

Examination Appeals Board

DECISION 17 - 354

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

The appellant sent a letter on 20 October 2017 which was received on 26 October 2017, to lodge an appeal against the decision of the respondent of 20 September 2017, rejecting the appellant's application for admission to the Master's Programme in Psychology, with specialisation in Economic and Consumer Psychology.

In short, the appellant argued that she has a Doctorate in 'Mechatronics Engineering' and would like to become a Project Manager in future. To this end, she wishes to broaden her knowledge of management, economics and consumer psychology. The appellant deems that she has the required expertise to be admitted, based on her PhD programme at TU Delft, although she does not possess the proper diplomas.

The parties have had discussions to try and reach an amicable settlement. However, this did not result in the appeal being withdrawn.

A letter of defence was submitted on 29 November 2017. It stated that the appellant's previous education, Mechatronics Engineering, substantially deviates with regard to substance and curriculum from the requirements for admission to the master's programme.

The appeal was considered on 6 December 2017 during a public hearing of a chamber of the Examination Appeals Board. The appellant did not appear, although she had been properly summoned. [name], appeared on behalf of the respondent.

2. Considerations with regard to admissibility

The appellant lodged a timely appeal against the decision of 20 September 2017 by means of the letter dated 20 October 2017 that was received by the Examination Appeals Board on 26 October 2017. Furthermore, the letter of appeal also meets the requirements as stipulated in the General Administrative Law Act (*Algemene wet bestuursrecht*, “Awb”) and the Higher Education and Academic Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*, “WHW”). Consequently, the administrative appeal is admissible.

3. Relevant legislation

As far as relevant, the Course and Examination Regulations (“OER”) of the Master's Programme in Psychology state the following:

5.2.1 Pursuant to Article 7.30b, first paragraph, 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 programme BSc in Psychology of Leiden University.

5.2.2 The Board of Admissions may, on request, grant admission to the programmes to persons 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 an equal level of knowledge, understanding and skills as the holders of a degree specified in 5.2.1, possibly under conditions to be further determined, without prejudice to the requirements in 5.2.4.

5.2.4 Persons with a bachelor's degree from a university programme or an equivalent degree who possess the skills, understanding and knowledge that are required for earning the bachelor's degree referred to in Article 5.2.1; more specific 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
- theory or training in interpersonal skills, such as interview, counselling, discussion techniques.
- theory or training in psycho diagnostics
- advanced courses (at least 30 ECs) on a third year Bachelor level on topics pertaining to the preferred master specialisation within the MSc Psychology.
- and

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- o have sufficient knowledge of Methodology and Statistics (at least 20 EC): introductory and more advanced courses in methodology and statistics of psychological research (including psychometrics, multivariate data analysis) and the use of SPSS.
- o have earned the degree of Bachelor at a university.
- 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

The appeal relates to the decision of 20 September 2017 which rejected the appellant's application for admission to the Master's programme in Psychology, with a specialisation in Economic and Consumer Psychology.

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 was established that the appellant completed her Doctor's Degree at TU Delft in the field of Mechatronics Engineering. It is not disputed that the appellant does not possess a bachelor's or master's diploma in Psychology.

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. In view of her previous education she has too many deficiencies compared to what is provided in the Bachelor's Programme at Leiden University. She has a general lack of previous knowledge in the field of Psychology and, furthermore, there are no other aspects in common with her previous education.

No pre-master's is currently available in the Dutch language, and, moreover, the appellant would not qualify for such programme in view of the established deficiencies of over 60 study credits.

The respondent was right to assess the appellant's work experience as doctoral candidate as insufficient to compensate for the established deficiencies, since this little or nothing in common with psychology. Considering this, the respondent has rightfully refused the appellant admission to the master's programme.

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Since that the Examination Appeals Board has not been informed of any other facts or circumstances that could lead to an alternative decision, the appeal must be held unfounded.

4. 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, LLM, (Chair), C. de Groot, LLM, Dr K. Beerden, D.E. Mulder, LLM BA, and M. Heezen (Members), in the presence of the Secretary of the Examination Appeals Board, W.J. de Wit, LLM.

O. van Loon, LLM
Chair

W.J. de Wit, LLM
Secretary

Certified true copy,

Sent on: