



Students' Charter

The Students' Charter describes the rights and obligations of students, arising from the Dutch Higher Education and Research Act (WHW) and consists of a general part pertaining to the institute as a whole, and of specific parts pertaining to the various degree programmes. The Students' Charter is subject to alterations in laws and regulations.

As established in the meeting of the Executive Board on 16 January 2018

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Owner: Secretary of the Executive Board

Foreword

This students' charter contains all the rights and obligations of students, as well as all provisions which are aimed at protecting the students' rights. The students' charter applies to all prospective students of Breda University of Applied Sciences, as well as to all students, course participants and extraneous students enrolled on the study programmes of Breda University of Applied Sciences.

This new version of the students' charter will take effect from January 2018.

The most important amendments compared with the previous version are:

- 1 The general texts have been updated to 2018.
- 2 The provisions relating to legal protection have been elaborated.
- 3 The text on the Emergency Fund has been added.

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Chapter 1 General

Article 1.1 Definitions

In these regulations, the following is meant by:

Academy	Organisational unit as referred to in WHW article 10.3a, which offers one or more study programmes.
Academy director	Leading officer of an academy. The academy director bears final responsibility for the day-to-day running of an academy on the grounds of the duties and powers authorised to him/her by the Executive Board.
Accreditation	The quality mark which expresses that the quality of a study programme has been positively assessed, as referred to in WHW article 1.1 under 's'.
Degree programme	A coherent set of units of study, as referred to in WHW article 7.3.
Dispute resolution committee	Committee as referred to in WHW article 7.63, which issues advice to the Executive Board about objections referring to decisions, and/or a lack of any decision(s), which do not fall within the competence of the Examination Appeals Board (WHW article 7.61).
Executive Board	The governing body of <i>Stichting Breda University of Applied Sciences</i> , as referred to in WHW article 10.2 in conjunction with articles 3 to 5 inclusive and article 7 of the articles of association of the <i>stichting</i> .
Final exam	The total of successfully completed examinations in the units of study belonging to the study programme, possibly supplemented with an investigation carried out by examiner(s) appointed by the board of examiners into the level of knowledge, comprehension and skills of the student.
Guest	Visitor at Breda University of Applied Sciences, such as a guest lecturer, participant in an event, family members, etc.
Institute	Breda University of Applied Sciences.
LMS	Learning Management System (CL Learning, voorheen N@tschool)
Management and administrative regulations	A set of regulations in which the Executive Board has laid down all regulations and procedures with regard to management, administration and structure/organisation of the institute, as referred to in WHW article 10.3b.
Teaching and Examination Regulations (TER)	Set of regulations regarding teaching and examinations of a degree programme, as referred to in WHW article 7.13.
Third party	Member of staff from a party under contract to Breda University of Applied Sciences.

WHW

The Dutch Higher Education and Research Act (WHW) including any amendments.

Article 1.2 General provisions

WHW article 7.59

- 1 This charter is a students' charter as referred to in the WHW.
- 2 The provisions in the students' charter are only legally effective if and to the extent that they are not contradictory to the provisions under or pursuant to the WHW.
- 3 The charter consists of a specific part pertaining to the various study programmes (programme-specific part) and an institute-specific part.
- 4 The programme-specific part has been incorporated in the TER and contains at least information about the structure, organisation and delivery of education, and the facilities concerning student counselling.
- 5 The institute part consists of:
 - a the rights and obligations of students, arising from the provisions of or pursuant to the WHW, including the Regulations regarding Application and Enrolment, and
 - b the regulations which are aimed at protecting the students' rights, including:
 - the objection and appeal procedures within the institute, as well as the rights of appeal that can be derived from the WHW and other statutory regulations,
 - the additional procedures to protect the rights of students who have been affected in their interests by the Executive Board.
- 6 The Executive Board and the academy directors will ensure that the adopted version of the regulations, as specified in sections 4 and 5, are made available to students.
- 7 Breda University of Applied Sciences is part of the register of institutes signatory to the 'Gedragscode internationale student' (Code of Conduct for International Students in Higher Education). This code can be found on the institute's portal.

Article 1.3 Applicability

- 1 The students' charter is applicable to the Executive Board, the academies, the employees, and the students of Breda University of Applied Sciences.
- 2 In those situations where a student from the joint-degree programme 'BTO' makes use of the facilities and/or attends classes in the buildings and on the grounds of Breda University of Applied Sciences, the regulations of the institute will apply to this student too.
- 3 Where the word 'student' is used in this students' charter, it should be taken to also represent a prospective student or a current/former student, a prospective/current/former extraneous student, and a prospective/current/former course participant, unless otherwise stipulated.
- 4 All use of the words 'he', 'him' or 'his' is meant to include both genders and is in no way to be construed as discriminatory.
- 5 The references in this document relate to information available on the portal or www.buas.nl unless otherwise specified.
- 6 Where 'e-mail address' is mentioned in these regulations, it should be taken to represent the student's institute (school) e-mail address. This e-mail address is commonly used in all communication with the student.

Only if the student does not have an institute e-mail address (not any more, or not yet), or if the communication concerns matters related to Studielink (such as enrolment or termination of enrolment, payment of tuition fee, etc.) will the e-mail address as registered in Studielink be used.

Chapter 2 Organisation of Breda University of Applied Sciences

Article 2.1 Objective

Breda University of Applied Sciences trains students in an international study and work environment to become curious, responsible and entrepreneurial professionals who are qualified for the globalising labour market. In its practice-oriented and applied research programmes, the institute focuses on topical and challenging issues related to developments in the knowledge domains which are important to the institute. Breda University of Applied Sciences focuses on the following knowledge domains:

- Tourism,
- Leisure & Events,
- Facility,
- Hotel,
- Built Environment,
- Logistics,
- Built Environment,
- Media,
- Games.

Article 2.2 Governance

WHW article 10.3d

- 1 The Executive Board is responsible for the preparation, implementation and evaluation of policy and procedures of Breda University of Applied Sciences. In addition, the Executive Board coordinates the day-to-day affairs within the institute.
- 2 The Supervisory Board is charged with the supervision of policy/procedures of the Executive Board and the day-to-day affairs within the institute.
- 3 Every academy has a management team, consisting of an academy director and a number of management team members. The Executive Board has mandated powers and responsibilities to the management team with regard to the preparation, delivery and evaluation of education. For more detailed information, see the 'Management and Administrative Regulations of Breda University of Applied Sciences'.

Article 2.3 Organisational structure

- 1 Education within Breda University of Applied Sciences is provided by five academies. These are:
 - Academy for Urban Development, Logistics and Mobility (AUDLM);
 - Academy for Tourism (AfT);
 - Academy for Digital Entertainment (ADE);
 - Academy for Leisure (AfL);
 - Academy of Hotel and Facility Management (HFM).
- 2 For the support of its policy and operations, Breda University of Applied Sciences has supporting services:
 - Control, Finance & Administrations (CFA);
 - Accommodation, Facilities & Planning (HFP);
 - Human Resource Management (HRM);
 - Information Management and Information & Communication Technology (IM&ICT);
 - Marketing & Communication (M&C);
 - Library (MED);
 - Strategy, Education and Research Office (SER).

More information:

- *Management and Administrative Regulations of Breda University of Applied Sciences*

Chapter 3 Application and Enrolment

Article 3.1 General

Any person who wishes to enrol as a student for a degree programme of Breda University of Applied Sciences will be required to comply at least with the statutory regulations pertaining to application and enrolment (including timely payment of the tuition fee). For more detailed information you are referred to the 'Regulations regarding Application and Enrolment', which also apply to persons who wish to enrol for a next academic year.

More information:

- *Application and Enrolment Regulations*

Article 3.2 Rights and obligations after enrolment

- 1 A student enrolled at Breda University of Applied Sciences will have at least the following rights:
 - a participation in the units of study of the curriculum of the study programme in which the student is enrolled, including – if applicable – the units of study offered across the institute as a whole;
 - b taking examinations of the units of study of the curriculum of the study programme in which the student is enrolled, including – if applicable – the units of study offered across the institute as a whole;
 - c access to and use of the institute's buildings, grounds, and facilities therein;
 - d use of provisions made for students, including the services of the student counsellors;
 - e individual support/guidance with special attention for support/guidance of students with a disability or students who belong to an ethnic or cultural minority whose participation in higher education significantly lags behind that of Dutch individuals who do not belong to any such minority;
 - f the possibility to complete the study programme at the same institute or another institute within a reasonable period of time in the event of a decision of the Executive Board to discontinue a study programme;
 - g sufficient quality of education in relation to the requirements set to the accreditation of a study programme;
 - h active (voting) and passive (being voted for) right to vote for the participation council, participation sub-councils, and/or degree programme committees.
- 2 Enrolment as a student of Breda University of Applied Sciences will lead to the following obligations at least:
 - a behaving as a good student befits and being obliged to adhere to all institute regulations regarding conduct/behaviour with regard to the use of the buildings, grounds and facilities of the institute on the one hand, and with regard to relations and interactions with fellow students, employees or third parties / guests on the other hand (see chapter 7);
 - b timely provision of relevant details for the registration of name and address, both residential and mailing address. Any changes are to be communicated via Studielink at the earliest opportunity;
 - c registration of data in the database for the purpose of the contingency procedure in the case of a stay abroad within the framework of the study programme in which the student is enrolled. Registration of these data should be effected by means of the 'Fill in and take off' form.
 - d taking out third-party liability insurance (to cover damage caused to third parties) during the performance of practical assignments within the framework of a work placement, project-based education, and/or graduation.
 - e duty to provide proof of identity. The student who is unable to provide - upon first request - his name and proof of identity to persons designated by the Executive Board, may be denied access to the buildings and grounds of the institute.

- 3 Enrolment as an 'extraneous' student will only give the student the right to take examinations and final exams within the degree programme.
- 4 In the event of a field trip, the student will be required to take out cancellation insurance himself.

Article 3.3 Termination of enrolment

If a student's enrolment on a study programme at Breda University of Applied Sciences is terminated, the provisions of the 'Application and Enrolment Regulations' will apply.

Article 3.4 Hardship clause

The Executive Board of Breda University of Applied Sciences is authorised – within the boundaries of the WHW – to deviate from these regulations if their application leads to extreme unfairness, and to make decisions with regard to situations not provided for in these regulations. To this end, the student will be required to submit a written, well-founded request to the Executive Board.

Chapter 4 Education

Article 4.1 Teaching and examination regulations

WHW article 7.13

- 1 For every study programme or cluster of study programmes, the Executive Board has established teaching and examination regulations. These regulations are part of the programme-specific part of the students' charter.
- 2 Education in every study programme is delivered in accordance with the provisions of the teaching and examination regulations (TER) of the study programme concerned.
- 3 The current procedures and rights and obligations with regard to education and tests/examinations and final exams are described in the TER

More information:

- *TER per degree programme / academy*

Article 4.2 Student counselling

The student is entitled to student counselling and has the right to use the services of a student counsellor. The way in which individual student counselling is organised and provided is described in the teaching and examination regulations.

Article 4.3 Right to affordable education

- 1 An enrolment as a student will not be dependent upon any other financial contribution than the tuition fee.
- 2 The costs for an institute arising from statutory obligations to provide education must not be passed on to the student.
- 3 The costs of educational resources for the student's own use, which are required for participation in education or in the tests/examinations of the degree programme, must be paid by the student. Just think of books, equipment (e.g. laptop or calculator), and costs of practical curriculum components. This also applies to the costs of the facilities for the training company of the Hotel Management programme. Students will be informed of the costs in a timely fashion prior to the start of the academic year (see 'Application and Enrolment Regulations').
- 4 The amounts of contributions to excursions, introduction events, practical weeks, work placements, and other costs for educational resources must be in reasonable proportion to the expenses incurred. Prior to the student's enrolment or re-enrolment, the academy will provide an estimate of the amounts of the contributions payable.
- 5 If a student does not want to pay the contribution, as referred to in section 4, while it concerns an activity or facility which is a compulsory component of the curriculum, the student will be offered an appropriate alternative.

More information:

- *Application and Enrolment Regulations*

Article 4.4 Right to timely information about education

- 1 For the organisation of education and examinations, the planning office of Breda University of Applied Sciences will compile timetables. Study timetables will be made available to the students no later than 3 weeks before the start of the academic period concerned.
- 2 If the time limit mentioned in section 1 is not met, the student will be informed of this in time by the Accommodation, Facilities and Planning service (HFP).
- 3 The time limit mentioned in section 1 will not apply to the first term / semester / trimester of the new first-year students.

Article 4.5 Board of examiners

WHW article 7.12 paragraphs 1 and 2

For every study programme or group of study programmes, a board of examiners has been established by the Executive Board, in accordance with WHW article 7.12 paragraphs 1 and 2. The standard at Breda University of Applied Sciences is to have one board of examiners per academy, with the exception of the academic bachelor's programmes and master's programmes, if applicable. The board of examiners has the task of establishing, in an objective and expert manner, whether a student complies with the conditions as specified in the TER in terms of knowledge, comprehension and skills required to be awarded a degree.

More information:

- *Regulations pertaining to Boards of Examiners*

Chapter 5 Student Facilities

Article 5.1 General student facilities

In addition to the provisions on legal protection contained in chapter 9, the student of Breda University of Applied Sciences will have access to a number of facilities which are described in the following articles.

5.1.1 The student counsellor

Breda University of Applied Sciences has one or more student counsellors per academy. The student counsellor offers support to the student who runs into problems during his course of study, whether or not arising from special circumstances (WHW article 7.51 paragraph 2). The student can also contact the student counsellor for advice and guidance. Possible subjects dealt with include: study choice, academic progress, interruption of studies, study financing, problems of a personal nature, objection and appeal proceedings, social insurance, participation in decision-making, and living accommodation.

The student counsellors provide information to students on a variety of subjects in the 'student counsellor leaflets'. These leaflets can be found on the LMS.

5.1.2 Support in the case of unwanted behaviour

- 1 Students who are confronted with unwanted behaviour, either inside or outside the institute, can seek support from a confidential counsellor. The Executive Board has appointed internal confidential counsellors within each organisational unit of Breda University of Applied Sciences. Apart from the internal confidential counsellors, the Executive Board has also appointed an external confidential counsellor. A student can call on any counsellor he would like – not just the confidential counsellor of the study programme he is attending.
- 2 Furthermore, it is possible to submit a complaint regarding undesired behaviour to the Executive Board of Breda University of Applied Sciences, or to the external complaints committee. For this purpose, see the 'Complaints Regulations regarding Unwanted Behaviour'.

More information:

- *List of confidential counsellors*
- *Complaints Regulations regarding Unwanted Behaviour*

5.1.3 Help in cases of domestic violence and/or child abuse

Breda University of Applied Sciences wants to make an effort to look after students' and staff members' well-being. To experience safety in the broadest sense of the word is an essential part of well-being. That is why our institute wishes, within the bounds of possibility, to offer support to victims of domestic violence and child abuse within the community of Breda University of Applied Sciences.

Any student or member of staff who is a victim of or who suspects a case of domestic violence and/or child abuse is strongly advised to contact one of the professionals of the institute.

On intranet/LMS an overview of confidential counsellors and student counsellors can be found. These people know how to cope with these types of situations. From the group of confidential counsellors and student counsellors, two persons have been specifically appointed as dedicated post holders for this subject.

Students or members of staff can also contact the organisation Veilig Thuis. This organisation can be contacted directly on tel. 0800-2000 or their website www.vooreenveiligthuis.nl can be visited. It is also possible to ask questions or report any abuse anonymously.

5.1.4 Complaints Service Point

Breda University of Applied Sciences has set up a Complaints Service Point for students to turn to if they want to submit a complaint, objection or appeal. For more information you are referred to chapter 9 on legal protection.

Students can also contact the Complaints Service Point if they have any questions or need advice on complaint, objection and appeal proceedings. The Complaints Service Point can be accessed via the student portal. It is also possible to send an e-mail to the service point:

ComplaintsServicePoint@nhtv.nl (this e-mail address will change to ComplaintsServicePoint@buas.nl with effect from September 2018).

5.1.5 Servicedesk

Breda University of Applied Sciences has a Servicedesk at each of its locations. Additionally, the Servicedesk can be accessed via Servicedesk Online. This is where the student can turn to for non-study related questions, such as questions concerning application, admission, enrolment, termination of enrolment, tuition fee payments, work placements abroad, requests for audio-visual equipment, and access to the network.

Article 5.2 Profiling fund

WHW article 7.51 and article 7.51a to i inclusive

The Executive Board has made provisions for the financial support of students through the Profiling Fund. The Executive Board has set up a review committee to provide advice with regard to the funding requests submitted. Requests should always be submitted through the student counsellor. In the Profiling Fund, five variants of financial support for students are specified, see articles 5.2.1 to 5.2.5 inclusive.

5.2.1 Graduation support

Graduation support is available for the student who is enrolled on a government-funded programme of Breda University of Applied Sciences. This support is meant for the student who has incurred a study delay compared to the standard duration of the study programme due to special circumstances, including illness, pregnancy and childbirth, handicap or chronic illness, family circumstances, or an insufficiently practicable study programme.

5.2.2 Administrative scholarship

The administrative scholarship is available for a student who is a member of the board of a student organisation.

5.2.3 Top-level sports scholarship

The top-level sports scholarship is available for the student who practises sport at top level and/or who represents the institute in educational or other contests / competitions / manifestations in the Netherlands and abroad.

5.2.4 Top-talent scholarship

The top-talent scholarship is available for the student who represents the institute in educational or other contests / competitions / manifestations in the Netherlands or abroad or who is considered as top talent in other respects.

5.2.5 Scholarship (kennisbeurs) for non-EEA students

The scholarship is available for the non-EEA student. This scholarship is awarded in the form of a reduction on the tuition fee.

More information:

- *Profiling Fund Regulations*

Article 5.3 Social fund

The aim of SSF (Stichting Studenten Steunfonds) is to support student activities which cannot or need not be financed by the institute. The guiding principle in this respect is that it concerns non-educational activities which are open to participation by a large number of students (across the institute as a whole).

In addition, SSF offers individual financial support to students in appropriate cases. The application procedure for individual financial support is executed via the student counsellor. This application has to be submitted to the Profiling Fund Review Committee (see article 5.2). The review committee advises SSF in these matters.

More information:

- [*SSF.NHTV.nl*](http://SSF.NHTV.nl)¹

Article 5.4 Emergency fund

Apart from the Profiling Fund, Breda University of Applied Sciences has instituted an Emergency Fund. Students enrolled at the institute are offered temporary financial support from this fund in certain special cases.

More information:

- *Emergency Fund Regulations*

¹ This internet address will change to SSF.buas.nl with effect from September 2018.

Chapter 6 Participation in Decision-Making

Article 6.1 General

- 1 Within Breda University of Applied Sciences there are three participation bodies, which are explained further in the next articles. The guiding principle applied by these participation bodies is that any topic can only be dealt with by one body.
- 2 Half of every participation body consists of members chosen from among and by the institute's staff members and the other half consists of members chosen from among and by the institute's students.

Article 6.2 Participation council

WHW article 10.17

The Executive Board of Breda University of Applied Sciences has instituted a participation council which is charged with exercising participation in decision-making within the institute as laid down in the 'Regulations concerning Staff and Student Participation in Decision-Making'. These regulations provide for, among other things, matters over which the participation council has the right of consent and/or the right to prior consultation.

Article 6.3 Participation sub-councils

WHW article 10.25

- 1 Apart from the participation council, there are six participation sub-councils within Breda University of Applied Sciences. These are:
 - Participation sub-council of the Academy for Urban Development, Logistics and Mobility;
 - Participation sub-council of the Academy for Tourism;
 - Participation sub-council of the Academy for Digital Entertainment;
 - Participation sub-council of the Academy for Leisure;
 - Participation sub-council of the Academy of Hotel and Facility Management;
 - Participation sub-council of the supporting services.
- 2 A participation sub-council is charged with exercising participation in decision-making with regard to all matters that concern the academy (or the supporting services), in accordance with the powers as laid down in the 'Regulations concerning Staff and Student Participation in Decision-Making'.
- 3 Contrary to article 6.1 section 2, the participation sub-council of the supporting services consists of staff members exclusively.

Article 6.4 Degree programme committee

- 1 For each degree programme or cluster of degree programmes, a degree programme committee has been instituted. The degree programme committee is charged with promoting and safeguarding the quality of education in the degree programme.
- 2 Depending on the subject concerned, the degree programme committee will have the right of consent and/or the right to prior consultation over the programme-specific part of the Teaching and Examination Regulations.

More information:

- *Regulations concerning Staff and Student Participation in Decision-Making*
- *Regulations concerning Degree Programme Committees²*
- *Internal Regulations of the Participation Council²*

² These regulations will become part of the 'Regulations concerning Staff and Student Participation in Decision-Making' in 2018.

Chapter 7 Codes of Conduct and Regulations

The provisions in this chapter are based on two schemes: 'House Rules of Breda University of Applied Sciences' and 'Regulations concerning the Use of ICT Facilities'. The articles below are a brief summary of these regulations.

Article 7.1 Proper course of business, rules of conduct and disciplinary measures

WHW article 7.57h

- 1 To maintain a proper course of business within Breda University of Applied Sciences, the Executive Board has stipulated the following:
 - a Students are bound by the basic values of the institute and will be guided by, among other things, openness, respect, and social responsibility.
 - b With regard to the delivery of the study programme within the framework of practical components, field trips, projects, work placements and graduation assignments, students are generally obliged to act in accordance with applicable laws – whether they are written or unwritten – in social activities towards other persons and/or objects.
 - c Students are required to behave as befits a good student. This means, among other things, that the student must not damage the good name of Breda University of Applied Sciences, either through actions or omissions inside as well as outside the institute.
 - d Given the neutral character of Breda University of Applied Sciences, students and staff are not allowed to practise politics or religion in the buildings or on the grounds of the institute.
 - e Students are obliged to behave in conformity with the instructions provided by staff members who are in charge of order, tidiness and safety within the buildings and grounds of the institute.
- 2 In the case of violation of regulations and provisions as included in this chapter, the 'House Rules' and the 'Regulations concerning the Use of ICT Facilities', the Executive Board may take measures, which include: a warning, a written reprimand, an order to pay damages and/or a fine, denial of access to certain areas, suspension for a definite period of time up to one year, and/or cancellation of enrolment on a degree programme.
- 3 In addition to the provisions mentioned in section 2, the Executive Board has the power to refuse and/or terminate a student's enrolment, if there is reasonable fear that the person concerned will misuse and/or has already misused this enrolment, including any rights arising from it, by seriously damaging the individual character and reputation of Breda University of Applied Sciences. This situation occurs in cases where students, because of their behaviour, constitute a threat to others, such as fellow students, lecturers, but also those who are otherwise involved in the educational process.
- 4 If a student's enrolment has been terminated in accordance with the provisions of section 3, the Executive Board will have the power to refuse this student's enrolment on that particular study programme in a next year.
- 5 Students can lodge an objection with the Dispute Resolution Committee against the decision as referred to in sections 2, 3 and 4 of this article. For this purpose, you are referred to chapter 9 on legal protection.

Article 7.2 Copyright

- 1 The student is obliged to observe all statutory provisions with regard to copying from copyright protected material, including computer programs.
- 2 The student is obliged to observe the 'Regulations concerning Knowledge and Intellectual Property of Students'.
- 3 Any claims submitted to Breda University of Applied Sciences on the grounds of a student's infringement of copyright will be recovered from the student concerned.
- 4 Any copyright on papers, theses, products, and so on, produced by the student will rest with the student, but Breda University of Applied Sciences will have user and publication rights.

More information:

- *General Regulations concerning Knowledge and Intellectual Property of Students (KIES)*

Article 7.3 Use of buildings and equipment

- 1 Students are obliged to use the buildings and grounds of Breda University of Applied Sciences and the facilities therein with due care, taking into account their designated use. In the case of loss, destruction and/or damage or unlawful use, the person responsible will be held liable by the institute for the damage suffered and all ensuing costs.
- 2 Students are obliged to use equipment, objects, instruments and computer facilities, which are the property of Breda University of Applied Sciences or of third parties, with due care. In the case of loss, destruction and/or damage and unlawful use of software, the person responsible will be held liable by the institute for the damage suffered and all ensuing costs.

Article 7.4 Camera surveillance

- 1 To promote safety in the buildings and on the grounds of Breda University of Applied Sciences, cameras have been installed. The institute deems the use of cameras necessary in order to look after and/or, where necessary, protect the interests and properties of students and staff.
- 2 Information signs to the effect that camera surveillance is taking place are displayed near all entrances and exits of Breda University of Applied Sciences as well as near the bicycle parking of the institute. The cameras have been installed visibly in all buildings and on the grounds of the institute.
- 3 Camera surveillance takes place under the responsibility of the Executive Board of Breda University of Applied Sciences.

Article 7.5 Safety regulations

Students are obliged to observe all safety regulations and provisions relating to safety, health and environment, under or pursuant to the '*arbovoorschriften*' (regulations pertaining to occupational health and safety). Students who find themselves in the buildings of Breda University of Applied Sciences are obliged, in the event of emergency situations, to follow the instructions of the in-house emergency response officers (*BHV-ers*). They can be recognised by the brightly coloured safety vests with the letters '*BHV*' on the back.

Article 7.6 Smoking ban

Breda University of Applied Sciences has imposed a smoking ban in its buildings. In the external grounds of the institute, smoking is only allowed in the designated areas.

Article 7.7 Alcohol policy

- 1 The '*Drank- en Horecawet*' (Dutch Licensing and Catering Act) applies a distinction between beverages with a low alcohol content (beer, wine and spirits with an alcohol content of less than 15%) and beverages with a high alcohol content (spirits with an alcohol content of more than 15%).
- 2 The minimum age for drinking alcoholic beverages is 18 years and the provider will be required to check the age of the persons wanting to consume the alcoholic beverages.
- 3 Breda University of Applied Sciences has a licence for use as a catering establishment for the purpose of Sibelicious, the in-school training company of the Academy of Hotel and Facility. This means that Sibelicious is permitted to serve alcoholic beverages (with a low alcohol content and with a high alcohol content). All other locations of the institute only have a licence for beverages with a low alcohol content.
- 4 It is forbidden to consume alcoholic beverages on the external grounds of Breda University of Applied Sciences.

Article 7.8 Liability

Breda University of Applied Sciences accepts no responsibility for the loss of, theft of, and/or damage to personal belongings in the buildings or on the grounds of the institute.

Article 7.9 Borrowing possibilities

- 1 To borrow audio-visual materials, the application form for audio-visual materials (via the portal) can be used.
- 2 To borrow items which are offered by the Mediatheek (Library), you are referred to the portal.

More information:

- *House Rules*
- *Regulations concerning the Use of ICT Facilities*

Chapter 8 Protection of Student Personal Data³

Article 8.1 Right to privacy

The personal privacy of students within Breda University of Applied Sciences is protected against misuse of personal data and processing of incorrect personal data.

Article 8.2 Processing of student personal data

- 1 Every student has the right to inspect and to be informed about the source of the personal data that are processed with regard to his/her person. A request for inspection has to be submitted in writing to the person/body responsible (Executive Board).
- 2 If a student has demonstrated that certain data processed on him are incorrect and/or incomplete, and/or are irrelevant in view of the objective of collecting data, and/or in conflict with the 'Privacy Regulations– Processing of Student Personal Data', the system manager will see to it that these data are corrected, supplemented or removed within one month after the student concerned has demonstrated the incorrectness and/or incompleteness of the data.
- 3 If a student is refused inspection rights, as referred to in section 1 of this article, or if a student disagrees with the application of the 'Privacy Regulations– Processing of Student Personal Data', this student can submit a complaint to the Data Protection Officer appointed by the Executive Board.
- 4 The data as referred to in the first section of this article are only accessible to – apart from to the student concerned – those employees of Breda University of Applied Sciences whose job duties require them to have access to these data.
- 5 The personal data are in any case not removed throughout the duration of the study programme on the grounds of which the data are processed, and will afterwards be saved and/or filed for a period of at least 10 years, or longer should this be reasonably necessary or desirable. Basic data required to issue duplicates of certificates will be kept for 50 years.

Article 8.3 Disclosure of student address details to third parties

With the exception of the legal obligations of the institute and of extraordinary situations, as described in the 'Privacy Regulations– Processing of Student Personal Data', employees are not allowed – under any circumstances – to disclose names and addresses of students to third parties, unless they have received written permission to this effect from the student concerned.

Article 8.4 Checking of data

The student is responsible for timely conveyance of the correct data for the registration of the correct name and contact details of residential and mailing address, and for checking these data.

Article 8.5 Complaints or requests

To submit complaints or requests concerning personal data, or the processing thereof by Breda University of Applied Sciences, the student may rely upon to the 'Privacy Regulations – Processing of

³ In May 2018, a new European regulation on data protection will enter into effect. This may have consequences for the text in this chapter. If necessary, the chapter will be adjusted in accordance with the new regulation.

Student Personal Data'. Aforementioned complaints or requests are to be submitted to the institute's Data Protection Officer.

More information:

- *Privacy Regulations – Processing of Student Personal Data*

Chapter 9 Legal Protection

Article 9.1 General

- 1 Breda University of Applied Sciences has a clear and accessible facility, the digital Complaints Service Point. The Complaints Service point can be accessed via internet, intranet and the portal. Persons concerned can submit complaints, appeals or objections to this Service Point online.
- 2 By persons concerned, as referred to in section 1 of this article, we mean staff members, students, prospective students, former students, extraneous students, prospective extraneous students and former extraneous students.
- 3 If the digital service point offers insufficient information or in the case of a general question regarding the legal protection of students, staff members or prospective students, it is also possible to send an e-mail to the Complaints Service Point via ComplaintsServicePoint@nhtv.nl. (As from September 2018, this e-mail address will be ComplaintsServicePoint@buas.nl)
- 4 In pursuance of the 'Regulations related to Suspected Irregularities', students and staff can report irregularities, or their suspicions to this effect, to the academy director or the Executive Board.
- 5 With regard to matters such as examinations, partial examinations, final exams and study recommendation, the student may make use of the Complaints Service Point, but the student may also turn to the board of examiners of his degree programme directly.

Article 9.2 Complaints

- 1 The time frame for submitting a complaint is one year, from the moment when the behaviour to which the complaint relates occurred. The date of receipt of the complaint will be decisive to determine if the complaint has been submitted in time.
- 2 After the person concerned as referred to in article 9.1 section 2 has submitted the complaint to the Complaints Service Point, a confirmation of receipt will be sent to the complainant and the complaint will be forwarded to the responsible head of service and/or to the academy director concerned, who will see to it that the complaint is dealt with.
- 3 Complaints concerning (members of) the Executive Board will be handled by the Supervisory Board.
- 4 Complaints will be dealt with within six weeks after receipt.
- 5 Breda University of Applied Sciences will deal with complaints with analogous application of title 9.1 of the Dutch General Administrative Law Act.
- 6 Complaints concerning unwanted conduct can be submitted on the grounds of the 'Regulations concerning Complaints about Unwanted Behaviour'.
- 7 Malpractices or irregularities, or any suspicions to this effect, may be reported to the academy director or the Executive Board in pursuance of the 'Regulations related to Suspected Irregularities' (whistleblowers' regulations).

Article 9.3 Appeals

- 1 A current or prospective student or extraneous student may lodge an appeal against a decision or omission of examiners or the board of examiners with the Examination Appeals Board (WHW article 7.60). Decisions which can be appealed against (see WHW article 7.61) concern decisions relating to:
 - the negative binding study recommendation,
 - the number of credits earned,
 - exemption requests,
 - admission to examinations,
 - decisions by boards of examiners and examiners,
 - admission into the degree programme based on a 21+ test or deficiency test,
 - admission into the master's programmes.
- 2 The appeal, as referred to in section 1, has to be submitted within a time frame of six weeks after the date of the decision via the Complaints Service Point of Breda University of Applied Sciences to the Examination Appeals Board. Before taking the case into consideration, the Examination Appeals Board will send the appeal to the person who made the decision appealed against, in order to try to reach amicable settlement in consultation with the person who submitted the appeal. The procedure that applies in this process is described in the 'Rules of Procedure of the Examinations Appeals Board' of the institute.
- 3 Decisions of the Examinations Appeals Board may be appealed against to the Higher Education Appeals Board (CBHO), Postbus 16137, 2500 BC Den Haag (www.cbho.nl). No appeal may be lodged against the decision by the Higher Education Appeals Board.

Article 9.4 Objections

- 1 Against decisions or omissions made by or on behalf of the Executive Board, current and prospective students and extraneous students will have the right to file an objection to the Dispute Resolution Committee. This includes decisions made by an academy director. It involves decisions with regard to:
 - admission into the degree programme,
 - enrolment,
 - rules of conduct and disciplinary measures,
 - allowances based on the 'Profiling Fund Regulations',
 - tuition fee refundsThis involves decisions that do not fall into the scope of the decisions as mentioned in article 9.3 section 1.
- 2 The objection, as referred to in section 1, has to be submitted within a time frame of 6 weeks after the date of the decision via the Complaints Service Point of Breda University of Applied Sciences to the Dispute Resolution Committee. This committee will look into the possibility of the parties reaching amicable settlement. If this is not possible, the Dispute Resolution Committee will issue advice on the objection to the Executive Board. The Executive Board will then decide on the objection. This objection procedure is provided for in the 'Regulations concerning the Dispute Resolution Committee' of the institute.
- 3 Supplementary to section 2, the prospective student who wants to file an objection against a decision concerning selection into a 'restricted intake' programme will be advised to request an accelerated procedure from the Dispute Resolution Committee of Breda University of Applied Sciences.
- 4 Decisions of the Executive Board, based on the advice of the Dispute Resolution Committee, may be appealed against to the Higher Education Appeals Board (CBHO), Postbus 16137, 2500 BC Den Haag (www.chbo.nl). No appeal may be lodged against the decision by the Higher Education Appeals Board.

More information:

- *Complaints Regulations regarding Unwanted Behaviour*
- *Rules of Procedure of the Examination Appeals Board*
- *Regulations concerning the Dispute Resolution Committee*
- *Regulations related to Suspected Irregularities (whistleblowers' regulations)*

Chapter 10 Concluding Provisions

Article 10.1 Adoption and entry into force

- 1 The Executive Board will adopt the Students' Charter after it has been approved by the Participation Council.
- 2 The Students' Charter entered into full force and effect as from 1 January 2018 and it replaces all previous versions of the Charter.
- 3 The Students' Charter will be published on the portal/intranet and the internet.

Article 10.2 Cases not provided for

All cases not provided for by this charter will be decided by the Executive Board of Breda University of Applied Sciences.