

ADVICE

- Case number:** CBB-S/2023-034
- Objector:** [REDACTED]
- Respondent:** Executive Board
- Contested decision:** the decision of 15 April 2023, setting the ranking number for the decentralised selection procedure for the bachelor's programme in Psychology
- Hearing:** 8 May 2023

The Chamber for Student Affairs of the Appeals and Objections Committee (hereinafter: the Committee) is charged with advising the Executive Board in respect of the present dispute pursuant to the provisions of Article 33 of the Administration and Management Regulations of Leiden University (*Bestuurs- en beheersreglement van de Universiteit Leiden*). This chamber comprises the following persons:

- [REDACTED], Chair,
- [REDACTED], member,
- [REDACTED] member,
- [REDACTED], Secretary

1. Course of the proceedings

On 15 April 2023 the respondent informed the objector that he was assigned rank number 1422 in the decentralised selection procedure for the Bachelor's Programme in Psychology (hereinafter referred to as "the Programme") for the 2023-2024 academic year.

On 24 April 2023, the objector sent a letter of objection against this decision.

The respondent submitted a letter of defence on 2 May 2023. The letter contained a response to the objection.

The objection was considered on 8 May 2023 during a hearing of the Committee. The objector attended the hearing online. On behalf of the respondent, the following persons appeared at the hearing: [REDACTED], and [REDACTED] both Admission Officers of the Bachelor's Programme in Psychology.

On 9 May 2023, it was notified on behalf of the respondent that the objector's final average GPA had been recalculated by Admissions Office at 6.5 instead of 6.0. As a result, the objector was then assigned ranking number 1057 in the selection procedure. The objector raised further questions about this with the respondent, to which the respondent replied.

2. Considerations

It is disputed whether the respondent assigned the objector ranking number 1057 (after recalculation) in the selection procedure for the Programme on proper grounds. Assigning this ranking number makes the objector's eligibility for admission to the Programme uncertain.

The objector has already obtained a bachelor's degree with a final average grade of 3.6/4.0 from Middle East Technical University. Based on this bachelor's diploma, he wants to be admitted to the Programme. In his prior education, he studied subjects such as Psychology, Mathematics, Statistics, and Biology in English. According to him, these study results reflect his academic skills better than his high-school results. Student Education Affairs informed him on 23 February 2023 that he qualified for direct admission to the Programme based on his degree. This is why he does not understand why he was not admitted, or rather, not admitted directly. On 17 April 2023, the Selection Committee informed him that the selection process will be based on the average final grade of high school education. He believes the result of the bachelor's diploma he obtained is a better indicator of whether he qualifies for the Programme. The objector also holds a

master's degree in law and believes he should be awarded an extra point for this in the selection procedure, as happened with pre-university candidates.

He also said his average final grade from high school had not been properly converted. He had a score of 4.14/5.0. According to him, that would equate to an 8.28/10.

The Programme has an enrolment restriction. A maximum of 600 full-time students will be allowed in study year 2023-2024. Decentralised selection will take place. The Leiden University Regulations for Selection & Placement for the Bachelor's programme in Psychology (*Selectie & Plaatsing Universiteit Leiden Bacheloropleiding Psychologie*; "the Selection Regulations") set out the selection criteria and define the selection procedure.

Article 7, paragraph 1, of the Selection Regulations states that selection will be made on the basis of:

- Average grade point average (GPA)
- Result of the on-line assessment.

Article 7, paragraph 5, of the Selection Regulations states that the ranking number will be determined on the basis of:

- 60% Average grade for final examination subjects (GPA),
- 40% Result of the online assessment.

The respondent sees no reason to review the contested decision. The objector scored 81 out of 100 points in the online assessment (the average was 76 points). His grade-point average from high school is 6.5 (the average was 6.8). This leads to ranking number 1057. Under the Selection Regulations, the high school grade point average will be used for all applicants to the programme. Deviation from the selection criteria leads to legal inequality, which is why the respondent is very reluctant to do this.

The Committee notes that the legislature has granted the respondent ample discretion with regard to decentralised selection and the particular qualifications, selection criteria and instruments to be taken into account. Selection will be made on the basis of objective selection criteria established beforehand by the

respondent. The choice of these criteria is based on the respondent's aim to treat all candidates in the same manner as far as possible. This is also why secondary school grades were chosen and no account is taken of, for example, having already completed a college or university bachelor's degree. After all, not all potential students are in a position to attend more than one bachelor's programme. Also, high school grades give a better indication of a student's study success than, bachelor's grades, if only because a student makes a conscious choice for a particular bachelor's programme, and high school also requires students to take subjects with which they may have less affinity. Based on these criteria, 600 candidates will be admitted to the Programme.

On behalf of the respondent, it was stated at the hearing that the Admissions Office converted the final grades of the objector's high school. In doing so, it considered the institution and the distribution of grades (what percentage of students receive a particular grade). Finally, the Admissions Office recalculated the grade point average at 6.5 instead of 6.0. Furthermore, it was stated on behalf of the respondent that it is correct that the objector is admissible to the programme on the basis of his diploma, but this is not relevant to the subsequent selection procedure. Last academic year, candidates up to ranking number 1100 were finally placed in the Programme.

The Committee points out that the objector himself chose to participate in the selection procedure for the Programme, as organised by Leiden University. This is subject to the requirements set for it in the WHW (Higher Education and Research Act), the OER (Course and Examination Regulation) and the Selection Regulations. This includes the fact that the final high school grade point average (GPA) accounts for 60% in the selection procedure.

During the hearing, the objector indicated that the Selection Committee did not sufficiently take into account the degrees he has already obtained, and his work experience, and the fact that he had taken several course units in psychology.

The Committee considers that this applies to several candidates and that the respondent was correct in seeing no reason to deviate from the selection criteria since this would lead to legal inequality. Special circumstances, as referred to in Article 12 of the Selection Regulations, were not demonstrated to the Committee.

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This leads the Committee to conclude that the contested decision, as amended by the decision of 9 May 2023, can be upheld by the decision on the objection. This means the objector's ranking number remains 1057.

The Committee would like to emphasise that this does not mean that the objector was not considered suitable for the Programme, but that, based on the selection method used by Leiden University, he has been given a ranking number, which is likely to put him outside the group that can be admitted to the Programme. The word 'likely' is used, because candidates who are eligible for admission based on their ranking number may choose not to attend the Programme after all. In that case, the respondent will still admit students up to 31 August 2023.

3. The advice

The Chamber for Student Affairs of the Appeals and Objections Committee advises the Executive Board to uphold the contested decision.

Leiden, 24 July 2023

On behalf of the Committee,



Chair



Secretary