

**DECISION 20 - 536**

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of the Examination Appeals Board of Leiden University

in the matter of the appeal of

[name] from [place], appellant

against

The Board of the Faculty [X], respondent.

**The course of the proceedings**

The appellant requested the respondent to be admitted to the Master's Programme in [X], with a specialisation in [X] (hereinafter to be referred to as “the Programme”) by 1 February 2021.

The respondent rejected the appellant’s request in a decision of 15 December 2020.

The appellant sent a letter on 28 December 2020 to lodge an administrative appeal against this decision.

The respondent informed the Examination Appeals Board that it investigated whether an amicable settlement could be reached between the parties. A meeting was held between the parties on 13 January 2021. No amicable settlement was reached.

The respondent submitted a letter of defence on 22 January 2021.

The appeal was considered on 3 February 2021 during an online hearing. The appellant attended that hearing. [name], Study Advisor/Education Coordinator attended the hearing on behalf of the respondent.

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**Considerations**

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1 – Facts and circumstances

In 2010, the appellant completed a Bachelor's Programme in [X] at the [X]. She was also awarded a Master of [X] degree in the field of [X] at [name] University in [place].

2 – The position of the respondent

According to the respondent, the prior education of the appellant does not meet the admission requirements as stipulated in the Course and Examination Regulations (Onderwijs- en Examenregeling, hereinafter: OER). The prior education is not adequate in respect of substance and level: it lacks course units in the field of [X].

The letter of defence argues on behalf of the Board of Admissions that the degree programme followed by the appellant is not equivalent to the bachelor's programme at Leiden University. In order to be admitted to the Programme based on Article 5.2.1 of the OER, the minimum requirement is 30 ECTS achieved in advanced course units at 3<sup>rd</sup>-year level of the Bachelor's Programme in [X] in the field of [X].

Following the appeal, the Admissions Office evaluated the documents that were submitted by the appellant once more. The course units the appellant says she has completed in the field of [X] do not meet the 30 ECTS requirements stipulated in Article 5.2.1. of the OER, according to the Admissions Office. The Master's Diploma in [X] she was awarded does not contribute to the requirements either. Nor do the internship she completed and the programme's accreditation compensate for the lack of required ECTS.

The Admissions Office has evaluated the Bachelor's Programme in [X] attended by the appellant at the [X] at a level that is equivalent to a Dutch diploma from a university of applied [X] (HBO). This diploma does not comprise course units in the field of [X] that are in line with the Bachelor's Programme in [X] at Leiden University. The [name] University (University of [X]), at which she completed the Master's Programme in [X], is a "research university" according to the Admissions Office. However, this diploma does not comprise the relevant course units in the field of [X].

The additional information submitted by the appellant following the meeting to explore an amicable settlement did not give the Board of Admissions grounds to

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alter its assessment. Only course unit [X] comprises components in the field of [X]. All other course units are in the field of [X].

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At the hearing, it was argued on behalf of the Board of Admissions that the documents submitted by the appellant and the explanation she gave at the hearing demonstrate that she is highly motivated to attend the Programme. However, the Board of Admissions holds that this does not alter the fact that she was not shown to have followed sufficient [X] (at least 30 ECTS) in the field of [X] in her prior education. The Board of Admissions considered the overview of attended topics submitted by the appellant at length and has discussed this with the Admissions Office. This did not lead the Board of Admissions to reach an alternative decision. This was discussed comprehensively with the appellant in the meeting to explore an amicable settlement and she was advised to consider attending a pre-master's programme. However, such programmes are only taught in Dutch.

**3 – The grounds for the appeal**

The appellant does not agree with the refusal of admission to the Programme. She holds that the programme in [X] she attended at the [X] comprises sufficient in-depth course units in [X] that she completed in order to attend the Programme in Leiden successfully. The [X] programme has been accredited by the [X], [X] ([X] in [X]) and [X] ([X]).

She completed the [X], [X], [X], and [X] course units successfully. These course units refer to [X] at the level of the [X] specialisation course units of the third year of the Leiden Bachelor's Programme in [X]. She also included a statement by her lecturer at [X], [name], who elaborates on the [X] course units.

Her bachelor's programme also included a [X] internship that she completed with at least 150 hours of participation. During the internship, she studied the work of [X] and [name]. She assisted [name] during the internship in interviewing clients and writing reports. She also assisted at the [X] for [X].

