

**Avans University  
of Applied  
Sciences  
Students' Charter**

**Imprint**

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## **Institution-specific part**

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## **Foreword**

The Avans University of Applied Sciences Students' Charter stipulates the rights and obligations of students enrolled at Avans University of Applied Sciences.

Avans University of Applied Sciences is proud to offer high-quality education to its students. This requires Avans to have an appropriate Students' Charter in place – a pre-eminent collection of rules, regulations and frameworks. Where applicable, its provisions can provide a binding basis.

The Executive Board wishes all students the greatest success in their studies and expects that the Students' Charter will provide the support they need to reach their full potential.

P.L.A. Rüpp MA  
President of the Executive Board

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## Definitions of terms used in the Students' Charter

1. **Appeals Tribunal for Higher Education:** an independent body that deals with legal cases related to higher education (research universities and universities of applied Sciences). The Tribunal is registered in 's-Gravenhage.
2. **Avans Joint Consultative Council:** the Joint Consultative council as referred to in Section 10.17 of the WHW. This council consists of staff and students, and has the authority to discuss all matters concerning Avans University of Applied Sciences. Its duties and powers are set out in detail by the council.
3. **Avans University of Applied Sciences:** the institution (university of applied sciences) based on the Avans Foundation that upholds it.
4. **Complaints Office:** A complaint may be sent by email to [juridischloket@avans.nl](mailto:juridischloket@avans.nl).
5. **Confidential counsellor:** The person appointed by the Executive Board of Avans University of Applied Sciences at each campus to support students who are confronted by undesirable behaviour within or outside the institution.
6. **Disputes Advisory Committee:** committee as referred to in Section 7.63a of the WHW that issues advice to the Executive Board regarding complaints and grievances against decisions, or the failure to reach decisions, other than those set out in Section 7.61 of the WHW. Notices of objection may be addressed to [gac@avans.nl](mailto:gac@avans.nl).
7. **DUO (Dienst Uitvoering Onderwijs):** the Education Executive Agency (formerly the Informatie Beheer Groep [Information Management Group]).
8. **Education and Examination Regulations:** Regulations that specify the applicable procedures, rights and obligations with regard to the education and examinations for each study programme or group of study programmes as referred to in Section 7.13 of the WHW.
9. **Enrolment:** Enrolment as a student or external student as specified in Section 7.32 of the WHW et seq. Enrolment is based on a study programme. If a bachelor's degree programme consists of a propaedeutic and a post-propaedeutic or bachelor's phase, enrolment is based on one of these phases.
10. **Examination Appeals Board:** One of the appeals boards affiliated with the university of applied sciences for stakeholders (students, prospective students and external students), as referred to in Section 7.60 of the WHW. Notices of appeal may be addressed to [cobex@avans.nl](mailto:cobex@avans.nl).
11. **Examination board:** The examination board, as referred to in Section 7.12 of the WHW, is the body responsible for determining in an objective and professional manner whether a student meets the conditions imposed by the Education and Examination Regulations in relation to the knowledge, understanding and skills required to obtain a degree.
12. **Executive Board:** the board of Avans University of Applied Sciences, also the board of the Avans Foundation.
13. **External student:** A person who is enrolled as such at Avans University of Applied Sciences and in that capacity can only sit preliminary or final examinations that are part of the study programme for which he or she is enrolled.
14. **Financial support:** The assistance that students can receive on the basis of Section 7.51 of the WHW, if there is or there is expected to be a study delay due to special circumstances during their *performance-related student grant period*. The financial support

must be reasonable enough to allow the student to continue or complete his or her studies as soon as possible.

**15. Higher education:** academic education and higher professional education.

**16. Individual concerned:** Title 4 (Legal Protection) of the WHW defines a person concerned as a student, a prospective student, a former student, an external student, a prospective external student or a former external student.

**17. Marketing, Communication and Student Relations Unit (DMCS):** The unit responsible for tasks relating to areas such as student relations.

**18. Marketing, Communication and Student Relations Unit Management Board:** Supervises a number of departments, including the Student Relations department, concerning student policy and facilities.

**19. School Board:** the body that manages the School and is responsible for the School's organisation, structure and operations, in so far as the Executive Board has granted it powers in this respect.

**20. School Consultative Council:** subcouncil, as referred to in Section 10.25 of the WHW, which is involved in the decision-making process within a School.

**21. School:** the organisational unit (business unit) within Avans University of Applied Sciences that offers one or several study programmes.

**22. Student counsellor:** The student counsellor represents the interests of students and has responsibilities in relation to student counselling.

**23. Student Information Desk:** A facility that students can turn to if they have any questions or would like information about subsequent education, transfer possibilities, regular and short track university programmes, study and work placements abroad, financial aid for studying, cultural activities, etc. Avans University of Applied Sciences has a Student Information Desk on each campus.

**24. Student:** a person enrolled as a student with Avans University of Applied Sciences.

**25. Students' Charter:** The Avans University of Applied Sciences Students' Charter, as referred to in Section 7.59 of the WHW, sets out the rights and obligations of students and contains an overview of the rules and regulations designed to protect students' rights.

**26. Study Finance Advance Act:** Act which amended the Dutch Student Finance Act 2000 [Wsf], replacing, among other things, the basic grant part of the performance-related study grant with a loan.

**27. Study load and ECTS credits:** The study load is 120 credits for an associate degree programme, 240 credits for a bachelor's degree programme in higher professional education, 60 credits for a master's degree programme in higher professional education and between 60 and 120 credits for a master's degree programme in art. 60 credits are equivalent to 1,680 hours of study.

**28. Study Programme Committee:** A study programme committee referred to in Section 10.3c of the WHW, which is responsible for advising on promoting and ensuring the quality of the programme.

**29. Study programme:** The initial education offered by the institution in the form of associate degree programmes, bachelor's degree programmes and master's degree programmes. A study programme can be followed full-time, part-time or as a dual track programme. Every study programme is linked with an examination. Every study unit is linked with a preliminary examination.

**30. Supervisory Board:** Supervisory Board of Avans University of Applied Sciences, as specified in Section 10.3d of the WHW.

**31. Tuition fees:** Tuition fees as specified in Section 7.37(2) and Section 7.43 et seq. of the WHW. Full-time, part-time and dual track students pay tuition fees. External students pay examination fees.

**32. Unit Finance and Student Administration (DFS):** The unit responsible for the administrative processes concerning the enrolment process. This unit comprises the Student Administration Office and Accounts Receivable Department.

**33. WHW:** The Dutch Higher Education and Research Act (Wet op het Hoger onderwijs en Wetenschappelijk Onderzoek).

**34. Wsf 2000:** the Dutch 2000 Student Finance Act (Wet Studiefinanciering 2000).

## 1 General provisions

### Article 1.1. WHW

1. This Students' Charter is defined as such under Section 7.59 of the WHW.
2. The provisions of this Students' Charter are only valid if and in so far as they do not conflict with the provisions of or by virtue of the WHW.
3. This Students' Charter has been adopted by the Executive Board of Avans University of Applied Sciences, after obtaining the assent of the Avans Joint Consultative Council.

### Article 1.2. Scope

1. The scope of this Students' Charter is limited to the Executive Board, the School Boards, Management Boards and the students and employees of Avans University of Applied Sciences.
2. Any reference to students in this Students' Charter also includes external students, unless otherwise specified.
3. This Students' Charter of Avans University of Applied Sciences and the regulations therein do not apply to:
  - students and course participants of Avans+ B.V., a separate legal entity for the provision of contract education;
  - course participants undertaking contracted work for modular education, language courses and otherwise non-publicly funded education;
  - students of the University of Law Avans-Fontys, which has its own Students' Charter. The provisions of the Avans University of Applied Sciences Students' Charter and any associated regulations only apply to students of the University of Law Avans-Fontys if the Students' Charter of the latter explicitly states so.

### Article 1.3. Contents

1. This Students' Charter lays down the rights and obligations of students and contains references to the rules and regulations that are intended to protect the rights of students.
2. This Students' Charter applies to all students who are enrolled in one of Avans's publicly funded study programmes registered in the Central Register of Higher Education Study Programmes, regardless of whether they are eligible to pay the statutory or institution tuition fees.

3. The Students' Charter consists of an INSTITUTION-SPECIFIC PART and a PROGRAMME-SPECIFIC PART.
  - The INSTITUTION-SPECIFIC PART contains:
    - a. a description of the rights and obligations of the students, pursuant to the provisions of or under the law
    - b. the regulations aimed at protecting the rights of students, including:
      - the procedures for handling complaints and disputes within the institution, and the professional rights that may be derived from this law and other statutory regulations
      - the additional procedures to protect the rights of students as laid down by the Executive Board.
  - The PROGRAMME-SPECIFIC PART is laid down in the Framework Regulations for the Programme-Specific Part of the Students' Charter (*Kaderregeling voor het opleidingsspecifiek deel van het studentenstatuut*) and includes:
    - a. a description of the structure of the study programme and the support facilities offered to students by the institution, which in any event include:
      - information about the structure, organisation and execution of the teaching
      - student facilities
      - facilities relating to study counselling
    - b. the Education and Examination Regulations, referred to in Section 7.13(1), of the WHW, which includes the arrangements regarding work placements and graduation projects
    - c. a description of additional requirements and procedures at School and/or study programme level.
4. The Executive Board and the School and Management Boards shall ensure that both parts of the Students' Charter, as referred to in 2.1 and 2.2, are available to each student when they enrol for the first time.
5. The Executive Board and the School and Management Boards shall ensure that the implementation regulations, which form part of the INSTITUTION-SPECIFIC PART of this Students' Charter are available to students. The implementation regulations comprise the following:
  - Fund for Financial Support of Students Profileringsfonds Scheme
  - Regulations for student facilities/top level sports and studies
  - the Hardship Fund Scheme for students
  - the Regulations of the Examination Appeals Board
  - the Regulations for the Protection of Personal Data of Students
  - the General Complaints Procedure for Students
  - the Undesirable Behaviour Complaints procedure
  - the Student Appeals Procedure
  - the Terms of Enrolment
  - the Admissions Committee Regulations
  - the Consultative Council Regulations
  - the model Work Placement/Graduation Project agreement
  - the Framework regulations for students participating in administrative activities
  - the Avans University of Applied Sciences Rules and Regulations
  - the Integrity Code
  - the Protocol for student sanctions and disciplinary measures
  - the Rules and Regulations and Facilities Protocol
  - the Code of Conduct for Non-Dutch Taught Programmes.

6. Prospective students (applicants), students of the University of Law Avans-Fontys and students/course participants undertaking contracted work who use Avans University of Applied Sciences provisions and/or take part in education in buildings and on sites belonging to or used by Avans University of Applied Sciences are subject to:
  - the Avans Facilities Protocol
  - the Rules regarding ICT and Computer Use
  - the Multimedia Library regulations
  - the Avans Health, Safety and Environment regulations.

*The Executive Board must ensure that students are informed of any changes to this Students' Charter immediately.*

## 2

## University structure

### Article 2.1. Aims, objectives, structure and management

1. Avans University of Applied Sciences is an inherently multi-sectoral institution, offering more than 50 study programmes in 20 Schools, in Technical and Laboratory Technician Training, Economics and Management, ICT and Management, Social Studies, Health Care, Teacher Training, Art and Design, part-time education and Associate degree programmes. Some study programmes are also offered as dual track programmes, meaning that teaching is interspersed with professional work placements relating to the study programme.  
Avans University of Applied Sciences places huge value on cooperation with companies and institutions, to further improve students' transition from school to work.  
In addition to providing professional higher education, the university of applied sciences is also involved in contract education and research, services to the community, post-bachelor's degree courses and master's degree programmes in various sectors of higher education.  
Avans University of Applied Sciences pays particular attention to quality assurance, increasing the flexibility of education and internationalisation. By signing the *Code of Conduct International Student in Dutch Higher Education* and acceding to the *Erasmus University Charter*, we guarantee the quality of higher education to an increasing number of international students and to our students who take some of their education abroad.
2. The Avans Foundation Executive Board is also the board of Avans University of Applied Sciences. Avans University of Applied Sciences provides education at 3 education campuses: Breda, 's-Hertogenbosch and Tilburg. A Supervisory Board is charged with overseeing policy and the general course of affairs within the university of applied sciences.
3. The Avans Foundation Executive Board is located at Prof. Cobbenhagenlaan 13 in Tilburg. The postal address is: PO Box 1097, 5004 BB Tilburg, the Netherlands.
4. Each School at the Avans University of Applied Sciences has its own School Board, which has been granted powers and responsibilities by the Executive Board relating to the preparation, delivery and evaluation of education.

## 3 Enrolment

### Article 3.1. Prior education requirements

Any person who wishes to enrol as a student for a study programme at Avans University of Applied Sciences must comply with the statutory procedural regulations for application for the propaedeutic phase of a bachelor's degree programme, in accordance with Section 7.31a of the WHW, and the prior education requirements, as set out in Sections 7.24 to 7.29 of the WHW and in the Education and Examination Regulations of the study programmes. Exemptions may be granted under certain circumstances, however.

*Please refer to the Terms of Enrolment of Avans University of Applied Sciences. These can be found at [studentinfo.avans.nl/international](http://studentinfo.avans.nl/international).*

### Article 3.2. Rights and obligations after enrolment (Section 7.34 of the WHW)

1. Any person who enrols as a student has the following rights:
  - a. to take part in education within a study programme
  - b. to sit preliminary or final examinations within the study programme (see the Education and Examination Regulations for the relevant programme)
  - c. to access the premises of the institution
  - d. to use the educational support facilities
  - e. to use the student facilities, including the services of the student counsellor
  - f. to receive study counselling (see the Education and Examination Regulations for the relevant study programme)
  - g. in the event of a decision to terminate the programme by the minister or the institution: to have the opportunity to finish the programme within a reasonable period of time at the same or a different institution
  - h. to vote for or sit on the Joint Consultative Council, any subcouncils and/or study programme committees.
2. Any person who enrols as a student has the following obligations:
  - a. to meet the tuition and examination fee obligations
  - b. to meet the standards of good conduct in the buildings and on the sites of Avans University of Applied Sciences, in accordance with the requirements of the Executive Board and the School Board
  - c. to comply with the other rules and regulations on conduct contained in section 8 of this Students' Charter and laid down in the *Rules and Regulations* and the *Avans University of Applied Sciences Integrity Code*.
3. External students only have the right to take preliminary or final examinations within the study programme.

### Article 3.3. Termination of enrolment (Section 7.42 of the WHW)

Students considering terminating their enrolment are advised to discuss the consequences of disenrolment regarding financial aid for studying, ECTS credits obtained, arrangements for resuming studies and other aspects beforehand with their student counsellor and if necessary with the Education Executive Agency DUO.

Disenrolment during the academic year can be arranged via Studielink, [www.studielink.nl](http://www.studielink.nl). We expressly recommend that students schedule an appointment with the student counsellor beforehand to ensure that disenrolment and termination of financial aid for studying are correctly processed.

### **3.3.1 Termination of enrolment at a student's request**

Students enrolled in a study programme who request termination of enrolment will have their enrolment terminated in the month after the request was received. The Executive Board will inform the individual concerned and the Education Executive Agency DUO that his/her enrolment has been terminated.

Students are eligible for the refund of a twelfth of the tuition fees they owe for every month remaining in the academic year after the termination of their enrolment, unless a request for disenrolment is received in June, July or August.

*Students who request to disenrol in June, July or August will not be entitled to a tuition fee refund.*

**Important:** Students who, in addition to their first enrolment, have a second enrolment that is partially or wholly exempt from payment of tuition fees as specified in 2.7.1. of the Terms of Enrolment must submit a request for the return of their proof of tuition fee payment from the institution of their second enrolment and subsequently send it to Avans's Student Administration Office.

### **3.3.2 Termination of enrolment by the board of the university of applied Sciences**

1. If a student, after receiving formal notice, refuses to comply with his/her tuition fee obligations, the Executive Board may terminate the student's enrolment with effect from two months after issuing notice. This is without prejudice to the payment obligations incumbent upon the individual concerned. If the student fails to comply with his/her payment obligations, or fails to do so in time, the claim may be passed to a debt collection agency.
2. The Executive Board may terminate enrolment in the month following:
  - a binding rejection (article 7.8b, paragraph 5)
  - serious fraud, after the Examination Board has proposed to do so (article 7.12b, paragraph 2)
  - a failure to respect the basis, aims and objectives of the institution, provided there is an opportunity to follow the study programme at another institution (article 7.37, paragraphs 5, 6 and 7)
  - a breach of the institution's rules and regulations and disciplinary measures (article 7.57h)
  - a recommendation by the Examination Board and/or student counsellor, after careful consideration of all the various interests involved, on the grounds that a student's behaviour or statements suggest that he/she is not suitable to work in one or more professions for which the study programme is preparing him/her, or for the practical preparation for professional practice (article 7.42a).

### **3.3.3 Supplementary clause for non-EEA students**

By enrolling as a student at Avans University of Applied Sciences, and in accordance with the Code of Conduct International Student in Dutch Higher Education<sup>2</sup>, non-EEA students agree that upon termination of enrolment, or much earlier after the institution has determined that the student is no longer performing reasonably during his/her studies, the institution will immediately notify the Netherlands Immigration and Naturalisation Service (IND) of this.

*The Terms of Enrolment set out the rights and obligations of students once enrolled on a study programme at Avans University of Applied Sciences. They also contain information about late enrolment, terminating enrolment, procedures, tuition fees, refund rules, etc. These can be found at [studentinfo.avans.nl/international](http://studentinfo.avans.nl/international).*

## **4 Education**

### **Article 4.1. Study programmes**

1. The education of each study programme is delivered in accordance with the provisions of the Education and Examination Regulations of the individual programme.

### **Article 4.2. Education and Examination Regulations, preliminary and final examinations**

1. Each study programme is subject to its own Education and Examination Regulations. These regulations form part of the programme-specific part of the Students' Charter. The Education and Examination Regulations are reviewed and adopted each year by the relevant School Board, following approval by the Study Programme Committee or School Consultative Council.
2. The WHW stipulates a number of themes that must be included in the Education and Examination Regulations (Section 7.13(2) of the WHW). These include:
  - the content of the study programme and examinations
  - the way in which education is evaluated in the relevant study programme
  - the content of the specialisations within a study programme
  - the qualities in terms of knowledge, understanding and skills that a student must have acquired by the end of the study programme
  - the structure of the practical exercises and, where necessary, the obligation to take part in them
  - the study load of the study programme and the individual educational units, the number and order of the preliminary examinations, as well as the times when examinations can be taken
  - the full-time, part-time or dual track structure of the study programme
  - the further rules on the study advice in the propaedeutic phase
  - the further rules on the reference (regarding specialisations) in the post-propaedeutic phase
  - the method of registration for preliminary and final examinations
  - the period of validity for preliminary examinations passed
  - how examinations are taken

- reasonable measures taken to enable students with a physical or sensory disability or functional impairment to sit the preliminary examinations
- when the preliminary examination results must be published
- how and when students can see the assessment of their work after passing a written preliminary examination and find out about the assessment criteria used
- the criteria and procedure for granting exemptions from preliminary and final examinations
- where necessary, the stipulation that certain preliminary examinations must be passed in order to sit further preliminary examinations
- the number of resits of a preliminary or final examination allowed each year
- the compulsory subjects that should have formed part of prior education and the way in which the holder of a diploma who does not comply with the subject requirements can be granted exemption by means of further examination (Sections 7.25 and 7.28(5) of the WHW)
- the requirements for the entrance examination (colloquium doctum) (Section 7.29(2) of the WHW)
- the steps that a student must take for a part-time study programme to which additional requirements apply
- the grounds for which the Examination Board may grant exemption from one or more preliminary examinations for knowledge or skills acquired outside higher education
- the monitoring of study progress and individual study counselling
- the method of recording study progress information and the retention periods that apply
- the academic calendar and holidays
- the complaints, objections and appeal regulations.

*The Executive Board has laid down a framework structure (EER framework) for the implementation of the provisions of article 4.2. Education and Examination Regulations laid down for each study programme within this framework.*

*The Education and Examination Regulations for the study programme are provided electronically or in print to every student when they enrol for the first time.*

## **Right to affordable education**

1. The costs arising from the institution's legal obligations to provide education may not be passed on to students.
2. The cost of educational materials for a student's own use, such as books, materials and practical resources that are required to take part in the education, are borne by the student and may only be passed on to students on a voluntary basis. Students will be informed in good time before their study programme begins.
3. If additional costs apply (e.g. excursions), the student will be offered a free alternative. This may not be possible in exceptional cases only.

4. These provisions are elaborated further in the letter on the 'students' own contribution' from the Netherlands ministry of Education, Culture and Science dated 28 April 2015.

#### **Article 4.4. Right to study counselling**

1. Students are entitled to receive study counselling and use the services of a student counsellor (Section 7.34(1) d of the WHW).  
Students with a functional impairment and students from an ethnic or cultural minority with a lower level of participation in higher education may receive additional study counselling (Section 7.34(1d and e) of the WHW).
2. The Education and Examination Regulations contain provisions on the monitoring of the individual study counselling and study progress.

*Avans University of Applied Sciences has a policy in place to support students with a functional impairment and improve the way it does this, as explained in the Disability and Studying policy plan and elaborated in the Studying with a Functional Impairment protocol. For more information, please see the Student Information Desk or a student counsellor.*

## **5 Student financial support**

#### **Article 5.1. Financial Support for Students – Profileringsfonds (Section 7.51 of the WHW)**

1. The Executive Board has put rules and regulations in place for the provision of financial support to students who have incurred or will incur a study delay due to one or more special circumstances and cannot claim a financial aid for studying in the form of a performance-related student grant. Such students may receive financial support in this case.
2. The special circumstances (terms and conditions) that apply in order for students to be eligible for support are laid down in Section 7.51(2) of the WHW. These are as follows:
  - illness, pregnancy or maternity
  - physical, sensory, or other functional impairment
  - special family circumstances
  - membership, including chair, of the Avans Joint Consultative Council, a School Council or subcouncil, board of a study programme or a study programme committee, or the board of a foundation that, according to its statutes, is aimed at the provision of student facilities, or an organisation or body which, in the judgement of the Executive Board, has a similar task
  - membership of the executive committee of a student organisation of any size with full legal authority
  - administrative or social activities that, in the opinion of the Executive Board, coincide with the interests of Avans University of Applied Sciences or the education that the student is pursuing
  - other circumstances, as determined by the Executive Board, in which the student participates in activities as part of the organisation and administration of the institute

- study delay as a result of the manner in which the institute has provided the education
- circumstances other than those mentioned above that could lead to paramount unfairness if a request for financial support based on these circumstances were not approved by the Executive Board.
- 3. In determining the duration of financial support, the relationship between the special circumstances and the curriculum will be taken into account.
- 4. The amount of financial support must be reasonably sufficient for the student to continue his/her education, in view of the particular circumstances.
- 5. The student may raise an objection if his/her request for financial support is rejected, by submitting a substantiated notice of objection in writing to the Executive Board, for the attention of the Disputes Advisory Committee, in accordance with the provisions of section 10 of this Students' Charter.

*In order to be eligible for financial support, students must satisfy the applicable criteria. These can be found in the Fund for Financial Support of Students Profileringsfonds Scheme at [studentinfo.avans.nl/international](http://studentinfo.avans.nl/international).*

### **Article 5.2. Financial support for students – top athletes**

The Regulations for student facilities/top level sports and studies offers athletes who are practising top-level sport during their studies the opportunity for a tailor-made framework in the form of an individual study plan for each School and/or study programme, as well as the opportunity for full-time or dual track performance-related grant students to continue their studies with financial support from the university of applied sciences in the case of study delay and if they lose their entitlement to receive the grant.

*In order to be eligible for top athlete/student support, students must satisfy the applicable criteria. These can be found in the Regulations for student facilities/top level sports and studies at [studentinfo.avans.nl/international](http://studentinfo.avans.nl/international).*

### **Article 5.3. Hardship Fund for students**

1. The Executive Board has set up a Hardship Fund to offer students temporary financial support in the form of an interest-free loan under special circumstances.
2. Students who wish to apply for a loan from the Hardship Fund must submit a substantiated request in writing to the student counsellor.

*In order to be eligible for financial support from the Hardship Fund, students must satisfy the applicable criteria. These can be found in the Hardship Fund Scheme for students at [studentinfo.avans.nl/international](http://studentinfo.avans.nl/international).*

*Forms are available to report a study delay and apply for financial support at [studentinfo.avans.nl/international](http://studentinfo.avans.nl/international) or from the student counsellor.*

## 6 Student facilities

### Article 6.1. General student facilities

Avans University of Applied Sciences has the following general facilities available to students:

1. Student Counsellor's Office

Student counsellor: The student counsellor represents the interests of students and has responsibilities in relation to student counselling. Students who experience any problems during their studies, even if they are attributed to certain personal circumstances, can turn to the student counsellor for advice and guidance.

Students can approach their student counsellor about issues including their choice of study programme, study progress, interruption of studies, financial aid for studying, problems in their personal life, objection and appeal procedures, social security and finding accommodation. *For more Information, see the student counsellor page on the portal.*

2. Board of Confidential Counsellors

Confidential counsellors have been appointed by the Executive Board of Avans University of Applied Sciences at each campus to support students who are confronted by undesirable behaviour within or outside the institution.

*The Undesirable Behaviour Complaints Procedure and the list of confidential counsellors can be found at [studentinfo.avans.nl](http://studentinfo.avans.nl).*

3. Student Information Desk

Avans University of Applied Sciences has a Student Information Desk on each campus. The staff there can answer questions about application and admission, enrolment, re-enrolment, disenrolment and tuition fee payment, and provide information about study and work placements abroad, financial aid for studying, cultural activities and more. Students can also make an appointment with a student counsellor through the Student Information Desk. The Student Information Desk can be contacted by email: [studentinfo.avans.nl](mailto:studentinfo.avans.nl).

## 7

## Student and Employee Participation

### Article 7.1. Joint Consultative Council (Sections 10.17 to 10.39 of the WHW)

1. The Executive Board has set up an Avans Joint Consultative Council as referred to in Section 10.17 of the WHW, which is responsible for ensuring participation in the decision-making process within Avans, as laid down in the Consultative Council Regulations. The regulations also lay down the matters over which the Council has the right of consent or the right to give advice on.
2. The Joint Consultative Council as referred to in paragraph 1, is composed one half of members chosen from and elected by staff and one half of members chosen from and elected by students. Participation in the decision-making process offers both staff and students the opportunity to find out about policy and have an influence on it. Discussions are held on relevant matters and students have the chance to have their say on decisions that affect policy.

3. Each School of Avans University of Applied Sciences has a directly elected School Consultative Council, which is responsible for ensuring participation in all matters affecting the School, in accordance with the authority laid down in the School Regulations. The agenda and minutes of meetings will be published. Meetings of the Joint Consultative Council and subcouncils are public.  
The School Consultative Council is composed of members chosen from and elected by staff and students from the relevant School.
- 4.
5. The Executive Board provides resources and provisions to student members of a consultative body and also provides student members with the opportunity to receive training to help them perform their duties effectively.  
The Executive Board will ensure that student members of a consultative body of the institution may not be disadvantaged in their position at Avans due to their membership of the body. This also applies to prospective and former members. Students who believe that they are disadvantaged in their position due to their membership of the body may submit an objection to the Executive Board, in accordance with the process laid down in the Student Appeals Procedure.
- 6.

*For more Information about participation in the decision-making process, please see the Secretary to the Joint Consultative Council.*

*The regulations for objections are included in the Student Appeals Procedure for students of Avans University of Applied Sciences. These regulations can be found at [studentinfo.avans.nl](http://studentinfo.avans.nl).*

## **Article 7.2. Study Programme Committees**

1. The School Board appoints a Study Programme Committee (SPC) for each study programme or group of programmes within a School. If a study programme has several different modes of study (full-time, part-time or dual track) or different Schools have the same programme, an SPC can consist of multiple, independent sub-committees. If a School has only one programme, the tasks and duties of the SPC can be performed by the School Consultative Council in accordance with Section 10.3c(6) of the WHW.
2. The SPC is responsible for advising on the assessment and assurance of the quality of the study programme.
3. The SPC is also responsible for:
  - a. exercising its right of consent in respect of the Education and Examination Regulations, with the exception of the subjects listed in Section 7.13(2), under a, f, h to u and x of the WHW and with the exception of the requirements referred to in Section 7.28(4 and 5) and Section 7.30b(2) of the WHW
  - b. annually assessing the implementation method of the Education and Examination Regulations
  - c. exercising its right to give advice in respect of the Education and Examination Regulations on matters subject to its right of consent

- d. providing solicited and unsolicited advice to the School Councils and School Deans concerned regarding every other matter relating to education in the study programme.
4. Half of the members of the Study Programme Committee are students enrolled on the relevant study programme.
5. Provisions on duties, working procedures, authority, composition and elections are included in the rules on the study programme committees, under section 3 of the Avans Consultative Council Regulations. These can be found at [iAvans.nl](http://iAvans.nl).

## 8 Rules and regulations on conduct

### Article 8.1. Rules of conduct

1. Students are bound by the basic values of Avans University of Applied Sciences and are guided by openness, respect and social responsibility.
2. Students who are temporarily residing abroad as part of their studies or a work placement must conform to the rules of the host institution.

*The Executive Board has laid down an Integrity Code for all staff and students of Avans. This can be found on the Avans portal.*

### Article 8.2. Safety rules

1. Students must follow all safety rules and regulations concerning health, safety and the environment, which can be found in regulations including the Working Conditions Regulations.
2. The Executive Board and/or School Board will ensure that students are familiar with these regulations.

*Students also fall under the protection of the Dutch Working Conditions Act (Arbowet). Pursuant to Sections 2(2a), 3 and 6 of the Dutch Working Conditions Act, the Executive Board and/or the School Boards must ensure that information is provided to students about the policies and measures concerning health, safety, and welfare in the buildings, laboratories and on the sites of the university of applied sciences.*

### Article 8.3. Use of equipment and computer facilities

Students must take care when using equipment/resources/computer facilities belonging to the university of applied sciences or to third parties.

In the event of any loss, destruction or damage or unlawful use of software, the student will be held liable for any resulting damage or injury and the costs will be recovered from him/her immediately.

### Article 8.4. Copyright

1. Students must observe the rules on making any copies of copyrighted works, including software.

2. Any claims made against Avans University of Applied Sciences on the basis of an infringement by the student will be recovered from the student.
3. Students retain the copyright of their own papers, dissertations, products and similar, unless otherwise agreed.
4. Avans may reproduce a student's final dissertation, subject to his/her permission, and publish it in printed and/or in digital form, as part of a database, whether online or offline, for internal and external use only for educational and research purposes.

*For more information about copyright and intellectual property, please contact  
auteursrechtenloket@avans.nl*

### **Article 8.5. Rules and regulations and disciplinary measures**

1. The Executive Board has laid down rules and regulations that apply in the buildings and on the sites of Avans University of Applied Sciences to ensure the smooth running of the university of applied sciences (Section 7.57h of the WHW).
2. Students must conduct themselves in accordance with the instructions issued by the relevant staff with regard to ensuring the order and cleanliness of the buildings and sites of Avans.
3. In addition, students must not act in any way that is deemed unacceptable in a civil society towards persons or property.
4. If any of the rules laid down by the Executive Board are breached, students may receive a warning, reprimand, transfer, suspension or denial of access to the buildings and sites of Avans for a period of no more than 1 year. In more serious cases, the student's enrolment may be terminated during the same period, at the discretion of the Executive Board and in accordance with article 3.3 of this Students' Charter. In some cases, a community service order may be imposed on the student.
5. If the Executive Board intends to take measures as referred to in the previous paragraph, it must notify the individual concerned by means of a substantiated written decision.
6. A copy of the decision regarding sanctions will be sent to the central student administration and included in the central student's file.
7. The student may raise an objection to the sanctions by submitting a substantiated notice of objection in writing to the Executive Board, for the attention of the Disputes Advisory Committee, in accordance with the provisions of section 10 of this Students' Charter.

*The Protocol for student sanctions and disciplinary measures contains internal rules of conduct and procedures with regard to the smooth running of the buildings and sites of Avans University of Applied Sciences. The protocol can be found at [studentinfo.avans.nl](http://studentinfo.avans.nl).*

### **Article 8.6. Smoking and alcohol ban**

Avans has an alcohol and smoking ban in place. The rules relating to the alcohol policy are laid down in the Avans Rules and Regulations. There is also a total smoking ban in all Avans buildings.

*The alcohol policy and smoking ban form part of the Avans University of Applied Science Rules and Regulations. The Rules & Regulations and Facilities Protocol is published at [studentinfo.avans.nl](http://studentinfo.avans.nl).*

## **Article 8.7. Liability**

1. The Avans Foundation bears no responsibility whatsoever for the loss of, theft of or damage to personal items that occurs within the buildings or on sites of the Avans Foundation or in buildings or on sites used by it.
2. In the event of a failure to fully comply with the provisions of these regulations, the Avans Foundation's liability is limited to a maximum of the amount of tuition fees or examination fees paid by the student/external student in the relevant academic year.

## **9 Personal data protection**

### **Article 9.1. Processing of personal data**

1. Any student has the right to access and receive a copy of the data held about him/her and his/her study progress by the Avans University of Applied Sciences administration.
2. This also applies to prospective students (applicants), external students, course participants and alumni.
3. Any student has the right to ask for the data held about him/her to be improved, supplemented, rectified, deleted or blocked if it is factually inaccurate, not relevant for the purpose of processing or breaches a legal provision.
4. If a student's request referred to in paragraph 1 is refused, the student may submit a complaint to the Data Protection Officer appointed by the Executive Board. This Data Protection Officer will handle the complaint and advise the Executive Board on further processing.
5. The data referred to in paragraph 1 is only accessible to persons other than the student if an Avans staff member requires access to the data by virtue of his/her role.
6. The student's name, exam results, duration of enrolment, ECTS credits, copies of diplomas and information held on the student's file regarding the study units taken are held for 50 years after disenrolment from the institution and then destroyed.
7. The retention periods of the programme-related study progress data are set out in the Education and Examination Regulations for the programme.
8. Personal data may be processed for the purpose of improving the quality of education, including the related research.
9. The provisions of paragraphs 1 to 7 of this article do not affect the Executive Board's right to use anonymised student data for statistical purposes.
10. The personal data of prospective students (applicants) who are not enrolled in the university of applied sciences will be deleted no more than 2 years after the start of the new academic year.
11. A student's name and address may be included in an alumni file once the student has graduated, unless the student objects to this.

## **Article 9.2. Regulations for providing students' addresses to third parties**

With the exception of the statutory obligations incumbent upon the institution and for the benefit of specific surveys approved by the Executive Board intended to improve the quality of education, no employee of the institution may provide the names and addresses of students to third parties, without prior written permission from the student.

## **Article 9.3. Change of address**

Students are responsible for ensuring that their correct address details are held by the Student Administration Office. Students must inform the Student Administration Office about any change of address as soon as possible.

*Avans has Regulations for the protection of personal data of students in place. The regulations aim to protect the privacy of students against inappropriate use and storage of data. A complaints procedure is also available under these regulations.*

*The Regulations for the protection of personal data of students can be found at [studentinfo.avans.nl](http://studentinfo.avans.nl).*

# **10 Legal protection**

***For the purpose of this section, an individual concerned refers to a student, a prospective student, a former student, an external student, a prospective external student or a former external student.***

## **Article 10.1. Complaints**

1. Any individual concerned has the right to submit a complaint about a particular course of events within Avans University of Applied Sciences or the conduct of a staff member or fellow student at the university of applied sciences.
2. A complaint may be sent by e-mail to [juridischloket@avans.nl](mailto:juridischloket@avans.nl)
3. The notice of complaint must contain at least:
  - the name, address and phone number of the complainant
  - the student ID number of the complainant
  - the identity of the person and/or organisational unit against whom the complaint is being made
  - a description of the complaint
  - the outcome that the complainant seeks.
4. Any student confronted with undesirable behaviour in the course of their studies may complain to a confidential counsellor or directly to the external Complaints Committee set up specifically for this purpose.  
The complaint must be submitted as soon as possible after the incident or at least within a reasonable period of time.

*- Avans University of Applied Sciences has a General Complaints Procedure for Students in place.*

*- The Undesirable Behaviour Complaints Procedure forms part of the Undesirable Behaviour Complaints regulations. A code of conduct with regard to undesirable behaviour during a work placement is annexed to those regulations. Both sets of regulations can be found at [studentinfo.avans.nl](http://studentinfo.avans.nl).*

## **Article 10.2. Objection and appeal**

1. Any individual concerned whose interests have been directly affected by a

decision taken against him/her by or on behalf of the Executive Board may submit a substantiated notice of objection in writing to the Executive Board.

2. The notice of objection must be submitted to the Secretary of the Disputes Advisory Committee of the Executive Board, PO Box 90116, 4800 RA Breda or by e-mail to [gac@avans.nl](mailto:gac@avans.nl) within 6 weeks of the individual concerned being informed of the decision.
3. The Disputes Advisory Committee advises the Executive Board whether there are any objections from the individuals concerned with regard to other decisions that fall under the authority of Examination Appeals Board, or the absence thereof, as referred to in article 10.3 et seq. This concerns objections by persons concerned to a decision taken by or on behalf of the Executive Board in respect of:
  - exemption from statutory prior education requirements (Sections 7.28 and 7.29 of the WHW)
  - enrolment as a student or external student
  - termination of enrolment (Section 7.42 of the WHW)
  - the amount of the tuition fees (Sections 7.43 and 7.44 of the WHW)
  - repayment, reduction and exemption of tuition fees (Sections 7.48 and 7.49 of the WHW)
  - financial support for a student (Section 7.51 of the WHW)
  - measures relating to the smooth running of affairs in the buildings and on the sites of Avans University of Applied Sciences (Section 7.57h of the WHW).
4. The individual concerned may appeal against the decision regarding the notice of objection to the national Appeals Tribunal for Higher Education in The Hague (as referred to in article 10.5 of this Students' Charter).

### **Article 10.3. Examination Appeals Board**

An Examination Appeals Board is associated with Avans University of Applied Sciences for the benefit of individuals concerned/interested parties (Section 7.60 of the WHW).

#### **Article 10.3a. Authority of the Examination Appeals Board**

1. The Examination Appeals Board referred to in Section 7.60 of the WHW et seq. has the authority to hear an appeal from a claimant against:
  - a. decisions within the framework of a study advice with a binding rejection, as referred to in Sections 7.8b(3 and 5) and 7.9(1) of the WHW
  - b. pass/fail decisions concerning the final examination, as referred to in Section 7.9d of the WHW
  - c. decisions concerning admission to examinations, except decisions of general application, taken pursuant to title 7 of Section 2 of the WHW
  - d. decisions taken on the basis of additional research, as referred to in Section 7.25(5) and Section 7.28(4), of the WHW
  - e. decisions taken by Examination Boards and examiners
  - f. decisions taken by committees, as referred to in Section 7.29(1) of the WHW
  - g. decisions taken on the basis of Section 7.30b of the WHW, concerning admission to the study programmes referred to in that article.
2. Before an appeal is considered, the Examination Appeals Board will send a notice of appeal to the body that issued the decision, with an invitation to discuss the appeal with the claimant in order to explore an amicable arrangement.
3. A refusal to make a decision is interpreted to mean a decision. If a decision is not made within the statutory period stipulated for that purpose, or within a reasonable period if no period is stipulated, it will be deemed to have been

refused. The period for submitting the notice of appeal is 6 weeks<sup>1</sup> following the date of the decision.

4. The individual concerned may appeal against the decision regarding the notice of appeal to the national Appeals Tribunal for Higher Education in The Hague (as referred to in article 10.5 of this Students' Charter).

### **Article 10.3b. Grounds for appeal**

Any individual concerned who is directly affected by a decision as referred to in the previous article may appeal to the Examination Appeals Board on the grounds that the decision taken was unlawful and, in particular, that:

- a. the decision is in breach of any generally binding regulation
- b. the relevant body exercised its power for a purpose other than the purpose for which that power was granted in taking the decision
- c. the relevant body could not have reasonably taken the decision on a balance of interests
- d. the decision is in breach of any other principle of good governance in consideration of general legal ethics.

### **Article 10.3c. Composition of the Disputes Advisory Committee and Examination Appeals Board**

The composition of the Disputes Advisory Committee and Examination Appeals Board is determined in the Student Appeals Procedure regulations and the Regulations of the Examination Appeals Board.

### **Article 10.4. Secretarial Office of the Disputes Advisory Committee and Examination Appeals Board**

Notices of objection and appeals can be submitted in writing to the secretary or by e-mail to: [gac@avans.nl](mailto:gac@avans.nl) (objections) or [cobex@avans.nl](mailto:cobex@avans.nl) (appeals).

The secretarial office is located at Hogeschoollaan 1, Breda. The postal address is: PO Box 90116, 4800 RA Breda. Please address your correspondence to the secretary.

*The objections and appeal procedure regulations form part of the Student Appeals Procedure regulations and the Regulations of the Examination Appeals Board. These regulations can be found at [studentinfo.avans.nl](http://studentinfo.avans.nl).*

### **Article 10.5. Appeals Tribunal for Higher Education**

Decisions and rulings issued by:

1. the Executive Board in response to a notice of objection
2. the Examination Appeals Board in response to a notice of appeal may be contested by the student by submitting an objection within 6 weeks to:

the Appeals Tribunal for Higher Education<sup>1</sup>  
Postbus 16137  
2500 BC The Hague, The Netherlands  
[www.cbho.nl](http://www.cbho.nl)

<sup>1</sup> The Appeals Tribunal for Higher Education is an independent body that deals with legal cases related to higher education (research universities and universities of applied sciences). The Tribunal comprises 9 judges, supported by 3 employees. The tribunal fee is €46.

The appeal to the Appeals Tribunal must be submitted stating:<sup>2</sup> Page 25 of 25

- name and contact details of the appellant
- date of the appeal
- the grounds on which the appeal is based
- a copy of:
  - either the decision of the Examination Appeals Board
  - or a copy of the decision to which the dispute relates
- power of attorney in the event of representation

## **11 Effective date**

### **Article 11.1. Adoption and effective date**

This Students' Charter was adopted by the Executive Board and will be evaluated on an annual basis.

<sup>2</sup> See the annexes to the separate Objections and Appeals Regulations (see portal), which set out the appeal procedure and include form templates for submitting an appeal to the Examination Appeals Board or the Appeals Tribunal for Higher Education.