

# Student Charter Aeres University of Applied Sciences

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## Introduction

This Student Charter has been drawn up on the basis of the provisions set out in [article 7.59](#) of the Higher Education and Scientific Research Act (HESRA). This Charter contains the rights and obligations of students enrolled at Aeres University of Applied Sciences.

By laying down the rights and obligations of students in a Student Charter, students easily gain a full insight into their legal status.

In addition to laying down rights and obligations that relate to the personal interest of the student, the Charter also contains regulations aimed at the proper functioning of the student in relation to his/her environment.

The Student Charter Aeres University of Applied Sciences applies to all students of the Bachelor's programmes, the Associate Degree programmes and the Master's programmes of the University of Applied Sciences.

As part of this Student Charter, Aeres University of Applied Sciences has two Teaching and Examination Regulations (TER) for the Wageningen faculty. There is one TER that applies to all Bachelor's and AD programmes and one that applies to the Master's programme

The faculties of Dronten and Almere have one TER that includes Bachelor's, AD, and Master's programmes.

These Education and Examination Regulations lay down procedures, rights and obligations with regard to education and examinations. [Article 7.13](#) of the HESRA describes what a TER must comply with.

In this document, 'he' or 'him' can also be read as 'she' or 'her'.

## **Chapter 1 GENERAL PROVISIONS**

### **1.1 Establishment and amendment of the Student Charter**

#### 1.1.1

This Students Charter, hereinafter referred to as Charter, has been drawn up on the basis of the provisions set out in article 7.59 of the HESRA.

#### 1.1.2

The Charter is established annually by the Executive Board of the institution, with due observance of the provisions in the representative bodies of Aeres University of Applied Sciences.

#### 1.1.3

The provisions of the Charter are only valid if and insofar as they do not conflict with the provisions of the law. Where these arrangements are amended, the relevant provisions in the Charter are deemed to have been amended accordingly.

#### 1.1.4

If, as a result of decisions of the Executive Board, parts of the Charter no longer comply with these decisions, the Charter will be amended.

### **1.2 Contents of the Charter**

#### 1.2.1

The legal status of students who have enrolled at Aeres University of Applied Sciences is regulated in the Charter by a description of the rights and obligations that apply.

#### 1.2.2

The rights and obligations of the students arise from this:

the laws and regulations that apply to them, in particular the HESRA;  
the regulations and rules of the faculties of Aeres University of Applied Sciences, including this Charter (see annexes for an overview of these regulations and rules).

#### 1.2.3

In addition to the description of the rights and obligations referred to in article 1.2.2, this Charter contains concise information on the structure of the study programme(s), the organisation and implementation of the education, the educational facilities and the study career/phase supervision/mentorship.

### **1.3 Publication and evaluation**

#### 1.3.1

The text of the Student Charter is available on the internet and on the intranet of the various faculties of Aeres University of Applied Sciences.

#### 1.3.2

If the Student Charter is changed during an academic year, the student will be informed by means of an announcement on the intranet of the various faculties of Aeres University of Applied Sciences.

#### 1.3.3

An interim amendment of the Student Charter is established in consultation with the various faculty student councils and after approval of the representative bodies of Aeres University of Applied Sciences.

#### 1.3.4

The University of Applied Sciences is responsible for the annual evaluation of the Student Charter. After evaluation, any adjustments will be made, after which the procedure of establishment by the Executive Board, advice by the study programme committee(s) and approval by the representative bodies of Aeres University of Applied Sciences will be followed as described in article 1.1.2.

## **Chapter 2 INFORMATION**

### **2.1 Information for prospective students**

#### 2.1.1

The faculties will ensure that, prior to enrolment, prospective students have access to all information relevant to their enrolment in one of the study programmes at Aeres University of Applied Sciences.

#### 2.1.2

This information includes at least the following:

- a. the qualification requirements and other conditions for enrolment and admission;
- b. the overall outline of the study programme;
- c. the costs associated with the study programme;
- d. facilities for students with a disability;
- e. any facilities for non-Dutch-speaking students.

### **2.2 Information for students**

#### 2.2.1

The faculties will ensure that students have access to all information relevant to the study programme for which the student is enrolled.

### **2.3 Details of the individual student**

#### 2.3.1

Every student has the right to view the data in the administration of Aeres University of Applied Sciences concerning his/her person and/or study progress.

#### 2.3.2

By enrolling, students give their consent to the collection, storage and correction of their personal details, i.e. name and address, study progress, as well as necessary data concerning parental authority or guardianship. These details will only be provided to third parties to the extent that Aeres University of Applied Sciences is legally obliged to do so (e.g. passing on study progress to DUO).

#### 2.3.3

By enrolling, the student gives permission for the internal publication of name, photo, email and correspondence address on lists and/or the intranet. This unless the student lodges a substantiated objection.

#### 2.3.4

Personal details of the student, not being details as referred to in 2.3.2, which are recorded in minutes of student meetings or study progress meetings, or in notes of individual conversations, are for internal use only; this information is only shared with those directly concerned.

#### 2.3.5

In all cases, the disclosure of personal details as referred to in 2.3.2 and 2.3.4 or the disclosure of such details to third parties is only permitted with the prior consent of the student concerned. These details will be treated confidentially. An exception to this is the annual provision of e-mail addresses for the National Student Survey (NSE) and the survey for the HBO Monitor.

## **2.4 Announcements to students**

### 2.4.1

Students are expected to take note of the announcements regarding timetables, examinations/examinations and other educational matters made via the usual means of publication within the faculty, including the intranet, newsletters and email.

### 2.4.2.

When Aeres University of Applied Sciences sends announcements to students by post, these will be sent to the registered postal address.

### 2.4.3.

Students are responsible at all times for keeping their registered addresses up to date in the student tracking system. If addresses have to be changed, the student must do this him/herself via Studielink.

## Chapter 3 ENROLMENT

### 3.1 Admission

#### 3.1.1

Those who wish to enrol as students at Aeres University of Applied Sciences will, in principle, be admitted when the legal prior education requirements have been met.

#### 3.1.2

The student is obliged to submit a copy of the diploma/certificate, the corresponding marks list of the required previous education and a valid proof of identity<sup>1</sup> to the relevant administrative departments of the faculties of Aeres University of Applied Sciences prior to commencement of the study. Students with a nationality other than Dutch must also have a valid residence document.

The various faculties of Aeres University of Applied Sciences may require additional documents in order to determine admission.

#### 3.1.3

A holder of a foreign diploma which the Faculty Board determines can be regarded as at least equivalent to the statutory admission requirements may also be admitted. However, the student must demonstrate sufficient command of the Dutch or English language, depending on the language in which the study programme is offered. The specific level is shown in the Teaching and Examination Regulations of the programme concerned.

#### 3.1.4

Those who do not meet the prior education requirements may in some cases (see HESRA articles [7.25](#) and [7.29](#)) be admitted if the assessment of abilities and personal characteristics are such that there is a reasonable chance of successfully completing the programme. In that case there will be an admission examination. The requirements for this examination are included in the Teaching and Examination Regulations of the study programme or group of study programmes concerned.

#### 3.1.5

When a student, despite a shortcoming in the prior education requirements, is admitted, he/she may be required to follow a supplementary study plan in addition to the regular curriculum. If the student fails to achieve the agreed results, the management may give him a negative binding study advice ([HESRA, art. 7.25, section 4](#)) after the expiry of the agreed term of the supplementary study plan.

#### 3.1.6

A student with a disability may use of extra resources insofar as these are within reason. This is set out in more detail in separate regulations for each faculty.

#### 3.1.7

Admission of students with disabilities may be refused if the nature of the disability is such that there is no real professional perspective and/or if it is not possible to achieve the objectives of the educational programme with reasonable additional resources.

#### 3.1.8

The decision on admission shall in all cases be taken by the board of the faculty concerned.

### 3.2 Enrolment procedure

#### 3.2.1

The prospective student must register digitally via Studielink.

#### 3.2.2

Current students must re-enrol via Studielink at the indicated time each year.

#### 3.2.3

The student will receive a proof of enrolment after he/she has paid the tuition fees due or has signed an authorisation to debit these monies.

#### 3.2.4

In connection with the implementation of the Linking Act, every student must submit a copy of his/her passport or other valid residence document to prove that he/she is residing lawfully in

the Netherlands. If a GBA verification has been received via Studielink, this obligation may be waived.

### 3.2.5

Students enrolled during the course of the academic year, pay one twelfth of the tuition fee due for each month of the remaining part of the academic year. This interim enrolment is only possible with the permission of the faculty board concerned.

### 3.2.6

If the student is enrolled during the course of the academic year and has already paid tuition fees for that academic year, he/she pays a twelfth part of the difference between the tuition fees and the tuition fees paid for each month of the remaining part of the academic year.

## **3.3 Rights and obligations**

### 3.3.1 Rights

Enrolment at Aeres University of Applied Sciences gives the student the following rights:

- a. participation in learning units/modules of the curriculum in accordance with the provisions of the relevant Teaching and Examination Regulations. This participation includes conclusion of units/modules by means of examinations, tests, assignments and assessments;
- b. access to buildings within set opening hours;
- c. use of media library, student workstations, labs and equipment according to current agreements, as agreed upon or to be agreed upon with the administrators and/or lecturers;
- d. study career/phase guidance/mentorship as mentioned in chapter 8, article 1 and student deanery;
- e. Right to vote for the student councils;
- f. In case of a decision to terminate the study programme by the Minister or the Executive Board of the institution: the possibility to complete the study programme within a reasonable period of time at the same or another institution.

### 3.3.2 Conduct agreements

The student behaves according to the rules of the University of Applied Sciences. These include, among others:

- a. a student behaves to the outside world like an ambassador of the University of Applied Sciences
- b. students may be addresses concerning actions, also in the context of student organisations and student society in the place of establishment, which harm the image of the University of Applied Sciences
- c. have an open approach to and respect for the foundations of institutions, schools and companies, pupils, students and staff; where learning takes place during workplace learning, internships or in projects,
- d. a positive attitude towards care for the environment and safety;
- e. use of grounds and buildings of the University of Applied Science according to their designated use;
- f. care in the use of equipment and objects owned by the University of Applied Sciences or third parties; in the event of loss, destruction or damage, the resulting damage will be recovered from the perpetrator(s);
- g. no smoking and no use of drugs in the buildings,
- h. Care in the use of digital communication and ICT tools. Its use must not be offensive or obstructive to fellow students or third parties. More information is available in the Code of Conduct Internet, email and social media use, annex 03 to this Charter.
- i. an obligation to make every effort to complete the study within the nominal duration of the study.

3.3.3. The rules referred to in 3.3.2. are partially written and partly unwritten.

### **3.4 Sanctions**

#### 3.4.1

In accordance with article 7.57h of the HESRA, the Executive Board can issue regulations and take measures to maintain the smooth running of the University of Applied Sciences. <http://wetten.overheid.nl/BWBR0005682/Hoofdstuk7/Titel3/Paragraaf5/Artikel757h/>

#### 3.4.2

The measures that can be taken by the authorised authority in the event of a violation of the rules, after completion of a procedure, are: warning, reprimand or denial of access to the grounds and buildings or lessons of the University of Applied Sciences; the latter measure for a maximum period of one year.

#### 3.4.3

In cases of an urgent nature, without going through a procedure, the management may, by way of an orderly measure, deny a student access to the grounds and buildings of the University of Applied Sciences for a period of no more than two weeks, to be extended no more than once.

#### 3.4.4

A student may be permanently removed from the study programme (or denied access) if, due to the student's behaviour and remarks, he/she has shown to be unsuitable for the program or for the profession to which it is being trained. This is described in further detail in [article 7.42a](#) of the HESRA.

### **3.5 Termination of enrolment**

#### 3.5.1 (see HESRA [art. 7.42](#))

The enrolment will be terminated at the student's request:

- a. after a digital request to terminate enrolment via Studielink of the student;
- b. according to the rules of the current version of the HESRA;
- c. if a student terminates his/her enrolment during the propaedeutic phase, the procedures laid down in the Teaching and Examination Regulations will be applied per faculty in the event of renewed enrolment.

#### 3.5.2 (see HESRA [art. 7.48](#))

Upon termination of the enrolment, part of the statutory tuition fees may be refunded with due observance of the following points:

- a. a refund will only be granted after a digital request to terminate enrolment by the student via Studielink;
- b. The number of months to be refunded is determined on the basis of the rule of the HESRA ([art. 7.42](#));
- c. a refund will only be granted once the student has also met a number of conditions to be determined per faculty. These conditions are included in the relevant Teaching and Examination Regulations or information bulletins of the faculty.



### 3.5.3

The correct termination of the enrolment is the student's responsibility.

The study career/phase supervisor/mentor provides information about the termination of enrolment procedure upon request.

### 3.5.4

If a student terminates his/her enrolment without having obtained a degree, proof of the results achieved will be issued.

## **Chapter 4 EDUCATION**

### **4.1 Mission and (educational)vision of the University of Applied Sciences**

Aeres University of Applied Sciences educates professionals who are able to make responsible choices in a complex world. Professionals who push back frontiers and are aware of the consequences of their actions on their surroundings and on society. Forerunners who make the difference and contribute to sustainable solutions to local and global social issues.

Our practice-based research contributes to the quality of our education and to sustainable innovations in the field. We share the newly developed or applicable knowledge with the outside world and world and incorporate it into our curricula.

Aeres University of Applied Sciences is committed to contributing to the achievement of the 2030 goals. We have identified a chosen a number of Sustainable Development Goals (SDGs) that fit the profile of the university and which we can link to the substantive focuses of our faculties. These SDGs form a guiding principle for Aeres University of Applied Sciences and the education portfolios and research programs of the three faculties.

The manner in which education is given shape and content within the University of Applied Sciences is described for each faculty.

#### **4.1.1 Aeres University of Applied Sciences Almere: Growing green cities**

As more and more people move into cities, more and more questions arise in the areas of of nature, quality of life, provision of food, water and energy. Knowledge is needed to keep the growing cities worldwide. That is why we train students around the themes of Food, Nature & Urban Green and our practical research is also focused on this: Let the city live! The Flevo Campus, located in a new part of Almere, is our new home.

There we make use of special facilities and project opportunities that support our education and research and that give ample room to our desire for knowledge in the areas of food, nature and the green living environment in practice.

Education at this faculty is provided on a particularly neutral basis. This means that education is provided with respect for the diversity of philosophical and beliefs and social movements. If a student has objections to participating in certain educational activities on the grounds of his/her philosophy of educational activities, he may ask the instructor for a substitute assignment. The instructor will cooperate if the same educational goals are achieved with this assignment.

#### **4.1.2 Aeres University of Applied Sciences Dronten: Economy of Life.**

The agri-food sector is innovative, international, dynamic and complex. Our actions are under a magnifying glass. Globalization, food safety, soil, water, air and raw materials, residual flows and waste, animal welfare and animal health, biodiversity and landscape require choices to be made, accountability to be demonstrated, for personal leadership, for enterprising people on the way to a green future. Aeres University of Applied Sciences Dronten pays a lot of attention to responsible entrepreneurship and entrepreneurship and sustainable developments within the agribusiness under the denominator Agrofood & entrepreneurship. Practical learning is the main focus of education in Dronten. The faculty has unique unique practical facilities that form the link between education and research. Aeres Farms with farms and the Agri Innovation Centre play an important role in this. Aeres University of Applied Sciences Dronten uses its strength and creativity to contribute to sustainable solutions for the agro and food sector.

In our teaching and research, we constantly seek to connect with social challenges. Contributing to the SDGs fits seamlessly with the identity of Dronten, as also articulated in Our IDee (2019):

*'As a college community, we make our Christian identity known by expressing what we believe in, how we view the world around us, and what we want to mean to others.'*

Based on the concept of stewardship, we work to achieve a healthy balance between giving and taking. We challenge our students to develop personal and shared values around the themes of environment, life need and life purpose. By integrating sustainability and entrepreneurship in our education and entrepreneurship, we are working together towards a green future.

#### **4.1.3 Aeres University of Applied Sciences Wageningen: Enhance Your Teaching Power**

The Faculty of Wageningen (AHW) aims to contribute to a sustainable world by promoting sustainable learning and development of professionals and organizations in vocational education and business with 'ecological intelligence' as a starting point. AHW contributes to the UNESCO sustainability goals (SDGs), with an emphasis on SDG 4. AHW does so in regular full-time undergraduate teacher education and ad-programs, in all part-time programs - Ad, B, Master- in the context of lifelong learning and development (LLO) in practice-based research and (international) projects.

The faculty trains professionals who make ecologically intelligent thinking and acting a second nature and does so under the motto "Enhance Your Teaching Power. Ecological intelligence is the ability to consciously look at learning and development, relationships between people and nature, ecosystems and sustainability from an ecological perspective. and nature, ecosystems and sustainability. Developing ecological intelligence is the basis for sustainable learning and development of people and organizations, and thus also the basis for developing the ability to facilitate others in this process: "Enhance your teaching power". The way in which the Faculty of Wageningen (AHW) gives shape and content to education is based on the vision of learning and the educational vision of this faculty. In that vision, learning in the authentic professional context and collective learning are at the core of this vision. AHW organizes and structures learning processes that facilitate this learning. facilitate this learning.

Education at this faculty is provided on a particularly neutral basis. This means that education is provided with respect for the diversity of philosophical and beliefs and social movements. If a student has objections to participating in certain educational activities on the grounds of his/her philosophy of educational activities, he may ask the instructor for a substitute assignment. The instructor will cooperate if the same educational goals are achieved with this assignment.

#### **4.2 Feasibility of the study programme**

##### **4.2.1**

The student must, in principle, be able to complete the study programme within the set time frame. The total number of credits is distributed as evenly as possible over the relevant curriculum.

##### **4.2.2**

At the end of each academic year the study results of students are determined and evaluated during the study progress meeting. In addition, depending on the working method within the faculty, it is possible to do this several times per academic year. The regulations for study progress are laid down in the Teaching and Examination Regulations of the study programme in question. Every student has permanent access to his study results via the digital student tracking system.

#### 4.2.3

Students who fall behind in their studies can make up for missed credits, in accordance with the provisions for resits in the Teaching and Examination Regulations.

#### 4.2.4

Monitoring the quality of the study programme is described in the faculties' quality management plans. The curriculum of the various courses is regularly evaluated and adjusted on this basis.

Students and staff are informed of the results of the evaluations via reports on the intranet of the faculty concerned.

### **4.3 Costs deriving from the study programme**

#### 4.3.1

Participation in excursions, practical school weeks, lectures by guest speakers and the use of prescribed materials and books is compulsory if they are included as compulsory in a teaching unit. This information is indicated in advance for each component and can be found in the working documents of the programme components.

#### 4.3.2

If participation in the activities referred to under 4.4.1 involves costs and there is no free alternative available, these activities will be recorded in the TER of the study programme concerned as compulsory components and only the associated travel and accommodation costs will be at the student's expense.

In accordance with the letter from the Ministry of Education, Culture and Science with the description 'Student's own contribution' dated 28-04-2015 with the reference '645693', students are assumed to bear the costs of a number of teaching materials themselves. A list of these supplies is given in the letter referred to above.

#### 4.3.3

If the student is unable to contribute financially to the costs of activities included in a learning unit, because the costs are not in reasonable proportion to the standard study financing, he/she will contact the faculty board to discuss whether an alternative is possible. Possibly with an appeal to the Financial Support Fund.

#### 4.3.4

Aeres University of Applied Sciences will inform the student before the start of the academic year about the resources to be purchased and the associated costs.

#### 4.3.5

Costs resulting from individual choices of students regarding internships, projects, studying abroad are for the expense of the student. Officials are present within each faculty who can provide the student with information about existing subsidy schemes if requested.

### **4.4 Propaedeutic phase and study advice**

#### 4.4.1

If applicable, the propaedeutic phase is set up in such a way that it gives an impression of the further study and that at the end of the term mentioned in the Teaching and Examination Regulations of the study programme concerned, referral and selection is possible.

#### 4.4.2

The student who has met the requirements of the propaedeutic exam will receive the Propaedeutic Certificate after he/she has applied or is put forward as a candidate.

#### 4.4.3

At the end of the first year of enrolment, the student always receives a written report of the study progress meeting, containing an advice on continuing the study within or outside the study programme.

#### 4.4.4

A negative binding study advice is given by the board of the study programme concerned in accordance with the conditions included in the Teaching and Examination Regulations of this study programme.

## **4.5 Teaching and examination regulation**

### 4.5.1

The Student Charter and the relevant version of the Teaching and Examination Regulations are made available annually. In addition, the student has access to the relevant educational programme and a overall annual schedule which includes educational activities and holidays.

### 4.5.2

Education is guaranteed under all circumstances (with the exception of calamities). Students and teaching staff adhere to the agreements as laid down in the relevant Teaching and Examination Regulations.

### 4.5.3

Students have the right to peruse the tests and examinations they have taken and papers and reports they have handed in as well as the criteria underlying the assessment. This will be further elaborated on in the relevant Teaching and Examination Regulations or one of their annexes.

### 4.5.4

When all the course units to be taken have been completed in accordance with the requirements stated in the Teaching and Examination Regulations, the student will receive a certificate of the programme followed.

## **Chapter 5 REPRESENTATION**

### **5.1 Bodies**

#### 5.1.1

Student representation in the organisation and content of education is arranged as follows:

- a. representation of students in the Programme Committees of the various study programmes;
- b. representation of students in the student councils of the various faculties; in addition, there is a Central Student Council (CSR) in which students from these faculty student councils are represented.
- c. delegation of students in consultations between faculty management, works council and student representatives;
- d. delegation of students in consultations between the Executive Board of the Aeres University of Applied Sciences, the Works Council and the CSR;
- e. In addition, local consultations can be held to support these students.

#### 5.1.2

The composition, tasks and powers of the various bodies mentioned are defined for each body. These are published via one of the usual publication media of the faculty in question.

### **5.2 Facilities for bodies**

#### 5.2.1

Student representatives in the above-mentioned bodies can call upon the following facilities:

- a room in the building of the faculty concerned;
- use of copying facilities;
- rooms for meetings;
- costs incurred can be claimed;
- training for the better functioning of these bodies.

### **5.3 Facilities for members**

#### 5.3.1

For students who, because of their participation in bodies as mentioned in [5.1.1](#) are not able to

participate in educational activities, an appropriate solution will be sought in consultation between the lecturer, student and faculty board involved.

#### 5.3.2

Students who carry out administrative activities may, in consultation, make use of the available facilities scheme. For further information, please consult the Teaching and Examination Regulations of the study programme concerned.

#### 5.3.3

In addition to 5.3.2, members of the Central Student Council (CSR) can, in accordance with the Higher Vocational Education Sector Agreement 2018 of 18 April 2018, claim financial compensation for an average of 4 hours per week. The compensation is in accordance with the usual student hourly rate. The number of hours to be spent are substantiated in a document to be drawn up annually with rights and obligations of CSR members. The document will be drawn up in consultation with the CSR. For this, the CSR takes the initiative. The remuneration takes place twice a year after the hours spent per CSR member have been accounted for in terms of content.

### **5.4 Student representation in other administrative bodies**

#### 5.4.1

In addition to the bodies referred to in article 5.1.1, students also participate in the following bodies:

- as student representation on application committees when appointing staff.
- as student representation in the internal advisory committee (IAC) see art. 7.3.3
- as student representation in disputes advisory committee (GAC) see art. 7.3.5
- as student representation in the Examination Appeals Board (CoBEx) see art. 7.3.4

## **Chapter 6 USAGE RIGHTS**

### ***6.1 Prevention of infringement of intellectual property rights***

#### **6.1.1**

The student is obliged to comply with the generally applicable regulations to prevent infringement of intellectual property, including the reproduction, storage in an automated database or publication of data of Aeres University of Applied Sciences or third parties, in any form or in any way.

#### **6.1.2**

Claims submitted to Aeres University of Applied Sciences on the grounds of an infringement of intellectual property such as copyrights, patent rights, licensing rights, etc. committed by a student will be recovered from the student concerned.

#### **6.1.3**

Aeres University of Applied Sciences has the right to internal use of products developed by students within the framework of the course.

Use of (parts of) products will only take place after deletion of personal data and/or confidential company data.

#### **6.1.4**

If the student objects to the use as referred to in 6.1.3, he must inform the assessor of this in writing and also state "confidential" on the product.

#### **6.1.5**

If sources are used: information from books, internet, magazines or other products not made by the student him/herself but by third parties, students must use the rules for written reporting. The source must be correctly indicated. If the rules and the mentioning of the source are not applied correctly, this is regarded as plagiarism. The explanation of plagiarism can be found in the relevant annexes

## Chapter 7 LEGAL PROTECTION

### 7.1 Filing a formal request, complaint, appeal or objection

7.1.1 Aeres University of Applied Sciences has various bodies (committees/colleges) where students can file a formal request, complaint, objection or appeal for assessment. These bodies are subdivided into:

- Internally at faculty level
- Internally at college level
- External at national level

7.1.2 In the event of a formal request (to deviate from a rule) or complaint (disagreement about an assessment, circumstance or complaint of a general nature), a student may turn to the Complaints and Appeals Office of his/her own faculty.

A request or complaint must be submitted in writing or by email to:

- Wageningen: [klachtenloket.hogeschool.wageningen@aeres.nl](mailto:klachtenloket.hogeschool.wageningen@aeres.nl)
- Dronten and Almere: [klachtenloket.hogeschool.dronten@aeres.nl](mailto:klachtenloket.hogeschool.dronten@aeres.nl)

[Depending on the nature of the request or complaint, after a confirmation of receipt, it will be forwarded to the appropriate body: the examination committee or the faculty board.](#)

7.1.3 If the student disagrees with a decision taken as a result of an application/complaint (Article 7.1.2), it is possible to lodge an appeal or objection at the internal level of the University of Applied Sciences. An appeal (disagreeing with a decision of the examination board) or objection (disagreeing with a decision of the faculty board) must be submitted in writing or by email to the Legal Protection Office for Students in Ede. For this purpose, the form that can be found on the website should be used. This office can be reached via:

- Email: [loketrechtsbescherming.hogeschool@aeres.nl](mailto:loketrechtsbescherming.hogeschool@aeres.nl)
- Website: <https://www.aeres.nl/hogeschool/>
- Address: Legal Protection Office Students  
PO Box 245  
6710 BE Ede

7.1.4 If the student disagrees with a decision taken as a result of an appeal/objection (Article 7.1.3), it is possible to lodge an appeal at the external national level with the Higher Education Appeals Tribunal (CBHO). This tribunal can be reached via:

- Email: [info@cbho.nl](mailto:info@cbho.nl)
- Website: <http://www.cbho.nl>
- Address: Higher Education Appeals Tribunal  
PO Box 16137  
2500 BC The Hague



### **7.1.5 Complaints regulation students**

This regulation offers students the opportunity to file a complaint with the Executive Board about an act, action or situation that the complainant has experienced in contact with the University of Applied Sciences. 'Acting' may also be read as 'neglecting to act'.

The starting point for submitting a complaint is that the student has done everything reasonable to resolve the complaint with the person concerned, if necessary, with the help of the study career/phase supervisor/mentor and/or faculty director. If this does not lead to a solution to the student's satisfaction, the student may submit a complaint via the Legal Protection Office to the Executive Board.

The complete working method of the arrangement is laid down in annex 04/II of this charter.

## **7.2 Bodies**

### **7.2.1 Internal at faculty level**

- Office for complaints and requests
- Exam committee
- Faculty Board
- Internal Advice Committee (IAC)

### **7.2. Internal at college level**

- Legal Protection Office Students
- Board of Appeals Examinations (COBEX)
- Disputes Advisory Committee

### **7.2.2 External at national level**

- Appeals Tribunal for Higher Education (CBHO)

## **7.3 Activities and authorities' bodies**

### **7.3.1 Office for complaints and requests per faculty**

The Office will take care of the correct administrative recording and referral of the complaint or request submitted by the student.

### **7.3.2 Examination committee**

The examination committee processes and passes a verdict regarding requests and complaints concerning tests and examinations.

### **7.3.3 Faculty Board**

The Faculty Board processes and passes a verdict regarding requests and complaints concerning educational organisation and matters of a general nature.

### **7.3.4 Internal Advisory Committee (IAC)**

The Internal Advisory Committee examines on behalf of COBEX or GAC, at faculty level, whether an amicable settlement is possible in the event of an objection or appeal submitted to COBEX or GAC. If an amicable settlement is not possible, COBEX/GAC will process the objection or appeal. See annex 04/III article 10 and annex 04/IV article 10.

### **7.3.5 Legal Protection Office Students**

The Office provides unambiguous access to the various bodies and arrangements relating to the legal protection of students in accordance with article 7.59a section 1 of the HESRA. The Office will take care of the correct administrative recording and referral of any complaint, objection or appeal submitted by the student.

The form that can be used to file a complaint, objection or appeal can be found on the website and on the intranet. This supports the student to file his complaint, objection or appeal in full, so that the processing of it will not be delayed due to incompleteness of the objection, appeal or complaint.

The complete working method of the office is laid down in annex 04/I of this charter.

#### **7.3.6 Board of Appeal for Examinations (COBEX)**

In accordance with article 7.60 of the HESRA, a Board of Appeals for Examinations is attached to Aeres University of Applied Sciences. Appeals can be lodged with the Board of Appeals against decisions of the University of Applied Sciences based on article 7.61 of the HESRA.

The complete rules of procedure for the Examination Appeals Board are laid down in annex 04/III of this charter. All this in accordance with article 7.62 of the HESRA.

#### **7.3.7 Disputes Advisory Committee (GAC)**

In accordance with article 7.63 of the HESRA, a Disputes Advisory Committee is attached to Aeres University of Applied Sciences.

The Disputes Advisory Committee advises the Executive Board on objections relating to decisions (or the absence thereof) under the HESRA and regulations based thereon, other than those referred to in article 7.61 of the HESRA. The complete regulations of the Disputes Advisory Committee are laid down in annex 04/IV of this charter.

#### **7.3.8 Appeals Tribunal for Higher Education (CBHO)**

The Appeals Tribunal for Higher Education is located in The Hague. The Appeals Tribunal for Higher Education adjudicates on an appeal lodged by the student concerned against a decision of the University of Applied Sciences, i.e. if a student disagrees with a decision of the COBEX on an appeal lodged by him, he can then lodge an appeal with the Appeals Tribunal for Higher Education, as described in sections 7.64 - 66 HESRA.

## **Chapter 8 STUDENT FACILITIES**

### **8.1 Study career/phase guidance/mentoring**

#### 8.1.1

By study career/phase guidance/mentoring we mean the set of activities aimed at creating situations in which the student can function optimally. The study career/phase guidance/mentoring is elaborated on the TER for each (group of) study programme(s).

### **8.2 Counsellors**

#### 8.2.1

The faculty boards appoint a number of counsellors (always both women and men) among the staff of the University of Applied Sciences.

#### 8.2.2

For complaints concerning sexual harassment, discrimination, etc., the student can contact one of the counsellors.

#### 8.2.3

The function, tasks and authorities of the counsellors are described per faculty in annex 01. The manner in which a complaint about unwanted conduct is lodged and processed is also described in annex 01.

### **8.3 Financial Support Fund**

#### 8.3.1

Students who, through no fault of their own, have a study delay and are therefore in financial distress may apply to the Faculty Board for a loan (HESRA art. 7.51). The arrangement Financial Support Fund is attached as annex 02 to these Charter.

### **8.4 Insurances**

#### 8.4.1

Aeres University of Applied Sciences provides a collective application of students for a supplementary liability, accident and internship insurance with coverage at home and abroad, with the exception of Canada and the United States. This is further described in annex 05 to this charter.

#### 8.4.2

For study activities abroad, the student is responsible for ensuring that he or she is adequately insured.

## **Chapter 9 FINAL PROVISIONS**

### ***9.1 Implementation***

This charter will come into force on 1 September 2019 and it will run until 31 August 2020.

### ***9.2 Unforeseen cases***

In all cases not provided for in this Charter, the Executive Board or the Faculty Board mandated by the Executive Board, in consultation with the Works Council/CSR, will take a decision that does as much justice as possible to the purport of this Charter, the regulations referred to herein and the HESRA.

## **Annexes:**

### **Overview of arrangements and regulations**

#### **GENERAL**

**01 Arrangement unwanted conduct**

**02 Arrangement Financial Support Fund**

**03 Code of conduct internet and email use**

**04 Supplement Chapter 7 Student Charter concerning Legal Protection**

**04/I Legal Protection Office Students**

**04/II Complaints arrangement students**

**04/III Board of Appeal for Examinations (COBEX)**

**04/III Disputes Advisory Committee (GAC)**

**05 Insurances during internship**

**06 Code of conduct foreign language**

**07 Code of conduct practice-oriented research**

# Annex 01



## Regulation Unwanted conduct

For employees and students of Aeres University of Applied Sciences

CvB		
Institutional board		
OR/CSR consent		

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## Introduction

The Regulation Unwanted Conduct is applicable to employees and students and is also included in the Student Charter.

The Regulation Unwanted Conduct aims to contribute to a safe working and learning environment. The Regulation Unwanted Conduct does not aim to assess the performance of an employee (colleague or manager) as such, but rather a person's behaviour (conduct or negligence) who does or does not hold a function within the organisation. A complaint can therefore only be filled on grounds of a person's behaviour.

The Regulation Unwanted Conduct does not apply to complaints that fall within the scope of other (complaints) regulations and/or can be subjected to an internal or external complaint, professional or civil procedure. The Regulation Unwanted Conduct does apply to complaints that also encompass criminal offences.

Regarding the Regulation Unwanted Conduct, the starting point for the person experiencing the unwanted conduct at or with the university is to contact the person causing the problem, unless the nature of the problem does not allow for this. If this contact does not lead to a solution, the complainant can present the problem to an internal or external counsellor or to the board. If the problem cannot be resolved, a complaint may be filled as intended under article 21.

For the sake of the legibility of this document, the male pronoun will be used when referring to persons.

## Chapter 1      **General**

### Article 1      **Definitions**

Under this regulation can be understood:

<b>Institution:</b>	Aeres University of Applied Sciences, comprising the faculties in Dronten, Almere and Wageningen, maintained by the Aeres Group Foundation.
<b>Executive Board (EB)</b>	The board of Aeres University of Applied Sciences, also board of the Aeres Group Foundation.
<b>Unwanted Conduct:</b>	Every form of sexual intimidation, aggression, violence, bullying, discrimination or abuse of power that could lead to negative consequences to the activities or that could disrupt a person's studies. The unwanted conduct has to take place under circumstances directly related to activities related to education. A more detailed specification is laid out in chapter 2 of this regulation.
<b>Employee:</b>	Persons who work for the Aeres Group Foundation under an employment contract at Aeres University of Applied Sciences. Persons working under a temporary, intern, secondment contract or otherwise are equated to other members of staff.
<b>Student:</b>	A person who is registered at the institution as a student or external student within the meaning of the Higher Education Act.
<b>Plaintiff:</b>	A (former) student or (former) employee of Aeres University of Applied Science who has experienced unwanted conduct and who reports this to a counsellor, the Executive Board or the complaints committee.
<b>Accused:</b>	An employee or student against whom a complaint has been filed with a counsellor, Executive Board of complaints committee.
<b>Internal counsellor:</b>	An employee assigned by the Executive Board who functions as a point of contact for employees and students who experience unwanted conduct.
<b>External counsellor:</b>	A person assigned by the Executive Board, not an employee, who functions as a point of contact for employees who experience unwanted conduct.
<b>Complaints coordinator Aeres Group Foundation:</b>	A person assigned by the Executive Board who works at Aeres' executive office and who has been appointed to support the Executive Board to process the complaint. The coordinator is also available to offer advice to counsellors and board members regarding this regulation.
<b>LKC:</b>	National Complaints Committee ( <i>Landelijke Klachtencommissie</i> ) as referred to in article 19 et seq. of this regulation.
<b>Report:</b>	Every notification to a counsellor regarding unwanted conduct, either observed or experienced by the person him- or herself.
<b>Complaint:</b>	There can be said to be a complaint when a student or employee files a complaint with the complaint committee or the Executive Board regarding unwanted conduct.
<b>Mediation:</b>	Conflict mediation by a mediator who supervises the negotiations between parties in order to come to a jointly agreed upon optimal result.
<b>WHW:</b>	Education and Scientific Research Act
<b>CAO:</b>	Collective Labour Agreement for Higher Vocational Education
<b>OR:</b>	Works Council
<b>CSR:</b>	Central Students Council

## Article 2 Objective

1. The objective of this regulation is to ascertain the possibilities to file complaints regarding unwanted conduct, to have these complaints investigated and processed appropriately. This regulation also serves to protect the interests of both the plaintiff and the accused during the investigation and processing of a complaint.

## Article 3 Disclosure and availability of the complaints regulation



1. The Executive Board notifies all persons involved of this regulation. Furthermore, the Executive Board makes sure that this regulation is available to and accessible for those involved.

#### **Article 4**                      **Position members of institution**

1. No employee or student may be affected in her position or interests within the institution as complainant, adviser, counsellor, or as a person heard by the complaints committee, whether they are currently under investigation or have been in the past as laid down in this regulation. The same holds true for the accused if it has been concluded that the complaint is unfounded.

#### **Article 5**                      **Confidentiality**

1. Every person involved in this regulation that has knowledge of or is in possession of written documents connected to the (possible) unwanted behaviour, is obliged to observe confidentiality towards third parties and he/she carries the responsibility that said documents remain confidential.
2. Not confirming to the above mentioned under article 5:1 can be regarded as dereliction and may lead to the imposition of a disciplinary measure as referred to in the Student Charter of the collective labour agreement for higher education.

#### **Article 6**                      **Duty of care**

1. When an employee or student is aware of the situation in which he/she finds him/herself, in which unwanted conduct occurs and he or she can take measures to alter the situation, these measures should be taken.
2. Not complying to the above mentioned can be regarded as dereliction and may lead to the imposition of a disciplinary measure.
3. The Executive Board will repeatedly make this general duty of care known.

## **Chapter 2**                      **Unwanted conduct and prevention**

### **Article 7**                      **Unwanted conduct**

1. Unwanted conduct is every form of sexual intimidation, aggression, violence, bullying, discrimination, or abuse of power that results in negative consequences for the carrying out of work or study related activities. The unwanted conduct has to take place under circumstances directed related to work or study.

#### **Article 7.1**                      **Sexual intimidation**

1. By sexual intimidation is meant the unwanted attention of a sexual nature, reflected in verbal, non-verbal, written or physical behaviour. This behaviour is experienced by the person undergoing it, irrespective of sex and/or sexual orientation, as unwanted, or if it concerns an underage student, is deemed inappropriate and unwanted by the parents, guardians or caretakers of the student. Sexually intimidating behaviour can be both intentional and unintentional.

#### **Article 7.2**                      **Aggression, violence and bullying**

1. Deliberately verbally uttering, using physical force or power, either threatening therewith or neglecting to use, aimed at the employee or student, which results in or is likely to result in a sense of threat, material damage, injury, psychological damage or death.

#### **Article 7.3**                      **Discrimination**

1. Behaviour whereby, intentionally or unintentionally, equal circumstances are not treated equally on grounds of religion, belief, political conviction, race, gender, sexual preference, physical and psychological traits or any other ground.

#### **Article 7.4**                      **Abuse of power**

1. Abuse of power occurs when an employee (colleague, manager or teacher) or a student asserts their position or authorisation in an intimidating, manipulative or violence manner at the expense of the person (employee or student) with whom they have a relationship of trust or authority. This concerns acting, neglecting to act and/or taken a decision.

### **Article 8**                      **Prevention**

The institution strives to prevent unwanted conduct by:

- Publishing this regulation
- Updating this regulation where necessary, also on grounds of recommendations

made by the counsellors and/or complaints committee.

- Reporting annually in the social annual report about the state of affairs regarding sexual intimidation, aggression, violence and bullying, discrimination and abuse of power.
- Encouraging openness regarding the theme by addressing it regularly at meetings with employees.
- Establishing a code of conduct, if necessary.

## **Chapter 3 Counsellor**

### **Article 9 Internal counsellor**

1. The Executive Board appoints at least 2 internal counsellors at each faculty for employees and students. A student, external student ('extraneus') or course participant is free to, if there are reasons to do so, use the internal counsellor from another faculty.
2. The internal counsellors are employees that work at the institution. They enjoy the trust of all those involved with the institution.

### **Article 10 External counsellors**

1. The Executive Board also makes sure that there is an external counsellor available for employee of the institution. Employees can, if they wish to do so, contact this external counsellor directly, without intermediation of the internal counsellor.

### **Article 11 Proportionality**

1. The appointment of internal and external counsellors takes place taking into account the that the total number of counsellors should consist of an equal number of men and women.

### **Article 12 Tasks counsellor**

#### **Article 12.1 The tasks of the internal counsellor include:**

##### *I Support*

- a. Emotional support for the complainant: the counsellor takes care of the initial care of the complainant and the accused.
- b. Go over the possibilities with the complainant to end the unwanted conduct.
- c. Offer guidance to the complainant while he/she takes steps to end the unwanted conduct.
- d. Make sure that complainant does not suffer adverse consequences as a result of filing the complaint.
- e. Support the complainant throughout the entire procedure, for instance by assisting the complainant filing the formal complaint or reporting it to the judicial authorities.
- f. If necessary, refer to professional support outside of the institution.

##### *II Policy advice*

Offer advice, solicited or unsolicited, to the institution's director and/or Executive Board regarding difficulties within the university's policy that are relevant in preventing, or countering unwanted conduct.

##### *III Information and prevention*

- a. Inform employees and students, where necessary, about the option to receive help from a counsellor and the procedures involved.
- b. Bring the topics sexual intimidation, aggression, violence and bullying, discrimination and abuse of power under the attention of employees and students.
- c. Contribute to meetings or organise meetings, propose measures, issue informational material with the aim to prevent and combat unwanted conduct.

##### *IV Expertise*

The counsellor is required to keep his/her knowledge up to date or, if necessary, to extend his/her knowledge and expertise required to carry out his/her function. If required, the counsellor may also be asked to contribute to the expertise of other persons within the organisation.

#### **Article 12.2 The tasks of the external counsellor include:**

##### *I Mediation*

- a. informing oneself of the circumstances under which the unwanted has taken place.
- b. Based on the information mentioned under a., draw up a written report for the purpose of a possible investigation by the complaints committee or the Executive Board.
- c. If the counsellor deems it necessary, he/she can propose a solution to parties concerned to

resolve the situation. He/she can act as a mediator or a mediator may be advised.  
d. The counsellor will give an advice within a month of filing the complaint.  
II The tasks as mentioned under article 11.1 I through IV also adhere to the external counsellor.

