

DECISION 17 - 157

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of the Examination Appeals Board of Leiden University
in the matter of
the appeal of [name], appellant
against
the Board of the Faculty of Social and Behavioural Sciences, respondent

1. Origin and course of the proceedings

In a decision dated 4 May 2017, the respondent rejected the appellant's application to be admitted to the Master's Programme in Psychology, with a specialisation in Clinical Psychology ('master's programme').

The appellant sent a letter on 12 June 2017, which was received on 15 June 2017, lodging an appeal against the decision of the respondent dated 4 May 2017 (the contested decision). In short, the appellant argued that the level of her previous education is sufficient and that its curriculum corresponds adequately with the master's programme.

On 29 June 2017, the respondent investigated whether an amicable settlement could be reached. No amicable settlement was reached.

A letter of defence was submitted on 3 July 2017.

The appeal was considered on 6 September 2017 during a public hearing of a chamber of the Examination Appeals Board. The appellant appeared at the hearing, accompanied by [name]. [name], Clinical Psychology lecturer, and [name], study adviser, appeared on behalf of the respondent.

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2. Considerations with regard to admissibility

The appellant lodged a timely appeal against the decision of 4 May 2017 by means of the letter dated 15 June 2017. Furthermore, the letter of appeal also meets the requirements as stipulated in the General Administrative Law Act ("Awb", *Algemene wet bestuursrecht*) and the Higher Education and Academic Research Act ("WHW", *Wet op het hoger onderwijs en wetenschappelijk onderzoek*). Consequently, the administrative appeal is admissible.

3. Relevant legislation

As far as relevant, the Course and Examination Regulations ("OER", *Onderwijs en examenregeling*) of the Master's Programme in Psychology state the following:

5.2.1 Pursuant to Article 7.30b, (1), of the Act, holders of one of the following degrees may be admitted to the programme and one of its specialisations: a Bachelor's degree from the BSc programme in Psychology at Leiden University with the appropriate specialisation course for the chosen specialisation.

5.2.2 The Board of Admissions may, on request, admit persons to the programmes who do not meet the requirements specified in 5.2.1 but who can demonstrate to the satisfaction of the Board of Admissions that they possess the same level of knowledge, understanding and skills as holders of a degree specified in 5.2.1, possibly under conditions to be further determined, without prejudice to the conditions specified in 5.2.4. (...)

5.2.4 Persons with a bachelor's degree or an equivalent degree from an academic university who possess the skills, understanding and knowledge that are required for earning the bachelor's degree referred to in Article 5.2.1; more specifically the knowledge on university level of the following topics:

- Introduction to Psychology
- Social and Organisational Psychology
- Personality Psychology
- Cognitive Psychology
- Neuropsychology and/or Psychophysiology and/or Biopsychology
- Clinical and Abnormal Psychology
- Developmental and Educational Psychology

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- Theory or training in interpersonal skills, such as interview, counselling, discussion techniques.
- Theory or training in Psycho Diagnostics
- Advanced courses (at least 30 ECs) at third-year bachelor's level on topics pertaining to the preferred masters specialisation within the MSc in Psychology.
- have sufficient knowledge of Methods and Statistics (at least 20 ECs): introductory and more advanced courses in methods and statistics of psychological research (including psychometrics, multivariate data analysis) and the use of SPSS.
- have earned a university bachelor's degree
- have proof of thorough proficiency in written and spoken English, e.g. by means of an IELTS score of 7 or a TOEFL score of 100/250/600 or equivalent (for non-native speakers of English) with at least an IELTS score of 6.5 on partial scales of this test and at least a TOEFL score of 22 (reading), 22 (listening), 22 (speaking) and 25 (writing) on partial scales of this test.

4. Considerations with regard to the dispute

In accordance with article 7.61, paragraph two, of the WHW, the Examination Appeals Board must consider whether the contested decision contravenes the law.

It has been established that the appellant was awarded a Sarjana I diploma (bachelor's) in Psychology in Indonesia.

Article 5.2.1 of the OER states that direct admission to this master's programme is only possible with a Bachelor's diploma in Psychology from Leiden University. Since the appellant does not have this diploma, she does not qualify for direct admission. The request to be admitted must therefore be assessed on the basis of the requirements stipulated by the OER.

The respondent explained in the letter of defence and at the hearing that - and why - the appellant does not meet the requirements set out in article 5.2.4 of the OER based on her diploma. The Admissions Office has classified the appellant's previous education and the diploma that was awarded to the appellant to be a bachelor's diploma at the level of a university of applied sciences in the Netherlands. The Examination Appeals Board stated that NUFFIC also classified the Sarjana I diploma as comparable to a bachelor's at the level of a university of

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applied sciences or somewhat comparable to a bachelor's at university level, dependent on the orientation of the programme.

The Examination Appeals Board therefore holds that the respondent is justified in refusing the appellant admission to the master's programme based on the inadequate level of her previous education. Furthermore, she has obtained too few course components in the areas of psychology, methods and statistics. This was not contested as such by the appellant.

At the hearing, the respondent clarified that a pre-master's programme, with which the current deficiencies could be eliminated, is only offered in Dutch. Furthermore, in the meantime, an International Bachelor's in Psychology (taught in English) is now offered. However, it is not possible to study only specialised course components.

The Examination Appeals Board drew the appellant's attention to the proposal suggested at the hearing by the respondent, that the appellant could inquire which courses she could take at the Open University, as a replacement for the pre-master's programme. Prior to starting the Open University programme, she could agree the programme with the Board of Admissions of the Master's Programme in Clinical Psychology Master's Programme so that, after successfully completing these courses, she could be admitted to the Clinical Psychology Master's Programme at Leiden University.

In view of the above, the Examination Appeals Board holds that, in reaching the contested decision based on the motivation to reject the admission of the appellant the respondent has not contravened the law. Since there are no other grounds for the Examination Appeals Board to annul the contested decision, the appeal must be held unfounded.

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5. The decision

In view of article 7.61 of the Higher Education and Academic Research Act,
the Examination Appeals Board of Leiden University

holds the appeal **UNFOUNDED**.

Established by a chamber of the Examination Appeals Board, comprised of
O. van Loon, LL.M., (Chair), Dr. J.J.G.B. de Frankrijker, Dr. A.M. Rademaker,
M. Heezen and G. Boogaard, LL.M., (members), in the presence of the Secretary
of the Examination Appeals Board, M.S.C.M. Stoop-Van de Loo, LL.M.

O. van Loon, LL.M.
Chair

M.S.C.M. Stoop-Van de Loo, LL.M.
Secretary

Certified true copy,

Sent on: