

## **Centralized Selection and Placement Regulations for Numerus Fixus Programs Eindhoven University of Technology 2023-2024**

These centralized regulations have been drawn up pursuant to Article 7.53, paragraph 3 of the Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek, WHW*) and the Registration and Admission Regulations for Higher Education (*Regeling aanmelding en toelating hoger onderwijs, RATHO*). These regulations relate to the selection and placement of candidates for Bachelor's degree programs with limited capacity. As part of the selection procedure, the programs also take into account the interests of candidates resident in the overseas territories, Bonaire, Sint Eustatius and Saba or in Aruba, Curaçao, and Sint Maarten.

### **Article 1 Definitions**

**Candidate:** anyone who wishes to enroll for the propaedeutic phase of a particular program

**Proof of placement:** document issued by the institution in the name of the candidate which proves that a candidate has gone through the selection process and that one of the fixed number of places within the program, as determined by the institute board, has been allocated to the candidate.

**Ranking number:** unique number assigned by the institution to a candidate who has gone through the selection process, which indicates how the candidate has been assessed with respect to the other participants in the selection

**Selection:** selection procedure as referred to in Article 7.53 of the WHW

**ESA:** TU/e Education and Student Affairs service

**Academic year:** period starting on September 1 and ending on August 31 of the following calendar year

**Studielink:** common registration and enrollment application of the universities of applied sciences and universities

**Prior education requirements:** requirements referred to in Article 7.24 of the WHW and Article 2.1 of the Bachelor's Program and Examination Regulations 2022-2023.

For students with a non-Dutch educational background, see Chapter 2 of the Bachelor's Program and Examination Regulations 2022-2023. See also <https://www.tue.nl/en/education/become-a-tue-student/admission-and-enrollment/>

Other terms used in these regulations shall have the meaning ascribed to them in the WHW and RATHO.

## Article 2 Determining the selection criteria

1. The design and implementation of the selection procedure for bachelor's degree programs with a *numerus fixus* (i.e. degree programs with restricted intake) must comply with the following principles:
  - a. An 'evidence-based approach' is followed, which refers to the use of existing or new research to identify indicators that are capable of predicting, as accurately as possible, the chance of academic success and the extent of variance in academic success. The program regularly monitors whether the selection criteria and the selection method prove to be good predictors. To determine this, the following questions are asked:
    - How can academic success be predicted and what are the factors that can explain variance in academic success?
    - To what extent do these factors differ depending on the socio-economic or cultural background of the student or the pre-university education they have received? In other words, it is assessed whether the used selection criteria and methods put certain groups of students at a disadvantage.
  - b. Based on this research, the selection procedure focuses on qualifications that are important for academic success and applies qualitative selection criteria and methods with the best possible predictive value for success in the (different phases and different areas of the) program in question.
  - c. There are at least two types of qualitative selection criteria.
  - d. The selection method strikes a good balance between striving for high quality and diversity of intake versus diversity in the majors and/or professional field.
  - e. The program ensures that those who perform the selection are sufficiently equipped and trained to carry out the selection properly.
  - f. The program provides information about the selection procedure and criteria in as transparent a manner as possible.
2. Based on these principles, the deans determine the selection criteria and procedure for their *numerus fixus* (restricted intake) bachelor's degree programs.
3. On behalf of the Executive Board, the Education and Student Affairs (ESA) Director is responsible for the selection and placement of students. The ESA Director takes decisions pursuant to these regulations on behalf of the Executive Board.

## Article 3 Determining the selection criteria and procedure at the department level

1. After obtaining the advice of the program committee and based on the principles set out in Article 2, the dean annually determines the selection criteria for the programs within the department through the Departmental Selection Criteria Regulations that have a limited capacity as indicated by the Executive Board.
2. The dean establishes the necessary procedural rules for implementing these regulations.
3. A candidate may participate up to three times in the selection procedure of a degree program.
4. While determining the selection procedure, the dean takes into account the interests of prospective students resident in the overseas territories, Bonaire, Sint Eustatius, Saba, Aruba, Curaçao, and Sint Maarten.
5. The selection criteria and detailed rules of procedure are announced before October 1 annually by the Executive Board.

## Article 4 Registration deadline

1. A candidate who wishes to participate in a selection procedure must submit an enrollment application via *Studielink* no later than January 15 prior to the academic year during which he or she wishes to start the program.

2. A candidate who has failed to submit an enrollment application via *Studielink* by January 15 at the latest, but who nevertheless wishes to participate in the selection procedure for a degree program, may submit a request to that effect to the ESA Director by email via [selection@tue.nl](mailto:selection@tue.nl).
3. The ESA Director shall decide whether or not a candidate who has made such a request may participate in the selection procedure after January 15. In any event, all of the following conditions must be met:
  - a. It can be clearly demonstrated that the candidate was unable to submit the enrollment application in time.
  - b. The candidate has submitted the request as soon as possible after January 15.
  - c. A refusal of participation in the selection procedure would be regarded as a case of extreme unfairness.
4. A request, as referred to in paragraph 2, must be accompanied by one or more supporting documents proving that the candidate meets the conditions specified in paragraph 3.

### **Article 5 Participating in the selection procedure and use of participation opportunities**

1. The candidate is considered to have used up one of a limited number of participation opportunities if, on January 16 or later, he or she has an active enrollment application for a degree program subject to a selection procedure or if he or she has been admitted to the selection procedure based on the request referred to in Article 4, paragraph 2.
2. A candidate who does not, or does not fully, participate in the selection procedure is not assigned a ranking number. In this case, the ESA Director rejects the candidate's enrollment application and the candidate is also considered to have used up a participation opportunity.
3. Any candidate who disregards the deadlines referred to in these regulations shall be considered to have used a participation opportunity.
4. The candidate is not considered to have used a participation opportunity if:
  - a. The enrollment application for a degree program subject to a selection procedure is withdrawn via *Studielink* no later than January 15;
  - b. The candidate fails to obtain the pre-university degree certificate required for the enrollment, fails to meet the further prior-education requirements, and makes a timely request to cancel the participation opportunity (opportunities) (see Article 11).
5. If any fraud is found during the selection, the candidate is excluded from the selection procedure. The candidate does not receive a ranking number, but will have used up a participation opportunity. In the selection process, fraud comprises any action or failure to act on the part of a candidate that makes it partially or completely impossible to form an accurate opinion of his or her knowledge, understanding and skills and/or deliberate attempts on the part of a candidate to influence any part of the selection process for the purpose of influencing the results of the process, or an attempt to do so.

### **Article 6 Verification of personal data**

1. Candidates who participate in a selection procedure must ensure that they submit correct personal data, on the basis of which their identity can be verified, no later than January 31. For candidates with a non-Dutch educational background this is January 15; they must also provide all documentation on the basis of which diploma assessment can be carried out as well as proof that the application fee was paid.
2. If candidates fail to comply with this obligation within the specified deadline, their participation in the selection procedure is canceled. The enrollment application is rejected by the ESA Director.

### **Article 7 Selection procedure**

1. A selection procedure is carried out if the number of registrations for a degree program as on January 16 is higher than the number of available places for that program. The selection procedure is completed no later than April 14.

2. A selection procedure is not carried out if the number of registrations as on January 16 is lower than or equal to the number of places available for that program. In this case, the candidate must participate in the study-choice activities as outlined in the TU/e Registration, Study Choice Check, TU/e Enrollment and Termination of Enrollment Regulations - *ASIBI Regulations - (Regeling Aanmelding, Studiekeuzecheck, Inschrijving en Beëindiging Inschrijving TU/e – Regeling ASIBI)*.

## Article 8 Result and proof of placement after selection

1. On April 15, the Executive Board communicates, via *Studielink*, the ranking number assigned to each candidate who has participated in the entire selection procedure and issues the proof of placement to candidates who qualify for this based on their ranking number.
2. The candidate must accept the proof of placement through *Studielink* within 14x24 hours of the moment of transmission, if the moment of reception and the moment of transmission occur within 24 hours. If there is a difference of more than 24 hours between these moments, it is viewed as a delay caused by *Studielink*. A proof of placement that has not been accepted within 14x24 hours of the moment of transmission shall lapse unless the previously mentioned delay has occurred. If an issued proof of placement lapses, *Studielink* issues a proof of placement on behalf of the Executive Board to the next candidate who qualifies for this based on the ranking number.
3. If a candidate has not accepted a proof of placement in time or has refused or canceled it in error and still wishes to participate in the relevant program, they must send an email to that effect to the ESA Director without delay via [selection@tue.nl](mailto:selection@tue.nl).
4. The ESA Director takes a decision regarding the request referred to in the fourth paragraph. A request may be accepted if all of the following conditions are met:
  - a. It can be clearly demonstrated that the candidate was unable to accept the proof of placement within two weeks or the candidate accidentally rejected proof of placement or annulled it.
  - b. The candidate has submitted the application to be part of the degree program in question as soon as possible after the expiry of the acceptance deadline or after the accidental rejection or annulment.
  - c. A refusal to issue a proof of placement would be regarded as a case of extreme unfairness. If any places are still available, it is not necessary for the candidate to meet all these conditions.
5. If a request, as referred to in paragraph 4, is granted, the candidate receives a proof of placement for the academic year following that to which the enrollment application relates. The candidate can only be admitted to the academic year to which the enrollment application relates if any proofs of admission are still available for this year.
6. A proof of placement that has already been issued will expire if a candidate has accepted the proof of placement but subsequently withdraws the enrollment application before the start of the academic year to which the enrollment application relates. If the aforementioned candidate again applies for enrollment in the same degree program in subsequent years, the candidate must once again take part in the selection procedure.

## Article 9 Issue of proofs of admission

1. The Executive Board only issues proofs of placement for the number of available places within a degree program with limited capacity. In special circumstances (with the permission of the Ministry of Education, Culture and Science) it is possible to issue more proofs of placement than in the first instance on the condition that the total number of proofs of placement redeemed do not exceed the total number of places.
2. The Executive Board issues proofs of placement until all available proofs of admission have been accepted and all the candidates have demonstrated that they meet the prior-education requirements and further prior-education requirements as referred to in Article 10, or until August 15 at the latest.

3. On April 15, the Board of Directors issues ninety-five percent of the available proofs of placement for a degree program with limited capacity. The remaining five percent of the available proofs of placement are issued on a date falling between April 16 and August 15 to be determined by the ESA Director.
4. If, on April 15, less than ninety-five percent of the available proofs of placement have been issued, then the ESA Director may issue more proofs of placement as meant in the foregoing paragraph.

### **Article 10 Deadline for demonstrating (further) prior-education requirements**

A candidate who has received a proof of placement must demonstrate by August 31 at the latest that the prior-education requirements and further prior-education requirements are met. If the candidate fails to comply with this obligation, the proof of placement shall lapse.

### **Article 11 Candidate is unable to obtain a pre-university diploma**

1. Candidates who do not obtain their pre-university diploma or certificate and fail to meet the further prior-education requirements may submit a request to the ESA Director to cancel the participation opportunity (or opportunities) they have used. This request must be sent by email via [selection@tue.nl](mailto:selection@tue.nl).
2. The candidate must submit the request as referred to in the first paragraph as soon as possible, but in any event before September 1. The request will be dealt with no later than October 1.
3. Candidate who makes a request as referred to in the first paragraph must accompany this request with a supporting document proving that they have failed.

### **Article 12 Intake in a following year**

1. A candidate who, after accepting a proof of placement and completing the enrollment for a degree program, terminates the enrollment for the relevant program before March 1 of that academic year, may once again apply for enrollment in this program for a following academic year without having to participate in the selection procedure, on the condition that the candidate applies before May 1<sup>1</sup>. If the student has met the conditions for a positive recommendation (bsa), the candidate is enrolled in the second year of the degree program.
2. A candidate who has accepted a proof of placement for the same CROHO program at another institution, may submit an enrollment application for a higher year of the program for a following academic year. The application must be sent by email via [selection@tue.nl](mailto:selection@tue.nl) with one or more supporting documents proving that the candidate at least meets the requirements for a positive study recommendation for the same program.
3. The **Executive Board** can decide to refuse enrollment to those students who have not previously been enrolled in a degree program of the Tu/e. This decision can be taken if the educational capacity in the post-propaedeutical phase on a degree program is insufficient for unrestricted enrollment.

### **Article 13 Decision after objection**

1. The candidate may lodge an objection with the Executive Board against selection decisions.
2. The term for lodging an objection is six weeks.
3. If, following an objection, it is decided that a proof of placement will be issued to the candidate, this proof of placement shall apply to the academic year for which the enrollment application was submitted.
4. By way of derogation from the third paragraph, a proof of placement for the following academic year may be issued if:

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<sup>1</sup> See TU/e Regulations for Registration, Study Choice Check, Enrollment, and Termination of Enrollment.

- a. No more proofs of admission are available or will become available for the academic year to which the enrollment application relates;
- b. A decision is taken regarding the letter of objection after the beginning of the academic year, i.e. after September 1.
- c. The candidate requests a proof of placement for the following academic year.

**Article 14 Hardship clause**

In the event of special situations not provided for in these regulations, the ESA Director shall decide.

**Article 15 Entry into effect**

These regulations come into effect on October 1, 2022.

**Article 16 Short title**

These regulations are cited as the 'Centralized Selection and Placement Regulations for Numerus Fixus Programs Eindhoven University of Technology 2023-2024'.

Thus adopted by the Executive Board of Eindhoven University of Technology, at its meeting held on September 29, 2022.

## Explanatory notes

### General

Pursuant to Article 7.53 of the Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek, WHW*), the Executive Board (EB) may specify, for certain Bachelor's degree programs, the maximum number (*numerus fixus*) of students who can be enrolled for the first year of that program.

Regulations must be established for selecting these students, including qualitative selection criteria and a selection procedure. The present regulations are a centralized set of rules related to the general principles for selection (Article 2) and the specific aspects of registration and admission that are part of the main task of the university.

Candidates who register for a *numerus fixus* program must go through a selection procedure to determine who can be admitted to the program. The selection is based on at least two qualitative selection criteria. The actual selection is carried out separately for each *numerus fixus* program. Department regulations for each program have been drawn up for this purpose. These deal with the specific selection criteria and the implementation of the selection procedure, and include a provision for students from the overseas territories (Art. 3.4).

The procedure in case of fraud is elaborated further in the department regulations. The regulations may also provide for a procedure whereby a candidate can obtain more detailed information or explanation regarding the outcome of the selection and the assigned ranking number. This need not include a right of inspection or subsequent discussion, but it may offer a candidate the necessary clarity and help avoid (unnecessary) objections.

The centralized regulations and the department regulations will be presented in relation to one another, as far as possible, when providing information to candidates.

The provisions of the present regulations are based on the Registration and Admission Regulations for Higher Education (*Regeling aanmelding en toelating hoger onderwijs, RATHO*) with respect to the registration and admission for *numerus fixus* programs and the associated dates and deadlines. Insofar as necessary, an explanation of a particular article or part of it is provided below.

### Explanation by article

#### Article 4

It is only worthwhile for a candidate to register for a *numerus fixus* program if the candidate is attending the appropriate pre-university education (in line with the further prior-education requirement). This is not checked in advance, but information provided is intended to ensure that candidates are aware of this and avoid going through a pointless selection procedure. Whether or not a candidate has obtained the required pre-university diploma and met any further prior-education requirements is formally assessed at a later stage, when the final exam grades are known (see Article 10).

#### Article 4, paragraphs 3 and 4

A supporting document that the candidate must send in order to prove that the delayed application has been made as soon as possible after expiry of the deadline, is a copy/email from *Studielink* showing the date on which the registration was rejected. For this, candidates can send an email to themselves with the message that is displayed when trying to register after the deadline.

Delayed applications will be considered by the ESA Director if they have been submitted within 10 calendar days after January 15 (Article 4, paragraph 3, b).

#### Article 5, paragraph 2

Once the selection is complete, the institution prepares a list in which each candidate who has gone through the entire selection procedure receives a unique number. The ranking of candidates is relative to one another. This means that a candidate who has not participated in the selection procedures (or part of them) cannot be ranked and hence cannot be assigned a ranking number. Non-participation or partial participation

in the selection procedure results in exclusion from the selection and, in addition, the candidate is considered to have used up a participation opportunity.

**Article 5, paragraph 3**

A candidate who registers after the deadline but is nevertheless permitted to participate pursuant to Article 4, third paragraph, is not considered to have used up a participation opportunity if it appears that the candidate does not meet the prior-education requirements of Article 10.

**Article 5, paragraph 5**

In case of alleged fraud, one must proceed with the necessary care and the suspected candidate must be confronted with the identified fraud. Candidates will be given ample opportunity in advance to present their point of view ('hearing'), before the fraud is finally established. If possible, the procedure for handling fraud will be elaborated in the department regulations. Objections may be lodged against an exclusion decision due to fraud.

**Article 7**

If, during the selection procedure, the number of candidates is lower than or equal to the available number of places for the program in question, the remaining components of the selection procedure must be completed. The law allows no scope for terminating a selection procedure that is already underway.

**Article 8, paragraph 1**

The candidate with the lowest ranking number is the first to be allocated a place within the program. The proof of placement is immediately issued to those candidates whose ranking numbers fall within the specified quota. This is done via *Studielink*. Proofs of placement are issued from April 15 onwards, which means that it is not always possible to assess by then whether a candidate meets the admission requirements. After acceptance of a proof of placement, the candidate must demonstrate that the further prior-education requirements are met before being enrolled (Article 10).

**Article 8, paragraph 5**

If candidates do not accept the proof of placement (in time), or accidentally changes or annuls, their place is, in principle, forfeited to another student on the ranking list. The candidate may then submit a request to be admitted to the program by relying on the so-called 'hardship clause'. Upon acceptance of this request, the candidate will only be admitted to the program in a following academic year, unless there is a place available in the academic year to which the request relates. This is decided at the sole discretion of the ESA Director (on behalf of the EB).

**Article 9, paragraph 3**

It is prudent to reserve places for candidates who for any reason (e.g. illness, accident, etc.) might only get a place at a late stage (or after the deadline has expired), so as to prevent a situation where all the available places have already been allocated and no more places are available. Between January and September, the program may reduce the number of pre-reserved places. Using a percentage offers the advantage of not having to reserve an exact number of places each year for each program.

**Article 10**

In order to be admitted to a degree program, the candidate must meet the prior-education requirements. The candidate must be able to present supporting documents for this, e.g. a diploma.

**Article 12**

In case of intake in a following academic year, the enrollment is recorded administratively as a 'higher-year enrollment'. A student does not have to take part in the selection procedure again when the student re-enrolls for the same degree program. Of course, the conditions must be met, such as a positive binding recommendation on the continuation of studies (bsa) or not yet received a recommendation due to premature termination of enrollment. If the student has received a negative binding recommendation, the



rule applies that the student may not enroll in that degree program for the next three years (see Section 7.5 of the Bachelor's programs OER).

### Article 13

This article explains what happens when an objection is considered to be well-founded and a proof of placement is therefore issued to the candidate. In principle, this proof of placement is valid for the academic year to which the enrollment application relates, but this may not be possible under certain circumstances because, for example, no further places are available on the program. In such cases, by way of exception, a proof of placement may be issued to the candidate for the following academic year. This is set out in the fourth paragraph of this article.

This article does not specify the type of decisions against which objections can be lodged, because this follows from the General Administrative Law Act (*Algemene wet bestuursrecht*), the regulations and the decision itself. Within the context of the present Selection and Placement Regulations, objections may be lodged against the following decisions:

- Assignment of a ranking number based on the selection and the decision to issue a proof of placement
- Decision on whether or not the candidate can be admitted based on prior-education requirements
- Decisions based on the hardship clause (after a request following a late registration on January 15 and the decision on this regarding Article 4; after a request following a late acceptance of the proof of placement after April 15 and decision on this regarding Article 8).

It is important that the objection procedure, if any, be completed as soon as possible. If the candidate is proved right, it is best that the candidate is allowed to enroll in the same year.

The institution must inform the candidates that they should submit their letter of objection as soon as possible and refer them to the emergency procedure provided for in Article 7.63a, paragraph 4 of the WHW (applications for provisional arrangements).

**No decisions and not subject to objection and appeal:** the selection criteria, classification of the selection elements, expiry of specified deadlines such as the late acceptance of the proof of placement via *Studielink* (in which case, the proof of placement lapses automatically), and incidents during the selection procedure (complaints).