She holds that the accreditation ensures that the depth in the field of [X] course units is sufficient. She also submitted a report by [X] on International Diploma Assessment of the diploma she was awarded in 2012 by [name] University in the [X] programme. This was the programme in which she obtained her Master of [X] degree. Furthermore, it was demonstrated that she was awarded the Bachelor of [X] (Honours) degree in the field of [X] ([X]) at the [X] in 2010.

At the hearing she stated that, although the bachelor's programme she attended is not equal to the Leiden Bachelor's Programme in [X], it is indeed a research

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#### 4 – Relevant legislation

The Course and Examination Regulations of the Master's Programme in [X] 2020-2021 stipulate, in as far as relevant here:

##### Article 5.2.1

Pursuant to Article 7.30b (1) of the Act, holders of one of the following degrees or persons who have successfully completed the following prescribed pre-master's programme may be admitted to the programme and one of its specialisations:

a) a Bachelor's degree from the programme BSc in [X] of Leiden University with the appropriate specialisation course for the chosen specialisation.

b) Persons with a bachelor's degree or an equivalent degree from a university who possess the skills, understanding and knowledge that are required for earning the bachelor's degree referred to in Article 5.2.1a. Alongside the requirements specified in 5.2.1a and 5.2.2, the following admission requirements apply for the programme pursuant to Article 7.30b (2) of the Act, more specifically the knowledge on university level of the following topics:

- introduction to [X]
  - social and organisational [X]
  - personality [X]
  - cognitive [X]
  - [X] and/or [X] and/or [X]
  - clinical and abnormal [X]
  - developmental and educational [X]
  - theory or training in interpersonal skills, such as interview, counselling, discussion techniques.
  - theory or training in [X] diagnostics
  - advanced courses (at least 30 EC) on a third year Bachelor level on topics pertaining to the preferred master specialisation within the MSc [X]
  - have sufficient knowledge of Methodology and Statistics (at least 20 EC): introductory and more advanced courses in methodology and statistics of [X] research (including [X], multivariate data analysis) and the use of [X].
- c) a prescribed pre-master's programme pursuant to article 5.4.1.

##### Article 5.2.2

The Board of Admissions may, on request, admit persons to the programme 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,

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5 - Considerations with regard to the dispute

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In accordance with article 7.61, paragraph two, of the Higher Education and Academic Research Act (*Wet op het Hoger Onderwijs en Wetenschappelijk Onderzoek*; WHW), the Examination Appeals Board must consider whether the contested decision is contravenes the law.

The Examination Appeals Board considers that the contested decision only states limited grounds as to why the appellant cannot be admitted to the Programme. It states that the prior education comprises insufficient course units in the field of [X].

At the hearing, the respondent stated that it has indicated comprehensively to the appellant in the meeting to reach an amicable settlement on 13 January 2021 why the prior education attended by the appellant does not have sufficient common ground with the required level of [X]. At the hearing, the respondent stated that the information submitted by the appellant after this meeting did cause the Board of Admissions to alter its decision. Only the [X] course unit comprises a component in the field of [X]; the other course units are more in the field of [X]. As such, the Examination Appeals Board holds that the respondent made it sufficiently clear why it reached the decision that the appellant does not meet the requirements set for admission to the Programme in Article 5.2.1. of the OER. The Examination Appeals Board seconds this position of the respondent.

Furthermore, the respondent indicated that the appellant's internship and additional experience are not relevant to the admission criteria. The Examination Appeals Board understands this position of the respondent as follows: the respondent holds that the documents submitted by the appellant do not demonstrate that she has the same level of knowledge, insight, and skills as those that meet the criteria set in Article 5.2.1 under (a) and (b). The Examination Appeals Board seconds the position of the respondent and deems it to be correct.

In view of the above, the Examination Appeals Board reached the conclusion that the appeal is unfounded and that the contested decision must be upheld.

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**The decision**

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The Examination Appeals Board of Leiden University

- I. holds the appeal unfounded,
- II. upholds the contested decision,

in view of article 7.61 of the Higher Education and Academic Research Act.

Established by a chamber of the Examination Appeals Board, comprised of K.H. Sanders, LL.M. (Chair), Dr C. de Groot, Dr J.J. Hylkema, Z.I. de Vos, LL.B., and J.J. Christiaans (members), in the presence of the Secretary of the Examination Appeals Board, I.L. Schretlen, LL.M.

K.H. Sanders, LL.M.  
Chair

I.L. Schretlen, LL.M.  
Secretary

Certified true copy,

Sent on: