

Full text

Ministerial Order on Boards of Appeals for Decisions on Credit Transfer in University Degree Programmes (the Credit Transfer Appeals Board Order).

In the event of any inconsistency between the Danish and English language versions of the document, the Danish version prevails

Pursuant to section 18 a(3) and section 34(1) of the Danish Act on Universities (the University Act) (*Universitetsloven*), see Ministerial Order no. 367 of 25 March 2013, the following is stipulated:

1. The ministerial order applies to appeals against decisions made by the board of studies regarding denials or partial denials of applications for credit transfer, including advance approval of credit transfer, see section 18(4)(iv) of the University Act, in Bachelor's degree programmes (*bacheloruddannelser*) and Master's degree programmes (*masteruddannelser*) as well as other part-time degree programmes pursuant to the University Act, see, however, section 2(ii) and section 3.

2. Pursuant to the rules set out in the ministerial orders governing the specific degree programmes (the degree programme orders), the board of studies may, based on an academic assessment, decide that

- i) already passed subject elements from another Danish degree programme at the same level can replace parts of the university degree programme to which the student has applied for admission, to which the student has been admitted or on which the student has been enrolled (credit transfer for Danish subject elements),
- ii) already passed subject elements from a foreign degree programme at the same level can replace parts of the university degree programme to which the student has applied for admission, to which the student has been admitted or on which the student has been enrolled (credit transfer for foreign subject elements), and
- iii) planned passed subject elements from another Danish or foreign degree programme at the same level can replace parts of the university degree programme to which the student has been admitted and on which the student has been enrolled (advance approval of credit transfer),

3. Decisions made by the board of studies regarding denials or partial denials of applications for credit transfer for Danish subject elements and for advance approval of credit transfer, see section 2(i) and (iii), may be appealed to a credit transfer board of appeals pursuant to this ministerial order by the party which the decision concerns (the complainant) if the appeal concerns the academic assessment. However, this does not apply to decisions made by the board of studies regarding denials or partial denials of applications for credit transfer for foreign subject elements, see section 2(ii), which may be appealed to the Qualifications Board, see the Danish Assessment of Foreign Qualifications etc. Act (*Lov om vurdering af udenlandske uddannelses kvalifikationer m.v.*).

4.-(1) The complainant submits the appeal to the university. Appeals must be submitted in writing and include an explanation of the reasons for the appeal.

(2) Appeals must be submitted within two weeks of the complainant being informed of the board of studies' decision.

(3) Under special circumstances, the university may grant exemptions from the deadline in subsection (2).

5.-(1) If the appeal concerns legal issues, the university makes the decision in the case, including whether the board of studies is to carry out a renewed academic assessment.

(2) The university informs the complainant of the decision as soon as possible.

(3) The university's decision may be appealed to the Danish Agency for Higher Education, see section 10.

6.-(1) The rector sets up a credit transfer board of appeals as soon as possible after an appeal has been submitted. The rector may set up permanent boards of appeals and lay down further internal rules thereon.

(2) The board of appeals consists of a representative of the academic staff at the same or a related degree programme at the university and a representative of the academic staff at the same or a related degree programme at another university.

7.-(1) The credit transfer board of appeals considers the case in writing if the representatives agree thereon. In the event of disagreement between the representatives concerning the decision in respect of an appeal, the representative from the other university has the casting vote.

(2) The board of appeals may

1) grant the complainant credit transfer or advance approval of credit transfer for more subject elements than those approved by the board of studies, or
2) reject the appeal.

(3) In exceptional cases, the board of appeals may submit the appeal for renewed consideration by the board of studies.

8.-(1) The credit transfer board of appeals' decision is announced to the university as soon as possible and at the latest within one month of the rector having set up the board of appeals. The month of July is not included when calculating the deadline.

(2) The university informs the complainant of the board of appeals' decision as soon as possible.

(3) If the appeal cannot be processed within the deadline laid down in subsection (1), the university must inform the complainant thereof as soon as possible, providing details on the reason and information about when the appeal is expected to be processed.

9.-(1) As far as the academic assessment is concerned, the credit transfer board of appeals' decision cannot be appealed to any other administrative authority.

(2) Appeals about decisions made by the board of appeals may be submitted to the university if the appeal is based on legal issues.

(3) The appeal must be submitted to the university within two weeks of the board of appeals' decision being announced to the complainant.

(4) Under special circumstances, the university may grant exemptions from subsection (3).

(5) The university's decision pursuant to subsection (2) may be appealed to the Danish Agency for Higher Education, see section 10.

10.-(1) Decisions made by the university pursuant to this ministerial order may be appealed to the Danish Agency for Higher Education by the party which the decision concerns (the complainant) if the appeal concerns legal issues. The deadline for submission of an appeal is two weeks from the day the decision is announced to the complainant.

(2) The appeal is submitted to the university, which issues an opinion. The complainant must be given the opportunity to comment on the university's opinion within a deadline of at least one week. The university submits the appeal to the agency, enclosing the opinion and any comments made by the complainant.

(3) It is not possible to refer the agency's decisions to any higher administrative authority.

11. The Danish Agency for Higher Education may grant an exemption from this ministerial order under special circumstances, with the exception of the situations in which the university may grant exemptions, see section 4(3) and section 9(4).

12. The university must publish statistics on the credit transfer board of appeals' decisions on its website.

13.-(1) This ministerial order enters into force on 1 January 2014.

(2) Section 12 of the ministerial order applies to decisions made on 1 January 2014 or later.

(3) Ministerial Order no. 102 of 20 February 2008 on Boards of Appeals for Decisions on Credit Transfer in University Degree Programmes (the Credit Transfer Appeals Board Order) is repealed.

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