### **Article 13 Consent**

1. For all steps taken by an internal or external counsellor while processing a complaint, prior consent from the complainant is needed.

### **Article 14 Facilities**

1. The Executive Board ensures that the facilities the counsellor requires to carry out the function of internal counsellor are in order. This includes providing adequate information and schooling as well as a reasonable work load.
2. The institution's counsellors meet at least once a year to discuss all matters concerning their function and to draw up the annual report as mentioned under article 17.

### **Article 15 Authorisations**

In order to exercise his/her tasks, the internal and/or external counsellor is authorised to:

- a. Gather information with any persons that may be able to provide information about the circumstances under which the unwanted conduct has taken place.
- b. The counsellor will not be imposed any restrictions whilst gather this information. The gathering of information will not go any further than strictly necessary for the processing of the complaint.
- c. Consulting other counsellors, coordinating the complaints within the Aeres Group and/or the complaints committee concerning the method of processing of a complaint.
- d. If a counsellor receives signals, but no actual complaints, he/she will report this to the Executive Board in writing.

### **Article 16 Registration of complaints**

The internal and external counsellor registers complaints and the processing of these for the archive of the counsellors and the accountability towards the Executive Board. Only the counsellors, the complaints coordinator and the Executive Board has access to this archive.

### **Article 17 Reporting and accountability**

The internal and external counsellors are accountable to the Executive Board. Every year, counsellors present an anonymised report to the Executive Board and the institution's management in which the number and nature of the complaints processed over the course of that year, the procedure of the treatment and the outcome. The Executive Board sends this report to the works council for information only.

### **Article 18 Confidentiality**

The internal and external counsellors are obliged to observe confidentiality of all cases they receive information on in their capacity as counsellor. The obligation to confidentiality does not apply to the complaints committee, the Executive Board and possible medical doctors and the judicial authorities. The obligation to confidentiality does not lapse after termination of the task of counsellor.

## **Chapter 4 Complaints Committee**

### **Article 19 The complaints committee**

Aeres University of Applied Sciences is affiliated to:

The National Complaints Committee for Education (*Landelijke Klachtencommissie Onderwijs*)

PO Box 85191

3508 AD Utrecht

Email: [info@onderwijsgeschillen.nl](mailto:info@onderwijsgeschillen.nl)

Website: [www.onderwijsgeschillen.nl](http://www.onderwijsgeschillen.nl)

## **Chapter 5 The Complaints procedure**

## **Article 20 Reporting a complaint**

1. Every (former) employee or student, external student (extraneous) or course participant of the institution that is confronted with unwanted conduct in a work or study related environment can report this to a counsellor.
2. Reporting the complaint should take place as soon possible after the occurrence has taken place, but at the latest within a year.
3. Reporting takes place verbally or in writing, but never anonymously. During a verbal reporting the counsellor will draw up a written report, to be signed by the complainant. This written report includes at minimum the contents of the complaint, the date and/or period and the location of the occurrence, the name of the complainant and the name of the accused.
4. Reporting can only lead to the filing of a complaint with the expressly written consent of the complainant.

## **Article 21 Filing a complaint**

1. The complaint is filed in writing with:
  - a. The Executive Board
  - b. The LKC (see article 19)If so desired, the complaint can be filed without intervention of a counsellor.
2. The complaint must be filed within a year after the unwanted conduct has taken place, unless the complaints committee decides otherwise.
3. If the complaint is filed with the Executive Board, the Executive Board will forward the complaint to the complaints committee after hearing the complainant. The complaints committee will then process the complaint, unless subclause 4 applies.
4. The Executive Board can process the complaint itself or request the institution's director to process the complaint, if the board is of the opinion that the complaint can be settled without much difficulty.
5. If the complaint is filed with another body within the institution other than those mentioned in the first subsection, the recipient of the complaint will refer the complainant directly to the complaints committee or to the Executive Board.
6. The date of receipt will be recorded on the filed complaint.
7. The complaint is filed by:
  - a. The complainant
  - b. Several complainants, if the complaints concern the same accused.
8. The notice of complaint will include at least the following:
  - a. The name and address of the complainant and if necessary, the chosen residence for the duration of the procedure.
  - b. The name of the complainant.
  - c. A description of the complaint and the facts and circumstances, as they have occurred according to the complainant.
  - d. The date of recording and signature
9. If a complaint is filed by an authorised representative, the complaint must be accompanied by a written authorisation and the complainant must co-sign the complaint for approval. No written authorisation is required when the complaint is filed by a lawyer.

## **Article 22 Procedure handling of complaints by the Executive Board**

1. If the complaint is filed with the Executive Board, the Executive Board will notify the complainant, the accused, the institutional director and the faculty director within 5 working days.
2. Depending on the content of the complaint and on how the faculty has handled this complaint previously, the Executive Board may decide to:
  - a. Process the complaint with the application of article 21, subsection 4
  - b. Resolve the situation through mediation between complainant and accused

- c. Forward the complaint to the LKC (National Complaints Committee) with the request to investigate the complaint further, to assess the situation and to advise the Executive Board.
3. If the Executive Board applies article 21, subsection 4, it will hear the complainant and accused within 10 working days after the complaint has been filed. The Executive Board will then assess the complaint and will, if necessary, take measures.

#### **Article 23 Procedure handling of complaint by the complaints committee**

The procedure handling of complaint by the complaints committee can be found on the Onderwijsgeschillen website: [www.onderwijsgeschillen.nl](http://www.onderwijsgeschillen.nl)

## **Chapter 6 Concluding provisions**

#### **Article 24 Confidentiality**

All those involved take the utmost care to the confidentiality of the data that comes to the attention of those involved. Mentioning of names and persons in reporting or otherwise will only occur if this is deemed necessary according to the counsellor, institutional director or the Executive Board. Letters and envelopes are marked as 'confidential'.

#### **Article 25 Unforeseen circumstances**

If circumstances were to arise which are not covered in this regulation, the Executive Board will decide, provided that the counsellor and/or mediator and/or chair of the complaints committee decides upon matters relating to the procedures that are to be abide by.

#### **Article 26 Establishing and implementation of the Regulation Unwanted Conduct**

This regulation is established by the Executive Board after the consent of the works council Aeres University of Applied Sciences and the SCR Aeres University of Applied Sciences and It will take effect as of 1 September 2020.

#### **Article 27 Citing of the regulation**

This regulation may be cited as 'Regulation Unwanted Conduct Aeres University of Applied Sciences'.

#### **Article 28 Evaluation of the regulation**

The complaints regulation will be evaluated every two years by the Executive Board. If necessary, amendments will be made.

# ANNEX 02 Arrangement Financial Support Fund

Financial support students

Aeres University of Applied Sciences

1 September 2020

Version 2.0

Final Version



**AERES**  
HOGESCHOOL

**Executive Office**

# Version management

Version management			
Version	Date	Author	Explanation
0.1	14-02-2019	HUB	Version for the advice of FMT/SZ
0.2	05-03-2019	HUB	Version for the advice or OR/CSR/OCs/Ex.cmts
0.3	08-04-2019	HUB	Version to be adopted by board of directors/Executive Board
1.0	10-04-2019	HUB	Version to be approved by OR/CSR/OCs
2.0	19-07-2020	HUB	Final Version

# Preface

## **Basis and purpose of the support**

Universities of Applied Science are obliged to offer students financial support during the completion of their studies. The purpose of this arrangement is to give shape to this obligation, in accordance with article 7.51 WHW. Graduation support applies to students who, due to exceptional circumstances, study longer than the number of months of performance grant to which they are entitled. This concerns students who are enrolled in a programme for which no degree has yet been awarded and for which statutory tuition fees are payable.

The starting point for compensation is an *incurred study delay*. Payment of the compensation will take place if the study delay has become concrete. The purpose of the arrangement is further:

- the prevention of (further) study delay;
- the prevention of dropping out due to personal circumstances;
- promotion of active participation in participatory bodies, etc.

## **Obligation to report**

A student who is faced with special circumstances, such as illness, pregnancy, but also a participatory function or top-level sport, must report this to the dean. If a student neglects to report this, or reports it too late, the right to receive compensation from the support fund lapses. The reason behind the obligation to report is the possibility for the university of applied sciences to offer assistance in preventing study delays. If a student is at risk of serious study delay, he/she must then draw up a study plan to determine how the delay can be reduced as much as possible. To make sure this is a study plan is realistic, the plan must be drawn up under supervision of a study career counsellor. The study career counsellor must then also provide support in carrying out the study plan. This arrangement is first and foremost in the interest of the student who - particularly in exceptional circumstances - benefits from help to successfully complete his/her studies. However, the arrangement is also in the interest of the faculty and the university of applied sciences. Because the study career counsellor is involved in carrying out the plan, he is able to intervene if the plan is not followed or if it turns out not to be feasible. Of course, it goes without saying that the student remains responsible for his/her study results. Nor will it be necessary in all cases to deviate from the standard study route in the study plan. The study career counsellor can assist the student with the question when it is necessary to request the approval of the examination committee for the study plan.

## **Non-EEA students**

Students from outside of the EEA region who are not eligible for a study grant, can in some cases apply for financial support from this fund. These are students who do not have the Dutch nationality or who are equated with the Dutch nationality on the basis of a regulation. Students with a Surinam nationality are specifically mentioned. The provisions regarding delays and the obligation to report are not applicable to these students, the other regulations regarding the amount and duration of the support are.

## **Statutory compensation arrangements**

In addition to this arrangement, the Student Finance Act also contains legal provisions to help students in the event of incapacity for work or exceptional circumstances. The implementation of these regulations does not rest with the educational institutions but with DUO in Groningen. However, a statement from the educational institution is required. Furthermore, there is also a separate ministerial regulation for graduation support in a number of circumstances (e.g. governing civil society organisations). In the Arrangement Financial Support Fund, the existence of these arrangements is taken into account.





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# General provisions

## Article 1 General provisions

<b>Executive Board:</b>	the institutional board of Aeres University of Applied Sciences, also the board of the Foundation Aeres Group
<b>Institutional director:</b>	director of Aeres University of Applied Sciences
<b>Faculty director:</b>	director of one of the faculties of Aeres University of Applied Sciences
<b>Admissibility of application:</b>	Being able to substantially process the application because it has been submitted fully (with all the necessary information) and on time (in accordance with the set deadlines).
<b>Graduation period:</b>	The period as mentioned in article 5.7 Wsf 2000, being a period of 10 years.
<b>DUO:</b>	Education Implementation Department of the Ministry of Education, Culture and Science.
<b>Wsf 2000:</b>	Student Financing Act 2000
<b>NOC/NSF:</b>	Dutch Olympic Committee/Dutch Sports Federation

## Article 1.2 Contents and purpose of this arrangement

1. This arrangement is an implementation regulation for the provisions of the WHW (article 7.51 Financial Support Fund) and the Wsf 2000 (article 5.15 incapacity for work and article 5.16 special circumstances). The arrangement is part of the Student Charter.
2. In this arrangement, provisions are made for the financial support of students in certain circumstances.

# Application for support from the Financial Support Fund

## Article 2.1 Exceptional circumstances

The exceptional circumstances that apply as conditions of eligibility for financial support from the Financial Support Fund are as follows:

- a. illness of the applicant;
- b. pregnancy or labour of the applicant;
- c. a disability or chronic disease of the applicant;
- d. exceptional family circumstances of the applicant;
- e. inadequate study programme<sup>1</sup>;
- f. exercising a participatory function;
- g. a membership of a study programme committee;
- h. a board function of a student organisation of any size with full legal capacity or foundation board for student associations. A substantial amount of time must be devoted to this. This student organisation must (also) focus on students of Aeres University of Applied Sciences and be accessible to students of Aeres University of Applied Sciences.
- i. carrying out administrative or social activities which, in the opinion of the Executive Board, are also in the interests of the University of applied sciences or of the course the student attends.
- j. practising top-level sport on the basis of a top-level sport status (A, B or High Potential) awarded by the NOC\*NSF.
- k. circumstances other than those referred to in points a to j, which, if a request for financial assistance based thereon were not accepted, would lead to unfairness of a predominant nature.

## Article 2.2 Conditions

1. To apply for support from the Financial Support Fund, a student must:
  - a. be enrolled as a full-time or dual student in one of the programmes of Aeres University of Applied Sciences,
  - b. not yet have attained a degree for this programme;
  - c. be (or have been) entitled to a performance scholarship for this course as referred to in Chapter 5 of the Wsf 2000; and
  - d. owe statutory tuition fees.
2. A student can only be eligible for financial support from the Financial Support Fund if the student:
  - a. has paid the tuition fees due,
  - b. meets or has met the further conditions of section 3 that apply to him, and
  - c. as a result of special circumstances (referred to in article 2.1), the study has been delayed or is expected to be delayed

**or**

is enrolled in a programme of study that has not been re-accredited.

## Article 2.3 Exception: non-EEA student<sup>2</sup>

1. A talented student who does not belong to one of the groups of persons<sup>3</sup>, as mentioned in article 2.2 of the Student Financing Act 2000,
  - a. is enrolled as a student for a course of study at Aeres University of Applied Sciences
  - b. does not have a degree
  - c. resides in the Netherlands, Belgium, Luxembourg or one of the federal states of North Rhine-Westphalia, Lower Saxony and Bremen of the Federal Republic of Germany; and is regarded by the Executive Board as a student in need of special support.
2. The provisions in section 3 do not apply to this student, but agreements will be made with the student by or on behalf of the Financial Support Fund Committee with regard to study progress, measures to prevent any delays and in which cases the support can be discontinued.

## Further conditions in the event of delay

### Article 3.1 Obligation to report to the dean

1. In order to be eligible for financial support, the student must report any special circumstance referred to in Article 2.1 that may lead to a study delay to the dean as soon as possible, but in any case, within five months of the occurrence of the special circumstance, or have it reported to the dean.
2. If a study & disability coordinator has also been appointed at the faculty, the report must be made to this officer.
2. If it concerns a non-temporary disability or a chronic illness that already exists at the start of the programme, the report will be made within five months after enrolment as a student at Aeres University of Applied Sciences.
3. The dean or coordinator keeps a confidential archive of the report.
4. The notification shall be made on production of the necessary documentary evidence.

### Article 3.2 Limiting study delay

1. The student and his study career or pathway counsellor draw up a study or curriculum plan/plan of approach to promote the study progress as much as possible and to limit any study delay as much as possible. If necessary, the student requests permission from the examination board for the implementation of the study plan. The study career or pathway counsellor supervises the student in carrying out the approved study or course plan/plan of approach.
2. If the student does not have a study career or pathway counsellor, the study programme must ensure, on the instruction of the dean, that a study career counsellor is assigned. To this end, the dean assesses, or has the Examination Board assess whether help from a study career counsellor or pathway counsellor is necessary in view of the (imminent) delay.

# Amount, payment and period of support

## Article 4.1 Amount

1. The amount of the financial support is not higher than the student's study grant received under the Wsf 2000 (basic grant and any supplementary grant), or would have received if he could or should have been entitled to it.
2. For students who started their studies before 1 September 2015 and who are entitled to a basic and possibly supplementary grant on the basis of the Wsf 2000, the amounts determined and paid by DUO as grants will be used as a guideline for determining the amount of the grant (most recent decision by DUO). In addition, the amounts listed as single-parent or partner benefits on the most recent DUO decision will be taken into account.
3. For students who started their studies on or after 1 September 2015 and are entitled to a basic loan on the basis of the Wsf 2000, the following amounts will be used as a basis for determining the height of the benefit. For students living at home: an amount of € 110, -.
  - ii. For students living away from home: an amount of €300, -.
  - iii. In addition, the amounts listed as supplementary grant and single-parent or partner allowance on the most recent DUO decision will be taken into account.

## Article 4.2 Deduction

1. To the extent that an administrative activity has already led to a financial compensation (4), this will be deducted from the financial support to be paid out.
2. Insofar a board function has already led to an exemption in credits for part of the study programme, a proportional part of the delay is deemed to have been compensated by this. This will be taken into account when determining the amount of the financial support.
3. If a top-level athlete is eligible for a benefit such as a Stipendium from the Foundation Fund for Top-Level Athlete, or has received such a benefit, there is no entitlement to a benefit under the Financial Support Fund.
4. There is no entitlement to financial support if the Financial Support Fund has previously been called upon on the basis of the same circumstances.
5. The amount of the support will be reduced, if the student has income from any source whatsoever, resulting in an aggregate income/taxable wage that exceeds the additional earnings threshold (5), whereby for students who started their studies before 1 September 2015, the additional earnings threshold laid down in the Wsf 2000 applies. The additional earnings threshold for students who started their studies on or after 1 September 2015 and do not receive a basic grant will be set at €13,900.

## Article 4.3 Payment

1. If an application for financial support from the Financial Support Fund has been granted, payment will take place from the moment that the study delay actually occurs.
2. If the student is eligible for extension of the grant period (6) on the basis of the Wsf 2000, any financial support from the Financial Support Fund will only be granted after the end of the extended grant period or if the application for the extended grant period has been rejected through no fault of the student.

3. The financial support shall be paid in equal monthly instalments.
4. The support is provided in the form of a gift.

#### **Article 4.4 Period of support**

1. The period of financial support shall not exceed one year.
2. The period of financial support shall take into account the link between the special circumstances and education programming. This means that, in principle, it is only at the end of an academic year that the number of months of study delay caused by the special circumstances can be calculated.
3. The period of financial support shall be determined on the basis of:
  - a. the duration and weight of the special circumstance;
  - b. the actual delay incurred;
  - c. the time in which the delay can be made up.
4. In the event of a study delay due to membership of a committee or board, the maximum period of support is six months.

#### **Article 4.5 Discontinuing support**

1. The financial support will in any case be terminated with effect from the month following the graduation.
2. It is required that the student is enrolled as a student during the term of the financial support; making efforts to make progress for the course for which he has applied for the support. If, in the opinion of the Financial Support Fund Committee, the student, taking into account the circumstances, does not make sufficient effort to complete the study for which he has applied for financial support, the Financial Support Fund Committee may terminate the support. This also applies if the student postpones the graduation ceremony.



# Application procedure and decision-making

## Article 5.1 Application procedure

1. The request for financial assistance shall be submitted to the Financial Support Fund Committee, using an application form intended for this purpose. The application form is attached to this document.
2. Applications must be submitted no later than 1 February of the academic year following that in which the special circumstance occurred. If the deadline is exceeded, the application will not be considered, unless the Committee is of the opinion that very exceptional circumstances justify consideration.
3. The Financial Support Fund Committee shall send the applicant a notice of receipt within two weeks.
4. If the application is incomplete or if further information is necessary for correct processing, the applicant shall be given six weeks to supply the missing information. If the application has not been completed within this period, the application will not be considered further.
5. The Financial Support Fund Committee shall decide within eight weeks of receipt of the complete application at the latest, whereby the following decisions are possible:
  - a. granting of financial support;
  - b. rejection of the application;
  - c. not to consider the application, due to exceeding the deadline (both in respect of the application and any supplement requested);
6. The applicant shall be notified in writing of the reasoned decision.

## Article 5.2 Supporting documents

1. The application must at minimum contain the following information and supporting documents:
  - a. name, address, study, social security number, student number and the student's bank account number;
  - b. the special circumstances that caused the study delay;
  - c. the period(s) during which the circumstances mentioned occurred;
  - d. the date on which the performance grant period for the student expires (most recent message from DUO);
  - e. overview of study grants already received;
  - f. the expected graduation date/month;
  - g. a copy of the application for an additional one-year performance grant and the DUO's decision (if applicable).
2. Besides the application form, the student must also enclose relevant supporting documents, at least:
  - a. statement by the dean or coordinator of Study & Disability about the relationship between the special circumstance and the study delay and the number of months of delay caused by the special circumstances;
  - b. statement by the dean or coordinator of Study & Disability regarding the question whether the applicant has filed a timely report and obtained advice/agreed on measures to be taken in order to limit the study delay as much as possible;
  - c. supporting documentation regarding the existence of the special circumstance;

- d. In the event of a special circumstance as described in Article 2.1(h) or (i), supporting documents will also be provided:
    - i. the scope of activities;
    - ii. the organisation in question for which the student has been active, showing the performance of the board related activity, as well as the manner in which financial compensation or the awarding of credits, whether or not financial, has taken place.
3. Students who apply for a benefit for students living away from home and who started their studies on or after 1 September 2015 must submit additional documentation as evidence:
- a. an extract from the basic register of the municipality in which he/she is registered;
  - b. a copy of the tenancy agreement signed by him for the accommodation in which he lives.
- These documents must be submitted in the month before Aeres University of Applied Sciences will pay the student for the first time on the basis of the Financial Support Fund (not before, as there is a risk that the documents are no longer sufficiently recent).
4. The Financial Support Fund Committee may ask the student to provide additional evidence before considering the application for support.

# Financial Support Fund Committee

## **Article 6.1 Composition**

1. The Financial Support Fund Committee is composed as follows:
  - a. The institutional director,
  - b. A dean of a faculty other than that in which the applicant is registered,
  - c. A student of the faculty in which the applicant is enrolled.
2. Alternate members shall be appointed, the alternate for the institute director being the faculty director and the alternate for the dean being a staff member with special attention to student interests.

## Other provisions

### **Article 7.1 Extension, alteration, changing circumstances**

1. If, at the end of the period granted, the duration of the financial support turns out to be unreasonably insufficient to pass the final exam, the Financial Support Fund Committee may, at the student's request and with due observance of Article 4.2 section 4 of these regulations, grant an extension of the financial support. To this end, the student submits a new application.
2. In the event of an alteration to the arrangement, the scope and duration of a previously granted entitlement to financial support will be respected, if this is more favourable for the student, provided that legislation and regulations do not preclude this.
3. The beneficiary of the support must inform the Financial Support Fund Committee of changing circumstances affecting the amount and/or duration of the support. If it fails to do so, the Financial Support Fund Committee may, upon discovery of changed circumstances, terminate the support immediately. If, at the end of the period of support, it appears that the student has received (part of) the support unduly, the student must repay the support unduly received, plus statutory interest.
4. If the statutory regulation of the amount of the study grant or the additional income limit under the Student Financing Act 2000 changes, the Financial Support Fund Committee is authorised to adjust the support accordingly with effect from the same time.

# Attachment Article 7.2 Hardship clause

In very exceptional circumstances, at the discretion of the Financial Support Fund Committee, where the rejection of an application under this arrangement or the application of provisions of this arrangement would lead to major inequities, the Financial Support Fund Committee may derogate from this scheme.

## **Article 7.3 Appeal and objection**

The student concerned may lodge a notice of objection against decisions based on these regulations with the Disputes Advisory Committee within six weeks of the publication of the decision, using the form provided by the Office for the Legal Protection of Students (Loket Rechtsbescherming Studenten). An appeal may be lodged with the Appeals Tribunal for Higher Education within six weeks of the publication of the decision on the objection, P.O. Box 16137, 2500 BC The Hague, the Netherlands.

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## Annex 03

### Code of conduct internet, email and use of social media

#### **Considerations**

This text describes the internal and external internet and email use of employees and students of Aeres University of Applied Sciences.

The following points have been considered while drawing up this code of conduct:

1. Using the internet and email is for many people within Aeres University of Applied Sciences a necessity in order to carry out their work or to study. However, using this inappropriately costs time and capacity of people and equipment and it carries several significant risks.
2. The internet manifests itself in different ways. Examples of this are email (via the intranet), Word Wide Web (surfing), File Transfer (sharing files), Usenet (news groups), chat (WhatsApp, Snapchat, etc.) and social media (Instagram, Facebook, Twitter, Tumblr, etc.). Different risks are involved with the different manifestations of the internet that require rules regarding use and behaviour. These risks include damaging the network through viruses, leaking of confidential data and discrediting the institution's good name.
3. To prevent such risks, Aeres University of Applied Sciences can implement rules and regulations while carrying out work or study related activities and take measures to protect the good order of the institution. The rules listed below fall under this provision.
4. Considering the risks connected with the use of internet and email, the user is expected act in a professional and correct manner.
5. The use of internet is recorded. This registration is necessary to ensure continuity of the technical infrastructure, combat disruptions of operational processes and to prevent other (financial) damage and to monitor the user's adherence to the rules regarding behaviour and use of the internet.
6. Substantive control of internet and email usage can take place if a user's actions are suspected to be in breach of the rules regarding use and behaviour on the internet. Not adhering to these rules may lead to disciplinary and/or employment legislative sanctions.
7. This code of conduct regarding internet and email comprises:
  - a. The rules the employee/student has to abide by while using the internet and email systems made available by Aeres University of Applied Sciences for business purposes.
  - b. The circumstances under which Aeres University of Applied Sciences can decide to record, gather and monitor data traceable to persons regarding internet and email usage.

## **1. Scope**

This regulation is applicable to all persons working or studying at Aeres University of Applied Sciences.

## **2. General**

1. Aeres University of Applied Sciences reserves the right to limit access to certain websites. By means of a so-called firewall, websites with a pornographic, racist, discriminatory content or website solely aimed at entertainment, are barred.

2. Aeres University of Applied Sciences can give permission to use (a part of the internet), but it also reserves the right to withdraw this permission. Without this permission, use of (a part of of) the internet is not permitted.

3. The conventional rules of conduct, such as signing written correspondence, representing Aeres University of Applied Sciences and writing and sending mail (such as proper use of language) are also applicable to email and other means of communication (such as news groups, telephone calls and via the internet).

## **3. Guidelines for internet and email usage**

1. Employees/students of Aeres University of Applied Sciences are allowed to make limited use the internet for personal use. Use is, therefore, primarily connected to the tasks/activities relating to their function/study. While doing so, they must adhere to the rules and regulations drawn up by Aeres University of Applied Sciences.
2. The infrastructure for electronic communication knows its own form of vulnerability and its own form of security. This calls for specific attention regarding the points:
  - a. User-ID (login name) and password are person-specific and may not be shared with others.
  - b. Downloading software and applications is not permitted, unless written consent has been granted by the system/network administrator. This consent is only granted if all applicable conditions have been met and rights and licences are paid for. Downloaded software and applications must be scanned for viruses before use.
  - c. Confidential data and sensitive corporate information may not be shared with persons outside of the organisation. Message exchange of this nature should be sent encrypted. In most cases, the system/network administrator can be contacted to encrypt messages.
  - d. It is not permitted to generate personal messages by entering into non-business-related news groups, subscriptions to e-zines, newsletters, etc.
  - e. Unintentional breaches of security, either from within or outside the organisation must be reported to the system/network administrator.
3. Employees are allowed to use internet and email occasionally and briefly for private purposes, both internal and external, if this does not disturb the day-to-day activities and if the guidelines listed in code of conduct are met.
4. It is explicitly forbidden to:
  - a. visit websites containing pornographic, discriminatory, insulting or offensive content.

- b. view or download pornographic, racist, discriminatory, insulting or offensive content.
  - c. grant oneself unauthorised access to non-public online sources.
  - d. intentionally change or destroy online information or data without consent.
  - e. If unrequested information or data of this nature is offered to you, you are obliged to report this to the system administrator.
5. Furthermore, it is not permitted to use your email account to:
- a. send messages anonymously or under a fictitious name
  - b. send or forward messages and/or emails containing threatening, insulting, sexually explicit, racist or discriminatory content
  - c. send or forward messages of a commercial nature
  - d. harass/bully someone online
  - e. If unrequested information or data of this nature is offered to you, you are obliged to report this to the system administrator.
6. It is not under no circumstances permitted to engage in online activities that infringe the law or that can be deemed as unethical.

#### **4. Guidelines social media use**

1. Employees and students are allowed to share knowledge and other valuable information provided that this information is not confidential and does not damage the institution. Employees do not publish unrequested confidential or otherwise brand-related information. For publication of conversations permission from a manager or from the department or person responsible is required.
2. Employees and students will only provide confidential and/or damaging information about customers, partners or suppliers with their approval. No distinction is made between information about products, persons or companies.
3. Employees and students are expected to take extra care while publishing about, or discussing with, a customer or competitor. Wrongly interpreted or poorly substantiated pieces may have an adverse effect on the institution.
4. The institution supports an open dialogue, exchanging of ideas and the sharing of knowledge. Employees and students who publish on a website (or on social media) other than the institution's website about a topic related to the institution, must clearly communicate that they do so in their personal capacity. If employees publish on behalf of the institution, they must specify their organisation and their role within that organisation.
5. Directors, managers, executives and those that carry out the organisation's policies hold a specific responsibility while using social media. Based on their role within the organisation, employees must determine if they can publish in a personal capacity.
6. Employees are personally responsible for the content they publish, if this is not part of their role within the organisation, on blogs, Wikipedia, forums and other user-generated media. They are aware that the content they publish will be public for a longer period of time, with consequences for their privacy.
7. Employees and students urgently requested to, when an online discussion is about to spiral out of control, or, worst case scenario, has already spiralled out of control, contact



the responsible department/person immediately and to discuss the strategy to be followed.

8. If there should be the slightest doubt about a publication or about its possible connection to the institution, it is advisable to contact your supervisor (employee) or academic advisor (student) or the responsible department/person.

## **5. Monitoring**

1. To ensure the safety of the network and to monitor careful use confirming this regulation, technical monitoring takes place periodically during which the data can not be traced to individuals. Furthermore, the technical integrity and availability of the infrastructure as well as services is monitored.
2. Inbound internet and email traffic are checked as thoroughly as possible for viruses and similar inconveniences. It appears that, or if there is a reasonable suspicion, an email contains a virus, it is automatically barred and both the sender and recipient will be informed. If, in spite of the abovementioned precautionary measures, an email is received that might be infected with a virus, the recipient must immediately contact the system administrator.
3. If it appears that there has been an infringement against this regulation or if there are suspicions of an infringement (such as complaints, signals from within or from outside of the organisation and system disruptions), data from the user(s) concerned will be printed, checked and used. Monitoring, as well as the opening of emails, including private emails, for the purpose of detecting of illicit conduct of the employee/student is permitted if there is a reasonable suspicion of illicit conduct and solely at the request of the faculty board.
4. The concerning data will be stored for as long as necessary for further investigation and, if needed, to enforced measures against the user.

## **6. Sanctions**

Infringements against this regulation (the interests of the organisation or the commonly accepted values and standards for the use of the internet) may lead to the enforcement of disciplinary measures, depending on the nature and severity of the infringement. By this is meant disciplinary sanction and the employment law measures, such as reprimands, relocation, suspension, and termination of the labour contract or study.

## **7. Complaints procedure**

If the employee/student is of the opinion that his/her rights have been adversely affected on grounds of this protocol, he/she can contact a counsellor of Aeres University of Applied Sciences, falling under the employment policy/student charter for employees/students of Aeres University of Applied Sciences.

## **8. Concluding**

1. In all cases not covered by this regulation, the faculty board of the faculty concerned has the right to make a decision.
2. This amended regulation takes effect as of 1 September 2019.

# Arrangement office legal protection students

Aeres University of Applied Sciences

Associated with the administrative and management regulation

Annex 04/1

1 September 2020  
Version 2.0  
Final



**Executive Office**

## Version management

### Version management

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Explanation</b>
0.1	14-02-2019	HUB	For advisory purposes FMT/SZ
0.2	05-03-2019	HUB	For advisory purposes OR/CSR/OCs/Ex.cmtes
0.3	08-04-2019	HUB	To be established by board of directors/BoD
1.0	10-04-2019	HUB	For the approval WC/CSR/OCs
2.0	19-07-2020	HUB	Final

## Preamble

The legal protection of students, future students and external students in higher education is largely governed by article 4, chapter 7 of the Higher Education and Scientific Research Act (*Wet Hoger Onderwijs en Wetenschappelijk Onderzoek*). Every institution of Higher Education is required to have Board of Appeal for exams, a Dispute Advisory Committee and a complaints procedure, as well as an “accessible and unambiguous facility”. At Aeres University of Applied Sciences, this is the Legal Protection Office Students.

The purpose of this office is to offer students unambiguous and unhindered access to the different departments within the organisation and arrangements concerning their legal protection. Through this office, the complaint, the objection or appeal is guided through the appropriate procedure to the correct committee.

The Arrangement Legal Protection Office Students is the further arrangement as referred to under article 7.59a, section 1 of the Higher Education and Scientific Research Act. This office assures the complaint, objection or appeal is recorded correctly and is sent to the department authorised to process it. Simultaneously, the office will forward the complaint, objection or appeal to the person or persons taken the decision or against whom the complaint

is filed. The Office's procedures are detailed in this Arrangement.  
The Office is staffed by the secretariat of the Executive Board of the University of Applied Sciences.

## General Provisions

The terms mentioned in this arrangement carry the same meaning as those mentioned in the WHW or the Student Charter, unless emphatically stated otherwise.

In this arrangement the following definitions apply:

<b>WHW:</b>	Higher Education and Research Act
<b>Executive Board:</b>	the institutional board of Aeres University of Applied Sciences also the board of the Foundation Aeres Group
<b>Institutional Director:</b>	Director of the Aeres University of Applied Sciences
<b>Faculty Director:</b>	Director of one of the faculties of Aeres University of Applied Sciences
<b>Dispute Advisory Committee:</b>	the committee as referred to in article 7.63a WHW
<b>Board of Appeal for Exams:</b>	the board as referred to in article 7.60 WHW
<b>Office:</b>	The office legal protection students where all complaints, objections or appeals from students in connection to cases connected to education are received and recorded.
<b>Complaint:</b>	a complaint about the behaviour of a person connected to Aeres University of Applied Sciences, which has not been handled in a satisfactory manner at the faculty level
<b>Objection:</b>	a dispute relating to the assessment of the quality of the student, which has been submitted to the Board of Appeal for Exams (Cobex)
<b>Appeal:</b>	an appeal of a more general nature which has been submitted to the Dispute Advisory Committee (GAC)
<b>Party concerned:</b>	person(s) as referred to in article 4 (legal protection) of the WHW, i.e.: a student, a future student, an alumnus, an external student, a future external student or a past external student.

## The Office

### Article 1 Accessibility

1. The Office can be contacted digitally via the website [www.aereshogeschool.nl](http://www.aereshogeschool.nl)
2. The Office can be contacted via email at [loketrechtbescherming.hogeschool@aeres.nl](mailto:loketrechtbescherming.hogeschool@aeres.nl)
3. The Office can be contacted by post: Loket Rechtsbescherming Student, Postbus 245, 6710 BE Ede.

### Article 2 Procedure

1. A complaint, objection or appeal can only be filed by filling out a form specifically intended for this purpose, which can be found on the website. The form can be submitted digitally through the post.
2. The office sends a confirmation of receipt of the filed complaint, objection or appeal to the appellant as soon as possible, but at the latest within three working days, stating the procedure for handling the matter at hand.
3. The date of receipt defines if the complaint, objection or appeal has been submitted in time.
4. After recording the complaint, objection or appeal the office will then send the form and its annexes to the authorised department to be processed, being the Board of Appeal for Exams, the Dispute Advisory Committee or the Executive Board. Said department will handle any further correspondence and substantive processing.

### Article 3 Unforeseen circumstances

In all cases not covered by this arrangement, the Executive Board will decide upon the procedure(s) through which a decision will be made or, if the situation demands it, will take a decision autonomously.

### Article 4 Recording and evaluation

1. The Office records all filed complaints, objections or appeals and reports this the numbers and the general contents to the Executive Board and the institutional director.
2. The Executive Board ensures that this arrangement, as well as the office's procedures, are evaluated on a regular basis. The evaluation takes place at least once every three years.

**Article 5 Implementation**

This arrangement takes effect on 1 September 2019, after the approval of this works council and CSR.

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# Regulation complaints students

Aeres University of Applied Sciences

ANNEX 04/II

1 September 2020  
Version 2.0  
Final version



**Executive Office**

# Version management

Version management			
Version	Date	Author	Explanation
0.1	14-02-2019	HUB	For advisory purposes
0.2	05-03-2019	HUB	For advisory purposes OR/CSR/OCs/Ex.cmtes
0.3	08-04-2019	HUB	To be established by board of directors
1.0	10-04-2019	HUB	For the approval of WC/CSR/OCs
2.0	19-07-2020	HUB	Final version

## General conditions

**WHW:** Higher education and research act

**Aeres University of Applied Sciences:** Institution (university of applied sciences) that originates from and is being sustained by the Foundation Aeres Group

**Executive Board:** the institutional board of Aeres University of Applied Sciences, also board of the Foundation Aeres Group

**Institutional director:** Director of Aeres University of Applied Sciences

**Faculty director:** Director of one of the faculties of Aeres University of Applied Sciences

**Person concerned/involved:** a person as mentioned under article 4 (legal protection) of the WHW, more specifically: a student, a prospective student, an alumnus, an external student, a prospective external student or a former external student.

**Student:** a person who, in accordance with article 7.32 et seq., who is registered for a course of study otherwise involved course participants or contract students, except when emphatically specified otherwise

**Employee:** a person who works for the Foundation Aeres Group under an employment contact.

## The complaint

### Article 1 The complaint

Every (prospective) student and (prospective) external student at Aeres University of Applied Sciences is entitled to file a complaint. A complaint within the meaning of this regulation, is an expressed expression of discontent about an action, conduct or situation which the complainant has experienced in the communication with his/her respective faculty. An action of an employee employed under the auspices of the faculty, will be regarded as the faculty's action. Neglecting to act can also be understood as 'action'.

### Article 2 Filing the complaint

1. The complaint must be filed in writing. The complainant must use the appropriate form issued by the Office Legal Protection Students. The complaint must at minimum comprise:
  - a. the complainant's name and address
  - b. date
  - c. a description of the action, conduct or situation pertaining to the complaint
  - d. the reason why the complainant files a complaint against the action, conduct or situation
  - e. a description of the action undertaken by the complainant to discuss the complaint with the person against whom the complaint is filed, or, if this is not possible, with the faculty board.

2. If a complaint is set in a foreign language and a translation is required in order to process the complaint correctly, the complainant must supply a translation.

### **Article 3 Conformation of receipt**

1. The Office legal protection students confirms the receipt of the complaint within 3 working days after the receipt at the latest.
2. After the confirmation of receipt, the Office legal protection students will then refer the complaint to the Executive Board.
3. The complaints coordinator confirms the receipt of the complaint on behalf of the Executive Board. If the requirements as mentioned in article 2 have not been met, or any other requirements for the handling of the complaint, the Executive Board will notify the complainant of this and will ask him/her to correct this within the set terms. If the complainant does not correct his/her omissions within the set terms, the complaint may be declared inadmissible.

### **Article 4 Admissibility**

1. The Executive Board will not handle to complaint if:
  - a. the complaint does not meet the demands mentioned in article 2, section 1 or 2
  - b. more than one year has passed since the facts or circumstances relating to the complaint have taken place
  - c. the complaint is unfounded
  - d. the Executive Board previously passed a verdict about the complaint
  - e. the complaint falls under the authority of a different body, such as the complaints committee unwanted conduct, Cobex of the dispute advisory committee
  - f. the interest of the complainant, or the weight of the conduct is insufficient.

### **Article 5 Confirmation**

If the Executive Board decides to not process a complaint, it will inform the complainant as soon as possible, at the latest four weeks after receipt of the complaint, in writing stating the reasons. The Office Legal Protection Students receives a copy of this.

## **Procedure for handling a complaint**

### **Article 6 Hearing**

1. The Executive Board gives the institutional body and/or employee concerned, as well as the complainant, the opportunity to explain their position in writing or verbally. Thereby or in addition to that, the Executive Board explores the possibility to come to an amicable settlement of the dispute.
2. The Executive Board will refrain from hearing the complainant if:
  - a. Complainant has declared he/she does not want to exercise his/her right to be heard, or;
  - b. Complainant does not declare within a reasonable term that they wish to exercise his/her right to be heard.
3. The Executive Board may, if it deems this necessary for the investigation of the complaint, offer others the opportunity to acquaint themselves with the complaint, and to make an oral or written statement.
4. Institutional bodies and employees are obliged to comply with a request as referred to in the previous sections of this article within the term indicated by the Executive Board.
5. A report will be drawn up from the hearing

### **Article 7 Providing information**

1. The Executive Board is authorised to request information from institutional bodies and employees of Aeres University of Applied Sciences, or to request and inspect documents relating to the matter to which the investigation relates.
2. Institutional bodies and employees are obliged to comply with a request as referred to in the previous section within the period indicated by the Executive Board.
3. If the complainant grants written permission to do so, the Executive Board has access to personal data relating to him/her.

### **Article 8 Experts**

1. The Executive Board may, if in its opinion this is necessary for the purpose of the investigation, call upon experts.
2. The Executive Board may, if it is of the opinion that it is necessary for the investigation, without prior consent, enter any premises where the institutional body or the staff member whose conduct is being investigated is performing its duties.

### **Article 9 Confidentiality third parties**

All third parties involved in the investigation are bound by an obligation of confidentiality with regard to that which has come to their knowledge through their involvement in the investigation.

## Handling of a complaint

### Article 10 Grounds of assessment

The Executive Board assesses the complaint it investigates against the applicable legislation and regulations and the adopted Aeres policy and Aeres University of Applied Sciences policy.

### Article 11 Deadline

1. The complaint will be handled with within six weeks after receipt of the notice of complaint.
2. The Executive Board may postpone handling of the complaint for a maximum of four weeks. The postponement shall be notified in writing to the complainant and to the person to whose conduct the complaint applies.

### Article 12 Assessment

1. As a result of the investigation, the Executive Board shall inform the complainant and the institutional body or the employee against whom the complaint is directed of its findings of the investigation into the complaint, its opinion thereon as well as any consequences it may draw. The Executive Board does this by means of a documented opinion and advice.
2. The written opinion and advice shall also be sent by the Executive Board to the institutional director
3. The institutional director will notify the Executive Board and the complainant within one month after receipt of the written opinion referred to in the previous section, of the manner in which the advice will be acted upon.
4. If, for compelling reasons of a policy nature, the institutional director considers not to follow the recommendation, he/she will inform the Executive Board and the complainant, stating his/her reasons.

### Article 13 Appeal

An appeal may not be lodged against a decision on the handling of a complaint within the meaning of these rules.

### Article 14 Unforeseen cases

In all cases not covered in this regulation, the Executive Board shall decide.

### Article 15 Citation title

These regulations can be cited as Regulation complaints students Aeres University of Applied Sciences.

### Article 16 Implementation

This regulation enters into force on 1 September 2020 and has been adopted by the Executive Board.