Culture states the following in article 2.1:

*"Requirements for admission to the programme*

*1. Consideration for admission to the degree programme Arts and Culture requires a Dutch or foreign diploma that demonstrates knowledge, understanding and skills at the level of a university Bachelor's degree and that shows its holder has the following specific knowledge, understanding, and skills:*

- a) basic knowledge of theories, debates and research methods concerning Arts and Culture Studies;*
- b) understanding of the functioning of Arts and Culture in historical context, contemporary culture and everyday practices;*
- c) general academic skills, and in particular those needed to independently conduct research within the academic field of Arts and Culture;*
- d) skills pertaining to oral and written proficiency in English at an advanced level.*

*2. The following conditions for consideration for admission apply to the various programmes.*

*[..]*

*Programme Gender Studies*

*Consideration for admission to the programme Gender Studies requires:*

- knowledge of and insight in gender studies and its epistemological foundations at BA level;*
- knowledge of research methods in the field of the humanities and/or social sciences at BA level;*
- academic and analytic skills: the ability to design, carry out, and report both in writing and orally on research in the field of gender and postcolonial studies;*
- practical and/or professional experience in the field of gender studies, e.g. through an internship or extracurricular activities."*

*On the website of the programme Gender Studies at UU is stated:*

## **ENTRY REQUIREMENTS**

*Please note: 60 credits equals one year full-time study load (European Credit Transfer System, ECTS).*

### *Competencies*

*You will be considered for admission to the Master's programme Gender Studies if you have a Bachelor's diploma from a Dutch university (or foreign equivalent) and can demonstrate the following knowledge, insight and skills:*

- Knowledge of and insight in genderstudies and its epistemological foundations at Bachelor's level, as shown by having taken at least 30 EC worth of courses in genderstudies and/or postcolonial/ethnicity/cultural studies, with an emphasis on genderstudies.*
- Knowledge of research methods in the field of the humanities and/or social sciences at Bachelor's level. This can be demonstrated by a Bachelor's or Master's degree in the Humanities or Social Sciences, but also in further practical activities in the field of gender/women's studies.*
- Academic and analytic skills: the ability to design, carry out, and report both in writing and orally on research in the field of gender and postcolonial studies.*
- Skills pertaining to independent research at an advanced Bachelor's level and oral and written proficiency in English at an advanced level.*



## *Selection procedure*

*The Admissions Committee decides on your application. On the basis of the documents submitted by you, the committee will assess whether you will be able to successfully complete the Master's programme within the nominal duration. The committee also takes into account:*

- *Motivation and talent.*
- *Level of required knowledge and the mastery of methods and techniques used in the subject area.*
- *General high level of professional and intellectual ability.*
- *Command of the language(s) used in the programme.*

*An interview or essay may be part of the selection procedure. Alternatively, if you are residing outside the Netherlands, the Admissions Committee may ask for additional written material.*

*The programme admits a maximum of 40 students each year. If the number of applications exceeds the number of available places, the Admissions Committee will select those candidates who best combine academic achievement, capacity for research and a commitment to social justice. In their overall selection, the committee will also strive for diversity in the student population.*

## *4. Previous education*

- *Any Bachelor's degree, preferably within the Humanities or Social Sciences*
- [..]

## **REQUIRED DOCUMENTS**

*During the online application process, you will be asked to submit documents that support your application to study at Utrecht University. You will find an overview of these documents below. The underlined forms can be completed on the computer:*

- *A scan of your diploma (if necessary with official translations) or Proof of anticipated degree*
- *A scan of your transcript (if necessary with official translations)*
- *Motivation statement*
- *Curriculum vitae / resume\**
- *A scan of your official English language test report or certificate.*
- *Passport copy*
- *Two letters of recommendation*
- *Courses yet to be completed*
- *Relevant courses*

*\*Curriculum vitae*

## *General instructions*

*Below please include only that information from your CV that will support your application for this Master's programme, such as:*

- *Internship(s)*
- *Relevant work experience*
- *Activities for student organisations, etc.*
- *Relevant voluntary work*
- *Exceptional academic achievements (a publication, award, etc.)*
- *Exceptional extra-curricular achievements (in sports, music, business, etc.)*

*State the facts, and where relevant, results and achievements. You may also mention competencies you have developed. In your motivation statement (separate document), you can explain your choices and experience."*



The Board's considerations

It should be stated first and foremost that the duties and powers of the Board do not extend to assessing or reassessing an application for a master's programme. The Board assesses whether the assessment of the defendant has been made with due care and has been sufficiently substantiated. Furthermore, the assessment is one of the discretionary powers of the Admissions Committee. This means that, in addition to the assessment given above, it will only be possible to consider if there has been a conflict with any rule of written or unwritten law.

On the grounds of the documents submitted in these proceedings and on the grounds of the defendant's justification of the assessment, the Board takes the view, judging the matter within the limits set out above, that the assessment by the defendant of the application for the master's programme can be upheld. The defendant explained the procedure and the assessment of the appellant's application following the four criteria as stated in the EER. It can therefore be concluded that the assessment was made with due care. The arguments put forward by the appellant in her appeal has not been sufficient to persuade the Board to take a different view.

The Board can understand that it was difficult for the appellant to find courses in gender studies that she could take during her previous education but takes the view that the Admissions Committee has the right to determine the level it expects applicants to have and to select the candidates that have the best competencies. The appellant stated that she did not know that she could also compensate the lack of 30 EC worth of courses in gender studies with relevant work experience. The Board has found that on the website this information is available under the heading "required documents" when clicking on "Curriculum vitae/resume". The Board takes the view that the appellant should have read all the information available very carefully before applying to be absolutely sure about what was important and expected of her. The Board also agrees with the defendant that the defendant has not taken into account the current activities of appellant, mentioned during the appeal procedure, because the assessments already took place on the dossiers that were handed in during the application procedure, especially because of the limited number of places available.

This leads to the conclusion that the appeal should be considered unfounded.

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, and made available to interested parties.

Thus decided in Utrecht and made know to the parties involved on 20 July 2020 by Prof A.M. Hol LL.M, chair, Dr B.M. Verdel, Dr. F.J. Prins, Prof J.J.S. Dubas, R. Ravestein, members, in presence of X.L. Westenburg LLB, secretary.

Signed,

X.L. Westenburg LLB, secretary

Prof A.M. Hol LL.M, 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](http://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. There is a registry fee involved.*